

STAND. COM. REP. NO. **470** -22

Honolulu, Hawaii

FEB 17 , 2022

RE: H.B. No. 1736
H.D. 2

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

Sir:

Your Committee on Education, to which was referred H.B. No. 1736, H.D. 1, 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 retired to be employed as teachers during a state of emergency and within twelve months of their retirement.

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

Your Committee finds that the State has been experiencing a chronic teacher shortage, making it very challenging to provide quality education for Hawaii's students. The teacher shortage in Hawaii has been exacerbated by the COVID-19 pandemic, with many teachers having to stay home from work because of exposure to COVID-19 or to take care of their loved ones who are sick with COVID-19.

Your Committee further finds that during the 2020-2021 academic year, over four hundred teachers retired. The employment

2022-1549 HB1736 HD2 HSCR HMSO



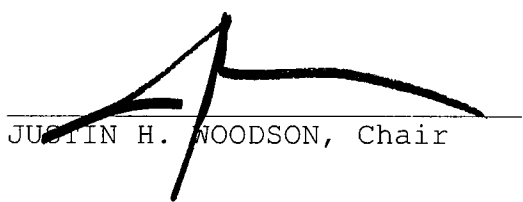
of these recently retired teachers can help to address the current shortage of teachers; however, existing law prevents the retired teachers from doing so. This measure will temporarily authorize recently retired licensed teachers to continue to teach during a state of emergency.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

Your Committee notes the concerns from the Employees' Retirement System in its testimony 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. Specifically, the Employees' Retirement System is concerned about any pre-existing agreements or expectations of a retiring employee to return to work, incentivizing currently employed teachers to retire early, and the timing and duration of reemployment for retired teachers. Your Committee respectfully requests your Committee on Finance, should it decide to deliberate on this measure, to consider the Employees' Retirement System's concerns.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1736, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1736, H.D. 2.


Respectfully submitted on
behalf of the members of the
Committee on Education,



JUSTIN H. WOODSON, Chair



Record of Votes of the Committee on Education

Bill/Resolution No.: HB1736 H01	Committee Referral: POP, EDN, FIN	Date: 2/15/22		
<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)				
EDN Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	✓			
2. KAPELA, Jeanne (VC)	✓			
3. BELATTI, Della Au	✓			
4. CLARK, Linda	✓			
5. GANADEN, Sonny	✓			
6. GATES, Cedric Asuega	✓			
7. HASHIMOTO, Troy N.	✓			
8. OHNO, Takashi	✓			
9. QUINLAN, Sean	✓			
10. TAKAYAMA, Gregg	✓			
11. YAMANE, Ryan I.	✓			
12. OKIMOTO, Val	✓			
TOTAL (12)	12			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				