



MANPOWER AND
RESERVE AFFAIRS

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

March 22, 2021

The Honorable Senator Rosalyn H. Baker
Chair, Senate Committee on Commerce and Consumer Protection
415 South Beretania St.
Honolulu, HI 96813

RE: HB 961 HD 1 – Relating to military dependents.

Dear Chair Baker, Vice Chair Chang, and Members of the Committee:

On behalf of military families and the U.S. Department of Defense (DoD, The Department), I am writing to express support, if amended, for the policy changes expressed within House Bill (HB) 961 HD 1. This bill addresses two issues, military dependent residency requirements for state employment (Section 2) and occupational licensure requirements for military spouses (Section 3). The Department applauds all efforts of states to provide flexibility for military dependents to become more easily employed, however our support of HB 961 HD 1 is not dependent on section 2 of the bill. The following written testimony is in reference only to Section 3.

State policies that enhance existing licensure provisions for military spouses relieve one of the many stressors of frequent military moves by enabling spouses to more quickly transfer their licenses in order to obtain employment in a new state. These policies facilitate greater career sustainability for military spouses, improving their families' financial security and overall resilience. The need for such policies in California is underscored by the fact that Hawaii hosts the highest ratio of military spouses to the local population of all 50 States.

HRS §436B-14.7 currently provides opportunities for military spouses to obtain expedited licensure by endorsement, with an option to practice on a temporary license, with requirements that military spouses have found to be barriers to licensure in Hawaii. HB 961 HD 1 eliminates the current provision for license by endorsement and focuses solely on temporary licensure for out-of-state licensed military spouses in 30 occupations and others holding licenses from jurisdictions with substantially equivalent requirements of those in Hawaii.

The Department very much appreciates the intent of HB 961 HD 1, and we would like to offer the following two recommended amendments which would more closely align the proposed policy change with our criteria for licensure portability. We believe that these changes would fulfill the intent of the measure in streamlining the licensure process and increase accessibility for military spouses while preserving public safety by allowing professionals holding licenses from other jurisdictions to obtain prompt licensure upon military assignment to Hawaii:


- We respectfully request removal or clarification of the allowance for a board to require a person covered under this section to work under supervision, as it may create undue burden for

professionals to obtain timely employment and could have a negative effect on wages (Section 3 (c)).

- We also would like to request an added requirement for licensing boards to provide information about the temporary license on their public websites and applications so that military spouses are able to easily access the provision.

In closing, the Department is appreciative of the ongoing efforts of Hawaii in supporting the military community and for providing the opportunity to support the policy reflected within HB 961 HD 1, if amended. We extend our deepest gratitude to Governor Ige and Speaker Saiki for bringing forth this critical issue. Thank you for taking the time to consider our recommendations. Please feel free to contact me with any questions you may have.

Sincerely,



Kelli May Douglas
Pacific Southwest Regional Liaison
Defense-State Liaison Office
Office of the Deputy Assistant Secretary of Defense
(Military Community and Family Policy)
kelli.m.douglas.civ@mail.mil

cc:

The Honorable Speaker of the House, Representative Scott Saiki



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

March 22, 2021

Aloha Chair Baker, Vice Chair Chang, and members of the Committee on Commerce and Consumer Affairs

I am Major General Suzanne Vares-Lum, Mobilization Assistant to the Commander of US Indo-Pacific Command. I am providing testimony in support of HB 961 HD1.

Indo-Pacific Command supports any legislation that creates opportunities for military families. Accordingly, and in this case, we support any effort to ease the licensing requirements on military spouses who hold active professional licenses in other states. Such legislation would add to the existing pool of local talent and expertise while simultaneously creating opportunities military families.

Streamlining the licensing processing for active duty military spouses and exempting military dependents from the current state residency requirement can make a positive impact for not only the DoD, but the State of Hawaii. There are many military spouses who hold licenses from multiple states and have in-depth experience in areas where there is need in our state. When I have spoken to professional spouses who have had to traverse the licensure process, it has been challenging due to the length of time it takes, and their tour is usually only three years.

Consequently, many of these professionally licensed spouses do not seek licensure here because Service members and their spouses move, on average, every three years; and obtaining a license in every jurisdiction represents a significant burden.

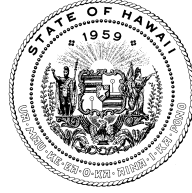
Moreover, we know that the inability of professionally licensed military spouses to find meaningful work can negatively affect the retention of the Service member.

Thank you for this opportunity to provide testimony.

MG Suzanne Vares-Lum: Suzanne.vares-lum@pacom.mil, (808)487-7820

A handwritten signature in cursive script, reading "Suzanne P. Vares-Lum".

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



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Commerce & Consumer Protection
Tuesday, March 23, 2021
10:00 a.m.
Via Videoconference**

**On the following measure:
H.B. 961, H.D. 1, RELATING TO MILITARY DEPENDENTS**

Chair Baker and Members of the Committee:

My name is Ahlani Quiogue, and I am the Licensing Administrator of the Department of Commerce and Consumer Affairs' (DCCA or Department) Professional and Vocational Licensing Division (PVL). The Department supports this bill.

The purposes of this bill are to: (1) exempt dependents of military servicemembers from state residency requirement for government employment if the military servicemember is in Hawaii on bona fide military orders; and (2) allow a spouse of an active duty service member in the military who accompanies the service member a permanent change of station to Hawaii and holds a current, unencumbered license in another jurisdiction in specific professions to apply for licensure on an expedited basis in the State.

The Department supports this bill to streamline the process and accelerate the timeline for a military spouse to receive a license by endorsement. This bill allows the PVL appropriate time to issue both a temporary license and a permanent license to a military spouse, without severely compromising the Department's ability to effectively

evaluate the applicant's qualifications and protect Hawaii's consumers. The bill also provides the Department a mechanism to issue licenses by endorsement to professions that have national standards, versus professions and trades with varying standards of licensure. The Department notes this bill results from the joint efforts of the Department of Defense and the DCCA to assist military dependents to obtain proper employment and contribute to our local economy.

Thank you for the opportunity to testify on this bill.

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

TESTIMONY TO THE
SENATE COMMITTEE ON COMMERCE & CONSUMER PROTECTION

For Hearing on Tuesday, March 23, 2021 at 10 a.m.
Conference Room 229 (Via Video Conference)

BY

RYKER WADA
DIRECTOR

House Bill No. 961, HD1
Relating to Military Dependents

CHAIRPERSON BAKER, VICE CHAIR CHANG AND MEMBERS OF THE COMMITTEE:

The Department of Human Resources Development (DHRD) **strongly supports** this administration measure, which allows for the spouse of an active-duty service member in the military who holds a license in another jurisdiction in specific professions to apply for licensure in Hawaii on an expedited basis. In addition, the HB 961 HD1 exempts dependents of military servicemembers from the state residency requirement for employment with state or county government if the military servicemember is in Hawaii on bona fide military orders.

As part of DHRD's commitment to recruiting and retaining highly-qualified applicants and reducing the number of vacancies in the executive branch, servicemembers' dependents represent an untapped pool of potential applicants for hard-to-fill, licensed positions across state government. Furthermore, this bill would be in line with the Military Spouses Residency Relief Act which allows military spouses to declare the same state of legal residency as their spouse.

As 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 the number of vacancies in state government. We respectfully defer to the expertise of the Department of Commerce and Consumer Affairs on the mechanism for applying for expedited licensure as outlined in this bill.

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

TESTIMONY ON HOUSE BILL 961 HD1
RELATING TO MILITARY DEPENDENTS

PRESENTATION TO:
THE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

BY

MAJOR GENERAL KENNETH S. HARA
ADJUTANT GENERAL
DIRECTOR OF THE HAWAII EMERGENCY MANAGEMENT AGENCY
AND HOMELAND SECURITY ADVISOR

March 22, 2021

Aloha Chairperson Baker, Vice Chairperson Chang, and members of the Committee on Commerce and Consumer Affairs.

I am Major General Kenneth Hara, Adjutant General, Director of the Hawaii Emergency Management Agency and Homeland Security Advisor.

The Department of Defense (DOD) provides written testimony in **SUPPORT** of HB 961 HD1.

This bill supports military families with employment opportunities in the State of Hawaii by streamlining the licensing processing for active duty military spouses and exempting military dependents from the current state residency requirement for employment. Doing so will significantly help military families financially, and concurrently benefit the state by increasing the competitive pool of qualified and experienced candidates for state employment, especially in chronically understaffed professions. It will additionally allow military spouses to qualify for higher paying jobs to help supplement their military servicemember's pay, increase their competitiveness in the job market, maintain currency in their profession, and increase their potential to find employment faster as they relocate the state.

Military spouses who accompany their armed servicemember on a permanent change of station (PCS) experience many challenges with moving and adjusting, particularly when they have families. A reduced ability to find competitive jobs compounds that challenge and often results in months of nonemployment. Currently, military spouses accompanying their servicemember on a PCS must apply for licensure through a license reciprocity process that mandates license equivalency. This is problematic for applicants depending upon their home jurisdiction. A typical PCS tour last 2-3 years; however, it often takes 3-4 months to obtain licensure for a spouse who holds a license to practice their profession in another jurisdiction causing nonemployment for a significant amount of time during their to Hawaii.

This bill will also eliminate the residency requirement for state employment for military dependents. The current law makes it difficult for military dependents to work for the State because military members and their dependents do not typically change their residency each time they PCS. Because of the frequency in moving around the county and the world, servicemembers typically claim one state of residency throughout their military career for continuity. If passed, this bill would help military families maintain residency in their designated home state while being eligible to work for the State of Hawaii.

There would also be no loss of potential income tax revenue due to this bill. For state income tax purposes, the servicemembers Civil Relief Act (SCRA) governs the determination of residence or domicile for servicemembers and their spouses. The SCRA provides that a servicemember will not lose a residence or domicile by being present in a tax jurisdiction in the United States due to compliance with military or naval orders, and would preclude the State of Hawaii from collecting income taxes on wages, salaries, tips, commissions and other compensation. The Military Spouses Residency Relief Act (MSRRA) amended the SCRA to add similar provisions for military spouses. The Tax Information Release No. 2020-01 dated May 3, 2010, provides additional detailed information and guidance on this subject.

The DOD differs to DCCA for their input on the impacts to the current process and risks associated with streamlining the current system of processing licensure requests or other matters relating to the implementation of this measure.

Thank you for the opportunity to provide testimony in support of HB 961 HD1.

MG Kenneth S. Hara: kenneth.s.hara@hawaii.gov; 808-672-1211

BG Neal S. Mitsuyoshi: neal.s.mitsuyoshi@hawaii.gov; 808-369-3562



Chamber of Commerce HAWAII

The Voice of Business

Testimony to the Senate Committee on Commerce and Consumer Protection Tuesday, March 23, 2021 at 10:00 A.M. Via Videoconference

RE: HB 961, HD 1, RELATING TO MILITARY DEPENDENTS

Chair Baker, Vice Chair Chang, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **strongly supports** HB 961, HD 1 which seeks to exempt dependents of military servicemembers from state residency requirement for government employment if the military servicemember is in Hawaii on bona fide military orders and allows a spouse of an active duty service member in the military who accompanies the service member a permanent change of station to Hawaii and holds a current, unencumbered license in another jurisdiction in specific professions to apply for licensure on an expedited basis in the State.

The Chamber's Military Affairs Council (MAC) was established in 1985 to specifically advocate on behalf of Hawaii's military as it is the second economic driver for the State of Hawaii, comprised of business leaders, state and local officials, non-profit organizations, community leaders and retired U.S. flag and general officers to advocate and liaison with the military commands.

The MAC stands in strong support of HB 961, HD 1 which is part of an effort throughout the 50 states to support military spouses with professional licenses who are able and interested in working while stationed in our community. We have shortages for some of these positions in Hawaii - teachers, nurses, and a variety of health-related fields especially now during the COVID-19 pandemic. This is not about taking a job away but instead adding and welcoming capabilities in areas which we are in need of qualified professionals.

While many states have enacted some form of relief in the area of occupational license reciprocity for spouses married to an active duty member of the armed forces, a Department of Defense report¹ illustrates that improvements can be made and has developed best practices to modernize and balance the reciprocity of occupational license professions and the protection of consumers.

The report, which has been delivered to members of Congress and state Governors, lays out some immediate, near-term and long-term solutions. There are currently occupation-specific compacts for physicians, nurses, physical therapists, emergency medical technicians,

¹ Military Spouse Licensure Reports

<https://www.militaryonesource.mil/data-research-and-statistics/reports/military-spouse-licensure-reports>



Chamber *of* Commerce HAWAII

The Voice of Business

psychologists, and audiologists/speech-language pathologists. For example, the nurse licensure compact has been approved by 34 states and is being considered by 10 more states in 2020 with others being considered in 2021.

For the forgoing reasons, we respectfully request the committee's passage of this measure.

Thank you for this opportunity to provide testimony.

