

# OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII  
NO. 1 CAPITOL DISTRICT BUILDING  
250 SOUTH HOTEL STREET, SUITE 107  
HONOLULU, HAWAII 96813  
TELEPHONE: 808-586-1400 FAX: 808-586-1412  
EMAIL: oip@hawaii.gov

To: Senate Committees on Housing and on Human Services

From: Cheryl Kakazu Park, Director

Date: March 17, 2022, 1:15 p.m.  
State Capitol, Conference Room 225 and Via Videoconference

Re: Testimony on H.B. No. 1749, H.D. 1  
Relating to Housing

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Thank you for the opportunity to submit testimony on this bill, which would establish a Supportive Housing Task Force charged with developing a new monitoring and forecasting system and a roadmap for implementing supportive housing, educating developers on supportive housing, and identifying financing opportunities for supportive housing. The Office of Information Practices (OIP) takes no position on the substance of this bill, but **offers comments and an amendment regarding the exemption of the proposed Task Force from part I of chapter 92, HRS, the Sunshine Law**, at bill page 7, lines 9-11.

The bill does not explain why a complete exemption from the Sunshine Law is necessary for the Task Force. The Task Force is charged with developing policy and goals for supportive housing, identifying funding sources, and developing best practices, all of which are likely to be of public interest, particularly to those directly affected by or with an interest in the issue of providing supportive housing for individuals needing that support, and the proposed exemption would cut off access to this policymaking process for the interested members of the public. In the absence of any justification for exempting this group from the Sunshine Law's

requirements, OIP recommends that the exemption at page 7, lines 9-11, be deleted from this bill. However, if there are reasons not explained in the bill why full compliance with the Sunshine Law would be problematic for this group, OIP would be happy to work with interested parties on a permitted interaction or other partial exception to the Sunshine Law's usual requirements tailored to the specific problems the group anticipates.

Thank you for considering OIP's testimony.

DAVID Y. IGE  
GOVERNOR



CRAIG K. HIRAI  
DIRECTOR

GLORIA CHANG  
DEPUTY DIRECTOR

**STATE OF HAWAII**  
**DEPARTMENT OF BUDGET AND FINANCE**  
P.O. BOX 150  
HONOLULU, HAWAII 96810-0150

EMPLOYEES' RETIREMENT SYSTEM  
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND  
OFFICE OF THE PUBLIC DEFENDER

ADMINISTRATIVE AND RESEARCH OFFICE  
BUDGET, PROGRAM PLANNING AND  
MANAGEMENT DIVISION  
FINANCIAL ADMINISTRATION DIVISION  
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

**WRITTEN ONLY**  
TESTIMONY BY CRAIG K. HIRAI  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEES ON HOUSING AND HUMAN SERVICES  
ON  
HOUSE BILL NO. 1749, H.D. 1

**March 17, 2022**  
**1:15 p.m.**  
**Room 225 and Videoconference**

RELATING TO HOUSING

The Department of Budget and Finance (B&F) offers comments on this bill.

House Bill No. 1749, H.D. 1: 1) establishes a supportive housing task force within the Department of Human Services (DHS) for a period of two years; 2) sets the responsibilities of the task force; 3) sets membership appointment requirements for the task force; 4) provides the task force authority to meet virtually and exemption from Part I of Chapter 92, HRS; and 5) appropriates an unspecified amount of general funds to DHS in FY 23 to provide administrative support to the task force and hire 1.00 planner or specialist position.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and

- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
PRINCESS VICTORIA KAMĀMALU BUILDING  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 17, 2022

The Honorable Senator Stanley Chang, Chair  
Senate Committee on Housing  
The Honorable Senator Joy A. San Buenaventura, Chair  
Senate Committee on Human Services  
The Thirty-First Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator Chang, Senator San Buenaventura, and Committee Members

SUBJECT: HB1749 HD1 Relating to Housing

The Hawaii State Council on Developmental Disabilities **SUPPORTS HB1749 HD1** which establishes and appropriates funds for a supportive housing task force to improve data collection on supportive housing needs in the State. Appropriates funds.

Many individuals with intellectual/developmental disabilities (I/DD) are a part of our low-income community. The only residential option they can afford and find is typically on Oahu in a licensed or certified home (such as an Adult Foster Home or a Residential Care home) with individuals they may have never met or share no common interests with. For those who do not want to live in such an environment, they become homeless or are bounced around from one emergency shelter to another.

We are in support of a task force that will address the supportive housing needs in each county.

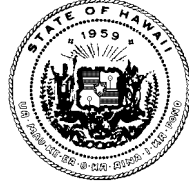
Thank you for the opportunity to submit testimony in **support of HB1749 HD1**.

Sincerely,

A handwritten signature in blue ink that reads "Daintry Bartoldus".

Daintry Bartoldus  
Executive Administrator

DAVID Y. IGE  
GOVERNOR



CATHY BETTS  
DIRECTOR

JOSEPH CAMPOS II  
DEPUTY DIRECTOR

STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**

P. O. Box 339  
Honolulu, Hawaii 96809-0339

March 16, 2022

TO: The Honorable Senator Stanley Chang, Chair  
Senate Committee on Housing

The Honorable Joy A. San Buenaventura, Chair  
Senate Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: **HB 1749 HD1 – RELATING TO HOUSING.**

Hearing: March 17, 2022, 1:15 p.m.  
Via Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of this measure and provides comments. The Department respectfully requests that any appropriation not replace or reduce budget priorities identified in the executive budget.

**PURPOSE:** The purposes of the bill are to establish and appropriate funds for a supportive housing task force to improve data collection on supportive housing needs in the State. Appropriates funds. Effective 7/1/2050. (HD1) The HD1 amended the measure by:

- (1) Amending the composition of the Supportive Housing Task Force to include the Executive Directors of Partners In Care and Bridging the Gap Hawaii, and enabling all task force members to select designees to serve in their absence;
- (2) Removing as unnecessary language exempting task force members from the financial interests disclosure requirements under the State Ethics Code, as the State Ethics Commission's longstanding practice is to exclude activities of task force members from the general provisions of the Code;
- (3) Exempting the task force from the Sunshine Law, rather than the entirety of the State's law governing public agency meetings and records;

- (4) Specifying that the appropriation in this measure includes funds for one full-time equivalent (1.0 FTE) planner or specialist position;
- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Department agrees that there needs to be a concerted effort by the government to create housing inventory for low-income residents, especially for those who require supportive services, as the free market is not generating the needed inventory despite the need.

Also, note that DHS programs do not engage in brick and mortar capital improvement projects and will not have the necessary knowledge regarding capital improvements or housing development. The Department will have to rely on the expertise of other task force members or consultants.

Support for the task force should include at least a 1 FTE planner or specialist position and funds for administrative expenses, and we appreciate the HD1 amendments for including this position and funds. However, we ask that these appropriations not replace or reduce priorities identified in the executive budget.

Thank you for the opportunity to provide comments on this measure.



EXECUTIVE CHAMBERS  
HONOLULU

March 16, 2022

TO: The Honorable Senator Stanley Chang, Chair  
Senate Committee on Housing

The Honorable Joy A. San Buenaventura, Chair  
Senate Committee on Human Services

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

SUBJECT: **HB 1749 HD1 – RELATING TO HOUSING.**

Hearing: Thursday, March 17, 2022, 1:15 p.m.  
VIA VIDEO CONFERENCE

**POSITION:** The Governor's Coordinator on Homelessness supports the intent of this measure and respectfully offers comments. If this measure proceeds, the Coordinator requests that its passage does not replace or adversely impact priorities indicated in the executive budget request.

**PURPOSE:** The purpose of the bill is to establish and appropriate funds for a supportive housing task force to develop a new monitoring and forecasting system, bring stakeholders together to develop a roadmap for implementing supportive housing, address financing opportunities, bridge housing developers with supportive housing service providers, and develop best practices for supportive housing in the State.

The Coordinator appreciates the amendments made by the House Committee on Housing to amend the composition of the Supportive Housing Task Force to include the Executive Directors of Partners in Care and Bridging the Gap Hawaii and enabling all task force members to select designees to serve in their absence.

