
A BILL FOR AN ACT

RELATING TO HAWAII NATIONAL GUARD RETIREMENT BENEFITS.

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

1 SECTION 1. The legislature finds that not only is climate
2 change real, but it is the overriding challenge of the
3 twenty-first century and one of the priority issues of the
4 legislature. Climate change poses immediate and long-term
5 threats to the State's economy, sustainability, security, and
6 way of life.

7 The legislature recognizes that the fourth national climate
8 assessment, released in November 2018 by the United States
9 global change research program, analyzed the effects of climate
10 change on the environment, economy, human health, and reported
11 the trends in global change with projected major trends for the
12 coming decade through the end of the twenty-first century.
13 Specifically, chapter 27 of the assessment describes climate-
14 related risks for Hawaii and the United States-affiliated
15 Pacific Islands and increased hazards ranging from increased
16 storm frequency, episodic flooding, increased precipitation,
17 drought, and wildfire.



1 The legislature further finds that the Hawaii National
2 Guard's state active duty activation rates have increased along
3 with the increase of local hazards relating to Hawaii's changing
4 climate. In 2017, United States General Joseph L. Lengyl, Chief
5 of the National Guard Bureau and member of the Joint Chiefs of
6 Staff acknowledged that America's climate is changing, and
7 hazardous storms are "becoming bigger, larger, and more
8 violent." General Lengyl acknowledged that the national guard
9 serves as "the military domestic response force."

10 The legislature also finds that the Hawaii national guard
11 was activated multiple times to provide disaster response under
12 the emergency proclamation for Kauai flooding in 2018 and the
13 lava emergency proclamation in 2018, and was extended multiple
14 times through supplemental emergency proclamations. These state
15 active duty activations led Hawaii national guard members to
16 serve for as long as six months of continuous service.

17 The legislature additionally finds that states including
18 Alabama, California, Michigan, and Texas have expanded the
19 retirement benefits for national guard members who have been
20 activated by their state governor through state active duty
21 orders.



1 The purpose of this Act is to require the board of trustees
2 of the employees' retirement system to conduct a study and
3 recommend state retirement benefits for Hawaii national guard
4 members who are activated under state active duty orders.

5 SECTION 2. (a) The board of trustees of the employees'
6 retirement system shall conduct a study to determine and provide
7 retirement benefits for Hawaii national guard members who are
8 activated under state active duty orders.

9 (b) The study shall, at minimum:

- 10 (1) Review and summarize retirement benefits policies and
11 programs provided by other states for national guard
12 members activated under state active duty orders;
- 13 (2) Examine the impacts of providing retirement benefits
14 for Hawaii national guard members on the unfunded
15 liabilities of the employees' retirement system;
- 16 (3) Examine the differences between full-time and part-
17 time beneficiaries of the employees' retirement
18 system, and intermittent employees, in relation to the
19 provision of state retirement benefits to these
20 employees;



1 (4) Recommend a program with policies to provide Hawaii
2 national guard members with retirement benefits for
3 any future activations under state active duty orders
4 and retroactive retirement benefits from the events
5 related to the emergency proclamations in 2018;
6 provided the board of trustees of the employees'
7 retirement system finds that such a program is viable
8 and feasible; and

9 (5) Identify and recommend any potential legislation that
10 is necessary to provide retirement benefits to Hawaii
11 national guard members activated by state active duty
12 orders.

13 (c) The board of trustees of the employees' retirement
14 system shall submit a report to the legislature detailing the
15 findings and recommendations of the study, including any
16 proposed legislation, no later than twenty days prior to the
17 convening of the regular session of 2022.

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2020-2021 for
21 the study and report required pursuant to section 2 of this Act.



1 The sum appropriated shall be expended by the board of
2 trustees of the employees' retirement system for the purposes of
3 this Act.

4 SECTION 4. This Act shall take effect on January 1, 2050.



Report Title:

ERS Board of Trustees; Study; National Guard; Appropriation

Description:

Requires the board of trustees of the employees' retirement system to conduct a study to determine and provide retirement benefits for Hawaii national guard members who are activated under state active duty orders, and submit findings and recommendations to the legislature prior to the regular session of 2022. Appropriates funds. Takes effect on 1/1/2050. (HD1)

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