STAND. COM. REP. NO. 90 -10

Honolulu, Hawaii Morch 19, 2010 RE: S.B. No. 2716

> S.D. 2 H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2716, S.D. 2, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to replace current child protective statutes with a new Child Protective Act to ensure conformity with federal Title IV-E provisions.

The Department of Human Services and Blue Print for Change testified in support of this bill. The Legal Aid Society of Hawaii; National Association of Social Workers, Hawaii Chapter; and a concerned individual supported this measure with amendments. The Judiciary and a concerned individual provided comments.

Your Committee has amended this bill, <u>inter alia</u>, to clarify that the purpose of this bill is to promote and ensure that the "best interest of the child" and the child's health, welfare, and safety, are protected. These amendments relate to, <u>inter alia</u>, the purpose clause, definitions, requiring that the court require order to be made after determining that the "best interest of the child" is met and included further oversight by the court in certain stages of the protection process.



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Your Committee has also amended this bill, <u>inter</u> <u>alia</u>, by making technical, nonsubstantive amendments to comply with federal Title IV-E provisions to continue receipt of federal funding.

The amendments contained in the H.D. 2, are the result of a compilation of testimonies received during the hearing, including testimonies from the Department of Human Services, private attorneys, and child protective services.

Your Committee also understands that further work may be needed to refine the language of this bill and that these amendments may be made as this bill moves forward.

SB2716 HD2 HSCR JUD HMS 2010-2771

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 S.B. No. 2716, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2716, S.D. 2, H.D. 2.

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

JON RIKI KARAMATSU, Chair

## State of Hawaii House of Representatives The Twenty-fifth Legislature

HSUR 906-10

## Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:	Date:	alial	
5B 2716 5D2 HD1	HUS, JUD, FIN	DVD, FIN 3/18/10		
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Deass, unamended (as is) A Pass, with amendments (HD) Deast Hold				
Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KARAMATSU, Jon Riki (C)				
2. ITO, Ken (VC)				
3. BELATTI, Della Au	V			
4. CABANILLA, Rida				V
5. CARROLL, Mele				V
6. HERKES, Robert N.				
7. LUKE, Sylvia	V			
8. McKELVEY, Angus L.K.	V,	and the second state and the second state and the		
9. MIZUNO, John M.	V			
10. MORITA, Hermina M.				V
11. OSHIRO, Blake K.				V
12. SOUKI, Joseph M.				
13. TSUJI, Clift	V			
14. WAKAI, Glenn	V			
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia	V			
TOTAL (16)	12			4
The recommendation is: Adopted D Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				