

STAND. COM. REP. NO.

1214

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 909
H.D. 2
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 909, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURT,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Family Court to:

- (1) Issue financial restraining orders during proceedings for annulment, divorce, or separation; and
- (2) Consider any unauthorized dissipation of marital assets when ordering payment of attorney's fees pursuant to a child custody, support, or maintenance order.

Your Committee finds that this measure protects parties to annulment, divorce, or separation proceedings by requiring the Family Court to issue financial restraining orders under certain conditions. In addition, this measure may deter the improper dissipation of marital assets by allowing the Family Court to consider a party's misuse of assets when ordering the payment of attorney's fees.

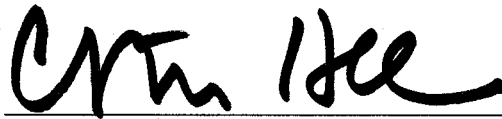
Your Committee has amended this measure by changing the effective date from July 1, 2050, to July 1, 2051, to allow for further discussion.



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As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 909, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 909, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB909, HD2, SD1	Committee Referral: HMS, JDL	Date: 4/6/11		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	5			
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