

STAND. COM. REP. NO.

2613

Honolulu, Hawaii

FFB 26 2010

RE: S.B. No. 2716
S.D. 2

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

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2716, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish child protective provisions in the Hawaii Revised Statutes that are consistent with federal Title IV-E provisions by replacing chapter 587, Hawaii Revised Statutes, with a new Child Protective Act, which conforms to federal Title IV-E provisions.

Written comments in support of this measure were submitted by two state agencies and one nonprofit organization. One state agency submitted comments. Written comments presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the measure as received is the product of a task force led by the Judiciary, and comprised of the Department of Human Services, parents' counsel, guardians ad litem, representatives from the Department of the Attorney General, and Family Court judges and staff, to ensure compliance of Hawaii's child protective provisions with federal Title IV-E requirements. Additionally, the measure rewrites and reorganizes chapter 587, Hawaii Revised Statutes, to make the new child protective provisions more understandable to people who practice in this area of law on a regular basis, those who may be new to this area of law, and those who may not have legal representation.



Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to ensure that the proponents of this measure continue to discuss and evaluate additional clarifying amendment proposals; and
- (2) Making technical, nonsubstantive changes for purposes of consistency, style, formatting, and clarity purposes.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2716, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2716, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

| | | | | |
|---|---|---------------------------------------|---------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 2716, SD1 | HMS, JGO | 2/23/10 | | |
| <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 type="checkbox"/> Pass, unamended 2312 | <input checked="" type="checkbox"/> Pass, with amendments 2311 | <input type="checkbox"/> Hold 2310 | | |
| <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| TANIGUCHI, Brian T. (C) | ✓ | | | |
| TAKAMINE, Dwight Y. (VC) | | | | ✓ |
| BUNDA, Robert | | | | ✓ |
| GABBARD, Mike | ✓ | | | |
| NISHIHARA, Clarence K. | ✓ | | | |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 4 | - | - | 2 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original | Yellow | Pink | Goldenrod | |
| File with Committee Report | Clerk's Office | Drafting Agency | Committee File Copy | |

*Only one measure per Record of Votes