The Coordinator recognizes the critical need to scale supportive housing inventory statewide. Supportive housing offers long-term housing with integrated wraparound social



services for individuals with acute needs and may be provided either through site-based projects or utilizing a scattered-site voucher system. Importantly, the Corporation for Supportive Housing (CSH) estimate of supportive housing units described in the preamble is not limited only to units for homeless or chronically homeless individuals. For example, the CSH data includes unit estimates for other populations that may not meet the U.S. Department of Housing and Urban Development definition of homelessness (e.g., individuals exiting correctional facilities, and individuals with severe mental illness or developmental disability stepping down from a higher level of care in an institutional setting, etc.).

Currently, there is limited inventory of housing with social service supports for individuals exiting institutional settings who are not literally homeless. The lack of supportive housing specifically for individuals exiting the mental health and criminal justice systems places strain on the homelessness system. For example, as of December 2021, the homelessness system identified 2,100 homeless individuals and 542 families participating in the Continuum of Care Coordinated Entry System and on the By Name List for housing.<sup>1</sup> The proposed task force will address increase both the number and diversity of supportive housing units by assembling key stakeholders to assess the current supportive housing system, estimating the number of units needed for different sub-populations, and developing a plan for financing and construction of units statewide.

Regarding the task force, the Coordinator acknowledges the need to have representation both from agencies with an understanding of how to provide and finance social services, as well as agencies familiar with housing development and construction financing. The Coordinator appreciates the inclusion of the four counties, which oversee planning and zoning locally and administer housing resources such as Community Development Block Grant (CDBG) and HOME Investment Act funds.

Thank you for the opportunity to testify on this measure.

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<sup>1</sup> Please see page 3 of DHS Annual Housing First report at: [http://humanservices.hawaii.gov/wp-content/uploads/2022/01/12-28-21\\_CB\\_Section-346-378\\_Housing-First-combined-signed.pdf](http://humanservices.hawaii.gov/wp-content/uploads/2022/01/12-28-21_CB_Section-346-378_Housing-First-combined-signed.pdf)

**Hawaii**  
*Holding Power Accountable*

Statement Before The  
**SENATE COMMITTEE ON HOUSING**  
**AND**  
**SENATE COMMITTEE ON HUMAN SERVICES**  
Thursday, March 17, 2022  
1:15 PM  
Via Video Conference and Conference Room 225

in consideration of  
**HB 1749, HD1**  
**RELATING TO HOUSING.**

Chairs CHANG and SAN BUENAVENTURA, Vice Chairs KANUHA and IHARA, and Members of the Senate Housing and Human Services Committees

Common Cause Hawaii offers comments on HB 1749, HD1, which establishes and appropriates funds for a supportive housing task force to improve data collection on supportive housing needs in the State and appropriates funds.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization focused on upholding the core values of American democracy through increasing civic engagement and breaking down the barriers to participation in our government.

Common Cause Hawaii understands the depth and seriousness of the housing issue in Hawaii and appreciates HB 1749, HD1, at page 3, lines 4-9, establishing “a supportive housing task force to improve data collection on supportive housing needs, bring stakeholders together to develop a roadmap for implementing supportive housing, address financing opportunities, bridge housing developers with supportive housing service providers, and develop best practices.”

Common Cause Hawaii, however, questions why the supportive housing task force is “exempt from part I of chapter 92, Hawaii Revised Statutes.” See HB 1749, HD1 at page 7, lines 10-11. Given the demand for supportive housing needs, public participation should not be excluded from the process and such a task force should be subject to Sunshine Law. “Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public’s interest.” Hawaii Revised Statutes § 92-1. This is especially true with regards to the supportive housing task force.

Thank you for the opportunity offers comments on HB 1749, HD1. If you have questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii



## CATHOLIC CHARITIES HAWAII

### TESTIMONY IN SUPPORT OF HB 1749 HD1: RELATING TO HOUSING

**TO:** Senate Committees on Housing and Human Services  
**FROM:** Rob Van Tassell, President and CEO, Catholic Charities Hawai'i  
**Hearing:** **Thursday, 3/17/22; 1:15 PM; via videoconference**

Chair Chang, Chair San Buenaventura and Members, Committees on Housing and Human Services:

Thank you for the opportunity to provide testimony **in Strong Support of HB 1749 HD1** which would establish a supportive housing task force to develop a monitoring and forecasting system, bring stakeholders together to develop an implementation roadmap, bridge developers with supportive housing service providers and develop best practices. I am Rob Van Tassell, with Catholic Charities Hawai'i. We are also a member of Partners In Care (PIC).

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for 75 years. CCH has programs serving elders, children, families, homeless, and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i. Catholic Charities Hawai'i has a long history of working in the areas of affordable housing and homelessness.

**This is a key bill for planning future housing and services to vulnerable populations in our state.** Supportive housing is a growing need not only to address homelessness but also for many other populations, such as the growing number of elderly, developmentally disabled and others who need housing and coordinated services. The lack of a supportive housing system not only impacts on the ability of these individuals to live independently and positively in the community, but it can result in costly institutional care. By bringing together many stakeholders as well as developers and other housing experts, the Task Force would develop a road map to help the state identify and plan for the number of housing units needed for different populations with access and functional needs. Another important element is bringing together developers with expertise in housing with supportive housing service providers to create workable and best practice models for our state. We commend the far-reaching vision of this bill to address and plan for the growing number of our state's residents with access and functional needs.

We applaud the bill's inclusion of 2 supportive housing services users or advocates. **We urge you to amend the membership to either add one person with lived experience of homelessness or designate that one supportive housing services user would be a formerly homeless person.** This member would offer a unique and helpful perspective for the task force to understand the barriers, concerns, and hopes of the people for whom services are being planned. Ending homelessness is a high priority for the State. We must include at least one person with lived experience of homelessness in this planning process.

We urge your support for this initiative to address these growing needs. Please contact our Legislative Liaison, Betty Lou Larson at [alohabettylou@hotmail.com](mailto:alohabettylou@hotmail.com) or (808) 373-0356 if you have any questions.



**HB-1749-HD-1**

Submitted on: 3/15/2022 9:35:55 AM

Testimony for HOU on 3/17/2022 1:15:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
MATTHEW A. COHEN	Individual	Support	Remotely Via Zoom

Comments:

Members of the Committee:

I am a father of an individual with significant mental and communication disabilities. Safe housing that can accommodate his needs and is reasonably suited to help him sustain a meaningful and enjoyable life is the overriding purpose of everything I do, as it is for many of the parents of similarly-situated children I know.

There is simply insufficient housing in Hawaii for persons with mental and developmental disability.

The proposed task force will be an important vehicle to communicate this critical need to state government decision makers, such as yourself.

Please contact me with any questions regarding my testimony.

Matthew Cohen (808) 2183000

**HB-1749-HD-1**

Submitted on: 3/15/2022 1:12:29 PM

Testimony for HOU on 3/17/2022 1:15:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Berk	Individual	Support	Written Testimony Only

Comments:

**In Support of HB 1749**

From: Sue Berk

Date: March 15, 2022

I support and ask your support of HB 1749 so that we can begin to build a framework to address the issue of insufficient housing options for adults with IDD.

I am a parent of a 36 year old young man with Down Syndrome an Intellectual and Developmental Disability (IDD). He is healthy and thriving in his life in east Honolulu and still lives with me and his dad. He attended elementary, middle and high schools in this area. Has friends. s active in church and is pretty well known. When my husband and can no longer care for him we would like to have options for him to live with supports in this part of the island that he knows and where he has community connections.

I am also co-founder of Fuller Lives, an organization focused on raising awareness about this issue and working to build connections with other families, State and other agencies for support.

- Appropriate living options in home neighborhoods and with age-appropriate house mates are extremely limited, and individuals can wait 10 years or more for such options, and, when a vacancy is offered, it is likely many miles from their home community. Housemates can be 25+ years older. Better planning is needed.
- A survey our organization did in 2018 indicated that 67% of families surveyed, who currently have an adult with IDD living with them, will need an alternative residential placement for the person in 5 to 10 years.
- 71% of families report that they have made no plans for future placement. And don't know where to start to find information.
- 94% of the adults with IDD desire to live in or near their home community when a future placement is found.

These facts and numbers highlight a clear need to mobilize, develop a plan, and implement it. This plan will require collaboration among many sectors in Hawaii – city and state agencies, the

legislature, the business sector involved in residential development, nonprofit organizations, the faith community and the families of individuals with IDD.

Thank You!!

*Barbara J. Poole-Street, Ph.D.  
3460A Maunalei Avenue  
Honolulu Hawaii, 96816  
(808) 358 4292*

*March 15, 2022*

Aloha,

I am writing to urge you to support the passage of HB 1749,, H.D.1 As a parent of a 45 year old son with Intellectual Developmental Disabilities (IDD), and a Head of a Special Olympics Delegation for over 25, years, I have long witnessed the difficulties encountered by families when their support is no longer available for their loved one.

At best, there would be a home available to the person with IDD client (who is challenged by changes and learning new routines) in the community they are familiar with. Additionally, the new placement would not be crisis driven, but planned in a fashion that gives the client a sense of security and confidence.

Less desirable would be a placement in a community far from the home community where the client has no friends and little knowledge of the community itself. Furthermore, the decision to move might be precipitated by a sudden tragedy—death, illness, incapacitation, that gives the client little time to process what is going on and little voice to express their concerns and desires. This seems very familiar to me.

Still less desirable is the outcome we all hope will never happen: a new home is not be found for the client, even though the need for new housing is imperative. I have seen this happen. I have seen a caseworker explain to their client with IDD that they would need to take the SSI income they receive and find a place to live themselves because the case worker could not find a home for them anywhere on Oahu. On \$700 a month, that would be impossible for an average person. Where is that Intellectually Challenged person going to end up???

This is why HB1749 H.D.1 is so important. We cannot take housing availability for granted. It is presently insufficient, We need to develop a system that can meet the housing needs of those marginalized citizens. Our government has already acknowledged the need to care for those who cannot care for themselves. Our present system is not working to meet those responsibilities. HB1749 H. D. 1 provides the opportunity to study this issue and explore ways to resolve these issues in a responsible and cost efficient manner. I highly encourage you to support this bill

Thank you,

Barbara Poole-Street

Hawaii Sen. Stanley Chang, Chair, Committee on Housing  
Hawaii Sen. Joy A. San Buenaventura, Chair, Committee on Human Services  
Members of the Senate Committees on Housing and Human Services

Thursday, March 17, 2022

Support for H.B. 1749, H.D. 1, Relating to Housing

Chairs Chang and San Buenaventura and committee members:

My name is Sandra Oshiro and I'm submitting written testimony as the mother of an adult daughter who is autistic. I coordinate a support group of about 50 Hawaii families who have young adults on the autism spectrum.

Those of us who are aging parents worry whether our sons and daughters will have a safe place to live after we pass away. Autism's lifelong impacts can range from mild to severe so many of our grown children will need some level of support services to live independently, if that is their wish.

The demand for assisted housing will only grow as the number of children diagnosed with intellectual and developmental disabilities continues to rise. The Centers for Disease Control and Prevention now estimates that one in every 44 eight-year-old in the U.S. has autism spectrum disorder.

The creation of supported housing must be accelerated if Hawaii is to meet the need that is here and rising. This need is not solely for children with autism but others in the community who face homelessness because of age, disability or circumstances that are beyond their control.

On the path to creating supportive housing, H.B. 1749, H.D. 1, takes an important step by creating a task force that would examine this pressing housing issue. We need better data, a gathering of stakeholders and a clear roadmap, all of which the legislation calls for, to implement development of homes and related supports that can sustain our vulnerable residents in the long term.

Thank you for your support of this crucial legislation.

Sincerely,  
Sandra Oshiro  
2389 Beckwith St.  
Honolulu, HI 96822  
ssoshiro@gmail.com