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February 14, 2018

TO: The Honorable Representative Ryan I. Yamane, Chair
House Committee on Water and Land

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: **HB 2038 HD1 – RELATING TO HOUSING**

Hearing: Wednesday, February 14, 2018, 10:30 a.m.
Conference Room 325, State Capitol

POSITION: The Governor's Coordinator on Homelessness appreciates the intent of this measure, and offers comments.

PURPOSE: The purpose of the bill is to authorize religious, charitable, educational, and other nonprofit organizations to provide shelter to homeless persons, including by hosting temporary encampments on property owned by the organization.

The Coordinator appreciates the Legislature's efforts to address the complex challenge of homelessness and to leverage the property and efforts of religious, charitable, educational, and other nonprofit organizations. While the Coordinator supports additional resources to address homelessness, it is noted that county zoning codes ensure a thorough review of shelter projects to that health and safety concerns can be addressed. The Coordinator further notes that health and safety is a critical concern when providing shelter to vulnerable individuals in the community, including the elderly and individuals with disabilities.

With regard to the issue of temporary encampments, the 2017 Safe Zones Working Group – established by Act 212, Session Laws of Hawaii 2017 – found that the United States Interagency Council on Homelessness (USICH) and the U.S. Department of Housing and urban Development (HUD) – remain opposed to the implementation of safe zones, and expressed concerns that funding of safe zones may result in funding being directed from other programs

that more directly address housing. In a 2015 report, the USICH acknowledged that the formation of tent encampments does not represent an end to homelessness and can “serve to distract communities from focusing on what is most important – connecting people experiencing homelessness to safe, stable, permanent housing.”¹

Thank you for the opportunity to testify on this bill.

¹ U.S. Interagency Council on Homelessness, *Ending Homelessness for People Living in Encampments: Advancing the Dialogue*, August 2015.

HB-2038-HD-1

Submitted on: 2/13/2018 10:20:45 AM

Testimony for WAL on 2/14/2018 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities Committee	Support	No

Comments:

**PRESENTATION OF THE
OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES**

DEMOCRATIC PARTY OF HAWAII

TO THE COMMITTEE ON WATER & LAND

THE HOUSE OF REPRESENTATIVES

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Wednesday, February 14, 2018

10:30 a.m.

Hawaii State Capitol, Conference Room 325

RE: Testimony in Support of HB 2607 HD1, RELATING TO HOUSING

To the Honorable Ryan I. Yamane, Chair; the Honorable Chris Todd, Vice-Chair and the Members of the Committee on Water & Land:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on House Bill No.2038 HD1 relating to homelessness.

The OCC Legislative Priorities Committee is in favor of House Bill No.2038 HD1 and supports its passage.

House Bill No.2038 HD1 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it authorizes religious, charitable, educational, and other nonprofit organizations to provide shelter to homeless persons, including by hosting temporary encampments on property owned by the organization and prohibits counties from enacting ordinances that substantially burden the provision of shelter on an organization's own property.

The DPH Platform states that "[w]e believe in the concept of "Housing First" to develop affordable, stable housing and support services to break the cycle of homelessness for people with the fewest housing options.

We support dedicated social services and housing opportunities for Hawaii's homeless population, to get them off the streets and reintegrated into society, with specific devoted services for disenfranchised groups including but not limited to the Hawaiian community, aged-out foster kids, youth, returning veterans, the aged, and lesbian, gay, bisexual and transgender homeless. (Platform of the DPH, P.7, Lines 352-358 (2016)).

Given that House Bill No. 2038 HD1 authorizes religious, charitable, educational, and other nonprofit organizations to provide shelter to homeless persons, including by hosting temporary encampments on property owned by the organization and prohibits counties from enacting ordinances that substantially burden the provision of shelter on an organization's own property, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ **Melodie Aduja**

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889

LATE

**TESTIMONY OF NAHELANI WEBSTER ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) REGARDING H.B. 2038, HD1**

Date: Wednesday, February 14, 2018

Time: 10:30 a.m.

Room: 325

To: Chair Ryan I. Yamane and Members of the House Committee on Water and Land

My name is Nahelani Webster and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) regarding H.B. 2038 HD1, Relating to Housing as currently drafted.

We agree with the intent of the bill to increase shelter available to the homeless but ask that section (d), on page 4, be deleted. It is against public policy to grant immunity from liability under these circumstances. A reasonable care standard would be more appropriate especially in the initial stages of implementing procedures to address homelessness.

Thank you for the opportunity to testify. Please feel free to contact us should there be any questions.