

DAVID Y. IGE
GOVERNOR



RYKER WADA
DIRECTOR

ANDREW T. GARRETT
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 26, 2020

TESTIMONY TO THE
HOUSE COMMITTEE ON JUDICIARY

For Hearing on Friday, February 28, 2020
2:15 p.m., Conference Room 325

BY

RYKER WADA
DIRECTOR

House Bill No. 2339 H.D. 1
Relating to Residency Requirements in State Hiring

TO CHAIRPERSON LEE, VICE CHAIR SAN BUENAVENTURA AND MEMBERS OF
THE COMMITTEE:

House Bill No. 2339 H.D. 1 exempts dependents of military servicemembers from state residency requirement for employment with state or county government if the military servicemember is in Hawai'i on bona fide military orders.

The Department of Human Resources Development **strongly supports** this administration measure. As part of our commitment to reducing the number of vacancies in state government, we believe civilian dependents of military servicemembers may represent an untapped pool of potential applicants interested in state employment.

As the current law stands, state employees must sign a declaration within 30 days of the start of employment that they are a resident of the State of Hawaii. With the nature of military service (where servicemembers may transfer every few years), it may be in the interest of civilian dependents of military servicemembers to maintain their residency in their “home” state for a multitude of reasons. We have anecdotally heard from executive branch departments that employment offers extended to civilian dependents of military servicemembers have been turned down due to our residency requirement.

We believe permitting this limited exemption may allow the state to tap into an otherwise qualified pool of applicants to reduce to number of vacancies in state government.

We respectfully request that the effective date of the bill be amended to be upon approval.

Thank you very much for the opportunity to testify in support of this measure.

TESTIMONY ON
HOUSE BILL 2339 HD1, RELATING TO

PRESENTATION TO
THE COMMITTEE ON JUDICIARY

By

BRIGADIER GENERAL MOSES KAOIWI JR.
DIRECTOR OF JOINT STAFF, HAWAII NATIONAL GUARD
LAND COMPONENT COMMANDER, HAWAII ARMY NATIONAL GUARD

February 28, 2020

Good morning Chairperson Chris Lee, Vice Chair Joy San Buenaventura, and members of the Committee.

I am Brigadier General Moses Kaiwi. Thank you for the opportunity to submit testimony in **SUPPORT** of HB 2339 HD1.

This legislation exempts dependents of military Servicemembers from state residency requirements for employment with the state or county when the Servicemember is serving in the State of Hawai'i on military orders.

Passing this bill would align Servicemembers and their dependents with the Servicemembers Civil Relief Act (SCRA) and Military Spouse Residency Relief Act (MSRRA) under 50 U.S.C. and Public Law 111-97. Servicemembers and their dependents are allowed to comply with tax laws of their domiciliary state, and it is our understanding, the State of Hawaii, Department of Taxation also does not consider income received by a servicemember's dependents for services performed in Hawaii as Hawaii-sourced income.

If passed this law would financially help military Families by increasing employment opportunities, increasing opportunities for potentially better paying jobs, and reducing the burdens and hardships typically experienced when Servicemembers change duty stations to Hawaii.

The Department of Defense supports this bill provided that its passage does not replace or adversely impact priorities indicated in the Executive Budget.

Thank you for the opportunity to provide testimony to support of HB 2339 HD1.

BG Moses Kaiwi Jr.: moses.kaiwi.mil@mail.mil; 808-844-6005



**COMMANDER, U.S. INDO-PACIFIC COMMAND
(USINDOPACOM)
CAMP H M SMITH, HAWAII 96861-4028**

February 19, 2020

Chair and Committee Members

Thank you for this opportunity to share with you information which may be helpful in your decision-making regarding HB 2339.

The federal Servicemembers Civil Relief Act (SCRA) and Military Spouse Residency Relief Act (MSRRA) exempt military spouses from income taxes if the spouse is a resident in another state. There are approximately 24,000 military spouses in Hawaii, most on Oahu at any given time. Many of these spouses seek and gain employment in a wide variety of occupations; however, many are discouraged from seeking state or county employment due to confusion over the requirement to be a resident of the State of Hawaii within 30 days of employment. This bill exempts the military spouse from the residency requirement and is consistent with the SCRA and MSRRA. It makes it clear that a military spouse may seek employment with state or county agencies without relinquishing their state of residency.

Indo-Pacific Command generally supports any legislation that creates opportunities for military families. Accordingly, and in this case, we support clarifying that dependents of servicemembers may maintain residency in a state other than Hawaii and still be considered for employment in state or county government. This legislation would add to the existing pool of local talent and expertise while simultaneously creating opportunities for the military family.

A handwritten signature in black ink, appearing to read "Suzanne P. Vares-Lum", is positioned above the typed name.

SUZANNE P. VARES-LUM
Major General, U.S. Army
Mobilization Assistant to the Commander



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Quality Healthcare For All"

House Committee on Judiciary
Representative Chris Lee, Chair
Representative Joy A. San Buenaventura, Vice Chair

February 28, 2020
Conference Room 325
2:15 p.m.
Hawaii State Capitol

Strongly Support
House Bill 2339, HD1
Relating to Residency Requirements in State Hiring
Exempts dependents of military servicemembers from state residency
requirement for employment with state or county government if the military
servicemember is in Hawaii on bona fide military orders.

