

STAND. COM. REP. NO.

969

Honolulu, Hawaii

MAR 22 2017

RE: H.B. No. 475
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Economic Development, Tourism, and
Technology, to which was referred H.B. No. 475, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MOVIE THEATRES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the sunset provision of Act 39, Session Laws of Hawaii 2015, which requires certain motion picture theaters to provide open movie captioning and audio descriptions for certain motion pictures at certain times; and
- (2) Require the Department of Business, Economic Development, and Tourism to conduct an impact survey.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Civil Rights Commission; Disability and Communication Access Board; and five individuals.

Your Committee finds that Act 39, Session Laws of Hawaii 2015, requires certain public accommodations to, among other things, provide open captioning during at least two showings per week of each motion picture that is produced and offered with open



captioning and provide audio descriptions upon request of any motion picture that is produced and offered with audio descriptions. Your Committee finds that the Act has been successfully implemented in Hawaii and has made the State a national leader in creating movie theater accessibility. Your Committee further finds that removing the sunset provision of the Act is important to ensure the movie theater accessibility standards continue.

Your Committee notes that the companion to this measure, S.B. No. 1156 (Regular Session of 2017), which was previously passed by the Senate, is a similar measure that removes the sunset provision of Act 39, Session Laws of Hawaii 2015. Your Committee concludes that the language in S.B. No. 1156 is preferable because it excludes the Department of Business, Economic Development, and Tourism impact survey, which is ambiguous as to methodology that would avoid violating the Americans with Disabilities Act. Your Committee further concludes that the language of S.B. No. 1156 is preferable because it removes the sunset provision altogether, thereby making the requirements permanent.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 1156, which removes the sunset provision of Act 39, Session Laws of Hawaii 2015, and takes effect on July 1, 2017.

As affirmed by the record of votes of the members of your Committee on Economic Development, Tourism, and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 475, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 475, H.D. 1, S.D. 1, and be referred to your Committees on Commerce, Consumer Protection, and Health and Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committee on Economic
Development, Tourism, and
Technology,

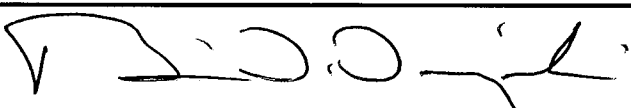


GLENN WAKAI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Economic Development, Tourism, and Technology
ETT

Bill / Resolution No.:	Committee Referral:	Date:		
HB 475 HDI	ETT, CPH	3/13/17		
<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
WAKAI, Glenn (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BAKER, Rosalyn H.	✓			
GALUTERIA, Brickwood	✓			
THIELEN, Laura H.				✓
TOTAL	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes