Honolulu, Hawaii

APR 0 3 2008

RE: H.B. No. 2699
      H.D. 1
      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 Judiciary and Labor, to which was referred H.B. No. 2699, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE,"

begs leave to report as follows:

The purpose of this measure is to clarify the Uniform Probate Code to:

(1)   Exempt payable-on-death accounts established at a financial institution from being payable under Hawaii's anti-lapse statute, section 560:2-706, Hawaii Revised Statutes;

(2)   Require the personal representative to furnish copies of a supplemental inventory or appraisement to interested parties who request it or who requested a copy of the original inventory;

(3)   Allow the court, for good cause shown, to waive requirements that the kokua kanawai in a guardianship proceeding interview the respondent in person and visit the respondent's present dwelling;

(4)   Permit the confidential written report of a kokua kanawai to be made available to any nominated guardian and nominated guardian's and respondent's lawyers, among other statutorily designated parties;

(5)   Allow the court, for good cause shown, to extend the
      time limit of fourteen days for the order of appointment
      of guardian and notice of the right to request
      termination or modification to be sent or delivered to
      the ward, or to otherwise modify or waive the
      requirement that the order and notice be sent or
      delivered; and

(6)   Allow the court, for good cause shown, to extend the
      time limit of fourteen days for the order of appointment
      of a conservator and statement of the right to seek
      termination or modification to be sent or delivered to
      the protected person, or to otherwise modify or waive
      the requirement that the order and statement be sent or
      delivered.

Your Committee received testimony in support of this measure
from the Standing Committee on the Uniform Probate Code and
Probate Code Practices of the Judiciary of the State of Hawaii.

Your Committee has amended this measure by changing the
effective date to July 1, 2008.

As affirmed by the record of votes of the members of your
Committee on Judiciary and Labor that is attached to this report,
your Committee is in accord with the intent and purpose of H.B.
No. 2699, H.D. 1, as amended herein, and recommends that it pass
Second Reading in the form attached hereto as H.B. No. 2699,
H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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

                              _____
                              BRIAN T. TANIGUCHI, Chair

2008-2165 SSCR SMA-1.doc

The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:
HB 2699 HD1	JDL	3-25-08

☐ The committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312	☑ Pass, with amendments 2311	☐ Hold 2310	☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5			1

Recommendation:

☑ Adopted   ☐ Not Adopted

Chair's or Designee's Signature:

*Only underline one measure per Record of Votes