



**GOV. MSG. NO. 1207**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 08, 2012

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 08, 2012, the following bill was signed into law:

SB2804 SD2 HD2 CD1

RELATING TO THE HAWAII INTERAGENCY  
COUNCIL ON HOMELESSNESS.

**Act 105 (12)**

*Neil Abercrombie*  
Signed by

NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor

on JUN 8 2012

THE SENATE  
TWENTY-SIXTH LEGISLATURE, 2012  
STATE OF HAWAII

ACT 205

S.B. NO. 2804  
S.D. 2  
H.D. 2  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

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

9           According to 2007 data, Hawaii has twice as many people who  
10 are homeless per 100,000 people than the national average. The  
11 2011 Statewide Point-in-Time Count indicated a six per cent  
12 increase in homelessness throughout the State. Further, 2010  
13 data indicate that almost one-third of the sheltered homeless  
14 population are children; more than ten per cent are veterans;  
15 over sixty per cent have lived in Hawaii for more than ten  
16 years; almost half of the families who are homeless include  
17 someone who is employed; and almost thirty per cent are Hawaiian



1 or part Hawaiian. This data shows that there is no single  
2 profile of a homeless person.

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

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



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

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

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

21 The purpose of this Act is to establish the Hawaii  
22 interagency council on homelessness in the Hawaii Revised



1 Statutes, which will further enhance the ability of the council  
2 to provide solutions for ending homelessness in Hawaii. By  
3 establishing the interagency council on homelessness in the  
4 Hawaii Revised Statutes, the importance of ending homelessness  
5 will be highlighted, and continuity through future  
6 administrations will be strengthened.

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

10 "PART . HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS

11 §346- Hawaii interagency council on homelessness;

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

17 (b) The Hawaii interagency council on homelessness shall:

- 18 (1) Serve as the statewide homelessness planning and  
19 policy development entity with broad representation  
20 from state and county government and the community;



- 1 (2) Formulate, and advise the governor on the  
2 implementation of, a unified ten-year statewide plan  
3 to address homelessness in all Hawaii counties;
- 4 (3) Facilitate the acquisition of funding and resources  
5 for state and county homeless programs;
- 6 (4) Recommend policy, regulatory, and statutory changes,  
7 and identify resource strategies for the successful  
8 execution of the ten-year plan;
- 9 (5) Assemble accurate fiscal and demographic information  
10 to support policy development and track outcomes;
- 11 (6) Consider collaborative homelessness initiatives of  
12 other states that have demonstrated positive  
13 measurable outcomes as possible models for state and  
14 local programs;
- 15 (7) Promote systems integration of social, health,  
16 training, and housing services to reduce duplication  
17 among homeless assistance programs;
- 18 (8) Advise on the development and implementation of a  
19 public education program on homelessness in Hawaii and  
20 disseminate information including data and best  
21 practices; and



1 (9) Report annually to the governor, the legislature, and  
2 the mayor of each county on the progress of its  
3 activities, including formulation and progress of the  
4 ten-year plan no later than twenty days prior to the  
5 convening of each regular session.

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

- 8 (1) Assist individuals who are homeless or facing  
9 homelessness;
- 10 (2) Prioritize the needs of the most vulnerable  
11 individuals and families;
- 12 (3) Encourage and promote partnerships between public and  
13 private entities to identify, renovate, and secure  
14 dignified transitional and permanent housing options;
- 15 (4) Promote development and utilization of support  
16 services, including job training, mental health, and  
17 substance abuse treatment, that will enhance the  
18 transition out of homelessness;
- 19 (5) Increase access to public areas for all members of the  
20 community;
- 21 (6) Support efforts to obtain accurate statistics on  
22 homeless persons; and



1 (7) Activate, coordinate, and maintain responsive action  
2 among the public, business, and faith-based  
3 communities to become part of the homelessness  
4 solution strategy.

5 §346- Membership. (a) The Hawaii interagency council  
6 on homelessness shall be composed of the following members or  
7 the member's designee:

- 8 (1) Governor's coordinator on homelessness, who shall  
9 serve as chair;
- 10 (2) Director of human services;
- 11 (3) Administrator of the homeless programs office of the  
12 department of human services;
- 13 (4) Director of health;
- 14 (5) Director of labor and industrial relations;
- 15 (6) Director of public safety;
- 16 (7) Director of business, economic development, and  
17 tourism;
- 18 (8) Chairperson of the Hawaiian homes commission;
- 19 (9) Adjutant general;
- 20 (10) Chairperson of the board of trustees of the office of  
21 Hawaiian affairs;
- 22 (11) Attorney general;





- 1           (12) Superintendent of education;
- 2           (13) One member of the house of representatives to be
- 3           designated by the speaker of the house of
- 4           representatives;
- 5           (14) One member of the senate to be designated by the
- 6           president of the senate;
- 7           (15) The mayor of each county;
- 8           (16) A representative of the continuum of care programs in
- 9           each county, to be designated by the respective
- 10          mayors;
- 11          (17) A representative of the United States Department of
- 12          Veterans Affairs who shall be requested to serve by
- 13          the governor;
- 14          (18) A representative from the Office of Community Planning
- 15          and Development, United States Department of Housing
- 16          and Urban Development, who shall be requested to serve
- 17          by the governor;
- 18          (19) A representative of a faith-based organization with
- 19          interfaith relationships, to be designated by the
- 20          governor; and
- 21          (20) A representative of the business community, to be
- 22          designated by the governor.



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

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

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

11 **§346- Meetings; quorum.** (a) The Hawaii interagency  
12 council on homelessness shall meet quarterly, or more frequently  
13 as it deems necessary.

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

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



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

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

- 12           (1) Establishing a minimum fee for use of the designated  
13 safe facility; provided that any fee collected shall  
14 be used to offset expenses associated with the  
15 establishment and maintenance of the designated safe  
16 facilities;
- 17           (2) Establishing rules and a code of conduct for  
18 individuals, couples, and families for overnight stays  
19 in a designated safe facility;
- 20           (3) Authorizing the department of human services to take  
21 appropriate action should a homeless individual,  
22 couple, or family not comply with the rules or



- 1           participate in any illegal activity while in a  
2           designated safe facility;
- 3           (4) Coordinating with state and county law enforcement  
4           officials to establish minimum security for the safety  
5           of individuals using the designated safe facilities;
- 6           (5) Establishing partnerships between the department of  
7           human services and community and nonprofit  
8           organizations in good standing with the State to  
9           provide voluntary support services for homeless  
10          persons who use the designated safe facilities;
- 11          (6) Allowing users of a designated safe facility to enter  
12          the facility at sundown; provided that amenities  
13          provided at the designated safe facility may be used  
14          during daylight hours;
- 15          (7) Stipulating that persons not using the amenities be  
16          prohibited from the premises and requiring them to  
17          vacate the premises by eight in the morning to allow  
18          maintenance of the facility;
- 19          (8) Establishing a no loitering policy for daylight hours;  
20          and



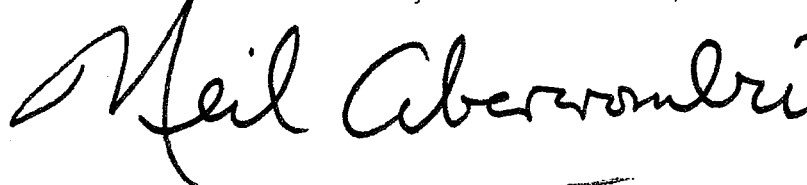
1 (9) Identifying rules to be adopted pursuant to chapter  
2 91, Hawaii Revised Statutes, necessary for the  
3 implementation of designated safe facilities.

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

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

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

APPROVED this 8 day of JUN, 2012



GOVERNOR OF THE STATE OF HAWAII