STAND. COM. REP. NO. 649

Honolulu, Hawaii

March 4 2011

RE: H.B. No. 616 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 616, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this bill is to encourage the parent-child relationship by providing for parental visitation by electronic communication.

The Family Court Intervention Task Force, and several concerned individuals testified in support of this measure. Two concerned citizens opposed this bill. A concerned individual commented on this measure.

Your Committee has amended this bill by expanding the criteria by which the court shall determine whether awarding visitation by electronic communication is in the best interest of the child to include the standards, procedures, and considerations used to award custody.

Your Committee finds that allowing visitation by electronic communication raises some concerns in situations where domestic violence has been a problem, including the likelihood that an abuser could track and locate the abused party through electronic identifiers. Your Committee's amendments will allow courts to better assess and respond to such concerns. Meanwhile, the role

HB616 HD2 HSCR JUD HMS 2011-2472

of this measure in encouraging the parent-child relationship warrants further discussion.

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. 616, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 616, H.D. 2.

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

GILBERT KEITH-AGAKAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

HSCR 649

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB676,HD7 Committee Referral: HUS,JUD Date: 2/22/11				
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)				
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.				WATER
5. CARROLL, Mele				₩
6. HERKES, Robert N.				
7. ITO, Ken				
8. LUKE, Sylvia	~			
9. McKELVEY, Angus L.K.	ンソンソンソ			
10. MORITA, Hermina M.	✓			
11. OSHIRO, Blake K.	V			
12. SOUKI, Joseph M.	V_			
13. TSUJI, Clift	✓			
14. FONTAINE, George R.			_	
15. MARUMOTO, Barbara C.				
16. THIELEN, Cynthia	✓			
	1= -			=
				<u> </u>
				<u>.</u> .
TOTAL (16)	14	0	0	2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				