

A Bill for an Act Relating to the Hawaii Interagency Council on Homelessness.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that homelessness is a complex and multifaceted issue requiring planning, coordination, implementation, and funding across federal, state, local, business, and community lines. Locally, many government agencies, nonprofit organizations, and other private sector organizations have worked diligently and successfully to assist homeless persons. Regardless, Hawaii has experienced an increase in the number of homeless individuals and families.

According to 2007 data, Hawaii has twice as many people who are homeless per 100,000 people than the national average. The 2011 Statewide Point-in-Time Count indicated a six per cent increase in homelessness throughout the State. Further, 2010 data indicate that almost one-third of the sheltered homeless population are children; more than ten per cent are veterans; over sixty per cent have lived in Hawaii for more than ten years; almost half of the families who are homeless include someone who is employed; and almost thirty per cent are Hawaiian or part Hawaiian. This data shows that there is no single profile of a homeless person.

In January 2011, the governor pronounced the elimination of homelessness as a “moral imperative” and appointed the first governor’s coordinator on homelessness to lead the effort to prevent and eliminate homelessness in Hawaii through the use of strategic approaches, structural changes, and unprecedented collaborative and civic involvement. On March 4, 2011, the governor hosted, with the United States Department of Veterans Affairs, an interagency leadership forum on homelessness that was attended by leaders from government, business, the community, and the faith community, to advocate for the development of a collaborative strategy to end homelessness in Hawaii.

On June 22, 2010, the United States Interagency Council on Homelessness, comprised of nineteen cabinet members, agency heads, and local and state partners in the public and private sectors, released “*Opening Doors: Federal Strategic Plan to Prevent and End Homelessness*”, the nation’s first comprehensive strategic plan to prevent and end homelessness. “*Opening Doors*” identified ambitious goals of:

- (1) Finishing the job of ending chronic homelessness in five years;
- (2) Preventing and ending homelessness among veterans in five years;
- (3) Preventing and ending homelessness for families, youth, and children in ten years; and
- (4) Setting a path to ending all types of homelessness.

The governor has found it to be imperative and in the public interest to capitalize on the opportunities and momentum generated by the United States Interagency Council on Homelessness, to provide leadership for the prevention and elimination of homelessness, and to keep Hawaii at the forefront of providing care to its residents in the spirit of the Law of the Splintered Paddle (Ke Kanawai Mamalahoe), as expressed in article IX, section 10 of the Hawaii constitution.

Consequently, on July 19, 2011, Governor Neil Abercrombie, through the issuance of Executive Order No. 11-21, pursuant to the provisions of section 26-41, Hawaii Revised Statutes, temporarily established the Hawaii interagency council on homelessness.

The purpose of this Act is to establish the Hawaii interagency council on homelessness in the Hawaii Revised Statutes, which will further enhance the ability of the council to provide solutions for ending homelessness in Hawaii. By establishing the interagency council on homelessness in the Hawaii Revised Statutes, the importance of ending homelessness will be highlighted, and continuity through future administrations will be strengthened.

SECTION 2. Chapter 346, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

“PART . HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS

§346- Hawaii interagency council on homelessness; establishment. (a) There is established the Hawaii interagency council on homelessness, which shall be an advisory body exempt from section 26-34. The Hawaii interagency council on homelessness shall be established within the department of human services for administrative purposes.

(b) The Hawaii interagency council on homelessness shall:

- (1) Serve as the statewide homelessness planning and policy development entity with broad representation from state and county government and the community;
- (2) Formulate, and advise the governor on the implementation of, a unified ten-year statewide plan to address homelessness in all Hawaii counties;
- (3) Facilitate the acquisition of funding and resources for state and county homeless programs;
- (4) Recommend policy, regulatory, and statutory changes, and identify resource strategies for the successful execution of the ten-year plan;
- (5) Assemble accurate fiscal and demographic information to support policy development and track outcomes;
- (6) Consider collaborative homelessness initiatives of other states that have demonstrated positive measurable outcomes as possible models for state and local programs;
- (7) Promote systems integration of social, health, training, and housing services to reduce duplication among homeless assistance programs;
- (8) Advise on the development and implementation of a public education program on homelessness in Hawaii and disseminate information including data and best practices; and
- (9) Report annually to the governor, the legislature, and the mayor of each county on the progress of its activities, including formulation and progress of the ten-year plan no later than twenty days prior to the convening of each regular session.

