

Honolulu, Hawaii

FEB 04 , 2022

RE: H.B. No. 1736  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Pandemic & Disaster Preparedness, to which was referred H.B. No. 1736 entitled:

"A BILL FOR AN ACT RELATING TO EDUCATION,"

begs leave to report as follows:

The purpose of this measure is to temporarily allow licensed teachers who have recently retired to be employed as teachers during a state of emergency.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency and Employees' Retirement System.

Your Committee finds that the State's severe shortage of teachers was further exacerbated by the coronavirus disease 2019 (COVID-19) pandemic, as many teachers have had to stay home due to exposure to COVID-19, whether in their personal lives or in their classrooms. Your Committee further finds that during the 2020-2021 academic year, over four hundred teachers retired. Your Committee believes that retired teachers are an asset that can be used during a time of emergency to address the shortage of teachers; however, existing law prevents recently retired teachers from doing so. This measure will remedy that by authorizing



recently retired teachers to continue to teach during a state of emergency.

Your Committee notes the concern from the Employees' Retirement System regarding the potential negative impact this measure may have on the Employees' Retirement System's status as a qualified governmental plan under the Internal Revenue Code. While it is not the intent of your Committee to jeopardize the Employees' Retirement System's tax qualified status, your Committee finds that this measure addresses a very important issue for the State and believes it should continue through the legislative process while allowing the Employees' Retirement System to consult with its tax counsel.

Accordingly, your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1736, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1736, H.D. 1, and be referred to your Committee on Education.

Respectfully submitted on  
behalf of the members of the  
Committee on Pandemic &  
Disaster Preparedness,

  
LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Pandemic & Disaster Preparedness

Bill/Resolution No.: <i>HB 1736</i>	Committee Referral: <i>PDP, EDN, FIN</i>	Date: <i>2/1/22</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
PDP Members	Ayes	Ayes (WR)	Nays	Excused
1. ICHIYAMA, Linda (C)	✓			
2. ELI, Stacelynn K.M. (VC)	✓			
3. CULLEN, Ty J.K.	✓			
4. McKELVEY, Angus L.K.	✓			
5. MIZUNO, John M.	✓			
6. WILDBERGER, Tina	✓			
7. WOODSON, Justin H.	✓			
8. YAMASHITA, Kyle T.	✓			
9. WARD, Gene	✓			
<b>TOTAL (9)</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="margin-left: 150px;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <i>Stacelynn Eli</i>				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				