Linda Rosen, M.D., M.P.H.
Chief Executive Officer
Hawaii Health Systems Corporation

CHAIR LEE, VICE CHAIR SAN BUENA VENTURA, AND MEMBERS OF THE HOUSE
COMMITTEE ON JUDICIARY:

H.B. 2339, HD1 exempts dependents of military servicemembers from state
residency requirement for employment with state or county government if the military
servicemember is in Hawaii on bona fide military orders.

Hawaii Health Systems Corporation ("HHSC") **strongly supports** this bill,

HHSC provides vital health care services throughout the state. All of its facilities
serve communities that may not have ready access to other health care facilities. This
measure would assist greatly in continuing to meet these communities' needs for quality
patient care by enabling the hiring of qualified candidates for difficult to fill positions.

Thank you for the opportunity to testify on this important measure.



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committee on Judiciary
Friday, February 28, 2020 at 2:15 P.M.
Conference Room 325, State Capitol**

LATE

RE: HB 2339 HD1, RELATING TO RESIDENCY REQUIREMENTS IN STATE HIRING

Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** HB 2339 HD1, which exempts dependents of military servicemembers from state residency requirement for employment with state or county government if the military servicemember is in Hawaii on bona fide military orders.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

Additionally, the Hawaii Military Affairs Council (MAC) was established in 1985 as part of the Chamber, and advocates on behalf of Hawaii's military, and is comprised of business leaders and retired U.S. flag and general officers. The MAC works to support Hawaii's location as a strategic U.S. headquarters in the Indo-Asia-Pacific region.

Currently, state employees must sign a declaration within 30 days of the start of employment that they are a resident of the State of Hawaii. For dependents of servicemembers stationed in Hawaii, this requirement could unintentionally deter them from considering employment with state or county government while in Hawaii. Due to the nature of military service, and the fact that servicemembers transfer every few years, these dependents tend to prefer keeping the residency of their "home" state.

This bill would be beneficial to our community and could help to address an untapped pool of applicants for state employment who might not have been able to consider employment in the past. It would allow the dependents of current servicemembers the ability to pursue meaningful employment during their time in Hawaii and are willing and able to help fill a host of open positions currently in our local workforce.

Thank you for the opportunity to testify in support of HB 2339 HD1.

HB-2339-HD-1

Submitted on: 2/27/2020 8:33:22 AM

Testimony for JUD on 2/28/2020 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Campbell	Individual	Support	Yes

Comments:

Chair Lee and members of the House Committee on Judiciary

My name is Robert Campbell and I am in strong support of House Bill 2339 exempting dependents of military servicemember on bona fide military orders from the state residency requirement for employment with state or county governments. Passage of this bill provides a no cost way to open up a pool of potential employees desperately needed within state and local government to deliver the programs and support envisioned by the Governor and this legislative body.

As a former Hawaii Department of Education employee administering and overseeing the delivery of special education and related services to students with disabilities I know first-hand the greatest challenge in meeting the intent and goals of the statutes and programs is not funds, facilities, or knowledge but having knowledgeable and caring staff to provide the service. The need goes beyond licensed professionals such as teachers and therapist extending to the educational assistants needed in each classroom. Hiring sufficient numbers of staff was, and is, an ever present problem for the Department.

Employed military dependents who are residents in other states but who are in Hawaii due to the Servicemembers orders who are exempt from paying income tax due to enacted federal statutes. The Hawaii Department of Taxation recognizes this but the existing language in HRS 78-1 requiring applicants to declare State of Hawaii residency within 30 days is confusing to military dependents who are prospective employees. In the end, these individuals seek employment in the public sector leaving state and county positions vacant.

Passage and enactment of this bill will allow the various state and county employing agencies to clearly indicate military dependents are exempt from this requirement.

Thank you for the opportunity to provide my thoughts.



UNITED STATES MARINE CORPS
US MARINE CORPS FORCES PACIFIC
CAMP H M SMITH HI 96861-4139

1000-39

G-1/QOL

27 FEB 2020

The Honorable Chris Lee
Chair, House Committee on Judiciary
415 South Beretania Street
Hawaii State Capitol Room 433
Honolulu, HI, 96813

Dear Representative Lee:

I take this opportunity to express my support for HB2339 HD1 which waives state residency requirements for active duty military spouses stationed in Hawaii who are seeking State and/or County employment. Because military families move on average every two to three years, spouse unemployment rate is significantly higher than their non-military peers: an average of 24 percent. In most cases, our military members do not get to choose where they are assigned and movement from one state to another negatively impacts their spouses' career and often limits employment opportunities.

Passage of this bill will remove employment barriers for our military spouses in Hawaii and strengthens family and military readiness needed to meet the U. S. Department of Defense's National Strategy. Your backing in passing this bill supports those very military families who make many sacrifices to protect our country and ensure prosperity. Expanding military spouse career opportunities not only improves the Nation's economic well-being, but also enables the Department of Defense to retain more resilient, highly-skilled, and experienced military personnel.

Thank you for your continued support of the many issues that affect our military families in Hawaii.

Sincerely,

R. B. SOFCE
Brigadier General
U.S. Marine Corps