

Honolulu, Hawaii

April 24, 2008

RE: S.B. No. 2730
S.D. 2
H.D. 2
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
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. 2730, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PROTECTION,"

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 bill is to establish a preference for the placement of children needing child protective services.

Specifically, this bill:

- (1) Provides that a placement preference shall be given to an appropriate relative identified by the Department of Human Services (Department);
- (2) Provides that the Department and other authorized agencies shall make reasonable efforts to identify all relatives within six months of assuming foster custody of the child;



- (3) Establishes that the Department shall provide an application within fifteen days of an inquiry from a prospective relative to provide foster placement; and
- (4) Amends Hawaii Revised Statutes section 587-2, by adding new definitions for "hanai relative" and "relative".

Your Committee on Conference notes that by defining "hanai relative" as "an adult other than a blood relative who performs or has performed a substantial role in the upbringing or material support of a child", that the use of the word "substantial" was not intended to preclude consideration of qualitative factors. In this regard, your Committee on Conference does not intend to exclude prospective hanai relatives whose relationship with a child may not seem "substantial" in temporal length, but is found to be "substantial" in light of other appropriate discretionary considerations taken on a case-by-case basis, including an evident bond with the child.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2008; and
- (2) Making a technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2730, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2730, S.D. 2, H.D. 2, 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



BLAKE K. OSHIRO, Co-Chair



BRIAN T. TANIGUCHI, Co-Chair



Hawaii State Legislature
 Record of Votes of a
 Conference Committee

Bill / Concurrent Resolution No.: **SB 2730, SD 2, HD 2** Date/Time: **4/21/08 9:00a.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.	✓			
TANIGUCHI, Brian T., Co-Chr.	✓				OSHIRO, Blake K., Co-Chr.	✓			
HEMMINGS, Fred	✓				BELATTI, Della Au	✓			
					WARD, Gene, Ph.D.	✓			
TOTAL	3	0	0	0	TOTAL	4	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 S. L. Shimabukuro*

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