

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 1617
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Housing and Health and Human Services, to which was referred S.B. No. 1617 entitled:

"A BILL FOR AN ACT RELATING TO HOMELESSNESS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Public Housing Authority (HPHA), in consultation with the Department of Human Services and Department of Health, to establish and administer a Kauhale Program to provide individual or shared housing units and support services to homeless individuals and families who meet the definition of "chronically homeless";
- (2) Exempt existing low-income rental units, tiny home villages, and kauhale from certain provisions of the Hawaii Revised Statutes, consistent with the Governor's 2015 and 2018 proclamations on homelessness;
- (3) Authorize the Governor to transfer by executive order suitable land to HPHA for the construction of kauhale; and
- (4) Appropriate funds and establish positions for the Kauhale Program.



Your Committees received testimony in support of this measure from the Chief Housing Officer, Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, State Procurement Office, Hawai'i Health & Harm Reduction Center, Hawaii Substance Abuse Coalition, Malama Makua, Waianae Moku Kupuna Council, one member of the Maui County Council, and five individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Health, Department of Human Services, Office of Information Practices, and one individual.

Your Committees find that homelessness continues to be one of the State's most persistent challenges and that the creation of kauhale can provide support for homeless individuals throughout the State. Your Committees note the concerns from the Department of Land and Natural Resources (DLNR) regarding how the transfer of public lands may impede the mission of the agency that has jurisdiction over the property. However, your Committees recognize that it is the policy of the State under section 226-19(b)(1), Hawaii Revised Statutes, to effectively accommodate the housing needs of Hawaii's people and that every agency has the responsibility to do so.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that HPHA may establish a Kauhale Program to provide individual or shared housing units and support services to homeless individuals and families who are verified by government agencies or homeless services providers as homeless or at imminent risk of homelessness;
- (2) Inserting language proposed by DLNR that requires any project constructed under the Kauhale Program to comply with county floodplain management regulations;
- (3) Addressing the recommendation submitted by the Chief Housing Officer by amending language to simplify reporting requirements and delay the submission of an annual report to the Legislature beginning with the Regular Session of 2025;

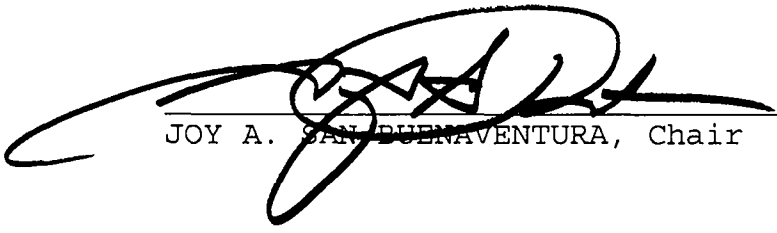


- (4) Amending the definition of "kauhale" to mean "decent, safe, and sanitary dwellings";
- (5) Requiring all low-income rental units, tiny home villages, and kauhale built pursuant to the Governor's 2015 and 2018 proclamations on homelessness to be subject to certain chapters of the Hawaii Revised Statutes, including:
 - (A) Chapter 6E, relating to historic preservation;
 - (B) Chapter 92, relating to public meetings and records;
 - (C) Chapter 103D, relating to the State Procurement Code;
 - (D) Chapter 171, relating to public lands; and
 - (E) Chapter 346, relating to the Department of Human Services;
- (6) Inserting language that establishes five various full-time equivalent (5.0 FTE) positions to help HPHA properly establish the Kauhale Program; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Housing and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1617, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1617, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Housing and
Health and Human Services,



JOY A. SAN BUENAVENTURA, Chair



STANLEY CHANG, Chair



