

Honolulu, Hawaii
FEB 12, 2010

RE: H.B. No. 2061
H.D. 1

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

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2061 entitled:

"A BILL FOR AN ACT RELATING TO CHILDREN,"

begs leave to report as follows:

The purpose of this bill is to assist parents who serve in the United States (U.S.) Armed Forces or are public officials by requiring that the Family Court not unduly consider temporary absences related to official duties when determining the best interests of the child in custody and visitation hearings.

The Department of Defense, Oahu Veterans Council, Military Officers Association of America-Hawaii Chapter, The Chamber of Commerce of Hawaii, and a concerned individual testified in support of this bill. The U.S. Department of Defense and a concerned individual supported this measure with amendments. The Judiciary provided comments.

Your Committee respectfully acknowledges the importance of the military to the economic health and well-being of the state. Military families especially contribute their resources, both financial and personal, to the betterment of the entire community.

Accordingly, your Committee has amended this bill by deleting its contents and replacing them with provisions that statutorily establishes a process by which the Family Court can resolve matters regarding custody and visitation for members of the U.S.



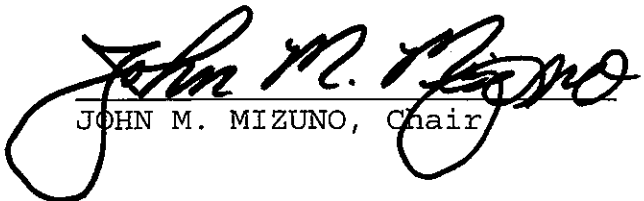
armed forces, armed forces reserves, and National Guard when the military duties of the service member require a temporary absence. This process provides, among other things:

- (1) That any modification to an existing custody or visitation order that takes place during a service member's temporary absence will be temporary;
- (2) Family Court judges the ability to expedite custody and visitation hearings under certain circumstances; and
- (3) That absent service members may use electronic means, under certain circumstances, to present testimony and evidence for custody and visitation hearings.

Your Committee has also amended this bill by changing the effective date to July 1, 2050, to encourage further discussion, and making technical, nonsubstantive amendments for clarity, style, and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2061, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


JOHN M. MIZUNO, Chair



Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 2061	Committee Referral: HUS, FIN	Date: 2/11/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	/			
2. BROWER, Tom (VC)	/			
3. BELATTI, Della Au		/		
4. BERTRAM, Joe, III				/
5. CARROLL, Mele				/
6. NISHIMOTO, Scott Y.				/
7. SHIMABUKURO, Maile S.L.	/			
8. YAMANE, Ryan I.				/
9. WARD, Gene	/			
TOTAL (9)	4	1	0	4
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature: <u>Tom Brower</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				