

STAND. COM. REP. NO. **216**

Honolulu, Hawaii

FEB 06 2026

RE: S.B. No. 99
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred S.B. No. 99 entitled:

"A BILL FOR AN ACT RELATING TO GOVERNMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow 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 Department of the Attorney General, respectively, as a labor shortage or difficult-to-fill position, subject to certain conditions; and
- (2) Require 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.

Your Committee received testimony in support of this measure from the Department of Law Enforcement, Department of Education, and Hawai'i State Teachers Association.



Your Committee received comments on this measure from the Department of the Attorney General and Employees' Retirement System.

Your Committee finds that the State is experiencing a labor shortage that makes it difficult to fill investigator positions in the Department of the Attorney General and school resources officer positions in the Department of Education. Your Committee notes that hiring retirants who are qualified and trained for these positions allows the positions to be filled more efficiently. This measure facilitates the rehiring of retirants as investigators and school resource officers by allowing the rehiring to occur without reenrollment in the Employees' Retirement System or loss or interruption of benefits.

Your Committee acknowledges that school resource officers are not positions within the Department of Education, but rather, public schools enter into memoranda of agreement with local law enforcement agencies to assign active law enforcement officers to public schools in security roles, commonly referred to as school resource officers. Your Committee also recognizes testimony by the Department of Law Enforcement commenting that experienced investigators are essential not just to the operation of the Department of the Attorney General, but also to its operations. Your Committee also notes testimony by the Employees' Retirement System requesting amendments to existing law to include relevant departments and agencies as appropriate authorities to identify labor shortages and difficult-to-fill positions, thereby negating the need for future statutory amendments to address positions in different departments and agencies. Therefore, this measure needs to be amended to reflect these considerations.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language to include relevant departments and agencies as appropriate jurisdictions authorized to identify positions as labor shortage or difficult-to-fill;
- (2) Replacing language that allowed a school resource officer identified by the Department of Education to be rehired as a retirant in labor shortages or difficult-



to-fill positions with language that permits a law enforcement officer identified by the Department of Law Enforcement or other law enforcement agency to be rehired in labor shortages or difficult-to-fill positions;

- (3) Replacing language that requires the Department of Education or other law enforcement agency to contribute to the pension accumulation fund for the retirant's compensation with language requiring the Department of Law Enforcement or other law enforcement agency to contribute to the pension accumulation fund for rehired retirant investigator's compensation;
- (4) Inserting language that requires the retirant to be stationed at a public school as a school resource officer;
- (5) Inserting language that establishes the Department of Law Enforcement's authority, in addition to the Attorney General's, to identify labor shortages or difficult-to-fill investigator positions;
- (6) Inserting language that requires the Department of Law Enforcement in addition to the Attorney General to contribute to the pension accumulation fund for a rehired retirant law enforcement officer positioned at a public school as a school resource officer's compensation;
- (7) Amending section 1 to reflect its amended purpose;
- (8) Inserting an effective date of January 1, 2077, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 99, as amended herein, and recommends that it pass Second



Reading in the form attached hereto as S.B. No. 99, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Labor and Technology,



BRANDON J.C. ELEFANTE, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes Committee on Labor and Technology LBT

*Only one measure per Record of Votes