HB-961-HD-1

Submitted on: 3/19/2021 7:04:51 PM

Testimony for CPN on 3/23/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Individual	Support	No

Comments:

I support HB961.

Member, Veterans Caucus, Democratic Party of Hawai'i

LATE

HB-961-HD-1

Submitted on: 3/22/2021 4:43:50 PM

Testimony for CPN on 3/23/2021 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Rueschhoff	Individual	Support	No

Comments:

As a military spouse, local attorney and community contributor, I strongly support this bill.

LATE

March 22, 2021

Honorable Senator Baker, Chair, and Senator Chang, Vice-Chair, Senate Committee on Commerce and Consumer Protection

Aloha Senator Baker, Senator Chang, and Committee Members,

I am writing to submit my testimony in support of **HB961**. I fully support the effort to expedite and make it easier for military spouses to become licensed in the State of Hawai'i for the purpose of employment as well as exempting dependents of military service members from state residency requirement for employment.

This is my second tour in Hawaii and both times my spouse had to apply for two professional licenses, a registered nurse license and advanced practice nursing license, in 2009 and 2018. In both instances it took an average of 3 months to obtain licenses. Without these licenses she was unable to even apply for a job. Additionally, my spouse was required to become credentialed at the hospital with took another 2 months. Moving to Hawai'i resulted in my spouse being unemployed for several months each time as a result of license processing.

The process proved to be lengthy and required excessive effort to include numerous phone calls, long hold times, many emails and misplaced paperwork to secure a registered nursing license and advance practice nursing license.

As the former U.S. Army Garrison Commander here in Hawaii, I am very familiar with the challenges our families face when they move to Hawai'i. Moving is one of the most stressful things for our military families and finding employment for spouses and dependents in a new location only adds to that stress and in some cases creates financial hardship. HB961 will go a long way to help to reduce stress and provide more opportunities for our military dependents and families in the community.

Additionally, I believe this bill helps to further the connection between our military families and Hawai'i as it will make it easier for families to find links in and to Hawai'i. This summer my family and I will have lived in Hawaii for over 7 years and we are grateful to call Hawai'i our home and be a part of the community here.

Mahalo for your consideration of my comments and support for this bill.

Colonel Tom Barrett

LATE

March 22, 2021

Honorable Senator Baker, Chair, and Senator Chang, Vice-Chair, Senate Committee on Commerce and Consumer Protection

Aloha Senator Baker, Senator Chang, and Committee Members,

As a military spouse in Hawaii, I support **HB 961**. This bill would make it easier for me to continue my profession without large gaps in employment between moves. In my profession I cannot even apply for jobs in the State of Hawai'i without an active Hawai'i registered nursing license and advance practice nursing license. An absence of work in excess of three months requires justification as to my whereabouts and reasons to my new employer. This creates an additional burden on my profession as well as lost wages during the time I am going through the licensing process in the State of Hawai'i.

In my most recent move to Hawai'i 2018, I sent an application for my licenses in February of 2018, in April I spoke with someone who stated my application had been received on 2 March and was being processed. Between April and 17 May of 2018, I was making multiple phone calls per day from the east coast to Hawai'i with a six-hour time difference. There are times I waited on hold for over one hour after 10-20 attempts to get into the cue and secure a place in line on the phone. After getting in touch with a person, I was routinely passed from to multiple individuals until I finally was connected to a supervisor's boss. Through persistence and perseverance, I was finally able to get my licenses in May of 2018. My family moved to Hawai'i in June 2018 and I was able to start working in August of 2018 after applying for a job, being offered a position and finally being credentialed by the hospital.

I fully support and encourage the passing of HB961 for myself, all other spouses and dependents. This bill will make relocating to Hawai'i and finding employment easier. I don't want others to have the same experience I had coming here in 2018.

Mahalo for your consideration of my testimony.

Jill Barrett
Military Spouse

HB-961-HD-1

Submitted on: 3/23/2021 8:28:32 AM

Testimony for CPN on 3/23/2021 10:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Kinzer	Individual	Support	No

Comments:

The happiness and fulfillment of military spouses is a major factor in the service member continuing to serve in the military. Frequent moves make having a career nearly impossible, and the additional burden having to deal with licensing processes in each new state (both time and money) are prohibitive, and in this day and age, unnecessary. Please remove this barrier for spouses who are only in the state temporarily as part of military service. It will improve retention for the military, and contribute to national security.