

Honolulu, Hawaii

FEB 17 2011

RE: S.B. No. 1291
S.D. 1

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

Sir:

Your Committee on Human Services, to which was referred S.B. No. 1291 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to ensure that Child Protective Act hearings under chapter 587A, Hawaii Revised Statutes, are consistent with federal Title IV-E provisions.

Your Committee received testimony in support of this measure from the Judiciary, the Department of the Attorney General, and the Department of Human Services. Your Committee received comments on this measure from one individual.

Your Committee finds that changes to the Child Protective Act, chapter 587A, Hawaii Revised Statutes, were drafted during the 2010 Regular Session by a task force convened by the Family Court. The task force included representatives from the Family Court, the Department of Human Services, the Department of the Attorney General, Legal Aid Society of Hawai'i, and individuals who practiced as attorneys representing parents and guardians ad litem for children. Your Committee further finds that the task force also worked with a representative from the National Resource Committee on Legal and Judicial Issues to ensure compliance with the Adoption and Safe Families Act and the Child Abuse Prevention and Treatment Act.



Your Committee additionally finds that after the Child Protective Act was enacted, it was discovered that some language in the Child Protective Act was unclear or inconsistent with federal requirements. Your Committee notes that this measure is necessary to clarify language in the Child Protective Act to further ensure consistency in practice and compliance with federal Title IV-E requirements.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1291, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1291, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1291</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HMS, JOL</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2-15-11</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
SLOM, Sam				✓
TOTAL	3	0	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 50px;">Dr. Diana J.</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

***Only one measure per Record of Votes**