



HAWAI'I CIVIL RIGHTS COMMISSION

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February 10, 2015
Rm. 16, 9:00 A.m.

To: The Honorable Donovan Dela Cruz, Chair
Members of the Senate Committee on Government Operations

LATE

The Honorable Gilbert Keith-Agaran, Chair
Members of the Senate Committee on Judiciary and Labor

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai'i Civil Rights Commission

S.B. No. 235

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai'i's laws prohibiting discrimination in employment (HRS chapter 378, part D), housing (HRS chapter 515), public accommodations (HRS chapter 489), and access to state and state funded services (HRS § 368-1.5). The HCRC carries out the Hawai'i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 235, if enacted, would amend HRS chapter 91 to require state agencies to hold public hearings on each island that a proposed rule will likely have a significant monetary impact on residents or communities of that island. The bill's intent is to offer neighbor island residents and communities ample opportunity to have meaningful in-person participation in such public hearings. The HCRC supports S.B. No. 235, with a request that the cost of added costs of holding hearings on every island when the HCRC promulgates new rules be added to the HCRC budget.

The statutory civil rights protections that the HCRC enforces apply statewide, so adoption, amendment, or repeal of HCRC administrative rules are likely to impact employers and workers, landlords, housing providers, and associations, tenants, homeowners, and home buyers, businesses and customers, state agencies and persons with disabilities on every island.

If S.B. No. 235 is enacted, the HCRC will incur the costs of conducting hearings on proposed rules on every island, incurring at least travel costs for sending the Chair or a Commissioner and an HCRC staff member to conduct the hearing, accept written testimonies and record oral testimonies for review and consideration of all the Commissioners in rulemaking. The HCRC already publishes notices of rulemaking public hearings in neighbor island newspapers statewide, so there should little or no added cost in that respect.

The HCRC supports S.B. No. 235, with a request that the legislature provide for associated added costs in the HCRC budget.