

STAND. COM. REP. NO.

1424

Honolulu, Hawaii

APR 17 2009

RE: GOV. MSG. NO. 355

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred Governor's Message No. 355, submitting for study and consideration the nomination of:

CIVIL RIGHTS COMMISSION

G.M. No. 355 MARK G. VALENCIA,
for a term to expire 6-30-2013,

begs leave to report as follows:

Your Committee received testimony in support of Mark G. Valencia from the Senior Policy Advisor to the Governor and Hawai'i Civil Rights Commission. Testimony in opposition and comments were received from organizations and individuals. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Mark G. Valencia is an attorney with Case Lombardi Pettit. Previously he worked as a Policy Analyst with the Office of the Governor, and with the law firm of Damon Key Leong Kupchak Hastert. He specializes in advising large and small businesses in employment law matters involving hiring, termination, and discrimination issues. Mr. Valencia served as Law Clerk to the Honorable Walter S. Kirititsu, Intermediate Court of Appeals, where he researched and drafted appellate opinions on a myriad of legal issues, including medical malpractice, criminal law, wills and trusts, torts, contracts, real property, and statutory construction. The nominee also has experience as a law clerk for the Federal Public Defender, Northern District of Texas, where he researched and drafted memorandums involving federal



constitutional law and criminal law. He received a Doctor of Jurisprudence degree from the Southern Methodist University School of Law, and a Bachelor of Arts degree in History from the University of Hawaii - West Oahu. The nominee has authored one law journal article about church-state development and American religious liberty.

Your Committee notes that in responding to questions regarding whether he will be fair and objective in making decisions in cases to be decided by the Civil Rights Commission, Mr. Valencia stated that he is determined to separate his personal beliefs from his adjudicatory functions, and will be sensitive to the difference.

Your Committee believes that the nominee has the appropriate attitude, commitment, sincerity, and dedication that are necessary for public service.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations 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
Government Operations,


BRIAN T. TANIGUCHI, Chair



