

STAND. COM. REP. NO.

2276

Honolulu, Hawaii

FEB 12 2010

RE: S.B. No. 2805
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 2805 entitled:

"A BILL FOR AN ACT RELATING TO CLEAN AND SOBER AND HALFWAY HOME REGULATION,"

begs leave to report as follows:

The purpose of this measure is to establish licensing requirements for all clean and sober homes and halfway houses and to have the Department of Health establish rules and oversee them.

Testimony in opposition to this measure was submitted by the Department of Health; the Hawaii Substance Abuse Coalition; Hope, Help and Healing Kauai; Hina Mauka; Ka Hale Pomaika'i; Aloha House, Inc.; Community Alliance on Prisons; Oxford House, Inc.; and one individual. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that clean and sober homes and halfway houses are an integral part to the success of those released from incarceration. Assimilating back into society after such incarceration is difficult and it is important that these individuals get support when trying to maintain sobriety. The homes are also essential to those battling substance abuse in the community and are in need of a structured living environment, but not requiring formal therapeutic living constraints. Your Committee also finds that when people have stability while maintaining sobriety, they are more likely to maintain steady, gainful employment. Jobs will also be created or maintained when

2010-1078 SSCR SMA-1.doc



these homes remain open and retain their staff, all of which assists in supporting the economy. Your Committee further finds that although the intent of the measure may be important, the measure may violate Federal anti-discrimination and housing laws, and the requirement that the homes be licensed may create further problems with discriminatory practices. Your Committee additionally finds that establishing licensing requirements may not be the most effective way to monitor these homes, and that a task force may be better suited to determine the most appropriate course of action.

Accordingly, your Committee has replaced the contents of the measure with language establishing a task force headed by the Department of Health and composed of various representatives with intimate knowledge of the inner workings of clean and sober and halfway homes.

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. 2805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2805, S.D. 1, and be referred to the Committee on Ways and Means.

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

Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB2805	Committee Referral: HMS, WAM	Date: 2/9/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
HEMMINGS, Fred				✓
TOTAL	3	0	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;"> Distribution: Original File with Committee Report </div> <div style="text-align: center;"> Yellow Clerk's Office </div> <div style="text-align: center;"> Pink Drafting Agency </div> <div style="text-align: center;"> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes