



HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 • HONOLULU, HI 96813-5095 • PHONE: (808) 586-8636 • FAX: (808) 586-8655 • TDD: (808) 586-8692

MINUTES

Hawai'i Civil Rights Commission Office
January 18, 2013
3:30 p.m.

Present: Linda Krieger, Mark G. Valencia, Raymund Liongson, and Wally Fukunaga, Commissioners; Livia Wang, Bill Hoshijo, and Marcus Kawatachi, Staff.

Kim Coco Iwamoto, Commissioner, excused.

Chair Linda Krieger called the meeting to order.

Approval of Minutes

The minutes of the December 18, 2012, meeting were approved. (m/s/p Fukunaga/Liongson; all in favor).

Chief Counsel's Report

Chief Counsel (CC) Livia Wang reported that the draft proposed rules to conform to the amendments to HRS chapter 515 were pending Attorney General (AG) review.

CC Wang reported that the *Lales* case oral argument before the Hawai'i Supreme Court was on December 20, 2012. The HCRC was not granted leave to participate in oral argument as amicus.

Legislation -2013 Session

The Commissioners reviewed Legislative Summary 1, with staff recommendations prepared by CC Wang, and decided on HCRC positions on ten bills and deferred action on one bill, as follows:

HB 54 Employment Discrimination; Unemployed Status of Job Applicant

Amends H.R.S. § 378-2((a) to prohibit any employer or employment agency from publishing a job advertisement that states or suggests that an applicant for the job must be currently employed.

Status: ref. to: LAB, JUD

Staff recommendation: Support, but amend to delete “suggesting” language. Last year the HCRC opposed a similar bill (SB 2202) on the grounds that: a) making unemployment status a protected basis may be burdensome to employers who need to know an applicant’s employment history; b) there is no evidence that discrimination based on unemployment status is a problem in Hawaii; c) the HCRC did not have sufficient resources to enforce this new protection; and d) the “suggesting” language was vague. However, the Senate felt it was an important issue and asked the HCRC to draft alternate, clearer language deleting the “suggesting” language. SB 2202 was not heard by the Senate Finance Committee and died.

On the mainland, a number of employers have expressly advertised that applications would only be accepted from the employed or recently unemployed, and others discreetly screened out jobless applicants during the application and selection process. Such practices excluded approximately 4.5 million long-term (> 1 year) unemployed from consideration for jobs, at a time when putting the unemployed back to work is a priority.

In 2011, New Jersey became the first state to enact legislation prohibiting such discrimination against the unemployed. In 2012 Oregon passed a similar measure to HB 54 (advertising only). California passed a bill in 2012, but this was vetoed by Governor Brown. A number of other states, including Illinois, Michigan, New York, Connecticut, Florida, Iowa, Maryland, Missouri, Nebraska, Pennsylvania, Ohio, Tennessee, South Dakota and West Virginia are considering similar bills.

The EEOC has examined reports of the emerging practice of excluding unemployed persons from applicant pools, and recognizes that the practice can have a disparate impact on certain ethnic and racial communities that have higher unemployment rates, as well as older workers and persons with disabilities.

With the deletion of “suggesting” language, the bill would not be difficult to enforce.

Discussion: Commissioner Mark G. Valencia stated the bases for his position in opposition to the bill: no evidence of a problem in Hawai‘i; burden on employers; raises question of whether employers can consider employment history, as it only prohibits advertising. Chair Krieger expressed concern over complex scheme that singles out a protected basis for limited protection, making it technical and difficult to understand. She also wondered whether the protection would be helpful, given the advent of new technology that codes and screens applicants based on employment history. Commissioner Wally Fukunaga said he looked at the issue from a common sense rather than legal perspective, and wondered whether it was better to have no regulation, rather than a confusing, ineffective one. He wondered why regulate without a problem, suggesting that discrimination is happening, but the bill would only prohibit advertising. Commissioner Raymund Liongson suggested that even if there is non-occurrence of discrimination on this basis in Hawai‘i, it might be better to take a preventative, proactive approach rather than a reactive one. Executive Director William Hoshijo explained that discriminatory advertising is seen as a distinct harm, that discourages or chills participation and causes harm.

HCRC position: Support but amend to delete “suggesting” language. (m/s/p Fukunaga/Liongson; 3-1 in favor, Valencia opposed).

