

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:46 PM
To: JUDtestimony
Cc: debbie.shimizu@hawaii.gov
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony Civil Unions in House JUD.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Governor Neil Abercrombie
Organization: Individual
Address:
Phone:
E-mail: debbie.shimizu@hawaii.gov
Submitted on: 2/7/2011

Comments:



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

Testimony on S.B. 232 SD1 Relating to Civil Unions

Governor Neil Abercrombie

HOUSE JUDICIARY COMMITTEE

Rep. Gilbert Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

February 8, 2011

2:15 p.m. Auditorium

Chair Keith-Agaran, Vice-Chair Rhoads and members of the House Judiciary Committee:

Civil unions respect our diversity, protect people's privacy and reinforce our core values of equality and aloha.

For several years now, the State Legislature has been working hard on legislation relating to civil unions. I commend you for hearing this matter, and continue to support your efforts to protect people's civil rights as we enter into this new legislative session.

I am hopeful that the legislative process will bring us together in the spirit of openness and collaboration to develop legislation that resolves the issues and ensures that all people of Hawaii will be treated equally. I look forward to signing such a measure.

Thank you for this opportunity to provide written testimony.



OFFICE OF THE LIEUTENANT GOVERNOR
STATE OF HAWAII
STATE CAPITOL
P.O. BOX 3226
HONOLULU, HAWAII 96801
PHONE: (808) 586-0255
FAX: (808) 586-0231

House Committee on Judiciary
Tuesday, February 8, 2011
Hawaii State Capitol – Room 016

Testimony in **SUPPORT of SB 232 SD1**, Relating to Civil Unions

Dear Chair Keith-Agaran, Vice- Chair Rhoads, and Members of the Committee:

Thank you for allowing me to testify today in support of Senate Bill 232 SD1; a bill granting the same rights, responsibilities, benefits and protections currently only available to opposite gender couples.

Two years ago the legislature opened serious discussions on this issue. Since that time there has been a complete and robust debate in our community and all sides have been given the opportunity to express their views. During this time, the Iowa Supreme Court found that same gender couples should be granted equal rights under their state's law and only a month ago the Illinois Legislature extended equal rights via civil unions to same gender couples.

There is no compelling reason our state should not extend basic rights and responsibilities to everyone. I support this legislation for the thousands of couples in Hawaii and their families who want the same protections that other citizens enjoy.

Thank you for the opportunity to testify.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:41 PM
To: JUDtestimony
Cc: info@pd-hawaii.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232SD1 PDH Testimony.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Josh Frost
Organization: Progressive Democrats of Hawaii
Address: 1418 Mokuna Pl. Honolulu, HI
Phone: 371-9334
E-mail: info@pd-hawaii.com
Submitted on: 2/7/2011

Comments:



Progressive Democrats of Hawai'i

<http://pd-hawaii.com>

2457 Lamaku Pl, Honolulu, HI 96816

email: info@pd-hawaii.com

tel: 808.371-9334

Tuesday February 8, 2011

Relating to Senate Bill 232 SD1
Testifying in Strong Support
On Behalf of
Progressive Democrats of Hawai'i

Aloha Chair Keith-Agaran, Vice-Chair Rhoads, and Members of the House Judiciary Committee.

Mahalo for this opportunity to present testimony in **support of the intent of Senate Bill 232 SD1 Relating to Civil Unions**, which is identical to House Bill 444 Senate Draft 1. My name is Josh Frost and I am the Co-Chair of the Progressive Democrats of Hawai'i (PDH). As the name of our organization suggests, PDH is made up of progressive minded individuals who share, among other things, a strong belief in equal rights for everyone, regardless of age, gender, race, or sexual orientation.

Our aunts and uncles, brothers and sisters, mothers and fathers, friends and relatives are being treated as second-class citizens. They are voters. They are taxpayers. They are soldiers in our military. They are teachers and lawyers and laborers. Our government expects the same from them as it does heterosexuals.

Since this issue was resurrected in Hawai'i in 2009, there have been great victories nationwide with regard to the GLBT community. Same-sex marriage became law in Iowa, Vermont, New Hampshire and Washington D.C. Civil Unions became law in Nevada, Washington state, and Illinois. Federally, we've seen the passage of the Hate Crimes Prevention Act and the repeal of Don't Ask Don't Tell.

Given these developments, there is certainly a trend nationwide to equalize rights, responsibilities, and protections for same-sex couples and those belonging to the GLBT community. In Hawai'i, this bill is an enormous step toward equality for our friends and families.

Despite what some opponents of Civil Unions may claim, allowing same-sex couples to enter into a Civil Union is not the same as marriage, nor does this allowance in anyway infringe on the religious beliefs of any person or group. Allowing same-sex couples to enter into a Civil Union does not detract from or lessen the sanctity or significance of marriage for opposite-sex couples.

Our gay friends and family members have a harder time obtaining health and life insurance for their partners and children. They pay more in taxes than we do. If any of them choose to adopt a child, they have a much harder time going through the process, plus that child has fewer rights than a child born of, or adopted by, an opposite-sex couple.



Progressive Democrats of Hawai'i

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Simply put, this is not right. It's not fair.

I'd also like to take a moment to comment on HB1244 Relating to Solemnization. While we understand the intent of this bill, we believe it to be unnecessary and excessive. There is language which exists in HB232 SD1 which addresses the concerns raised in this bill. The language is clear in Section 4, pages 3 and 4:

Nothing in this section shall be construed to require any person authorized to perform solemnizations of marriages or civil unions to perform a solemnization of a civil union, and no such authorized person who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for the failure or refusal.

(c) Nothing in this section shall be construed to require any person authorized to perform solemnizations pursuant to chapter 572 or civil unions pursuant to this chapter to perform a solemnization of a civil union, and no such authorized person who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for the failure or refusal.

What's more, there is judicial precedent, which also address this issue. As this issue is already addressed in SB232 SD1, we request that the House Judiciary Committee hold HB1244.

Mahalo for your time and consideration.

Aloha,
Josh Frost
1418 Mokuna Pl.
Honolulu, HI 96816

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:43 AM
To: JUDtestimony
Cc: kris@uhpa.org
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: sb232sd1.PDF

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Kristeen Hanselman
Organization: University of Hawaii Professional Assembly
Address: 1017 Palm Drive Honolulu, HI
Phone: 808-593-2157
E-mail: kris@uhpa.org
Submitted on: 2/7/2011

Comments:



House Committee on Judiciary
Tuesday, February 8, 2011
2:15 p.m.

SB 232, SD 1, Relating to Civil Unions.

Dear Chairperson Keith-Agaran and Committee Members:

On behalf of the Board of Directors of the University of Hawaii Professional Assembly, we wish to support passage of SB 232, SD 1, Relating to Civil Unions. It is our belief that this legislation will advance equal rights for all individuals and their families by recognizing civil unions.

UHPA negotiates non-discrimination protections in its contract and actively does its part to ensure our citizens are afforded full access to legal rights and economic benefits. It is time for broader acceptance of equal rights for all. UHPA has supported this proposed legislation for a number of years. It is time to enact this legislation

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kristeen Hanselman'.

Kristeen Hanselman
Associate Executive Director

UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY

1017 Palm Drive • Honolulu, Hawaii 96814-1928
Telephone: (808) 593-2157 • Facsimile: (808) 593-2160
Web Page: <http://www.uhpa.org>



JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:01 AM
To: JUDtestimony
Cc: director@hawaiidemocrats.org
Subject: Testimony for HB1244 on 2/8/2011 2:15:00 PM
Attachments: CU House.dot

Testimony for JUD 2/8/2011 2:15:00 PM HB1244

Conference room: Auditorium
Testifier position: comments only
Testifier will be present: Yes
Submitted by: Debi Hartmann
Organization: Democratic Party of Hawai'i
Address: 1050 Ala Moana Blvd. Honolulu, HI
Phone: 596-2980
E-mail: director@hawaiidemocrats.org
Submitted on: 2/7/2011

Comments:

**Debi Hartmann
Executive Director
Democratic Party of Hawai'i**

**House Committee on Judiciary
February 8, 2011
2:15 PM
State Capitol Auditorium**

**HB 1244
HB1453
SB232 SD1**

Monday, February 7, 2011
State Capitol Auditorium
2:15 PM

HB 1244
HB 1453
SB 232 SD1

To: House Committee on Judiciary
Representative Keith-Agaran, Chair
Representative Karl Rhoads, Vice Chair

Testimony of: Debi Hartmann
Executive Director
Democratic Party of Hawai'i

My testimony this afternoon will address the three Bills before the Judiciary Committee today.

HB 1244 – We support the intent of the Bill but question the need. The purpose of this bill, religions protection, has always been included in a civil union bill before the legislature.

HB 1453 – We applaud the work that went into the preparation of this bill – especially the opportunity to view all sections of HRS that are impacted by inserting a new section entitled, “Civil Union. There are strengths in the sections after section “A” such as what happens when the union is terminated, a partner is sick/hospitalized, or death occurs. Section A language is lacking regarding the rights, obligations, and protection of those who can enter into a civil union.

SB232 SD1 – This bill is a replica of a prior civil union bill. We testified during that bills process, as did others, that there were areas in the bill that needed to be strengthened. I do not wish to take time going into great detail; page-by-page or line-by-line of the areas we previously were concerned about. We would rather like to make the following recommendation.

We are requesting the Judiciary Committee consider the language of SB 231. The language in SB 231 best meets the changes we and others previously requested. Either HB1453 or SB232 SD1 could be used as the vehicle.

Again we respectfully request you use the language from SB 231 as it meets the requirements of equality and protection for not just the couple involved but also the entire family.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:00 PM
To: JUDtestimony
Cc: lt@acluhawaii.org
Subject: Testimony for HB1453 on 2/8/2011 2:15:00 PM
Attachments: 2.8.11 Civil Unions.pdf

Testimony for JUD 2/8/2011 2:15:00 PM HB1453

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Laurie Temple
Organization: ACLU of Hawaii
Address:
Phone:
E-mail: lt@acluhawaii.org
Submitted on: 2/7/2011

Comments:



Committee: Committee on Judiciary
Hearing Date/Time: Tuesday, February 8, 2011, 2:15 p.m.
Place: Auditorium
Re: Testimony of the ACLU of Hawaii in Support of H.B. 1453,
Relating to Legal Relationships

Dear Chair Keith-Agaran and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.B. 1453 because it represents a substantial step forward toward ensuring that same-sex couples are afforded equal treatment under the law.

- **Civil Unions are an important step towards marriage equality**

The ACLU of Hawaii commends those members of this Committee, who, by supporting this bill, recognize that it is just and appropriate to extend more protections to same-sex couples than those currently provided under Hawaii law. H.B. 1453 will further extend rights same-sex couples in several significant ways. To identify a few, current Hawaii law does not permit same-sex couples to adopt jointly a child in a single court proceeding. Current law also fails to protect members of a same-sex couple in the event the couple chooses to separate — there are no provisions in the law for judicial dissolution of the relationship or for support of a former partner. Additionally, adopting this law would provide a vehicle for private employers to offer health benefits to same-sex couples.

The ACLU of Hawaii strongly supports the current bill; however, we want to be clear that our ultimate goal is to obtain full marriage equality for same-sex couples. Marriage is a unique legal status that is conferred and recognized by governments all over the world. Marriage brings with it a multitude of reciprocal obligations, rights, responsibilities and protections. In addition, marriage is a cultural institution, one that conveys to all the level of love and commitment between two people. Civil unions are not, and cannot be, the same as marriage because they create a separate institution for same-sex couples. As history has taught us, separate is never truly equal. Thus, the ACLU of Hawaii will continue to press the Legislature for full marriage equality in the future.

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522-5900
F: 808.522-5909
E: office@acluhawaii.org
www.acluhawaii.org

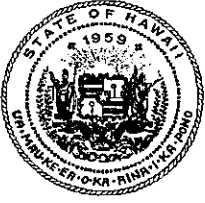
Chair Keith-Agaran, Committee on Judiciary
and Members Thereof
February 8, 2011
Page 2 of 2

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,
Laurie A. Temple
Staff Attorney
ACLU of Hawaii

American Civil Liberties Union of Hawaii
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HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 8, 2011
State Capitol Auditorium
2:15 p.m.

To: The Honorable Gilbert Keith-Agaran, Chair
Members of the House Committee on Judiciary

From: Coral Wong Pietsch, Chair
and Commissioners of the Hawai'i Civil Rights Commission

Re: S.B. No. 232, S.D. 1

The Hawai'i Civil Rights Commission (HCRC) has enforcement jurisdiction over state laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai'i constitutional mandate that "no person shall be discriminated against in the exercise of their civil rights because of race, religion, sex or ancestry". Art. I, Sec. 5.

The HCRC supports S.B. No. 232, S.D. 1 which establishes the statutory legal relationship of "civil union," conferring on those who enter into a civil union the statutory rights, benefits, and obligations attached to those who enter a marriage, as defined by HRS chapter 572. The proposed legislation will have profound, but not exclusive, impact on same-sex couples who are not allowed to marry under Hawai'i law.

Background

To our credit and consternation, Hawai'i is the first state to have seriously considered the issue of same-sex marriage, and more specifically, the denial of rights to same-sex couples that are recognized by law for married couples.

In *Baehr v. Lewin*, 74 Hawai'i 530 (1993), the Hawai'i Supreme Court held that denial of the benefits accorded to married couples to same-sex couples, who could not obtain a license to marry, was sex-based

discrimination in violation of constitutional guarantee of equal protection, absent the showing of a compelling state interest.

In reaction to the *Baehr* decision, the legislature enacted Act 217, Session Laws of 1994, which redefined marriage as being between a man and a woman. By Act 5, Session Laws of 1995, the legislature established the Commission on Sexual Orientation and the Law (Commission). The Commission was charged, in large part, with examining major legal and economic benefits extended to married opposite-sex couples but not to same-sex couples. On December 8, 1995, the Commission submitted its report to the legislature, identifying four hundred Hawai'i laws that bestow intangible, substantive, or general benefits on persons who are married, all of which are denied to same-sex couples who are statutorily barred from marriage.

In 1998, the State Constitution was amended to expressly empower the legislature to reserve marriage to opposite-sex couples. Art. I, Sec. 23.

HCRC support for S.B. No. 232, S.D. 1

S.B. No. 232, S.D. 1 establishes the legal relationship of "civil union" and provides couples in civil unions the same rights, benefits and obligations conferred on married couples, by applying all references to "marriage" in the H.R.S. to "civil unions."

While the legislature and the people of Hawai'i have acted to define marriage as being between a man and a woman, there remains a litany of rights and benefits identified by the 1995 Commission which are denied to same-sex couples. If not addressed legislatively, each of these can, and likely will be, the subject of litigation, each representing a precious right for an unpopular minority.

More importantly, the state has a fundamental interest in civil rights, non-discrimination, and equality. Article I, Section 5 of the State Constitution mandates that "no person shall be discriminated against in the exercise of their civil rights because of their race, religion, sex, or ancestry." Consistent with this historical commitment, Hawai'i has expanded its civil rights laws to protect against many forms of invidious discrimination.

The legislature captured the spirit of this law and policy in the HCRC's enabling statute, stating:

The legislature finds and declares that the practice of discrimination because of race, color, religion, age, sex, sexual orientation, marital status, national origin, ancestry, or disability in employment, housing, public accommodations, or access to services receiving state financial assistance is against public policy. HRS §368-1.

The legislature has extended protections against discrimination on the basis of sexual orientation to the fair employment, housing, and public accommodations civil rights laws that the HCRC enforces.

Enactment of S.B. No. 232, S.D.1 would extend current protections against marital status discrimination to include civil union status. The HCRC supports the establishment of the statutory legal relationship of civil union, and the application of statutory references to "marriage" equally to "civil unions."

Suggestion for amendment based on constitutional concern

The HCRC has a specific concern and recommendation regarding the exemption provided under §4(b) and (c) of the new civil unions chapter as proposed in S.B. No. 232, S.D.1 which expressly allows judges and clergy who are authorized to perform solemnization of marriages under §§ 572-11 and 572-12 to refuse to perform solemnizations of a civil union.

The HCRC supports the proposed exemption only for clergy, based on First Amendment religious freedom rights and similar to other religious exemptions, but recommends that the exemption not be extended to judges. The basis for the HCRC concern and recommendation is that judges' authorization to perform marriages stems from their state office, and they should not be allowed to discriminate – whether on the basis of race, sexual orientation, religion, or any other invidious or unlawful basis. An exemption allowing such discrimination could be the basis for an equal protection challenge. In addition, the Hawai'i Revised Code of Judicial Conduct, Rule 2.3, prohibits judges from manifesting by words or conduct a bias or prejudice based upon race, sex, gender, religion, national origin, ethnicity, disability, age, *sexual orientation*, marital status, socioeconomic status, or political affiliation.

Judges who perform solemnizations of marriages and civil unions can continue to choose to perform or not to perform such solemnization ceremonies for non-discriminatory reasons. For example, under current law, it is not uncommon for judges to perform marriages only on a limited basis, for family or friends, or only on specific days. They can decline a request to perform a marriage because they are too busy

– but it no judge should be allowed to refuse to perform marriages on the basis or race or other invidious discriminatory basis. And, of course, judges can choose not to perform any marriage or civil union solemnizations at all.

For the foregoing reasons, to avoid constitutional infirmity and codification of an exemption allowing judges to engage in discrimination, the HCRC recommends that any new civil unions bill allow an exemption for clergy as provided in S.B. No. 232, S.D.1, but that no similar exemption be allowed for judges.

Suggested draft language for an amended H.D.1 is attached.

Conclusion

The HCRC supports S.B. No. 232, S.D.1 with the proposed amendments and urges your favorable consideration.

ATTACHMENT

Suggested draft language for § -4(b) and (c) of the new civil unions chapter as proposed in SB 232, SD1:

§ -4 **Solemnization; license to perform; refusal to join persons in a civil union.** (a) A civil union shall become valid only upon completion of a solemnization by a person licensed in accordance with this section.

(b) Any judge or retired judge, including a federal judge or judge of another state who may legally join persons in chapter 572 or a civil union, may solemnize a civil union. Any ordained or licensed member of the clergy may solemnize a civil union. Solemnization may be entirely secular or may be performed according to the forms and usages of any religious denomination in this state. ~~[Nothing in this section shall be construed to require any person authorized to perform solemnizations of marriages or civil unions to perform a solemnization of a civil union, and no such authorized person who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for such failure or refusal.]~~

(c) Nothing in this section shall be construed to require any ~~[person]~~ ordained or licensed member of the clergy authorized to perform solemnizations of chapter 572 or civil unions to perform a solemnization of a civil union, and no such ~~[authorized person]~~ ordained or licensed member of the clergy who fails or refuses for any reason to join persons in a civil

union shall be subject to any fine or other penalty for such failure or refusal.

(d) No agent may solemnize a civil union; nor may any assistant or deputy of the agent solemnize a civil union.

(e) No person shall perform solemnization of a civil union without first having obtained a license from the department of health. The department of health shall issue licenses to solemnize civil unions in the same manner as it issues licenses pursuant to chapter 572. The department of health may revoke or suspend a license to solemnize civil unions. Any penalties or fines that may be levied or assessed by the department of health for violation of chapter 572 shall apply equally to a person licensed to solemnize civil unions.

ATTACHMENT

HCRC Suggested draft language § -4(b) and (c) of the new civil unions chapter as proposed in SB 232:

§ -4 **Solemnization; license to perform; refusal to join persons in a civil union.** (a) A civil union shall become valid only upon completion of a solemnization by a person licensed in accordance with this section.

(b) Any judge or retired judge, including a federal judge or judge of another state who may legally join persons in chapter 572 or a civil union, may solemnize a civil union. Any ordained or licensed member of the clergy may solemnize a civil union. Solemnization may be entirely secular or may be performed according to the forms and usages of any religious denomination in this state. ~~[Nothing in this section shall be construed to require any person authorized to perform solemnizations of marriages or civil unions to perform a solemnization of a civil union, and no such authorized person who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for such failure or refusal.]~~

(c) Nothing in this section shall be construed to require any ~~[person]~~ ordained or licensed member of the clergy authorized to perform solemnizations of chapter 572 or civil unions to perform a solemnization of a civil union, and no such ~~[authorized person]~~ ordained or licensed member of the clergy who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for such

failure or refusal.

(d) No agent may solemnize a civil union; nor may any assistant or deputy of the agent solemnize a civil union.

(e) No person shall perform solemnization of a civil union without first having obtained a license from the department of health. The department of health shall issue licenses to solemnize civil unions in the same manner as it issues licenses pursuant to chapter 572. The department of health may revoke or suspend a license to solemnize civil unions. Any penalties or fines that may be levied or assessed by the department of health for violation of chapter 572 shall apply equally to a person licensed to solemnize civil unions.

ATTN: **Committee on Judiciary**

Rep. Gil Keith-Agaran, Chair

~~Rep. Tom~~ Brower

Rep. Robert Herkes

Rep. Angus McKelvey

Rep. Clift Tsuji

Rep. Karl Rhoads, Vice Chair

. Rida Cabanilla

. Ken Ito

. Hermina Morita

. George Fontaine

Rep. Blake Oshiro

Rep. Mele Carroll

Rep Sylvia Luke

Rep. Joseph Souki

Rep. Barbara Marumoto

Rep. Cynthia Thielen

HEARING DATE: February 8, 2011

HEARING TIME: 2:15 p.m.

PLACE: Auditorium

IN SUPPORT OF SB232 SD1 - RELATING TO CIVIL UNIONS

Dear Chair Keith Agaran and members of the Judiciary Committee:

The Gay Lesbian Bisexual and Transgender Caucus supports the passage of SB232 SD1. Members of the Democratic Party of Hawaii have been submitting civil unions bills for the last decade. SB232 SD1 is essentially identical to HB444 SD1, which passed both Houses last year. The only substantive difference between SB232 and HB444 SD1 is a change in the effective date.

HB444 was heard on its merits exhaustively in 2009 in a 4-hour House hearing and an 18-hour Senate hearing. SB232 was heard on its merits in 2010, with every proponent and opponent in attendance was given a 90-second opportunity to testify. The only substantive difference between HB444 heard by the House Judiciary committee in 2009 and SB232 SD1 is a change in the eligibility requirements; SD232 SD1 allows all couples, both same-sex and opposite-sex, to apply for a civil unions license. This change to civil unions was considered and passed by the House on or about April 29, 2010. On July 7, 2010, Governor Lingle vetoed the bill.

Candidate Neil Abercrombie said repeatedly and unequivocally during his campaign that he would have signed HB444 SD1. He won convincingly in both the primary and general elections against opponents who were equally clear that they would have vetoed the bill. Governor Abercrombie swept all but four districts in the primary election and all but one district in the general election. The voters clearly resonated with the Governor's theme that our diversity defines us: it does not divide us.

In the last 4 years we have made enormous strides toward enacting this bill. In 2007 the civil unions bill was heard in the House, tabled in committee, and not heard in the Senate. In 2009 the bill passed the House and was heard in the Senate. In 2010 the bill passed both Houses and was vetoed by Governor Lingle. It's time for the bill go all the way to enactment.

There are two minor amendments that I would suggest for clarity, which are attached. However, it is far more important to the Caucus that the civil unions bill be passed. We do not want perfection to be an obstacle to tremendous progress.

Perhaps it is because the Super Bowl was just played that I feel a football analogy is appropriate. I feel that we left last session first down and twenty yards to go; the election put moved the ball to first down and goal to go. The two plays have been made in the Senate, moving the ball to within inches of the goal line. In the remaining two plays I feel we must focus on getting the bill into the equality end zone. This is not the time to drop back for a 402-page equivalent of a "Hail Mary" pass and risk getting sacked or intercepted.

Please pass SB232 SD1 (with or without minor amendments based on what the committee deems politically is feasible).

Very truly yours,

Jo-Ann M. Adams, Chair

Suggested Amendments:

1. Amend the eligibility requirements to fold in the current paragraph entitled "civil unions void; when" into the other eligibility requirements. Rationale: It is better to prevent people who are ineligible through relationship from entering into a civil union rather than declaring the union void after formation.

(3) Not related to the other proposed partner in the civil union, as follows~~provided in section~~—3.

~~§ 3 Civil unions void; when. A civil union shall be void between the following persons:~~

parent and child, grandparent and grandchild, two siblings, aunt and nephew, aunt and niece, uncle and nephew, uncle and niece, and persons who stand in relation to each other as ancestor and descendant of any degree whatsoever.

2. Amend the eligibility requirements to allow a seamless transition for those wanting to convert the reciprocal beneficiary relationship into a civil unions. Rationale: There will be couples currently in a reciprocal beneficiary relationship who will want to convert to a civil unions. Under SB232 SD1 a person cannot be a partner to a reciprocal beneficiary (RB) relationship when they apply for a civil unions license. By requiring that a couple terminate their RB relationship upon application, a gap is created between the time of application and when the civil unions takes effect when a couple would have no legal protection.

§ -2 Eligibility to enter into a civil union. A person shall be eligible to enter into a civil union only if the person is:

(1) Not a partner in another civil union, a spouse in a marriage, or a party to a reciprocal beneficiary relationship pursuant to chapter 572C; if the persons applying for a civil union are in a reciprocal beneficiary relationship pursuant to chapter 572C, said reciprocal beneficiary relationship shall terminate upon the formation of the civil union.

[Note: if the committee opts to reject this suggested amendment, we ask that the committee chair include a discussion of the gap and a seamless transition in the committee report to document the legislature's intent not to create a gap.]



JAPANESE AMERICAN CITIZENS LEAGUE

HONOLULU CHAPTER

P.O. BOX 1291, HONOLULU, HAWAII 96807

PHONE: 523-8464 EMAIL: honolulu@jacl.org WEBSITE: www.jaclhawaii.org

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Craig Jerome

Nikki Love

Jacce Mikulanec

Karen Nakasone

Yoshie Tanabe

Jamie Yamagata

Legal Counsel

Benjamin Kudo

Advisory Council

Allicyn Hikida-Tasaka

Clayton Ikei

William Kaneko

Colbert Matsumoto

Alan Murakami

House Committee on Judiciary
Tuesday, February 8, 2011
Hawai'i State Capitol – Auditorium

Testimony in **SUPPORT** of SB 232 SD1, Relating to Civil Unions

Dear Chair Keith-Agaran, Vice-Chair Rhoads, and Members of the Committee:

The Japanese American Citizens League (JACL) Honolulu Chapter stands in support of Senate Bill 232 SD1, which grants the same rights, benefits, protections and responsibilities granted under marriage to those individuals in a civil union.

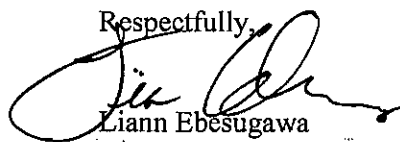
JACL is the nation's oldest and largest Asian Pacific American civil rights organization with over 20,000 members. Locally our organization has consistently supported efforts to provide equal rights to citizens of this state regardless of sexual orientation. In 1998, JACL was one of many groups who fought against the constitutional amendment granting the Legislature the right to define marriage as between a man and a woman. Now, over a decade later, we stand in strong support of the Legislature's efforts to provide rights to those that were excluded as a result of that amendment.

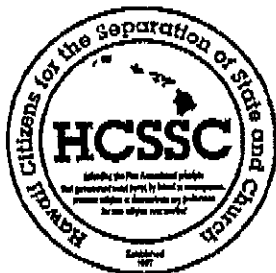
We affirm JACL's mission to "secure and maintain the civil rights of Japanese Americans and all others who are victimized by injustice and bigotry." In 1963, JACL stood with Richard and Mildred Loving when they were denied the right to marry because of their race. Then, as now, JACL believes that inequity in the rights granted to married couples by a state is inconsistent with our state and federal constitution.

Historically, we reflect on Executive Order 9066 which effectively stripped 120,000 American citizens of Japanese ancestry of their rights and freedoms. "This was done by well-meaning people who decided it was perfectly fine to discriminate. Just this one time and only against one small minority (JACL, POC, and HRC advertisement, Honolulu Advertiser, 1998)."

We are here today to say that we must never again make any group an exception to our right to equal protection under the law. Discrimination against any group of people has no place in our society.

We urge you to pass Senate Bill 232 SD1. Thank you.

Respectfully,

Liann Ebesugawa
1st Vice-President



House Judiciary Committee,
Hawaii State Capitol Auditorium
Hearing 2:15 PM on Tuesday, February 8, 2011

RE: Testimony in Opposition to SB 232 Relating to Civil Unions

Dear Committee Members,

Hawaii Citizens for the Separation of State and Church has vigorously opposed discrimination in Hawaii since 1997.

Marriage discrimination is – and always has been – a violation of the Establishment Clause of the First Amendment to the Constitution of the United States. Marriage discrimination also violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution. We will focus on the latter violation first.

Marriage discrimination is the result of religious influence on government. Only churches, religious organizations, and religious persons have opposed marriage equality in Hawaii, with most clearly stating their beliefs that the "sanctity of marriage" is a "God-given right" that is reserved to "one man and one" woman. "God made Adam and Eve, not Adam and Steve" is the common retort of religious conservatives.

HCSSC asserts that religion is entirely irrelevant to the discussion and must be ignored in matters of law under the Constitution.

Lemon v. Kurtzman is a U.S. Supreme Court ruling that established a three-pronged test, which requires that:

1. The government's action must have a secular legislative purpose;
2. The government's action must not have the primary effect of either advancing or inhibiting religion;
3. The government's action must not result in an "excessive government entanglement" with religion.

If any of these three restrictions are violated, the government's action is deemed unconstitutional. There is no secular purpose for limiting the full rights, benefits, and responsibilities of marriage to heterosexual couples.

We oppose SB 232 because civil unions would by law establish a lesser, second-class relationship status for homosexual couples. SB 232 harkens back to *Plessy v. Ferguson*, the disastrous U.S. Supreme Court decision that established the inexcusable doctrine of "separate but equal."

In 1954, on the matter of racial inequality, the Supreme Court overturned *Plessy* with a laudable decision in *Brown v. Board of Education*, resulting in the diverse and integrated society we see today.

HCSSC

Page 2

But the fight for freedom is not over. For as long as gay, lesbian, bisexual, and transgender (GLBT) citizens are forced to remain on a lower rung of the societal ladder, we are not a free society. We are a society that discriminates to satisfy the views and dictates of religion. The Establishment Clause clearly prohibits the current state of affairs.

Fortunately, the Courts are beginning to see the light. In *Lawrence v Texas* the U.S. Supreme Court established a right of sexual privacy for consenting adults. In *Perry v. Schwarzenegger*, the Federal Court struck down Proposition 8, a California voter initiative that sought to take away marriage rights for same-sex couples.

The congress of the United States recently voted to repeal the draconian act known as "Don't Ask, Don't Tell," which excluded openly gay citizens from military service. The equally repugnant and indefensible "Defense of Marriage Act" will soon be repealed or declared unconstitutional by the Courts.

Five states (Connecticut, Iowa, Massachusetts, New Hampshire, and Vermont) and the District of Columbia currently do not discriminate against same-sex couples seeking to marry. Various domestic partnerships and civil unions are currently available under laws in California, Maine, New Hampshire, New Jersey, Nevada, Oregon, and Washington. Hawaii has a woefully inadequate program for registered "domestic partners."

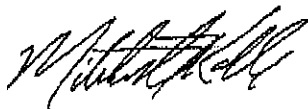
As stated earlier, any law that limits governmental rights or benefits to heterosexual couples necessarily violates the Equal Protection Clause of the Fourteenth Amendment to the Constitution. This fact was clearly established in the *Perry v. Schwarzenegger* case, currently on appeal in the Federal Ninth Circuit.

If broadly interpreted, the *Perry* decision may overturn Article I, Section 23, of the Hawaii State Constitutional Amendment and require the State Department of Health to immediately begin issuing marriage licenses to same-sex couples. We remain hopeful of this outcome.

SB 232 represents a cowardly half-measure; Civil Unions are not the equivalent of marriage and are thus unacceptable as a matter of law. Hopefully Marriage Equality will become law in Hawaii and the United States by order of the Courts.

In light of this impending outcome, we believe all legislators and government officials should act according their oath of office, which requires them to "uphold and defend" the Constitution.

Sincerely,



Mitchell Kahle
President

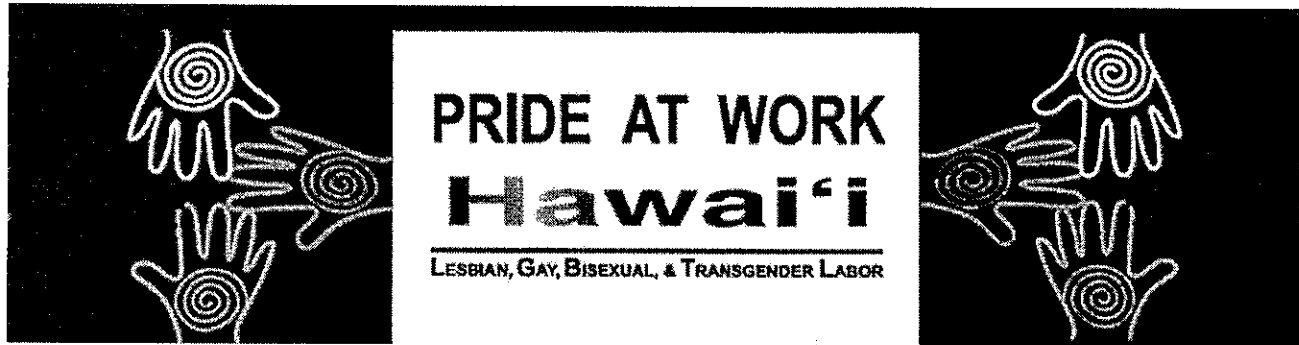
JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:31 PM
To: JUDtestimony
Cc: prideatworkhawaii@hawaiiantel.net
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232, SD1 testimony 2011.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Steve Dinion
Organization: Pride At Work Hawai'i
Address: PO Box 22416 Honolulu, HI
Phone: 543-6054
E-mail: prideatworkhawaii@hawaiiantel.net Submitted on: 2/7/2011

Comments:



PO Box 22416 Honolulu, HI 96822
(808) 543-6054

prideatworkhawaii@hawaiiantel.net
www.hawaflcio.org/PAWHI

February 7, 2011

Hawaii State House Committee on Judiciary
Chair, Rep. Keith-Agaran
Vice Chair, Rep. Rhoads

Testimony in favor of SB232 SD1 – Relating to CIVIL UNIONS

Pride At Work Hawai'i, as an affiliate of the Hawai'i State AFL-CIO which works to mobilize lesbian, gay, bisexual, and transgender (LGBT) workers and their supporters for full equality and to build mutual support between the labor movement and the LGBT community, strongly supports SB 232 SD1. As drafted, the bill would create civil unions for same- sex and opposite-sex couples in Hawai'i, providing them all the rights, benefits, and responsibilities of marriage under Hawai'i law.

Over the past four decades, labor support for the rights of LGBT workers has grown tremendously as LGBT union members began to come out and add their issues (such as domestic partner health coverage and anti-discrimination clauses) to the list of bargaining items in negotiations. LGBT workers also came to understand that, given their extreme vulnerability, a strong union contract was an important protection against retaliation and discrimination and for fairness in the workplace. And heterosexual workers came to understand that their co-workers - their union brothers and sisters who they walked picket lines with and worked alongside - were entitled to the same rights and protections as they were: to protect and provide for themselves and their families.

Today, as you consider this bill that would allow same-sex couples the option of becoming partners in civil unions, know that Hawai'i's labor movement strongly supports equality as well. The 2007 convention of the Hawai'i State AFL-CIO, in endorsing civil unions legislation, declared that, "while civil marriage is the only true equality under the law, if the government is offering civil unions as a way to provide protection, support, and respect for GLBT families, unions should support those efforts." The State AFL-CIO has reiterated its support for civil unions both in its 2009 convention and through its legislative initiatives.

In fact, unions across the country understand that until the government legally recognizes same-sex relationships, many thousands of families will be deprived of the most important attributes of their labor: the ability to take care of and provide for their family members. To change this, many national and

international unions have passed resolutions in favor of marriage equality, including: American Federation of Government Employees, American Federation of Musicians, American Federation of State, County & Municipal Employees, American Federation of Teachers, Communications Workers of America, National Education Association, Office and Professional Employees International Union, Service Employees International Union, United Farm Workers and UNITE-HERE. State and local labor federations which have endorsed marriage equality include the California Federation of Labor, the Connecticut AFL-CIO, the New York State AFL-CIO, the King County Labor Council (Seattle, WA), Northern Shore Labor Council (MA), Rochester and Genesee Valley Area Labor Federation (NY), San Francisco Central Labor Council, and Southeastern Massachusetts Labor Council.

In California, over 50 unions and labor groups were part of the effort to protect marriage equality there, pointing out that “unions often take political and legal action to protect their members, not only in connection with their employers, but in connection with broader social questions... [Unions] take the position that all... are entitled to be treated with equal dignity and respect.” In New York State, the labor federation noted that “the denial of marriage equality hurts not just individuals, but also family members, neighbors and co-workers who care about the well-being of same-sex couples and the children in their care,... and discriminates against them and relegates them to second-class citizenship.”

The labor movement recognizes that same-sex couples are devoted to each other and love their families, and that without official recognition, they are left vulnerable. In these difficult and uncertain economic times, it is more important than ever to give all workers a fair shake as they struggle to provide for their families. It is deeply unfair that same-sex couples and their families are forced to scramble to cobble together a patchwork of legal documents that still don't provide them with the security and protections they need and deserve. Passage of civil unions legislation is a step in the right direction.

Thank you for the opportunity to testify in support of SB232 SD1. On behalf of all LGBT workers in Hawai'i, and their families, we urge you to support this bill.

Respectfully submitted,

Steve Dinion, President	Wayne Akana, Vice President
Amy Donahue, Treasurer	Morgan Evans, Secretary

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 04, 2011 1:41 PM
To: JUDtestimony
Cc: gomama808@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: House 2-4-11.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Rev Carolyn M. Golojuch, MSW
Organization: PFLAG-Oahu
Address: 92-954 Makakilo Dr. #71 Kapolei, HI
Phone: 808 779-9078
E-mail: gomama808@gmail.com
Submitted on: 2/4/2011

Comments:

**PFLAG-OAHU (Parents, Families and Friends of
Lesbians, Gays, Transgendered, Bisexuals,
Transgendered & Questioning)**



92-954 Makakilo Dr. #71, Kapolei, HI 96707 (808) 672-6050
golojuchc@hawaii.rr.com www.pflagoahu.org

February 4, 2011

Representative
Hawaii State Capitol
Honolulu, HI 96813

Aloha Representative,

January 1996 at Hawaii's Capitol marked my first testimony for social justice. I am the mother of a heterosexual daughter and a gay son. My husband and I have been married 45 years and do not fear Civil Unions for our marriage. We firmly believe that the world needs more love and more committed couples.

Now we are working for a different aspect of justice in SB232 SD1. It's not full justice but will give our gay, lesbian, bisexual and transgender children and heterosexual couples some form of justice. SB 232 SD1 is not marriage as the Civil Unions benefits, duties, protections and responsibilities are only valid at state level. Marriage is a federal level law and is recognized in all 50 states. Civil Unions do not have this level of authority.

This week two people I've known for a couple of years asked if Civil Unions would cover them. This really surprised me as I never thought of them as needing the protections of Civil Unions as this couple is male and female. I, of course, said "yes" and they said "good."

We need to see the 'big picture' that Civil Unions covers. Civil Unions is for heterosexual, gay, lesbian, bisexual and transgender couples alike.

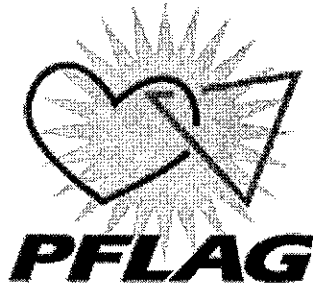
Civil Unions is not a partisan issue but a social justice issue that needs you to uphold your oath of office to protect and defend rights for all our citizens. Please pass SB232 SD1 quickly so that you can address

Aloha and Mahalo,

Carolyn M. Golojuch, MSW
President

"If more people believed in justice, equality would be reality." CMG

**PFLAG-OAHU (Parents, Families and Friends of
Lesbians, Gays, Transgendered, Bisexuals,
Transgendered & Questioning)**



92-954 Makakilo Dr. #71, Kapolei, HI 96707 (808) 672-6050
golojuchc@hawaii.rr.com www.pflagoahu.org

February 8, 2011

TO: House Judiciary Committee

RE: In Support of HB 232 - Civil Unions

Dear Committee Chair, Vice Chair and Members:

Thank you for hearing this very important bill. As a spouse for 45 years to the love of my life, Mike, Sr. I come before you to ask that our gay son and our friends finally be given the same rights that we have. Mike and I are straight through no doing of our own. We didn't make a choice to be heterosexuals, it's just the way we were born.

According to the United Nation's General Assembly of 1948:

Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3: Everyone has the right to life, liberty and the security of person.

Our gay family members are entitled to the same civil rights that the rest of us take for granted. Please pass HB 232 with the inclusion of the language of SB231. SB232 is based on HB444 from 2010 and it was passed. It seems that SB231 is written so that it will be more easily implemented and enforced because it's clearer with less possibility to be

WITH LIBERTY AND JUSTICE FOR ALL

challenged Implementation is so important. The state departments that will inact with this bill, have assured us that it will only take 120 days for a smooth transition.

Social justice is based on equal rights and will prevail with SB 232 and the inclusion of the SB231 language. Equal rights took a nose dive in 2011 when the last step failed, not because it was a failed bill but because the hatred and self promotion reared it's ugly head. We have assurance that this won't happen this year. The time is right, the bill is just and the discriminated people deserve your vote of confidence. Please pass SB232 w/SB231 out of the Judiciary Committee on its' way to the Senate Floor. Thank you for your consideration for this historic opportunity to return Hawaii to leadership in civil rights. Our children deserve the best.

Sincerely,

Carolyn Martinez Golojuch, MSW
President

WITH LIBERTY AND JUSTICE FOR ALL

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 4:20 PM
To: JUDtestimony
Cc: kreardon@pphi.org
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232 JUD.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Andrea Anderson
Organization: Planned Parenthood of Hawaii
Address: 1350 S.King Street Suite 309 Honolulu, HI
Phone: 589-1156
E-mail: kreardon@pphi.org
Submitted on: 2/3/2011

Comments:



1350 S. King Street • Suite 309 • Honolulu, Hawaii 96814 • www.pphi.org • Phone: 808-589-1156 • Fax: 808-589-1404

February 3, 2011

To: Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads, and Members of the House Committee on Judiciary

From: Andrea Anderson, CEO, Planned Parenthood of Hawaii.

Re: Testimony in Strong Support of SB 232 SD1, Relating to Civil Unions

Thank you for hearing this important bill and for the opportunity to testify in strong support of it. Planned Parenthood of Hawaii (PPHI) supports SB 232 SD1 and the Civil Unions it creates. We encourage members of this committee to pass this bill and courageously stand up for equality in Hawaii.

At PPHI, we believe that the free and joyous expression of one's sexuality is central to being fully human. We also believe that all people are equal under the law and should therefore enjoy the same rights and protections provided by our constitution, no matter their race, ethnicity, religion, gender or sexual orientation. Civil Unions are an important part of promoting that equality by ensuring that same sex couples receive the same protections afforded heterosexual couples in marriage.

Heterosexual married couples enjoy many protections in our state, including rights related to health care, insurance benefits, property rights and taxation. The benefits of marriage are experienced on a daily basis and protect spouses in times of worry. Counter to our state's constitution, committed same sex couples and their families are denied these rights. No person is served by this kind of discrimination. Recognizing the rights of same sex couples in no way detracts from marriage. Rather, creating Civil Unions promotes stable, healthy, and loving relationships and gives Hawaii the opportunity to protect all of our families.

Discrimination does not have a place in our state. We are fortunate to live in a state where many different peoples and cultures can not just coexist, but can work together to make Hawaii a unique and wonderful home. Therefore, we ask you to pass SB 232 SD1 creating Civil Unions and to promote the equality of all Hawaii's citizens. Thank you again for the opportunity to be heard in support of this bill.

Honolulu Health Center
1350 S. King Street, Suite 310
Honolulu, HI 96814
808-589-1149

Kailua Kona Health Center
75-184 Hualalai Road, Suite 205
Kailua Kona, HI 96740
808-329-8211

Kahului (Maui) Health Center
140 Ho'ohana Street, Suite 303
Kahului, HI 96732
808-871-1176
(A Maui United Way Agency)

JUDtestimony

From: Barbara Polk [BarbaraPolk@hawaiiintel.net]
Sent: Friday, February 04, 2011 10:28 AM
To: JUDtestimony
Subject: Testimony on SB232 HD1
Attachments: SB 232 SD1 Civil Unions.doc; ATT00001..txt

Please find attached testimony in support of SB232 HD1 by Americans for Democratic Action/Hawaii, Barbara Polk, Legislative Chair for the Committee on the Judiciary hearing February 8, 2011 at 2:15 pm in Capitol Auditorium



OFFICERS	DIRECTORS		MAILING ADDRESS	
Brien Hallet, President	Juliet Begley	Nancy Bey Little	Barbara Polk	PO. Box 61792
Karin Gill, Vice-President	John Bickel	Jan Lubin	George Simson	
Honolulu,	Fritz Fritschel, Treasurer		Tom Horton	Stephen O'Harrow Bart
Dame (Alt)	Hawai'i 96822			
Chuck Huxel	Jim Olson		Marsha Schweitzer(Alt.)	

February 23, 2011

TO: Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads
Members of the House Committee on Judiciary

FROM: Americans for Democratic Action/Hawaii
Barbara Polk, Legislative Chair

SUBJECT: SUPPORT FOR SB 232 SD1 RELATING TO CIVIL UNIONS

A fundamental principle of Americans for Democratic Action, on both the national and local level, is equal rights for all people. At present, couples of the same sex are not allowed to marry and, as a result, are denied the benefits that accrue to married persons, despite their love and commitment to building a life together. In addition, the lack of rights makes these couples into second class citizens and is particularly hard on their children. Civil unions would provide same sex couples with rights, duties and benefits equal to those couples who marry.

Several people will testify that Hawaii's reciprocal beneficiary law could be improved instead of establishing civil unions. However, the people who are complaining now that "civil unions are marriage by another name" would say the same thing about a reciprocal beneficiary bill that included at the rights, duties and benefits of marriage.

The call for civil unions is being portrayed by its opponents as a sneaky way of getting same sex marriage. There's nothing sneaky about this—the civil unions proposal is a compromise with those who opposed same sex marriage, not a sneak attack! Of course same-sex couples would prefer to be treated completely equally, but have been willing to compromise to accommodate the strong feelings of some religious people and others for whom the term marriage is important. The continuing opposition of some churches reveals that their intent is to deny equality to same-sex couples rather than to "protect marriage."

And why does marriage need protecting? Is it the case that those who oppose civil unions would consider getting a divorce to form a civil union with a same sex partner? Is the current impossibility of doing so the only thing holding marriages together? Of course not! Marriages are not harmed in any way by this bill, but a large number of loving couples in our state would be harmed by its defeat.

We hope that Hawaii will not be left behind in addressing the civil rights issue of our age.

Americans for Democratic Action/Hawaii urges you to pass SB 232 SD1.

JUDtestimony

From: Albert Hamai [hamaia001@hawaii.rr.com]
Sent: Thursday, February 03, 2011 4:56 PM
To: JUDtestimony
Subject: SD232, SD1, HARA Testimony in Support, House JUD hearing on February 8, 2:15 p.m.
Capitol Auditorium
Attachments: HARA Testimony, SB 232, SD1.doc; ATT00001..txt

Hawai'i Alliance for Retired Americans

An affiliate of the Alliance for Retired Americans
c/o AFSCME • 888 Mililani Street, Suite 101 • Honolulu, Hawaii 96813

AFT Hawaii Retirees

HGEA Retirees

HSTA – Retired

ILWU Retirees

Kokua Council

Machinists Union Retirees

UPW Retirees

ADA/Hawaii

Hawaii Family Caregivers Coalition

(Submitted by email to: JUDtestimony@capitol.hawaii.gov February 3, 2011)

Statement of Al Hamai, President, Supporting SB 232, SD1, Relating to Civil Unions

Hearing of the House Committee on Judiciary

February 8, 2008, 2:15 p.m. Auditorium, State Capitol

Chair Gilbert S.C. Keith-Agaran, Vice Chair Karl Rhoads and
Members of the Committee,

I'm submitting testimony on behalf of HARA in support of SD 232,
SD1. During the previous session, HARA supported HB 444.

The purpose of this bill is to establish civil unions for same-sex
couples and provide such partners with the same rights, benefits and
responsibilities granted to spouses in a marriage.

We concur with the purpose of this bill. Approval of this bill will be a
big step toward eliminating discrimination against same sex couples
and toward recognizing that they, as citizens and our neighbors, and
our friends and our relatives, should have the same rights, benefits
and responsibilities that married citizens have been granted by law.

HARA, with a growing membership of 21,000, urges this Committee
to support and approve SB 232, SD1. Mahalo.

*HARA is a strong voice for Hawaii's retirees and seniors; a diverse community-based
organization with national roots; a grassroots organizer, educator, and communicator; and a
trusted source of information for decision-makers.*

JUDtestimony

From: Betty Tachibana [TachibanaB@hiers.org]
Sent: Thursday, February 03, 2011 1:49 PM
To: JUDtestimony
Subject: HB0232,SD1_BUF-ERS_02-08-11_JUD
Attachments: HB0232,SD1_BUF-ERS_02-08-11_JUD.doc

TESTIMONY BY WESLEY K. MACHIDA
ADMINISTRATOR, EMPLOYEES' RETIREMENT SYSTEM
STATE OF HAWAII
TO THE HOUSE COMMITTEE ON JUDICIARY
ON
SENATE BILL NO. 232, S.D. 1

FEBRUARY 8, 2011

RELATING TO CIVIL UNIONS

Chair Keith-Agaran and Members of the Committee:

S.B. 232, S.D. 1 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

The ERS Board of Trustees has not yet had the opportunity to discuss this Bill and accordingly, has not yet taken a position at this time.

However, we will be willing to work with your Committee on any technical revisions that may be needed to carry out the purpose of this Bill.



Jennifer C. Pizer
SENIOR COUNSEL AND
NATIONAL MARRIAGE PROJECT DIRECTOR
jpizer@lambdalegal.org

February 7, 2011

**Via email to JUDtestimony@capitol.hawaii.gov
and United States Mail**

Honorable Gilbert S.C. Keith-Agaran, Chair
Honorable Karl Rhoads, Vice-Chair
Members of the House Judiciary Committee
Hawai'i State Capital
Honolulu, Hawai'i 96813

**Re: Lambda Legal Supports Senate Bills 231 and 232 (Civil Unions), and
Recommends Against HB1453 (Civil Unions with Incomplete Rights and
Responsibilities), and Suggests Amendments**

Dear Representatives Keith-Agaran and Rhoads, and Committee Members,

We write on behalf of Lambda Legal Defense and Education Fund, Inc. ("Lambda Legal") in support of Senate Bills 231 and 232 ("SB231" and "SB232"), both of which would allow unmarried couples to enter a civil union which would protect the couple and their dependent family members much more effectively. Civil unions would do this by expanding the important but modest and confusing protections that Hawai'i now allows unmarried couples to assume through registration as reciprocal beneficiaries.

Lambda Legal also respectfully encourages the Committee to consider incorporating into SB232 some of the new provisions included in SB231 (which also would allow unmarried couples to enter a civil union). As noted below, these new provisions clarify the rights and duties of civil union partners and are likely to facilitate implementation of this legislation.

Lambda Legal recommends against HB1453, which proposes to create civil unions with incomplete enumerated rights and responsibilities rather than comprehensive, easily-understood rights and responsibilities. Legal systems that offer incomplete legal protections have proven to be confusing for families, businesses and government about what is, and is not, included. Consequently, they fail in practice to provide the legal protections and predictability that they appear in law to promise.

Western Regional Office
3325 Wilshire Boulevard, Suite 1300 · Los Angeles, CA 90010-1729
t. 213/382-7600 · f. 213/351-6050 · www.lambdalegal.org



*Representative Gilbert S.C. Keith-Agaran
Representative Karl Rhoads
Lambda Legal Support for SB231 and SB232
February 7, 2011, Page 2 of 6*

Lambda Legal is the nation's oldest and largest legal organization advocating for the civil rights of lesbian, gay, bisexual and transgender ("LGBT") people. Lambda Legal's family protection advocacy has included providing technical assistance to legislators across the country on dozens of bills relating to marriage, domestic partnership, civil unions, and parenting rights and obligations for same-sex partners, including primary drafting of the California Domestic Partner Rights and Responsibilities Act of 2003, which has been a model for numerous other states since then. Lambda Legal also litigates cases addressing these issues, and over the years has served as counsel or *amicus curiae* in various family protection cases in the Hawai'i courts, in addition to offering information through our Legal Help Desk to many Hawai'i residents about the rights and vulnerabilities of lesbian and gay couples under the state's current laws.

Lambda Legal believes firmly that **the soundest way to remedy the inequality same-sex couples face under Hawai'i law is to offer them equal access to the same legal status the state offers to different-sex couples—civil marriage.** By creating civil unions and not opening marriage, SB231 and SB232 do not offer equality to lesbian, gay and bisexual people. Both of these bills would, however, allow the state to take an important step forward in reducing the harms that same-sex couples face because current law does not include them fairly within the family law system. These bills also would offer important legal protections to other couples for whom marriage is not feasible for any number of personal reasons. They thus would offer greater security to many Hawai'i families, and are sound means of increasing stability for the benefit of society generally.

This legislation is needed urgently. Although Hawai'i's reciprocal beneficiary law does provide important rights that protect registered partners in times of medical crisis, death and other difficult circumstances, Lambda Legal is all too aware that the gaps in the law are terribly confusing and leave these partners without essential rights and responsibilities that SB231 and SB232 would afford them. We regularly are contacted for assistance through our Legal Help Desk by same-sex partners living in Hawai'i who face uncertainty, vulnerability and sometimes tragedy because their committed family relationships are not recognized due to the current laws' illogic and incomplete coverage. And we see consistently from these Hawai'i residents and those who contact us from other states that the lack of comprehensive legal protection falls hardest on those who are most vulnerable, including those who are poor, have less education, are older, and/or have dependent children or aging senior family members. Both SB231 and SB232 would help mitigate these harms and increase family stability by, for example, providing that these couples are covered by the laws recognizing jointly-acquired property, ensuring mutual responsibility for family debt, and enforcing parental obligations and rights.

Keeping in mind the lessons learned in other states that have protected unmarried partners through civil union or comprehensive domestic partnership legislation, we



respectfully encourage you to consider incorporating into SB232 at least provisions analogous to those in SB231 that do the following:

- 1) Confirm that parties who enter a civil union **consent to the jurisdiction of the Hawai`i family courts** with respect to any legal action properly initiated to dissolve the couple's union and any related matters, such as division of property, responsibility for shared debt and any appropriate ongoing support obligations, regardless of whether either or both parties are residents of Hawai`i when the dissolution action is filed.
- 2) Confirm the **parental rights and responsibilities of both civil union partners** regarding any children born to either partner during the couple's civil union.
- 3) Specify that, where Hawai`i law draws upon or refers to federal law for a rule governing family relationships, **Hawai`i law shall assume the federal rule recognizes civil union partners** in the same manner as Hawai`i law, so there will be consistency and a result that treats civil union partners and spouses as close to equally as possible. This rule of construction is especially important with respect to issues of taxation but ought not to be limited to tax matters. The following language would make clear that state or private programs that use federal law as a referent—but are not explicitly restricted by federal law—are to treat civil union partners fairly, in a manner consistent with the law's overall purpose:

“To the extent that provisions of Hawai`i law adopt, refer to, or rely upon, provisions of federal law in a way that otherwise would cause civil union partners to be treated differently than spouses, civil union partners shall be treated by Hawai`i law as if federal law recognized a civil union in the same manner as Hawai`i law.”
- 4) Provide that **applicants for a civil union license need not terminate their reciprocal beneficiary registration**, if they are registered, before entering a civil union, to avoid couples being left without legal protection between the termination of the prior status and their secure entrance into the second. We have recommended the following language (insertion into the statute of the phrase included here in italics, or words to similar effect): “Neither of the parties be married, a partner in a civil union, nor a party to another reciprocal beneficiary relationship *with any person other than each other.*”

We respectfully suggest that it could be very beneficial for Hawai`i's **lesbian and gay couples who enter into civil unions to be able to remain registered as reciprocal beneficiaries as well**, because some mainland states have laws and/or



state constitutional amendments barring legal recognition of same-sex couples' marriages, civil unions or comprehensive registered domestic partnerships. In some of those states, a same-sex couple in a civil union may be seen to have no recognizable legal status, but reciprocal beneficiaries (with that more limited status) would be recognized in case of emergency for medical decisionmaking and similar matters covered by the limited status. Accordingly, allowing same-sex couples to assume overlapping responsibilities for each other by entering into both statuses could offer legal protection that would help these families, as well as third parties such as hospitals, **without creating any conflicting legal duties.** Such protections could significantly benefit Hawai'i residents traveling in states with broad antigay laws.

We therefore recommend deletion of the following words (as indicated with strikethrough below), rather than expansion of this provision to include civil unions, in order that same-sex couples can be registered as reciprocal beneficiaries as well as being in a legal union (such as a civil union or a marriage entered into in another state): "Section 572C-7, Hawaii Revised Statutes, is amended as follows: 1. By amending its title to read: [-f1 §572C-7[-t1 Termination of reciprocal beneficiary relationship; filing fees and records; ~~termination upon 21 marriage [-.. 1 or civil union.~~"]

Similarly, we recommend deleting the following provision:

~~2. By amending subsections (c) and (d) to read:~~

~~"(c) Any marriage or civil union license subsequently issued by the department to any individual registered as a reciprocal beneficiary shall automatically terminate the individual's existing reciprocal beneficiary relationship.~~

~~(d) If either party to a reciprocal beneficiary relationship enters into a legal marriage[,] or civil union, the parties shall no longer have a reciprocal beneficiary relationship and shall no longer be entitled to the rights and benefits of reciprocal beneficiaries."~~

5) We respectfully encourage you to consider including nondiscrimination and rule-of-construction language along the following lines:

(a) "Civil union partners shall have the same rights regarding nondiscrimination as those provided to spouses."

(b) "No public agency or its employees or agents in this state may discriminate against any person or couple on the ground that the person is or intends to become a civil union partner rather than a spouse, or that the couple are or



*Representative Gilbert S.C. Keith-Agaran
Representative Karl Rhoads
Lambda Legal Support for SB231 and SB232
February 7, 2011, Page 5 of 6*

intend to become civil union partners rather than spouses, except as otherwise required by federal law.”

- (c) “This act shall be construed liberally in order to secure to eligible civil union partners the full range of legal rights, benefits and protections, as well as all of the responsibilities to each other, to their children, to third parties and to the state, as the laws of Hawai`i extend to and impose upon spouses.”

Until the State of Hawai`i fulfills its constitutional promises of equal rights and liberties to its law-abiding, tax-paying lesbian, gay and bisexual citizens by permitting them to marry, measures such as SB231 and SB232 serve as critical stop-gap protections that can reduce the daily harms inflicted upon same-sex couples and their dependents.

Accordingly, Lambda Legal respectfully encourages each of you to support legislation to create civil unions with full legal rights and responsibilities under Hawai`i law, including the specific recommendations set out in this letter.

Thank you for your very kind consideration of this matter.

Most respectfully,

LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC.

Jennifer C. Pizer
Senior Counsel and
Marriage Project Director

Tara L. Borelli
Staff Attorney

Stefan C. Johnson
National Help Desk Attorney

cc: Representative Blake K. Oshiro
Representative Tom Brower
Representative Rida T.R. Cabanilla
Representative Mele Carroll
Representative Robert N. Herkes
Representative Ken Ito
Representative Sylvia Luke
Representative Angus L.K. McKelvey
Representative Hermina M. Morita
Representative Joseph M. Souki
Representative Clift Tsuji
Representative George R. Fontaine
Representative Barbara C. Marumoto
Representative Cynthia Thielen

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:58 PM
To: JUDtestimony
Cc: alan@equalityhawaii.org
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: EHTestimony2011HouseJUD.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Valerie Smith & Alan Spector
Organization: Equality Hawaii
Address: Post Office Box 11444 Honolulu, HI
Phone: 808-673-5222
E-mail: alan@equalityhawaii.org
Submitted on: 2/7/2011

Comments:

EQUALITY HAWAII

Tuesday, Feb. 8, 2011

Testifying in Support of SB232
On Behalf of Equality Hawaii

My name is Valerie Smith, and I write with Alan Spector, my fellow co-chair of Equality Hawai'i, the state's largest LGBT advocacy organization. We enthusiastically support SB232 and extend an aloha to the esteemed Judiciary Committee.

In Tuesday's forum, we understand the importance of discussion and debate as part of the democratic process and appreciate the participation of those with opposing viewpoints. On this day, you may hear people ask that you deny same-sex couples and their families rights and protections, a position that is patently discriminatory.

SB 232 does not redefine marriage. It does not deny any rights or privileges to any married person. Instead, it proposes a separate legal status called "civil union" to extend those same rights, benefits, protections, and obligations to same-sex couples and their children. Anything less would preserve legal vulnerabilities that undermine the cohesion of same-sex families.

Opponents say that it is in the best interest of the state to keep couples together -- to ensure that families have access to the tools and resources to better care for each other, including health insurance for a spouse or child, pension benefits in the event of a spouse's death, and equal parenting obligations. We agree. SB 232 will allow same-sex couples access to these same tools, enabling them to better care for each other and their children.

We were all raised to believe we could achieve anything, given the opportunity. This proposition has always been based on constitutional guarantees of equal treatment under the law for all. When my own family came to this country from Saigon in the midst of a war, we knew we could aspire to success, because, regardless of our place of origin, all American citizens are entitled to equal opportunity. Same-sex couples are no different.

Since HB444 was introduced in January 2009, significant strides have been made in other jurisdictions toward achieving same-sex equality: Washington, Nevada, Illinois, Vermont, New Hampshire, Iowa, and the District of Columbia have all enacted legislation to provide same-sex couples equal treatment under the law. Dr. Martin Luther King, Jr., once said, "Let us realize the arc of the moral universe is long but it bends toward justice." We hope to see this arc bend toward civil unions and take root in our state.

Mahalo,
Valerie Smith & Alan Spector
Co-Chairs
Equality Hawaii

JUDtestimony

From: Integrity Hawaii [integrityhi@gmail.com]
Sent: Monday, February 07, 2011 8:38 AM
To: JUDtestimony
Subject: In Favor of Civil Unions
Attachments: CivilUnion 110207.pdf

Attached please find our letter in favor of the Civil Union bills being considered by the House.

INTEGRITY HAWAI'I

February 7, 2011

House Judiciary Committee
(SB 232 SD 1, HB 1453, HB 1623)
Civil Union Legislation Hearing
Tuesday, February 8, 2011

Subject: IN FAVOR OF CIVIL UNIONS

Dear House Committee,

Integrity is the organization for full inclusion of LGBT people in the Episcopal Church, one of the oldest and best known Christian denominations in the United States. We are writing *in favor* of the bills for the establishment of Civil Unions in Hawai'i. We know there are a number of them, we would not presume to tell you which is best for Hawaii, but we deeply believe the time has come to move forward on this matter.

Last year the State Legislature spent much time soul-searching and deliberating, with a clear majority of both houses coming to the conclusion that a bill addressing Civil Unions should be passed. You as a body voted in favor of a bill in spite of its being an election year, and in the face of vociferous opposition from some segments of the population. We applaud that courageous action, and we hope you will see fit to do so again this session.

Our former Governor, while stating that a solitary individual should not make such an important decision, did exactly that. She contravened the will of the legislature when she alone negated months of deliberation and study by a well informed body and singlehandedly condemned your bill.

The concept of minority rights is deeply embedded in the foundation of our laws and our psyche. This is especially true in Hawai'i where we have no ethnic majority, where people of many cultures, backgrounds, and beliefs have long worked and lived side by side and even intermingled, a concept that was abhorrent and in some cases illegal in large sections of the mainland. Those Jim Crow laws were eventually overturned in state after state. The 2008 election of our President, a person of mixed ancestry born and largely raised in Hawaii, proves how unjust such institutionalized discrimination was.

The people of Hawai'i have always known that *ohana* comes in many guises. We understand that diversity and acceptance creates strength. A broad definition of family has long been an essential part of our culture. It is time to honor our history of embracing a spectrum of human relationships.

We deeply appreciate the time and energy you have devoted to this fundamental issue, our future is in your hands.

Sincerely,

Donald R. Botsai

Donald R. Botsai
Convener, Integrity HI

Keola Akana

Keola Akana
Secretary, Integrity HI

David Jackson

Fr. David Jackson
Member Integrity HI

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:40 AM
To: JUDtestimony
Cc: fracturedpolitics@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: testimony-SB232SD1.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Kris Coffield
Organization: Individual
Address: 46-063 Emepela Pl. #U101 Kaneohe, Hawaii
Phone: 8086797454
E-mail: fracturedpolitics@gmail.com
Submitted on: 2/7/2011

Comments:

TESTIMONY ON SENATE BILL 232, SENATE DRAFT 1, RELATING TO CIVIL UNIONS

House Committee on Judiciary
Hon. Gilbert S.C. Keith-Agaran, Chair
Hon. Karl Rhoads, Vice Chair

Tuesday, February 8, 2011, 2:15 PM
State Capitol, Auditorium

Honorable Chair Keith-Agaran and committee members:

I am Kris Coffield, editorial director of Fracturedpolitics, an emergent political action network born out of a weblog. Currently, the network boasts over 50 local members, though I offer this testimony only on behalf of myself, in support of SB 232, SD 1, with consideration for amendments.

Simply put, it is time for Hawaii to end institutionalized discrimination based on sexual orientation by granting all of the state-sanctioned rights, responsibilities and protections of marriage to same-sex couples. Since 1993, when the Hawaii Supreme Court held, in *Baehr v. Miike*, that the state held no compelling interest in denying marriage licenses to same-sex couples, the Aloha State has been at the forefront of the debate over gay rights. Local lawmakers have taken bold steps to advance that cause, following the court's ruling, including the enactment of a reciprocal beneficiaries registration for adults enjoined from marriage, thereby extending a number of rights to such beneficiaries—inheritance rights, workers compensation, health insurance, hospital visitation and pension benefits, just to name a few. Nonetheless, reciprocal beneficiaries are recognized as tantamount only to domestic partnerships in most states, even those that solemnize civil unions.

Economically, civil unions could be a boon to the state's struggling bottom line. According to a study conducted by the Williams Institute on Sexual Orientation Law and Public Policy at UCLA, 272 same-sex couples are likely to enter into civil unions almost immediately, with the number increasing to 1,285 couples over the first four years of license issuance. Celebrations, according to the institute, would bring in between \$4.2 million and \$9.5 million over the same time period, with invited guests infusing an additional \$17.8 million to \$40.3 million into the state, most of which would be spent on hotels, food and entertainment. While such an amount pales in comparison to the \$12 billion total in tourism profits earned in 2010, it is, nevertheless, significant, particularly when you consider that these figures, at the high end, would fall just \$17 million short of the \$67 million released by Gov. Neil Abercrombie, earlier this year, to restore 17 instructional days lost to furloughs. Granted, local businesses would see a marginal increase in the cost of spousal benefits (approximately 1 percent, according to the University of Hawaii Economic Research Organization) under the collocation of civil unions, but this raise in rates is

more than counterbalanced by an estimated 193 to 333 new jobs created by civil union spending and potential savings on means-tested statewide benefits programs, like Medicaid. As *Hawaii Business Magazine* noted in its first issue of the year, the New Hampshire state government saved nearly \$400,000 in Medicaid costs once civil unions were legalized.

Please do not be swayed by the argument that civil unions are, or lead to, same-sex marriage. On the contrary, couples engaging in a civil union are not eligible for the same federal tax breaks as married couples and, instead, must file their federal tax returns as "single" or "head of household." Moreover, same-sex couples cannot apply for federal Social Security survivor benefits in the event of a family member's death, even when children are involved. Finally, the U.S. Bureau of Citizenship and Immigration Services does not allow permanent residents to sponsor same-sex non-American partners, a right reserved for heterosexual marriages. Unfortunately, the Hawaii Family Forum, among others, has chosen to ignore these facts, running pernicious ads equating civil unions with same-sex marriage. Ironically, HFF was recently fined \$20,000 for violating political expenditure limits placed upon 501(c)(3) organizations, and remains under investigation for pursuing legislative goals under the guise of religious non-profit work. Clearly, HFF ignored those facts, too, and I encourage the committee, if possible, to delve deeper into the group's blithe indifference toward our system of law, even if it means supporting the retraction of HFF's non-profit status.

Lingering concerns I, and others, have about taxation can be addressed by incorporating language from either HB 1623 into SB 232, SD 1, prior to final passage. Specifically, I would urge the committee to incorporate conforming amendments contained in sections 3, 4, and 5 of HB 1623 to §231, §235, and §236D, Hawaii Revised Statutes, to state: "Effect of civil union. Notwithstanding federal law to the contrary, all provisions of the Internal Revenue Code operative for the purpose of this chapter that apply to a husband and wife, spouses, or person in a legal marital relationship shall also apply with the same force and effect to partners to a civil union as if they were "husband and wife," "spouses," or other terms that describe persons in a legal marital relationship." I would also encourage the committee to integrate into this bill HB 1623's amendments to §584, Hawaii Revised Statutes, regarding parental rights and responsibilities, stating: "The rights and obligations of civil unions partners with respect to a child of whom either partner becomes the parent during the term of the civil union shall be the same as those of a married couple with respect to a child of whom either spouse or partner becomes the parent during the marriage, including the presumption that a partner of a civil union is presumed to be the natural parent of a child conceived by the other partner where the biological parent and the nonbiological partner are or have been in a civil union and: 1) The child is born while the civil union is in effect, or within three hundred days after the civil union is terminated by death, annulment, declaration of invalidity, or divorce, or after a decree of separation is entered by a court; or 2) The nonbiological partner has shown indicia of commitment to be a parent to the child." Failure to include these change may have unintended repercussions regarding equitable taxation, insurance and custodial rights for partners entering into a civil union.

In summation, civil unions are not an ulterior vehicle for same-sex marriage, but are merely an admission of civil rights. Today, sexual orientation is a site of continual contestation, despite myriad attempts to discipline sexuality within what can only be referred to as a panopticed, hierarchical biopolitical order, in which imperative corporeal expressions resistant to patrician textual fields are concurrently naturalized and suppressed. If we are to fulfill the dream of a truly just society, this cannot continue to transpire.

Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Editorial Director
Fracturedpolitics

JUDtestimony

From: Hawaii Family Forum [info@hawaiifamilyforum.org]
Sent: Wednesday, February 02, 2011 2:13 PM
To: JUDtestimony
Subject: Testimony for JUD hearing on 02/08/11 @ 2:15 p.m. in the auditorium | SB 232 SD1 Civil Unions
Attachments: SB232_SD1_110208_JUD_CivilUnions.pdf

Testimony from:

Allen Cardines, Jr.
Executive Director

Hawaii Family Forum
6301 Pali Highway
Kaneohe, HI 96744-5224
Phone: (808) 221-4022 | Direct email: allen@hawaiifamilyforum.org

Bill & Title: SB 232 SD1 Relating to Civil Unions
Committee Hearing: House JUD
Date: February 8, 2011
Time: 2:15 p.m.
Room #: Auditorium

HE WILL BE PRESENT AT THE HEARING.



Email to: JUDTestimony@Capitol.hawaii.gov
Hearing on: February 8, 2011 @ 2:15 p.m.
Auditorium

DATE: February 2, 2011

TO: **House Committee on Judiciary**
Representative Gilbert S.C. Keith-Agaran, Chair
Representative Karl Rhoads, Vice Chair

FROM: Allen Cardines, Jr., Executive Director

RE: **STRONG OPPOSITION TO SB 232 SD1 Relating to Civil Unions**

Honorable Chairs and members of the House Committee on Judiciary, I am Allen Cardines, representing the Hawaii Family Forum. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of various Christian Churches and denominations. We strongly oppose this bill that would establish civil unions in Hawaii.

Civil unions are a desperate and dishonest attempt to force same-sex "marriage" on Hawaii.

As we've seen in California, not even constitutional amendments protecting marriage are safe from activist courts. The people of Hawaii and the majority of our elected officials still support marriage as the union of one man and one woman. If this isn't about undermining and redefining marriage, why would the language of the marriage law be used to create civil unions? In the states which have adopted civil union laws, activist have always found them insufficient; only the redefinition of marriage would be suffice.

Every time a civil union bill has been imposed on a state, demands for same-sex "marriage" have followed. The activists lobbying for civil unions really want same-sex "marriage" in Hawaii. We know it, they know it, and the people of Hawaii have a right to know it. Same-sex "marriage" activists can't convince the people to redefine marriage, so they are pursuing strategies like this. You can't talk about civil unions without talking about same-sex marriage because there really isn't any difference. The goal is the same. See the next two pages where we have identified and chronologically detailed this fact.

The people of Hawaii deserve an honest debate.

SB 232 SD1 is nearly identical to bills passed in California and Connecticut. Those led to courts ultimately imposing same-sex "marriage" on those states. Are we supposed to believe they don't want to force same-sex marriage on Hawaii?

Marriage does not have to be redefined to care for unmarried people. Hawaii's reciprocal beneficiary agreements provide for all kinds of domestic situations in which care is made available to tow people regardless of sexual relationship.

Marriage is recognized by government for a reason. Governments have recognized marriage for one reason: the procreative potential of the sexual relationship in marriage. Married mothers and fathers provide a great service to the community and the state – the next generation of responsible citizens and taxpayers.

CIVIL UNIONS PROGRESSION TO SAME-SEX “MARRIAGE”

Civil Unions in Vermont (2000):

- Under an order from the state Supreme Court, the Vermont House gave **final approval to a bill to create civil unions** in Vermont on 2000-APR-19. The House voted on APR-25 to accept the House version. The **governor signed the bill into law** on APR-26. (1)
- Same-sex couples, composed of gays, lesbians and/or bisexuals, were able to obtain their civil union certificates starting on 2000-JUL-01. (2)
- In April 2009, the Vermont legislature **passes a statute allowing same-sex marriage**. **Governor Douglas vetoed the bill, but the veto is overridden by the legislature**. Vermont is the first state in which legislature, not the courts, **authorized same-sex marriage**. (3)

Observation: Within nine years, Civil Unions in Vermont were replaced by same-sex marriage. The state court mandated that the legislature move to treat same-sex couples the same as married couples, and in 2000 it was the first state to adopt civil unions. Activist pushed until marriage was redefined in state law in 2009.

Civil Unions in Connecticut (2005):

- On April 20, 2005 Connecticut legislature passes first **same sex civil union bill** in the nation not driven by a court decision. (4)
- On October 1, 2010, The Connecticut Supreme Court ruled that a ban against same-sex marriage was in violation of the equal protection clause in the state constitution. **Connecticut became the second state to allow same-sex marriage**. (5)

Observation: within five years, Civil Unions in Connecticut were replaced by same-sex marriage.

Domestic Partnerships to Civil Unions in New Jersey (2004):

- In 2004, New Jersey Attorney General warns Asbury city officials that they face prosecution on misdemeanor charges of issuing invalid marriage licenses and marrying people without licenses. (6)
- On October 25, 2006, the Supreme Court of New Jersey gave New Jersey lawmakers 180 days to rewrite the state's marriage laws, either including same-sex couples or creating a new system of civil unions for them. (7)
- On December 14, 2006 the **Legislature passed a bill establishing civil unions in New Jersey**, which was signed into law by Governor Jon Corzine on December 21, 2006. (8)
- In January 2010, the **New Jersey House defeated a bill that would allow same-sex marriage**. (9)
- In August 2010, the New Jersey Supreme Court refuses to hear a challenge to New Jersey's statute authorizing civil unions between same-sex couples. (10)

Observation: within two years, Domestic Partnerships in New Jersey were replaced by Civil Unions; then activist of Civil Unions tried passing a bill for same-sex marriage.

Civil Unions in New Hampshire (2008):

In May of 2007, New Hampshire legislature approves a measure establishing civil unions. Governor Lynch signs the bill, which is effective January 1, 2008. (11)

The law was replaced by the same-sex marriage law on January 1, 2010. (12)

Observation: within two years, Civil Unions in New Hampshire were replaced by same-sex marriage.

Same-Sex Marriage in California

- On March 14, 2005 California Superior Court judge rules ban on same sex marriage is unconstitutional, writing "the state's protracted denial of equal protection cannot be justified simply because such constitutional violation has become traditional." (13)
- September 2005 **California legislature becomes first legislative body in US to pass a bill legalizing same-sex marriage without a court order.** Governor Arnold Schwarzenegger vetoes the legislation. (14)
- May 2008 The California Supreme Court rules that banning same-sex marriage is unconstitutional. (15)
- November 2008 **California voters** pass Proposition 8, which amends the California state constitution to **define marriage between one man and one woman.** The vote is challenged in court, on the grounds that it was an illegal constitutional revision. Oral arguments will be heard in the state Supreme Court on March 5, 2009. (16)
- August 2010 A federal district court judge in California ruled that the Proposition 8 ban on same-sex marriages violated the equal protection provisions of the U.S. Constitution. The decision has been appealed and enforcement (allowing same-sex marriages to be performed) has been delayed until the appeal can be heard by the 9th Circuit Court of Appeals. An expedited hearing will be held in December, and the decision is likely to be appealed to the U.S. Supreme Court. (17)

(1) http://www.religioustolerance.org/hom_mar8.htm

(2) http://www.religioustolerance.org/hom_mar8.htm

(3) <http://www.ncsl.org/Default.aspx?TabId=4243>

(4) <http://www.ncsl.org/Default.aspx?TabId=4243>

(5) <http://www.ncsl.org/Default.aspx?TabId=4243>

(6) <http://www.ncsl.org/Default.aspx?TabId=4243>

(7) <http://www.ncsl.org/Default.aspx?TabId=4243>

(8) <http://www.ncsl.org/Default.aspx?TabId=4243>

(9) <http://www.ncsl.org/Default.aspx?TabId=4243>

(10) <http://www.ncsl.org/Default.aspx?TabId=4243>

(11) <http://www.ncsl.org/Default.aspx?TabId=4243>

(12) <http://www.ncsl.org/Default.aspx?TabId=4243>

(13) <http://www.ncsl.org/Default.aspx?TabId=4243>

(14) <http://www.ncsl.org/Default.aspx?TabId=4243>

(15) <http://www.ncsl.org/Default.aspx?TabId=4243>

(16) <http://www.ncsl.org/Default.aspx?TabId=4243>

(17) <http://www.ncsl.org/Default.aspx?TabId=4243>

Mahalo for the opportunity to testify.

HONOLULU PRIDE

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PHONE: 808-672-9050 FAX: 808-672-6347

WWW.HONOLULUPRIDEPARADE.ORG – HONOLULUPRIDEPARADE@GMAIL.COM

February 2, 2011

Tuesday, February 8, 2011 – 2:15 p.m.

House Judiciary Committee

State Capitol

415 South Beretania Street

RE: Senate Bill 232: Civil Unions - STRONG SUPPORT

Aloha Chair Hee and fellow committee members,

My name is Rob Hatch and I am the Legislative Representative for Honolulu Pride.

This June 4th Honolulu Pride will be observing 21 years of bringing Lesbian, Gay, Bisexual, Transgender, Questioning, Inter-sex and our Allies together to celebrate Pride here in Honolulu. Over our 21 years we have had a lot to rejoice over and way to many things to commiserate over.

This year we have much to celebrate from the repeal of “Don’t Ask, Don’t Tell” to Argentina becoming the first Latin American Country to legalize equal marriage rights. So we are hopeful that we can add the passage of Civil Unions here in Hawai’i to this list.

Even with the hopeful passage of Civil Unions there will be a dark cloud over the celebration and that is because of the epidemic of LGBT youth committing suicide.

This plague on our community gained national attention when we lost a minimum of 6 LGBT youth just in October of last year alone. The youngest to take their life was Asher Brown at the age of 13. I say minimum of 6 because we will never truly know exactly how many youth have killed themselves over their sexual orientation because families usually do everything they can to keep this kind of devastating incident private. Keep in mind that all current studies show that LGBT youth are 4 times more likely to commit suicide than their straight counter parts.

What does this have to do with Senate Bill 232 SD 1 well to quote slain civil rights leader Dr. Martin Luther King, Jr. –

It may be true that the law cannot make a man love me, but it can keep him from lynching me, and I think that's pretty important.

And that is what is happening to our LGBT youth they are being lynched, not in the historical sense of the word but in the literal sense. From being bullied at their schools to being thrown out of their homes, the number one reason LGBT youth are homeless, all

because of who they are as a person. The LGBT youth have no where to turn, they are devalued as a human beings and they think no one cares so they end their lives.

One of the main reasons they think no one cares is because the laws of our land say that members of the LGBT community are not seen worthy of the rights, privileges, responsibilities and protections that Senate Bill 232 SD 1 would provide.

Right now everyone, from the youth to adults, is hearing this message loud and clear. The evidence of this can be seen in the suicide rates of the LGBT youth, to the open season it seems to be by some to bully LGBT youth in schools to the hate crimes committed by adults towards our community. The Federal Hate Crimes statistics show the LGBT community is the number one minority targeted for Hate Crimes. I would love to tell you Hawaii's statistics but our state does not compile these numbers since we have yet to see full implementation of our Hate Crimes Act, but that is testimony for another time.

So today you can send a message loud and clear that Hawai'i does care about all of its citizens regardless of their sexual orientation, gender or gender expression, race, color, religion, age, marital status, national origin, ancestry, or disability by passing Senate Bill 232 SD 1.

Know that by voting yes on SB 232 SD 1 today that you are also doing the will of the people of the State of Hawai'i. For the voters spoke loud and clear on November 2nd when they had a clear choice between Governor Abercrombie, who said he would have signed this bill into law last year and Duke Aiona, who called upon then Gov. Lingle to veto HB 444 and he made the majority of the last weeks of the campaign about nothing else but his stance against Civil Unions. And Governor Abercrombie went on to win with a 17 point spread.

Also keep in mind not one legislator lost their seat over their support of HB 444 in either election last year. Even Senator Gabbard said in an interview with KITV that Civil Unions is not a high priority issue with the voters.

So we here at Honolulu Pride ask you to stand on the right side of history today and pass SB 232 SD 1 out of committee and support its passage on the floor of the House.

Mahalo for your time and consideration,

Rob Hatch
Legislative Representative

JUDtestimony

From: Andrade, Eva [eandrade@rcchawaii.org]
Sent: Wednesday, February 02, 2011 2:18 PM
To: JUDtestimony
Subject: Testimony for House JUD hearing on February 8, 2011 @ 2:15 pm | SB 232 SD1 Civil Unions
Attachments: SB232_SD1_110208_JUD.pdf

Testimony submitted by:

Walter Yoshimitsu
Executive Director
Hawaii Catholic Conference
6301 Pali Highway | Kaneohe, HI 96744 | Phone: (808) 203-6735 | Email: hcc@rcchawaii.org

HEARING INFORMATION:

Measure Name: SB 232 SD1 Relating to Civil Unions
Committee: House JUD
Date: February 8, 2011
Time: 2:15 p.m.
Room: Auditorium

He will be present at the hearing.



HAWAII CATHOLIC CONFERENCE
6301 Pali Highway
Kaneohe, HI 96744-5224

Email to: JUDTestimony@Capitol.hawaii.gov
Hearing on February 8, 2011 at 2:15 p.m. in the Auditorium

DATE: February 3, 2011

TO: House Committee on Judiciary
Rep. Gilbert Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

FROM: Walter Yoshimitsu, Executive Director

RE: STRONG OPPOSITION TO SB 232 SD1 RELATING TO CIVIL UNIONS

Honorable Chairs and members of the House Committee on Judiciary, I am Walter Yoshimitsu, **representing the Hawaii Catholic Conference**. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in the State of Hawaii, which under the leadership of Bishop Larry Silva, represents over 200,000 Catholics in Hawaii. We strongly oppose this bill that would establish civil unions in Hawaii. We oppose this bill for several reasons:

Marriage does not have to be redefined to care for unmarried people. We have been on the record for several years saying that fixing reciprocal beneficiaries is better for Hawaii than establishing civil unions because it does NOT discriminate based on sexual orientation. ANYONE who cannot legally marry in Hawaii is entitled to these benefits. Hawaii's reciprocal beneficiary agreements provide for all kinds of domestic situations in which care is made available to to people regardless of sexual relationship.

Marriage between one man and one woman is recognized and endorsed by the government for a reason. Governments have recognized marriage for one reason: the procreative potential of the sexual relationship in marriage. Married mothers and fathers provide a great service to the community and the state – the next generation of responsible citizens and taxpayers.

Civil unions for same-sex couples is just a stepping stone toward redefining marriage. In the states which have adopted civil union laws, activist have always found them insufficient; only the redefinition of marriage would be suffice. The activists lobbying for civil unions really want same-sex "marriage" in Hawaii. Same-sex "marriage" supporters can't convince the people to redefine marriage, so they are pursuing strategies like this. You can't talk about civil unions without talking about same-sex marriage because there really isn't any difference. The goal is the same. SB 232 is nearly identical to bills passed in California and Connecticut. Those led to courts ultimately imposing same-sex "marriage" on those states. Are we supposed to believe they don't want to force same-sex marriage on Hawaii?

Civil unions are a desperate and dishonest attempt to force same-sex "marriage" on Hawaii. As we've seen in California, not even constitutional amendments protecting marriage are safe from activist courts. The people of Hawaii and the majority of our elected officials still support marriage as the union of one man and one woman.

Thank you for the opportunity to testify.

JUDtestimony

From: khikuhio82 [khikuhio82@gmail.com]
Sent: Wednesday, February 02, 2011 5:58 PM
To: JUDtestimony
Subject: SUPPORT SB232 Civil Unions

To: JUD House Committee

Hearing Date: 2/8/2011

RE: SB232

Please **support SB232** Civil Unions Bill. This is long overdue, and would be law now, were it not for the veto last year.

While some organizations and persons may oppose the bill, they are not required to participate.

This bill will **give ALL Hawaiian citizens equal rights.**

In addition, civil unions will bring in tourism dollars, as may couples and their friends and families will want to celebrate their unions and anniversaries here in Hawaii.

Furthermore, please re-consider the effective date, by **moving it up 6 months, eff. 7/1/2011**, in order to take advantage of the summer months.

Mahalo,

K. H.
Honolulu

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:34 AM
To: JUDtestimony
Cc: Kim_Coco_Iwamoto@notes.k12.hi.us
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232sd1WT2011KCI.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Kim Coco Iwamoto
Organization: Individual
Address:
Phone:
E-mail: [Kim Coco Iwamoto@notes.k12.hi.us](mailto:Kim_Coco_Iwamoto@notes.k12.hi.us) Submitted on: 2/7/2011

Comments:

House Committee on Judiciary
Hearing: Tuesday, February 08, 2011.
2:15 PM, Auditorium
Testimony: Support of SB232 sd1
Relating to Civil Unions

Chair Keith-Agaran, Vice-Chair Rhoads and Members of the Committee:

I submit testimony in my capacity as a Member of the Hawai'i State Board of Education because the legislation of equality -- or conversely, the perpetuation of discrimination -- directly impacts our students and their families.

Your Board of Education explicitly prohibits bullying, harassment and discrimination against students based on their sexual orientation. Despite the Board's proactive policies and administrative rules, harassment against students perceived to be gay, lesbian or bisexual is on the rise.

14.6% of Hawaii's public middle school students indicated that they "had been harassed because someone thought they were gay, lesbian, or bisexual during the last 12 months before the survey." The data from this biennial CDC-funded survey reflects an increase of 42% between 2007 and 2009; this is the largest increase in reported negative behavior in this section of the survey.

We know that anti-gay bullying has led many teenagers across the nation to end their own life. It is important to note that Hawaii remains number one in the nation for having the highest percentage of high school students who have contemplated killing themselves: 18.9%. That is one out of every five students.

The rampant anti-gay rhetoric emanating from this prolonged "debate" over civil unions is infiltrating our schools and subjecting our students to a heightened level of harassment. I urge this Committee to pass civil unions now; make any needed changes to assure the law will be effectively and expediently implemented.

Yours truly,



Kim Coco Iwamoto, Esq.
State of Hawaii Board of Education Member, Oahu-at-Large



Randy Perreira
President

HAWAII STATE AFL-CIO

320 Ward Avenue, Suite 209 • Honolulu, Hawaii 96814

Telephone: (808) 597-1441

Fax: (808) 593-2149

The Twenty-Sixth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Judiciary

Testimony by
Hawaii State AFL-CIO
February 8, 2011

S.B. 232, SD1 – RELATING TO CIVIL UNIONS

The Hawaii State AFL-CIO **strongly supports** the purpose and intent of S.B. 232, SD1 which would extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

Same-sex couples deserve the same rights and benefits as heterosexual couples who are married. Unfortunately, same-sex couples and their families are denied hundreds of rights and protections offered by the state of Hawaii. As a result, by refusing to legally recognize same-sex relationships, Hawaii among many other states deprive thousands of families the most important attributes of labor: the ability to take care of and provide for their family members.

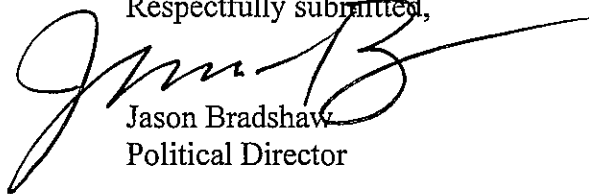
The fact is many same-sex couples are our neighbors, police officers, firefighters, and teachers. Many keep us safe and educate our children. No longer should individuals who choose to have a same-sex relationship be discriminated against. In fact, it was not too long ago when interracial marriage was illegal in a number of states. Today, there are thousands of interracial marriages and no one thinks otherwise. It is time for Hawaii to move forward and accept civil unions to guarantee the same rights and protections as those who are married.

Without civil unions, the family truly suffers. When a partner in a same sex relationship passes away, their children and partner are not guaranteed their pensions and other survivor benefits. This is distressing and truly unnecessary. It undermines their financial health and well being. The child's quality of life completely changes for the worst, and while the loss of a parent is without a doubt devastating, at least a civil union would have protected the child and partner financially.

At the end of the day, same-sex couples are just like you and I. They have children; they love each other, and work with us day in and day out. Many protect us as police officers or firefighters, while some educate our children or perform complicated surgeries to save someone's life. In the end, we should not be afraid of change; but what we should be afraid of is that we have discriminated just like we have done in the past. It is time to say enough is enough, it is time to pass S.B. 232, SD1 and guarantee same-sex couples the same rights and benefits as those who are married. It is the right thing to do.

Thank you for the opportunity to testify.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason B.", with a long horizontal flourish extending to the right.

Jason Bradshaw
Political Director

UNITE HERE!

LOCAL 5 HAWAII

FACSIMILE TRANSMITTAL SHEET

TO: House Sergeant-At-Arms	FROM: UNITE HERE Local 5 (Cade Watanabe)
COMPANY: Hawaii State Legislature	DATE: 2/3/2011
FAX NUMBER: 808-586-6211	TOTAL NO. OF PAGES INCLUDING COVER: 3
RE: Written Testimony	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

NOTES/COMMENTS:

Written Testimony
SB 232, SD 1

Hearing Date/Time:
Tuesday, February 8, 2011
2:15 p.m.
Auditorium

ERIC GILL, FINANCIAL SECRETARY-TREASURER
1516 SOUTH KING STREET, HONOLULU HI 96826
PHONE (808) 941-2141 FAX (808) 941-2166

UNITE HERE! LOCAL 5 HAWAII

Eric Gill, Financial Secretary-Treasurer

Hernando Romas Tan, President

Godfrey Maashiro, Senior Vice-President

Wednesday, February 02, 2011

The Honorable Gibert Keith-Agaran, Chair
and Members
Hawaii State Legislature
House Committee on Judiciary
State Capitol
415 S. Beretania Street

In support of SB 232, SD1 relating to Civil Unions

Chair Keith-Agaran, Vice-Chair Rhoads, and members of the House Committee on Judiciary:

On behalf of UNITE HERE Local 5, a local labor organization representing nearly 11,000 hotel, health care and food service workers employed throughout our State, I hereby register our organizations strong support of Senate Bill 232, SD 1 relating to Civil Unions.

As we have testified in the past before the Hawaii State Legislature, it is our belief that SB 232, relating to civil unions is not about validating people's existence, nor is it about endangering social institutions. This bill is about economic justice, and the right of each of us to expect and receive fair treatment from our government.

Equality before the law is not a new concept. The notion that all people have a right to equal treatment from government is at the foundation of our democracy. It is the basic ideal that our government is expected to live up to.

Equal rights and equal treatment for all is not just the right thing to do. It is key to bringing our society together, so we can work toward a common purpose. Our union has learned this, not from any book, but in practice.

Our union is an organization whose mission, role and existence is founded on the solidarity and concerted activity of our members. Our most fundamental task is to build unity and common purpose among our members. To do this, we must overcome divisions of all sorts that exist among our extended family. We need to bring people whose ancestors have been here for centuries together with those recently arrived from many countries. In order to have the power to protect any of our members, we must unite people of different religions, different languages, different skin colors, different traditions. And, different ways of living their private lives, and organizing their families.

In order for each person to commit to building our union, we have to fight for every person. Our members need to see us include everyone, for each individual to feel included.

That's why we fight for immigrant rights at the same time we fight for the rights of Native Hawaiians. We fight for equal treatment between men and women, between young and old, between races of people from all over the globe.

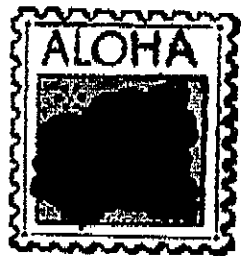
That's why we fight for the rights of those of us whose families are different, who have fallen in love differently. If we fail to fight for each, we undermine the unity and power of all.

We thank you and the Hawaii State Legislature for taking a stand. Thank you for bringing us together. Care for all of us, equally. Pass SB 232, SD 1.

Sincerely,



Eric Gill
Financial Secretary-Treasurer



Holly J. Huber

Phone: (808) 554-7692 • E-mail: hollyjhuber@gmail.com
 Blog: honolulupropertytaxreform.wordpress.com

House Judiciary Committee
 Hawaii State Capitol, Auditorium
 Hearing: Tuesday, February 8 @ 2:15 PM

RE: Testimony in Support of SB 232 SD1 Relating to Civil Unions

Aloha,

I support Civil Unions because I support civil rights – for everyone! Hawaii's current "reciprocal beneficiaries" law is woefully inadequate. It restricts the rights of Lesbian, Gay, Bisexual and Transgender (LGBT) couples.

Hawaii is the most diverse state in the nation. It is an embarrassment that we can celebrate so many different cultures and still discriminate against LGBT individuals, couples and families.

Those who oppose this bill claim that Civil Unions are the equivalent of same-sex marriage. Like Civil Unions, same-sex marriage is separate and unequal. Even states that offer same-sex marriage cannot provide LGBT couples with the same rights as heterosexual couples due to the federal government's Defense of Marriage Act (DOMA). Such discrimination is unconstitutional; DOMA will be repealed just as "Don't Ask Don't Tell" was recently.

