

STAND. COM. REP. NO.

1440

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 365
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 365, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal the exemption of the Hawaii Public Housing Authority (HPHA) from certain administrative supervision by its board of directors regarding personnel matters.

Your Committee received testimony in opposition to this measure from the Hawaii Public Housing Authority and Department of Human Services.

Your Committee finds that existing law exempts HPHA from section 26-35(a)(4), Hawaii Revised Statutes (HRS), which allows for an independent Board of Directors, where each members' vote is of equal weight. The exemption allows HPHA to bypass the Director of Human Services' approval for personnel related issues. Repealing the exemption will hold HPHA accountable to the Director of Human Services in regard to the employment, appointment, promotion, transfer, demotion, discharge, and job descriptions of all officers and employees under HPHA.



Your Committee notes the concern of HPHA of the potential damaging and unintended consequences of repealing the exemption from section 26-35(a)(4), HRS. Your Committee further notes that HPHA stated in its testimony that the exemption ensures that HPHA is compliant with all United States Department of Housing and Urban Development laws, rules, regulations, and guidance relating to public housing authorities across the nation.

Your Committee also notes the concerns from the Department of Human Services that repealing the exemption from section 26-35(a)(4), HRS, would in essence make the Director of Human Services the Chairperson of the Board of Directors of HPHA, in potential conflict with section 356D-3, HRS, which provides that the Director of Human Services, or a designated representative, shall be an ex officio voting member of the Board of Directors and that the Director of Human Services shall be ineligible to serve as Chairperson of the Board.

Your Committee has amended this measure by inserting an effective date of July 1, 2075, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 365, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 365, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

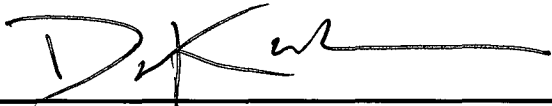
Respectfully submitted on
behalf of the members of the
Committee on Housing,


STANLEY CHANG, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

**Record of Votes
Committee on Housing
HOU**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 365, HD1	HOU, WAM	3/19/2019		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHANG, Stanley (C)	✓			
KANUHA, Dru Mamo (VC)	✓			
MORIWAKI, Sharon Y.		✓		
THIELEN, Laura H.		✓		
FEVELLA, Kurt				✓
TOTAL	2	2	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
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