DAVID Y. IGE GOVERNOR



HAKIM OUANSAFI EXECUTIVE DIRECTOR

STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES HAWAII PUBLIC HOUSING AUTHORITY 1002 NORTH SCHOOL STREET Honolulu, Hawaii 96817

Statement of Hakim Ouansafi Hawaii Public Housing Authority Before the

HOUSE COMMITTEE ON HOUSING

February 1, 2016 8:30 A.M. Room 329, Hawaii State Capitol

In consideration of

House Bill 1640 Relating to Homelessness

Honorable Chair Hashem and Members of the House Committee on Housing, thank you for the opportunity to provide comments regarding House Bill (HB) 1640, relating to homelessness.

With respect to Part II of H.B. 1640, the Hawaii Public Housing Authority (HPHA) <u>appreciates the intent</u> of the proposed measure, which is to encourage landlords to rent to Section 8 tenants by requiring the Department of Commerce and Consumer Affairs (DCCA) to establish a program to offer dwelling insurance policies for landlords renting to Section 8 tenants.

In fact, the HPHA currently has 167 Section 8 voucher holders searching for housing. Based on feedback from Section 8 tenants, in some cases, it can take many months to find a landlord willing to rent to a Section 8 voucher holder. The number one issue that we hear from landlords that discourages their participation in the Section 8 program is potential damages to their property by the tenant. This measure may help to address the fears of potential Section 8 landlords by providing insurance policies in case of damage by Section 8 tenants.

If this measure passes, the HPHA will be happy to work with any entity, including DCCA, to ensure its success.

The HPHA appreciates the opportunity to provide the House Committee on Housing with the HPHA's position regarding HB 1640. We thank you very much for your dedicated support in addressing the affordable housing crisis in Hawaii.

BARBARA E. ARASHIRO EXECUTIVE ASSISTANT SHAN S. TSUTSUI LIEUTENANT GOVERNOR



LEONARD HOSHIJO DEPUTY DIRECTOR

STATE OF HAWAII DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

830 PUNCHBOWL STREET, ROOM 321 HONOLULU, HAWAII 96813 www.labor.hawaii.gov Phone: (808) 586-8844 / Fax: (808) 586-9099 Email: dlir.director@hawaii.gov

January 29, 2016

- To: The Honorable Mark Hashem, Chair The Honorable Jo Jordan, Vice Chair, and Members of the House Committee on Housing
- Date: Monday, February 1, 2016
- Time: 8:30 a.m.
- Place: Conference Room 329, State Capitol
- From: Linda Chu Takayama, Director Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 1640 Relating to Homelessness

I. OVERVIEW OF PROPOSED LEGISLATION

HB 1640 proposes to address homelessness in Hawaii by (1) requiring the department to establish a stipend program for qualified individuals currently enrolled in job training programs; (2) requiring the department of commerce and consumer affairs to establish a program to offer dwelling insurance policies to landlords that rent their property to Section 8 tenants; and (3) amending Chapter 247 to add a new section on tax credit that applies to eligible first-time homebuyer.

II. CURRENT LAW

The federal Workforce Innovation and Opportunity Act (WIOA), P.L. 113-128, enacted in 2014, allows WIOA funds to be used for needs-related payments (or "stipends") to enable individuals to attend training. The department does not have state funds to pay stipends for unemployed persons attending training.

III. COMMENTS ON THE HOUSE BILL

The department participates in efforts to address the issues of homelessness in the state of Hawaii and agrees that providing stipends to unemployed individuals may encourage more to participate in job training. However, the bill does not appropriate funds and does not identify the expending agency.

With limited federal funds, stipends generally are not provided. Instead, the federal

HB1640 February 1, 2016 Page 2

funds are used for expenses such as job training, remedial education, vocational assessments, job counseling, work tools, and job placement. Without an appropriation to support the stipend program, insufficient funds are available.

About \$6 million in WIOA funds were allotted to the State for the current fiscal year for adults, dislocated workers, and youth. The State is statutorily required to pass these funds to the counties and their Local Workforce Development Boards. The Counties and their Boards are responsible to plan and implement the use of their WIOA funds.

It's unclear what the role of the department would be in establishing a stipend program and promulgating rules for the program if it is not an expending agency and funds are not available for the program. For these reasons, we request greater clarity of the department's role or deletion of section 2 of the bill.



DAVID Y. IGE GOVERNOR

SHAN S. TSUTSUI LT. GOVERNOR STATE OF HAWAII OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS 335 MERCHANT STREET, ROOM 310

P.O. Box 541 HONOLULU, HAWAII 96809 Phone Number: 586-2850 Fax Number: 586-2856 www.hawaii.gov/dcca CATHERINE P. AWAKUNI COLÓN DIRECTOR

JO ANN M. UCHIDA TAKEUCHI DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON HOUSING

TWENTY-EIGHTH LEGISLATURE Regular Session of 2016

> Monday, February 1, 2016 8:30 a.m.

TESTIMONY ON HOUSE BILL NO. 1640 – RELATING TO HOMELESSNESS.

TO THE HONORABLE MARK J. HASHEM, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department").

The Department submits the following comments pertaining solely to Part II, rental housing units.

As written, Part II directs the Department of Commerce and Consumer Affairs to establish a program that offers dwelling insurance to landlords that rent property to section 8 tenants. The establishment of such a program by the Department would be a conflict of interest as the Department regulates insurers and producers. To have the Department promote products of entities it regulates as well as compete with licensees in the selling of those same products calls into question the Department's impartiality and professionalism in regulating the business of insurance in Hawai`i.

In regards to the availability of property insurance to landlords in Hawai`i, the Department is unaware of any shortages of available products nor has it received any complaints from consumers that property insurance policies were unavailable for purchase.

We thank this Committee for the opportunity to present testimony on this matter.



TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-EIGHTH LEGISLATURE, 2016

ON THE FOLLOWING MEASURE: H.B. NO. 1640, RELATING TO HOMELESSNESS.

BEFORE THE: HOUSE COMMITTEE ON HOUSING

DATE:	Monday, February 1, 2016	TIME:	8:30 a.m.
LOCATION:	State Capitol, Room 329		
TESTIFIER(S):	Douglas S. Chin, Attorney General, or Li-Ann Yamashiro, Deputy Attorney Ge	neral	

Chair Hashem and Members of the Committee:

The Department of the Attorney General provides comments regarding legal concerns about this bill.

The purpose of this bill is to address homelessness in the State.

The title of this bill is "Relating to Homelessness," but the bill addresses multiple subjects including stipends for unemployed persons receiving training, dwelling insurance for landlords renting to section 8 tenants, and a tax credit for first-time homebuyers. These provisions are beyond the scope of the bill's title because they do not expressly pertain to homeless individuals and do not pertain to the subject of homelessness at all.

Article III, section 14, of the Hawaii State Constitution provides that "[e]ach law shall embrace but one subject, which shall be expressed in its title." Because the contacts of the bill are not within the subject expressed in its title, this bill may be challenged as being unconstitutional.

We respectfully ask the Committee to hold this bill.

SHAN TSUTSUI LT. GOVERNOR



MARIA E. ZIELINSKI DIRECTOR OF TAXATION

JOSEPH K. KIM DEPUTY DIRECTOR

STATE OF HAWAII **DEPARTMENT OF TAXATION** P.O. BOX 259 HONOLULU, HAWAII 96809 PHONE NO: (808) 587-1540 FAX NO: (808) 587-1560

To: The Honorable Mark J. Hashem, Chair and Members of the House Committee on Housing

Date:February 1, 2016Time:8:30 A.M.Place:Conference Room 329, State Capitol

From: Maria E. Zielinski, Director Department of Taxation

Re: H.B. 1640, Relating to Homelessness.

The Department of Taxation (Department) appreciates the intent of H.B. 1640 and provides the following comments regarding Part III for your consideration.

H.B. 1640 creates a tax credit for persons who convey real property to an eligible firsttime homebuyer, which is to be defined by the Department pursuant to administrative rules. The bill is effective upon approval and applies to taxable years after December 31, 2015.

First, the Department notes that the bill does not specify the type of tax that the credit will apply to. Assuming that the tax credit is meant to be a credit against conveyance tax imposed under chapter 247, Hawaii Revised Statutes (HRS), as opposed to an income tax credit, the Department suggests specifying such.

Because it is unclear whether the credit is intended to apply to the conveyance tax, income tax, or another tax, and whether the credit will be refundable or nonrefundable, the Department suggests that rather than providing a tax credit, persons who sell to first-time homebuyers are given an exemption from the conveyance tax.

The Department also notes that the actual language of the bill is inconsistent with its intent to provide a tax credit to owners of real property who convey such property to eligible first-time homebuyers; the bill language states that the tax credit is also available to a lessor, sublessor, or assignor. Because the intent of the bill is to provide a credit to owners for the sale of real property, the Department suggests that these terms be deleted. The Department also notes that the bill would provide a credit to any person conveying realty "or any interest therein," which would include any interest in real property transferred to a person as a gift.

The Department also requests that the eligibility requirements for first-time homebuyers

Department of Taxation Testimony HSG HB 1640 February 1, 2016 Page 2 of 2

be defined by the Legislature in the statute, rather than by the Department through administrative rules. "First-time homebuyer" could be defined in different ways; therefore, in order to ensure that the Legislature's intent is carried out, the Department requests that the Legislature sets forth the definition of "first-time homebuyer. The Department can then promulgate administrative rules to supplement the statute as needed.

Finally, the Department requests that the effective date be no earlier than after December 31, 2016 to provide the Department sufficient time to promulgate rules, if necessary, and amend the forms.

Thank you for the opportunity to provide comments.





February 1, 2016

The Honorable Mark. J. Hashem, Chair House Committee on Housing State Capitol, Room 329 Honolulu, Hawaii 96813

RE: H.B. 1640, Relating to Homelessness

HEARING: Monday, February 1, 2016 at 8:30 a.m.

Aloha Chair Hashem, Vice Chair Jordan, and Members of the Committee:

I am Myoung Oh, Government Affairs Director, here to testify on behalf of the Hawai'i Association of REALTORS[®] ("HAR"), the voice of real estate in Hawai'i, and its 8,800 members. HAR **supports the intent** of H.B. 1640 which:

- 1. Requires the Department of Labor and Industrial Relations to establish a stipend program for qualified individuals currently enrolled in job training programs;
- 2. Requires the Department of Commerce and Consumer Affairs to establish a program to offer insurance policies to landlords who rent to section 8 tenants; and
- 3. Establishes a tax credit for sellers who convey an interest in real property to a qualified first-time homebuyer

In November 2015, HAR worked with the State, City and County of Honolulu, and various social service providers to host a Landlord Summit. The goal was to educate landlords on the various government and social service programs that are available. Through the process, it is clear that there is a need for both affordable housing and rentals and we need to work together on creative solutions to address housing and homelessness.

As such, HAR applauds this innovative plan to offer dwelling unit protection for landlords that rent to Section 8 participants. This provides an added incentive for landlords to rent to Section 8 tenants.

Under Part III of H.B. 1640, it provides for a conveyance tax credit to sellers that sell to firsttime purchasers of real property. The conveyance tax is customarily paid for by the seller based on the type and value of the property being conveyed and if it is for an owneroccupant. HAR believes this is a unique way to encourage sellers to sell to first-time homebuyers.

Mahalo for the opportunity to testify.



HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813 Phone: (808) 489-9549 Web site: <u>http://www.hysn.org</u> E-mail: <u>info@hysn.org</u>

Rick Collins, President

Judith F. Clark, Executive Director

Big Brothers Big Sisters of

Hawaii

Bobby Benson Center

Central Oahu Youth Services Association

Child and Family Service Coalition for a Drug Free Hawaii Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii Family Support Hawaii Hale Kipa, Inc. Hale 'Opio Kauai, Inc. Hawaii Student Television

Hui Malama Learning Center

Kokua Kalihi Valley

Life Foundation

Marimed Foundation

Maui Youth and Family Services

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

Planned Parenthood of the Great Northwest and Hawaiian Islands Salvation Army Family Intervention Services Sex Abuse Treatment Center Susannah Wesley Community

Center The Catalyst Group Uhane Pohaku Na Moku O Hawai`i

Waikiki Health

To: Representative Mark Hashem, Chair, And members of the Committee on Housing

TESTIMONY IN SUPPORT OF HB 1640 RELATING TO HOMELESSNESS

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 1640 Relating to Homelessness.

While we support the full bill, our testimony will focus on the proposed stipend for unemployed persons enrolled in job training programs.

Approximately 30 -40 percent of youth who age out of foster care at age 18 become homeless before they are 21. Most lack the skills and experience to obtain jobs that pay well enough to support stable housing.

While some of these young adults are able to enroll in Imua Kakou, which provides voluntary foster care to age 21, some are not able to meet the eligibility requirements and others prefer to live independently. Even those enrolled in Imua Kakou struggle financially and those enrolled in job training programs could benefit from the stipend program.

Thank you for this opportunity to testify.

Sincerely,

January 27, 2016

Guditto F. Clark

Judith F. Clark, MPH Executive Director

LEGISLATIVE TAX BILL SERVICE

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: CONVEYANCE, Tax Credit for First-Time Homebuyers

BILL NUMBER: HB 1640

INTRODUCED BY: HB by SAY, OSHIRO

EXECUTIVE SUMMARY: As it relates to taxation, this bill provides a conveyance tax credit for a qualified first-time homebuyer without defining what that means. In addition, the proposed credit may open the door to fraudulent claims because the bureau of conveyances, where the credit claims will be filed, is not institutionally equipped to weed out or audit questionable or fraudulent claims.

BRIEF SUMMARY: This is an omnibus bill relating to homelessness. As it relates to taxation, amends HRS chapter 247 by adding a new section that establishes a tax credit of no more than \$_____ to each grantor, lessor, sublessor, assignor, transferor, seller, conveyor, or any other person conveying realty, or any interest therein, to an eligible first-time buyer. Provides that the department of taxation shall adopt rules pursuant to chapter 91 that, among other things, establish eligibility requirements for first-time homebuyers.

EFFECTIVE DATE: Taxable years beginning after December 31, 2015

STAFF COMMENTS: It appears that this measure is proposed to encourage taxpayers to sell to qualified first-time homebuyers. However, the bill provides no definition of the term and punts the matter over to the Department of Taxation for rulemaking.

Lawmakers need to remember two things. First, the tax system is the device that raises the money that they, lawmakers, like to spend. Using the tax system to shape social policy merely throws the revenue raising system out of whack, making the system less than reliable as there is no way to determine how many taxpayers will avail themselves of the credit and in what amount. The second point to remember about tax credits is that they are nothing more than the expenditure of public dollars, but out the back door. If, in fact, these dollars were subject to the appropriation process, would taxpayers be as kind about the expenditure of these funds when students are roasting in our schools, or when there isn't enough money for social service programs?

Utilizing tax credits other than to alleviate an excessive tax burden cannot be justified and is of a questionable benefit relative to the cost for all taxpayers. If lawmakers want to encourage the sale of real estate to first-time homebuyers, then a direct appropriation to subsidize that cost would be more accountable and transparent.

Furthermore, the additional credit would require changes to tax forms and instructions, reprogramming, staff training, and other costs that could be massive in amount compared to the loss in revenue from the credit. The bureau of conveyances, in addition, is not institutionally

HB 1640 Page 2

equipped to weed out or audit questionable or fraudulent claims. A direct appropriation may be a far less costly method to accomplish the same thing.