Judging by the past election, the people of Hawaii favor civil rights and oppose discrimination.

The fight against Civil Unions is being led by a discredited organization: the Hawaii Family Forum. In 2009, this so-called nonprofit violated its 501(c)(3) status for excessive lobbying and had to pay \$20,741 in taxes. The IRS continues to investigate this lobbying group – which has no charitable purpose – and may revoke the Hawaii Family Forum's nonprofit status.

The Hawaii State Ethics Commission is also investigating the Hawaii Family Forum and its partner, the Hawaii Catholic Conference, for misreporting lobbying expenditures in the past two legislative sessions.

It is wrong to lobby the Hawaii State Legislature under the auspices of a charitable organization. And it is wrong to deny people their civil rights. Vote YES on SB232 SD1.

Sincerely,

Holly J. Huber

JUDtestimony

From: Peter Pinto [ponoboi2003@msn.com]
Sent: Wednesday, February 02, 2011 6:14 PM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

Aloha,

Would like to say I'm against it.

Sent from my iPad

JUDtestimony

From: Phyllis Young [alohaphyllis@hawaii.rr.com]
Sent: Wednesday, February 02, 2011 6:42 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Aloha,

The very beginning of SB 232 SD1 reads:

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The intent of this measure is to recognize civil unions in Hawaii. By establishing the status of civil unions in our State, it is not the legislature's intent to revise the definition or eligibility requirements of marriage under chapter 572, Hawaii Revised Statutes.

SECTION 2.

Are you serious!!!! This is exactly what those who are in a same-sex relationship want! Take the blinders off your eyes and look at the history of the states who now allow gay couples to marry. They all started first with civil union laws being passed. This bill SB232 SD1 is a stepping stone for them to get the laws here in Hawaii to change to recognize their illicit unions as legal with the same status and rights of those in marriage.

It is no wonder that the Senate has taken prayer out of its gatherings, because what they intend to do violates God's commands! May God have mercy on the people of Hawaii if this bill ever becomes law.

It amazes me that in this controversy as to whether gay people should have the right for civil union in Hawaii that NO ONE mentions the fact that Hawaii passed the Hawaii Reciprocal Beneficiaries Act in 1998. In the excerpt below it states that this Act is the most comprehensive of its kind in the nation which endows non-married couples, who register as "reciprocal beneficiaries" will have many of the rights previously reserved for married couples.

Such rights include, but are not limited to,

- Family health care benefits for state workers
- Hospital visitation rights
- Property and inheritance rights
- The right to sue for the wrongful death of a reciprocal partner

- The right to protection from the domestic violence of a reciprocal partner
- In some instances, it forces a private employer to supply health care benefits to reciprocal beneficiaries if the private employer supplies health care benefits to married couples.

Granted, this Hawaii Civil Reciprocal Beneficiaries Act does not give all the rights that those who are married have, but these rights are more than enough!

Please do not allow our State of Hawaii to be tainted with the passing of these bills.

Aloha,

Phyllis Young

alohaphyllis@hawaii.rr.com

808-395-6694

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Brandeis Law Journal**

***NOTE: HAWAII'S RECIPROCAL BENEFICIARIES ACT: AN EFFECTIVE STEP IN
RESOLVING THE CONTROVERSY SURROUNDING SAME SEX MARRIAGE ****

**** Recipient, Best Note Award, 1997-1998.***

Fall, 1998 / 1999

37 Brandeis L.J. 81

Author

W. Brian Burnette

Excerpt

I. Introduction

The Hawaii legislature, in an attempt to prevent judicial recognition of same- sex marriages,¹ recently passed the Hawaii Reciprocal Beneficiaries Act.² This Act, the most comprehensive of its kind in the nation, endows non-married couples, who register as "reciprocal beneficiaries,"³ with many of the same rights and benefits married couples receive under Hawaii law.⁴ These rights and benefits, previously reserved for married couples only, include, but are not limited to, family health care benefits for state workers;⁵ hospital visitation rights;⁶ property and inheritance rights;⁷ the right to sue for the wrongful death of a reciprocal partner;⁸ and the right to protection from the domestic violence of a reciprocal partner.⁹ Most importantly, the Act also, in some instances, forces a private employer to supply health

care benefits to reciprocal beneficiaries if the private employer supplies health care benefits to married couples.¹⁰ This Note examines the Hawaii Reciprocal Beneficiaries Act and argues the Act helps to resolve Hawaii's same-sex marriage controversy.

Aloha,

Phyllis Young

alohaphyllis@hawaii.rr.com

808-395-6694

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 02, 2011 6:49 PM
To: JUDtestimony
Cc: honoluluprideparade@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232SD1Feb8Test

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Rob Hatch
Organization: Honolulu Pride
Address: 92-954 Makakilo Dr. #71 Kapolei, HI
Phone: 672-9050
E-mail: honoluluprideparade@gmail.com
Submitted on: 2/2/2011

Comments:

JUDtestimony

From: Susie [hi2mom@aol.com]
Sent: Wednesday, February 02, 2011 7:16 PM
To: JUDtestimony
Subject: Correction: In Favor of HB 1453 (Relating to Legal Relationships) | In Favor of SB 232 SD1 (Relating to Civil Unions)

Sorry,
This last email from me was mistakenly sent from my ipad. I am emailing you again to send the correction.
I am IN FAVOR of HB1453 and IN Favor of SB 232 SD1
thank you,
Susie Roth

-----Original Message-----

From: Susan Roth <hi2mom@aol.com>
To: JUDtestimony <JUDtestimony@capitol.hawaii.gov>
Sent: Wed, Feb 2, 2011 1:48 pm
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

Sent from my iPad

JUDtestimony

From: Matthew Friedman [matthew_friedman@yahoo.com]
Sent: Wednesday, February 02, 2011 7:26 PM
To: JUDtestimony
Subject: SB 232

To Whom It May Concern:

I, Matthew Friedman urge Hawaii lawmakers to pass SB 232. As a father of a gay son it is imperative that he be afforded the same rights as his fellow citizens, particularly in terms of sharing his life with a partner. For example; the right to have who he wants at his side during hospital stays or emergencies (eventually his parents will not be there to support him but a partner may), the right to crucial benefits that other married couples are entitled to, and the right to determine who is an heir to his estate. Most importantly SB 232 shows that my son is a valuable member of society instead of the marginalizing him because of his sexual orientation.

Society is changing, case in point the repeal of Don't Ask Don't Tell. How ironic would it be that a LGBT person could serve and possibly die for their country yet not have the right to be in a civil union? In light of society's changing, Hawaii must adapt to those changes, for far too long Hawaii's LGBT community has been treated unfairly and it is time to pass this bill!!!!

Sincerely,
Matthew Friedman

JUDtestimony

From: john brogan [broganjoma@yahoo.com]
Sent: Wednesday, February 02, 2011 8:02 PM
To: JUDtestimony
Subject: Opposition to SB 232 SD1

Dear Judicial members of the House of Representatives,

Please oppose HB 232 SD1! This is extremely serious!

It is in your hands now. I know you do not want to go against the majority of the people of Hawaii. CIVIL UNIONS = SAME SEX MARRIAGE. It is such a simple thing - a true no-brainer! Marriage is traditionally between man and woman like all of you have probably experienced. But you are intelligent and you know it. Don't let them intimidate you.

Reciprocal benefits are in place for their benefit. This is not a case of CIVIL RIGHTS - it is marriage that they want - simple as that. You know that in every state that has passed Civil Unions - they immediately got married tho they say they would never do that! They are hoodwinking you. Governor Burns had an opportunity to veto the first Liberalized abortion in the nation back in the 70s - and that was millions of babies ago. What a disgrace that was! Don't let that stain happen here in our beautiful land, Hawaii, again.

We know you are moral people - because we elected you! Do the right thing. OPPOSE SB 232 Thank you

Mary Lou & John Brogan, 797 Moaniala St 96821

JUDtestimony

From: Mmoorelvi75@aol.com
Sent: Wednesday, February 02, 2011 8:14 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232

Aloha,

I oppose these 2 bills. Although I do believe in equal rights for all, this, however, is not what the Lord intended when He created man and woman. Equality does not mean going against God. I have at least 10 family members who are lesbian or gay, my only sister being one of them yet even she understands this is not of God. If our state allows this, then our state will have to answer to the Lord. Please do not pass this bill.

I pray you will all make the moral choice.

Mahalo
Samlynn N Moore

Testimony for SB232

Hearing Date 1/25/2011

As a mother, I support SB232 because I would not want the happiness of my child or any child to be limited by bigoted and prejudiced laws. Same sex unions harm no one and allow two people to support each other emotionally and financially to the benefit of the community. We need more people taking responsibility for their loved ones which would relieve the burden on government.

JUDtestimony

From: Melissa Crisostomo [alohamc@yahoo.com]
Sent: Wednesday, February 02, 2011 9:49 PM
To: JUDtestimony
Subject: Opposition to SB 232 SD1 and HB 1453

House Judiciary Committee members:

Every time a civil union bill has been imposed on a state, demands for same-sex "marriage" have followed. Hawaii's civil union bill is nearly identical to bills passed in California and Connecticut. Those led to courts ultimately imposing same-sex "marriage" on those states. The people of Hawaii and the majority of our elected officials still support marriage as the union of one man and one woman.

We ask that the House Judiciary Committee members OPPOSE SB 232 SD1 and HB 1453 but SUPPORT HB 1244.

Sincerely,

Roland & Melissa Crisostomo

Mililani Mauka resident

626-2469

JUDtestimony

From: Julie Uyeno-Pidot [julie.uyenopidot@gmail.com]
Sent: Wednesday, February 02, 2011 9:57 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Dear House Judiciary Committee,

My name is Julie Uyeno-Pidot and I am writing to you in support of SB232. As a married, heterosexual mother of two young children, I may not seem like someone who has a vested interest in civil unions, but I do. I am committed to living my life as equitably as possible and raising my children to do the same. I do not want them to live in a world where equal rights are denied to groups of people who differ from the so-called norm. While people should be allowed to practice whatever religion they see fit, these beliefs should not be used to dictate social policy. Allowing civil unions will not weaken traditional marriage. That would be like saying the political landscape of the United States has been weakened by granting women the right to vote. Equal access legitimizes social constructs through increased input and participation. Let's not fight change by resorting to oppression. If we truly want to maintain our image of the Aloha state, we need to extend that welcoming spirit to everyone, regardless of sexual preference.

Thank you for your time and consideration.

Mahalo,

Julie Uyeno-Pidot
3626 Crater Rd.
Honolulu, HI 96816

JUDtestimony

From: Charlene Mato [charm@hawaiiantel.net]
Sent: Wednesday, February 02, 2011 10:56 PM
To: JUDtestimony

I don't know really anything about what is involved with this law, but what i've heard from other people & what little I did read in articles relating to this law, it appears that if a same sex couple wanted to get married in a church, it would be the Pastor's responsibility to marry them, if the Pastor should decline, that person could be thrown into jail? If this is true & i'm hoping that it's not then this law is telling the church that they will be breaking a religion law that the word "marriage" is between 2 people of the opposit sex.

What defines marriage is that:

Marriage is between two people enjoy each other's company that couple would like to spend a lifetime together, so that would mean they would have sexual relations with each other & no other as long as they are together. They would do everything together, have children to pro-create.

If a same sex couple should want to have children, how would that happen?

A scenario if the same sex marriage thing should happen, God forbid; there was no such thing as invitro & same sex couples were the only people left on earth, how would they pro-create?

Love in Christ
Charlene Mato
Phone: 221-3155

JUDtestimony

From: Lillian Chang [lchang@hawaii.rr.com]
Sent: Wednesday, February 02, 2011 10:57 PM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

To the House Judiciary Committee Members:

Subject: SB 232 SD1 and HB 1453

We would like to go on record as opposing these two Civil Union Bills scheduled for hearing. For the sake of our families and especially for our children and the future of Hawaii, we oppose these bills. This "Civil Union" line of thinking is unhealthy for our community, our State and for our nation as it was founded. It is also against the natural laws of pro-creation.

Please, we request that all members oppose this bill.

With much Aloha,
Frank and Lillian Chang

JUDtestimony

From: Rina Cheung [rina@cheung.com] on behalf of greetings@cheung.com
Sent: Wednesday, February 02, 2011 11:27 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

I oppose SB 232 and SB 1453. Mahalo and Aloha!

JUDtestimony

From: Kyle Kajihiro [kyle.kajihiro@gmail.com]
Sent: Wednesday, February 02, 2011 11:28 PM
To: JUDtestimony
Subject: SUPPORT SB 232, SD1, relating to Civil Unions, Tuesday, February 8, 2011 at 2:15 p.m. Chamber Level Auditorium.

SUPPORT SB 232, SD1 Relating to Civil Unions

Aloha Chair Keith-Agaran and members of the House Judiciary Committee

Thank you for hearing SB 232, SD1 Relating to Civil Unions.

The American Friends Service Committee Hawai'i Peace and Justice strongly supports this bill.

All couples who choose to be in long-term committed relationships should be able to gain legal rights, privileges and protections for their relationships and their families.

The religious beliefs and fears of some people should not dictate discrimination and second class treatment of same sex couples and their families. Extending equal rights to same sex couples neither deprives heterosexual couples of any rights nor harms them in any way.

The anti-gay reaction of some in our community recalls the fear, anger and hatred that some southern whites directed at blacks who demanded equality and an end to segregation during the Civil Rights movement. It is understandable why some people react so strongly when their world view and beliefs are unsettled by social change, but it is not an excuse to deny equal rights and justice to another group.

Civil unions would also be a welcome alternative to marriage for heterosexual couples who wish to avoid the religious and political baggage associated with marriage. In France, more heterosexual couples than same sex couples have opted for civil unions.

The time to stand up for justice and equality is now. I urge you to pass this bill.

Thank you.

Sincerely

Kyle Kajihiro
Program Director

JUDtestimony

From: Ryan Kapuniai [ryankapu@hawaii.edu]
Sent: Thursday, February 03, 2011 12:10 AM
To: JUDtestimony
Subject: re: sb 232 relating to civil unions

Aloha House Judiciary Committee,

Strong support for senate bill 232, although frankly I would be remiss if I didn't tell you that you guys should really be passing a marriage bill with a simple majority and having Abercrombie let it go without signing it, or have him sign it. The reason is that it is important to take a stand for what is right. Others are watching how much courage you have. Hawaii, in my view, should take a leadership position, rather than waiting for others to spearhead and following meekly behind. We're better than that.

Sincerely,
Ryan Kapuniai
juris doctor

JUDtestimony

From: Lee McIntosh [lee@cartoonistforchrist.org]
Sent: Thursday, February 03, 2011 12:30 AM
To: JUDtestimony
Subject: Testimony

Lee McIntosh
Committee On Judiciary
2/8/2011
2:15 pm
SB 232

Dear Representatives,

Aloha, my name is Lee McIntosh. I live in Kau on the Big Island. I am writing in regards to SB 232, and any other bill regarding civil unions. Rather than list the many reasons of why I believe that you should vote against SB 232, I request that you please introduce a Constitutional amendment that will allow the people of Hawaii to make this important decision that affects the very moral fabric of our society. I thank you for taking the time to read and consider my testimony regarding this matter...

Lee McIntosh

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 4:12 AM
To: JUDtestimony
Cc: thirr33@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: UT Tower.jpg; 220px-Albarello_fleur-de-lys_Louvre_UCAD4288.jpg

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Arvid Tadao Youngquist
Organization: The Mestizo Association (est. 1982)
Address:
Phone:
E-mail: thirr33@gmail.com
Submitted on: 2/3/2011

Comments:
Chair, House Judiciary Committee
Vice Chair, Committee
Right Honorable Members of the Committee

My name is Arvid Youngquist. We wish to thank you for this opportunity to submit written testimony.

As we testified in support with, SB 232 at the very same site, we are here also to support SB 232 SD1 Relating to Civil Unions.

We do not know whether the companion/related bills will be introduced from the House, but hearing and deciding on SB 232 SD1 today is crucially important. We recommend an implementation date of July 1, 2011, to be enacted upon transmittal to the Governor. As Gov. Abercrombie is poised to enact the Relating to Education (BOE) legislation, a speedy response from the Legislature on Civil Unions after a long delay dating back to 1997, 2009, and 2010, would most assuredly be a good remedy. There are citizens here who have sacrificed a chance to be recognized in other States where Civil Unions or similar measures have been enacted (i.e., Massachusetts), because this Aloha State, is the state of mind and place, where they wish to be united.

Recommend a civil, educational, and speedy decision on the part of the opponents and the supporters, and at the end of the day, a Committee decision to your colleagues on the House Floor for adoption. This will set the right tone for the Senate counterparts to accept, provided there is no HD1 that may be of a stumbling block on the part of the opponents there (six). We can not please everybody, but we wish to be considerate of each other's differences as well as individual principles.

Me Ke Aloha Pumehana,

Arvid Tadao Youngquist
Chair, Editor, The Mestizo Association
Kalihi Valley resident and voter

JUDtestimony

From: dennis tynan [dmtynan@gmail.com]
Sent: Thursday, February 03, 2011 5:57 AM
To: JUDtestimony
Subject: sb232 testimony in FAVOR

i sincerely hope the judiciary committee has the wisdom and courage to follow in the footsteps of the hawaii senate regarding civil unions.

my message is simply that i believe it is time (long overdue in fact) that all people have equal rights to the civil benefits of marriage.

please stand up and be counted on the right side of history by voting to support sb232 and send it on to your colleagues in the full house.

mahalo for listening

dennis m. tynan
84-688 ala mahiku street
makaha hawaii 96792

February 6, 2011

To the Representatives:

I am writing to urge you to support SB 232, both in committee and on the floor. There are many gay and lesbian people in the state of Hawai'i who deserve at least some sort of protection under the law. My partner and I are 55 and 60 respectively and have lived in Hawai'i for 11 years. Her mother moved here almost 40 years ago and my partner, Barbara, actually graduated from the old Maui High School before returning to the mainland. We have been together for 15 ½ years in a deeply committed, very strong relationship. We own a house together, have 2 small businesses together and take care of her now elderly mother who lives with us. We pay taxes like everyone else, support the local economy and contribute to our community. We are also registered voters and always participate in elections, not just as our right but as a carefully considered responsibility as citizens.

I am a postulant for holy orders to the diaconate within the Episcopal diocese of Hawai'i, am a devout Christian and an extremely active member of my church. What we are asking for from our legislature is not about religion but about law. Churches can – and should – always determine for themselves in each and every circumstance who they will marry within their walls. No church is required to perform a marriage ceremony for any person, gay or straight. So passing SB 232 has no impact on the rights of any church. But it is very much about civil rights and these are being denied people like my partner and me simply because of our sexual orientation and the very misguided notion that how I am is simply a poor choice. I am who I am. I was married for years and have a grown son and grandchildren. That does not change things.

I live as a good citizen in this state and country. I obey laws and live a life so amazingly “normal” (whatever that word means these days) that most people are surprised to find out I am gay and have been out for 33 years. I am appealing to you as people who know that all people deserve equal rights and protections. Civil unions are not marriage and I find it distressing that unions will be available to heterosexual couples so a “second class” of people will not be created. Heterosexual couples already have legal and civil rights under the law. The “second class” exists and it is the gay/lesbian community. However, it is equally important to me to remove all barriers of discrimination.

I have COPD (emphysema and chronic bronchitis) which limits what I can do and is a progressive disease. I want to know my partner is recognized by law because of that, too, since she may very well find herself in the position of having to make decisions for me sometime in the future.

Please support this bill and remove the layer of discrimination that exists in our beautiful state. We are not asking for special rights...we are simply asking for the same

rights. If bold law makers had not stepped forward to correct what was wrong, it might still be illegal to marry a person of a different race in the south where I was raised. Sometimes right and wrong are very clear concepts. I believe you know this, too. The religious extremists stir emotion of fear and hate as well as spreading misinformation and outright lies. It has no place in decisions about how other people are allowed to live their lives. I am asking you to do what is pono...support SB 232 and allow equality to be the law of our state and the voice of reason. Civil unions is the very least I should be able to expect. Thank you for your time and consideration.

Lynn C (Cris) South
155 Kuono Pl
Makawao, HI 96768
808-281-7170

JUDtestimony

From: Gary Bradley [gary@islandindoor.com]
Sent: Thursday, February 03, 2011 8:07 AM
To: JUDtestimony
Subject: SB232

Aloha,

We are asking that you support SB232.

This bill directly and positively impacts myself and my partner.

SB232 is what we need, it's what Hawaii needs to made us all proud of who we are and what we are and that we are ALL EQUAL in the land of Aloha.

Yes it does get better with your support of SB232.

Thank you.

Cheers~
Gary Bradley & Paul Perry-Bradley
435 Walina St. 1004
Honolulu, HI 96815
write: gary@islandindoor.com
ring: 808.753.1002
click on link below for a G experience....
><(((^>.....Think G.....><(((^>

JUDtestimony

From: Jeff [mauidivemaster@gmail.com]
Sent: Thursday, February 03, 2011 8:40 AM
To: JUDtestimony
Subject: In SUPPORT OF SB232 (written testimony)

Aloha House Judiciary Committee,

My Name is Capt Jeff Brown and I want to thank you for taking the time to hear my written testimony in support of SB232. My partner and I have been together for 23 years and are currently registered with the State of Hawaii under the existing domestic partner law. I can tell you first hand that the current law does nothing to keep employers from discriminating against their gay and lesbian employees and children, some of the largest employers in the state (Research Corporation of the University of Hawaii) still do not provide equal benefits to these employees. As an example when my father in law I had known for more than 20 years died I had to take vacation to attend his funeral, straight employees of RCUH can take death leave which does not require the use of their vacation time. Even obtaining medical benefits for my partner is an administrative hassle (designed to stop or dissuade us from seeking equal benefits) as everything you send must be notarized, double signatures, double notarized as everything gay and lesbian employees submit is suspect even though they have my State issued Certificate of Domestic partnership on file (also had to be Notarized). My straight co-workers just fill out the forms and fax in, no red tape, they don't have to have their State issued marriage certificates notarized and mailed in to obtain benefits? So as you can see the existing law allows even some of the largest state agencies to overtly discriminate and demean it's gay and lesbian workforce. Why do my partner and I have to take off work, find a notary and pay notary fees for every benefit related request when this is never required for non-gay employees? It's just harassment and bullying by those folks who bring their religious beliefs in to the workplace to punish others they deem as unprotected by the law and employers give them a wink and nod to conduct the harassment while hiding behind made up red tape.

Even the US Military and President Obama now support gay and lesbians to serve in the military and these gay and lesbian service members will (are) assigned to units in Hawaii so let's support them and their families by having SB232 in place.

My family and I are not asking for "special rights", we just want to be treated as every other committed couple who has been together for 23 years - we pay our taxes, vote, serve our country and work to make Hawaii a better place to live.

SB232 does not affect Religious freedom in any way shape or form, they can do what ever they want in their church, remember our founding fathers were very specific about a separation of church and state as they had experienced church directed discrimination in Europe. Even the original constitution of the Kingdom of Hawaii did not allow for discrimination based on sexual orientation, the Kingdom of Hawaii was 100 years more progressive than all the other governments of the world.

In closing I want to take you again for taking time to consider my written testimony in support of SB232. Let's do the right thing and support SB232 - it's the right thing for Hawaii and "all of it's citizens".

Sincerely,

s/s

Jeff Brown
Capt MI, USAR Ret

JUDtestimony

From: Abraham, Naomi (US - Honolulu) [nabraham@deloitte.com]
Sent: Thursday, February 03, 2011 8:53 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Importance: High

Dear Members of this Committee,

Thank you for your consideration and time. My name is Naomi Abraham, and this is my testimony in support of SB232 as related to Civil unions.

Born and raised in these islands, I have lived openly as a gay women along with my partner of 33 years. The first of those 33 years began as students in middle school. Although our Christian values opposed our relationship, our "hearts" did our bidding for us. We fell in love as people do and because of it we were ridiculed and harassed by our peers and teachers. For 33 years we have struggled with acceptance, identity, respect and dignity not only from our peers but also from our families, our communities and society as a whole. It isn't a lifestyle or a life that anyone would want to choose for themselves unless they welcomed a life of struggle, ridicule, pain and unfairness. To support SB232 will not only solidify the issue of civil union marriages, but for me personally will openly say; "I'm a human being too and your words and your statements hurt, but I'll be okay, cause I have a place in the eyes of the law", and that I have the right to be happy with whom I have chosen to spend my life with and all that I accomplish in my lifetime will be hers too. And that I have the right to the freedoms as you do. No more, and no less. This is what it would mean to me. More than most. More than most can imagine. More than I can hope for in my lifetime is to live without fear of oppression or retribution. And that when my life ends, I don't have to worry that my assets will be divided amongst my kin that disapproves of my life choices and not my life-partner with whom a life I've built.

I don't want to seek to get married in a church or institution that does not honor my views and values as a free thinking Christian. All that I'm simply asking for is equality for myself and my life-partner to be acknowledged and afforded the same rights and equal protections under the laws of legal marriages in the State of Hawaii. by supporting SB232. Thank you once again for your time and consideration.

Sincerely,

Naomi P. Abraham
1185 Olomea Street
Honolulu, Hawaii 96817

JUDtestimony

From: Peiler, Nettie [NETTIE@rcchawaii.org]
Sent: Thursday, February 03, 2011 8:57 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Redefining matrimonial laws already defined by God naturally, is leading to extreme mayhem and imposing confusion on our future generation.

H.B. No. 1244 and S.B. No. 232 S.D. 1 must be vetoed.

We cannot allow civil union/same-sex marriage, in Hawaii.

This civil union bill is infringing on my rights given to me by God naturally and on my moral values that a union between one man and one woman creates another human being becoming one family unit.

I urge all of you judiciary members, to veto civil union/same-sex marriages in Hawaii.

Nettie Lou Peiler
(Democrat voter) – Kaneohe District

JUDtestimony

From: Daniel Paul de Gracia, II, MA [daniel.degracia@gmail.com]
Sent: Thursday, February 03, 2011 9:03 AM
To: JUDtestimony
Subject: Testimony for SB 232 SD1 JUD February 8 Hearing 2:15pm State Capitol Auditorium
Attachments: Testimony for SB 232 SD1 JUD 02-08-11 Auditorium 215pm.doc

Greetings,

Please see attached my testimony for Senate Bill No. 232 SD1 to be heard before the JUD committee on February 8 at 2:15pm in the State Capitol Auditorium.

Daniel de Gracia

Testimony of

Rev. Daniel Paul de Gracia, Concerned Citizen

Offering comments on the measure of

Senate Bill No. 232 SD1, Relating to Civil Unions

before the

House Committee on Judiciary

Tuesday, February 8, 2011, Hawaii State Capitol Auditorium

Chair Agaran, Vice Chair Rhoads, Honorable Members of the Committee on Judiciary and Labor, thank you for the opportunity to offer comments on the measure of Senate Bill No. 232 Relating to Civil Unions as amended in SD1 form.

While there is much controversy regarding the root issue of civil unions, I wish to direct your attention to **Page 8, Section 4, Lines 10 thru 14** which seek to codify amended definitions to "spouse" and "family". It is my interpretation that **neither the Congress under the limited powers of Article I of the U.S. Constitution nor the Hawaii State Legislature operating under the auspices of the Ninth and Tenth Amendments to the same have the legal mandate** to specifically define what construes a "spouse" or "family" as these fall under the domain of private, personal and religious interpretation and are powers reserved to the individual.

Both the Federal and State Government have the Constitutional power to regulate commerce through licenses but they do not have the power to regulate relationships. I would personally argue that the power of government to license marriage of any form - heterosexual or homosexual - is an usurpation of the powers granted by the Constitution. The sheer fact that the U.S. Constitution does not mention marriage condemns licensure of marriage by its silence.

Without even getting into the philosophical arguments for or against a certain form of marriage or cohabitation, it should be understood that free association is a key element of an individual's God-given right to enter into covenants as they please and that a license turns a right into a privilege. The very beginnings of the American revolution date to when Patrick Henry witnessed a minister who was tied to a pole and whipped nearly to death with a sign attached to him reading, "Scourged for not taking a license." We would not even be having a controversy or discussion about the political acceptability of civil unions if our government did not have a stake in the marriage business.

Economist Milton Friedman wrote, "A society that puts equality before freedom will get neither. A society that puts freedom before equality will get a high degree of both." In short, the power of government to define and regulate human intimate relationships does not add equality, it diminishes it for both heterosexuals and homosexuals alike. The most libertarian and equitable solution is to abolish entirely the state's power to selectively choose winners and losers in human relationships whether it be in taxes, socio-economic privileges or plaudits from an approving government.

I recognize and am entirely sympathetic to you in my understanding that there are political considerations for the passage of civil unions legislation but I urge the Legislature to consider that taken in context of other pressing issues, the priority of your Committee should at this time be focused on ways to maximize the use of existing state revenue streams, reduce current expenditures and debts held by the state and honor the intent of the U.S. Constitution by refraining from turning the right of marriage into a state-acknowledged privilege.

Should the State Legislature be so involved and so concerned with the issue of regulating personal relationships at a time when the state has more than \$26 billion dollars in debt and is one of 46 U.S. states facing what some term a "Greek style crisis" in its fiscal affairs? This is something to take into deep consideration as you deliberate over how to vote on this measure.

Thank you for the opportunity to testify and offer comments.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 9:05 AM
To: JUDtestimony
Cc: aaron.escobidoortiz@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: 1.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Aaron Escobido-Ortiz
Organization: Individual
Address: Kapolei, Hi
Phone:
E-mail: aaron.escobidoortiz@yahoo.com
Submitted on: 2/3/2011

Comments:

1/24/11

To whom it may concern:

When over 222,724 thousand people voted on election day equality spoke loud and clear. Duke Aiona made it clear that he would veto a Civil Unions bill and Governor Neil made it clear that he would sign such a bill into law. The Voters were fully aware of that! I think society is much smarter and more educated now days and I believe that's why we are headed in the direction we are in.

People say being gay is a choice. Well, ask yourself can you choose to be gay and happy? If the answer is yes then I'm pretty sure that you are gay but closeted. The true fact is that people who are gay or lesbian are born that way. Close minded people need to accept that all people are born differently and given unique gifts.

At the age of about 8 years old I knew that I was different. Churches made me feel less then and that I shouldn't exists. As a young man my self esteem went really low and I headed in the wrong direction in life. In my youth years I went in and out of youth correctional facilities. By the age of 18 years old I ended up in prison for over five years for robbery. If only I had the confidence to make better choices and if only churches made me feel like I was a Human being I think like myself and many other youth out there would have the self esteem to head in the right direction. Many young gay teens end up taking their own lives and I blame the teaching of hatred in churches for that. Thankfully I'm here to share my story today. I speak on behalf of all of those young gay men and women who took their own lives or were killed because of their sexual orientation. I am a warrior because today I can stand up to hateful churches and speak on our behalf without being intimidated. Today I am a successful Business owner. I thank my Family and Friends for their love and support.

Sincerely,

Aaron Escobido-Ortiz

JUDtestimony

From: Patrick Waring [pwaring@hpu.edu]
Sent: Thursday, February 03, 2011 9:13 AM
To: JUDtestimony
Subject: Testimony in Support of SB232
Attachments: marriage-equality.pdf

Dear Judicial Committee,

Honored members of the State of Hawaii House of Representatives, I am writing you today in support of civil unions. I am currently an adjunct professor of Psychology with the Military Campuses of HPU and I also am a long time Hawaii resident, voter, and activist for civil rights. Civil Unions are a psychological good. They support healthier people, children, and families. I am attaching a brief statement from the American Psychological Association that shows the psychology communities support of the passage of Civil Unions. Rather than give me own professional opinion, I thought having this information from the American Psychological Association would be more helpful to you in your deliberations.

Yours with Aloha,

Patrick J.S. Waring, Ed.D., J.D., LL.M.
Hawaii Pacific University
Resident of Dist 28.

