

Honolulu, Hawaii

April 22, 2010

RE: H.B. No. 2061  
H.D. 1  
S.D. 2  
C.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2061, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CHILDREN,"

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 assist members of the United States Armed Forces, Armed Forces Reserves, and National Guard by statutorily establishing a process by which the family court can resolve matters regarding child custody and visitation for those members whose military duties require temporary absences.

Your Committee on Conference has amended this bill by extensively revising its provisions to provide, among other things:

- (1) Definitions for "deployment" and "deployed," "deploying parent" and "deployed parent," "military service," and "other parent";

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- (2) That the provisions of the new part added by this bill will only apply to actions initiated under the Annulment, Divorce, and Separation, and Uniform Parentage Act chapters of the Hawaii Revised Statutes;
- (3) That each parent must cooperate and provide necessary information, including notification of deployment at least 60 days prior to the likely start of the deployment if known, or within ten days of the deploying parent's receipt of deployment orders;
- (4) That the Family Court may expedite custody hearings involving deploying parents and may allow already-deployed parents to participate in custody hearings using specified electronic means;
- (5) That deployment or the potential for future deployment must not be the sole factor in custody awards and that if deployment or the potential for future deployment results in a modification of prior custody or visitation terms, the court must include specified conditions;
- (6) Authorization to the Family Court to include specified requirements for visitation and contact; and
- (7) That a deployed parent's contact rights may be delegated to specified individuals during the deployed parent's deployment with certain conditions.

Your Committee on Conference has also amended this bill by:

- (1) Changing the effective date to August 1, 2010; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 2061, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2061, H.D. 1, S.D. 2, C.D. 1.



Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

*Will Espero*

WILL ESPERO, Chair

*Suzanne Chun Oakland*

SUZANNE CHUN OAKLAND, Co-Chair

*Brian T. Taniguchi*

BRIAN T. TANIGUCHI, Co-Chair

*John M. Mizuno*

JOHN M. MIZUNO, Co-Chair

*Angus L.K. McKelvey*

ANGUS L.K. MCKELVEY, Co-Chair

*Tom Brower*

TOM BROWER, Co-Chair



