

STAND. COM. REP. NO.

289

Honolulu, Hawaii

February 12, 2013

RE: H.B. No. 1116
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 1116 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose of this measure is to exempt the Hawaii Public Housing Authority (HPHA) from the requirement to follow administrative grievance procedures if federal law, rule, regulation, memorandum, contract, or other instrument of the federal government allows public housing agents to terminate tenancy or evict tenants from public housing without following administrative grievance procedures.

HPHA supported this measure. The American Civil Liberties Union of Hawaii and one individual opposed this measure.

Your Committee has amended this measure by:

- (1) Specifying that section 673-3, Hawaii Revised Statutes, relating to the exhaustion of administrative remedies, shall not apply to HPHA with respect to tenant termination and eviction when permitted by the federal government; and



- (2) Specifying that judicial procedure shall substitute for and supercede administrative procedure in cases where HPHA is exempt from administrative procedure requirements.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1116, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1116, H.D. 1, and be referred to the Committee on Judiciary.

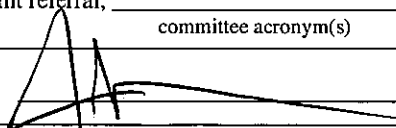
Respectfully submitted on
behalf of the members of the
Committee on Housing,



RIDA T.R. CABANILLA, Chair



Record of Votes of the Committee on Housing

Bill/Resolution No.: HB 1116	Committee Referral: HSG, JLD	Date: 2/4/2013		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSG Members	Ayes	Ayes (WR)	Nays	Excused
1. CABANILLA, Rida T.R. (C)				
2. WOODSON, Justin H. (VC)				
3. BELATTI, Della Au				
4. CARROLL, Mele				
5. JORDAN, Jo				
6. KOBAYASHI, Bertrand				
7. MORIKAWA, Dee				
8. CHEAPE, Lauren Kealohilani				
TOTAL (8)	3	2	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				