



The Judiciary, State of Hawai‘i
Ka ‘Oihana Ho‘okolokolo, Moku‘āina ‘o Hawai‘i

Testimony to the Thirty-Third Legislature, 2026 Regular Session

Senate Committee on Ways and Means
Senator Donovan M. Dela Cruz, Chair
Senator Sharon Moriwaki, Vice Chair

Thursday, February 19, 2026, 10:30a.m.
Hawai‘i State Capitol
Conference Room 211 & Videoconference

By

Paul Quick

Special Assistant to the Administrative Director of the Courts for Judiciary Security

Bill No. and Title: Senate Bill No. 99, S.D.1, Relating to Relating to Government.

Purpose: 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 law enforcement officer stationed at a public school as a school resource officer or investigator in positions identified by the Department of the Attorney General or Department of Law Enforcement or other law enforcement agency 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. Effective 1/1/2077. (SD1)

Judiciary’s Position:

The Judiciary supports the intent of this measure, which would allow law enforcement retirants to be employed in certain difficult-to-fill positions, without reenrollment in the Employee’s Retirement System and without loss of retirement benefits.

The Department of Law Enforcement (Department) provides essential law enforcement services at the Judiciary, as well as at the Legislature and for Executive branch locations. The

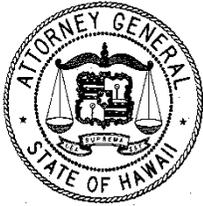


Senate Bill No. 99, Relating to Government
Senate Committee on Ways and Means
Thursday, February 19, 2026
Page 2

Department is currently experiencing a higher-than-normal vacancy rate and challenges staffing required assignments throughout the state. The Judiciary appreciates the Department's efforts to address these challenges and establish mechanisms to recruit and retain deputy sheriffs. For this reason, the Judiciary supports the intent of this measure and respectfully recommends it be expanded to also include use of retirants to address the Department's staffing challenges at Legislative and Judiciary facilities.

Authorizing the Department to address critical staffing shortages through the hiring of qualified retirants, without penalty to their retirement benefits, could help the Department build capacity for its core functions of protecting Legislative and Judiciary facilities, while also addressing the needs as noted in this measure.

Thank you for the opportunity to testify on this measure.



**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

S.B. NO. 99, S.D. 1, RELATING TO GOVERNMENT.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Thursday, February 19, 2026 **TIME:** 10:30 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Diane W. Wong,
Deputy Attorney General, at (808) 586-1262)

Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General (Department) supports the portion of this bill relating to investigators identified by the Department as labor shortage or difficult-to-fill positions.

This bill amends section 88-9(d) and (f), Hawaii Revised Statutes (HRS), to allow certain retirants to be reemployed without reenrollment in the Employees' Retirement System (ERS), and without loss or interruption of ERS or chapter 87A benefits, subject to specified conditions. Relevant to the Department, the bill adds a new category for investigators identified by the Department as labor shortage or difficult-to-fill positions.

The Department has identified certain investigator positions as difficult to fill and essential to its law enforcement capability and objectives. This bill would allow the Department to rehire experienced retired law enforcement officers as investigators and strengthen the Department's law enforcement capacity. This bill includes safeguards, including a twelve-month separation from state or county employment and no pre-retirement agreement to return to work.

Accordingly, the Department respectfully asks the Committee to pass the portion of this bill addressing investigators identified by the Department as labor shortage or difficult-to-fill positions, as currently drafted on page 5, line 14, through page 6, line 10, and the conforming cross-reference amendment on page 6, line 18.

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

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



MIKE LAMBERT
Director

ERNEST J. ROBELLO
Deputy Director
Administration

SYLVIA LUKE
LT GOVERNOR
KA HOPE KIA'ĀINA

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LAW ENFORCEMENT

Ka 'Oihana Ho'okō Kānāwai

715 South King Street
Honolulu, Hawaii 96813

JARED K. REDULLA
Deputy Director
Law Enforcement

TESTIMONY ON SENATE BILL 99, SENATE DRAFT 1
RELATING TO GOVERNMENT
Before the Senate Committee on
WAYS AND MEANS
Thursday, February 19, 2026, 10:30 AM
State Capitol Conference Room 211
WRITTEN TESTIMONY ONLY

Chair Dela Cruz, Vice Chair Moriwaki, and members of the Committee:

The Department of Law Enforcement (DLE) supports Senate Bill 99, Senate Draft 1, which allows retirants to be employed as school resource officers or investigators without reenrollment in the Employees' Retirement System and without loss of retirement benefits. This measure provides the Department of Law Enforcement with an important and practical workforce tool at a time when law enforcement agencies across the state continue to face significant recruitment and retention challenges.

