

Honolulu, Hawaii

March 23, 2012

RE: S.B. No. 2318
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2318, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION,"

begs leave to report as follows:

The purpose of this measure is to adopt the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act to:

- (1) Ensure that only one state has jurisdiction at any one time in adult guardianship cases and protective proceedings;
- (2) Specify whether a court has jurisdiction to appoint a guardian or conservator for an incapacitated adult; and
- (3) Prioritize which state may proceed with a petition in an adult guardianship or protective proceeding in the case of simultaneous proceedings in more than one state.

The Executive Office on Aging; Alzheimer's Association, Aloha Chapter; and Commission to Promote Uniform Legislation supported the measure. The Judiciary offered comments on the measure.



Your Committee has amended this measure by:

- (1) Replacing its contents with H.B. No. 2193 H.D. 1, which contains virtually identical substance content; and
- (2) Making further technical amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2318, S.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2318, S.D. 1, H.D. 1.

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


GILBERT KEITH-AGARAN, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HOUR 1274-12

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB 2318 SDI	Committee Referral: HUS. JUD, FIN	Date: 3/20/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)	✓			
2. RHOADS, Karl (VC)	✓			
3. BROWER, Tom	✓			
4. CABANILLA, Rida T.R.				✓
5. CARROLL, Mele	✓			
6. COFFMAN, Denny				✓
7. HERKES, Robert N.				✓
8. ITO, Ken	✓			
9. LUKE, Sylvia	✓			
10. McKELVEY, Angus L.K.	✓			
11. SOUKI, Joseph M.	✓			
12. TSUJI, Clift	✓			
13. FONTAINE, George R.	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
TOTAL (15)	12	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ <div style="text-align: center; font-family: cursive; font-size: large;">Karl Rhoads</div>				
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