

Honolulu, Hawaii

March 15, 2012

RE: S.B. No. 2070  
S.D. 1  
H.D. 1

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

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 2070, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS,"

begs leave to report as follows:

The purpose of this measure is to increase the number of individuals eligible for appointive offices in state and county government by allowing for the one-year residency requirement for appointment to be waived when the appointive officer is required to have highly specialized or scientific knowledge and training and no qualified applicant who meets the residency requirement can be found.

The Department of Human Resources of the City and County of Honolulu and a concerned individual testified in support of this measure.

Current law requires applicants for appointive positions in state or county government to reside in the State for at least one year immediately preceding their appointment to government positions. While this requirement was initiated to ensure that individuals applying for government positions would remain in Hawaii, your Committee finds that it has also limited the number of potentially qualified applicants for highly skilled or specialized positions. This is especially true where the position



requires highly specialized or scientific knowledge and training such as that of Chief Medical Examiner for the City and County of Honolulu. According to the Department of Human Resources of the City and County of Honolulu, due to the level of expertise required to fill this position, it has been practically impossible to find qualified applicants who have established and meet the one year residency requirement. Expanding the pool of future government employees for these specialized and highly skilled positions by allowing for the waiver of the one year residency requirement will assist in this matter.

Your Committee has amended this measure by changing the effective date to upon its approval.

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 S.B. No. 2070, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2070, S.D. 1, 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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KARL RHOADS, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HJR 1016-12

**Record of Votes of the Committee on Labor & Public Employment**

Bill/Resolution No.: <b>SD 2070 SD1</b>	Committee Referral: <b>LAB, JUD, FIN</b>	Date: <b>3-13-12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.	/			
7. LUKE, Sylvia				/
<del>8. OKAMURA, Tom</del>				
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.				/
11. TAKUMI, Roy M.				/
12. FONTAINE, George R.	/			
13. JOHANSON, Aaron Ling	/			
TOTAL (13)	9	-	-	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				