

STAND. COM. REP. NO.

646

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 1750  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1750 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT,"

begs leave to report as follows:

The purpose of this bill is to increase the number of individuals eligible for state and county employment by:

- (1) Removing the requirement that applicants for state and county positions reside in the state at the time of their application for the position; and
- (2) Authorizing all personnel department heads to waive the residency requirement for essential positions.

The Department of Education, Department of Human Resources of the City and County of Honolulu, and the American Civil Liberties Union testified in support of this bill. The Department of the Attorney General offered comments, opposing the measure in part.

Your Committee finds that the current law, which requires applicants to reside in the state at the time they apply for government positions, limits the number of potentially qualified applicants, especially as many baby-boomer employees anticipate retiring within the next five years. To offset the potential loss of qualified employees, legislation that expands the pool of future government employees is critical.

HB1750 HD1 HSCR LAB HMS 2007-2247



However, your Committee understands the concerns raised by the Attorney General that the appointing authority rather than a respective jurisdictions head of personnel should determine when the residency requirement should be waived. Accordingly, your Committee has amended this measure by:

- (1) Deleting the provision that allows the director of personnel of a jurisdiction to waive the "residency during employment" requirements for positions within that jurisdiction; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1750, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1750, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor & Public  
Employment,



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ALEX M. SONSON, Chair