HB 56 Domestic Workers Bill of Rights

HB 413

SB 535

Amends several HRS sections to establish rights for domestic workers. Specifically amends H.R.S. §§378-1 and 378-2 to include domestic work in the definition of “employment” solely for the purpose of prohibiting sexual harassment and harassment based on gender, race, religion or national origin against domestic workers.

**Status: HB 56 ref. to: LAB, FIN; HB 413 ref. to: LAB, JUD
SB 535 ref to: SJD**

Staff recommendation: Support. During the 2000 legislative session, the Commission supported a similar bill (SB 448). The Commission recognized that it did not have jurisdiction over domestic workers and had to turn away complaints of egregious sexual harassment by domestic workers. The majority of these complainants were women and many were immigrants. The Commission felt that such workers should be protected against harassment. During the 2012 legislative session, the HCRC supported a similar bill (HB 1681), taking the position that all protections in Chapter 378 should be expanded to domestic workers except in hiring and selection. In 2010, New York passed a similar bill.

Discussion: Chair Krieger said she would support expanding protection against discrimination to all employment actions except hiring, noting that people should be able to hire whoever they want to bring into their home, but that once hired those workers should not be subjected to discrimination.

HCRC position: Support but amend to include protections for all employment actions except hiring/selection. (m/s/p Krieger/Fukunaga; all in favor).

**SB 207 Prohibits employers from requiring employees and applicants from
HB 713 disclosing social media usernames or passwords**

Adds a new section to HRS Chapter 378 Part I (under HCRC jurisdiction) to prohibit an employer from requiring an employee to: a) disclose a username or password for the employee's or applicant's personal social media; b) access the employee's or applicant's personal social media in the presence of the employer; or c) divulge any personal social media, unless relevant to an investigation of employee misconduct.

Status: SB 207 ref. to :TEC, JDL; hrg. before TEC on 2/5/13
HB 713 ref. to: LAB, JUD

Staff recommendation: Support intent but move out of HCRC jurisdiction. Searching an employee's or applicant's personal social media could involve discrimination issues, but could also include privacy issues outside HCRC jurisdiction.

Discussion: ED Hoshijo suggested that the bill involved prohibited employment practices that were more like those in other parts of HRS chapter 378, like lie detector regulations.

HCRC position: Support intent but move out of HCRC jurisdiction. (m/s/p Liongson/Fukunaga; all in favor).

HB 245 Prohibits Refusals to Rent or Rental Termination Based on DV Status

Amends HRS Chapter 521 by prohibiting a landlord from refusing to rent, or terminating a rental agreement because of a tenant's DV status

Status: ref. to: CPC

Staff recommendation and HCRC position: Monitor. While DV status is protected under HRS Chapter 378, it is not a protected basis under HRS Chapter 515 and would now be protected under HRS Chapter 521. (m/s/p Liongson/Valencia; all in favor).

SB 328 Security Deposit for Animals

Amends HRS 521-44 to allow a landlord to hold a tenant's security deposit for the purpose of paying for damages caused by an animal residing in the premises. Authorizes a landlord as a condition of a rental agreement to add to the security deposit an amount for an animal to reside in the premises.

Status: ref. to: CPN; hrg on 2/1/13

Staff recommendation and HCRC position: No opposition only if amended to put in clarifying language that landlords cannot add a security deposit for animals used as reasonable accommodations. This is per HUD policy. (m/s/p Fukunaga/Krieger; all in favor).

HB 186

Pets in Restaurants and Bars

Authorizes a restaurant or bar to permit pets on the premises subject to certain health conditions. If conflict with federal or state service animal laws, federal law prevails, does not diminish any rights under HRS Chapter 489.

Status: ref. to: EDB/HLT; CPC

Staff Recommendation: No opposition as long a provision regarding HRS Chapter 489 remains.

HCRC position: Monitor to make sure provision regarding HRS Chapter 489 remains. (m/s/p Krieger/Fukunaga; all in favor).

SB 288

Civil Unions; Refusal to Rent Religious Facilities

Allows religious organizations to refuse to rent or otherwise allow use of their facilities for the purpose of civil union solemnization or civil union recognition or celebration and such organizations shall not be not subject to penalty for such refusal.

Status: ref. to: JDL

Staff recommendation: Oppose. If religious organizations offer their facilities for use or rent by the general public, they should not be allowed to discriminate based on sexual orientation.

