STAND. COM. REP. NO.



Honolulu, Hawaii

FEB 2 0 2009

RE: S.B. No. 921 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 921 entitled:

"A BILL FOR AN ACT RELATING TO FEDERAL FINANCIAL ASSISTANCE FOR INDEPENDENT LIVING SERVICES AND CENTERS,"

begs leave to report as follows:

The purpose of this measure is to abolish the Statewide Council on Independent Living in order to conform to federal guidelines for states to receive federal financial assistance for independent living services under title 29 United States Code section 796d.

Testimony in support of this measure was received from the Department of Human Services; the State Council on Developmental Disabilities; the Statewide Independent Living Council; and two individuals. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will bring the State into conformity with title 29 United States Code section 796d and provide for Hawaii's continued eligibility for receipt of federal financial assistance.

Federal law provides that to be eligible to receive financial assistance for services relating to individuals with significant disabilities, a state may not establish its statewide independent living council as an entity within a state agency. Section 348-9, Hawaii Revised Statues, provides that Hawaii's Statewide Council



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on Independent Living is established within the Department of Human Services. This section is nonconforming with federal law because it establishes the State's independent living council within a state agency. Your Committee therefore finds that this measure serves to ensure continued receipt of federal financial aid for independent living services by repealing section 348-9, Hawaii Revised Statutes, and allowing for the preparation of a state plan as required by federal law.

Your Committee has made technical amendments to this measure for the purposes of clarity and style.

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. 921, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 921, 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,

sanne Onun Caliland SUZANNE CHUN OAKLAND, Chair

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The Senate Twenty-Fifth Legislature State of Hawaii

Record of Votes Committee on Human Services HMS

Bill / Resolution No.:*	Committee Referral: Date:				
58921	1 HMS, WAM 2/12/09				
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C	;)	V			
IHARA, Jr., Les (VC)		V			
GREEN, M.D., Josh		V			· / .
HEMMINGS, Fred					
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Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod					
File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes