

ACT 36

H.B. NO. 2439

A Bill for an Act Relating to Employer-Union Health Benefits Trust Fund.

*Be It Enacted by the Legislature of the State of Hawaii:*

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

1. By adding a new definition to be appropriately inserted and to read:

““Credited service” means service as an officer or employee paid by the State or county, service during the period of leave of absence or exchange if the individual is paid by the State or county during the leave of absence or ex-

change, and service during the period of unpaid leave of absence or exchange if the individual is engaged in the performance of a governmental function or if the unpaid leave of absence is an approved leave of absence for professional improvement.”

2. By amending the definitions of “employee” and “part-time, temporary, and seasonal or casual employee” to read:

““Employee” means an employee or officer of the State, county, or legislature,

(1) Including:

(A) An elective officer;

~~[(B) A per diem employee;~~

~~[(C) (B) An officer or employee under an authorized leave of absence;~~

~~[(D)] (C) An employee of the Hawaii national guard although paid from federal funds;~~

~~[(E)] (D) 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;~~

~~[(F)] (E) A salaried and full-time member of a board, commission, or agency appointed by the governor or the mayor of a county; and~~

~~[(G)] (F) A person employed by contract for a period not exceeding one year, where the director of human resources development, personnel services, or civil service has certified that the service is essential or needed in the public interest and that, because of circumstances surrounding its fulfillment, personnel to perform the service cannot be obtained through normal civil service recruitment procedures,~~

(2) But excluding:

(A) 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;

(B) Except as allowed under paragraph ~~[(1)(G)] (1)(F)~~, a person employed temporarily on a fee or contract basis; and

(C) A part-time, temporary, and seasonal or casual employee.

“Part-time, temporary, and seasonal or casual employee” means a person employed for fewer than three months ~~and~~ or whose employment is less than one-half of a full-time equivalent position.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 20, 2012.)