STAND. COM. REP. NO.

Honolulu, Hawaii April 5 , 2011

RE: H.R. No. 189

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

Sir:

Your Committee on Health, to which was referred H.R. No. 189 entitled:

"HOUSE RESOLUTION REQUESTING AN AUDIT OF CHILD CUSTODY PROCEEDINGS INVOLVING THE COMMISSION OF FAMILY VIOLENCE BY A PARENT, TO ASSESS THE APPLICATION AND ENFORCEMENT OF SECTION 571-46, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this resolution is to request the Office of the Auditor to audit a sampling of contested child custody proceedings in which family violence has been alleged to have been committed by a parent and that were heard by the Family Courts between January 1, 2004, and December 31, 2010, to assess the application and enforcement of the criteria established for the Family Courts to consider in custody or visitation disputes where domestic violence has been involved under section 571-46(a)(9)-(14), Hawaii Revised Statutes.

The Hawaii State Coalition Against Domestic Violence supported the intent of this measure. The Judiciary commented on this resolution.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 189 and recommends that it be referred to the Committee on Judiciary.

HR189 HSCR HLT HMS 2011-3553

STAND. COM. REP. NO. Page 2

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

2

RYAN I. YAMANE, Chair



HSCR 1390

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Health

| Bill/Resolution No.: HR 189 | Committee Referral: HムT, JレD, L | MG | Date: 4/1/ | 2011 |
|---|------------------------------------|----------|------------|---------|
| □ 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) | | | | |
| HLT Members | Ayes | Ayes (WI | R) Nays | Excused |
| 1. YAMANE, Ryan I. (C) | | | | |
| | | | | |
| 2. MORIKAWA, Dee (VC) | | | | |
| 3. BELATTI, Della Au | | | | |
| | | | | |
| 4. HANOHANO, Faye P. | | | | |
| 5. JORDAN, Jo | | | | |
| | | | | |
| 6. LEE, Chris | | | | |
| | | | | : |
| 7. MIZUNO, John M. | | | | |
| 8. WOOLEY, Jessica | | • - | | |
| | | | | |
| 9. CHING, Corinne W.L. | | | | |
| 10. PINE, Kymberly Marcos | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL (10) | - 9 | 7 / | | |
| The recommendation is: Adopted I 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 | | | | |