
A BILL FOR AN ACT

RELATING TO HOMELESS ASSISTANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 346, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§346- Office of homelessness; board of homeless
5 programs. (a) There is created the office of homelessness to
6 be placed within the department of human services for
7 administrative purposes. The office shall be headed by a
8 director, to be appointed by the board of homeless programs
9 without regard to chapter 76 and section 26-34. The
10 compensation of the director of the office shall be set by the
11 board of homeless programs.

12 (b) The office of homelessness shall be headed by a board
13 of homeless programs, to include five ex-officio voting members
14 as follows:

15 (1) The director of human services or the director's
16 designee;

17 (2) The executive director of the Hawaii public housing
18 authority or the executive director's designee;



- 1 (3) The superintendent of education or the
- 2 superintendent's designee;
- 3 (4) The chairperson of the board of land and natural
- 4 resources or the chairperson's designee; and
- 5 (5) One representative of the counties, to be selected by
- 6 the counties."

7 SECTION 2. Section 346-361, Hawaii Revised Statutes, is
8 amended by adding a new definition to be appropriately inserted
9 and to read as follows:

10 "Office" means the office of homelessness of the
11 department of human services."

12 SECTION 3. Beginning January 1, 2012, all rights, powers,
13 functions, and duties of the homeless programs office of the
14 department of human services are transferred to the office of
15 homelessness of the department of human services established by
16 this Act.

17 SECTION 4. The revisor of statutes shall substitute in
18 chapter 346, part XVII, Hawaii Revised Statutes the term
19 "office", or like term, wherever the terms "department of human
20 services" or "department", or like terms, appear as the context
21 requires.

1 SECTION 5. All officers and employees whose functions are
2 transferred by this Act shall be transferred with their
3 functions and shall continue to perform their regular duties
4 upon their transfer, subject to the state personnel laws and
5 this Act.

6 No officer or employee of the State having tenure shall
7 suffer any loss of salary, seniority, prior service credit,
8 vacation, sick leave, or other employee benefit or privilege as
9 a consequence of this Act, and such officer or employee may be
10 transferred or appointed to a civil service position without the
11 necessity of examination; provided that the officer or employee
12 possesses the minimum qualifications for the position to which
13 transferred or appointed; and provided further that subsequent
14 changes in status may be made pursuant to applicable civil
15 service and compensation laws.

16 An officer or employee of the State who does not have
17 tenure and who may be transferred or appointed to a civil
18 service position as a consequence of this Act shall become a
19 civil service employee without the loss of salary, seniority,
20 prior service credit, vacation, sick leave, or other employee
21 benefits or privileges and without the necessity of examination;
22 provided that such officer or employee possesses the minimum



1 qualifications for the position to which transferred or
2 appointed.

3 If an office or position held by an officer or employee
4 having tenure is abolished, the officer or employee shall not
5 thereby be separated from public employment, but shall remain in
6 the employment of the State with the same pay and classification
7 and shall be transferred to some other office or position for
8 which the officer or employee is eligible under the personnel
9 laws of the State as determined by the head of the department or
10 the governor.

11 SECTION 6. All appropriations, records, equipment,
12 machines, files, supplies, contracts, books, papers, documents,
13 maps, and other personal property heretofore made, used,
14 acquired, or held by the state homeless programs office relating
15 to the functions transferred to the office of homelessness shall
16 be transferred with the functions to which they relate.

17 SECTION 7. All rules, policies, procedures, guidelines,
18 and other material adopted or developed by the department of
19 human services to implement part XVII of chapter 346, Hawaii
20 Revised Statutes, and which are reenacted or made applicable to
21 the office of homelessness by this Act shall remain in full
22 force and effect until amended or repealed by the director of



1 the office of homelessness pursuant to chapter 91, Hawaii
2 Revised Statutes. In the interim, every reference to the state
3 homeless programs office or the director of human services
4 therein shall be construed as a reference to the office of
5 homelessness or the director of the office of homelessness, as
6 appropriate.

7 SECTION 8. All deeds, leases, contracts, loans,
8 agreements, permits, or other documents executed or entered into
9 by or on behalf of the department of human services in relation
10 to the functions transferred to the office of homelessness shall
11 be deemed assumed for the duration of the deeds, leases,
12 contracts, loans, agreements, permits, or other documents by the
13 office of homelessness.

14 SECTION 9. If any part of this Act is found to be in
15 conflict with federal requirements that are a prescribed
16 condition for the allocation of federal funds to the State, the
17 conflicting part of this Act is inoperative solely to the extent
18 of the conflict and with respect to the agencies directly
19 affected, and this finding does not affect the operation of the
20 remainder of this Act in its application to the agencies
21 concerned. The rules in effect as a result of this Act shall



1 meet federal requirements that are a necessary condition to the
2 receipt of federal funds by the State.

3 SECTION 10. The office of homelessness and the department
4 of human services shall collaborate to implement the transfers
5 and transitions required under this Act with as little
6 disruption to on-going duties, responsibilities, and public
7 services provided.

8 SECTION 12. New statutory material is underscored.

9 SECTION 13. This Act shall take effect on July 1, 2011.

10

INTRODUCED BY: _____



JAN 26 2011



Report Title:

Office of Homelessness

Description:

Establishes an Office of Homelessness within the Department of Human Services to assume jurisdiction over homeless assistance. Effective July 1, 2011.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

