

STAND. COM. REP. NO.

3404

Honolulu, Hawaii

APR 04 2018

RE: S.R. No. 92
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.R. No. 92 entitled:

"SENATE RESOLUTION STRONGLY URGING THE UNITED STATES CONGRESS TO PASS LEGISLATION TO CLARIFY THE STATUS OF MIGRANTS UNDER THE COMPACTS OF FREE ASSOCIATION FOR PURPOSES OF THE REAL ID ACT OF 2005 TO PROMOTE FAIRNESS AND EQUALITY UNDER THE LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to strongly urge the United States Congress to pass legislation to clarify the status of migrants under the Compacts of Free Association for purposes of the REAL ID Act of 2005 to promote fairness and equality under the law.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Hawaii Interpreter Action Network, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the United States has a special relationship with Compact of Free Association nations and their citizens. Citizens of such nations may enter into, work, and establish residence in the United States, but do not have a pathway to United States citizenship. These persons do not have limited authorized stays in the United States, rather than have authorization to stay on a long-term basis and build stability




within their community of residence. Your Committee finds that citizens of Compact of Free Association nations who are residents of the United States should have the same legal abilities, opportunities, and advantages as other foreign nationals legally residing with the United States.

Your Committee has amended this measure by:

- (1) Inserting language urging the United States Citizenship and Immigration Services to delineate Compact of Free Association status as a specific category in the Systematic Alien Verification for Entitlements system and to clarify that the "unlimited length of stay" of persons with that status is sufficient for the same renewal period as legal permanent residents and United States citizens for purposes of driver's license and identification renewals, and other entitlements and benefits that may otherwise require an "end date of stay" entry;
- (2) Making a conforming amendment to the title; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 92, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 92, S.D. 1.

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



BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SR92	Committee Referral: JDC	Date: 3/27/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes