

STAND. COM. REP. NO.

446

Honolulu, Hawaii

Feb 19, 2009

RE: H.B. No. 798  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committees on Human Services and Hawaiian Affairs, to which was referred H.B. No. 798 entitled:

"A BILL FOR AN ACT RELATING TO CHILDREN,"

beg leave to report as follows:

The purpose of this bill is to require the Department of Human Services (DHS) to recognize and respect Hawaiian culture and the system of hanai when adopting rules relating to foster care licensing processes.

Kokua Ohana and a concerned individual testified in support of this bill. DHS supported the intent of this measure. The Partners in Development Foundation testified in opposition to this bill.

Your Committees have amended this bill by:

- (1) Allowing DHS to consider, rather than requiring, the recognition of Hawaiian culture and hanai relationships when adopting rules relating to foster care licensing processes;
- (2) Adding definitions for "caregiver" and "safe home" to the Child Protective Act;
- (3) Adding provisions directing DHS to consider willing and able caregivers in child custody matters;

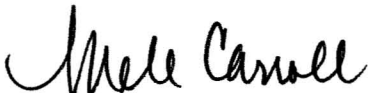
HB798 HD1 HSCR HUS-HAW HMS 2009-2286



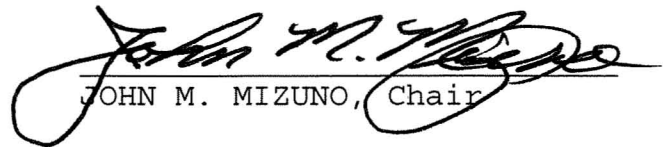
- (4) Adjusting statistics to match current figures as supplied by DHS; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 798, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 798, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on  
behalf of the members of the  
Committees on Human Services  
and Hawaiian Affairs,



MELE CARROLL, Chair



JOHN M. MIZUNO, Chair





State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

HSCR 446

**Record of Votes of the Committee on Hawaiian Affairs**

<b>Bill/Resolution No.:</b> HB 798	<b>Committee Referral:</b> HUS/HAW, FIN	<b>Date:</b> 2-11-09		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <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)				
HAW Members	Ayes	Ayes (WR)	Nays	Excused
1. CARROLL, Mele (C)	✓			
2. SHIMABUKURO, Maile S.L. (VC)	✓			
3. BELATTI, Della Au				✓
4. BERTRAM, Joe, III	✓			
5. BROWER, Tom	✓			
6. MIZUNO, John M.	✓			
7. NISHIMOTO, Scott Y.	✓			
8. YAMANE, Ryan I.	✓			
9. WARD, Gene	✓			
<b>TOTAL (9)</b>	8			1
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <span style="margin-left: 150px;">committee acronym(s)</span>				
<b>Vice Chair's or designee's signature:</b> _____ 				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				