

Honolulu, Hawaii

March 6, 2008

RE: H.R. No. 41
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.R. No. 41
entitled:

"HOUSE RESOLUTION RECOGNIZING AND SUPPORTING THE FUNDAMENTAL
RIGHT OF PARENTS AND GUARDIANS TO DIRECT THE EDUCATION AND
UPBRINGING OF THEIR CHILDREN,"

begs leave to report as follows:

The purpose of this resolution is to help ensure parental
rights by:

- (1) Recognizing and supporting the traditional and
constitutionally protected right of parents to make
decisions relating to the care, custody, and control of
their children; and
- (2) Acknowledging that governmental interference with
parental rights is permissible only to prevent injury or
potential injury to a child.

Several concerned individuals supported this resolution.

Your Committee has amended this resolution by:

- (1) Clarifying that government interference with the rights
of parents to raise their children is permissible only
to prevent injury or potential injury to a child if

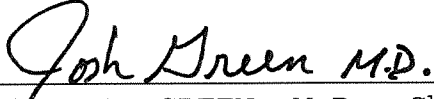


there is probable cause, and actions taken against parents are carried out according to our laws;

- (2) Establishing that children can and should be protected from abuse or neglect by the continued enforcement of time-honored constitutional principles governing the parent-child relationship; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 41, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.R. No. 41, H.D. 1.

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



JOSHUA B. GREEN, M.D., Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 1045-08

Record of Votes of the Committee on Health

Bill/Resolution No.: HR 41	Committee Referral: HLT / JUD	Date: 2-20-08		
<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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. GREEN, Josh, M.D. (C)	✓			
2. MIZUNO, John (VC)	✓			
3. AWANA, Karen Leinani	✓			
4. BELATTI, Della Au				✓
5. BERTRAM, Joe, III	✓			
6. CABANILLA, Rida T.R.				✓
7. RHOADS, Karl			✓	
8. SHIMABUKURO, Maile S. L.				✓
9. TOKIOKA, James Kunane	✓			
10. WARD, Gene, Ph.D.	✓			
TOTAL (10)	6		1	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>John M. Ward</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				