Discussion: Commissioner Valencia said he was not convinced that it affects chapter 489, and would take no position. Chair Krieger said that in statutory interpretation it could reasonably be construed to limit chapter 489 public accommodations jurisdiction. Commissioner Fukunaga agreed that it could more than reasonably construed.

HCRC position: Oppose. (m/s/p Fukunaga/Liongson; all in favor).

**SB 58
HB 266**

Language Access Resource Center; Multilingual Website Pilot Project

Establishes a statewide language access resource center in the Office of Language Access (OLA) to maintain a roster of language interpreters and translators, train state agencies on how to obtain and utilize interpreters and translators, work towards creating a testing and certification process. OLA is to also explore the feasibility of creating a multilingual website to provide online information to LEP seeking information about government services.

**Status: SB 58 ref. to HMS, WAM; hrg. on 1/31/13 before HMS;
HB 266 ref. to HLT, FIN**

Staff recommendation: Support. HCRC supported the establishment of OLA and sits on its Language Access Advisory Council. A state agency's inability to provide LEP people access to its services could be a form of ancestry discrimination. The resource center and website will help to resolve this problem.

HCRC position: Support. (m/s/p Liongson/Fukunaga; all in favor).

HB 52 Civil Rights Commission; Biased-based Policing

Makes it a violation of HRS Chapter 368 for law enforcement agencies and agents to practice biased-based policing.

Status: ref. to:

Staff recommendation: Oppose. This bill would require the HCRC to investigate complaints of police profiling based on race, ethnicity, national origin, immigration or citizenship status, sexual orientation, gender identity or religion. This is outside of the HCRC's jurisdiction and expertise in enforcing employment, housing and public accommodations discrimination, and would involve the use of criminal law standards to determine bias-based policing. On the federal level, these types of civil rights violations are enforced by the DOJ, and at the state level should be enforced by the AG, not HCRC.

HCRC position: Support intent but oppose enforcement by the HCRC. (m/s/p Fukunaga/Valencia; all in favor).

**HB 189 Gender Equity on Boards and Commissions
SB 1295**

Amends HRS Chapter 26 to require that the governor or appointing authority strive for gender equity when appointing members of state boards and commissions, and give priority to achieving the goal of gender equity when appointing members to vacancies, at-large positions, and alternates.

**Status: HB 189 ref. to: JUD; hrg before JUD held on 1/25/13
SB 1295 ref. to JDL**

Staff recommendation: Support.

Discussion: Commissioner Valencia stated that he supports the intent, but not the bill, which is ineffective.

HCRC position: Support. (m/s/p Fukunaga/Liongson; 3-1 in favor, Valencia oppose).

HB 1226 **Safe Schools – Protecting Students from Bullying, Cyberbullying and**
SB 525 **Harassment**

Establishes a new chapter to prohibit discrimination in Hawaii's public and charter schools to protect students from bullying, cyberbullying and harassment. Requires the BOE and Charter School governing boards to develop policies, model educational programs for teachers, staff and students to prevent bullying, cyberbullying and harassment.

Status: HB 1226 ref. to EDN, JUD, FIN
SB 525 ref. to EDU, WAM

Recommendation: Support. In the past the HCRC has supported measures prohibiting student harassment in schools.

Discussion: ED Hoshijo noted that the bill focuses on an affirmative approach rather than a discipline approach. Commissioner Fukunaga commented that bullying has been around, but that it is even worse now, with vicious cyber-bullying. Chair Krieger expressed concern that the Commission needed more time and information. She highlighted concern over definitions of bullying as being too broad. *e.g.*, "nonverbal ... expressions ... that make persons uncomfortable..."

HCRC position: Deferred.

ED Hoshijo reviewed the roles of commissioners and staff, and the process of Commission reviewing bills and making policy decisions which staff implement. Based on the timing of the meeting, to be continued on February 1, 2013, he indicated that hearings could be scheduled in the interim on bills that the Commission had not yet reviewed or taken positions on.

Staff requested a motion to partially address the scheduling issue:

On bills introduced between January 18-24, 2013, which the Commission has not had the opportunity to review and take action on during this January 18 meeting, staff is authorized to identify bills set for hearing before February 1, 2013, which are similar to bills introduced during the 2012 session which the Commissioner's acted on, and to submit testimonies consistent with those positions. Any such testimony will be reported to the Commission at its February 1 continuation meeting, and the position will be subject to Commission review and action at that time.

The motion was approved. (m/s/p Liongson/Fukunaga; all in favor).

