

STAND. COM. REP. NO.

1139

Honolulu, Hawaii

MAR 24 2017

RE: H.B. No. 1129
H.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Public Safety, Intergovernmental, and Military Affairs, to which was referred H.B. No. 1129, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SPECIAL DUTY FOR DEPUTY SHERIFFS,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Public Safety to develop policy and procedures to govern the processing of requests from deputy sheriffs performing special duty and to establish a compensation schedule for law enforcement services provided by deputy sheriffs performing special duty.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Department of Public Safety; Department of Taxation; Office of Elections; Stadium Authority; University of Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and three individuals.

Your Committee finds that the performance of special duty by deputy sheriffs is common and helps promote and maintain public safety. Special duty refers to jobs done by deputy sheriffs in a law enforcement capacity for governmental, community, and private events that are not under the direction of the Department of



Public Safety. While deputy sheriffs regularly engage in special duty assignments, existing law does not authorize special duty. Therefore, there is no system in place for the Department of Public Safety to process special duty requests, nor is there a compensation schedule for special duty. Accordingly, this measure requires the Department of Public Safety to develop policy and procedures to govern the processing of special duty requests and establish a compensation schedule for deputy sheriffs performing special duty.

Your Committee also notes concerns about the issue of deputy sheriffs potentially using special duty to "spike", or inflate, their pension and retirement benefits, which can lead to increased costs for the State. Your Committee suggests that if your Committee on Ways and Means decides to hear this measure, that it may want to further inquire into whether this measure may allow for the "spiking" of pensions or retirement benefits.

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 H.B. No. 1129, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Ways and Means.

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


CLARENCE K. NISHIHARA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Intergovernmental, and Military Affairs
PSM

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1129, HD 1	PSM, WAM	3/23/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
NISHIHARA, Clarence K. (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			✓
IHARA, Jr., Les				
THIELEN, Laura H.	✓			
TOTAL	7	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: _____				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes