

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2395  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2395 entitled:

"A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to require professional and vocational licensing authorities to allow applicants to demonstrate competency in lieu of work experience and establish procedures to expedite the issuance of licenses, certifications, or permits to military spouses.

Your Committee received testimony in support of this measure from the United States Department of Defense State Liaison Office; The Chamber of Commerce of Hawaii; Military Officers Association of America, Hawaii Chapter; and one individual. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs; Niwao & Roberts, CPAs; and Hawaii Association of Professional Nurses.

Your Committee finds that military families are a unique population who move across state lines and move more frequently than their civilian counterparts. As a result of frequent moves, military spouses who obtain professional degrees or licenses may not remain in one state long enough to progress in their occupations. A lengthy license evaluation process with reviewing and processing delays may leave a military spouse little time to search for employment, placing them at an unfair disadvantage.



These delays in employment can cause significant hardship on military families because of a loss of needed income, and may also deprive the State from receiving valuable service and expertise during the military spouse's temporary domicile.

Your Committee further finds that military spouse employment is an important retention and readiness issue, with a majority of married service members reporting that their spouses' ability to maintain a career impacts their decision to remain in the military. The First Lady of the United States has addressed this issue as well, urging all states to pass legislation that will remove employment barriers and support the unique needs of military families. Your Committee concludes that Hawaii should be a part of this nationwide effort to assist service members and their spouses.

Your Committee has heard the concerns that every licensing authority in the State has its own statutes and rules, with specific requirements for licensure. However, your Committee notes that this measure is not intended to require state licensing authorities to accept licensure by endorsement or licensure by reciprocity if a nonresident military spouse is not qualified. Rather, this measure is intended to support military families by recognizing nonresident military spouses who are already licensed in another state under licensure requirements that are equivalent to or exceed the requirements mandated by the State for obtaining certain licenses.

Your Committee has amended this measure by:

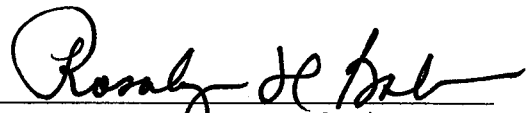
- (1) Clarifying that the licensure by endorsement, licensure by reciprocity, and temporary license allowances of this measure apply to nonresident military spouses;
- (2) Deleting language that would have required every licensing authority to establish, by rule, procedures to expedite the issuance of a license, certification, or permit to a military spouse, and a method to issue temporary permits;
- (3) Establishing procedures by which a nonresident military spouse shall receive a license pursuant to licensure by endorsement or licensure by reciprocity from the licensing authority in the State;



- (4) Requiring the licensing authority to issue a nonresident military spouse a temporary license in certain circumstances and only for those professions with standards that are substantially equivalent to or exceed those established by the licensing authority in this State;
- (5) Requiring the licensing authority to expedite consideration of the application and issuance of a license by endorsement, license by reciprocity, or temporary license to a nonresident military spouse; and
- (6) Inserting an effective date of July 1, 2050, to allow for further discussion.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2395, S.D. 1, and be placed on the calendar for Third Reading.

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

  
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ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>SB 2395</b>	Committee Referral: <b>CPN</b>	Date: <b>2/29/12</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)				✓
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh				✓
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			<del>✓</del> ✓
SLOM, Sam				✓
<b>TOTAL</b>	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes