

Honolulu, Hawaii

FEB 16 2007

RE: S.B. No. 1443

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

Madam:

Your Committee on Human Services and Public Housing, to which was referred S.B. No. 1443 entitled:

"A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES,"

begs leave to report as follows:

The purpose of this measure is to specify that when the Family Court determines by clear and convincing evidence that a child's parents cannot, now or in the reasonable foreseeable future, provide the child with a safe family home, the Department of Human Services may submit a permanent plan with the goal of guardianship and the court may award guardianship to an appropriate entity without termination of parental rights.

The Department of Human Services; the Attorney General; EPIC, Inc.; and two individuals submitted testimony in support of this measure.

Your Committee finds that this measure will enable a Family Court Judge, after an appropriate finding, to grant legal guardianship of a minor without terminating the parents' parental rights. As noted by the Attorney General, under other areas of the law, a guardian may be appointed for a minor even if the parents' parental rights have not been terminated. This measure will make the legal guardianship determinations resulting from a proceeding pursuant to chapter 587, Hawaii Revised Statutes, consistent with all other legal guardianships of minors.

As affirmed by the record of votes of the members of your Committee on Human Services and Public Housing that is attached to



this report, your Committee is in accord with the intent and purpose of S.B. No. 1443 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services and
Public Housing,


Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Human Services and Public Housing
HSP

Bill / Resolution No.:* SB 1443	Committee Referral: HSP, JDL	Date: 2-15-07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
SAKAMOTO, Norman				✓
HEMMINGS, Fred	✓			
TOTAL	3	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes