

Honolulu, Hawaii

March 16, 2010

RE: S.B. No. 2565
S.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 2565, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION,"

begs leave to report as follows:

The purpose of this bill is to extend the deadline for the Hawaii Civil Rights Commission (HCRC) to complete its rulemaking process to conform state-law protections against disability discrimination to the federal Americans with Disabilities Act Amendments Act of 2008 (ADAAA), as required under Act 30, Special Session Laws of Hawaii, 2009 (Act 30).

HCRC, the Disability and Communication Access Board, and a concerned individual testified in support of this bill.

Act 30 required HCRC to adopt administrative rules to conform state disability discrimination laws to federal law. However, HCRC has been notified that the United States Equal Employment Opportunities Commission (USEEOC), the agency authorized to promulgate federal regulations implementing ADAAA, has not completed its rulemaking process and is unlikely to do so prior to July 1, 2010. As a result, it would be impossible for HCRC to comply with the requirements of Act 30. Because of this delay by USEEOC, your Committee finds that providing HCRC with additional time to complete its rulemaking process is necessary.



As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2565, S.D. 1, and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



KARL RHOADS, Chair



Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: SB 2565 SDI	Committee Referral: LAB, JUD	Date: 3-9-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. AWANA, Karen Leinani	/			
5. HANOHANO, Faye P.	/			
6. KEITH-AGARAN, Gilbert S.C.	/			
7. LEE, Marilyn B.	/			
8. NAKASHIMA, Mark M.	/			
9. SAIKI, Scott K.	/			
10. SOUKI, Joseph M.				/
11. TAKUMI, Roy M.	/			
12. PINE, Kymberly Marcos				/
TOTAL (12)	10	-	-	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
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