
A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM.

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

1 SECTION 1. Section 88-21, Hawaii Revised Statutes, is
2 amended by adding a new definition to be appropriately inserted
3 and to read as follows:

4 "Conservation and resources enforcement officer": any
5 regularly employed member of the department of land and natural
6 resources whose principal duty is to enforce conservation laws
7 and protect the State's natural resources."

8 SECTION 2. Section 88-74.6, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "[+]§88-74.6[+] **Unreduced allowance on service retirement;**
11 **when applicable.** In addition to those positions identified in
12 section 88-74(1), and notwithstanding any law in this part that
13 requires a member to attain age fifty-five to qualify for an
14 unreduced service retirement allowance, if the member has at
15 least [~~thirty~~]:

16 (1) Thirty years of credited service through June 30,
17 2003; twenty-nine years of credited service on or
18 after July 1, 2004; twenty-eight years of credited



1 service on or after July 1, 2005; twenty-seven years
 2 of credited service on or after July 1, 2006; twenty-
 3 six years of credited service on or after July 1,
 4 2007; and twenty-five years of credited service on or
 5 after July 1, 2008, as an emergency medical
 6 technician[~~r~~]; or

7 (2) Twenty-five years of credited service on or after July
 8 1, 2007, as a conservation and resources enforcement
 9 officer;

10 of which the last five or more years prior to retirement is
 11 credited service in that capacity, then upon retirement and
 12 irrespective of age, that member's service retirement allowance
 13 shall not be reduced for actuarial purposes."

14 SECTION 3. Section 88-281, Hawaii Revised Statutes, is
 15 amended to read as follows:

16 "**§88-281 Service retirement.** (a) A member who has ten
 17 years of credited service and has attained age sixty-two, or a
 18 member with thirty years credited service who has attained the
 19 age of fifty-five, shall become eligible to receive a retirement
 20 allowance after the member has terminated service.

21 (b) If a member has at least twenty-five years of credited
 22 service as a sewer worker or as a water safety officer of which



1 the last five or more years prior to retirement is credited in
2 such a capacity, then the sewer worker or water safety officer
3 shall be eligible to receive a retirement benefit unreduced for
4 age after the member has terminated service.

5 (c) A member who has twenty years of credited service and
6 has attained age fifty-five shall be eligible to receive an
7 early retirement allowance reduced for age after the member has
8 terminated service.

9 (d) A member who has ten years of credited service and
10 terminates service prior to attaining age sixty-two shall have a
11 vested right and shall be eligible to receive a retirement
12 allowance when the member has attained age sixty-five.

13 (e) If a member has at least thirty years of credited
14 service through June 30, 2003; twenty-nine years of credited
15 service on or after July 1, 2004; twenty-eight years of credited
16 service on or after July 1, 2005; twenty-seven years of credited
17 service on or after July 1, 2006; twenty-six years of credited
18 service on or after July 1, 2007; and twenty-five years of
19 credited service on or after July 1, 2008, as an emergency
20 medical technician, of which the last five or more years prior
21 to retirement is credited service in that capacity, the
22 emergency medical technician shall be eligible to receive a



1 retirement benefit unreduced for age after the member has
2 terminated service.

3 (f) If a member has at least twenty-five years of credited
4 service on or after July 1, 2007, as a conservation and
5 resources enforcement officer, of which the last five or more
6 years prior to retirement is credited service in that capacity,
7 the conservation and resources enforcement officer shall be
8 eligible to receive a retirement benefit unreduced for age after
9 the member has terminated service.

10 [~~f~~] (g) A member may retire upon the written application
11 to the board, specifying the desired date of retirement, which
12 shall be not less than thirty days nor more than one hundred
13 fifty days subsequent to the date of filing. Retirement shall
14 be effective on the first day of a month, except for the month
15 of December when retirement on the first or last day of the
16 month shall be allowed."

17 SECTION 4. Section 88-282, Hawaii Revised Statutes, is
18 amended to read as follows:

19 "**§88-282 Service retirement allowance.** Upon retirement
20 from service, a member shall receive a retirement allowance as
21 follows:



1 (1) If the member has met the requirements in
2 section 88-281(a), (b), (d), [~~e~~] (e), or f, a maximum
3 retirement allowance of one and one-fourth per cent of
4 the average final compensation multiplied by the
5 number of years of credited service; or

6 (2) If the member has met the requirements in
7 section 88-281(c), an early retirement allowance equal
8 to the maximum retirement allowance reduced by
9 one-half per cent for each month the member is less
10 than age sixty-two at retirement."

11 SECTION 5. Section 88-331, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "[~~+~~]**§88-331**[~~+~~] **Service retirement.** (a) A class H member
14 who has five years of credited service and has attained age
15 sixty-two, or a class H member with thirty years credited
16 service who has attained the age of fifty-five shall become
17 eligible to receive a retirement allowance after the member has
18 terminated service.

19 (b) A class H member who has at least twenty-five years of
20 credited service as a sewer worker or water safety officer, of
21 which the last five or more years prior to retirement is
22 credited service in that capacity, shall become eligible to



1 receive a retirement allowance unreduced for age after the
2 member has terminated service.

3 (c) A class H member who has twenty years of credited
4 service and has attained age fifty-five shall be eligible to
5 receive an early retirement allowance reduced for age after the
6 member has terminated service.

7 (d) If a class H member has at least twenty-eight years of
8 credited service on or after July 1, 2005; twenty-seven years of
9 credited service on or after July 1, 2006; twenty-six years of
10 credited service on or after July 1, 2007; and twenty-five years
11 of credited service on or after July 1, 2008, as an emergency
12 medical technician, of which the last five or more years prior
13 to retirement is credited service in that capacity, the member
14 shall be eligible to receive a retirement benefit unreduced for
15 age after the member has terminated service.

16 (e) If a class H member has at least twenty-five years of
17 credited service on or after July 1, 2007, as a conservation and
18 resources enforcement officer, of which the last five or more
19 years prior to retirement is credited service in that capacity,
20 the conservation and resources enforcement officer shall be
21 eligible to receive a retirement benefit unreduced for age after
22 the member has terminated service.



1 [~~(e)~~] (f) A class H member may retire upon the written
2 application to the system, specifying the desired date of
3 retirement, which shall be not less than thirty days nor more
4 than one hundred fifty days subsequent to the date of filing.
5 Retirement shall be effective on the first day of a month,
6 except for the month of December when retirement on the first or
7 last day of the month shall be allowed."

8 SECTION 6. Section 88-332, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§88-332 Service retirement allowance.** Upon retirement
11 from service, a class H member shall receive a maximum
12 retirement allowance as follows:

- 13 (1) If the member has met the requirements in section
14 88-331(a), (b), [~~(c)~~] (d), or (e), a maximum retirement
15 allowance of two per cent of the average final
16 compensation multiplied by the number of years of
17 class H credited service, plus a retirement allowance
18 at the rate of one and one-fourth per cent of the
19 member's average final compensation multiplied by the
20 number of years of class C credited service; or
21 (2) If the member has met the requirements in
22 section 88-331(c), an early retirement allowance equal



1 to the maximum retirement allowance calculated as
2 provided in paragraph (1), reduced by 0.4166 per cent
3 for each month the member is less than age sixty-two
4 at retirement."

5 SECTION 7. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 8. This Act shall take effect upon its approval.

8

INTRODUCED BY: _____

JAN 19 2007



Report Title:

Employees' Retirement System; Conservation Officers

Description:

Allows conservation and resource enforcement officers of the department of land and natural resources to retire without penalty after 25 years of service, provided that they serve in that capacity for at least 5 years immediately prior to retirement

