

STAND. COM. REP. NO.

328

Honolulu, Hawaii

Feb 18, 2009

RE: H.B. No. 1496

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1496 entitled:

"A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES,"

begs leave to report as follows:

The purpose of this bill is to direct the Department of Human Services (DHS) to grant homeless assistance to families as an allowance for nonrecurring special needs when the homelessness is a direct result of domestic violence.

The Hawaii State Coalition Against Domestic Violence and several concerned individuals testified in support of this bill. DHS testified in opposition to this measure. The State Attorney General provided comments.

Your Committee emphasizes the concerns brought forth by the State Attorney General and DHS. The State Attorney General testified that this bill should be amended to clarify the terms. The wording of the proposed section does not limit the funding of this program to the availability of federal TANF funds and as such, the State may be obligated to provide the benefits using general funds. In addition, references to "temporary" and "permanent" assistance on page 2, lines 3-4 and 14-15 are not clearly defined, which is particularly important given that TANF funds are, by definition, temporary.

HB1496 HSCR HUS HMS 2009-1841



DHS specified several concerns including:

- (1) The proposed statutory language beginning on page 2, line 3 proposes TANF payments without regard to income or eligibility testing, which does not comply with Federal TANF requirements;
- (2) The proposed statutory language does not specify the number of payments or the length of time the certification would last;
- (3) Although this measure states that this payment would be a nonrecurring special needs payment, language on page 2, lines 9-19 imply that an individual may receive this payment more than once for an ongoing situation. If such is the case, payment recipients under this measure would be subject to Federal work participation requirements as established by the Federal Deficit Reduction Act of 2005; and
- (4) Non-assistance payments must be charged to a State's current year TANF block grant allocation, meaning that should this bill pass, it will limit the funding available for services that DHS is already providing. This will adversely impact DHS's priorities set forth in the Executive Biennium Budget for Fiscal Years 2009-2010.

Your Committee notes that should the Committee on Finance hear this measure, the Attorney General's Office and DHS will work on crafting language for an HD1. In addition, the Chair of the Human Services Committee respectfully requests notification if this is the case.

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 H.B. No. 1496 and recommends that it pass Second Reading and be referred to the Committee on Finance.



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


JOHN M. MIZUNO Chair



