

Honolulu, Hawaii

FEB 28 2013

RE: S.B. No. 506

S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 506, S.D. 1, 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:

- (1) Clarify that licensing authorities shall consider relevant education, training, or service completed by service members;
- (2) Specify which service members are subject to these provisions;
- (3) Permit licensure by endorsement or licensure by reciprocity in certain situations for service members;
- (4) Permit issuance of a temporary license if certain requirements are met; and
- (5) Require the licensing authority to expedite consideration of the application and issuance of a license by endorsement, license by reciprocity, or temporary license to a qualified service member.

Prior to the hearing on this measure, your Committee made available for public review a proposed S.D. 2 of this measure.



The proposed S.D. 2 deleted the substantive provisions of this measure and inserted language to:

- (1) Clarify that licensing authorities that consider relevant education, training, or service of a military veteran applicant and determine the applicant meets or exceeds the requirements for licensure in Hawaii shall not then require the applicant to take a national or regional exam;
- (2) Amend the purpose section for clarity; and
- (3) Change the effective date to July 1, 2013.

Your Committee received testimony in support of the proposed S.D. 2 from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to the proposed S.D. 2 from the Hawaii Dental Association, Hawaii Society of Professional Engineers, Hawaii Association of Public Accountants, Hawaii Society of Certified Public Accountants, and thirty-one individuals. Your Committee received comments on the proposed S.D. 2 from the American Institute of Architects.

Your Committee finds that when Act 248, Session Laws of Hawaii 2012 (Act 248), was enacted, the intent was to allow the licensing authorities in Hawaii to consider military education, training, or service that was equivalent to civilian education, training, or service. This proposed S.D. 2 was not intended to circumvent any of the existing licensing standards for the different licensing authorities in the State. Rather, the proposed S.D. 2 is intended to provide additional clarity to Act 248. The proposed S.D. 2 is also intended to demonstrate Hawaii's continuing commitment to the nationwide effort to facilitate military veterans' transition to post-service employment, including those military veterans who are from Hawaii and wish to find post-service employment in their home state.

Your Committee has heard the concerns that the proposed S.D. 2 would exempt certain military veteran applicants from having to take a national or regional exam. Your Committee is aware that examination requirements are specific to each licensing authority and represent a key component of the licensing process for various professions and vocations in the State. Because required examinations are different for each licensing authority, certain



statutes and rules specific to each licensing area need to be taken into account. Amendments to this measure are therefore needed to address specific concerns raised in testimony.

Accordingly, your Committee has amended this measure by adopting the proposed S.D. 2 and further amending the measure by:

- (1) Clarifying that licensing authorities that consider relevant education, training, or service of a military veteran applicant and determine the applicant meets or exceeds the requirements for licensure in Hawaii shall accept the results of the passage of a national or regional exam accepted by statute or rule in the specific licensing area or the equivalent as determined by the licensing authority;
- (2) Requiring a certificate or other evidence satisfactory to the licensing authority of having passed a national or regional exam or the equivalent to be provided to the licensing authority; and
- (3) Amending the purpose section for consistency.

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. 506, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 506, S.D. 2.

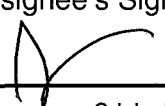
Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB 506, SD1	Committee Referral: PSM, CPN	Date: 2/21/13		
<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)	✓			
GALUTERIA, Brickwood (VC)	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama				✓
TANIGUCHI, Brian T.				✓
WAKAI, Glenn	✓			
SLOM, Sam				✓
TOTAL	4			3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes