

STAND. COM. REP. NO. 700

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1014
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred S.B. No. 1014 entitled:

"A BILL FOR AN ACT RELATING TO THE HOUSELESS BILL OF RIGHTS,"
beg leave to report as follows:

The purpose and intent of this measure is to define specific rights granted to a person who is houseless, including equal access to housing, jobs, and shelters, equal treatment by government agencies, and access to life-sustaining activities and essential services.

Your Committees received testimony in support of this measure from Ho'okipa Network - Kauai, Ho'opae Pono Peace Project, National Law Center on Homelessness & Poverty, The Pacific Alliance to Stop Slavery, Waihuena Farm, WorldPeacePlan.org, IMUAlliance, and twenty-nine individuals. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that no person's rights, privileges, or access to public services should be denied solely because a person is houseless, and a houseless individual should be granted the same rights as any other person. Because houseless persons often experience discrimination based on their appearance or lack of permanent address, there is a need to protect the basic human rights of the houseless.

Your Committees have amended this measure by:



- (1) Deleting the enumerated right to manage individual personal finances notwithstanding housing status unless certain conditions exist;
- (2) Clarifying that the equal opportunity to have twenty-four-hour access to hygiene facilities and live in decent, safe, sanitary, and healthful accommodations applies to public hygiene facilities and shall not include access to environmentally sensitive areas;
- (3) Deleting the language that allows a court to award a plaintiff if a violation of any of the enumerated rights occurs and inserting language that clarifies that the rights afforded to houseless persons to ensure that their person, privacy, and property are safeguarded and protected are available only insofar as they are implemented in accordance with other state or county laws, state rules and regulations, federal law and the constitutions of the State and the United States;
- (4) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (5) 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 Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1014, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 1014, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Labor and Ways and Means,



JILL N. TOKUDA, Chair


GILBERT S.C. KEITH-AGARAN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1014</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HSH, JDL/WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/27/15</div>		
<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 <small>2312</small></div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments <small>2311</small></div> <div style="text-align: center;"><input type="checkbox"/> Hold <small>2310</small></div> <div style="text-align: center;"><input type="checkbox"/> Recommit <small>2313</small></div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
THIELEN, Laura H.			✓	
SLOM, Sam			✓	
TOTAL	4	0	2	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="text-align: right; font-family: cursive; font-size: 1.5em; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**

The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

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Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood		✓		
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil		✓		
RUDERMAN, Russell E.	✓			
SLOM, Sam			✓	
TOTAL	8	2	1	0
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="font-size: 1.5em; font-family: cursive; text-align: center;">M. N. M.</div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

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