Digested 1/29/16



January 29, 2016

House Committee on Housing (HSG) Chair Mark Hashem Hawaii State Capitol 415 S. Beretania St. Honolulu, HI 96813

RE: SUPPORT FOR HB 1640 WITH AMENDMENTS

Dear Chair Hashem, Vice-Chair Jordan, & Representatives of the Committee,

My name is Adrian Tam, I am a real estate agent, and I would like to thank you for taking your time to address the serious issue of homelessness that would partially be addressed with this bill. I am writing this testimony in **full support** of the HB 1640 **with amendments**. I trust the committee with their decision on the amendments that needs to be passed to ensure that the bill is a solid bill.

Although the bill may not seem as it if is tackling the issue of homelessness, the bill does tackle the underlining issue of why people are homeless, mostly because of the lack of financial support should they enroll in government job training programs. The second issue would address the stigma that many low-income families on section 8 housing vouchers, which is that they are seen as destructive. Many landlords and property managers refuse to rent out their home to section 8 tenants, due to that sole reason. The third issue would address the difficulties of first-time buyers that are eager in purchasing their first loan, but are currently being out bid by investors and third or fourth time buyers.

The first provision of that bill is about stipends that would be offered to unemployed individuals that are enrolled in government job training programs. This provision is essential to creating a healthy learning environment for them, as it is impossible to balance the hardships of life while getting the proper job training essentials, and therefore the intent. This bill may also give thousands an incentive to enroll in government job training programs knowing that there is financial support for their basic living expense.

The second provision of that bill is about offering property damage insurance to landlords and property managers that lease out to section 8 tenants. Section 8 tenants are stuck with the stigma that they are destructive, which makes landlords and property managers less likely to rent out to them. Any property damage that is a result of section 8 has become a problem for landlords and property managers in the past. The lessor(s) often have to hire attorneys to deal with the issue, and as a result they spend hundreds of dollars out of their own pocket. By provide property damage insurance, landlords and property managers now have an incentive to lease their property out to section 8 tenants, knowing that they would be protected. The committee



should look into whether or not the state's Risk Management office that handles claims against the state would insure the lessor.

The third provision would encourage sellers of real property to sell to qualified first-time buyers. Currently first-time buyers have difficulty purchasing real property because they don't have a down payment high enough, and can only offer below or match the asking price. As a result, they are often out bid. With a tax credit, sellers of real property can benefit when they sell to first time buyers, buyers will also benefit by getting their foot into the real estate market. I would ask that the Hawaii Board of Realtors add a section into their purchasing contract that would identify whether or not the buyer is a first-time buyer.

In closing, I support the bill with amendments.

Mahalo for the opportunity to testify,

Adrian K. Tam Realtor Associate RS-77731 Central Pacific Properties Inc.

jordan3-Kevin

From:	mailinglist@capitol.hawaii.gov
Sent:	Friday, January 29, 2016 10:03 AM
To:	HSGtestimony
Cc:	mendezj@hawaii.edu
Subject:	*Submitted testimony for HB1640 on Feb 1, 2016 08:30AM*

<u>HB1640</u>

Submitted on: 1/29/2016 Testimony for HSG on Feb 1, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing	
Javier Mendez-Alvarez	Individual	Support	No	

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Dear Legislators,

I am writing in support of HB 1640. Hawaii is looking for solutions to the homeless problem. HB 1640 definitely provides some of the solutions. As a landlord who previously rent to Section 8 recipients, I understand the problem with Section 8. Many of our Section 8 recipients are with disabilities and drug problems. Section 8 promised to provide help to the landlords. But when my tenant had a mental breakdown, all they told me was that if I kicked her out of the unit, she would lose her Section 8. I spent three months to work with her family and her church to finally get her to the hospital and relocate her. I was under tremendous pressure from my condo association because my tenant was creating a lot of disturbances. We had to call the ambulance twice to take her to the hospital. And when she locked herself into the bathroom, the paramedics had to kick down the door to get her out. Insurance and her deposit could not cover all the damages she had done to the unit. But anything that can incentivize people like me who want to be part of the homeless solution will help.