(c) The ten-year statewide plan developed by the Hawaii interagency council on homelessness shall:

- (1) Assist individuals who are homeless or facing homelessness;
- (2) Prioritize the needs of the most vulnerable individuals and families;
- (3) Encourage and promote partnerships between public and private entities to identify, renovate, and secure dignified transitional and permanent housing options;
- (4) Promote development and utilization of support services, including job training, mental health, and substance abuse treatment, that will enhance the transition out of homelessness;

- (5) Increase access to public areas for all members of the community;
- (6) Support efforts to obtain accurate statistics on homeless persons; and
- (7) Activate, coordinate, and maintain responsive action among the public, business, and faith-based communities to become part of the homelessness solution strategy.

§346- Membership. (a) The Hawaii interagency council on homelessness shall be composed of the following members or the member's designee:

- (1) Governor's coordinator on homelessness, who shall serve as chair;
- (2) Director of human services;
- (3) Administrator of the homeless programs office of the department of human services;
- (4) Director of health;
- (5) Director of labor and industrial relations;
- (6) Director of public safety;
- (7) Director of business, economic development, and tourism;
- (8) Chairperson of the Hawaiian homes commission;
- (9) Adjutant general;
- (10) Chairperson of the board of trustees of the office of Hawaiian affairs;
- (11) Attorney general;
- (12) Superintendent of education;
- (13) One member of the house of representatives to be designated by the speaker of the house of representatives;
- (14) One member of the senate to be designated by the president of the senate;
- (15) The mayor of each county;
- (16) A representative of the continuum of care programs in each county, to be designated by the respective mayors;
- (17) A representative of the United States Department of Veterans Affairs who shall be requested to serve by the governor;
- (18) A representative from the Office of Community Planning and Development, United States Department of Housing and Urban Development, who shall be requested to serve by the governor;
- (19) A representative of a faith-based organization with interfaith relationships, to be designated by the governor; and
- (20) A representative of the business community, to be designated by the governor.

(b) The non-governmental members of the Hawaii interagency council on homelessness shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(c) If a Hawaii interagency council on homelessness member is unable to attend a meeting, that member may appoint a designee to attend and to act on the member's behalf during the meeting.

(d) Chapter 84 shall not apply to the members of the Hawaii interagency council on homelessness.

§346- Meetings; quorum. (a) The Hawaii interagency council on homelessness shall meet quarterly, or more frequently as it deems necessary.

(b) A majority of the members of the Hawaii interagency council on homelessness shall constitute a quorum to do business and to validate any decision or act of the council."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$25,000 or so much thereof as may be necessary for fiscal year 2012-2013 for administrative expenses of the Hawaii interagency council on homelessness.

The sum appropriated shall be expended by the department of human services for the purposes of this Act.

SECTION 4. (a) The department of human services, in conjunction with and with the advisement of the Hawaii interagency council on homelessness, shall conduct a study on designating safe facilities located at camping areas or partially open or closed buildings that provide at least clean eating areas, showers, toilets, laundry facilities, and locker rooms in various locations throughout the State for homeless persons for overnight stays. The study shall consider the following:

- (1) Establishing a minimum fee for use of the designated safe facility; provided that any fee collected shall be used to offset expenses associated with the establishment and maintenance of the designated safe facilities;
- (2) Establishing rules and a code of conduct for individuals, couples, and families for overnight stays in a designated safe facility;
- (3) Authorizing the department of human services to take appropriate action should a homeless individual, couple, or family not comply with the rules or participate in any illegal activity while in a designated safe facility;
- (4) Coordinating with state and county law enforcement officials to establish minimum security for the safety of individuals using the designated safe facilities;
- (5) Establishing partnerships between the department of human services and community and nonprofit organizations in good standing with the State to provide voluntary support services for homeless persons who use the designated safe facilities;
- (6) Allowing users of a designated safe facility to enter the facility at sundown; provided that amenities provided at the designated safe facility may be used during daylight hours;
- (7) Stipulating that persons not using the amenities be prohibited from the premises and requiring them to vacate the premises by eight in the morning to allow maintenance of the facility;
- (8) Establishing a no loitering policy for daylight hours; and
- (9) Identifying rules to be adopted pursuant to chapter 91, Hawaii Revised Statutes, necessary for the implementation of designated safe facilities.

(b) The department of human services, in conjunction with and with the advisement of the Hawaii interagency council on homelessness, shall submit a report to the legislature no later than twenty days prior to the convening of the regular session of 2013 on its findings and on the progress of the establishment of designated safe facilities in various locations throughout the State for homeless persons for overnight stays pursuant to this Act.

SECTION 5. If any provision of this Act is found to be in conflict with a federal requirement, the federal requirement shall prevail and the provision shall be deemed to be amended to conform to the federal requirement.

SECTION 6. This Act shall take effect on July 1, 2012.

(Approved June 8, 2012.)