

The Judiciary, State of Hawai'i

Testimony to the Thirty-First Legislature, 2022 Regular Session

House Committee on Finance
Representative Sylvia Luke, Chair
Representative Kyle T. Yamashita, Vice Chair

Tuesday, April 5, 2022, 2:30 p.m. – Agenda #2
State Capitol, Conference Room 308
VIA VIDEOCONFERENCE

WRITTEN TESTIMONY ONLY

by:

Rodney A. Maile
Administrative Director of the Courts

Bill No. and Title: Senate Bill No. 2370, S. D. 2, H.D. 1, Relating to Homelessness.

Purpose: Establishes the Office of Homelessness and Housing Solutions within the Department of Human Services to be headed by the Governor's Coordinator on Homelessness. Appropriates funds for the administration of the Office of Homelessness and Housing Solutions, including positions. Effective 7/1/2050. (HD1)

Judiciary's Position:

The Judiciary strongly supports Senate Bill No. 2370, S.D. 2, H.D. 1, in recognition of the critical need to establish a permanent office on homelessness and housing solutions, as well as providing stable funding for the office to carry out its responsibilities.

A permanent office on homelessness and housing solutions will be able to provide statewide leadership, coordination, and collaboration of all programs that have responsibilities to address homelessness and housing.

Thank you for the opportunity to provide testimony in strong support of Senate Bill No. 2370, S.D. 2, H.D. 1.

STATE OF HAWAII
OFFICE OF THE PUBLIC DEFENDER

**Testimony of the Office of the Public Defender,
State of Hawai'i to the House Finance**

April 5, 2022

S.B. No. 2370 SD2 HD1: RELATING TO HOMELESSNESS

Chair Luke, Vice Chair Yamashita, and Members of the Committees:

The Office of the Public Defender supports S.B. No. 2370 SD2 HD1, which would establish the Office of Homelessness and Housing Solutions within the Department of Human Services to be headed by the Governor's Coordinator on Homelessness.

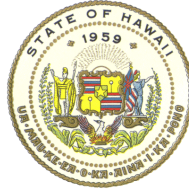
An informal working group brought together by the Honorable Sharon Y. Moriwaki and identified as the Ending Homelessness Group ("EHG"), representing twenty-plus representatives from eleven state, county, and non-profit agencies (including the Office of the Public Defender), has been meeting since June 2021 to discuss problems and difficulties in ending (or at least reducing) homelessness and in finding solutions to prevent and end homelessness. The EHG came up with many different proposals to meet gaps in housing, enforcement, and treatment/system flow. One such solution is to establish the Office of Homelessness and Housing Solutions.

The EHG recognized that a long-term solution was necessary to reduce, prevent, and end homelessness. Currently, homelessness is addressed through year-to-year funding rather than funding in the base budget. This creates uncertainty among agencies and providers with sporadic and fragmented services instead of continuous attention to getting the homeless to permanent housing.

The creation of a central agency such as the Office of Homelessness and Housing Solutions will be able to coordinate matters relating to homelessness and affordable housing between state and county agencies and private entities with the goal of preventing and ending homelessness through transitional and permanent housing and supportive and/or assisted services. The proposed executive office will also be able to work with other executive branch departments and agencies to develop and maintain multi-year strategic and tactical plans and road maps that are part of the State's overall plan for homelessness and housing. The office will also be able to develop and implement homelessness and housing strategies, including authority to obtain exemptions for homeless shelters, mental health and substance abuse treatment facilities and supportive housing projects.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE CASE
Chairperson**

**Before the House Committee on
FINANCE**

**Tuesday, April 5, 2022
2:30 PM**

State Capitol, Conference Room 308, Via Videoconference

**SENATE BILL 2370, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO HOMELESSNESS**

Senate Bill 2370, Senate Draft 2, House Draft 1 proposes to establish an Office of Homelessness and Housing Solutions (Office) and the Homelessness and Housing Solutions Special Fund and provide stable staff and funding, allowing the State to make long-term investments in strategies to reduce homelessness. **The Department of Land and Natural Resources (Department) supports the intent of this bill and offers the following comments.**

Senate Bill 2370, Senate Draft 2, House Draft 1 will stabilize funding and staffing for the overall coordination of homelessness in Hawaii. The current Governor's Office on Homelessness (Governor's Office) provides strategic guidance, oversight and coordinates homeless strategies for departments with homeless on their properties. The Department uses the services of the Governor's Office regularly. As a land management agency, the Department has no staff with expertise in addressing the many needs of homeless, including applying for documents, mental health issues, regular health issues and many more. The Governor's Office is crucial in making these connections for the homeless on Department lands.

Making the functions of this office permanent and providing funding will provide stability and continuity for the state as it continues to address the problem of homelessness.

Thank you for this opportunity to comment on this measure.

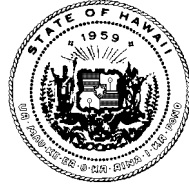
SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

April 4, 2022

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: **SB 2370 SD2 HD1 – RELATING TO HOMELESSNESS.**

Hearing: April 5, 2022, 2:30 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this measure and provides comments. The Department requests that any appropriation not reduce or replace a priority identified in the executive budget.

PURPOSE: The purpose of this measure is to establish the office on homelessness and housing solutions within the Department of Human Services to be headed by the Governor's Coordinator on Homelessness. Appropriates funds for the administration of the office on homelessness and housing solutions, including positions. Effective 7/1/2050. (HD1)

The SD1 amended the measure by:

- (1) Establishing the Office of Homelessness and Housing Solutions within the Department of Human Services rather than the Department of Budget and Finance;
- (2) Clarifying that disbursements from the Homelessness and Housing Solutions Special Fund to public and private agencies involved in homelessness and housing solutions be in accordance with chapter 103F, Hawaii Revised Statutes, rather than chapter 42F, Hawaii Revised Statutes; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

The SD2 further amended the measure by:

- (1) Clarifying that the Office on Homelessness and Housing Solutions is required to identify and address gaps in the homeless service system by, among other things, developing and implementing tax exemptions for certain facilities and projects;
- (2) Clarifying the required contents of the Governor's Coordinator on Homelessness' annual report to the Legislature;
- (3) Requiring that each state agency that administers public lands provide the Governor's Coordinator on Homelessness with an inventory identifying available vacant public lands;
- (4) Clarifying that the moneys appropriated into the homelessness and housing solutions special fund are in addition to, and do not supplant, any portion of the budget used to fund the ohana zones pilot program or housing first program;
- (5) Changing the amount appropriated into and out of the homelessness and housing solutions special fund from \$2,000,000 to an unspecified sum;
- (6) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (7) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

The Department appreciates the notes of the Senate Committee on Ways and Means in STAND. COM. REP. NO. 3031,

"that the Department of Human Services' written comments on this measure clarify a misstatement regarding the Department's testimony included in Standing Committee Report No. 2407. According to the Department, "[t]he Department's testimony did not recommend creating an administratively attached agency within the Department, as the Coordinator and the [Hawaii Interagency Council on Homelessness] are already administratively attached within the Department per section 346-381, Hawaii Revised Statutes."

The HD1 further made significant amendments by,

- (1) Placing the Office on Homelessness and Housing Solutions under Part XVIII of Chapter 346, Hawaii Revised Statutes, relating to the Hawaii Interagency Council on Homelessness;
- (2) Removing the civil service exemption for employees of the Office on Homelessness and Housing Solutions other than the Governor's Coordinator on Homelessness;
- (3) Removing the responsibility of the Office on Homelessness and Housing Solutions to develop and implement homelessness and housing strategies as specified in the measure;
- (4) Deleting the establishment of the Homelessness and Housing Solutions Special Fund;

- (5) Removing the requirement that the Governor's Coordinator on Homelessness seek matching funds from the county in which proposed capital improvements are built or created;
- (6) Authorizing, rather than requiring, each county to provide support for programs within its county;
- (7) Appropriating general funds, instead of funds from the Homelessness and Housing Solutions Special Fund, for the administration of the Office of Homelessness and Housing Solutions, which shall include full-time equivalent positions for administration of the office; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Department appreciates the HD1. The Governor's Coordinator on Homelessness is a unique position that currently has the mandate and authority to lead the Hawaii Interagency Council on Homelessness (HICH), a cross-sector, inter-government advisory council in shaping and executing the State's strategy to end homelessness. Having more resources and staff will support the Coordinator's many tasks to address the complexities of homelessness across our island State.

The Coordinator and the HICH have implemented innovative programs, supporting the continued development of the coordinated entry system, shifting to a Housing First approach, and successfully implementing the Ohana Zones pilot program projects. During the pandemic, the Coordinator and staff worked with homeless service providers, the Counties, the Judiciary, and other executive departments to address the needs of Hawaii's homeless or houseless residents. Notably, the Coordinator facilitates regular training for the community to keep abreast of the latest COVID-19 strategies. The cross-sector collaboration led by the Coordinator, the HICH, in close partnership with the Continuum of Care providers, was built and strengthened on the existing organizational and statutory structure. The Coordinator also provides a very detailed report to the Legislature as required by 346-381, HRS.

The Department has long maintained that funding for homeless services should become part of the executive's base budget instead of non-recurring year-to-year funding. If the current budget remains intact, State Fiscal Year 2023 will be the first year that homeless services funds for Family Assessment Centers (1,550,000), Housing First Program (3,750,000),

Rapid Re-Housing Program (3,750,000), and Homeless Outreach and Civil Legal Services (1,750,000), will be part of the DHS base budget per Act 8, Session Laws of Hawaii (SLH) 2021.

Along with predictable funding for services, the State and Counties need continuing investment to increase the low-income rental and permanent supportive housing inventory so residents at risk for homelessness and housing instability can live in real homes and not survive in shelters. Housing inventory for Hawaii's lowest-income residents requires public financing. If the Legislature intends that the Coordinator have more capital improvement responsibilities, the Coordinator will likely need additional professional staff who have background and experience in finance and housing development. The Department also supports Hawaii Public Housing Authority's funding requests in the executive budget to maintain and redevelop its housing inventory and properties.

The ohana zones pilot program is funded through Act 209, SLH 2018, amended by Act 128, SLH 2019. In addition to the administration measures (that were not scheduled for hearings) to extend the Ohana Zone Pilot Programs and make appropriations, SB3168, and HB2512 propose extending the Ohana Zones Pilot Program. Without the extension or additional funding, the ohana zone pilot program will sunset on June 30, 2023. The administration's appropriation request was \$15M to continue supporting existing pilot programs and fund additional innovations to address youth homelessness.

Lastly, DHS respectfully requests that any appropriation not replace or reduce a priority identified in the executive budget.

Thank you for the opportunity to provide testimony on this measure.

DAVID Y. IGE
GOVERNOR



CRAIG K. HIRAI
DIRECTOR

GLORIA CHANG
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE
P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY
TESTIMONY BY CRAIG K. HIRAI
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
SENATE BILL NO. 2370, S.D. 2, H.D. 1

April 5, 2022
2:30 p.m.
Room 308 and Videoconference

RELATING TO HOMELESSNESS

The Department of Budget and Finance (B&F) offers comments on this bill.

Senate Bill No. 2370, S.D. 2, H.D. 1, amends Chapter 346, HRS, to: 1) establish the Office on Homelessness and Housing Solutions (OHHS) within the Department of Human Services (DHS); 2) set the duties and responsibilities of OHHS; 3) designate the Governor's Coordinator on Homelessness (GCH) as the head of OHHS; 4) set additional reporting requirements for the GCH; 5) authorize the GCH to appoint OHHS staff; 6) require each State agency that administers public lands to provide the GCH with an inventory identifying available vacant public lands; and 7) add new definitions for clarity. The bill also appropriates an unspecified amount of general funds to DHS in FY 23 to cover administration costs of OHHS, including an unspecified amount of positions.

B&F notes that, with respect to the general fund appropriation in this bill, the federal Coronavirus Response and Relief Supplemental Appropriations Act requires that states receiving Elementary and Secondary School Emergency Relief (ESSER) II funds and Governor's Emergency Education Relief II funds must maintain state support for:

- Elementary and secondary education in FY 22 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

Further, the federal American Rescue Plan (ARP) Act requires that states receiving ARP ESSER funds must maintain state support for:

- Elementary and secondary education in FY 22 and FY 23 at least at the proportional level of the state's support for elementary and secondary education relative to the state's overall spending, averaged over FYs 17, 18 and 19; and
- Higher education in FY 22 and FY 23 at least at the proportional level of the state's support for higher education relative to the state's overall spending, averaged over FYs 17, 18 and 19.

