

STAND. COM. REP. NO.

1580

Honolulu, Hawaii

APR 07 2017

RE: H.B. No. 1534
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1534, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RESIDENCE REQUIREMENTS FOR APPOINTED OFFICERS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow a waiver of the one-year state residency requirement for certain appointed officers when the officer is employed as the head of a county police department.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i Civil Rights Commission, and Honolulu Police Commission. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that employing the most qualified person willing to serve as head of a county police department is important to the safety and welfare of Hawaii's communities. By allowing a waiver of the one-year state residency requirement for employment as the head of a county police department, this measure



will significantly and meaningfully increase the pool of highly qualified individuals willing to provide service in that capacity.

Based on written testimony received from the Department of the Attorney General, your Committee also finds that for persons appointed to serve in government other than as department heads, or deputies or assistants to a department head, it is in the public interest for an appointing authority to be able to consider not only citizens, nationals, and permanent resident aliens of the United States, but also other residents of the State who are eligible under federal law for unrestricted employment.

Accordingly, your Committee has amended this measure by:

- (1) Adopting the language suggested by the Department of the Attorney General to clarify that appointed officers in the service of state or county government, other than the head or deputy or assistant to the head of a state or county department, shall be residents of the State at the time of their appointment and also be:
 - (A) Citizens, nationals, or permanent resident aliens of the United States; or
 - (B) Eligible under federal law for unrestricted employment in the United States; and
- (2) Changing the effective date to upon its approval.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1534, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1534, H.D. 1, S.D. 2.



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


GILBERT S.C. KEITH-AGARAN, Chair



