



GOV. MSG. NO. 1352

July 12, 2011

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

I am transmitting herewith SB1417 SD1 HD1, without my approval, and with the statement of objections relating to the measure.

SB1417 SD1 HD1

RELATING TO THE STATE REHABILITATION
COUNCIL

Sincerely,
A handwritten signature in black ink that reads "Neil Abercrombie".

NEIL ABERCROMBIE
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 12, 2011

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1417

Honorable Members
Twenty-Sixth Legislature
State of Hawaii

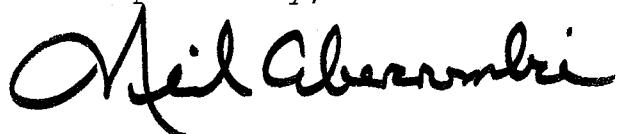
Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1417, entitled "A Bill for an Act Relating to the State Rehabilitation Council."

The purpose of this bill is to amend section 348-8, Hawaii Revised Statutes, to lower the number of members of the State Rehabilitation Council necessary to constitute a quorum to conduct business from eleven to ten, and to lower the number of votes necessary to validate any action of the council from eleven to six. The State Rehabilitation Council consists of twenty-one members.

While the goals of the bill are laudable, the entire twenty-one-member council would not be fairly represented if the vote of only six members were necessary to validate council action. We should instead identify and reduce or eliminate barriers to attendance to ensure that persons with disabilities have full representation during council meetings.

For the foregoing reasons, I am returning Senate Bill No. 1417 without my approval.

Respectfully,



NEIL ABERCROMBIE
Governor of Hawaii

A BILL FOR AN ACT

RELATING TO THE STATE REHABILITATION COUNCIL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. Section 348-8, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) There is established within the department a state
4 rehabilitation council. The council shall consist of twenty-one
5 members appointed by the governor as provided in section 26-34
6 and without regard to section 78-4. The members shall include:
7 (1) At least one representative of a parent training and
8 information center;
9 (2) At least one representative of the client assistance
10 program;
11 (3) At least one qualified vocational rehabilitation
12 counselor with knowledge of and experience with
13 vocational rehabilitation programs, who shall serve as
14 an ex officio, nonvoting member if employed by the
15 vocational rehabilitation division of the department;
16 (4) At least one representative of community
17 rehabilitation program service providers;
18 (5) Four representatives of business, industry, and labor;



- 1 (6) Representatives of disability advocacy groups
2 representing a cross section of individuals with
3 physical, cognitive, sensory, and mental disabilities,
4 and parents, family members, guardians, advocates, or
5 authorized representatives of individuals with
6 disabilities who have difficulty in representing
7 themselves or are unable due to their disabilities to
8 represent themselves;
- 9 (7) Current or former applicants for or recipients of
10 vocational rehabilitation services;
- 11 (8) At least one representative of the state educational
12 agency responsible for the public education of
13 students with disabilities;
- 14 (9) At least one representative of the state workforce
15 development council; and
- 16 (10) The administrator of the vocational rehabilitation
17 division of the department, who shall be an ex
18 officio, nonvoting member;
- 19 provided that the council shall include at least one member from
20 each county; and provided further that a majority of the council
21 members shall be persons who have disabilities and are not
22 employed by the vocational rehabilitation division of the



1 department. The council members shall elect a chairperson from
2 the membership. Each member of the council shall serve a three-
3 year term but may not serve more than two consecutive full
4 terms. Any vacancy occurring in the council membership shall be
5 filled in the same manner as the original appointment, except
6 that the governor may delegate the authority to fill such a
7 vacancy to the remaining members of the council after making the
8 original appointment.

9 The minimum number of members necessary to constitute a
10 quorum to do business shall be ten. The number of votes
11 necessary to validate any action of the council shall be the
12 concurrence of at least a majority of quorum."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval;
15 provided that this Act shall be repealed on June 30, 2013, and
16 section 348-8(a), Hawaii Revised Statutes, shall be reenacted in
17 the form in which it read on the day before the effective date
18 of this Act.

APPROVED this day of , 2011

GOVERNOR OF THE STATE OF HAWAII