STAND. COM. REP. NO. 1046-08

Honolulu, Hawaii

Moral 6 , 2008

RE: H.C.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.C.R. No. 41 entitled:

"HOUSE CONCURRENT 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 concurrent 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 concurrent resolution.

Your Committee has amended this concurrent 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

HCR41 HD1 HSCR HLT HMS 2008-2301

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.C.R. No. 41, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.C.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

## HCCP 10410-08

## **Record of Votes of the Committee on Health**

Bill/Resolution No.:	Committee Referral:		ate:	•
HCR 41	HLT:	<b>3</b> JUD 2=20-08		
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  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)	V			
		Language Control		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
2. MIZUNO, John (VC)				
3. AWANA, Karen Leinani			10 mg	
J. AWANA, Karch Leman				
4. BELATTI, Della Au			10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
5. BERTRAM, Joe, III	V			
CAPANILLA DIL ED				
6. CABANILLA, Rida T.R.		10 - 10 - 10 - 10 - 10 - 10 - 10 - 10 -		
7. RHOADS, Karl	Assert St. St. St. St. St. St. St. St. St. St			
8. SHIMABUKURO, Maile S. L.				V
9. TOKIOKA, James Kunane				
10. WARD, Gene, Ph.D.				The state of the s
10. WARD, Gene, Fil.D.				
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TOTAL (10)	6		/	3
The recommendation is:  Adopted  If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				