The U.S. Department of Education has issued rules governing how these maintenance of effort (MOE) requirements are to be administered. B&F will be working with the money committees of the Legislature to ensure that the State of Hawai'i complies with these ESSER MOE requirements.

Thank you for your consideration of our comments.

DAVID Y. IGE
GOVERNOR



EXECUTIVE CHAMBERS
HONOLULU

April 5, 2022

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: **SB 2370 SD2 HD1 – RELATING TO HOMELESSNESS.**

Hearing: Tuesday, April 5, 2022, 2:30 p.m.
VIA VIDEO CONFERENCE
Hawaii State Capitol, Conference Room 308

POSITION: The Governor's Coordinator on Homelessness supports the intent of this bill and respectfully offers comments. The Coordinator requests that the measure's passage not replace or adversely impact priorities indicated in the executive budget.

PURPOSE: The purpose of the bill is to establish the Office of Homelessness and Housing Solutions with the Department of Human Services (DHS) to be headed by the Coordinator. The bill also appropriates funds for the administration of the office, including for positions.

The Coordinator appreciates the amendments of the House Committees on Housing and Health, Human Services, & Homelessness to amend the measure by placing the office under Part XVIII of chapter 346, HRS; appropriating general funds for the administration of the office; and including full-time equivalent positions for the administration of the office.

A long-term coordinated effort is necessary to reduce and end homelessness statewide. Over the past six and a half years, the Coordinator has chaired the Hawaii Interagency Council on Homelessness (HICH) and guided a series of policy changes that contributed to steady decreases in homelessness statewide between 2016 and 2020.

The proposed functions of the office are similar to the responsibilities of the Coordinator and the HICH and include administratively supporting the HICH and working with members to develop and maintain multi-year strategic and tactical plans. The current work of the Coordinator and HICH, as outlined in section 346-381, Hawaii Revised Statutes (HRS), are summarized in the [annual legislative report](#).¹

If this measure proceeds, the Coordinator respectfully requests that the effective date of this bill be delayed to allow time for planning and transition of current functions to the proposed office. In previous drafts, the effective date for this bill was July 1, 2022. The current Coordinator's appointment will end in December 2022. A new Coordinator will require additional time for implementation, including coordination with DHS, identifying office space, and staff appointments. Planning and preparation for establishing the new office are critical to mitigate potential conflicts with state agencies and community partners, such as the Continua of Care (CoCs).

Thank you for the opportunity to testify on this bill.

¹ Report available at: <https://homelessness.hawaii.gov/wp-content/uploads/2021/12/HICH-Report-to-2022-Legislature-FINAL.pdf>.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

STEVEN S. ALM
PROSECUTING ATTORNEY

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THOMAS J. BRADY
FIRST DEPUTY
PROSECUTING ATTORNEY



THE HONORABLE SYLVIA LUKE, CHAIR
HOUSE COMMITTEE ON FINANCE
Thirty-first State Legislature
Regular Session of 2022
State of Hawai'i

April 5, 2022

RE: S.B. 2370, S.D. 2, H.D. 1; RELATING TO HOMELESSNESS.

Chair Luke, Vice-Chair Yamashita, and members of the House Committee on Finance, the Department of the Prosecuting Attorney of the City and County of Honolulu ("Department") submits the following testimony in support of S.B. 2370, S.D.2, H.D. 1.

With 46 out of every 10,000 people in Hawai'i being reported as homeless--one of the highest rates in the nation--and 70% of our homeless individuals living in unsheltered locations, our State is clearly in a dire situation.¹ Indeed, homelessness not only presents a direct risk to the health and safety of affected individuals, it also serves as an added stressor and/or contributing factor in many crimes.

The purpose of S.B. 2370, S.D. 2, H.D. 1, is to create a central agency which will spearhead greater collaboration, coordination and the creation of effective initiatives to address homelessness. The Department strongly agrees that Hawaii would benefit from the creation of the Office on Homelessness and Housing Solutions, as its presence will be a positive step towards unifying and creating continuity among government agencies and community partners. The Department greatly appreciates the Legislature's support in providing the necessary resources and funding to pursue this rewarding endeavor.

