STAND. COM. REP. NO. 3178

Honolulu, Hawaii

MAR 3 0 2006

RE: H.B. No. 1233

H.D. 1 S.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. 1233, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CIVIL RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to prohibit discrimination in public accommodations on the basis of sexual orientation.

Your Committee received testimony in support of the measure from the Hawaii Civil Rights Commission, the Hawaii Tourism Authority, the American Civil Liberties Union of Hawaii, The Center, the GLEA Foundation, the Honolulu Hawai'i NAACP, the Community Alliance on Prisons, the Hawaii State Teachers Association, the Japanese American Citizens League of Hawaii, PFLAG Oahu, Roberts Hawaii, the Gay Lesbian Bisexual and Transgendered Caucus of the Democratic Party, and twenty individuals. Nineteen individuals submitted testimony in opposition to this measure.

Your Committee finds that this measure is designed to clarify existing law with respect to sex discrimination. The current law prohibits sex discrimination in employment and housing on sexual orientation and this measure will clarify that this prohibition also applies to public accommodations.

Your Committee has amended this measure to:



- (1) Insert a purpose section to clarify that this bill would make state civil rights laws uniform by prohibiting discriminatory practices in public accommodations on the basis of sexual orientation and to further clarify that discrimination based on gender identity or expression is prohibited sex discrimination;
- (2) Add a definition for gender identity or expression; and
- (3) Provide that discriminatory practices in public accommodations on the basis of gender identity or expression is prohibited sex discrimination.

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 purpose of H.B. No. 1233, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1233, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

COLLEEN HANABU\$A, 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 1233 HD1	Committee Referral: JHW		Date:	Date: 3 // 7 / 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)		1			
HEE, Clayton (VC)		-			
CHUN OAKLAND, Suzanne					of the second
ENGLISH, J. Kalani					
IHARA, Jr., Les			FERSIN ALLEMANIAN S		
WHALEN, Paul					
			211		
TOTAL		5	0	/	0
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					

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