

STAND. COM. REP. NO.

1420

Honolulu, Hawaii

APR 17 2009

RE: S.R. No. 67
S.D. 1

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

Madam:

Your Committee on Human Services, to which was referred S.R. No. 67 entitled:

"SENATE RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION,"

begs leave to report as follows:

The purpose of this measure is to urge the United States Congress to oppose the proposed rule amendments published on April 10, 2008 in the Federal Register (73 Fed. Reg. 19708) that implement the Developmental Disabilities Assistance and Bill of Rights Act of 2000, and to support new sections in the upcoming reauthorization.

Testimony in support of this measure was submitted by two individuals. Testimony in opposition was submitted by the State Council on Developmental Disabilities and the Hawaii Disability Rights Center. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that the proposed rule amendments aim to expand the powers of protection and advocacy agencies, which could have a negative impact on the environment in which people with disabilities and their families receive services and exercise their rights. Although the proposed rules are currently on hold

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due to technicalities and the administration change at the federal level, there is a concern that these rules may be revived as the Developmental Disabilities Assistance and Bill of Rights Act of 2000 is considered for reauthorization by the United States Congress in 2009.

Your Committee has amended this measure by:

- (1) Specifying the amendments to the Code of Federal Regulations opposed by this measure, including pinpoint citations; and
- (2) Making technical, nonsubstantive changes for clarity.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 67, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 67, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* <i>SR 67</i>	Committee Referral: <i>HMS</i>	Date: <i>4/14/09</i>		
<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
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
HEMMINGS, Fred				✓
TOTAL	<i>3</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>[Signature]</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