

Honolulu, Hawaii

Feb 17 , 2012

RE: H.B. No. 1765
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1765, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES,"

begs leave to report as follows:

The purpose of this measure is to protect Hawaii's people by allowing criminal history record checks to be conducted by:

- (1) The county liquor commissions on employees and prospective employees involved in liquor administration, law enforcement, and liquor control investigations; and
- (2) The counties on perspective employees:
 - (A) Who will work with vulnerable adults or senior citizens in community-based programs;
 - (B) For fire department positions that involve contact with children or dependent adults;
 - (C) For emergency medical services positions that involve contact with children or dependent adults; and



- (D) For emergency management positions and community volunteers whose responsibilities involve planning and executing homeland security measures including viewing, handling, and engaging in law enforcement or classified meetings and assisting vulnerable or disabled citizens during emergencies or crises.

The State Fire Council, Department of Human Resources of the City and County of Honolulu, Kauai Fire Department, County of Hawaii Fire Department, and the Department of Fire and Public Safety of the County of Maui testified in support of this measure. The Hawaii Civil Rights Commission provided comments on this measure.

Your Committee has amended this measure by:

- (1) Deleting the extension of the look back period from ten to fifteen years;
- (2) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1765, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1765, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



GILBERT KEITH-AGARAN, Chair



