

STAND. COM. REP. NO.

280

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 921
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 Human Services, to which was referred S.B. No. 921 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 abolish the Statewide Council on Independent Living in order to conform to federal guidelines for states to receive federal financial assistance for independent living services under title 29 United States Code section 796d.

Testimony in support of this measure was received from the Department of Human Services; the State Council on Developmental Disabilities; the Statewide Independent Living Council; and two individuals. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will bring the State into conformity with title 29 United States Code section 796d and provide for Hawaii's continued eligibility for receipt of federal financial assistance.

Federal law provides that to be eligible to receive financial assistance for services relating to individuals with significant disabilities, a state may not establish its statewide independent living council as an entity within a state agency. Section 348-9, Hawaii Revised Statutes, provides that Hawaii's Statewide Council

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on Independent Living is established within the Department of Human Services. This section is nonconforming with federal law because it establishes the State's independent living council within a state agency. Your Committee therefore finds that this measure serves to ensure continued receipt of federal financial aid for independent living services by repealing section 348-9, Hawaii Revised Statutes, and allowing for the preparation of a state plan as required by federal law.

Your Committee has made technical amendments to this measure for the purposes of clarity and style.

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 S.B. No. 921, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 921, S.D. 1, and be referred to the Committee on Ways and Means.

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


SUZANNE CHUN OAKLAND, Chair