Furthermore, in order to support people who are willing to work and willing to be trained for work, we need to provide them with a more comprehensive support system. People who are homeless often have children and family to support. A stipend added to their meager welfare benefits will further relieve of their burdens while they are on employment training. Therefore, I am endorsing bill HB 1640 as Hawaii is searching for more solutions in helping the homeless to recover their lives and dignities.

Respectfully

Stanley Tam

1/31/2016 The Honorable Representative Dee Morikawa, Chair and Representative Bertrand Kobayashi, Vice Chair Committee on Human Services

HB 1640 Relating to Homelessness

Dear State Legislators,

My name is Helen Choe and I am writing in support of HB 1640 which would establish a stipend program for qualified individuals currently enrolled in job training programs. I believe this stipend program for individuals who are currently enrolled in an employment training program will benefit and empower homeless individuals to seek work. Homeless individuals lack training and necessary skills to obtain employment, so this may allow them to be more proactive to seek employment, which will help them find a stable residence.

HB 1640 requires the Department of Commerce and Consumer Affairs to establish a program to offer insurance policies to landlords who rent to section 8 tenants. Passing this legislation can ease the landlords fear and hesitation to rent property to section 8 tenants. There are advantages of section 8 tenants, 1) consistent rent payment by the government, 2) targeted marketing 3) consistent tenant base and 4) pre-screened tenants. I am in support to establish a tax credit for sellers who convey an interest in real property to a qualified first-time homebuyer.

Thank you for your consideration of my viewpoint on this matter and please support HB 1640.

Sincerely,

Helen Choe MSW Candidate 2016 University of Hawai'i at Manoa Hchoe@hawaii.edu

jordan3-Kevin

From:	mailinglist@capitol.hawaii.gov
Sent:	Sunday, January 31, 2016 11:37 PM
То:	HSGtestimony
Cc:	spchang@post.harvard.edu
Subject:	Submitted testimony for HB1640 on Feb 1, 2016 08:30AM

<u>HB1640</u>

Submitted on: 1/31/2016 Testimony for HSG on Feb 1, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Stanley Chang	Individual	Support	No

Comments: Thank you for taking your time to address the serious issue of homelessness. I am writing this testimony in full support of the bill with amendments. I trust the committee with their decision on the amendments that needs to be passed to ensure that the bill is a solid bill. The bill addresses the underlining issue of why people are homeless, because of the lack of financial support should they enroll in government job training programs. The second issue would address the stigma that many low-income families on section 8 housing vouchers, which is that they are destructive. Many landlords and property managers refuse to rent out their home to section 8 tenants due to that sole reason. The third issue would address the difficulties of first-time buyers that are eager in purchasing their first loan, but are currently being out bid by investors and third or fourth time buyers. The first provision of that bill is about stipends that would be offered to unemployed individuals that are enrolled in government job training programs. This provision is essential to creating a healthy learning environment for them, as it is impossible to balance the hardships of life while getting the proper job training essentials, and therefore the intent. This bill may also give thousands an incentive to enroll in government job training programs knowing that there is financial support for their basic living expense. The second provision of that bill is about offering property damage insurance to landlords and property managers that lease out to section 8 tenants. Section 8 tenants are stuck with the stigma that they are destructive, which makes landlords and property managers less likely to rent out to them. Any property damage that is a result of section 8 has become a problem for landlords and property managers in the past. Landlords and property managers often have to hire attorneys to deal with the issue, and as a result have to spend hundreds of dollars out of their own pocket. By provide property damage insurance, landlords and pro perty managers now have an incentive to lease their property out to section 8 tenants, knowing that they would be protected. The third provision would encourage sellers of real property to sell to qualified first-time buyers. Currently first-time buyers have difficulty purchasing real property because they don't have a down payment high enough, and can only offer below or match the asking price. As a result, they are often out bid. With a tax credit, sellers of real property can benefit when they sell to first time buyers, buys will also benefit by getting their foot into the real estate market. Thank you for the opportunity to submit testimony on this important measure.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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