

STAND. COM. REP. NO. 2021

Honolulu, Hawaii

FEB 01 2008

RE: S.B. No. 2054
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committee on Human Services and Public Housing, to which was referred S.B. No. 2054 entitled:

"A BILL FOR AN ACT RELATING TO FAMILY COURT,"

begs leave to report as follows:

The purpose of this measure is to amend the family court best interest of the child criteria and procedures to specify what factors the court shall consider in making a custody or visitation determination concerning a minor child.

Testimony in support of this measure was submitted by the Children's Rights Council and four individuals. Testimony in opposition to one of the proposed criteria for determining the best interest of the child was submitted by three individuals. Comments were submitted by two individuals from the Hawaii State Coalition Against Domestic Violence suggesting amendments to the measure.

Your Committee finds that the testimony of certain individuals was well taken concerning one of the additional criteria for the court to consider when making a custody determination, and that each parent's "cooperation in developing and implementing a plan to meet the child's ongoing schedule, needs, and interests" should not be considered when there also has been a determination in the case that family violence has been committed by a parent.

Accordingly, your Committee has amended this measure by:

2008-0926 SSCR SMA-1.doc



- (1) Amending the above criteria by providing that each parent's cooperation shall not be considered when there also has been a determination made by the court that family violence has been committed by a parent; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Human Services and Public Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2054, 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 and
Public Housing,


SUZANNE CHUN OAKLAND, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Human Services and Public Housing
HSP

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2054	HSP, JDL	01-24-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
HOOSER, Gary L.				✓
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
TOTAL	3	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Clerk's Office	Drafting Agency		

*Only one measure per Record of Votes