STAND. COM. REP. NO. 1040-06

Honolulu, Hawaii

March 21, 2006

RE: S.B. No. 2295

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Public Safety & Military Affairs, to which was referred S.B. No. 2295 entitled:

"A BILL FOR AN ACT RELATING TO PRINCIPAL PRIVATE DETECTIVES AND GUARDS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Repeal the requirement that principal detectives and guards must be residents of the state to qualify for licensure; and
- (2) Allow an agency to employ more than one principal detective or principal guard.

The State Board of Private Detectives and Guards (Board) testified in support of this bill.

The Department of the Attorney General determined that sections 463-5 and 463-7, Hawaii Revised Statutes, are unconstitutional since they require residency as a condition of licensure. Your Committee finds that this bill addresses the constitutional concerns properly.

Your Committee agrees with the Board's policy of allowing an agency to employ more than one principal to aid in the direct management and control of the agency's employees. As an agency's business increases, so do staffing requirements and the number of offices or locations. Accordingly, your Committee finds that allowing an agency to employ more than one principal detective or guard is logical for the practicalities of business and ensures consumer safety.

As affirmed by the record of votes of the members of your Committee on Public Safety & Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2295 and recommends that it pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Public Safety & Military Affairs,

KEN ITO Chair

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Public Safety & Military Affairs

Bill/Resolution No.:	Date:			
SB 2295	March 16, 2006			
Committee Referral: PSM, CPC	☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	☐ Pass, with amendments			
☐ Hold ☐ Recommit				
PSM Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	V			
2. CHONG, Pono (VC)	//			
3. LEE, Marilyn B.				
4. NAKASONE, Bob				-
5. SHIMABUKURO, Maile S. L.				\vee
6. SOUKI, Joseph M.				
7. TANAKA, Kameo	//			
8. YAMANE, Ryan I.	//	* -	·	
9. MOSES, Mark S.				
10. STONEBRAKER, Bud				
				3
TOTAL	7			3
The recommendation is: Adopted				
□ Not Adopted				
If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
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Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				
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