Old Business

In response to a request from the San Francisco Equal Rights Advocates for a letter of support for proposed federal legislation, the Pregnant Workers Fairness Act, ED Hoshijo discussed a draft letter for the Chair's and Executive Director's signature.

A motion to authorize a letter of support was approved. (m/s/p Liongson/Valencia; all in favor).

Continued Meeting

The meeting was continued to February 1, 2013, at 3:30 p.m.

Recess



HAWAII CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 • HONOLULU, HI 96813-5005 • PHONE: (808) 586-8636 • FAX: (808) 586-8655 • TDD: (808) 586-8692

MINUTES

Hawai'i Civil Rights Commission Office

February 1, 2013*

3:30 p.m.

Present: Linda Krieger, Mark G. Valencia, Raymund Liongson, Wally Fukunaga, and Kim Coco Iwamoto, Commissioners; Livia Wang, Bill Hoshijo, and Marcus Kawatachi, Staff.

Chair Linda Krieger called the continued meeting back to order.

Legislation -2013 Session

The Commissioners reviewed Legislative Summary 3, with staff recommendations prepared by CC Wang. The Commissioners continued their discussion of bills and staff recommendations, taking action on bills not initially addressed on January 18, 2013., and decided on HCRC positions on thirteen bills as follows:

HB 1196 Religious Freedom: cause of action for government acts that burden religious freedom

Adds new HRS chapter which prohibits a government agency (specifically naming HCRC) from burdening a person's free exercise of religion through any rule, order, decision, practice or other exercise of government authority. "Free exercise of religion" is an act or refusal to act motivated by a sincere religious belief and that does need to be a central part or central requirement of the person's religion. (less than required under the constitutional free exercise analysis). Creates a cause of action (in addition to defenses that already exist) and allows remedies including declaratory and injunctive relief, damages and attorney fees.

Status: ref. to JUD

Staff recommendation: Oppose. This bill goes far beyond past proposals for religious exemptions from state civil rights laws prohibiting discrimination in public accommodations for church or religious organization owned or controlled facilities. It would provide a broad defense to neutral laws of general applicability based on sincerely held religious belief, and a cause of action against any state agency that continued to pursue enforcement after such a defense is proffered. This runs counter to the U.S. Supreme Court's standard applied in free exercise

* Meeting continued from January 18, 2013.

challenges to neutral laws of general applicability. As applied to the HCRC, this would allow any employer, housing provider or owner/ operator of a public accommodation to discriminate on the basis of religious belief and to sue the HCRC for enforcing anti-discrimination laws. Invites myriad of challenges and claims. Note: historically, slavery, Jim Crow segregation, and anti-miscegenation laws were justified by religious belief and doctrine.

Discussion: Chair Krieger commented that religious freedom restoration acts get into strange territory, not limited just to the HCRC in application, making governance unmanageable. Commissioner Valencia noted that he opposed the bill for a different reason, that he was not in favor of creating a new cause of action.

HCRC position: Oppose. (m/s/p Iwamoto/Liongson; all in favor).

HB 409 Breastfeeding – workplace accommodation
SB 532

Requires employees with 50+ employees to provide reasonable time and clean location for breastfeeding employees to express milk in privacy. Employees with less than 50 employees have to show undue hardship to be exempt. Requires posted notice and establishes civil fine. Repeals HRS § 378-10.

Status: HB 409 ref. to LAB, JUD, FIN; SB 532 ref to JDL

Staff recommendation: Support. Makes state law consistent with FLSA provisions, takes breastfeeding protections out of HCRC jurisdiction.

Discussion: Chair Krieger suggested that a private cause of action should be provided for injunctive relief and attorneys fees, because workers cannot rely on government agency that lacks capacity. Commissioner Valencia suggested that it could be put under HIOSH jurisdiction, rather than creating a private right of action. He said opposed the private right of action, but would support the original staff recommendation.

HCRC position: Support. Makes state law consistent with FLSA provisions, takes breastfeeding protections out of HCRC jurisdiction; also recommend private right of action for injunctive relief, reasonable attorneys fees. (m/s/p Fukunaga/Iwamoto; 4-1 in favor, Valencia opposed).

HB 676 Source of income housing discrimination
[SB-805]

Amends HRS Chapter 515 to prohibit housing discrimination based on lawful source of income.

Status: HB 676 ref. to CPC, JUD; hrg. before CPC on 1/30/13
SB 805 ref. to CPN, JDL; hrg. before CPN on 1/30/13, deferred

HCRC position: (based on past positions) - Support, on condition of requested additional enforcement positions and funding, citing loss of capacity and impact on enforcement. Lawful public sources of income include Section 8 vouchers, social security disability insurance, unemployment compensation, food stamps, temporary assistance to needy families; lawful private sources of income can include special needs trusts, and income from legal settlements. The majority of people who receive rental assistance are people with disabilities, single female heads of households, families with children and members of certain minority groups. Therefore, there is a correlation between those that are protected under our fair housing law and those who receive rental assistance. 13 other states have source of income protection statutes. (m/s/p Iwamoto/Fukunaga; 3-1 in favor, Valencia opposed).

HB 330 **Public agency meetings – accessible notice**
SB 863

Requires public notices to provide contact person to whom requests for accommodations for individuals with disabilities may be made and requires notices that are posted electronically to conform to provisions under the Rehab Act of 1973

Status: HB 330 ref. to HUS, JUD, FIN; hrg. on 1/29/13 before HUS, passed w/ amendments
SB 863 ref to TEC, JDL

Staff recommendation and HCRC position: Support provisions regarding listing of contact person to request accommodation and reference to standards in § 508 of Rehab Act; monitor to make sure provisions stay under Chapter 92. (m/s/p Liongson/Iwamoto; all in favor).

HB 1420 **Service dogs in public accommodations; tags; leash**

Amends Chapter 347 to require counties to issue service dog tags to trained service dogs requires service dogs to wear these tags when in public accommodations.

Status: ref. to JUD

Staff recommendation: Oppose. Intent is only to allow trained service dogs in public accommodations – this conflicts with HCRC’s interpretation of Chapter 489 to allow other assistance animals to be reasonable accommodations. Also conflicts with federal ADA Title II DOJ regs which do not allow a public accommodation to require documentation that an animal is licensed, trained or certified as a service animal. In addition there are no state or federal standards for determining what a trained service animal is.

Discussion: Chair Krieger advised that the bill violates the ADA, and also implicates constitutional rights, privileges and immunities, right to travel, and full faith and credit.

HCRC position: Oppose. (m/s/p Liongson/Fukunaga; all in favor).

**HB 1226
SB 525**

Safe Schools – Protecting Students from Bullying, Cyberbullying and Harassment

Establishes a new chapter to prohibit discrimination in Hawaii’s public and charter schools to protect students from bullying, cyberbullying and harassment. Requires the BOE and Charter School governing boards to develop policies, model educational programs for teachers, staff and students to prevent bullying, cyberbullying and harassment.

**Status: HB 1226 ref. to EDN, JUD, FIN
SB 525 ref. to EDU, WAM**

Staff recommendation: Support. In the past the HCRC has supported measures prohibiting student harassment in schools.

Discussion: Chair Krieger expressed concern over unintended consequences, suggested support for intent, concerns about drafting, room for improvement, and the need to take out “curriculum” and “uncomfortable” out, where there is lack of standards, thresholds, examples. Commissioner Valencia asked why the HCRC had to take a position to support intent. Commissioner Iwamoto said it was important because students are future employers and employees and should be taught about civil rights. Commissioner Fukunaga said he supported the intent, but would urge emphasis on the affirmative approach and “teachable moments.”

HCRC position: Support intent to teach students and teachers about respect and civil rights. Support focus on teaching, not discipline. Students will enter workforce as employees and employers, so these concepts are important for them to learn. (m/s/p Iwamoto/Fukunaga; all in favor).

HB 744 **Student bias prohibition**

Extends prohibition against student bias based on sex to in educational programs and state or county funded programs or facilities by amending the state counterpart to federal Title VI to include race, religion and sexual orientation.

Status: ref to EDN, JUD; hrg. before EDN on 1/30/13, passed unamended.

Staff recommendation: Support intent and monitor.

HCRC position: Monitor to make sure not moved to HCRC jurisdiction. (m/s/p Fukunaga/Liongson; 3-0 in favor, Fukunaga and Krieger abstained).

HB 1004 **Amending Hawaii Constitution to define marriage as between a**
HB 1020 **man and woman**
SB 1292

Amends Art. I Sec. 23 to define marriage as a relationship only between a man and a woman. Puts issue on the ballot.