60 N Nimitz Hwy, Apt 1207
Honolulu, HI 96817
808-744-1858
pwaring@hpu.edu

Here is a copy of the attached file:

There is no scientific basis for the assertion that lesbian, gay, bisexual, and transgender persons are not fit to marry or to become parents of healthy and well-adjusted children (Herek, 2006; Kurdek, 2004; Peplau & Fingerhut, 2007).

Marriage bestows substantial psychosocial and health benefits to individuals, due to the moral, economic, and social support to married couples. The denial of marriage rights to same-sex couples, therefore, adversely affects the health and well-being of the individuals involved, as well as their families and friends (Herdt & Kertzner, 2006).

Recent empirical evidence illustrating the harmful psychological effect of policies restricting marriage rights for same-sex couples is discussed below.

Findings

→ Researchers have consistently shown that gay men and lesbians exposed to the stigma of homosexuality have a higher risk of experiencing distress and adverse psychological outcomes (Peplau & Fingerhut, 2007).

→ According to a quantitative study with more than 1,500 lesbian, gay, and bisexual participants, living in a U.S. State where same-sex marriage is outlawed was *directly* related to chronic social stress and psychological problems, and *not* due to pre-existing mental health issues or other factors (Rostosky, Riggle, Horne, & Miller, 2009).

→ Beyond the negative effect of marriage restrictions for gay, lesbian and bisexual individuals, new research evidence indicates that the families of origin and allies of sexual minorities may suffer from some of the same serious negative physical and mental health consequences experienced by their loved ones (Arm, Horne, and Levitt, 2009).

→ Children raised by same-sex couples are equivalent in their psychological adjustment, cognitive abilities,

and social functioning to children of heterosexual partners (Fulcher et al., 2006; Tasker, 2005).

→ Being denied the right to marry reinforces the stigma associated with a minority sexual identity, and can particularly undermine the healthy development of a well-adjusted emotional and social attachment style among adolescents and young adults (Herdt & Boxer, 1993).

→ Emerging longitudinal evidence suggests that same-sex couples in legal unions are more likely to remain in a committed relationship, i.e., a legalized relationship status may positively impact relationship longevity over time (Balsam et al., 2008; Kurdek, 2004).

Recommendations

Scientific research provides no evidence that would justify discrimination against same-sex partners and their families. In its 2004 resolution on sexual orientation and marriage, APA strongly supports policy and legal decisions that support the health and well-being of same-sex couples, their children, and their communities. Specifically, APA recommends:

→ Adopting initiatives that support legal access to civil marriage and all its associated rights, benefits and privileges for same-sex couples.

→ Funding and evaluation of further scientific studies that can enlighten and be utilized in policy development concerning sexual orientation and marriage.

→ Efforts to increase the dissemination of empirical research to inform the U.S. population and policy makers regarding marriage equality issues.

Marriage Equality and LGBT Health

For more information, please contact Jutta Tobias, Ph.D., in the Public Interest Government Relations Office at (202) 336-5668 or jtobias@apa.org.

Arm, J., Horne, & Levitt, H. (2009). Negotiating connection to GLBT experience: Family members' experience of anti-GLBT movements and policies. *Journal of Counseling Psychology, 56*, 82-96.

Balsam, K. F., Beauchaine, T. P., Rothblum, E. D., & Solomon, S. E. (2008). Three-year follow-up of same-sex couples who had civil unions in Vermont, same-sex couples not in civil unions, and heterosexual married couples. *Developmental Psychobiology, 44*, 102-116.

Fulcher, M., Sutfin, E. L., Chan, R. W., Scheib, J. E., and Patterson, C. J. (2006). Lesbian mothers and their children: Findings from the Contemporary Families Study. In A. Omoto & H. Kurtzman (Eds.), *Sexual Orientation and Mental Health: Examining Identity and Development in Lesbian, Gay, and Bisexual People* (pp. 281-299). Washington, DC: American Psychological Association.

Herdt, G. H., & Boxer, A. M. (1993). *Children of Horizons: How gay and lesbian teens are leading a new way out of the closet*.

Boston: Beacon Press.

Herdt, G., & Kertzner, R. (2006). I do, but I can't: The impact of marriage denial on the mental health and sexual citizenship of lesbians and gay men in the United States. *Sexuality Research and Social Policy, 3*(1), 33-49.

Herek, G. M. (2006). Legal recognition of same-sex relationships in the United States: A social science perspective. *American Psychologist, 61*(6), 607-621.

Kurdek, L. A. (2004). Are gay and lesbian cohabiting couples really different from heterosexual married couples? *Journal of Marriage and Family, 66*, 880-901.

Peplau, L. A., & Fingerhut, A. W. (2007). The close relationships of lesbians and gay men. *Annual Review of Psychology, 58*, 405-424.

Rostosky, S. S., Riggle, E. D. B., Horne, S. G., & Miller, A. D. (2009). Marriage Amendments and Psychological Distress in Lesbian, Gay and Bisexual (LGB) Adults. *Journal of Counseling Psychology, 56*, 56-66.

Tasker, F. (2005) Lesbian mothers, gay fathers and their children: A review. *Journal of Developmental & Behavioral Pediatrics, 26*, 224-240.

For more information, please contact Jutta Tobias, Ph.D., in the Public Interest Government Relations Office at (202) 336-5668 or jtobias@apa.org.

JUDtestimony

From: Stan Zitnik [imuaawp@hawaiiantel.net]
Sent: Thursday, February 03, 2011 9:16 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 Relating to Legal Relationships & OPPOSITION TO SB 232 SD1 Relating to Civil Unions


Aloha,

I am submitting testimony in opposition to House Bill 1453 and Senate Bill 232 SD1. These two bills will lead to the legalization of homosexual marriage in Hawaii and I am opposed to this idea. Please do not allow Hawaii to follow the path of other states that have passed similar bills only to later pass additional laws that legalized homosexual marriage. The majority of Hawaii citizens and elected officials still recognize and support marriage as a union between one man and one woman and any legislation that chips away at this bedrock foundation of our society will eventually lead to it's moral down fall. This is not a civil rights issue, tolerance issue or aloha, it is a morale issue of what is right and what is wrong. As a citizen I am expressing my opposition to these bills and my support for traditional marriage between one man and one woman.

Please vote not on these two bills and thank you for you thorough consideration of this important matter.

Stan

Stan Zitnik
Wailuku, Maui
385-1405
szitnik@hawaiiantel.net

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JUDtestimony

From: Stan Zitnik [jmuawp@hawaiiantel.net]
Sent: Thursday, February 03, 2011 9:20 AM
To: JUDtestimony
Subject: HB 1453 Relating to Legal Relationships & SB 232 SD1 Relating to Civil Unions - Opposed to Both Bills

Aloha,

I am submitting testimony in opposition to House Bill 1453 and Senate Bill 232 SD1. These two bills will lead to the legalization of homosexual marriage in Hawaii and I am opposed to this idea. Please do not allow Hawaii to follow the path of other states that have passed similar bills only to later pass additional laws that legalized homosexual marriage. The majority of Hawaii citizens and elected officials still recognize and support marriage as a union between one man and one woman and any legislation that chips away at this bedrock foundation of our society will eventually lead to it's moral down fall. This is not a civil rights issue, tolerance issue or aloha, it is a morale issue of what is right and what is wrong. As a citizen I am expressing my opposition to these bills and my support for traditional marriage between one man and one woman.

Please vote not on these two bills and thank you for you thorough consideration of this important matter.

Stan
Stan Zitnik
Wailuku, Maui
385-1405
szitnik@hawaiiantel.net

 please consider the environment before printing this email and any attachments

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JUDtestimony

From: Roberta Lutjen [aloharoberta@hawaii.rr.com]
Sent: Thursday, February 03, 2011 9:28 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

In the name of what is right and wrong for the state of Hawaii, please do not pass these bills.

Thank you.

Roberta Lutjen

JUDtestimony

From: Delsa Moe [kekamoe@gmail.com]
Sent: Thursday, February 03, 2011 9:29 AM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

Aloha,

I ask that you please oppose both of the above bills related to promoting homosexual relationships in Hawaii. This matter should be put before the people of the State of Hawaii to vote on rather than decided by a few lawmakers. Every time a civil union bill has been imposed on a state, demands for same-sex marriage have followed and Hawaii has already voted decisively against it. You can't talk about civil unions without talking about same-sex marriage because there really isn't any difference. It's the same thing and a majority of the people in Hawaii are opposed to it.

Those pushing for civil unions will do anything to make sure the people don't know the real goal is for same-sex marriage in Hawaii. If this isn't undermining and redefining marriage, why would the language of the marriage law be used to create civil unions? It's not right.

Delsa Moe

Laie, HI
808-293-5901

JUDtestimony

From: Roy Robins [rrobinsjr@gmail.com]
Sent: Thursday, February 03, 2011 9:47 AM
To: JUDtestimony
Subject: In Support of SB232

To whom it may concern,

My name is Roy G. M. Robins Jr., I am 29 years old and I am from Oahu, Hawaii, and I am writing you to show my support and favor of SB232, and I humbly ask you for your support as well.

Growing up as a gay male, I, like many gay people, have had to face adversity throughout my entire life. I have faced rejection, bigotry, discrimination, and hatred at every turn, simply for being me. Due to the narrow mindedness of many, I have been forced to work twice as hard to be viewed, half as worthy. It is because of this type of rejection, bigotry, discrimination, and hatred that many gay people are afraid to speak out and to demand what is rightfully theirs. They are afraid to assemble, in fear of retribution. And that is why you have to stand up for us, in defense of the unpopular minority.

I strive to be a good person, an honest person, a kind person, a person that I and my family can be proud of. I am a good citizen, a tax payer and am deserving of equal rights. I am not asking for special consideration, just equal consideration. I am not asking for you to support gay marriage in the religious sense, as that is not what SB232 is about. As you know, it's about equal rights and civil union, which are legal matters and not religious ones. Thankfully, Church and State are separate entities, as such; one should not, and must not govern the other. And I beg you, when voting, remember that integral part. Please don't let the blatant discrimination and inappropriate argument of others, deviate you from doing your job, which is to protect the rights of all persons, regardless of its popularity.

I am sure that the arguments of my counterparts are very strongly based in religious beliefs and the bible. But religion has nothing to do with the issue at hand. However, let me remind you that throughout history, according to Rev. Mel White, co-founder of Soulforce, The Bible has been misused to defend bloody crusades and tragic inquisitions; to support slavery, apartheid, and segregation; to persecute Jews and other non-Christian people of faith; to support Hitler's Third Reich and the Holocaust; to oppose medical science; to condemn interracial marriage; to execute women as witches; and to support the Ku Klux Klan. Shakespeare said it this way: "Even the devil can cite Scripture for his purpose."

I am asking you to put an end to this rejection, bigotry, discrimination, and hatred. I am asking you for a break. I am asking you to give me what is rightfully mine. I am asking you to support SB232

Thank you for your consideration,

Roy Gene Muoiaulani Robins Jr.
84-211 Jade St.
Waianae HI, 96792

JUDtestimony

From: Paalua, Wilda [paaluaw@polynesia.com]
Sent: Thursday, February 03, 2011 9:50 AM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

I oppose same gender marriage.

Wilda Paalua
P. O. Box 51
Hauula HI 96717
808 293-8112

JUDtestimony

From: Aileen Potter [prayerwarrior3@msn.com]
Sent: Thursday, February 03, 2011 10:09 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

I oppose these two votes. Please let my vote count.
Thank you
Aileen

To: JUDtestimony@Capitol.hawaii.gov
From: Robin Wurtzel
Re: **TESTIMONY IN SUPPORT OF SB 232, SD1**
Date: February 3, 2011

Sent via E-mail

Dear Committee Chair and Members;

I am writing, as an individual, in strong support of SB232.

It is just and appropriate to extend greater protections and rights to lesbian and gay couples than those currently provided under Hawai'i law.

This bill will allow same-sex couples to jointly adopt a child, protect the parties in a same-sex relationship if they separate, and provide a vehicle for private employers to offer health benefits to same-sex couples.

This bill grants equal rights to those couples who do not have equal rights now. The bill, like marriage, grants all couples a choice. It does not affect religious freedom, since religious communities will still be able to choose whether to perform ceremonies.

It is important for us as a society that all residents of our State be treated equally. Thus, I urge you to vote yes.

Yours,
Robin Wurtzel
2354 Liloa Rise
Honolulu, HI 96822

JUDtestimony

From: Daniel Chun [dklchun@yahoo.com]
Sent: Thursday, February 03, 2011 10:16 AM
To: JUDtestimony
Subject: SB 232 SD1 - SUPPORT - 2-8-11, 2:15 PM
Attachments: SB 232 SD1 Testimony - Daniel Chun.pdf

Mahalo,
Daniel Chun

Written Statement of
DANIEL KWAI LEUNG CHUN
before the
HOUSE COMMITTEE ON JUDICIARY
Tuesday, February 8, 2011
2:15 p.m.
State Capitol, Auditorium

in STRONG SUPPORT of
SB 232 SD1
RELATING TO CIVIL UNIONS.

Chair Keith-Agaran, Vice Chair Rhoads and Members of the House Committee on Judiciary:

My name is Daniel K.L. Chun and I was born in Honolulu, O'ahu and raised in Mililani. I currently reside in Honolulu and formerly worked for the Lingle-Aiona Administration for the last seven years. I humbly ask for your vote in FAVOR of SB 232 SD1 and thank you for the opportunity to express my strong support of this very important bill.

I don't want to take your time reiterating all of the economic, social and political reasons why I support this bill, as I know you have heard from both sides and are acutely aware of all of the major points—both for and against. I also have never viewed this bill as a religious issue, or one that should pit liberals vs. conservatives or Democrats vs. Republicans. This is an issue of equality and “leveling the playing field” for all of Hawai'i's citizens to realize economic justice, fairness and the pursuit of happiness. It will allow all families in Hawai'i to be able to protect and care for one another under state law—I believe it is good public policy and encourages strong, stable family structures, which support and promote a thriving community.

I have been in a long-term relationship with my partner for nearly seven years. His name is Maika'i Tubbs and he and I are both local boys, born and raised in the islands and would like to call Hawai'i home for the rest of our lives. We are both good people—we contribute to society in meaningful ways through our professions (he works for the Honolulu Academy of Arts as the coordinator of their family programs and is also a successful Native Hawaiian contemporary artist who has been recognized by the HSFCA on numerous occasions for his work) and try to give back as much as we can to support our community through volunteer work, donating to local charities and even celebrated two of Maika'i's birthdays at the Next Step Shelter in Kaka'ako so that we could share a meal, our friends and families, and our many blessings, with the residents there.

As mentioned, I was previously with the Governor's Office and worked hard to support our state as best I could. Knowing that our laws would acknowledge my relationship with Maika'i, as well as offer us the protections and obligations of a civil union, would mean so much to us. I am not asking to receive special treatment or demand that any religion give us their blessings—I am simply asking that our government, which is supposed to serve and protect ALL people, allow me the same rights that my heterosexual counterparts have. I am just asking for the option to have my relationship legally recognized in the eyes of the state.

Thank you very much for your time and consideration of this issue. I appreciate your service to our community and everything you do for the State of Hawai'i. I look forward to a favorable outcome, and once again, I am grateful for the opportunity to testify in STRONG SUPPORT of SB 232 SD1.

Mahalo.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 10:28 AM
To: JUDtestimony
Cc: naenae@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: CIVILUNIONSTESTIMONY .docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Renee Katayama
Organization: Individual
Address:
Phone:
E-mail: naenae@hawaii.rr.com
Submitted on: 2/3/2011

Comments:

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-SIXTH LEGISLATURE
Regular Session of 2011

Tuesday, February 8, 2011
2:15 p.m.

TESTIMONY ON SENATE BILL NO. 232 – RELATING TO CIVIL UNIONS. Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

TO THE HONORABLE REPRESENTATIVE GILBERT S.C. KEITH-AGARAN-CHAIR, REPRESENTATIVE KARL RHOADS-VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Renee Katayama, a 16 year-old homeschooled student, testifying on behalf of myself. I am strongly opposed to this bill, which is the same as same-sex marriage in Hawaii.

The problem with this bill is that it gives partners in a civil union the same rights as married couples therefore, it is equal to marriage. This is a threat to traditional marriage and traditional values, and also public health. Homosexual couples are many times more likely to develop Aids and other sexually transmitted diseases than heterosexual couples.

This is also a threat to the preservation of the ohana and marriage. Family is one of the most important things to the people of Hawaii, and to me. Civil unions will ultimately destroy the family unit. Because children cannot be born, the traditional family will be gone and replaced with a need for adoption and medical procedures in order to have children.

Finally, God did not create couples this way, He created them as man and woman and He is whom we will ultimately have to answer to. This is why I ask you to vote NO on this bill. I will now read sections S.B. 232:

S.B. NO. 232 A BILL FOR AN ACT-relating to civil unions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The intent of this measure is to recognize civil unions in Hawaii. By establishing the status of civil unions in our State, it is not the legislature's intent to revise

the definition or eligibility requirements of marriage under chapter 572, Hawaii Revised Statutes.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"Chapter: CIVIL UNION

§ -1 Definitions. As used in this chapter, unless the context otherwise requires:

"Agent" means the person or persons appointed as agents by the department of health pursuant to section 572-5.

"Civil union" means a union between two individuals established pursuant to this chapter.

"Partner" means an individual who is a party to a civil union established pursuant to this chapter.

§ -2 Eligibility to enter into a civil union. A person shall be eligible to enter into a civil union only if the person is:

- (1) Not a partner in another civil union, a spouse in a marriage, or a party to a reciprocal beneficiary relationship pursuant to chapter 572C;
- (2) At least eighteen years of age; and
- (3) Not related to the other proposed partner in the civil union, as provided in section -3.

§ -9 Benefits, protections, and responsibilities. Partners to a civil union lawfully entered into pursuant to this chapter shall have all the same rights, benefits, protections, and responsibilities under law, whether derived from statutes, administrative rules, court decisions, the common law, or any other source of civil law, as are granted to those who contract, obtain a license, and are solemnized pursuant to chapter 572.

§ -10 Civil unions performed in other jurisdictions. All unions between two individuals not recognized under section 572-3 shall be recognized as civil unions provided that the relationship meets the eligibility requirements of this chapter."

SECTION 3. Section 572-1.6, Hawaii Revised Statutes, is repealed.

SECTION 4. A party to a civil union shall be included in any definition or use of the terms "spouse", "family", "immediate family", "dependent", "next of kin", and other terms that denote the spousal relationship, as those terms are used throughout the law.

SECTION 5. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 7. This Act shall take effect on January 1, 2012.

For these reasons, I urge you to vote NO on the Civil Unions Bill, SB 232. Please remember a vote for civil unions is a vote for same-sex marriage in Hawaii.

I thank this Committee for the opportunity to present testimony on this matter and ask that you vote NO on this bill.

JUDtestimony

From: Pati Moe [pakimoe75@gmail.com]
Sent: Thursday, February 03, 2011 10:30 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

I strongly oppose both of the above bills and ask that you oppose them too. These are just disguises for same-sex marriage which was overwhelmingly rejected by the people of Hawaii only a few years ago. In each state that has recognized same-sex unions or whatever name they give it, it has always been followed with stronger demands for homosexual marriage. That's not right and shouldn't be allowed to happen. If anything, the people of the State of Hawaii deserve to vote on this -- which they have -- and shouldn't be decided by politicians.

Mahalo.

Sinapati S. Moe
Laie, Hi
293-5901

JUDtestimony

From:
Sent: Friday, February 04, 2011 10:47 AM
To: JUDtestimony
Subject: OPPOSITION
Attachments: Lissasb232 testimony.docx

Please accept this as testimony for the Civil Unions Hearing on Tuesday, Feb 8th.

Please keep my email and name blocked out when posted for the public to access.

Mahalo for your help and for processing this testimony!

COMMITTEE ON JUDICIARY
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

Relating to Civil Unions

DATE: Tuesday, February 08, 2011
TIME: 2:15 PM
PLACE: Auditorium

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

Relating to Civil Unions

DATE: Tuesday, February 08, 2011

TIME: 2:15 PM

PLACE: Auditorium

Please accept this as my testimony in opposition to the passing of civil unions in the State of Hawaii.

I stand opposed to civil unions in the state of Hawaii for a number of reasons including that civil unions will force same-sex marriage in our state, it will impact our children in ways that we aren't even aware, and our government should not be focusing on policy making that is not relevant to the dire state of our economy.. Please do not pass this bill as civil unions in Hawaii will force same sex marriage in this state.

My biggest concern regarding civil unions that leads to same sex marriage is that traditional family as we know it will soon be redefined, reinvented and so will the way children are made within same sex marriages. This is something that goes against the natural order of family, something that has so many "unknowns" tied to it thus there should be further research and investigating into what this shift of redefining marriage would cause. **How will this impact children?**

It is great for all of the folks who would like their gay lifestyle to be validated by the public but at what cost to children and to the natural order of how families have been made for thousands of years? This bill is short sighted. There is one goal and one goal only of this bill and that is to eventually get same sex marriages in Hawaii.

The reciprocal benefits bill offers many rights to gay couples and yet this isn't enough. The same holds true once civil unions gets passed. It wont be enough and same sex marriage will be the next step. Hawaii residents voted years ago that marriage is between a man and a woman so why is this being ingnored? Why is the voice of the residents of this state being ignored? And if there is any doubt why not let us vote again on this issue?

This is not an anti-gay initiative, this is not about hate or fear. And this is not about being fair or tolerant. This is about preserving something that has worked from the beginning of time, the family as we know it that has a mom and a dad that then produce offspring.

I celebrate all human life and love all people regardless of lifestyle choices but that doesn't mean we are called to celebrate or embrace those lifetyles especially if we feel they will cause harm to our society and the people within it.

I am also very concerned that our state government has lost sight of what the priorities should be right now as we struggle desperately with the economy which has caused more homelessness, bankruptcies, joblessness, poor housing market to name a few and yet our government is choosing to address issues that relate nothing to helping our state as a whole rebound.

We are using precious tax dollars to push through bills and legislation that is NOT relevant to the dire needs of our state and it's well-being. We have no business spending time and money on redefining marriage and traditional families when the public is hurting because of the economy.

This is poor policy making when the heart of the matter is skirted. When energy is focused on matters that will not impact the desperate situation most are in based the current status of our economy. Civil rights are NOT at stake with regard to civil unions but our state's peoples quality of life and sustainability are.

Please do not vote yes on this bill. It is not the will of the Hawaii people and will further complicate our already struggling economy.

Mahalo for your time and deep consideration in this matter.

Hawaii Kai

JUDtestimony

From: Jim Crowe [maucrowe@gmail.com]
Sent: Thursday, February 03, 2011 11:06 AM
To: JUDtestimony
Subject: Civil unions

Name Jim Crowe
Committee The Committee on Judiciary
Hearing February 8, 2011 2:25pm
Bill SB232, SD1

I support the bill favoring Civil Unions, bill # SB232, SD1

JUDtestimony

From: tdjmlubong@aol.com
Sent: Friday, February 04, 2011 11:22 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Aloha Honorable Senator's and Representatives,

Please vote against HB1453 and SB 232 SD1. My Ohana and I are in opposition. Please just enforce existing civil rights bill that are on the books or put on the ballot and let the people of Hawaii.

Mahalo For Listening,

Lubong Ohana,

Ted Lubong
Donna Lubong
Marissa Lubong
Janelle Lubong
Mercedes Lubong
Ruben Lubong
Jarín Lubong
Merelyn Lubong

JUDtestimony

From: jim@jameshochberglaw.com
Sent: Friday, February 04, 2011 11:33 AM
To: JUDtestimony
Subject: *****SPAM***** Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions) and Support of intent of HB 1244
Attachments: JH testimony 2-4-11 HB 1244 , 1453 & SB 232 SD1.pdf

Please accept this testimony on the referenced bills for the House Judiciary Committee hearing on Tuesday, February 8, 2011 at 2:15 in the Auditorium. I plan to attend and testify in person. Please let me know if there are any specific requirements in that regard. Thank you for the opportunity to participate in the governmental process at the legislature. I trust your committee members will give due attention to the public.

Jim

Note: The information contained in this message may be attorney-client privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer. Thank you.

James Hochberg, Attorney at Law
Suite 1201, Fort Street Tower
745 Fort Street Mall
Honolulu, Hawaii 96813

808-534-1514 / 808-538-3075

Jim@JamesHochbergLaw.com

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JAMES HOCHBERG
ATTORNEY AT LAW

Bishop Street Tower, Suite 1201
745 Fort Street Mall
Honolulu, Hawaii 96813

Digital Pager:
(808) 256-7382

Email Address:
Jim@JamesHochbergLaw.com

February 4, 2011

Transmitted via Email to www.capitol.hawaii.gov/emailtestimony/

HOUSE OF REPRESENTATIVES
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

Rep. Tom Brower	Rep. Hermina M. Morita
Rep. Rida T.R. Cabanilla	Rep. Blake K. Oshiro
Rep. Mele Carroll	Rep. Joseph M. Souki
Rep. Robert N. Herkes	Rep. Clift Tsuji
Rep. Ken Ito	Rep. George R. Fontaine
Rep. Sylvia Luke	Rep. Barbara C. Marumoto
Rep. Angus L.K. McKelvey	Rep. Cynthia Thielen

Bill Numbers: HB 1244, 1453 and SB 232 SD 1 (SSCR 2)
Date and Time: **Tuesday, February 8, 2011 at 2:15 pm**
Location: **State Capitol, Auditorium**

Committee: **Committee on the Judiciary**

I OPPOSE SB 232 SD1 AND HB 1453. I oppose both of these bills because a vote for civil unions under these two bills is a vote for same sex marriage in accord with the national litigation strategy of the ACLU and LAMBDA Legal Defense Fund.

I SUPPORT THE INTENT OF HB 1244 BUT SUGGEST AMENDMENTS.

THERE ARE SEVERAL RELATED BILLS THAT HAVE BEEN LEFT OUT OF THE HEARING NOTICE WHICH SHOULD HAVE BEEN INCLUDED INCLUDING HB 164 & 165 PROPOSING TO AMEND THE CONSTITUTION CONCERNING MARRIAGE AS WELL AS HB 1345 EXTENDING MARRIAGE BENEFITS TO RECIPROCAL BENEFICIARIES

HB 1244, 1453 and SB 232 SD 1 (SSCR 2)
February 4, 2011
Page 2

My name is Jim Hochberg. I am a civil rights attorney in private practice in Honolulu. In 1995, Governor Cayetano appointed me to the Governor's Commission on Sexual Orientation and the Law. Prior to that I served as the volunteer president of the Rutherford Institute of Hawaii, a non profit legal and educational institution dedicated to enforcing constitutional religious freedoms in the courts, legislatures and in the public square. Since 1999 I have been an allied attorney with the Alliance Defense Fund, continuing the efforts to enforce constitutional religious freedoms. I currently have such a case before the Hawaii Civil Rights Commission dealing with a complaint based on discrimination on the basis of sexual orientation in the rental of a bedroom in my client's home.

Both SB 232 SD1 and HB 1453 seek to segregate out of the current members of our citizens that qualify for reciprocal beneficiary status, a new class of citizens with special rights to be granted by these bills. Currently, all those who cannot marry qualify for reciprocal beneficiaries status. These civil unions bill, however, elevate from the R.B. group certain members and endow them with greater rights than those left behind. If it is necessary in some sense of fairness to provide those benefits to some of the members of the reciprocal beneficiaries class, why is not necessary to extend the benefits to all the members of that class? How is it not fundamentally unfair to individuals related by blood to deny them the benefits being extended to some members of their group but not them too?

Hawaii currently provides for R.B. rights and benefits to those who together form the group that are not qualified to marry under Hawaii law. It is a domestic partnership law we have wisely named the Reciprocal Beneficiary law. It is discriminatory to split the citizens who qualify for that status into two groups, one of which is extended additional benefits and the other which is left out. Brothers and sisters biologically more closely resemble the matching of the opposite sex couples which occurs in marriage, than do same sex couples who are given the new status under these two bills. Why are parents and children, grandparents and grandchildren and aunts/uncles/nephews/nieces no longer worthy of the same protections under the laws that they have enjoyed since the 1990's? Do you really want to make a third class of citizens? I trust not. It is important to treat like citizens alike, in this case, those who can marry and those who cannot marry.

In addition, creating civil unions status for those covered by these two bills creates another problem in the State of Hawaii: namely, that setting up a marriage alternative creates another separate-but-equal legal problem which the civil unions proponents will be seeking to redress shortly after the ink dries on whatever civil unions bill comes out of this session, if you are unwise enough to pass one. You must recognize that across the country, for the

HB 1244, 1453 and SB 232 SD 1 (SSCR 2)

February 4, 2011

Page 3

past many years, the proponents of civil unions/domestic partnerships have convinced legislative bodies to enact the separate status for them under the guise of not wanting to change marriage, only to turn and bite the legislative hand that fed them by thereafter demanding same-sex marriage. As the Connecticut Supreme Court reasoned in the 2008 Kerrigan case, the term marriage itself, is rich in tradition and meaning, and if a look-alike status under a different name is created, there is a constitutional violation if the same tradition and meaning is withheld. The ACLU and LAMBDA Legal Defense Fund have been pushing this legal strategy successfully in state after state. You, however, have the luxury of seeing that history and protecting the citizens of our state from a similar outcome. If you do not pass a law setting up an different relationship which is substantially marriage under a different name, you save the state from having to defend against the argument that the tradition and meaning of the name marriage cannot constitutionally be withheld. In addition, you do not segregate the other members of society that currently qualify for reciprocal beneficiary status, and drop them behind their co-traveling citizens who are unqualified to marry.

I oppose both of these bills because a vote for civil unions under these two bills is a vote for same sex marriage in accord with the national litigation strategy of the ACLU and LAMBDA Legal Defense Fund.

However, I support in concept the intention of HB 1244 in the sense that it recognizes that same sex legal issues always confront unavoidably the long tradition, history, culture and religious beliefs in our state and country that regard homosexual activity dimly and with unapproving concern. Clearly, homosexual activity is not a right protected by the two constitutions under which we govern our lives, although religious freedom is protected by both legal authorities. I therefore agree that HB 1244 is a necessary component of any creation of a civil unions bill. However, it does not go far enough. For the orthodox christian who happens to offer rooms in her home to tourists on a vacation basis, she must be protected from claims of unlawful discrimination if she does not agree that civil unions are the equivalent of marriage and does not want to welcome into her home a homosexual couple. There are cases such as that currently before the Hawaii Civil Rights Commission, and your body must protect her. I suggest that the scope of the protections afforded by HB1244 be enlarged to accommodate both the institutions and the members of the institution that hold the same religious views HB1244 seeks to protect.

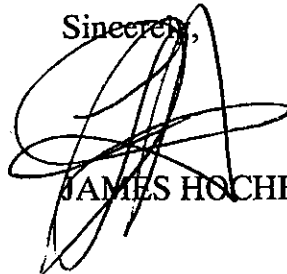
HB 1244, 1453 and SB 232 SD 1 (SSCR 2)
February 4, 2011
Page 4

If HB1244 is not passed but a civil unions bill is passed, you must honor the valid concerns of your citizens and include the substance of HB1244, as extended pursuant to this testimony, into the successful civil unions bill

Furthermore, ask yourself whether you personally have a "sexual orientation" or whether you happen to be oriented in your life more toward things other than with whom you have sex. I believe that most people do not have sexual orientations, but focus on other aspects of their character for their orientation to life. For instance, most people are oriented in life not towards with whom or how they see themselves sexually. Instead, they are oriented toward their faith, family and profession and view most of life from those perspectives.

Thank you for considering this matter. If you have any questions, I would be happy to discuss this with you further.

Sincerely,

A handwritten signature in black ink, appearing to be 'JH', written over the word 'Sincerely,'.

JAMES HOCHBERG

:JH

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 11:45 AM
To: JUDtestimony
Cc: strider4jc@hotmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: "Strider Didymus"
Organization: Individual
Address:
Phone:
E-mail: strider4jc@hotmail.com
Submitted on: 2/3/2011

Comments:
COMMITTEE ON JUDICIARY
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 08, 2011
TIME: 2:15 PM
PLACE: Auditorium
State Capitol
415 South Beretania Street

A G E N D A

The committee will hear testimony for the following measures concurrently:

HB 1244

Status

RELATING TO SOLEMNIZATION.

Allows for the refusal of services or accommodations related to the solemnization of same-sex marriages, civil unions, and other same-sex unions on religious grounds.

JUD

HB 1453

Status

RELATING TO LEGAL RELATIONSHIPS.

Establishes civil unions and provides to civil union partners the benefits and obligations conferred upon a couple by marriage. Provides for termination of civil unions through the judicial system.

JUD

SB 232, SD1

(SSCR2)

Status

RELATING TO CIVIL UNIONS.

Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. Takes effect 1/1/2012. (SD1)JUD

TESTIMONY:

On January 25, 2011, 10:00 A.M., the Senate Judiciary and Labor heard testimony regarding SB 232 Relating to Civil Unions. Subsequently, written testimony of 580 pages was generated on the Hawaii Legislature website concerning the said bill in overwhelming support.

But, please be advised that the vast majority of written testimony was generated by individuals who are NOT Hawaii residents and as exhibited in a sample of the first 200 (pages) reviewed:

Newtown, CT (page 54), Loule, Portugal (55), London, UK (56), Hattiesburg, MS (57), St. Polten, Austria (58), Chicago, IL (63), Medford, OR (64), Amersfoort, NY (69), London, UK (66), Rio Vista, CA (67), Baton Rouge, CA (68), Salt Lake City, UT (70), New York, NY (73), Old Hickory, TN (74), Bedford, NH (75), Springfield, OH (76), Spotsylvania, VA (77), Mosheim, TN (78), Henderson, NV (79), Hawkesbury, Ontario, Canada (80), Fair Oaks, CA (81), Columbia, MO (82), New York, NY (83), Bloomingdale, IL (84), Rijeka, IL (87), Shortsville, NY (88), Bunker Hill, IL (90), Chicago, IL (92),

1 of 3

Medford, OR (134), Milesburg, PA (135), Monrovia, CA (136), Janesville, WI (137), Hyattsville, MD (138), Medford, OR (139), Hillsborough, NC (140), Andover, MN (144), Allentown, PA (145), New London, NC (148), Carlsbad, NM (149), Chicago, IL (150), Chicago, IL (151), Apex, NC (154), Texaricana, AR (155), Boardman, OH (156), Portland, OR (157), Orlando, FL (158), Long Beach, CA (159), Robstown, TX (160), Pasadena, MD (162), Stockton, CA (163), Manassas, VA (165), Montgomery, IL (166), Williamsburg, VA (169), Jamaica Estates, NY (170), Lemont Furnace, PA (171), Sioux Falls, SD (172), Norristown, PA (191), Gastonia, NC (197), Los Angeles, CA (199), Sun Prairie, WI (200), etc.

These names were the result of email that was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/view/tell_hawaii_-_you_support_civil_unions.

Considering the above, the Senate has improperly stacked the testimony in their favor and has exhibited clear bias in passing the bill, and by sending it over to the House. In all fairness, all testimony generated from out of State should be immediately removed and NOT considered for future deliberations or considerations.

Instead, "We the People" (the registered taxpaying citizens of the State of Hawaii) who voted in 1998 to "define marriage as being between one man and one woman," should be given another opportunity to vote on this issue in a Constitutional Amendment as proposed by Senator Sam Slom in SB863 PROPOSING AN ADMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII, Requirements for Marriage, which "Amends the state constitution to repeal the requirement that the legislature define marriage, reserving marriage to opposite-sex couples."

Representative John Mizuno also has introduced a similar version in HB165 PROPOSING AN ADMENDMENT TO THE HAWAII CONSTITUTION TO DEFINE MARRIAGE AS BETWEEN A MAN AND A WOMAN, which "Constitutionally prohibits same sex marriage by defining marriage as a relationship only between a man and a woman." Please do NOT consider the alternation version HB164.

Please note that a January 25th, unscientific survey on KHON2 - TV shows that 75% of Hawaii residents do not believe that we should pass Civil Unions, therefore please heed our concerns and not those of the vocal minority who really want same sex "marriage" in the state. "We know it, they know it, but do you?" This bill is nothing but "marriage" (Chapter 572, HRS) in disguise. Just because certain legislators were elected or re-elected, it doesn't give them card blanc to disregard the facts above.

Further, this is NOT a civil rights issue, despite the constant false mantra being beat out by the proponents of the bill. Look it up, Martin Luther King never once mentioned homosexuality as being a "civil right," nor did any members of his immediate blood family.

Lastly, Let it also be a matter of record that our country was founded upon Judeo-Christian doctrine and that our founding fathers would never have condoned, nor have legally endorsed immoral homosexual activity or given it any "civil right" status. It is in fact, a self chosen unhealthy perversion upon themselves, the community, and society at large, and is an affront to the laws of nature and God Almighty as exhibited in Holy Scripture (Genesis 19:1[4-5]-29; Leviticus 18:22, 21:13; Job 36:14; Isaiah 1:10; Amos 4:11; Matthew 15:19-20; Luke 17:29; Romans 1:18-32, 2:5-6, 6:12-13, 9:29; 1 Corinthians 6:9-10, 6:13 (b), 7:1-2; Galatians 5:19-21; Ephesians 4:18-19, 5:3; Colossians 3:3-5; 1 Thessalonians 3:3-5; 1 Timothy 1:8-11; 2 Peter 2:12-14; Revelation 9:21, 20:15, 21:7-8, & 22:14-15).

2 of 3

Exhibit 1:

"Do you not know that the wicked will not inherit the kingdom of God? Do not be deceived: Neither the sexually immoral nor idolaters nor adulterers nor male prostitutes nor homosexual offenders..." (1 Corinthians 6:9) Exhibit 2:

"Because of this, God gave them over to shameful lusts. Even their women exchanged natural sexual relations for unnatural ones. In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed shameful acts with other men, and received in themselves the due penalty for their error.

Furthermore, just as they did not think it worthwhile to retain the knowledge of God, so God gave them over to a depraved mind, so that they do what ought not to be done. They have become filled with every kind of wickedness, evil, greed and depravity. They are full of envy, murder, strife, deceit and malice. They are gossips, slanderers, God-haters, insolent, arrogant and boastful; they invent ways of doing evil; they disobey their parents; they have no understanding, no fidelity, no love, no mercy. Although they know God's righteous decree that those who do such things deserve death, they not only continue to do these very things but also approve of those who practice them." (Romans 1:26-32) As a born again evangelical Christian, I am required in love to give you warning for failing to heed God's word and that you SHALL be held accountable to Him one day for violation of such.

Exhibit 3:

"hear the word I speak and give them warning from me. When I say to the wicked man, 'You will surely die,' and you do not warn him or speak out to dissuade him from his evil ways in order to save his life, that wicked man will die for his sin, and I will hold you accountable for his blood. But if you do warn the wicked man and he does not turn from his wickedness or from his evil ways, he will die for his sins; but you will have saved yourself." (Ezekiel 3:17-20) Exhibit 4:

"The wrath of God is being revealed from heaven against all the godlessness and wickedness, since what may be known about God is plain to them, because God made it plain to them...clearly seen, being understood from what has been made, so that men are without excuse." (Romans 1:18-20)

In closing, the House should instead immediately cease and desist in moving forward with passing any Civil Union legislation at this time, and let the people vote on this measure once and for all through SB863 or HB165 as identified above. In the name, blood and authority of Jesus, amen.

"Strider Didymus"

February 3, 2011

3 of 3

JUDtestimony

From: david zuccolotto [rzuccolotto@aol.com]
Sent: Thursday, February 03, 2011 11:49 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

The people of Hawaii deserve an honest debate.

The activists lobbying for civil unions in Hawaii really want same-sex "marriage" in Hawaii. We know it, they know it, and the people of Hawaii have a right to know it.

Hawaii's civil union bill is nearly identical to bills passed in California and Connecticut. Those led to courts ultimately imposing same-sex "marriage" on those states.

The foremost activists pursuing civil unions are being funded by a Colorado billionaire who has given millions to impose same-sex "marriage" nationwide.

Are we supposed to believe they don't want to force same-sex marriage on Hawaii? Please consider this when voting on the bill. Thank you David Zuccolotto

JUDtestimony

From: Blake Arakawa [blakearakawa@gmail.com]
Sent: Thursday, February 03, 2011 12:34 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

I'm against it. Listen to the majority.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 12:46 PM
To: JUDtestimony
Cc: volleyballgurl@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: House SB232-SD1 Testimony.doc; Civil Unions Proposed Amendments.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Halley Hobson
Organization: Individual
Address: 91-1009 Ho' oka' ahea Street Ewa Beach, Hawaii
Phone: 808-282-9907
E-mail: volleyballgurl@hawaii.rr.com
Submitted on: 2/3/2011

Comments:

TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

February 8th, 2011
2:15PM

HOUSE TESTIMONY ON SENATE BILL 232 SD1, RELATING TO CIVIL
UNIONS

ALOHA HONORABLE CHAIR KEITH-ARAGAN & MEMBERS OF THE
COMMITTEE

My name is Halley Hobson. I am a 17-year old high school student and resident of Ewa Beach. I do not support this bill. A vote for civil unions is a vote for same-sex marriage in Hawaii. In passing this piece of legislation, I believe it will actually limit the individual's rights through freedom of speech and personal family decisions. Following this piece of legislation will be the decision of the Hawaii Supreme Court recognizing and accepting same-sex marriages. Passing this bill will open the flood gates of legalizing the rights, not only of homosexual couples, but of polygamists, or any other group that wants their relationship to be legitimized to obtain the title of Marriage. This isn't a slippery slope, this is driving the car at 100 mile per hour off the edge of a cliff. Hawaii cannot afford the cost of creating a new family structure and all the inherent costs necessary to legislate, monitor, and enforce its new regulations, procedures and challenges to this legislation that haven't even been thought of. Now is not the time to re-create our society.

As a teen, my main concerns are my education and my rights as a future parent. This measure will not only effect my generation but generations to come. First, advocates of this bill, when given the opportunity, will force their views on others, which will in turn shut down freedom of speech not only to adults but to the youth, as my own views and beliefs are challenged and questioned. In addition, the process to campaign and encourage teachings about the homosexual agenda in schools forces students to learn the details of homosexuality and all that it implies. This would add onto

the distractions and pressures of the students in the midst of an already inadequate and deteriorating educational system in Hawaii, that the legislative body is unable to fix. Why make it worse for my brothers, sisters and future children?

Lastly, as a future parent, if this measure is passed, it will erode Parental Rights and undermine the building block of society, which is the family unit. Families have always had the right to direct the upbringing and education of their own children. Yet if this legislation is passed parents will no longer have the authority to raise their children in the way they see fit in teaching their children what is right and wrong or opting out of specific classes that contradict their moral beliefs, as we have seen in MA. If this measure passes, chaos would be released in greater measures in our state. The definition of the family would be eroded, immoral living arrangements would proliferate and the forced acceptance of homosexuality will increase. This present disruption will drastically worsen and degrade our society as a whole. Anything goes.

The underlying issue remains that the same-sex civil union contention, is not a civil rights issue. Civil rights equates to a person's inability to change a certain aspect of themselves that they were born with, ethnicity, gender, etc,. Homosexuality is a choice, which I know not only scientifically but also through personal family experiences.

As Same-Sex Marriage advocate Professor John Corvino speaks the truth, "The fact is that there are plenty of genetically influenced traits that are nevertheless undesirable. Alcoholism may have a genetic basis, but it doesn't follow that alcoholics ought to (legally) drink excessively. Some people may have a genetic predisposition to violence, but they have no more right to attack their neighbors than anyone else. Persons with such tendencies cannot say "God made me this way" as an excuse for acting on these dispositions."

In the end, if this bill is passed, it undermines America's marriage traditions, over 60% of the people of Hawaii's voice and most importantly corrupts the spirit of protecting the Ohana now and for future generations.

I thank the committee for taking the time to consider my testimony on this important issue. Please vote NO on Senate (HOUSE) Bill 232. Thank you.

TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

February 8th, 2011
2:15PM

HOUSE TESTIMONY ON SENATE BILL 232 SD1, RELATING TO CIVIL
UNIONS

ALOHA HONORABLE CHAIR KEITH-ARAGAN & MEMBERS OF THE
COMMITTEE

PROPOSED AMENDMENTS:

A same-sex civil unions legislation will have many consequences especially on the next generation by eroding Parental Rights and dissolving the building block of society, the family.

I, Halley Hobson, propose that there will be an amendment for SB232-SD1 that will "Protect parental rights to determine the upbringing and education of their own children they way they see fit, without any governmental intrusion in how they raise their kids, unless this is a high compelling interest. In addition, a guarantee that homosexual relations will not be taught in schools as 'normal behavior'."

Mahalo, for listening to the next generation's concerns. – Halley Hobson

JUDtestimony

From: Kent Kitagawa [kkitagawa1@gmail.com]
Sent: Thursday, February 03, 2011 12:53 PM
To: JUDtestimony
Subject: Please Hear Us!

Honorable Representatives:

It seems that there is a concerted effort to push Civil Unions upon the people of Hawaii despite our rejection of this issue time and again. There already is a reciprocal beneficiary law which is TRULY open to all who require benefits accorded to traditional family units, and with very little expansion of benefits, would give all who truly need, to the rights and benefits this civil unions bill purports to be about. This is no civil rights issue; it is legislated acceptance of same-sex marriage. And three bills have been introduced! Has the legislature nothing more important to deal with, or are they only representing one minority segment of the population, to the exclusion of the wishes of the rest of their constituency? There is an alternative in place; why is it being ignored?! Why is the voice of the general population being ignored?!

This kind of action by the legislature is why the general population of the state feel disenfranchised and lack motivation to participate in government.

Please hear the voice of the people and **oppose passage** of HB 1623, HB 1453, and SB 232! This is our home too, and we want to preserve all our families and their physical, spritual and emotional health for the generations to come!

Mahalo!

JUDtestimony

From: kauaiboy4200@aol.com
Sent: Thursday, February 03, 2011 12:53 PM
To: JUDtestimony
Subject: Support SB 232

Tuesday, February 08, 2011
2:15PM
Auditorium
StateCapitol
415 South Beretania Street
Honolulu, HI

Aloha:

My name is Joseph Savino and I am writing in support of SB 232. Civil Unions is not a "gay" issue. It is not a religious issue. It is not an attack on the institution of marriage. It is a **civil rights** issue. All Americans should be afforded the same rights and dignity. As a gay male I would like to have the same rights as heterosexual couples. Several other states already have civil unions. Hawaii should follow this lead. This isn't an issue that should be voted upon by the masses. If the Civil Rights movement of the 1960's was voted upon by the people, African - Americans would still be sitting on the back of the bus in the Southern US. This is an issue that elected officials must take up and protect the rights of the minority.

Hawaii is the "ALOHA STATE". We pride our self on our diverse population. Let's tell the the rest of the nation and the world that "ALL" people are respected and protected in the State of Hawaii.

Mahalo for your time and again I ask you to support SB 232. All I am asking for as a citizen of this State is EQUALITY!

Joseph A. Savino
PO Box 390
Kaunakani, Kauai 96747

JUDtestimony

From: JOHN SESTAK [jbsestak@prodigy.net]
Sent: Thursday, February 03, 2011 2:12 PM
To: JUDtestimony
Subject: Civil unions bill 2/8/11

ATTN: COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Committee Members

HEARING DATE: Tuesday, February 08, 2011

HEARING TIME: 2:15 PM

PLACE: Auditorium

IN STRONG SUPPORT OF SB232 SD1 - RELATING TO CIVIL UNIONS

Betty Sestak, Member of the Womens' Coalition

1181 Mapuana St.

Kailua, HI 96734

Aloha, Members, Chair Keith-Agaran, Vice-Chair Rhoads and committee members,

I urge you to pass this measure as expeditiously as possible. Civil Unions is among the top 2011 legislative goals for the Coalition, as we understand that civil rights are not a matter for debate, but are guaranteed by the Constitution of the United States. Further we understand that when the rights of our LGBT brothers and sisters civil rights are trampled on then the rights of women are not far behind.

Please pass this bill out of committee.

Sincerely,

Betty Sestak

808-391-9390

JUDtestimony

From: Mark Kadota [mfk@markkadota.com]
Sent: Thursday, February 03, 2011 2:17 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

February 3, 2011

Dear House Judiciary Committee,

Please allow me to introduce myself. My name is Mark Kadota and I am in support of SB232. Thank you for considering this very important issue.

I have been with my same sex partner since 1997. We married in 2009 in the Netherlands where gay marriage is legal. He is Dutch and I have spent most of my life here in Hawaii. As a legally recognized couple in the Netherlands, I have the same rights and benefits as heterosexual couples that marry there. I realized that I couldn't offer the same to him here. He is not allowed to stay here or work. Thus we split our time between the two countries. We have spent almost 14 years together and I would like us to have the rights of my belongings to go to him and him to have hospital rights if anything were to happen to me. I have known many long term same sex couples that have suffered from these situations. As an example please read this link to a very common situation in our country;

http://www.aclu.org/lgbt-rights_hiv-aids/sam-beaumont-gay-ranchers-fight-keep-his-home.

I hope you will in your decision allow equal rights and fairness to all citizens.

Thank you again for considering your support of SB232.

Sincerely,

Mark Kadota

87-530 Hakimo Rd.

Waianae, Hawaii 96792

JUDtestimony

From: KUALI'I for Kaua'i [kipukai.kualii@gmail.com]
Sent: Saturday, February 05, 2011 2:20 PM
To: JUDtestimony
Subject: Oppose HB1244 and support SB232 (SD1) instead

TO: The Committee on Judiciary
FROM: KipuKai KUALI'I - Director of Operations, YWCA of Kaua'i; Secretary, Hui Kako'o `Aina Ho'opulapula (DHHL/State of HI); Boardmember, Hawai'i Alliance for Community Based Economic Development (HACBED); Candidate, KUALI'I for Kaua'i candidate committee (Kaua'i County Council); Member, Nutrition and Physical Activity Coalition/Get Fit Kaua'i Steering Committee; Member, Policy Advisory Committee/Council for Native Hawaiian Advancement (CNHA)
RE: February 8, 2011 at 2:15pm hearing on HB1244
POSITION: I oppose HB1244 and support SB232 (SD1) instead

As a Kaua'i born-and-raised, native Hawaiian who spent over ten years away from Hawai'i, I feel strongly that passage of a civil unions bill that provides full equality for all our families is necessary to be consistent with our genuine and unconditional love, acceptance, respect and even celebration of humanity that is the Aloha Spirit. This law [2010's HB444 or 2011's SB232 (SD1)] should have been passed years ago. Unfortunately, deceitful and misguided media campaigns by an opposing minority has meant that justice would be delayed for over ten years and that the fair-minded citizens of Hawai'i would have to wait until now.

The people of Hawai'i do not want to see any of our families treated as second or third-class families any longer. Our local Hawaiian culture and history demands that we honor everyone's dignity and rights. And yet, this is about so much more than our traditions of open, enduring hospitality; instead, it is about compassion and decency. It's about being "pono" and doing what is "right"!

Please do what's right for our State and our people, reject HB 1244 and pass SB232 (SD1) instead.

Mahalo nui loa!

--
Me ka ha'aha'a,
KipuKai

KipuKai Kualii
PO Box 662061
Lihu'e, HI 96766

kipukai.kualii@gmail.com

H: (808) 212-9192
C: (808) 652-3684

JUDtestimony

From: Chuck & Doni Antone [cdantone@hawaii.rr.com]
Sent: Thursday, February 03, 2011 3:01 PM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

To the Judiciary Committee,

Please know that we are in opposition to SB 232 SD1 as same-sex marriages/unions bring harm to the family. It is not normal and causes much heart ache to the children and others that might be affected by a same-sex marriage or union.

From the beginning of time marriages and civil unions have been between one man and one woman. This is changing around the world and not only does this have to do with same-sex unions, but also now in Canada people are wanting to legalize multiple people in one marriage or union. Where will this end? Animals and humans? Children and senior citizens? It can go on and on.....please do not support this bill and keep Hawaii forever a one man and one woman marriage or civil union.

Thank you very much,
Charles & Donna Antone
Kailua Kona, HI

JUDtestimony

From: Richard [richard.koob@kalani.com]
Sent: Thursday, February 03, 2011 3:02 PM
To: JUDtestimony
Subject: In Support Of SB232: opposed to 1244 and HB1453. Hearing February 8, 2011 at 2:15pm

Richard Koob
Founder/Director, KALANI Oceanside Retreat Village

The Committee on Judiciary
February 8, 2011 at 2:15pm
RE: Bill numbers: **1244, HB1453, SB232 (SD1).**

I strongly support SB232 (SD1)

I am opposed to 1244, HB1453

Aloha Legislators,

Here at Kalani Oceanside Retreat Village, everyone I know of our 100 residents, 500 coastal residents, 17,000 members, 30,000 annual visitors, and 7 million annual web viewers, is supportive of Hawai'i joining other socially responsible and equal rights focused countries, like Canada, and States like Vermont, Iowa and Massachusetts, in supporting marriage and/or civil unions for same-gender couples.

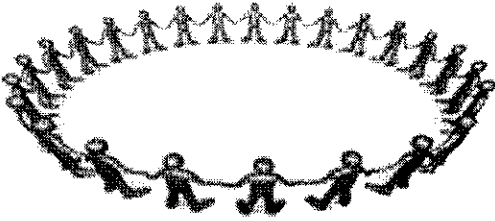
Hence, I personally request that you please support SB232(SD1).

You support honors the growing demographic of socially responsible residents and travelers interested in improving their lives through authentic Hawai'i nature-culture-wellness experiences. They are creating today's emerging global village through supporting and honoring Hawai'i as a model eco-sustainability destination and civil-rights supportive host culture. This demographic increasingly contributes to Hawai'i goals for greater ecology, humanism, and heritage awareness among residents as well as visitors, whose expenditures continue to grow as both residents and travelers look for experiences that provide in-depth cultural immersion.

Respectful of Hawai'i heritage and honoring Hawaii's rainbow diversity and multi-ethnic cultures, the passage of SB232(SD1) helps both residents and visitors be increasingly supportive of authentic Hawai'i, often volunteering as well as financially supporting the Hawai'i economy. [For example, Kalani's educational programs generate an annual \$5 million boost to the local economy].

Thank you for supporting SB232(SD1).

"Be the change you want to see in the world." - Gandhi



Richard

Richard Koob

Founder/Director, KALANI Oceanside Retreat Village

Skype Name: **richardkoob** 808-965-0468 X104

12-6860 Kalapana-Kapoho Beach Road, Pāhoa, HI 96778

KALANI Reservations 800-800-6886 www.KALANI.com

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Our mission, heritage, lives, and future

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"Be the change you want to see in the world." - Gandhi

JUDtestimony

From: David Monk [dbmonk49@yahoo.com]
Sent: Thursday, February 03, 2011 4:04 PM
To: JUDtestimony
Cc: Amy Monk
Subject: Testimony on Civil Unions (SB232, HB1244, HB1453) for hearing Feb. 8, 2011, 2:15 pm

Re: SB232, HB1244, HB 1453 (Civil Unions), hearing on February 8, 2011, 2:15 p.m.

We have been married over thirty years and do not regard civil unions as a threat in any way to our marriage or to the institution of marriage. On the contrary, we view it as a just measure that will strengthen all families and enable all Hawaii's citizens to enjoy equal rights and privileges under the law. We urge its passage.

Amy and David Monk
7476 Keka`a St.
Honolulu, HI 96825
396-5959

JUDtestimony

From: Bobby [mcbobby@hawaii.rr.com]
Sent: Thursday, February 03, 2011 4:05 PM
To: JUDtestimony
Subject: SB 232 JUD Auditorium Feb 8,2011, 215PM

Committee: JUD
Room: Auditorium
Hearing Date: 2/8/2011 2:15:00 PM

My name is Bobby McClintock and I **SUPPORT SB 232** - Civil Unions. This bill is not about religion but about children, equality, and decency. Religions have the right to define their beliefs to the people who follow them. But in this country we have been separatists from when this country was founded. People came here because they wanted religion separated from their governing bodies. This is basic history. Please let us not forget this.

The religions pushing for not passing this bill do NOT represent me or my Christian family. Please know there are far more out here who support this than do not. And, we will stand with you to help everyone have equality in our country.

B.A. McClintock, Honolulu, HI

JUDtestimony

From: Joeysmom [estherjoeysmom@gmail.com]
Sent: Thursday, February 03, 2011 4:17 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Dear Sir or Madam:

I am hereby entering my testimony in opposition of HB 1453 and SB 232, SD1.

Again, the legislature is trying to legalize same-sex marriage by way of a civil union bill they hope will pass. Hawaii's civil union bill is nearly identical to bills passed in California and Connecticut. Those led to courts ultimately imposing same-sex "marriage" on those states. Please do your research to check out the facts.

Sincerely yours,

Esther Gefroh

--

A Catholic Mom in Hawaii

Spiritual Moms Apostolate Blog

Prayers for Our Pets

St. Augustine's Prayer to the Holy Spirit

Breathe in me O Holy Spirit that my thoughts may all be holy;

Act in me O Holy Spirit that my works, too, may be holy;

Draw my heart O Holy Spirit that I love but what is holy;

Strengthen me O Holy Spirit to defend all that is holy;

Guard me then O Holy Spirit that I always may be holy.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 4:31 PM
To: JUDtestimony
Cc: leeyarbro@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232 Testimony House Final 020311.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Lee Yarbrough
Organization: Individual
Address: 1607 Quincy Place Honolulu
Phone: 808-735-1436
E-mail: leeyarbro@aol.com
Submitted on: 2/3/2011

Comments:

Please include my Word Format Document in Support of SB232. Thanks.

**THE HOUSE OF REPRESENTATIVES
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011**

COMMITTEE ON THE JUDICIARY

Hearing February 8, 2:15PM

Testimony on SB 232

(Relating to Civil Unions)

Chair Keith-Agaran, Vice-Chair Rhoads, and members of the Committee:

I strongly support the passage of SB 232. Thank you for allowing me to submit testimony on this matter.

I am an Attorney and CPA practicing in the estate planning area, with a significant client base of same-sex couples. I also work with clients on estate and income tax planning and tax preparation and have represented clients before the Hawaii Department of Taxation and Internal Revenue Service on tax matters. In my capacity as a CPA and Attorney, I have previously testified, from 2007 - 2010, before the Legislature on matters affecting same-sex couples and their families, including urging adoption of previously proposed legislation regarding Civil Unions and urging rejection of most other legislation which would provide for the piecemeal addition to, and changes of, Hawaii's existing Reciprocal Beneficiary laws and benefits.

In my past testimony, I have always stressed to legislators and staff members that what is really needed is a comprehensive basis of laws which can efficiently and completely address the administration of the hundreds of rights and responsibilities afforded married spouses and their families (and more than a thousand statutes which address them) and which would provide parity and equality between the rights and responsibilities afforded to legally married spouses and their families to legally unmarried, but committed, same-sex and opposite sex partners and their families.

If you believe that it is important to ensure equality between committed couples (same-sex and opposite sex) and married couples, I urge you to vote for and support SB232. Since the Reciprocal Beneficiaries provisions were enacted in the late 1990s, I have, in my professional experience, found them to be very weak law, without much substance or applicability to most of the citizens of Hawaii. RB laws do not allow for joint adoption, joint income taxes, joint foster parenting, or the right to private communication between parties, to name just a few of the rights afforded legally married couples but not to same-sex couples, nor do RB laws address the rights of, and obligations toward, children who are the products of committed but legally unrecognized same-sex relationships. I believe that the present RB laws are profoundly unequal and unfair to couples that consider themselves to be a family, yet are prohibited by law from marrying one another. The present RB laws are mostly inadequate to deal with everyday situations and issues facing these committed couples and their families, and the present system allowing unilateral dissolution of a Reciprocal Beneficiary relationship (without judicial intervention) does not adequately address the allocation of rights, property, and responsibilities between the parties once the RB relationship has ended. To add to a flawed and incomplete set of Reciprocal Beneficiary laws only builds on a weak foundation, without addressing the underlying issues of equality for all couples and their families. Hawaii needs a comprehensive basis of laws creating Civil Unions, as proposed in SB 232, to complement and add to the current laws that provide (on a mutually exclusive basis) for the formation of both Reciprocal Beneficiary relationships and legally sanctioned opposite sex marriages.

Civil Unions are currently permitted in New Jersey and Illinois; California, Washington, Oregon, and Nevada permit legally sanctioned Domestic Partnerships; and Massachusetts, New Hampshire, Vermont, Iowa, the District of Columbia, and Connecticut now provide for full rights through same-sex marriages. No profound negative affects on the institution of marriage or society have resulted in any of these states as a result of extending full civil rights and benefits to a larger group of taxpaying citizens of any of these states. Please pass SB 232. The time is now---and the opportunity to make history and do what is right is yours. Thank you for your time and consideration.

Lee M. Yarbrough
Attorney at Law & Certified Public Accountant
Honolulu, Hawaii 96816

JUDtestimony

From: Robyn Kalama [drkalama1954@yahoo.com]
Sent: Thursday, February 03, 2011 4:33 PM
To: JUDtestimony
Subject: Opposition

LADIES AND GENTLEMEN,

TO EVEN THINK THAT YOUR COMMITTEE IS CONTEMPLATING APPROVING CIVIL UNIONS JUST GOES AGAINST ALL MY TEACHINGS AND UNDERSTANDING OF LIFE. I 'VE ATTENDED A PAROCHIAL SCHOOL AND HAD RELIGIOUS CLASSES AT MY CHURCH STUDYING THIS VERY ISSUE WHICH SAYS MAN AND WOMAN WERE MEANT TO BE TOGETHER AS ONE RATHER THAN TWO MALES/FEMALES OTHER THAN THE PURPOSE OF PRO-CREATING HAS YET TO BE ACCOMPLISHED.

I AM A FIRM BELIEVER AND TESTIFY THAT THIS WORLD WAS CREATED BY A SUPREME BEING (GOD/ELOHIM) AND THAT MAN HAS NOT EVOLVED FROM THE ANIMAL SPECIES AS EVOLUTIONIST BELIEVE. ONE MUST BE BLIND AND/OR PIG-HEADED TO THINK SO OTHERWISE. AS LONG AS SOME MEN HAVE TRIED TO LINK US TO THE LINE OF SIMIANS, THERE IS/ARE NO CONCRETE PROOF BUT ONLY THEORIES.

SO, AS A VOTER, I URGE YOU LADIES AND GENTLEMAN, DON'T GIVE IN TO PRESSURE ADOPT THIS BILL AND PLEASE DENY OR VETO THE READMITTANCE OF THIS CIVIL UNION PROPOSAL AGAIN. MANKIND HAS SURVIVED THESE THOUSANDS OF YEARS WITHOUT SUCH A NOTION. WHERE DO YOU DRAW THE LINE - JUST SAY "NO."

MAHALO & ALOHA,

DANIEL D.L. KALAMA, MSGT, USAF (RET)
55-551 Moana St.
Laie, HI 96762

Ph (808) 206-4632
e:drkalama1954@yahoo.com

JUDtestimony

From: misakifanclub misakifanclub [misakifanclub@hotmail.com]
Sent: Thursday, February 03, 2011 4:46 PM
To: JUDtestimony
Subject: support for HB1244;HB1453;SB232

Aloha Members of House Judiciary Committee and Other Representatives,

I live with my same-sex partner of 10years. We also live with my mother who is a 72-year old Japanese woman. My mother's generation and culture may not have been exposed to issues regarding same-sex relationships. However, she was not brought up to believe that discrimination of any kind is acceptable. That is one of many values that she passed down to me. Now, the three of us live together. We cook together, watch movies together, laugh together, and bicker at each other, just like any other families do in Hawaii.

