

STAND. COM. REP. NO. 3693

Honolulu, Hawaii

RE: APR 29 2008
GOV. MSG. NO. 614

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred Governor's Message No. 614, submitting for study and consideration the nominations of:

CIVIL RIGHTS COMMISSION

G.M. No. 614 FRANK ALBERT LAVOIE,
for a term to expire 6-30-2011,

begs leave to report as follows:

Your Committee received testimony in support of Frank Albert Lavoie from the Department of Labor and Industrial Relations and seven individuals. Testimony in opposition was received from the Hawai'i Women's Political Caucus and six individuals.

The nominee is a self-employed owner of Kafe Europa in Honolulu. He is currently serving as a legislative analyst in the Hawaii State Senate in 2008. Previously, he was employed by the Department of Taxation and Department of Labor and Industrial Relations. He was with the United States Peace Corps as an English Teacher, serving in Armenia from 1995-1997. Mr. Lavoie is currently the Vice-Chairman of the Downtown/Chinatown Neighborhood Board.

The nominee received a Bachelor's degree in Political Science, magna cum laude, from Gettysburg College. While in Armenia, he helped with democratization.

Your Committee is concerned that the nominee does not meet the statutory qualifications of section 368-2, Hawaii Revised

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Statutes, for appointment to the Commission. Section 368-2 requires that:

The members appointed to the commission shall be selected on the basis of their knowledge and experience in civil rights matters and on the basis of a demonstrated commitment to the preservation of the civil rights of all individuals.

The nominee has no demonstrable knowledge and no actual experience in civil rights matters. Nothing in his background indicates any involvement in civil rights. The nominee's service in the United States Peace Corps in Armenia bodes well for the nominee's interest in human rights. However, the matter before the Committee concerns civil rights, and to this end the work of the Civil Rights Commission involves administrative adjudication of cases as well as rule-making that further the protection of civil rights. However, your Committee wants the entire Senate to review Mr. Lavoie's qualifications and is recommending that this nominee be considered on the floor.

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, after full consideration of the background, experience, and qualifications of the nominee, has found the nominee to be qualified for the position to which nominated and recommends that the Senate advise and consent to the nomination.

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


BRIAN T. TANIGUCHI, Chair



