

STAND. COM. REP. NO. 326

Honolulu, Hawaii

Feb 18, 2009

RE: H.B. No. 1103

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1103 entitled:

"A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS,"

begs leave to report as follows:

The purpose of this bill is to abolish the Statewide Council on Independent Living to comply with federal law.

Specifically, this bill abolishes the Statewide Council on Independent Living which is within the Department of Human Services -- a condition that is prohibited by federal law and prevents the receipt of federal financial assistance.

Your Committee received testimony in support of this bill from the Department of Human Services, the State Council on Developmental Disabilities, the Executive Director, the Chairperson of the Board, and a member of the Statewide Independent Living Council, Hui Kupuna VIP, and one individual.

Your Committee finds that the Statewide Council on Independent Living was created by Act 197, Session Laws of Hawaii 1993, and placed within the Department of Human Services. Federal law, however, requires that the Council cannot be placed within a state agency and still receive federal funds. In response to the problem, the Legislature enacted Act 84, Session Laws of Hawaii 1995, which removed the Council from the Department of Human Services, but only until June 30, 1998. Thus, under existing law,

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the Council remains placed within a state agency resulting in confusion.

Your Committee finds that by abolishing the Statewide Council on Independent Living to remove the Council from within the Department of Human Services, this bill, will allow the State to comply with federal law and facilitate the receipt of federal financial assistance.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1103 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


JOHN M. MIZUNO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

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Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 1103	Committee Referral: HUS, FIN	Date: 02/12/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	/			
2. BROWER, Tom (VC)	/			
3. BELATTI, Della Au				/
4. BERTRAM, Joe, III	/			
5. CARROLL, Mele				/
6. NISHIMOTO, Scott Y.				/
7. SHIMABUKURO, Maile S.L.				/
8. YAMANE, Ryan I.	/			
9. WARD, Gene	/			
TOTAL (9)	5	0	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Tom Brower</u>				
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