STAND. COM. REP. NO. 1690

Honolulu, Hawaii **A p**: **I G** , 2009 RE: S.B. No. 1183 S.D. 2 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1183, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATORY PRACTICES,"

begs leave to report as follows:

The purpose of this bill is to increase employment protections for persons with disabilities by requiring the Hawaii Civil Rights Commission (HCRC) to adopt administrative rules to conform state law to recently amended federal law that strengthens protections against disability discrimination in employment.

The HCRC supported this bill. The State Council on Developmental Disabilities and Disability and Communication Access Board supported the intent of this measure.

Your Committee has amended this bill by:

- (1) Codifying the requirement that HCRC adopt rules defining or amending certain operative terms to conform state protections against disability discrimination in employment to federal law;
  - (2) Requiring HCRC, within one year from the effective date of any federal statutory revision to a relevant definition, to adopt, amend, or repeal rules to reflect



STAND. COM. REP. NO. 1690 Page 2

any amendments to state statutes that were required to conform to the federal statutory revisions; and

- (3) Changing the effective date to January 1, 2046, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1183, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1183, S.D. 2, H.D. 2.

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

JO**N** RIKI KARAMATSU, Chair



State of Hawaii House of Representatives The Twenty-fifth Legislature

ASCR 1690

**Record of Votes of the Committee on Judiciary** 

Bill/Resolution No.: SB 1183, SD2, HD1 LA	ttee Referral: B んしひ	Date	4/	9
□ The committee is reconsidering its previous decis			1///	<b> </b>
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)				
3. BELATTI, Della Au				
4. CABANILLA, Rida				
5. CARROLL, Mele				
6. HERKES, Robert N.				
7. LUKE, Sylvia				
8. McKELVEY, Angus L.K.				
9. MIZUNO, John M.				V
10. MORITA, Hermina M.				
11. OSHIRO, Blake K.				
12. SOUKI, Joseph M.		N. N.		
13. TSUJI, Clift				
14. WAKAI, Glenn				
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia				
			~	
<b>TOTAL (16)</b>	13			3
The recommendation is: Adopted If joint referral,	Not Adop     committee acronyr	did not suppo	ort recommendation	n.
Vice Chair's or designee's signature:	14.			
Distribution: Original (White) – Committee	Duplicate (Yellow)	- Chief Clerk's Office	e Duplicate (I	Pink) – HMSO