

JAN 25 2006

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# A BILL FOR AN ACT

RELATING TO EDUCATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to streamline the  
2 recruitment process for employees that must be recruited by the  
3 department of education for shortage area positions and for  
4 positions located in geographically hard-to-fill locations  
5 throughout the State.

6           SECTION 2. Section 78-1, Hawaii Revised Statutes, is  
7 amended by amending subsection (c) to read as follows:

8           "(c) All persons seeking employment with the government of  
9 the State or in the service of any county shall be citizens,  
10 nationals, or permanent resident aliens of the United States, or  
11 eligible under federal law for unrestricted employment in the  
12 United States, and residents of the State at the time of their  
13 application for employment and as a condition of eligibility for  
14 continued employment.

15           "Resident" means a person who is physically present in the  
16 State at the time the person claims to have established the  
17 person's domicile in the State and shows the person's intent is



1 to make Hawaii the person's permanent residence. In determining  
2 this intent, the following factors shall be considered:

- 3 (1) Maintenance of a domicile or permanent place of
- 4 residence in the State;
- 5 (2) Absence of residency in another state; and
- 6 (3) Former residency in the State.

7 This subsection's requirement for state residency shall not  
8 apply to applicants for police officer positions[+] and  
9 positions identified in the department of education by the  
10 superintendent of education; provided that upon employment, the  
11 police officer shall establish residency as a condition of  
12 continued employment as a police officer."

13 SECTION 3. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2006.

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# SB. NO. 2706

**Report Title:**

Department of Education; Employment; Residency Requirements

**Description:**

Waives the residency requirements for department of education applicants identified by the superintendent of education.

