STAND. COM. REP. NO. **3295**

Honolulu, Hawaii

APR - 4 2006

RE: H.B. No. 3254

H.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred H.B. No. 3254, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OATHS OF OFFICE,"

begs leave to report as follows:

The purpose of this measure is to repeal various provisions of the Hawaii Revised Statutes that require public employees, who are not required under Article XVI, Section 4 or the Hawaii State Constitution, to take an oath of loyalty.

Your Committee received testimony in support of the measure from the Office of the Ombudsman.

Your Committee finds that the statutory provisions repealed by this measure were made obsolete by an amendment to the Hawaii State Constitution in 1992. In 1992, Article XVI, Section 4 of the Hawaii State Constitution was amended so that only certain eligible public officers are now required to take and subscribe to a constitutional oath. This measure identifies all sections affected by the amendment to the Hawaii State Constitution. Repeal of the obsolete provisions in the Hawaii Revised Statutes will prevent future misunderstanding about the applicability of the provisions among members of the public.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and

2006-2352 SSCR SMA.doc

purpose of H.B. No. 3254, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* HB 3254 HD1	LBR, JI			Jate: 3 - 30 - 04		
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:						
The Recommendation is to:						
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)						
Members		Ayes	Ayes(WR)	Nays	Excused	
HANABUSA, Colleen (C)						
HEE, Clayton (VC)			Part Part			
CHUN OAKLAND, Suzanne	No. 9,5, a V. spra has accounted at				- I	
ENGLISH, J. Kalani						
IHARA, Jr., Les		1			· · · · · · · · · · · · · · · · · · ·	
WHALEN, Paul		7				
					The The American Committee of the Commit	
TOTAL		Ç	0	0	0	
Recommendation: Adopted Not Adopted						
Chair's or Designee's Signature:						
Distribution : Original File with Committee		Yellow k's Office	Pink Drafting Agenc		denrod e File Copy	

^{*}Do <u>not</u> list more than one measure per Record of Votes.