

JAN 23 2025

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# A BILL FOR AN ACT

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RELATING TO THE HAWAII NATIONAL GUARD.

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

SECTION 1. Section 121-39, Hawaii Revised Statutes, is amended to read as follows:

"§121-39 Pay of officers and warrant officers while on active duty. Officers and warrant officers of the army or air national guard while on active duty in the service of the State shall receive the pay and allowances of officers and warrant officers of similar grades of the United States Army and Air Force, respectively; provided that:

(1) The State shall allow officers and warrant officers to directly deposit their pay by electronic means to their personal banking accounts;

(2) If an officer or warrant officer is activated for more than thirty days in the service of the State and is not otherwise covered by health insurance, the State shall provide an allowance for the payment of TRICARE reserve select, TRICARE dental, and vision coverage for the individual officer or warrant officer and TRICARE reserve select coverage for the officer's

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1 family should the officer or warrant officer have  
2 eligible dependents [~~provided that this paragraph~~  
3 ~~shall only apply to officers in the grades of O-3 and~~  
4 ~~below and warrant officers in the grades of CW-2 and~~  
5 ~~below~~]; and

6 (3) No pay or allowances shall be made to officers or  
7 warrant officers for any service for which they  
8 receive military pay and allowances from the United  
9 States."

10 SECTION 2. Section 121-40, Hawaii Revised Statutes, is  
11 amended to read as follows:

12 **"§121-40 Pay of enlisted personnel while on active duty.**  
13 Enlisted personnel of the army and air national guard while on  
14 active duty in the service of the State, except during periods  
15 of annual field training or year-round field training, shall  
16 receive the same pay and allowances as enlisted personnel of  
17 similar rank in the United States Army and Air Force  
18 respectively; provided that the:

19 (1) State shall allow enlisted personnel to directly  
20 deposit their pay by electronic means to their  
21 personal banking accounts;

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(2) If an enlisted person is activated for more than thirty days in the service of the State and is not otherwise covered by health insurance, the State shall provide an allowance for the payment of TRICARE reserve select, TRICARE dental, and vision coverage for the individual enlisted person and TRICARE reserve select coverage for the enlisted person's family should the enlisted person have eligible dependents[~~+~~ ~~provided that this paragraph shall only apply to~~ ~~enlisted personnel in the grades of E-6 and below~~]; and

(3) Aggregate of the pay and allowances, computed on a daily basis, shall in no event be less than the amount equal to ten times the hourly wage specified in section 387-2."

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

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

INTRODUCED BY: 

BY REQUEST

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**Report Title:**

National Guard; Insurance; TRICARE; Department of Defense

**Description:**

Authorizes the payment of allowances for TRICARE Reserve Select, TRICARE Dental Program, and vision coverage to all officers, warrant officers, and enlisted personnel of the Hawaii National Guard ordered to active duty for more than 30 days in the service of the State.

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

JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII NATIONAL GUARD.

PURPOSE: To authorize the payment of allowances for TRICARE Reserve Select (TRS), TRICARE Dental Program (TRD), and vision coverage for all officers, warrant officers, or enlisted personnel of the Hawaii National Guard (HING) ordered to active duty for more than 30 days in the service of the State.

MEANS: Amend sections 121-39 and 121-40, Hawaii Revised Statutes.

JUSTIFICATION: Currently, there is authority to provide health insurance exclusively for HING officers in the grades of O-3 and below, warrant officers in the grades of CW-2 and below, and enlisted personnel in the grades of E-6 and below, but senior HING officers and non-commissioned officers are not covered. This applies when they are ordered to active duty in the service of the State under section 121-39 or 121-40 for more than 30 days, and when the service member is not otherwise covered by state- or federally funded medical insurance or by their civilian employer. Additionally, HING officers and non-commissioned officers currently are not covered for TRD or vision.

When HING service members are called to state active duty for more than 30 days, they may find themselves without medical insurance to cover routine and emergency medical care. This not only creates personal and financial hardships for our brave HING service members but also puts them at risk should they require medical treatment. It is unjust that our HING service members, who put their lives on the line to serve the State during a crisis, are left without the same level of health

insurance coverage as when they are activated for federal service. This discrepancy must be addressed and rectified without delay.

This lack of health insurance not only makes it difficult for service members to volunteer for state active duty but also poses a significant financial burden that could discourage new recruits and lead to the loss of experienced HING personnel. Given the increasing demands placed on the HING to respond to lengthy state disasters and emergencies, it is imperative that we address this issue to ensure the continued strength and readiness of our HING. We owe it to our service members to provide them with the healthcare coverage they deserve while they selflessly serve our State, similarly to how they are medically covered on federal active-duty service, where both the service member and their eligible dependents (i.e. family) have medical coverage and the service member additionally has TRD and vision coverage.

Impact on the public: The addition of TRS premium payments as an allowance for all HING officers, warrant officers, and enlisted is an essential step in enhancing recruitment and retention of personnel for the HING, which will create a more agile and responsive force, poised to swiftly aid the citizens of the State when called.

Impact on the department and other agencies: This bill will have a positive impact on the Department of Defense and Hawaii National Guard. There are no known negative impacts on other departments or agencies.

GENERAL FUND: None (Funds will come from the Major Disaster Fund).

OTHER FUNDS: Major Disaster Fund.

PPBS PROGRAM

DESIGNATION: DEF 116 AB and 116 AC.

OTHER AFFECTED

AGENCIES: None.

EFFECTIVE DATE: Upon approval.