

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 912  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 912, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS,"

begs leave to report as follows:

The purpose of this measure is to amend chapter 587, Hawaii Revised Statutes, relating to the Child Protective Act, to ensure compliance with federal Title IV-E permanency hearing requirements.

Chapter 587, Hawaii Revised Statutes, relating to the Child Protective Act, does not specifically address the federal requirement for permanency hearings at twelve month intervals to determine the permanency plan for a child in accordance with federal law. The Department of Human Services has been informed by the federal government that Hawaii's State Plan will not be approved and the State will be restricted from obtaining federal Title IV-E funds if the requisite statutory changes are not implemented. The Department of Human Services receives over fifty million dollars in Title IV-E federal funds for foster board, treatment, services, staffing, and administrative costs.

Your Committee notes that the Judiciary has convened a planning group to work collaboratively towards a solution. The first of several meetings was held on February 25, 2009, and other meetings are scheduled on March 2, March 5, and March 11. The group includes representatives of the Department of Human Services, Department of the Attorney General, University of Hawaii



William S. Richardson School of Law, guardians ad litem, parents' counsel, and the family court. This group has been working closely with representatives of the Federal Regional Office, Region IX, United States Department of Health and Human Services, Administration for Children and Families.

Your Committee has amended this measure by changing the effective date to July 1, 2050 to continue the discussions on this matter.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 912, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 912, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB912, SD1	HMS, JGO	3/2/09		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original      Yellow      Pink      Goldenrod File with Committee Report      Clerk's Office      Drafting Agency      Committee File Copy				

\*Only one measure per Record of Votes