For all of the foregoing reasons, the Department of the Prosecuting Attorney of the City and County of Honolulu supports the passage of S.B. 2370, S.D. 2, H.D. 1. Thank you for the opportunity to testify on this matter.

¹ "2020 Annual Homeless Assessment Report to Congress," U.S. Department of Housing and Urban Development (HUD), dated March 18, 2021. Available online at <https://www.huduser.gov/portal/sites/default/files/pdf/2020-AHAR-Part-1.pdf>; last accessed April 4, 2022.

PARTNERS IN CARE

Oahu's Continuum of Care

Our mission is to eliminate homelessness through open and inclusive participation and the coordination of integrated responses.

COMMENTS ON SB 2370 SD1, HD1 RELATING TO HOMELESSNESS

TO: House Committee on Finance,
FROM: Partners In Care (PIC)
Hearing: Tuesday, April 5th, 2022, 2:30 PM
Position: **COMMENTS**

Chair Luke and Members of the House Committee on Finance:

Partner In Care, Oahu's Continuum of Care, would like to make **COMMENTS** on **SB 2370 SD1/HD1 RELATING TO HOMELESSNESS**.

Partners In Care **support the intent** of this measure and has some comments:

In Hawaii, there are 2 ContinuumS of Care that (CoC) assist with the referral and disbursement of housing resources in the community. Bridging The Gap (BTG) is the CoC that helps to plan homeless services for the all islands except Oahu. Oahu's CoC is Partners In Care (PIC) The need for these resources far outweigh the availability of resources in our community. Through the Coordinated Entry System, individuals and families experiencing homelessness are placed into housing based on their disabilities and homeless status. This coordination includes federal, state and local housing resources. Over the last 2 years, during the pandemic, the CES has worked hard to make sure that all resources are being distributed appropriately with great follow through by all providers in the community. CES has helped to disburse Covid funds through the Oahu Housing Now grant and more recently the Emergency Housing Vouchers that were federally mandated to go through the CoC and CES. **PIC urges this committee to support this current work rather than creating a new system started up.** PIC invites all legislators to view the work completed by CES on our website located at www.partnersincareoahu.org.

Each CoC also has a database collecting information on all individuals and families who are experiencing homelessness. PIC is the HMIS lead for Oahu and has been working very hard to improve the HMIS system and share this crucial information across the systems. Rather than creating a new system, **I urge the House to consider a working group to assist with coordination across systems.** At this point in time, there are different definitions of homelessness and in order to improve our service system, we need to understand the issues associated with it. Along with different definitions, other barriers need to be lowered or removed to enable better coordination. We encourage Legislators to review the work already in place in the HMIS system. A better understanding of what is already in place will enable policy makers to make the best decisions possible.

The Governor's Coordinator on Homelessness has been a great partner to both CoC's for several years and we strongly **support the intent** within this measure to stabilize their staff and place these positions in a consistent budget line. There is always room for more coordination and collaboration among all providers and system resources and those with lived experience. The Coordinator from the Governors office serves a very important role in this collaboration. The Coordinator is the lead for the Hawaii Interagency Council on Homelessness and we urge support of this role to bring more coordination across the systems.

Partners In Care appreciates the opportunity to submit comments on this measure. Please do not hesitate to contact us if you have any questions.

Aloha

SB-2370-HD-1

Submitted on: 4/5/2022 11:30:41 AM

Testimony for FIN on 4/5/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark Baker	Hawaii Chapter American College Emergency Physicians	Support	Written Testimony Only

Comments:

The legislative committee of the Hawaii Chapter of the American College of Emergency Physicians sees on a daily basis the impact of homelessness on the population. We believe this bill will help mitigate the impact by coordinating efforts to decrease homelessness.

SB-2370-HD-1

Submitted on: 4/2/2022 5:56:48 PM

Testimony for FIN on 4/5/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill.

Mahalo for your consideration.

SB-2370-HD-1

Submitted on: 4/4/2022 10:18:31 AM

Testimony for FIN on 4/5/2022 2:30:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel M Mitchell	Individual	Support	Written Testimony Only

Comments:

I support SB2370 SD1 HD1

Samuel Mitchell Member Makiki NB-10