
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. Chapter 88, Hawaii Revised Statutes, is amended
2 by adding to part II a new section to be appropriately
3 designated and to read as follows:

4 "§88- Service of Hawaii national guard members on state
5 active duty; exempt from mandatory enrollment. (a)

6 Notwithstanding section 88-42 or any other applicable sections
7 in part II, VII, or VIII, members of the Hawaii national guard
8 ordered into active duty to provide services to the State shall
9 be ineligible for membership in the system based on the active
10 duty.

11 (b) This section shall not preclude any member of the
12 Hawaii national guard who is an employee of the State or any
13 county, in a position other than as a member of the Hawaii
14 national guard ordered into active duty to provide services to
15 the State from membership in the system pursuant to section
16 88-42, or being credited with membership service credit for



1 active military service pursuant to sections 88-132 and
2 88-132.5.

3 (c) For the purposes of this section, "active duty" means
4 a duty in the active service ordered by the governor or the
5 governor's designated representative to provide services to the
6 State in a time of emergency as prescribed under sections 121-29
7 and 121-30."

8 SECTION 2. Section 121-29, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "§121-29 **Active service.** Active service is active duty,
11 any other duty, or service done under or in pursuance of an
12 order or call of the President of the United States or an order
13 of the governor. Any officer or body of troops while on active
14 service may be relieved from duty by order of the proper
15 authority."

16 SECTION 3. New statutory material is underscored.

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



Report Title:

Militia; National Guard; Employees' Retirement System

Description:

Exempts Hawaii National Guard service members activated by the Governor or the Governor's designated representative to state active duty from enrollment in the Employees' Retirement System of the State of Hawaii. (SD1)

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