STAND. COM. REP. NO. 102

Honolulu, Hawaii

## MAR 0 6 2015

## RE: S.B. No. 1071

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 1071 entitled:

"A BILL FOR AN ACT RELATING TO THE ACQUISITION OF FIREARMS BY LAWFUL PERMANENT RESIDENT ALIENS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify that the police may issue a permit to acquire a firearm to a lawful permanent resident alien.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that in a 2014 decision, the United States District Court for the District of Hawaii held that it was a violation of the equal protection clause of the United States Constitution as it applies to permanent resident aliens where a lawful permanent resident alien was not allowed to apply for a permit to acquire a firearm on the basis that he was not a citizen of the United States. This measure would clarify the Hawaii Revised Statutes and bring the State into compliance with the District Court's finding and the equal protection clause of the United States Constitution as it applies to permanent resident aliens.

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 S.B. No. 1071 and recommends that it pass Third Reading.



STAND. COM. REP. NO. **162** Page 2

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

**.**C

GILBERT S.C. KEITH AGARAN, Chair

2015-1911 SSCR SMA.doc

## The Senate Twenty-Eighth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary and Labor JDL

| Bill / Resolution No.:*  | Committee Referral: Date: |              |          | ie: |                         |
|--|---------------------------|--------------|----------|-----|-------------------------|
| SB 1071  | TSI/PSM, JDL 3/4/15       |              |          | 15  |                         |
| The Committee is reconsidering its previous decision on this measure.  |                           |              |          |     |                         |
| If so, then the previous decision was to:  |                           |              |          |     |                         |
| The Recommendation is:   |                           |              |          |     |                         |
| Pass, unamended Pass, with amendments Hold Recommit<br>2312 2311 2310 2313   |                           |              |          |     |                         |
| Members  |                           | Ауе          | Aye (WR) | Nay | Excused                 |
| KEITH-AGARAN, Gilbert S.C. (C)   |                           | $\checkmark$ |          |     |                         |
| SHIMABUKURO, Maile S.L. (VC)   |                           | /            |          |     |                         |
| ESPERO, Will   |                           | ~            |          |     |                         |
| GABBARD, Mike  |                           |              |          |     | $\checkmark$            |
| IHARA, Jr., Les  |                           | $\checkmark$ |          |     |                         |
| THIELEN, Laura H.  |                           |              |          |     | V                       |
| SLOM, Sam  |                           |              |          | ·   | ~                       |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
| i  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
|  |                           |              |          |     |                         |
| · · · · · · · · · · · · · · · · · · ·  |                           | 1            |          |     | $\overline{\mathbf{C}}$ |
| TOTAL  | /                         | 4            |          |     | 3                       |
| 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 Copy |                           |              |          |     |                         |

\*Only one measure per Record of Votes