

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 913

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred S.B. No. 913 entitled:

"A BILL FOR AN ACT RELATING TO NOTICE OF GUARDIANSHIP PROCEEDINGS,"

begs leave to report as follows:

The purpose of this measure is to amend section 560:5-113, Hawaii Revised Statutes, to provide that notice to parents shall not be required if the parents have been served in a proceeding under chapter 587, Hawaii Revised Statutes, and a permanent plan has been ordered by the Court.

Testimony in support of this measure was submitted by the Department of Human Services. Testimony in opposition was submitted by the State Judiciary and one public citizen. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that Act 106, Session Laws of Hawaii 2007, amended chapter 587, Hawaii Revised Statutes, to allow the Family Court to order legal guardianship without the termination of parental rights. A corresponding revision to section 560:5-113, Hawaii Revised Statutes, is needed to clarify that notice is not required to be served on persons who are not, and will not, be parties to the guardianship proceedings. Your Committee notes that the Judiciary has submitted testimony in opposition, and encourages the proponents of the measure to collaborate with the Judiciary to resolve differences in crafting amendments for this measure.



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 S.B. No. 913 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Government Operations.

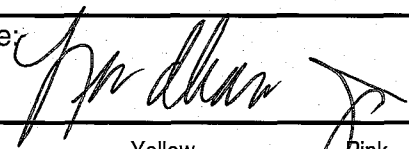
Respectfully submitted on
behalf of the members of the
Committee on Human Services,


SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 913	Committee Referral: HMS, JGO	Date: 2-17-09		
<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)	✓			
GREEN, M.D., Josh	✓			
HEMMINGS, Fred	✓			
TOTAL	4	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy				

*Only one measure per Record of Votes