

JAN 24 2024

A BILL FOR AN ACT

RELATING TO THE HAWAII NATIONAL GUARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 121-39, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§121-39 Pay of officers and warrant officers while on
4 active duty. Officers and warrant officers of the army or air
5 national guard while on active duty of the State shall receive
6 the pay and allowances of officers and warrant officers of
7 similar grades of the United States Army and Air Force,
8 respectively; provided that:

9 (1) The State shall allow officers and warrant officers to
10 directly deposit their pay by electronic means to
11 their personal banking accounts; [~~and~~]

12 (2) If an officer or warrant officer is activated for more
13 than thirty days in service to the State and is not
14 otherwise covered by health insurance, the State shall
15 provide an allowance for the payment of tricare
16 reserve select coverage for the individual officer or
17 warrant officer and the officer's family should the
18 officer or warrant officer have eligible dependents;

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1 provided this paragraph shall only apply to officers
2 in the grades of O-3 and below and warrant officers in
3 the grades of CW-2 and below; and

4 [~~2~~] (3) No pay or allowances shall be made to officers
5 or warrant officers for any service for which they
6 receive military pay and allowances from the United
7 States."

8 SECTION 2. Section 121-40, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§121-40 Pay of enlisted personnel while on active duty.
11 Enlisted personnel of the army and air national guard while on
12 active duty in the service of the State, except during periods
13 of annual field training or year-round field training, shall
14 receive the same pay and allowances as enlisted personnel of
15 similar rank in the United States Army and Air Force
16 respectively; provided that:

17 (1) State shall allow enlisted personnel to directly
18 deposit their pay by electronic means to their
19 personal banking accounts; [~~and~~]

20 (2) If an enlisted person is activated for more than
21 thirty days in service to the State and is not
22 otherwise covered by health insurance, the State shall

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1 provide an allowance for the payment of tricare
2 reserve select coverage for the individual enlisted
3 person and the enlisted person's family should the
4 enlisted person have eligible dependents; provided
5 that this paragraph shall only apply to enlisted
6 personnel in the grades of E-6 and below; and
7 ~~(2)~~ (3) Aggregate of the pay and allowances, computed on
8 a daily basis, shall in no event be less than the
9 amount equal to ten times the hourly wage specified in
10 section 387-2."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

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15

INTRODUCED BY: 

16

BY REQUEST

S.B. NO. 3085

Report Title:

Militia; National Guard; Insurance; Tricare; Department of Defense

Description:

Authorizes the payment of allowances for TRICARE Reserve Select coverages to junior officers, warrant officers, or enlisted personnel of the Hawaii National Guard ordered to active duty for more than 30 days in service to the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD.

PURPOSE: To authorize the payment of allowances for TRICARE Reserve Select (TRS) coverages to junior officers, warrant officers, or enlisted personnel of the Hawaii National Guard (HING) ordered to active duty for more than 30 days in service to the State. This bill would allow the HING to add TRS premium payments to the authorized allowances for officers in the grades of O-3 and below, warrant officers in the grades of CW-2 and below, and enlisted personnel in the grades of E-6 and below when on active duty in the service of the State for more than 30 days and when the service member is not otherwise covered by state or federally funded medical insurance or by their civilian employer.

MEANS: Amend sections 121-39 and 121-40, Hawaii Revised Statutes (HRS).

JUSTIFICATION: There currently is no authority to provide health insurance for HING service members who are ordered to active duty in the service of the State under section 121-39 or 121-40, HRS.

When HING service members are ordered to active duty for more than 30 days, they may not have medical insurance to cover them or their families for routine medical care; the service member is only covered for injuries or illnesses determined to have occurred or caused by their performance of duty. If they are employed, their civilian employers are not required to continue to pay for the service members' medical insurance. This creates a personal and financial hardship for the service member and their family should an issue arise that requires medical treatment, such as a doctor's visit, an

emergency procedure, etc. Additionally, because the cost of medical insurance is high many service members assume risk for themselves and their families and forgo health insurance while they are activated in support of the State.

Furthermore, the lack of health insurance makes it challenging for service members to volunteer for active duty in service of the State without experiencing great personal hardship. When service members are activated for federal service, HING service members and their families have health insurance coverage. HING service members and their families should have equivalent coverage and not have to risk their health care when supporting the State.

Additionally, the financial hardship could also have a negative impact on HING recruiting and retention efforts, considering the increasing trend to respond to lengthy state disasters and emergencies.

Impact on the public: The authorization for the inclusion of TRICARE Reserve Select premium payments as an allowance will assist in increased recruiting efforts for the HING as well as creating a more available force to provide immediate response to the citizens of the State of Hawaii.

Impact on the department and other agencies: Positive impact to the Department of Defense. No known negative impact on other departments.

GENERAL FUND: None (Funds will come from the Major Disaster Fund).

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: DEF 116.

OTHER AFFECTED
AGENCIES:

None.

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EFFECTIVE DATE:

Upon approval.