



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:
H.B. NO. 214, RELATING TO GOVERNMENT.

BEFORE THE:
HOUSE COMMITTEE ON LABOR

DATE: Tuesday, February 11, 2025 **TIME:** 9:00 a.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Elmira K.L. Tsang, Deputy Attorney General

Chair Sayama and Members of the Committee:

The Department of the Attorney General (Department) supports the portion of this bill addressing investigators identified by the Department as a labor shortage or difficult-to-fill position, and takes no position regarding the portion of this bill addressing school resource officers identified by the Department of Education as a labor shortage or difficult-to-fill position.

This bill amends section 88-9, Hawaii Revised Statutes (HRS), to provide that a retirant may be employed without reenrollment in the Employees' Retirement System (ERS) and without suffering loss or interruption of benefits provided by the ERS or under chapter 87A, HRS, subject to certain conditions, if the retirant is employed as an investigator in a position identified by the Department as a labor shortage or difficult-to-fill position. This bill also provides remedies for ERS if the retirant is reemployed in violation of chapter 88, HRS, and the Internal Revenue Code. The bill also requires the Director of Human Resources Development to include details on the employment of retirants as investigators by the Department in the annual report to the Legislature required under section 88-9(f), HRS.

The Department has identified certain positions of "investigator" as difficult to fill positions that are critically important to the Department's law enforcement capability and objectives. This bill will allow the Department to rehire a retired law enforcement officer as an investigator without the investigator having to re-enroll in the ERS or suffer any

loss of benefits so long as: (a) the retirant remains out of state or county employment for at least twelve consecutive calendar months prior to reemployment; (b) the Department identifies a labor shortage or difficult-to-fill position; and (c) the Department confirms that there was no agreement for the retirant to return to work after retirement. Given the Department's long-standing need for investigators, this bill will help to expedite the process of bringing trained, experienced investigators back to the work force.

The Department respectfully asks the Committee to pass the portion of this bill addressing investigators identified by the Department as a labor shortage or difficult-to-fill position, in its current form on page 5, line 10, through page 6, line 3, and with amendment on page 6, lines 10-11, to cross-reference to the portion of the bill addressing school resource officers should it be deemed appropriate.

Thank you for considering our testimony in support of this bill.

JOSH GREEN, M.D.
GOVERNOR



KEITH T. HAYASHI
SUPERINTENDENT

STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/11/2025

Time: 09:00 AM

Location: 309 VIA VIDEOCONFERENCE

Committee: House Labor

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Bill Title: HB 0214 RELATING TO GOVERNMENT.

Purpose of Bill: Allows a retirant to be employed without reenrollment in the Employees' Retirement System and without loss or interruption of retirement benefits if the retirant is employed as a school resource officer or investigator in positions identified by the Department of Education or the Department of the Attorney General, respectively, as a labor shortage or difficult-to-fill positions, subject to certain conditions. Requires the Director of Human Resources of the appropriate state jurisdiction or the human resources management chief executive of each county to include in their annual reports to the Legislature, details on the employment of retirants as school resource officers or investigators.

Department's Position:

The Hawaii State Department of Education (Department) supports the intent of HB 214.

While the Department supports any efforts to increase safety within it schools, the Department does not have a school resource officer class of work nor established positions. According to the National Association of School Resource Officers, a school resource officer is a law enforcement officer specifically trained in school-based law enforcement and crisis response. Such a position would work collaboratively with school administrators. The Department recommends positions be established within the county police department or the state Department of Law Enforcement (DLE) to ensure that employees receive proper training and to keep all law enforcement officers within the same organizational group.

Thank you for the opportunity to provide testimony on HB 214.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
DIRECTOR

SYLVIA LUKE
LT GOVERNOR
KE KE'ENA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT
Ka 'Oihana Ho'okō Kānāwai
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JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON HOUSE BILL 214
RELATING TO GOVERNMENT
Before the House Committee on
LABOR

Tuesday, February 11, 2025, 9:00 a.m.

State Capitol Conference Room 309, & Videoconference

Testifiers: Jared Redulla

Chair Sayama, Vice Chair Lee, and members of the Committee:

The Department of Law Enforcement (DLE) supports House Bill 214, which would allow retirants to be employed as school resource officers or investigators in labor shortage positions without re-enrollment in the Employees' Retirement System (ERS) and without loss of retirement benefits.

This measure addresses critical staffing needs in law enforcement by creating a pathway for experienced retirees to return to service in vital positions, particularly as school resource officers and investigators, when such positions are identified as labor shortage or difficult-to-fill positions. The bill includes essential safeguards, such as requiring no prior agreements for post-retirement employment and mandating a separation period before reemployment, which helps maintain the integrity of the retirement system.

From a law enforcement perspective, this legislation would enhance our ability to fill critical positions with experienced personnel with the necessary training and expertise.

This is particularly important for school resource officer positions requiring specialized skills in working with students and school communities and investigator positions requiring extensive experience and knowledge of law enforcement procedures.

The bill's provisions for employer contributions to the pension accumulation fund ensure the continued financial stability of the retirement system while providing flexibility in addressing staffing shortages. The specified effective date of July 1, 2025, provides adequate time for implementing agencies to establish necessary procedures and guidelines.

Thank you for the opportunity to testify in support of this bill.