

Honolulu, Hawaii

April 26, 2007

RE: S.B. No. 1161
S.D. 1
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1161, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DOMESTIC ABUSE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to provide due process to parties in family court protective order proceedings involving alleged domestic abuse by amending section 586-10.5, Hawaii Revised Statutes, to require the Department of Human Services' report on the matter to be provided to the parties at least two days before the hearing, if possible.

Your Committee finds that reports made by the Department of Human Services to the family court should be made in writing to ensure that a written record is established.



Your Committee amended this measure to amend section 586-10.5, Hawaii Revised Statutes, to:

- (1) Delete the option that would allow the Department of Human Services to provide an oral report regarding the dispositions of referrals made to the department in cases where there are allegations of domestic abuse involving minors or incapacitated persons; and
- (2) Require the court to:
 - (A) File the report and mail a copy to the petitioner and respondent at least two working days prior to the hearing date when possible; or
 - (B) When mailing the report within the required time frame is not possible, to provide a copy to the petitioner and the respondent at the hearing.

Your Committee also amended the title of section 586-10.5, Hawaii Revised Statutes, to reflect the additional responsibilities of the court.

Finally, your Committee amended the effective date of this measure from January 1, 2112 to January 1, 2008.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1161, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1161, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

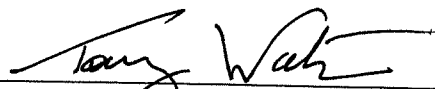
ON THE PART OF THE SENATE



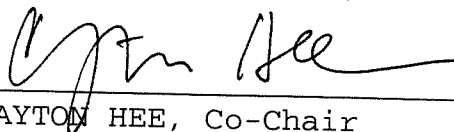
MAILE SHIMABUKURO, Co-Chair



SUZANNE CHUN OAKLAND, Chair



TOMMY WATERS, Co-Chair



CLAYTON HEE, Co-Chair



**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.:

SB 1161, SD 1, HD 1

Date/Time:

4/26/07, 6:15p.m.

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
CHUN OAKLAND, Suzanne, Chr.	✓				SHIMABUKURO, Maile S. L., Co-Chr.	✓			
HEE, Clayton, Co-Chr.	✓				WATERS, Tommy, Co-Chr.	✓			
FUKUNAGA, Carol	✓				AWANA, Karen Leinani	✓			
HEMMINGS, Fred				✓					
TOTAL	3	0	0	1	TOTAL	3	0	0	0

A = Aye

WR = Aye with Reservations

N = Nay

E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:
Suzanne Chun Oakland

House Lead Chair's or Designee's Signature:
Maile Shimabukuro

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