

HB 1103



STATEWIDE INDEPENDENT LIVING COUNCIL
841 Bishop Street Suite 201
Honolulu, Hi 96813
PHONE: 808-585-7452

Tuesday, March 24, 2009
Conference Room 016 at 2:15 PM.

THE TWENTY-FIFTH LEGISLATURE REGULAR SESSION OF 2009
COMMITTEE ON HUMAN SERVICES
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Jr., Vice Chair

HB 1103

Repeals section 348-9, Hawaii Revised Statutes, that establishes the
Statewide Council on Independent Living.

My Name is Sheryl Nelson. I am the executive director of the
Statewide Independent Living Council (SILC.)

I am submitting this testimony supporting HB1103.

Statewide Independent Living Councils ("SILC") were established by
The Rehabilitation Act of 1973 as amended 1992. the act requires
that the establishment of the Statewide Independent Living Council
To be eligible to receive financial assistance, each State shall
establish a Statewide Independent Living Council (SILC) which shall
not be established as an entity within a State agency.

Hawaii Revised Statutes, 348-9, establishes the Statewide Council on Independent Living. Repealing the statute section 348-9 will conform to the requirements of the Rehabilitation Act of 1973 as amended 1992 with regard to the Statewide Independent Living Council (SILC).

Thank You

Sheryl Nelson
Executive Director
Statewide Independent Living Council

My name is Laura L. Tobosa. I serve as Member at Large member of the Statewide Independent Living Council.

I am submitting this testimony supporting HB 1103. Statewide Independent Living Council (SILC) were established by The Rehabilitation Act of 1973 as amended in 1992. The act requires that the establishment of the Statewide Independent Living Council to be eligible to receive financial assistance, each State shall establish a Statewide Independent Living Council (SILC) which shall not be established as an entity within a State agency, Hawaii Revised Statutes 348-9, establishes the Statewide Independent Living Council. Repealing the statute section 348-9 will conform to the requirements of the Rehabilitation Act of 1973 as amended in 1992 with regard to the Statewide Independent Living Council (SILC).

Thank you.

Laura L. Tobosa



A non-profit organization run by and for persons with disabilities

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Senator Suzanne Chun Oakland, Chair, Chair
Senator Les Ihara, Jr., Vice Chair
Committee on Human Services

Hawaii Centers for Independent Living

Tuesday, March 24, 2009, 2:15 PM, Conference Room 016

Supporting HB1103, Relating to Federal Financial Assistance for Independent Living Services and Centers

Hawaii Centers for Independent Living is a non-profit organization operated by and for people with disabilities to ensure their rights to live independently and fully integrated in the community of their choice, outside of institutional care settings. As a non-profit, statewide resource, HCIL serves people of any age with any type of disability. HCIL was founded on the historical constitutional beliefs of civil rights and the empowerment of people with disabilities to have equal access, opportunities, and choices in life, no matter how severe their disability.

We support HB1103, Relating to Federal Financial Assistance for Independent Living Services and Centers.

As the only Center for Independent Living in the state of Hawai'i, HCIL works closely with the Statewide Independent Living Council (SILC) and operates under the State Plan for Independent Living (SPIL) established by the SILC. HCIL's executive director is a mandated member of SILC under 34 CFR 364.21(b)(2)(i)(A), since there is only one center, and thus one center director, in the state.

H.R.S. 348-9 establishes the "State Independent Living Council" within the Department of Human Services. This contravenes 34 CFR 364.21(a)(2), which states that statewide independent living councils are not to be included within any state agency, including the designated state unit (DSU). The Statewide Independent Living Council is a 501(c)3 nonprofit organization, not part of any state agency, although its members are appointed by the Governor in accordance with 34 CFR 364.21(b)(1).

We believe that passage of HB1103, repealing H.R.S. 348-9, will resolve the persistent confusion about the status of the SILC relevant to state government and will help to bring the SILC into compliance with applicable Federal regulations.

We urge the committee to pass HB1103. Thank you for this opportunity to testify.

Sincerely,

Mark F. Romoser

Policy and Program Analyst

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Repeals section 348-9, Hawaii Revised Statutes, that establishes the Statewide Council on Independent Living.

I am writing in support of this Bill. The Statewide Council on Independent Living does not actually exist, and since the name is so similar to the Statewide Independent Living Council, there is much confusion. Please pass this Bill.

Thank you,
Betsy Whitney
Hilo, HI