When I went to establish a retirement fund, I put my partner as the beneficiary. Our state-recognized Reciprocal Beneficiary status did not afford my partner the privilege of receiving my retirement benefits in case of my death that married spouses are automatically granted, despite the fact my partner and I have the same rich and committed relationship that married couples have. This is one of many discriminatory inequities that exist in the laws of this state today.

I am not a religious person. So, the arguments for discrimination against gays and lesbians based on some interpretations of Judeo-Christian doctrine are irrelevant to me. They should also be irrelevant to you, as the law-makers who must uphold the long-established principle of separation of church and state.

Many of you made history last year by voting for HB444. All of you now have the opportunity to vote to move toward ending a systematic discrimination of people in Hawaii. Do not forget that it is a privilege bestowed upon you, as elected officials, to protect the minority and preserve equality for all.

Please vote for SB232, HB1244, and HB1453.

Dr. Misaki Takabayashi
Hilo, Hawaii

JUDtestimony

From: Claudia Butcher [cbutcher@wolhawaii.com]
Sent: Thursday, February 03, 2011 5:03 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Aloha, my name is Claudia Butcher and I live in Honolulu and I want to oppose the SB232 SD1 because the people of Hawaii and the majority of our elected officials still support marriage as the union of one man and one woman. God established marriage between a man and a women to preserve humankind and to have safe homes and safe families.

If we allow these kind of families then many dysfunctional adopted children will not know the real relationship between a man and a woman. Just think about how the children are going to refer having two fathers or two mothers. Is again nature and everything again nature is perversion. Perverted sexual relationships may be called marriages by governments of this world, but they are not recognized by the High Court of Heaven. Same-sex relationships are condemned by God in both the Old and the New Testaments.

They are perversions of the beautiful and pure relationship God has given husbands and wives within the bonds of matrimony. Jesus said: "Have you not read that He who made them at the beginning 'made them male and female', and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh'? So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate" (Matthew 19:4-6). "Marriage is honorable among all, and the bed undefiled; but fornicators and adulterers God will judge" (Hebrews 13:4). Same-sex relationships are a form of fornication (sexual immorality). They are ABOMINATION in God's eyes.

AVOID FATAL DESTRUCTION!

The destruction of Sodom and Gomorrah is a warning for those committing abomination in our time. We do not know all the cosmic or geological mechanisms involved when God devastated the Dead Sea area with sulfurous meteorites. The region is now below sea level and is on a major fault in the earth's crust.

San Francisco and Amsterdam are the gay capitals of the modern world. Both cities are suspended by a thread in the hand of God. Forty percent of Holland is below sea level and San Francisco is on a major earthquake fault. At any moment, an earthquake or a storm could destroy these wicked cities. The accusation against them is great and their sin is very grave. God may delay judgment for the sake of the righteous who live there.

"The men of Sodom were exceedingly wicked and sinful against the LORD" (Genesis 13:13). The people of Sodom had 'gay rights'. Homosexuality was unrestrained in Sodom (Genesis 19:4,5). They declared their sin, they did not hide it (Isaiah 3:9).

Before God destroyed Sodom, the Dead Sea region was a fertile plain (Genesis 13:10). Because their sin was very grave (Genesis 18:20) the Lord rained sulfur and fire on Sodom and Gomorrah and the surrounding plain, destroying the cities, the inhabitants and all vegetation (Genesis 19:24,25).

It became a land of sulfur, salt and burning. "It is not sown, nor does it bear, nor does any grass grow there" (Deuteronomy 29:23). It was "overrun with weeds and salt pits, and a perpetual desolation" (Zephaniah 2:9). Sodom and Gomorrah and the cities around them "having given themselves over to sexual immorality and gone after strange flesh, are set forth as an example, suffering the vengeance of eternal fire" (Jude 7).

God explained why He destroyed Sodom: "Look, this was the iniquity of your sister Sodom: She and her daughter had pride, fullness of food, and abundance of idleness; neither did she strengthen the hand of the poor and needy. And they were haughty and committed abomination before Me; therefore I took them away as I saw fit" (Ezekiel 16:49,50).

Please for your children children, don't pass this bill.

Thanks,

Claudia Butcher
IT WOLCC

JUDtestimony

From: tobosa2820@aol.com
Sent: Thursday, February 03, 2011 5:57 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Civil union , same gender couples, call it what you want- its not healthy to our way of life. and to change what has already been established to be fruitful and multiply, will only result in creating more "types" of lifestyles and ideals that will hurt our country or state in the long run. Say NO, Oppose, deny these bills and protect our way of life- one nation under God.

aloha- Paul

JUDtestimony

From: Terence Leong [leongt004@hawaii.rr.com]
Sent: Thursday, February 03, 2011 6:07 PM
To: JUDtestimony
Subject: In Support of SB 232

February 3, 2011

Re: In Full Support of SB 232

To The Members of the House Judiciary Committee:

I am writing to urge you to pass SB 232. I have a brother and sister who, along with the loves of their lives, have stood in front of a Judge have been recognized as a Union under law. Through this recognition, they have received valuable rights that I and the love of my life do not have. Nothing would make our family happier than for each of us to have the same rights, protection and responsibilities in the place we call home, Hawaii.

We must be able to recognize that times have changed. We live in a world where the face of the American Family has evolved. Today, grandparents, sisters, brothers, aunts, uncles and same-sex partners are part of our family make-up. With these changes come civil and legal responsibilities that need to be addressed. What message are we sending to my five young nephews when the State where they live, treats me, their Uncle, differently than it treats their parents? The message should be one of equality and not discrimination.

As a man who was raised as a Christian, I do not feel SB232 is a religious issue. Clearly, there needs to be a separation of church and state. Churches will not need to perform civil unions if they choose not to. Again, it is a matter of civil rights under State law and not under the laws of the Bible.

This bill is not about taking away. It is not about exclusions. Simply, to me and my family, it is about allowing all of us to be able to stand up proudly and say we are equal and there are no differences between us, in how we live our life and who we love. My family is behind this, my friends are behind this. I hope we can count on you to be behind this as well. Let's make a Hawaii a place where we can all be proud to call Home.

Respectfully,

Terence Leong

JUDtestimony

From: Jeff Gray [jungiejee@hotmail.com]
Sent: Thursday, February 03, 2011 6:21 PM
To: JUDtestimony
Subject: SB 232 SD1 and HB 1453

Aloha! I would like to state my strong opposition to both SB 232 SD1 and HB 1453.

I oppose any state recognition of any sort of homosexual relationships. For obvious reasons, homosexuality is a sad, destructive perversion. I do support, however, mental health counseling for homosexuals who wish to leave this lifestyle.

Further, I don't understand how a law that only allows persons of the same sex special rights and privileges is not discriminatory on its face.

Thank you very much.

Aloha and God Bless,
Jeff Gray

JUDtestimony

From: Jeff Schwartz [jeffreyharmonschwartz@gmail.com]
Sent: Thursday, February 03, 2011 6:54 PM
To: JUDtestimony
Subject: Please support enactment of civil unions bill passed by the Senate

My name is Jeffrey Schwartz. I live in Kula, Hawaii.
I am a married heterosexual and have been married 30 years.

I strongly supported enactment of HB 444 in the last legislature, was elated when it passed, and appalled when it was vetoed. I hope now the House will act promptly to pass the Senate-passed bill and send it to Gov. Abercrombie for his signature as soon as possible.

Martin Luther King, Jr. once said, "The time to do right is now. It is always the right time to do right." We have just celebrated Dr. King's birthday. Let's honor it in deed, not just word and ceremony.

That is why I urge your leadership and support for enactment of this important legislation. Because it is right, equitable, and just, and because now is the time to remedy this historic injustice.

How can we claim to be the "Aloha State" when we tell adults in committed love relationships that they may not marry, nor even get the benefits of civil recognition of their commitment, because they are gay or lesbian? I cannot fathom how this position can be reconciled with Hawaii's commitment to Aloha Spirit.

If any church chooses not to perform or recognize gay or lesbian marriage, that is its right. But no church has the right to tell the government and the citizens that public policy must discriminate against any group of people. Free exercise of religion is a very important right. But it does not include forcing others to follow the religious precepts of any church by action of law. That is intolerable and unconstitutional. That is the establishment of

religion that is prohibited by the First Amendment, and that is the kind of "invidious discrimination" that is prohibited by the "equal protection" guarantee of the constitution.

It is folly, double-speak, nonsense to say that civil unions undermine the "sanctity" of marriage. My marriage will not be affected by honoring the civil unions of homosexuals or heterosexuals. Nor will anyone else's, now or in the future. None of the opponents have explained how legal recognition of civil unions will undermine the sanctity of marriage; they just claim it will.

This nonsense will hurt Hawaii's economy if we allow it to continue. We should welcome all and live aloha. It's morally right. It is aloha spirit, and it's good business.

It's time to do right -- way past time. Please act now to pass the Senate-passed

civil unions bill without weakening amendments and send it to Gov. Abercrombie for his signature.

Jeffrey H. Schwartz

310 Piliwale Rd.
Kula, Maui, HI 96790

JUDtestimony

From: Kimberly Tice [kimtice@gmail.com]
Sent: Thursday, February 03, 2011 7:19 PM
To: JUDtestimony
Subject: HB 1244; HB 1453 and SB 232 on Feb 8 at 215pm

To Whom It May Concern,

I am a kama'aina who was born and raised on the windward side of O'ahu. I believe a civil unions bill is needed to preserve the integrity of our promise of aloha to all. Without a civil unions bill, we tell the world that in the land of aloha, some families are less equal than others. This is not a message that is consistent with Hawaiian culture or other local traditions of hospitality. I have numerous friends who are gay or lesbian, and it is entirely unfair for them to be treated as less than equals. They deserve the right to start loving, committed families. This is a right that the rest of us take for granted, because it really is a fundamental civil right that his unjustly being denied to a small minority. I urge you to do the right thing and please vote for civil unions on February 8 at 2:15pm when you consider HB1244, HB 1453 and SB 232. Thank you so much for your time.

Sincerely,
Kimberly Tice
PO Box 128
Kalaupapa, HI 96742
808-343-6329

JUDtestimony

From: Derrick Norris [pastorderrick@hawaii.rr.com]
Sent: Thursday, February 03, 2011 8:07 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

I oppose

Derrick Norris
Senior pastor
Mililani Baptist Church
808-623-2559 ext.22
www.mililanibaptist.com

Revelation 3:8 "I know you well; you aren't strong, but you have tried to obey and have not denied my name. Therefore I have opened a door to you that no one can shut."

When God leads you to the edge of a cliff, trust Him fully and let go... Only one of two things will happen. Either He'll catch you when you fall, or He'll teach you how to fly!!!

JUDtestimony

From: Dennis & Leona Martin [kapuaponi@hawaiiantel.net]
Sent: Thursday, February 03, 2011 9:04 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Sir,

I am a voter and I oppose civil unions with all that I am. Homosexual behavior is what it is....sexually deviant behavior. I oppose this bill; vote against this bill.

Pastor Dennis
New Hope Waimea

JUDtestimony

From: Sandi Barton [tropexs@hawaii.rr.com]
Sent: Thursday, February 03, 2011 9:12 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

To the Judiciary Committee,

I am urging you to hear the pleas of the majority of the people in Hawaii who do not want civil unions. We are confident it will lead to same-sex marriages and the further decline of a healthy family foundation.

The people of Hawaii should be able to hear the truth of what is behind the real "need" for civil unions. I understand that there is a MINORITY of people who feel desperate to make a point about same-sex "marriage", however it is your job to listen to the majority of the people who care about the future of our children. Please seriously consider the long lasting negative effects of these "civil union" bills.

Marriage has always been designed by God for one man and one woman. I humbly ask for your support in opposing these bills we can stand for what is right and true. Let us not give in to the desperate and dishonest activists who are lobbying for civil unions with the real motive of same-sex marriage.

Respectfully,

Sandra Jordan Barton

JUDtestimony

From: Rojo Herrera [rojo.herrera@comconusa.com]
Sent: Thursday, February 03, 2011 9:27 PM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

Sir/Ma'am,

We are a "blended" family and in many ways, a very non-traditional family. We have 10 children; "yours, mine, ours and whose (i.e., four adopted)". They are from a variety of nationalities with a dynamic mix of young and old brothers and sisters. We are very proud of them—military members, health care provider, school teacher, college students and four under the age of 13.

Recently we were given the green light to adopt #11—a 2 year old girl whose parents are caught up in drug addiction. We continue to do our best to provide a loving home grounded on the truth that God created us all to be distinct individuals. However, He made us male and female and set the union of male and female as the basic building block of the human race. These bills attempt to undermine this fact and are detrimental to our state and our country.

Yes, we are a very diverse family, but we agree on the subject of civil unions: We are firmly opposed to both HB 1453 and SB 232.

Please do not pass this legislation.

Sincerely,
Rojo

Rojelio Herrera
94-368 Hakamoa St
Mililani, HI 96789

JUDtestimony

From: Frank Lassise [scdoggiedoc@gmail.com]
Sent: Thursday, February 03, 2011 9:52 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Aloha.

My name is Frank Lassise, Jr. I am a 39 year old Veterinary Doctor who recently moved with my spouse to Maui from Portland, Oregon. My spouse, Jonathan Dailey, is a Licenced Acupuncturist. We married legally in California two years ago, when we still lived in that state.

Our wedding day was one of the happiest of our lives, as we were surrounded by our family and friends in a legally recognized and binding testament of our union and commitment to eachother. It meant that we could visit eachother in hospital if one of us was I'll, file our taxes jointly in our state, enjoying tax benefits from that status; that we could make certain legal decisions for each other, own property together and that I could add my spouse to my work insurance coverage if we chose to. On a more personal note, it meant our relationship was given the same validation and acceptance as anyone elses; ours was equal to and given the same weight as anyone elses. On an even more personal note, having been in a heterosexual marriage at a point in my life when I still did not understand my own sexual orientation, I can personally atest to the fact there is NO difference between a hetero or homosexual marriage except the genders of the two people in that special, binding relationship, and so, they should be equal in the eyes of the law.

it pains me on a personal and economic level to not have my marriage and union to my spouse recognized by my new home state; for all of the reasons I have mentioned. In addition, my spouse and I will be adopting a child soon and I should be able to tell my child his parents love for eachother and union are just as valid as any of his friends' parents.

Please make Civil Unions a reality now. Rights and Freedoms delayed are rights denied. It's the right thing to do for Hawaii and it's the right thing to do for my family.

Mahalo and Aloha,

Frank Lassise, Jr. D.V.M.
808-214-4913

Sent from my iPhone

JUDtestimony

From: TAMBRY [tambry@hawaii.rr.com]
Sent: Thursday, February 03, 2011 10:02 PM
To: JUDtestimony
Subject: SB 232, SD1 - Testimony in SUPPORT of Civil Unions

Senate Bill No. 232, SD1 - Testimony in SUPPORT of Civil Unions

Hearing: Tuesday, February 8, 2011 at 2:15 p.m.
Room: Auditorium

To: Representative Gilbert S.C. Keith-Agaran, Chair - Judiciary Committee
Representative Karl Rhoads, Vice Chair- Judiciary Committee
Members of the Judiciary Committee

From: Tambry R. Young, Native Hawaiian
Small Business Owner, Tidy Up Gang, LLC
Board Member, Citizens for Equal Rights
Girls Varsity Coach, Maryknoll High School Paddling Team

I would like to thank the Chair, Vice Chair, and all committee members for allowing me to provide testimony today on SB 232, SD1. This legislation is a courageous initiative that will continue to bring fairness, equality, and a richer quality of life to all individuals in Hawaii.

Same-sex partners, like married couples, choose a person to become their spouse for many of the same reasons. Love, companionship, interests, social and/or spiritual beliefs are just a few of those reasons. However, the most important commonality between same-sex couples and married couples is the desire to live a happy, fulfilling and productive life with the spouse they have chosen. It is this commonality that justifies the need for SB 232, SD1.

My name is Tambry Young and my partner of nearly 30 years, Suzanne King, and I made a commitment, as many married couples do, to love, honor and cherish each other 'til death do we part. We are both born and raised here, are raising our 11 year old daughter, own a home in the neighborhood I grew up in, run a small business with 5 employees, and are active members in community organizations.

We contribute to the economy and pay taxes, as married couples do. We care for our elderly parents and nurture the young in our extended families, as married couples do. We collectively pool our resources together to make our family stronger and better able to meet the demands of the future, like married couples do. We are just like many other married couples trying to live a happy, fulfilling and productive life with one exception, we do not have the equal benefits, rights, protections and responsibilities as married couples do.

SB 232, SD1 provides a mechanism that gives same-sex couples like Suzanne and I, the ability to reach and sustain a strong family unit by providing us with the same rights, benefits, responsibilities and protections that married couples have.

Therefore, I respectfully ask for your support of SB 232, SD1.

Tambry

Tambry R. Young
2343 Kula Kolea Drive, Honolulu, HI 96819
Email: tambry@hawaii.rr.com

JUDtestimony

From: Daniel Grantham [dannyr@hawaiiantel.net]
Sent: Thursday, February 03, 2011 10:02 PM
To: JUDtestimony
Subject: Civil unions

Let's just stop discriminating against adults who want to be partners because they love each other.

If someone is hurt by honest expression of love between others, it must be because they are under the influence of hate.

Daniel Grantham
P.O. Box 610
Haiku, HI 96708
808-572-4571

JUDtestimony

From: Suzanne [sking@hawaii.rr.com]
Sent: Thursday, February 03, 2011 10:03 PM
To: JUDtestimony
Subject: SB 232, SD1 - Testimony in SUPPORT of Civil Unions

Senate Bill No. 232, SD1 - Testimony in SUPPORT of Civil Unions

Hearing: Tuesday, February 8, 2011 at 2:15 p.m.
Room: Auditorium

To: Representative Gilbert S.C. Keith-Agaran, Chair - Judiciary Committee
Representative Karl Rhoads, Vice Chair- Judiciary Committee
Members of the Judiciary Committee

From: Suzanne King, Native Hawaiian
Board Member, Citizens for Equal Rights

Thank you for allowing me this opportunity to come before you to testify in support of SB 232, SD1.

My name is Suzanne Kalikolehua King. I am a Native Hawaiian, born and raised in Hawaii. I come before you today because SB 232, SD1 is important legislation that impacts me personally and my family.

Back in 1981, when I came out to my parents, my father disowned me and we did not speak for over a year. Over the years, I missed family holiday celebrations, I missed the King Family reunion because Tambry was not allowed to attend, we have been harassed by HPD, and have been treated with disrespect as a couple by many businesses over the course of our lives together. As you can see, living as a gay couple in Hawaii is not an easy life. Why anyone thinks that one would choose to be gay is beyond me. I didn't choose to be gay - it's just who I am.

For nearly 30 years, longer than many married couples and longer than any of my four siblings, Tambry and I have lived here in Hawaii, our home, as life partners. When we got together, I gave up hopes of having a family. But as with all things, over time, you can realize possibilities that previously did not exist. 18 years later, in 1999, our daughter Shylar Kalikolehua Young, was born.

While Tambry was still pregnant with Shylar, we started legal action to protect our equal rights as parents. In 2000 we were fortunate to be granted one of the first same-sex co-parent adoptions in Hawaii. Although it took a few months, we eventually received Shylar's amended birth certificate which I still carry with me every day in my wallet. In 2000, we were a happy family and felt safe and protected.

On December 23, 2008, our lives changed forever as we became aware of the civil unions bill about to be introduced in the legislature. It opened our eyes to all the many benefits, rights and protections that we were missing and how really vulnerable our family was.

Since that time, we realize there is no going back for us – we have an obligation as Shylar's parents to do everything within our power to ensure that Shylar's family is as equal as her best friend Will's family, as her cousins Ryan, Kyle, David, Ho'oulu, Keali'i, Marie, Nicole, Daniel, Kamana, Keao, Kaipō and Ava's families.

Our 11-year old daughter has had to listen to adults say that because she has 2 mommies she will have no friends, that she will be a problem child. She knows that's not true. Her generation gets it. Her classmates, their parents and her teachers get it.

In Shylar's words, she asks us Mommy, what is the big deal? God created us all equal. That's what I learned at Maryknoll. It's not going to hurt anyone. A woman doesn't have to love a woman if they don't want to. You should just be able to be love whoever you want.

And yes last November Tambry and I did get married in Massachusetts with Shylar right there with us. She was so proud of her family. It's important and means a lot to children to have their family treated the same as other families.

So maybe when we visit Massachusetts our family is equal, but Hawaii is where we live, it's our home, and that's where we need our family to be treated equally. Families have a tough time as it is succeeding these days. Discrimination by the State of Hawaii of our GLBT families just adds to the challenges our families face.

The opportunity to start ending the discrimination of all GLBT families in Hawaii begins today with you. I urge you to vote in favor of SB 232, SD1.

Mahalo.

Suzanne

Suzanne King

2343 Kula Kolea Drive, Honolulu, HI 96819

Email: sking@hawaii.rr.com

JUDtestimony

From: Christopher/Joaquin Kunkel/Gamiao [cjvolcanoboyz@gmail.com]
Sent: Thursday, February 03, 2011 10:06 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Aloha Members of the House Judiciary Committee,

We are a same sex couple that have been together for the past 13 years, raised two (2) wonderful children and now are proud 'papas' of three (3) mo'opuna. Christopher was diagnosed last May with MS. In spite of our loving family and our building our own home, we are still considered non-related men. Civil Union will give us the ability to make medical decisions for ourselves as well as provide for each other in the event of a death in the family.

In the true values of Aloha and traditions of Ohana, we ask that you support passage of SB232 and bring equality to Hawaii.

Mahalo a nui loa,

--

***E Malama Pono o'oe!
Christopher & Joaquin***

JUDtestimony

From: Joel Weaver [weaver.joel@gmail.com]
Sent: Thursday, February 03, 2011 10:10 PM
To: JUDtestimony
Subject: Testimony in OPPOSITION to SB 232 SD1 and HB 1453

Dear members of the House Judiciary Committee--

I understand that SB 232 SD1 and HB 1453 regarding the establishment of Civil Unions are going to be heard in the Judiciary Committee this coming Tuesday. I am writing you in strong opposition to these bills.

Yours is a solemn charge: serve the people's will. And the people's will has been explicitly stated on this issue when in 1998 a clear majority voted to retain the "one man-one woman" definition of marriage that has held for millennia.

This is not an issue of equality, as even those in favor of the bill will acknowledge that the legal rights purportedly denied them are already available to same-sex couples through Hawaii's reciprocal beneficiary law. No, be assured that the aim of this bill is to redefine marriage to include not only same-sex couples but also any other behavior-based group that desires civil approval of their lifestyle choice. Can those practicing currently unacceptable sex-based behavior such as pedophilia or bestiality be far behind in their demand for "equal rights" and for their right to "marry" the ones with whom they practice their preferred actions?

The legislative endorsement of sex-partner civil unions is one step from legislative endorsement of sex-partner marriage. Please do not shred the definition of marriage to include any people who practice sexually-based behavior who express their desire to call themselves "married". Under a smokescreen of "equality" and "tolerance", these bills would seriously undermine a foundational pillar of our society which is already under attack: traditional marriage.

Again, you have a solemn responsibility to serve your constituents and the generations to come in the decisions you make. Please vote NO on SB 232 SD1 and HB 1453, as they seek to establish a ruinous precedent in granting special legal protection and benefits based on sexual preferences and behaviors. Instead, in the truest sense of equality, we recommend expanding the current Reciprocal Beneficiaries provision as a more suitable, comprehensive option.

Thank you for your attention,

Joel Weaver
Manoa

JUDtestimony

From: ITALFLYBOY@aol.com
Sent: Thursday, February 03, 2011 10:34 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

My name is Michael Correale

I am in support of SB232 and thank you for letting my voice be heard. I think it's time for separation of church and state and allow people to live their lives as they please with the partner they choose. By passing SB232 you allow people the right to have a voice in their partners life in medical decisions and legal rights as a couple. I have no desire to have a ceremony in a church. This is nothing about being a married couple it's about having legal rights as partners in live. having the same rights for taxes and owing a home as every one else. Just because I pick to be with a person of the same sex should not keep me from being equal with any other couple.

I thank you for allowing me to voice my opinion and I think you & The Governor for hearing this bill again

Thank you and aloha

Michael Correale

91-1056 Waikapuna St

Ewa Beach Hawaii 96706

JUDtestimony

From: Nolan Yogi [nyogi7@msn.com]
Sent: Friday, February 04, 2011 3:10 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships)/ OPPOSITION to SB 232 SD1 (Relating to Civil Unions)

Dear Chairman Keith-Agaran and Honorable Committee Members:

My entire family and I are deeply opposed to House Bill 1453 and Senate Bill 232 SD1, which are clearly legislation intended to circumvent and even thwart the will of the majority of Hawaii's people. They have shown in poll after poll that they oppose Same Sex Marriage and its stepping stone the Civil Union legislation. If that was not the purpose of the bill's proponents, why use the language of the marriage laws for the Civil Union bill. This "backdoor" approach was used in California and Connecticut. In those states, based upon civil union laws, the courts, not the legislature, imposed same sex marriage upon the people.

Marriage between a man and a woman is an institution thousands of years old, the bedrock of a family and child rearing. The majority of the people do not want marriage to be redefined to suit the preferences or life style choices of a few. This is not a civil rights issue! There is no scientific evidence that sexual preferences are genetically based. Civil rights legislation arose simply because a man or woman cannot change their gender, skin color or race, and hence, should not be treated unfairly because of these attributes.

Please reject HB 1453 and SB 232 SD1

Very truly yours,

Nolan K. Yogi

JUDtestimony

From: anniemckitty@hawaiiantel.net
Sent: Friday, February 04, 2011 5:09 AM
To: JUDtestimony
Subject: in support of SB232

Thank you for consideration of this bill. I am a heterosexual who will not be directly affected by this bill. However, I whole heartedly support it. Granting the right of civil unions to committed couples is the only right thing to do and long overdue. It is heartbreaking to think of families denied this basic recognition.

Thank you again for your consideration of this important bill.

Ann McLaren
1531 Makiki St #402
Honolulu, HI 96822

JUDtestimony

From: bashrussell@aol.com
Sent: Friday, February 04, 2011 6:14 AM
To: JUDtestimony
Subject: Civil Unions Testimony

Dear Representatives,

As one half of a gay couple, in a very long term relationship in Kauai, I urge you to make Civil Unions a reality in the state of Hawaii. As I recall, many years ago, this was supposed to happen or did and was overturned? Didn't Melissa Etheridge come here and get married to her partner? I recall this because of the attention that was suddenly shed on Hawaii at that point. When this happened, 1989 I believe, I wanted to come here and get married too.

If not for the sake of tourism alone, there are many many gay people out there, and being a gay friendly state would definitely improve your tourism. Also, encouragement of relocation. If gay couple could have some rights here, they would be more apt to purchase properties here and expand the economy.

I have been with my husband (we were legally married in Danbury, Ct.) for 19 years. That is much longer than most straight couples, in which the average length of a marriage is 3 years...

We co-own properties in Hawaii and on the mainland. We have had to use lawyers to try and united our incomes, a basic right of straight couples simply by getting married. We own property, we cast votes, we are pet owners, we pay taxes, we both hold jobs.

Also, the fact that Hawaii does not recognize our marriage really doesn't do anything to help us here. We don't get any kind of tax break as a couple, which again, should be a basic right of human beings.

With President Obama leading the country, I think it is also time for Hawaii to step up to the plate.

Let it not continue to be known for it's hostility, it's separatism and it's prejudice and hate, but a leader in the cause of democracy and the rights of every man. After all, gayness and mahouts are and have been a reality in Hawaii, both ancient and new, and were once a revered and sacred thing. Don't turn your back on your brothers and sisters, embrace them back into your fold.

Let's show the world what Hawaii is really about, let's make "Aloha" a reality.

Thank you for your consideration,

Sebastian Russell

JUDtestimony

From: Susie Kaohi [susie5310@msn.com]
Sent: Friday, February 04, 2011 7:22 AM
To: JUDtestimony

I am **STRONGLY AGAINST** the following three bills that will be heard on Feb. 8, 2011 in the Judiciary Committee.

The three bills are: HB 1244, HB1453, and SB 232 (SD1).

It is my opinion that marriage is with ONE man and One woman in GOD's eyes.

It is a SHAME that this state is so over run with Homosexual people that the STRAIGHT people are almost losing any say.

I have lived in and watched this state for 50 years. The morals of this state has gone down slowly but surely over the years. The mainland opinions about things have taken over with everything. Crime and Drugs are running wild..Instead of worrying about civil unions, We SHOULD be building more prisons, pay more money to our teachers, build..no, FIX our rundown schools, fix our pot holes in the roads (some that you can lose your car in..If you don't believe me..Drive to the end of the road in Kokee)..and hire more police. And probably the Most important one..is to get OUR state up and running as it was before this last 8 years.

Worry about the local people (they are moving out like rats) because of the economy of this state. All the politicians that we voted for said the first order of business was to FIX our state..instead the first order of business is to get these 3 bills passed..SHAME ..SHAME..put your ear to the ground and listen to the local people instead a few..This should go to the people instead of the poiticians.

Thank you..

Elizabeth S. Kaohi

P.O. Box 658

Hanapepe, Hi. 96705

JUDtestimony

From: LTamashiro@aol.com
Sent: Friday, February 04, 2011 7:50 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232

To the ALL Lawmakers of the State Of Hawaii,
I oppose your vote to support of same-sex marriages in Hawaii. No matter what civil-union bill syou pass it is still the same outcome. Marriage between male and male, and female to female. Whats next allowing sons to marry fathers? Daughters to their mothers, or go beyond that to their aunties, uncles, grandparents even. Whats NEXT? What are you allowing our state to become.

Yeah, ya'll got into office with doing what's best for Hawaii. Now is the time to stand up for our citizens rights and not a small group of individuals with big money backers behind them. Civil Union = Same sex marriage, I disapprove this action.

But as things turn out, the louder more financed group gets the deal.
I support bill no 1244, at least we can try to keep some sanity in the church's rights not to be part of this union.

WE took care to this in the past, but it keeps coming out in different names, bills...
Shame on all of you!!

Linda Tamashiro

JUDtestimony

From: Nina Lomando-Grigoreas [nicksrhian1@aol.com]
Sent: Friday, February 04, 2011 8:17 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

PLEASE support SB232. Civil unions should be everyone's right!

*Thank you.
~Sincerely,*



*Nina Lomando-Grigoreas
28 Oak Drive
Mansfield Center, CT 06250-1516
(860) 465-5686 (Home)
(860) 336-1110 (Cell)
(860) 429-0218 (Work)*

JUDtestimony

From: Anson Rego [regoa@hawaii.rr.com]
Sent: Friday, February 04, 2011 9:07 AM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

I am in opposition to the civil unions bill.

The propose civil unions bill is clearly a same sex marriage bill and actually discriminates against traditional families and others who do not qualify for similar benefits as non family same sex partners. Thus, the bill states a preference and an invidious discrimination.

The consequences of this proposed bill is far reaching especially if the religious exemption is not included and which is now separately proceeding in the House. Therefore, the outcome of the exclusion is unknown if you approve this bill as is.

You might well think differently about this bill in the future if you review all the scenarios. Many opponents have written about the consequences of your actions. Please take note. For example, when your children and grandchildren will be taught in school at early ages as will be required under this law that homosexual couples have the rights and privileges as mom and dad and are no different ie that marriage rights have been conferred on them, you will learn that this truly is a same sex marriage bill in disguise. Also, the new legal status of making homosexuality is a new norm will cause entitlement to equal funding of government services ad infinitum and will result in untold disputes and threats or actual lawsuits by advocates.

I oppose the bill.

Anson O Rego
Attorney at Law
A Law Corporation

regoa@hawaii.rr.com
tel: (808) 696-7061
fax: (808) 696-7765

JUDtestimony

From: curran7747@aol.com
Sent: Friday, February 04, 2011 9:54 AM
To: JUDtestimony
Subject: *****SPAM***** Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

No law can trump God's law. God says homosexuality is a sin. You are either with Him or against Him.

