STAND. COM. REP. NO. 436

Honolulu, Hawaii **Fe 719**, 2009 RE: H.B. No. 1094 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1094 entitled:

"A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS,"

begs leave to report as follows:

The purpose of this bill is to amend the Child Protective Act by, among other things:

- (1) Adding provisions related to permanency hearings to determine permanent placement of a child; and
- (2) Allowing the court to set a case for a show cause hearing if a child's family home is determined not to be safe, even with the assistance of a service plan.

The Department of Human Services testified in support of this bill. The Judiciary opposed this measure.

Your Committee understands that the substance of this measure is necessary to receive federal funds under Title IV-E but notes that the Judiciary has raised serious concerns regarding its practicability. Furthermore, your Committee notes that the proposed new section to Chapter 587, Hawaii Revised Statutes, as currently drafted does not adequately reference other sections of that chapter relating to permanent plans and permanent plan hearings.



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Accordingly, your Committee has amended this bill by:

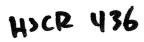
- Changing the effective date to January 1, 2046, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1094, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1094, H.D. 1.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,



State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee		Dat	, ,	2
HB 1094		JUD, F		2/13/00	1
The committee is reconsidering its pre	evious decision	on the measure.	<i>c</i>	1 -	
	s, unamended (a s short form bill		uss, with amendments		
JUD Members		Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)					
2. ITO, Ken (VC)		\checkmark			
3. BELATTI, Della Au		V			
4. CABANILLA, Rida					_
5. CARROLL, Mele					V.,
6. HERKES, Robert N.					V
7. LUKE, Sylvia		~			
8. McKELVEY, Angus L.K.		,			V
9. MIZUNO, John M.	C-Performing				
10. MORITA, Hermina M.		/			\checkmark
11. OSHIRO, Blake K.		V,			
12. SOUKI, Joseph M.		V,			
13. TSUJI, Clift		V			
14. WAKAI, Glenn					
15. MARUMOTO, Barbara C.		V,			
16. THIELEN, Cynthia		\checkmark			
<i>x</i>					
TOTAL (16)		11			5
The recommendation is: X Ad If joint	referral,	Not Adop mmittee acronym	did not supp	ort recommendation.	
Vice Chair's or designee's signature:	Ę.	JA.			
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