

---

---

# A BILL FOR AN ACT

RELATING TO RETIRED TEACHERS.

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

1 SECTION 1. Section 88-9, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3 "(d) A retirant may be employed without reenrollment in  
4 the system and suffer no loss or interruption of benefits  
5 provided by the system or under chapter 87A if the retirant is  
6 employed:

7 (1) As an elective officer pursuant to section 88-42.6(c)  
8 or as a member of the legislature pursuant to section  
9 88-73(d);

10 (2) As a juror or precinct official;

11 (3) As a part-time or temporary employee excluded from  
12 membership in the system pursuant to section 88-43, as  
13 a session employee excluded from membership in the  
14 system pursuant to section 88-54.2, as the president  
15 and chief executive officer of the Hawaii tourism  
16 authority excluded from membership in the system  
17 pursuant to section 201B-2, or as any other employee



1 expressly excluded by law from membership in the  
2 system; provided that:

3 (A) The retirant was not employed by the State or a  
4 county during the six calendar months prior to  
5 the first day of reemployment; and

6 (B) No agreement was entered into between the State  
7 or a county and the retirant, prior to the  
8 retirement of the retirant, for the return to  
9 work by the retirant after retirement;

10 (4) In a position identified by the appropriate  
11 jurisdiction as a labor shortage or difficult-to-fill  
12 position; provided that:

13 (A) The retirant was not employed by the State or a  
14 county during the twelve calendar months prior to  
15 the first day of reemployment;

16 (B) No agreement was entered into between the State  
17 or a county and the retirant, prior to the  
18 retirement of the retirant, for the return to  
19 work by the retirant after retirement; and

20 (C) Each employer shall contribute to the pension  
21 accumulation fund the required percentage of the



- 1 rehired retirant's compensation to amortize the  
2 system's unfunded actuarial accrued liability; or
- 3 (5) As a teacher or an administrator in a teacher shortage  
4 area or hard-to-fill position identified by the  
5 department of education or in a charter school or as a  
6 mentor for new classroom teachers; provided that:
- 7 (A) The retirant was not employed by the State or a  
8 county during the [~~twelve~~] six calendar months  
9 prior to the first day of reemployment;
- 10 (B) No agreement was entered into between the State  
11 or a county and the retirant [~~prior to~~] before  
12 the retirement of the retirant, for the return to  
13 work by the retirant after retirement; and
- 14 (C) The department of education or charter school  
15 shall contribute to the pension accumulation fund  
16 the required percentage of the rehired retirant's  
17 compensation to amortize the system's unfunded  
18 actuarial accrued liability[~~-~~]; and
- 19 (D) The retirant shall not be eligible for benefits  
20 typically afforded to active employees pursuant  
21 to chapter 78."



1           SECTION 2. The department of education shall adopt rules  
2 pursuant to chapter 91, Hawaii Revised Statutes, to implement  
3 this Act, including establishing procedures to identify teacher  
4 shortage areas and hard-to-fill positions.

5           SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7           SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

DOE; Retirants; Benefits; Exemption; Teachers; Hard-to-Fill  
Positions

**Description:**

Amends the break in service requirement for retirants to six months before they can be rehired as teachers or administrators in teacher shortage areas or in hard-to-fill positions. Prohibits rehired retirants from receiving additional employment benefits. Directs the Department of Education to adopt rules to identify teacher shortage areas and hard-to-fill positions. Effective 7/1/3000. (HD2)

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

