

STAND. COM. REP. NO.

2879

Honolulu, Hawaii

MAR 02 2018

RE: S.B. No. 2805

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 2805 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to grant the Executive Director of the Hawaii Civil Rights Commission with greater discretion to decide which cases should be litigated in certain situations.

More specifically, this measure:

(1) Authorizes the Executive Director of the Hawaii Civil Rights Commission to decide whether to:

(A) Demand that the respondent in a discrimination complaint cease the unlawful discriminatory practice; or

(B) Dismiss the complaint and issue to the complainant a notice of right to sue,

in cases in which a notice of cause has been issued and conciliation efforts fail; and



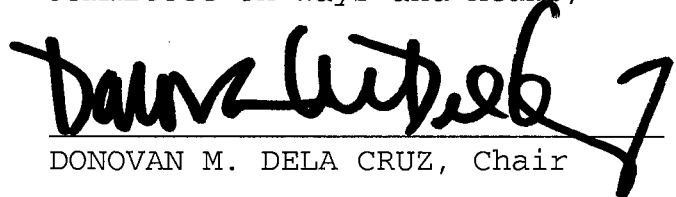
- (2) Provides an exception to the authority established under paragraph (1) for cases that allege violations of both the state fair housing law under Chapter 515, Hawaii Revised Statutes, and the federal Fair Housing Act.

Your Committee received written comments in support of this measure from the Hawaii Civil Rights Commission and one concerned individual.

Your Committee finds that providing the Executive Director of the Hawaii Civil Rights Commission with greater discretion to either issue a final demand, or to dismiss a complaint and issue a notice of right to sue, could increase the efficiency and effectiveness of the Commission. Your Committee further finds that the exception for dual-filed fair housing cases is necessary to maintain substantial equivalence with federal fair housing law.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2805 and recommends that it pass Third Reading.

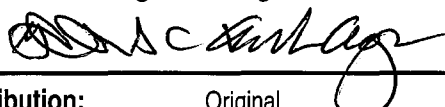
Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,


DONOVAN M. DELA CRUZ, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* SB2805	Committee Referral: LBR JDC, WAM	Date: 2/23/18		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene	X			
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KIDANI, Michelle N.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.				X
WAKAI, Glenn	X			
TOTAL	10			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