

Honolulu, Hawaii

February 17, 2006

RE: H.B. No. 173  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Public Safety & Military Affairs, to which  
was referred H.B. No. 173 entitled:

"A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD,"

begs leave to report as follows:

The purpose of this measure is to require that, effective  
July 1, 2005, persons serving in the capacities of Adjutant  
General and Deputy Adjutant General possess certain minimum  
experiential qualifications.

Specifically, the measure mandates that, retroactive to July  
1, 2005, and in addition to other qualifications established by  
law for the positions of Adjutant General and Deputy Adjutant  
General, the person:

- (1) Hold or have held a commission as a field grade officer,  
federally recognized as such, in the national guard of  
the armed forces of this or any other state or territory  
of the United States, or in the armed forces of the  
United States or a reserve component thereof, and has  
served as a commissioned officer in one or more of the  
armed forces for at least ten years; and
- (2) Possess at least five years of service as an active  
commissioned officer in the Hawaii National Guard,  
whether army, air, or both.



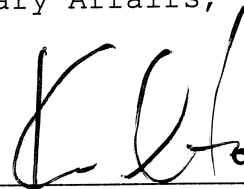
The measure also requires that the Deputy Adjutant General: be appointed and be subject to removal as set forth in section 26-31; serve for the term as set forth in section 6, article V, of the state constitution; and have a grade no higher than brigadier general.

Your Committee has amended the measure by:

- (1) Deleting all provisions relating to the position of Deputy Adjutant General;
- (2) Moving the threshold date from July 1, 2005 to July 1, 2006;
- (3) Adding a savings clause to clarify that the measure does not affect the incumbent Adjutant General;
- (4) Adding a purpose section to clarify the intent of the measure; and
- (5) Changing the effective date from upon approval to July 1, 2050, to promote further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 173, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 173, H.D. 1, and be referred to the Committee on Labor & Public Employment.

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

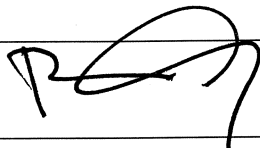


KEN ITO, Chair



*H SCR  
598*

**Record of Votes of the Committee on Public Safety & Military Affairs**

<b>Bill/Resolution No.:</b> HB 173		<b>Date:</b> February 16, 2006		
<b>Committee Referral:</b> PSM, LAB		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Recommit				
<b>PSM Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. ITO, Ken (C)	/			
2. CHONG, Pono (VC)	/			
3. LEE, Marilyn B.	/			
4. NAKASONE, Bob	/			
5. SHIMABUKURO, Maile S. L.	/			
6. SOUKI, Joseph M.				✓
7. TANAKA, Kameo	/			
8. YAMANE, Ryan I.	/			
9. MOSES, Mark S.			✓	
10. STONEBRAKER, Bud				✓
<b>TOTAL</b>	7		1	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> 				
<b>Distribution:</b> Original (White) – Committee Duplicate (Yellow) – Clerk's Office				