

STAND. COM. REP. NO.

1320

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 1103
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred H.B. No. 1103, S.D. 1, 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 measure is to conform state law to the federal Rehabilitation Act of 1978 by repealing the statute establishing the Statewide Council on Independent Living.

Your Committee received four written comments on this measure. Written comments may be reviewed on the Legislature's website.

Your Committee finds that federal law requires the State to establish a Statewide Independent Living Council for it to be eligible to receive federal financial assistance. The established entity, however, cannot be established within a state agency.

Your Committee also finds that section 348-9, Hawaii Revised Statutes, establishes a Statewide Council on Independent Living within the Department of Human Services. While the current law was well-intended, it is unnecessary and has called the State's eligibility for federal funds into question. The Statewide Independent Living Council can instead be established as part of the Title VII State Plan that each state must have in place to receive federal funds. Your Committee believes that conforming state law to meet federal requirements will ensure that the State

HB1103 SD1 SSCR LRB 09-3474.doc



continues to receive federal funds for these vital assistance programs.

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 H.B. No. 1103, S.D. 1, and recommends that it pass Third Reading.

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

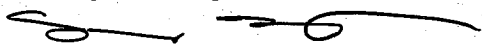


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
HR 1103 SD1	HMS , WAM	APRIL 6 2009		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol	/			
GALUTERIA, Brickwood	/			
HEE, Clayton	/			
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.	/			
TOKUDA, Jill N.	/			
HEMMINGS, Fred	/			
TOTAL	12			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes