

EXECUTIVE CHAMBERS

HONOLULU

April 26, 2002

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 3010

Honorable Members
Twenty-First Legislature
State of Hawaii


Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 3010, entitled "A Bill for an Act Relating to Pension and Retirement Systems."

The purpose of this bill is to enable a firefighter who has at least ten years of credited service and is deemed to be permanently medically disqualified to be a firefighter to continue employment in a class A or B position other than a firefighter, but still retain the higher benefit formula upon retirement for the years of credited service as a firefighter.

Although the legislative committee reports state that firefighters who become medically disqualified due to a "service-related disability" should not have their retirement benefits penalized for assuming the risks of their jobs as firefighters, the bill only requires that the firefighter be "deemed permanently medically disqualified" to be a firefighter and does not require a "service-related disability." Consequently, a firefighter injured in a non-service-related accident, such as an off-duty automobile accident, and deemed to be permanently medically disqualified to be a firefighter, will be entitled under the bill to retain the higher benefit formula upon retirement. It appears that the bill will not correctly effectuate the Legislature's intent.

For the foregoing reasons, I am returning Senate Bill No. 3010 without my approval.

Respectfully,


BENJAMIN J. CAYETANO
Governor of Hawaii