

ACT 194

H.B. NO. 630

A Bill for an Act Relating to Public Officers and Employees.

Be It Enacted by the Legislature of the State of Hawaii.

SECTION 1. Section 87-1, Hawaii Revised Statutes is amended to read as follows:

“Sec. 87-1 Definitions. As used in this chapter:

- (1) “Board” means the board of trustees as described in section 87-11;
- (2) “Carrier” means a voluntary association, corporation, partnership, or organization engaged in providing, paying for, arranging for, or reimbursing the cost of health services under group insurance contract or medical, hospital, or dental services agreements;
- (3) “Contributions” means money payments made to the fund by the State or the several counties or an employee-beneficiary;
- (4) “Dependent-beneficiary” means an employee-beneficiary’s spouse and any unmarried child, including an adopted child, stepchild, foster child, or recognized natural child who lives with the employee-beneficiary, deemed eligible by the board to receive health or dental services of a health benefits plan;
- (5) “Employee” means an employee or officer of the state or county government,
 - (A) Including:
 - (i) A regularly employed member of the faculty of the University of Hawaii, including a research worker, an extension agent, or a person engaged in instructional or administrative work of the university;
 - (ii) A regularly employed administrative officer, principal, vice-principal, teacher, special teacher, cafeteria manager, or cafeteria worker of the public schools;
 - (iii) A apprentice or on-the-job trainee whether or not supported by any federal grant;
 - (iv) An elective officer including a member of the legislature during his term of office, or a person who has served as a member of the legislature for at least a total of ten years;
 - (v) A probationary employee;
 - (vi) A per diem employee;

- (vii) An officer or employee under an authorized leave of absence;
 - (viii) An employee of the Hawaii national guard although paid from federal funds; [and]
 - (ix) A retired member of the employees retirement system, the county pension system or the police, firefighters, or bandsmen pension system of the State or county; and
 - (x) A salaried and full-time member of a board or commission appointed by the governor;
- (B) But excluding:
- (i) A designated beneficiary of a retired member of the employees retirement system, the county pension system or the police, firefighters, or bandsmen pension system of the State or county;
 - (ii) A person employed temporarily on a fee or contract basis;
 - (iii) A person [hired on a part-time, limited-term, or provisional basis;] employed for less than three months and whose employment is less than one-half of a full-time equivalent position;
 - (iv) A non-salaried and non-full time member of a board, commission, or agency appointed by the governor, or mayor, or chairman of the State or County, respectively; and
 - (v) An employee of the legislature other than a member of the permanent staff;
- (6) "Employee-beneficiary" means an employee, the beneficiary of an employee who is killed in the performance of his duty, an employee who retired prior to the establishment of the fund, or the beneficiary of a retired member of the employees retirement system, a county pension system, or a police, firefighters, and bandsmen pension system of the State or county, upon the death of the retired member and, which beneficiary, if a child, does not marry, or if a surviving spouse, does not remarry; provided that for the purposes of this [subsection,] paragraph, "family member" means the deceased retired member's or employee's spouse and unmarried child under the age of nineteen years (including a legally adopted child and a stepchild or recognized natural child who lives with the deceased retired member or employee in a regular parent-child relationship), or unmarried child regardless of age who is incapable of self-support because of a mental or physical incapacity which existed prior to his reaching the age of nineteen years; and provided further that the employee, his beneficiary, or the beneficiary of the deceased retired member is deemed eligible by the board to receive health or dental services of a health benefits plan;
- (7) "Fund" means the trust fund as described in section 87-2;
- (8) "Health benefits plan" means (A) a group insurance contract or medical, hospital, or dental service agreement in which a carrier agrees to provide, pay for, arrange for, or reimburse the cost of health or dental services as determined by the board; or (B) a similar schedule of

benefits established by the board and provided through the fund on a noninsured basis;

- (9) "Periodic charge" means the periodic payment by the board to a carrier for any health benefits plan; and
- (10) "Trustee" means a trustee of the board of trustees as described in section 87-11."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This Act shall take effect on July 1, 1978.

(Approved June 3, 1978.)