DLE has a critical need to retain experienced personnel in specialized public safety roles, particularly those that require advanced training, investigative expertise, and immediate operational readiness. SB 99, SD1 directly addresses these challenges by removing unnecessary financial barriers that currently discourage qualified retired law enforcement professionals from returning to service. Many retirees possess decades of institutional knowledge, professional judgment, and specialized skills that cannot be quickly replaced through entry-level recruitment alone. Allowing these experienced

individuals to return to difficult-to-fill roles strengthens DLE's ability to fulfill its statewide law enforcement mission.

The Department also recognizes that staffing shortages in investigator positions have real and immediate impacts on public safety. Investigative caseloads require continuity, experience, and technical competency in areas such as violent crime, narcotics enforcement, organized crime, cybercrime, and complex financial investigations. Retired professionals can provide immediate capacity and mentorship to newer personnel, improving both efficiency and long-term workforce development.

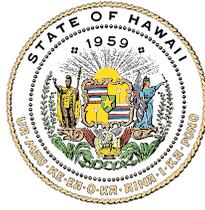
In addition, this measure supports DLE's broader operational needs by increasing flexibility in workforce planning. Retirees returning to service can help stabilize staffing levels during periods of transition, support critical initiatives, and ensure that essential law enforcement functions continue without disruption. This approach allows the Department to meet urgent demands while continuing to build sustainable recruitment pipelines.

The reporting requirements in the bill will also provide the Legislature with valuable data on the utilization and effectiveness of this reemployment authority, ensuring transparency and accountability as the measure is implemented.

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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



KALBERT K. YOUNG
EXECUTIVE DIRECTOR

GAIL STROHL
DEPUTY EXECUTIVE DIRECTOR

**STATE OF HAWAII
EMPLOYEES' RETIREMENT SYSTEM**

**TESTIMONY BY KALBERT YOUNG
EXECUTIVE DIRECTOR, EMPLOYEES' RETIREMENT SYSTEM
STATE OF HAWAII
TO THE SENATE COMMITTEE ON LABOR & TECHNOLOGY
ON
SENATE BILL NO. 99 SD1
February 19, 2026
10:30 A.M.
Conference Room 211 and VIA Videoconference**

SB 99 SD1 - RELATING TO GOVERNMENT.

Chair Dela Cruz, Vice Chair Moriwaki, and Members of the Committee,

While the Board of Trustees (BOT) has not had a chance to review the bill, the Employees' Retirement System (ERS) appreciates the intent of SB 99 and is thankful for the opportunity to offer comments with proposed amendments regarding this measure.

SB 99 proposes to amend Section 88-9 of the Hawaii Revised Statutes (HRS) to allow School Resource Officer and Investigator positions to be identified as labor shortage or difficult-to-fill by the Departments of Law Enforcement and the Attorney General, respectively.

The determination of "labor shortage or difficult-to-fill" for (certain) positions does currently exist in HRS in instances identified by the appropriate jurisdiction. As this bill progresses, there are a number of components in the bill that would be important for the stability and sustainability of the pension system. ERS supports the inclusion of a twelve-calendar month break and prohibition on post-retirement agreements to return to work, consistent with other shortage or difficult-to-fill positions, as these fulfill requirements to retain our tax qualified status under Internal Revenue Code (IRC). We similarly support that contributions are required to be made by the employer towards the



Employees' Retirement System
of the State of Hawaii

pension accumulation fund to amortize the system's unfunded accrued liability which mitigates the lost contributions when these positions are filled with unenrolled retirees rather than active members or reenrolled retirees earning additional retirement benefits.

Additionally, the ERS respectfully recommends that the Committee consider a repeal of paragraph (7) under SECTION 2, starting on page 5, line 14 through page 6, line 10. We believe that the amendment to paragraph (4) under SECTION 2, page 3, lines 6 to 7, allows for departments and agencies to be included as jurisdictions appropriate to identify positions as labor shortage or difficult-to-fill. This would negate the need of individual entries, absent special conditions, for specific positions to be identified by multiple departments and agencies as labor shortage or difficult-to-fill as in paragraph (7).

While there is concern for inconsistent application of enrollment exemptions for similarly situated retirees under the same employer - in this case the State - we believe that the included requirement of an annual report to the legislature by the Director of Human Resources of the appropriate State or County jurisdiction would provide sufficient oversight to ensure determinations are consistent with applicable laws and rules.

Thank you for the opportunity to provide comments recommending on SB 99 SD1.