

LINDA LINGLE  
GOVERNOR



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DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
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March 24, 2009

MEMORANDUM

TO: Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services

FROM: Lillian B. Koller, Director

SUBJECT: **H.B. 1103 - RELATING TO FEDERAL FINANCIAL ASSISTANCE  
FOR INDEPENDENT LIVING SERVICES AND CENTERS**

Hearing: Tuesday, March 24, 2009, 2:15 p.m.  
Conference Room 016, State Capitol

PURPOSE: The purpose of this bill is to repeal section 348-9, Hawaii Revised Statutes (HRS), which establishes the Statewide Council on Independent Living in the Department of Human Services.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) strongly supports this Administration-sponsored bill. For the State to be eligible to receive Federal financial assistance, the Federal Rehabilitation Act, title 29 United States Code, section 796d, requires the State to establish a Statewide Independent Living Council, which cannot be established as an entity within a state agency.

Section 348-9, HRS, establishes a Statewide Council on Independent Living in DHS. Section 348-9, Hawaii Revised Statutes, was well-intended, but is unnecessary and has resulted in confusion. Section 348-9 is unnecessary because

the Statewide Independent Living Council can be established through the State's Title VII State Plan that each state is required to have to receive Federal funds under Title VII of the Federal Rehabilitation Act. The State currently receives more than \$296,000 in Federal funds for independent living services.

Repealing section 348-9 and relying instead on the State's Title VII State Plan to establish a Statewide Independent Living Council, will satisfy the State's Title VII requirement.

If this bill is not passed, public confusion will continue.

Thank you for this opportunity to testify.

Senate Committee on Human Services  
Sen Suzanne Chun Oakland, Chair  
Sen Les Ihara Jr, Vice Chair

**HB1103-** *Repeals Section 348-9, that establishes the Statewide Council on Independent Living.*

My name is Nathan Say and I am the Chair of the Statewide Independent Living Council. (SILC) I am writing testimony in support of HB1103.

Statewide Independent Living Councils were established by the Rehabilitation Act of 1973 as amended in 1992. The act requires the establishment of the Statewide Independent Living Council of Hawaii. In order to receive financial assistance, each state needs to establish a Statewide Independent Living Council 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 this section will conform to federal requirements as established in the Rehab Act of 1973 as amended in 1992 in respects to Statewide Independent Living Councils.

Thank you

Nathan Say  
Board Chair  
Statewide Independent Living Council

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March 23, 2009

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 Louise Horio and I am a board member of the  
Statewide Independent Living Council of Hawaii. I am  
submitting this testimony supporting HB1103.**

**I am humbly asking that you approve HB1103. 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).**

**Most Respectfully,**

**Louise Horio**

I am against hb 1103, to be heard today,3/24/09 at 2:15pm at the state capitol,conf. Rm 016. Mahalo,margaret levy-dohanos,cna