

STAND. COM. REP. NO.

2743

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 3060
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 3060, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING
AUTHORITY EVICTIONS BOARDS,"

begs leave to report as follows:

The purpose of this measure is to allow the Hawaii Public
Housing Authority to hold public housing eviction hearings without
the public housing tenant member of the eviction board present so
long as quorum is met.

Your Committee received testimony in support of this measure
from the Department of Human Services.

Your Committee finds that a situation has developed where
public housing eviction hearings have been delayed for months due
to an inability to find a public housing tenant to serve on an
eviction board, due in part to a fear of retaliation from fellow
housing residents.

Your Committee recognizes that the tenant board member plays
an important role by representing the tenants' interest at an
eviction hearing and your Committee wants to note that this
measure is not eliminating the tenant board member from the
eviction process but instead enables the eviction process to
resume if the tenant board member does not attend the hearing and
there is still a quorum of the other members. Your Committee is
willing to explore inserting additional language to require at

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least one meeting to transpire in absence of the tenant member, before a vote is allowed to be taken on the eviction in absence of the tenant member. Accordingly, the vote in absence of the tenant member may be taken on the eviction at the subsequent meeting if there is a quorum. Your Committee further finds that allowing the Hawaii Public Housing Authority to hold eviction hearings without the presence of the tenant member of the board will eliminate time delays and save the Authority, which is currently running at a deficit, the costs incurred by the delays.

Your Committee has amended this measure to change the effective date to July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3060, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3060, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



BRIAN T. TANIGUCHI, Chair

The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3060 SD1	HSP, JDL	2/25/08

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	/			
HEE, Clayton (VC)				/
GABBARD, Mike	/			
KOKUBUN, Russell S.	/			
NISHIHARA, Clarence K.				/
SLOM, Sam	/			
TOTAL	4			2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *Russell S. Kobb*

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*Only one measure per Record of Votes