STAND. COM. REP. NO. **3226**

Honolulu, Hawaii

APR 0 5 2012

RE: H.B. No. 1765

H.D. 2 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1765, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR COUNTY EMPLOYEES,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the conducting of criminal history checks by county liquor commissions on certain employees and prospective employees, and by counties on prospective employees for work with vulnerable adults or seniors; for fire and emergency medical services positions that involve contact with children or dependent adults; and for emergency management positions and community volunteers whose responsibilities involve vulnerable and disabled citizens.

Your Committee received testimony in support of this measure from the Hawaii Civil Rights Commission, Department of Human Resources of the City and County of Honolulu, and Office of the County Attorney of the County of Kauai.

Your Committee finds that with the elimination of residency requirements and the current influx of out-of-state individuals applying for civil service jobs in Hawaii, the counties do not have an effective means of conducting a thorough background check, including reviewing prospective employees' convictions that occurred outside of the State. This measure allows county agencies to conduct criminal history record checks on certain

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employees and prospective employees without eroding arrest and court record protections.

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. 1765, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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

The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee	Referral:	Date	Date: /		
HB 1765, HD2, SD1	PGM/HMS, JDL 3/27/12			12		
The committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Becommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (WR)	Nay	Excused	
HEE, Clayton (C)						
SHIMABUKURO, Maile (VC)		V				
GABBARD, Mike						
IHARA, Jr., Les						
SLOM, Sam						
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TOTAL		5				
Recommendation:						
Adopted Not Adopted						
Chair's or Designee's Signature:						
Distribution: Original	Yellow		Pink Goldenrod			
File with Committee Report Clerk's Office Drafting Agency Committee File Cop				e File Copy _		

^{*}Only one measure per Record of Votes