

STAND. COM. REP. NO. 9

Honolulu, Hawaii

FEB 01 2013

RE: S.B. No. 90

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 90 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Hawaii Public Housing Authority to adopt policies, regulations, standards, procedures, and rental agreements for its federal programs in the manner prescribed by the federal government; provided that federal laws, rules, and regulation prevails in the case of conflicts between state and federal laws, rules, and regulations.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Testimony in opposition to this measure was received by the Drug Policy Forum of Hawaii.

Your Committee finds that under current Hawaii laws, the Hawaii Public Housing Authority can adopt administrative rules governing its federal programs in accordance with chapter 91, Hawaii Revised Statutes. The Hawaii Public Housing Authority's federal programs are additionally subject to extensive regulation by federal laws, rules, regulations, contracts, notices, memoranda, and other instruments issued by the United States Department of Housing and Urban Development. These federal regulations are applicable to all public housing agencies nationwide and can require amendments to, adoption of, and repeal

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of any administrative policies and procedures of a public housing agency.

Your Committee also finds that federal requirements for public housing agencies more than adequately protect the interests of the public and ensure accountability and resident and public involvement in the adoption, amendment, or modification of program rules and regulations. The imposition of additional state requirements may unnecessarily delay and burden the administration of the Authority's programs.

Your Committee has heard the testimony expressing concerns about medicinal marijuana because of the differences between federal and state laws. The Hawaii Public Housing Authority already has administrative rules that allow for reasonable accommodations for residents; however, your Committee finds that this issue raises concerns that merit further consideration by your Committee on Judiciary and Labor.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 90, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 90, S.D. 1, and be referred to the Committee on Judiciary and Labor.

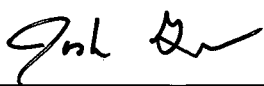
Respectfully submitted on
behalf of the members of the
Committee on Human Services,


SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 90	Committee Referral: HMS, JDL	Date: 1/28/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	✓			
KIDANI, Michelle N.				✓
TANIGUCHI, Brian T.	✓			
SLOM, Sam		✓		
TOTAL	3	1	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes