

STAND. COM. REP. NO.

1329

Honolulu, Hawaii

March 31, 2015

RE: H.C.R. No. 141  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Sir:

Your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land, to which was referred H.C.R. No. 141 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO PROVIDE REASONABLE ACCOMMODATIONS FOR DISABLED PERSONS TO ACCESS BEACHES,"

beg leave to report as follows:

The purpose of this measure is to increase access for persons with disabilities to Hawaii's beaches by requesting the Department of Land and Natural Resources and the counties to provide reasonable accommodations for beach access.

The Office of Veterans Services, Hawaii Civil Rights Commission, and an individual submitted testimony in support of this measure. The Department of Land and Natural Resources, State Council on Developmental Disabilities, Disability and Communication Access Board, and Hawaii Disability Rights Center submitted comments. The Department of Parks and Recreation of the City and County of Honolulu submitted testimony in opposition.

Your Committees have amended this measure as follows:

- (1) Changing all references from "accommodation" to "access" to avoid unintended legal consequences and comply with the American with Disabilities Act;

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- (2) Changing references from "disabled persons" to "persons with disabilities" and from "wheelchair-bound" to "those with mobility limitations" to ensure political correctness;
- (3) Amending its title to read: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTIES TO PROVIDE BEACH ACCESS FOR PERSONS WITH DISABILITIES IN HAWAII;" and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Ocean, Marine Resources, & Hawaiian Affairs and Water & Land that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 141, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as H.C.R. No. 141, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committees on Ocean, Marine  
Resources, & Hawaiian Affairs  
and Water & Land,

  
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RYAN J. YAMANE, Chair

  
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KANIELA ING, Chair





