

STAND. COM. REP. NO. 1385-06

Honolulu, Hawaii

April 4, 2006

RE: S.B. No. 2295

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

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2295 entitled:

"A BILL FOR AN ACT RELATING TO PRINCIPAL PRIVATE DETECTIVES AND GUARDS,"

begs leave to report as follows:

The purpose of this bill is to address constitutional concerns regarding residency restrictions in the private investigators and guards licensing law by:

- (1) Repealing the requirement that principal detectives and principal guards be residents to qualify for licensure;
- (2) Allowing a principal detective or principal guard who resides in another state to be licensed if they are responsible for direct management and control of the detective or guard services provided in Hawaii; and
- (3) Codifying the current regulatory practice of allowing an agency to employ more than one principal detective or principal guard to aid in employee management and control.

The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs supported this bill.

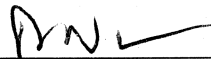
SB2295 HSCR CPC HMS 2006-3117



Your Committee notes that several out-of-state applicants have questioned the residency requirement for licensure, and that the Attorney General (AG) has provided written confirmation of the AG's advice that the requirement is unconstitutional.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2295 and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