Status: HB 1004 and HB 1020 ref. to JUD, FIN;
SB 1292 ref. to JDL

Staff recommendation: Oppose. This is discrimination based on sexual orientation. Constitutional rights of a targeted minority should not be diminished by majority. Minority rights should not be the subject of popular vote.

Discussion: Commissioner Valencia stated the HCRC should take no position, because the issue is outside HCRC jurisdiction and controversial in nature.

HCRC position: Oppose. This is discrimination based on sexual orientation. Constitutional equal protection rights of a targeted minority should not be the subject of popular vote. (m/s/p Fukunaga/Liongson; 4-0 in favor, Valencia abstained).

HB 1005 **Amends Hawaii Constitution to define marriage as between**
two people of the opposite or same sex.

Amends Art. I Sec. 23 to define marriage as a relationship between two people of the opposite or same sex. Puts issue on the ballot.

Status: ref. to JUD, FIN

Staff recommendation: Oppose. The legislature has the authority to define marriage, subject to equal protection as interpreted by the Hawai'i Supreme Court. (*i.e.*, *Baehr v. Lewin*). This amendment is unnecessary, and consistent with the position on HB 1004, the rights of a minority should not be determined by majority vote.

Discussion: Commissioner Valencia stated the HCRC should take no position, because the issue is outside HCRC jurisdiction and controversial in nature.

HCRC position: Oppose. Consistent with the position on HB 1004, the constitutional equal protection rights of a minority group should not be determined by popular vote. (m/s/p Fukunaga/Liongson; 4-0in favor, Valencia abstained).

**HB 1109
SB 1369**

Same sex marriage equity

Recognizes marriages between individuals of the same sex and extends the same rights, benefits, protections and responsibilities. Religious organizations not required to make religious facilities available for same sex marriage solemnizations or celebrations unless facilities are public accommodations under Chapter 489.

**Status: HB 1109 ref. to JUD, FIN;
SB 1369 ref. to JDL**

Staff recommendation: Support. Provision regarding exemptions for religious facilities is well written to not include public accommodations under Chapter 489.

Discussion: Commissioner Valencia stated the HCRC should take no position, because the issue is outside HCRC jurisdiction and controversial in nature. Chair Krieger said she was torn, saw a problem with forcing religious organizations to allow the use of a sanctuary for any purpose. Concerned about over-reaching, she wished a middle ground could be found.

HCRC position: Support. Provision regarding exemptions for religious facilities is well written to not include public accommodations under Chapter 489. (m/s/p Iwamoto/Fukunaga; 3-0in favor, Valencia and Krieger abstained).

Commissioner Iwamoto had to leave and was excused.

HB 1205

Civil Rights; Homeless Bill of Rights

Creates a new HRS chapter prohibiting discrimination based on housing status by state and county agencies, employers, hospitals, in voting. Protects right of privacy in records and personal property in shelters.

Status: ref. to JUD

Staff recommendation and HCRC position: Monitor to make sure protections are not placed under HCRC jurisdiction. (m/s/p Liongson/Krieger; 4-0, all in favor).

HB 1396 **Appropriation for Honouliuli Internment Camp Ed. Center**
SB 1317
SB 1318

HB 1396 and SB 1317 appropriates \$500,000 for planning, design and construction of Nisei Veterans Legacy Center and Honouliuli Internment Camp Ed. Center; SB 1318 appropriated \$5,000,000.

Status: HB 1396 ref. to VMI, HED, FIN
SB 1317 ref. to TEC/WTL, WAM
SB 1318 ref. to TEC, WAM

Staff recommendation: Support. Last session the HCRC supported the creation of the Honouliuli Internment Camp Ed. Center.

HCRC position: Support. (m/s/p Fukunaga/Liongson; 4-0, all in favor).

SB 856 **Fred Korematsu Day**

Establishes January 30 of each year as Fred Korematsu Day to honor his commitment to preserving civil liberties.

Status: ref. to JDL, TEC

Staff recommendation and HCRC position: Support. (m/s/p Fukunaga/Liongson; 4-0, all in favor).

The Commissioners also discussed one set of resolutions but took no action on them.

HCR 13 **Expressing Support of Repeal of Combat Exclusionary Rules for Women**
SCR 8
SR 7

Status: no referrals yet

Staff recommendation: Support but issue is moot

HCRC position: No action taken.

Next Meeting

The next meeting was scheduled for March 22, 2013, at 3:30 p.m., subject to polling of and confirmation by the Commissioners.

Adjournment