

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2897  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Public Safety, Intergovernmental and  
Military Affairs, to which was referred S.B. No. 2897 entitled:

"A BILL FOR AN ACT RELATING TO DEPARTMENT OF TAXATION  
CRIMINAL INVESTIGATORS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that Department of Taxation criminal  
investigators who are subject to civil service laws,  
also have police powers; and
- (2) Provide that the civil service exemption for criminal  
investigators is discretionary, rather than mandatory.

Your Committee received testimony in support of this measure  
from the Department of Taxation and Hawaii Government Employees  
Association. Your Committee received comments on this measure  
from the Tax Foundation of Hawaii.

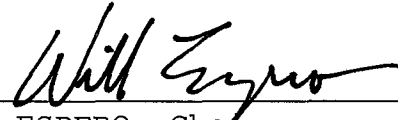
Your Committee finds that section 231-4.3, Hawaii Revised  
Statutes, only grants police powers to civil service exempt  
criminal investigators. However, the Department of Taxation's  
criminal investigation unit supervisor is a civil service  
employee. This measure clarifies that all of the Department's  
criminal investigators, including those who are civil service  
employees, have police powers.



Your Committee has amended this measure by 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 Public Safety, Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2897, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2897, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,  
Intergovernmental and Military  
Affairs,

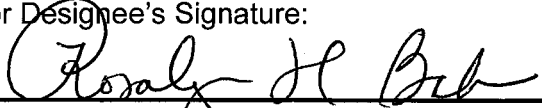


WILL ESPERO, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Public Safety and Military Affairs**  
**PSM**

|  |  |                         |          |          |
|--|--|-------------------------|----------|----------|
| Bill / Resolution No.:*<br><b>SB 2897</b>  | Committee Referral:<br><b>PSM, JDL</b> | Date:<br><b>2-12-14</b> |          |          |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____  |  |                         |          |          |
| The Recommendation is:<br><input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 |  |                         |          |          |
| Members  | Aye                                    | Aye (WR)                | Nay      | Excused  |
| ESPERO, Will (C)   | ✓                                      |                         |          |          |
| BAKER, Rosalyn H. (VC)   | ✓                                      |                         |          |          |
| GALUTERIA, Brickwood   | ✓                                      |                         |          |          |
| GREEN, M.D., Josh  |  |                         |          | ✓        |
| SLOM, Sam  | ✓                                      |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
|  |  |                         |          |          |
| <b>TOTAL</b>   | <b>4</b>                               | <b>-</b>                | <b>-</b> | <b>1</b> |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted   |  |                         |          |          |
| Chair's or Designee's Signature:<br>  |  |                         |          |          |
| Distribution:            Original    Yellow    Pink    Goldenrod<br>File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy   |  |                         |          |          |

\*Only one measure per Record of Votes