

STAND. COM. REP. NO. 391

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 1233
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 1233 entitled:

"A BILL FOR AN ACT RELATING TO THE VENDING FACILITIES PROGRAM,"

begs leave to report as follows:

The purpose and intent of this measure is to allow persons with a mental illness to participate in the vending facilities program currently available to blind and visually handicapped persons pursuant to section 102-14, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and eleven individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Committee of Blind Vendors, National Federation of the Blind Hawaii, Hawaii Association of the Blind, Randolph Shepard Vendors of Hawaii, and fourteen individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that individuals living with serious mental illness should have the opportunities to pursue self-employment to improve their economic and health outcomes in a similar manner as individuals participating in the vending facilities program pursuant to section 102-14, Hawaii Revised Statutes, through the Department of Human Services, Division of



Vocational Rehabilitation, Ho'oponopono Services for the Blind Branch (Ho'oponopono Services).

Your Committee finds that Ho'oponopono Services is designated by the United States Department of Education's Rehabilitation Services Administration as the state licensing agency for managing the federal Randolph-Sheppard Program to support eligible blind and visually impaired individuals to maintain vending stands through self-employment, also associated with their remunerative employment. There are no state-appropriated moneys in the program's account.

Your Committee further finds that this measure may inadvertently jeopardize Ho'oponopono Service's receipt of federal Randolph-Sheppard funds for blind individuals. Testimony received by your Committee revealed that the proposed amendments incorporating persons with mental illness into the existing program's framework may cause confusion or federal scrutiny and lead Ho'oponopono Services to lose its designation as a state licensing agency under the federal Randolph-Sheppard Act.

Therefore, your Committee has amended this measure by:

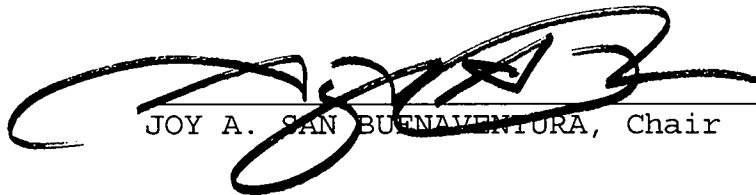
- (1) Replacing its contents with language received from the Department of Health to:
 - (A) Establish a two-year vendor facilities pilot program task force for vendors with serious mental illness within the Department of Health; and
 - (B) Require the vendor facilities pilot program task force to submit an annual report to the Governor and the Legislature not later than twenty days prior to the convening of the 2022 and 2023 regular sessions;
- (2) Including the Director of the Department of Accounting and General Services, or their designee, and the heads of the building facilities management departments of each county, or their designees in the pilot program;
- (3) Inserting an effective date of May 1, 2029, to encourage further discussion;



- (4) Amending section 1 to reflect its amended purpose; and
- (5) 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. 1233, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1233, S.D. 1, and be referred to your Committee on Judiciary.

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



JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 1233	Committee Referral: HMS, JDC	Date: 02/16/2021
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura		✓		
MISALUCHA, Bennette E.		✓		
FEVELLA, Kurt	✓			
TOTAL	3	2	0	0

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes