STAND. COM. REP. NO. 1534

Honolulu, Hawaii April 7, 2011 RE: S.B. No. 921 S.D. 2 H.D. 3

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

Sir:

Your Committee on Finance, to which was referred S.B. No. 921, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose of this bill is to provide for the safety of the State's runaway or transient youth by, among other things:

- Authorizing certain child care providers to provide emergency shelter and related services to a consenting minor under certain conditions, including the minor's agreement to adhere to rules and services, and such shelter is necessary for the minor's safety and wellbeing;
- (2) Allowing a minor to consent to emergency shelter and related services if a provider has offered the shelter and services without charge, and the minor understands and meets certain conditions and an attempt has been made to contact the minor's parents;
- (3) Shielding the providers from criminal or civil liability for emergency shelter provided or related services rendered where certain precautions were taken;



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- (4) Relieving the parent, legal guardian, or legal custodian of the minor from legal and financial obligation under certain circumstances; and
- (5) Establishing certain documentation and reporting requirements for a provider.

Hawaii Youth Services Network, American Civil Liberties Union of Hawaii, and Planned Parenthood of Hawaii testified in support of this bill. A concerned individual testified in opposition to this measure. The Department of Human Services and Department of the Attorney General offered comments.

Your Committee has amended this bill by:

- Clarifying that the emergency shelter and related services shall be provided at no cost;
- (2) Specifying that consent given by a minor for the duration of the period of shelter for medical services shall be valid and binding as if the minor had reached the age of majority;
- (3) Deleting language stipulating that a minor shall be deemed to have and shall have the same legal capacity to act, and shall have the same legal obligations with regard to the giving of informed consent, as a person of full legal age and capacity;
- (4) Deleting language relieving the parent, legal guardian, or legal custodian of the minor from legal and financial obligation under certain circumstances;
- (5) Allowing for an extension of the 30-day limitation on duration of stay incorporated into the definition of "emergency shelter and related services" for emergency purposes;
- (6) Changing its effective date to July 1, 2011; and
- (7) Making technical, nonsubstantive amendments for clarity, consistency, and style.



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As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 921, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 921, S.D. 2, H.D. 3.

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

MARCUS R. OSHIRO, Chair



State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Finance

Bill/Resolution No.:Committee Referral:SB 921, SD2, HD2HUS, JUD, FIN				ate: 3/3/1	1
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)					
FIN Members		Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)		V			:
2. LEE, Marilyn B. (VC)					
3. CHONG, Pono		\checkmark			
4. CHOY, Isaac W.		V			
5. COFFMAN, Denny		V			
6. CULLEN, Ty		~			_
7. HAR, Sharon E.		\checkmark	· · · · · · · · · · · · · · · · · · ·		
8. HASHEM, Mark J.		V			
9. ICHIYAMA, Linda					
10. JORDAN, Jo					
11. LEE, Chris		V			- 14 ¹
12. MORIKAWA, Dee		V			
13. TOKIOKA, James Kunane		V			
14. YAMASHITA, Kyle T.		~			
15. MARUMOTO, Barbara C.				2 	· · .
16. RIVIERE, Gil					
17. WARD, Gene				· · ·	
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TOTAL (17)		17	0	0	0
The recommendation is: 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					