God love you,

R Curran

JUDtestimony

From: Steff Kawasaki [steffkawasaki@yahoo.com]
Sent: Friday, February 04, 2011 10:08 AM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

I humbly submit the following testimony regarding the subject HB 1453 and SB 232.

1. I stand with the majority of Hawaii's people to firmly and simply oppose the subject bills related to the declaration that civil rights is the same as civil unions.
2. As these bills are written, civil unions are the same as same-sex marriage and spelled out exactly that way. Is this what we really want for Hawaii to be known to be the gathering place for - promotional confereces, weddings, chaos, etc...
3. No room for a law to condone what's not naturally right as we (humans) were designed to do, procreate in an 'ohana setting. No law needs to define other ways of lifestyles and force others to abide and condone it.
4. I personally respect others decision to live in lifestyles that I don't necessary believe in - and even have friendships that live in those lifestyles, but I don't believe there needs to be laws to define and protect it to extend I will have to teach it as an alternative and fact to accept to my children and grandchildren.
5. Implications of passing these as laws will open an entire universe of unstable human morality and virtuous behavior. How do we explain this unnatural way of lifestyle to our keiki?
6. What will it mean to Hawaii and it's marketable value in the world as a safe place to visit and raise a family without imposing and forcing values of a few minority? What types of activities will start to be condoned in Hawaii? What does Hawaii want to be known for? Will passing this law affect the aloha spirit that we are known for?
7. Our aloha spirit attracts all people from around the world, why? Because we who live here DO respect all lifestyles, ethnicity, values, culture, and traditions. We eat, practice and respect all ethnic foods of each other, welcome and participate in ethnic celebrations, we get to choose without a law stating we have to accept it.
8. We value and respect with the aloha spirit of acceptance. Is there a law that spells out we need to accept and teach the lifestyle of Chinese New Year traditions and their types of marriage?
9. In proportion, we live in a small state and DO get along well, NO need to pass a law to define the condoning of ONE lifestyle as a "right" way.
10. My testimony is to PLEA for leadership to do the right thing, OPPOSE HB 1453 and SB 232.

Mahalo, Stephanie Kawasaki

JUDtestimony

From: hiangel [hiangelc2@gmail.com]
Sent: Friday, February 04, 2011 10:10 AM
To: JUDtestimony
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

Aloha Representatives and Judiciary Committee,

I am writing this to you to let you know that I OPPOSE SAME SEX MARRIAGE AND HOUSE BILL 1453 AND SB 232 SD1. I AM OPPOSED TO CIVIL MARRIAGES. I have lived in Hawaii my whole life and I do not want to see this change our society in a huge way for the worse. I have voted on this issue many times before as all of us have and am quite disgusted by sneaky tactics of those who are trying to get same sex marriage passed no matter what. The social ramifications will be grave if same sex marriage becomes legal. You must do what is right representing the majority of the people of Hawaii. WE DO NOT WANT SAME SEX MARRIAGE IN ANY FORM!!!!!!

Mahalo,

A Camacho

JUDtestimony

From: carl johnson [cdj3333@yahoo.com]
Sent: Friday, February 04, 2011 10:15 AM
To: JUDtestimony
Subject: Bills---Testimony

I Carl Johnson oppose HB1244 and HB1453 and strongly support SB232(SD1).

ALOHAAAAA,

Carl

JUDtestimony

From: David Robins [hawaiiiguys@hotmail.com]
Sent: Friday, February 04, 2011 11:19 AM
To: JUDtestimony
Subject: Testimony in favor of SB232 for Feb 8th hearing

Aloha esteemed members of the House Judiciary Committee. I want to thank you in advance for your attention and time in hearing my testimony in support of SB232.

On March 10, 2011...my partner Nick and I will celebrate 27 years together as a gay couple. Something we are both very proud of and are well-aware this exceeds the length and depth of most heterosexual marriages. Yet we have been deprived of the basic civil right, equal right, to make our committment legal & binding. As it is right now, we have no legal protections. We have built a great life together...and over time have acquired valuable assets, such as real estate, etc. We have lived what I would best describe as a very normal life...both working professionals who contribute to our community and our charities. If something should happen to one of us, we have no real legal protection from so-called "next of kin" coming into our home and stripping it of all valuables...and even challenging rights of survivorship involving other assets and real estate holdings. In short, we are at risk. Our fear is not unfounded and I'd like to share with you a very real and true story about what happened to friends of ours...another long-term committed couple.

Our friends were both professionals (a doctor and lawyer) who had been together for 14 years and sound members of their community. They revealed to their respective families 10 years prior that they were both gay and in a loving relationship together and wanted their families to accept them as a couple. Unfortunately, both of their families disowned them and condemned their relationship, which was very painful for both of them. One of the partners became critically ill (in their 14th year together) and after a year-long battle he passed away. The surviving partner was devastated by the loss. However, the family of the deceased partner that disowned them 10 years before forced their way into the home of the surviving partner and stripped it of everything...even going so far as to take the surviving partner's clothes, personal possessions & automobile. He was left with nothing and the family got away with it because they were legally "next of kin". As months passed, the surviving partner slipped into deeper depression...and eventually took his own life...leaving only a one-line note stating he wanted to be in a better & a more loving place with his partner. I think this fully illustrates how two smart, professional & successful gay men can be driven to such extremes.

There is a very real risk in not allowing couples who truly love each other, who have built & shared a lifetime together, to not be allowed basic civil rights...equal rights...human rights. The civil union between two loving people does not take away from, or threaten, traditional marriage in any way...as some of our opponents would like you to believe. We need protection from travesties such as this from occurring. You have the power to do what's right and best for those of us who depend on you to be fair & just...and allow us to have the same legal rights & protections offered to others. The time has come to pass SB232 without further delay. Let's move Hawaii forward. Imua!
Mahalo for your time and listening to our story, our collective voice.

DAVID ROBINS, RA
"The Dream Team"
Fine Homes Specialist
PRUDENTIAL LOCATIONS, LLC
Diamond Head Office
614 Kapahulu Ave., Suite 200

JUDtestimony

From: joeiii@juno.com
Sent: Friday, February 04, 2011 1:03 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Aloha ,Please pass this advancement to our civil rights.Mahalo!Joe Bertram III

JUDtestimony

From: joel beck [beijiahe@gmail.com]
Sent: Friday, February 04, 2011 2:59 PM
To: JUDtestimony
Subject: testimony for Judiciary Committee re: SB232 and HB1453 on 2/8/11 at 2:15pm
Attachments: testimony.pdf

testimony for Judiciary Committee re: SB232 and HB1453 on 2/8/11 at 2:15pm

Joel Beck, Academic Director, Institute of Intensive English, Honolulu

Judiciary Committee

Tuesday, February 8, 2011 2:15pm

Re: SB232
HB1453

Dear Judiciary Committee,

I would like to hereby submit my testimony in regard to the hearings for SB232 and HB1453 on February 8, 2011 at 2:15pm.

I am a 39-year-old single male who is an educator, resident of Kalihi, citizen and taxpayer.

It is my firm belief that in Hawaii the passage of a civil unions bill is necessary to preserve the integrity of our promise of aloha to all, especially our Ohana who happen to be gay. As long as Hawaii is without a civil unions bill, we communicate to the world that in the land of aloha, some families are less equal than others. This is not a message that is consistent with Hawaiian culture or other local traditions of hospitality. It certainly dishonors the spirit of aloha.

Please pass legislation in this legislative session to respect all citizens of our special state.

"E hau'oli e nā 'ōpio o Hawai'i nei
'Oli ē! 'Oli ē!
Mai nā aheahe makani e pā mai nei
Mau ke aloha, no Hawai'i"

Respectfully,

Joel Beck
1317 Palena Place
Honolulu, HI 96819

JUDtestimony

From: Kahana Ho [kahanakitty@gmail.com]
Sent: Friday, February 04, 2011 1:12 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

To the Esteemed Members of the State of Hawai'i House of Representatives Judiciary Committee:

My name is **Kahana Ho**, and **I am writing in support of Senate Bill 232**. Thank you for taking the time out of your busy schedules to read my story, which explains why the passage of SB232 is so very important.

I am a lifelong resident of this state, and ***my spouse and I have been legally married here for over 12 years***. However, **unless SB 232 passes**, I will have to choose between keeping the status of my marriage legal, and losing protections in the workplace, education, and public accommodations, or gaining those protections, but **sacrificing the status of my marriage**.

Sounds complicated? it's really simple: **i was born to the assigned gender of male, but in 2010, i underwent Gender Reassignment Surgery, and to all medical purposes, i am now a female**, Amazingly, i made my gender transition with the support of my loving spouse. i cannot tell how just how rare she is, and the depth of our commitment to each other, but as a matter of perspective, statistics indicate that 9 out of 10 marriages do not survive the gender transition of one of the spouses, so i think you can see just how deep our commitment is to each other.

However, the **ramifications of my gender transition are such that i have ABSOLUTELY NO protections in the State of Hawai'i from discrimination in employment, public accommodations, education, or medical services and insurance**, on the basis of my gender identity and gender expression, as long as my birth certificate reflects my former gender. i would love nothing more than to bring my legal gender marker in to congruence with my true gender; i would have legal recognition of my identity, AND gain protections from discriminations. The problem with doing so, however, is that ***if i do change my gender on my birth certificate, my spouse and i will no longer have a legally recognized marriage in Hawai'i***, or anywhere else, for that matter. why? because we would then be in a same-sex domestic relationship. as a result, we would suffer loss of recognition as spouses, thereby changing our tax filing status, denying us end-of-life decision making power, or even visitation rights, shatter our combined credit rating, and publicly invalidate the legitimacy of our marriage of over 12 years, but of our committed monogamous relationship of well over 22 years.

By the same token, legal recognition of civil unions has no impact whatsoever on the sacred status of marriage within the context of any religion. Churches of any and all denominations have no obligations whatsoever to perform or recognize civil unions; if they choose to perform and honor same-sex marriages, that is wonderful, but if they do not, they face no penalty, no loss, no threat to their religion.

Additionally, same sex partnerships pose no demonstrable harm to children; in fact, by recognizing civil unions of same-sex partnerships, the stress and burdens imposed by the current lack of protections would be lifted, and those families would have the freedom to devote their full attentions to the support and nurturing of their relationships, rather than defending themselves from institutionalized discrimination.

In closing, I wish to say that it is bad enough that I face discrimination on the basis of my gender transition. However, the fact that both my spouse and I ARE currently adversely affected by the lack of any recognition of same-sex unions, as marriages or civil unions, is a cruelty that can only be justified by **homophobia and pure intolerance and hatred**. Such values are **antithetical to the true principles and family values of love**,

devotion, commitment, and aloha. My marriage is no longer a potential victim of inequality and injustice, but **is now a very *real victim of the discriminatory lack of legal recognition of same-sex partnerships.***

I therefore humbly ask that you act to act in concert with what is just, fair, and pono: in the name of justice, equality, and aloha, **please pass SB 232**, to support committed relationships, based in true love and aloha, regardless of the sex of the partners. Thank you once again for you kindest consideration of both my testimony, and of SB 232.

With my deepest gratitude and respect,
Kahana Ho
2933 Pāhoehoe Place
Honolulu, Hawai'i
96817

JUDtestimony

From: Michael Golojuch [mjgolo@email.phoenix.edu]
Sent: Friday, February 04, 2011 2:05 PM
To: JUDtestimony
Subject: Testimony is Strong Support for SB232
Attachments: Testimony for SB232 02-03-11.pdf

My testimony is below and signed copy attached.

February 3, 2011

Representative Gilbert S.C. Keith-Agaran, Chair

Representative Karl Rhodes, Vice-Chair

Committee on Judiciary

Hearing on February 8, 2011 at 2:15 PM – SB232

JUDtestimony@capitol.hawaii.gov

RE: Testimony in Strong Support of SB 232, SD1, Relating to Civil Unions

I am father of a gay son and a straight daughter. I am also on the Board of Directors for Parents, Family, Friends of Lesbian and Gays (PFLAG) – Oahu and a past Secretary for Dignity Honolulu, supporting gay and lesbian Catholics. I am testifying in strong support of SB232, which will a positive step to bring equal rights to our gay and lesbian tax paying citizens as well as heterosexual couples who prefer a civil union.

We must all remember that civil unions are to provide a level playing field for another minority in our society. This is about fairness, equality and economic justice. Civil unions will help in the equal protection of the law for our gay and lesbian brothers, sisters, aunties, uncles, fathers, mothers, friends or neighbors.

I served 23 years in the United States Air Force and have been married for 45 years. I believe it is a crime against equal protection under the law by not allowing our gay and lesbians couple at least the right to have civil unions.

Civil unions also become a positive economic engine for the State as both local couples and visitors plan their civil union ceremonies and parties in the islands.

I urge the committee to pass S.B. No. 232. Go 232! Thank you for this opportunity to testify.

Sincerely,
Mike Golojuch, Lt Col, USAF (Ret)

Michael Golojuch, Lt Col, USAF (Ret)
92-954 Makakilo Drive #71
Kapolei, Hawaii 96707-1340

February 3, 2011

Representative Gilbert S.C. Keith-Agaran, Chair
Representative Karl Rhodes, Vice-Chair
Committee on Judiciary
Hearing on February 8, 2011 at 2:15 PM – SB232
JUDtestimony@capitol.hawaii.gov

RE: Testimony in Strong Support of SB 232, SD1, Relating to Civil Unions

I am father of a gay son and a straight daughter. I am also on the Board of Directors for Parents, Family, Friends of Lesbian and Gays (PFLAG) – Oahu and a past Secretary for Dignity Honolulu, supporting gay and lesbian Catholics. I am testifying in strong support of SB232, which will a positive step to bring equal rights to our gay and lesbian tax paying citizens as well as heterosexual couples who prefer a civil union.

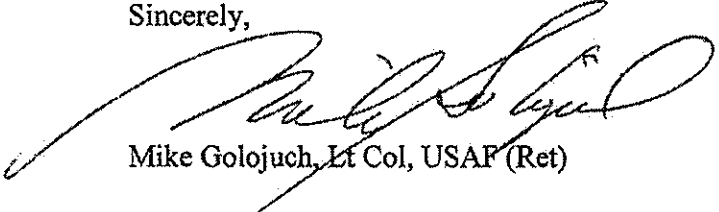
We must all remember that civil unions are to provide a level playing field for another minority in our society. This is about fairness, equality and economic justice. Civil unions will help in the equal protection of the law for our gay and lesbian brothers, sisters, aunts, uncles, fathers, mothers, friends or neighbors.

I served 23 years in the United States Air Force and have been married for 45 years. I believe it is a crime against equal protection under the law by not allowing our gay and lesbians couple at least the right to have civil unions.

Civil unions also become a positive economic engine for the State as both local couples and visitors plan their civil union ceremonies and parties in the islands.

I urge the committee to pass S.B. No. 232. Go 232! Thank you for this opportunity to testify.

Sincerely,



Mike Golojuch, Lt Col, USAF (Ret)

JUDtestimony

From: Darci [darci@hawaii.rr.com]
Sent: Friday, February 04, 2011 5:12 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

House Judiciary Committee
State Capitol, Room 302
415 South Beretania Street
Honolulu, Hawai'i 96813

RE : SB 232 SD1, Civil Unions
Date : Tuesday, February 08, 2011
Time : 10:00 a.m.
Place : Capitol Auditorium

Dear Chairman Gilbert Keith-Agaragan, Vice Chair Karl Rhoads and Committee Members,

Denying same-sex couples to enter into a civil union is really saying to these citizens, "You are less than human and you don't deserve to enjoy the same rights that the rest of us do." This statement is absolutely absurd and we know how absurd it is from previous civil rights battles of the past when African-Americans were dehumanized just like Hawaiians, American Indians, Japanese-Americans, and other people of color. Opponents to civil unions continue to dehumanize lesbians and gays because of religious reasons. Civil Unions IS NOT a religious issue; it is a civil rights issue dealing with human sexuality and human sexuality is not exclusive to heterosexuals, but includes homosexuals and bisexuals.

We implore all legislators to be true to your oath of office by keeping church and state separate and defending and upholding the rights and liberties of the citizens of Hawai'i whether we are straight, gay or bisexual. It is time to say enough is enough, we are all human, we are all Americans and we all deserve to be treated equally.

Please vote in favor of SB232 SD1.

Thank you for your time.

Sincerely,
CHARLES ERNCE &
437 Manono Street
Kailua, Hawaii 96734

DARCIANNE ERNCE

JUDtestimony

From: Lynn [bestill@hawaii.rr.com]
Sent: Friday, February 04, 2011 5:14 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

My family is a traditional family and my husband and I believe that our traditional marriage - that between a man and a woman - is the very core of our family and the foundation of healthy development and growth for our children. We are strongly opposed to redefining marriage and are therefore strongly opposed to the current bills presented proposing the recognition of "civil unions."

A vote for civil unions IS a vote for same-sex "marriage" in Hawaii. Those lobbying for "civil unions" have intentions of pressing forward to a recognition of same-sex "marriage." "Civil union" brings our state one step closer to the recognition of same-sex "marriage" and one step further from marriage as it was intended to be between a man and a woman.

Hawaii deserves an honest debate on these bills as the bills present an opportunity to change Hawaii's social landscape in tremendous and far-reaching ways for many generations to come. Our decisions today will impact our children, our grand children, our great grand children As we've seen historically in other states that have debated and passed similar bills, we don't want same-sex "marriage" to be forced on our generation or generations to come.

Please preserve traditional marriage and family by OPPOSING HB 1453 and SB 232.

Sincerely,

Lynnette Lwin

JUDtestimony

From: Sue Yamashiro [sue.yamashiro@kalihionion.org]
Sent: Friday, February 04, 2011 6:00 PM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

Dear Lawmakers,

Please know that I am NOT in favor of this civil union law and feel that my vote as a citizen has been overshadowed by lawmakers not complying with the majority. We went over and over on this issue and out-rightly won so why are we having to go and plea our cases over and over? Isn't the majority voting, over-ride the minority in a democracy?

Why can't people accept that the majority of law abiding citizens that want to remain a non civil union state? It has nothing to do with gays or their rights. It has to do with our rights as citizens of this State not wanting to have legal marriages between civil unions legal to have the same rights as traditional marriages. That's it. We want what we already stood for many many times.

Aren't law makers supposed to hear the pleas of those they represent? Don't you represent us? The American Hawaii State Citizens? Please hear us clearly. WE DO NOT WANT CIVIL UNIONS TO BE LEGALIZED IN OUR LOVELY STATE OF HAWAII.

Thank you once again for hearing my (our) plea. Please make our voices heard again in the legislature.

Blessings,
A law abiding concerned citizen in the state of Hawaii
Mrs. Susan Yamashiro, Mililani resident

Sue Yamashiro

JUDtestimony

From: Susie [hi2mom@aol.com]
Sent: Friday, February 04, 2011 9:21 PM
To: JUDtestimony
Subject: In support of SB232,SD1

Attention: House Judiciary Committee
Hearing Date and Time: February 8, 2011 at 2:30 p.m.
Subject: In Support of SB232 (relating to civil unions)

Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice-chair

We support efforts to legalize civil unions.

Our preference would be legislation that replaces civil-marriage laws for heterosexual couples with civil-union laws for heterosexual *and* homosexual couples, but we support SB232, SD 1, in principle.

Our hopes for our four children do not vary according to sexual orientation. We want each of them to have personal integrity, find purpose in life, engage in meaningful work, be responsible citizens, and find someone to love. We believe government should not be in the marriage business, and that the civil laws affecting life partnerships should not vary according to sexual orientation. Currently, our gay son is treated by government differently than are our other children. This strikes us as patently wrong.

We would view gender-blind, civil-union legislation as verification that all people are created equal in the eyes of government.

Aloha,

Susie and Randy Roth
Hi2mom@aol.com and rroth@hawaii.edu

JUDtestimony

From: Rubén Fernández Asensio [asensio@hawaii.edu]
Sent: Friday, February 04, 2011 10:24 PM
To: JUDtestimony
Subject: In Support Of SB232

In Support Of SB232

To be heard by the House Committee on Judiciary on Tuesday, February 08, 2011, at 2:15 PM

Dear Representatives,

Thank you for some minutes of your time. My name is Rubén Fernández Asensio and I'd like to urge you to support Senate Bill 232 Relating to Civil Unions. Although I'm writing from Spain and I'm not a US citizen, I do so in behalf of my husband Seiji Miyasaki, born and raised in Wahiawa. I want to voice the injustice that is being inflicted on him, and on uncounted thousands of other Americans that are still treated as second-class citizens by their own government.

We have lived together since we met in Hawai'i four years ago and can't imagine the rest of our lives without each other. However, I'm not an American citizen, and my legal avenues to stay there with him are next to nonexistent. For both state and federal law, we are complete strangers despite our commitment to each other just because we are both male. Ironically, federal law also entitles any heterosexual American to sponsor a foreigner for a K-1 visa (fiancé visa) and later for permanent residence as well merely by proving that they are planning to marry in 90 days and have met at least ONCE. Thousands of mail-order wives enter the US each year in this way. Is this equality under the law? It is rather ironic too that the US, while generously granting asylum to foreign refugees, forces many of its own citizens to go into exile, for the only crime of loving foreigners that happen to have their same sex. And yet, you don't decide whom you love, just as you don't choose your family.

Seiji has been strong enough to take up the challenge, and after moving to Spain with me we entered lawful marriage, which gave him the right to stay here with me. Nevertheless, leaving his country wasn't our choice, as it disadvantages us in many ways. Here he is handicapped at every step for not knowing the language, and has to rely on me for all his economic and social needs, which takes a toll on his self-esteem and strains our relationship. Also, although the language barrier may lessen with time, the burden of separation from his family will only become harder to bear. His parents are much older than mine and we already anticipate the time when their health will fail and Seiji, being the youngest of his siblings, will have to move back to Hawai'i to take care of them in their last years. Indeed, he doesn't give up the hopes of eventually moving back to his homeland, despite knowing that it currently won't welcome me. I've already seen him crying from homesickness in Christmas, which broke my heart. Unlike straight Americans in binational marriages, he hasn't had the option of uniting his two families rather than choosing me over them. His dilemma is but an artifact of DELIBERATELY unfair laws, and makes me wonder whose family is being «defended» by this status quo. Certainly not Seiji's!

I know that immigration is the preserve of federal law, yet I thought our case might give you an insight on what is really at stake. In 1996 Congress passed the so-called Defense Of Marriage Act, which prevents federal agencies from recognizing any sort of same-sex union for any purpose. DOMA is already challenged in federal courts, but its eventual repeal alone will give us no relief, for it is in Hawai'i where Seiji's parents live, and it is there that he wants to return to. Without any form of legal recognition from the State of Hawai'i itself, even after DOMA is gone he will still be prevented from sponsoring me for a residence permit and I will still be unable to move there with him.

In sum, if you really support Hawai'i's families, please help keep Seiji's family together.
Don't separate him from his aging parents!

Thanks for your appreciation. Sincerely,

Rubén Fernández Asensio

C/ Latrilla 12 1, 2.
Badalona 08912 Barcelona
Spain

JUDtestimony

From: Scrawford2@aol.com
Sent: Saturday, February 05, 2011 12:28 AM
To: JUDtestimony
Subject: *****SPAM***** SB 232; HB 1244 and HB 1453

I am writing to in support of SB 232, HB 1244, and HB 1453.

We need to recognize that the time for discrimination against people who are gay is past. Committed gay couples deserve to be treated equally with committed straight couples. It's an issue of basic fairness.

The situation that exists today is inherently unfair. Brittney Spears and a friend can marry on a whim in Las Vegas -- and during their brief fling will automatically receive all the legal, tax, governmental, insurance, and other benefits and rights that marriage grants to them, while a gay couple who may have lived together for 30 years, cared for each other through illnesses, comforted each other after the loss of loved ones and shared their entire lives together remain strangers in the eyes of the law.

The faithful gay partner has no legal right to make important medical decisions for an incapacitated partner. She gets no help from federal legislation that would protect her job in the event she must care for her sick partner. Insurance companies may deny them the opportunity to obtain joint policies for automobile, health and home insurance. (This is true of HMSA.) Or may charge them more than their heterosexual neighbors. When one of them dies, the other may have no legal right to continue living in their home. The deceased unaccepting family member can contest a will and leave the long-term partner bankrupt and tossed out of her home. Such insensitive maneuvers are well known to gay men and lesbians grieving the loss of a longtime partner.

Some people oppose gay unions because they say it is against their religion. In our country, however, one's religious beliefs do not provide veto power over others who have different beliefs.

Some say this decision will dilute or harm the institution of marriage. I think it will reinforce it. Society has a compelling interest in encouraging stable, monogamous relationships between adults - straight and gay. If it's good when straight couples settle down in permanent, legally sanctioned relationships, why is it bad when gay couples do likewise?

People who are in committed relationships buy houses and save money. They are good neighbors; they tend to be more helpful and quieter than singles. The sheer joy and comfort of having a publicly acknowledged close relationship makes one a happier person, and happy people cause less grief to others.

There isn't a limited amount of love in America. It isn't a nonrenewable resource. If Bob and Koa or Carol and Mimi love each other, it doesn't mean Malia and John can't. If homosexuals win the right to civil unions, the victory doesn't come at the expense of heterosexuals, who will retain all the pleasures, prerogatives, and duties that come with existing matrimony. And do not the children of gay folks deserve the protections of civil unions, too?

Gay people have the same needs for genuine affection and committed companionship as do heterosexuals. And so they deserve the same rights and responsibilities in the eyes of the law.

Mahalo for your consideration.

Aloha,

JUDtestimony

From: genecmsph@aol.com
Sent: Saturday, February 05, 2011 7:34 AM
To: JUDtestimony
Subject: Testimony in Support of SB232 SD1 Relating to Civil Unions

February 5, 2011
Representative Gilbert S.C. Keith-Agaran, Chair
Representative Karl Rhodes, Vice-Chair
House Committee on Judiciary
Hearing on Tuesday, February 8, 2011 at 2:15 p.m.

RE: Testimony in Support of SB 232 SD1, Relating to Civil Unions

I am writing this testimony in support of SB232 SD1 on Civil Unions. As a gay Filipino American man living in Hawaii for over 23 years, I believe the time is overdue to pass this bill which would provide equal benefits to the responsible gay and lesbian citizens in committed relationships in the State of Hawaii. I urge passage of SB 232 for the following reasons:

- 1) My partner and I have been together for over 20 years. We obtained our Reciprocal Beneficiary certificate in 1998 and could obtain some benefits, largely through my partner's membership in HGEA as a retired State employee. However, as an employee of HMSA, they told me that the certificate did not qualify me to claim any spousal benefits such as family leave, health coverage, bereavement leave, 401 K, etc. HMSA in 2009, did finally allow domestic partners to add health coverage for their partners, but additional spousal benefits were not guaranteed. I feel that Hawaii should do the right thing and grant committed couples the rights and responsibilities given to heterosexual couples.
- 2) The civil union's bill would not redefine marriage since churches would not be forced to perform civil union ceremonies but could perform them out of choice through proper registration. Civil unions could also be granted through government agencies, therefore not needing religious involvement. However, as a member of Dignity Honolulu/Dignity USA (LGBT Catholics), we are a religious/spiritual group in support of equal rights for all, including lesbian, gay, bisexual, and transgender people, and therefore support this bill on civil unions. Dignity Honolulu supports all committed relationships through its annual blessing of relationships held during our weekly communion service in February.
- 3) Passing civil unions would stimulate the economy due to increased tourism from same gender couples who want to have a civil union in Hawaii as well as others who support the aloha expressed by the passage of this bill. There would also be an increase in business related to civil union celebrations (florists, caterers, party planners, etc.) and additional revenue to the State of Hawaii collected from civil union license fees. Since increasing jobs in Hawaii will be the focus of this legislative session, it would be a win-win situation for the State of Hawaii if this bill is passed.

Again, I urge you to support this bill to show that Hawaii cares for all of its citizens in all its diversity. Mahalo, for your consideration of this bill.

Sincerely,

Gene Corpuz
Health Educator, HMSA/ISI
Dignity USA Board of Directors
1139 9th Ave., #1602
Honolulu, HI 96816
808-734-7313
GeneCMSPH@aol.com

JUDtestimony

From: anita3396@aol.com
Sent: Saturday, February 05, 2011 7:53 AM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

Hello Senators Josh Green and Clarence Nishihara,

My name is Juanita R. Colon and I am a Catholic Christian. I am very opposed of this bill "Death and Dignity-Assisted Suicide". Doctors are suppose to help sick people, When I read Physicians assisting people to die, I feel so sad. Dying is suppose to be a natural process. You know you don't to hear this but life is a gift and death is also a gift from God.

Why do you act as if you are God.

I hope you consider the Goodness you recieve from God everyday of your life and Thank Him. That is what we created humans do.

Respect Life in any human form, not kill them. Thank you.

Respectfully,

Juanita R. Colon

JUDtestimony

From: David Houle [houled001@hawaii.rr.com]
Sent: Saturday, February 05, 2011 9:28 AM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

To: Committee On Judiciary,

We have been and always will be opposed to the concept so called "same-sex unions" (which is defacto "same-sex marriage") and respective bills.

The overwhelming majority of Hawaii's voters have made this clear since the referendum concerning this "same-sex" union/marriage over ten years ago ! (70 % of Hawaii voters rejected "same-sex" unions/marriage).

Again ,in 2010, an overwhelming number of Hawaii voters took time out of their busy lives to express their utter rejection of "same-sex" unions/marriage.

Please do the will of the obvious majority of Hawaii voters and reject all "same-sex" union/marriage bills now and in the future.

For God's sake, we implore you not to support this concept which is an abomination to the lion's share of Hawaii voters and citizens.

Regards,
David & Olive Houle & Family

PS: There exists a network online and using phones and faxes which informs the aforementioned huge majority of Hawaii voters and citizens the status of all such "same-sex" bills.

We will continue to voice our opposition to all "same-sex" bills using all forms of communication as well as in the VOTING BOOTH.

JUDtestimony

From: Lorna Wilson [lornahawaiiwilson@yahoo.com]
Sent: Saturday, February 05, 2011 9:50 AM
To: JUDtestimony
Subject: OPPOSITION

Thank you Senators,

There is a reason why all of you are in the positions you are in now.
We the people of Hawaii are depending on you to make the right decisions that will ripple throughout the generations to come.
Our children are depending on you and the atmosphere and lifestyle you will be personally responsible for in the creating.

The world as it is now is not in a good place. Abuse has been the word and lifestyle of our generation and past generations.
We ask of you to help stop the cycle of perverted abuse.
Help our children to be healthy, safe and not brought up in confusion, fear and torment.

Please say, no, to same sex marriage.
Imagine what will happen to our family's lifestyle, schools, medical insurance, court system, etc.
Please make the only right stand for righteousness which our country is built upon. Without the foundation of Righteousness everything will collapse as you can see this country is already falling apart.

Mahalo,

Lorna Wilson

JUDtestimony

From: Joshua Perallon [jperallon@yahoo.com]
Sent: Saturday, February 05, 2011 10:25 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

To Whom It May Concern:

Hello my name is Joshua Perallon. I'm currently a college student attending college. Although, I may not be attending the hearing because of school, I want to you make my position clear opposing civil unions. It's the same as same-sex marriage and even it's not the same as same-sex marriage, I'm also opposed to civil unions because it's not marriage. Even if hetrosexuals don't get married and want to have civil unions it's not marriage. If an opposite-couple wants to get married, they should get married and not settle for civil unions. Please don't pass the bill.

Sincerely,
Joshua Perallon

JUDtestimony

From: Loyd Clayton [loydclayton@hawaii.rr.com]
Sent: Saturday, February 05, 2011 11:44 AM
To: JUDtestimony; Bev & Sharon; Brent Kincaid; Carol Curran; Georgia Lomosad; Linda Estes; Pastor Phylis Meigen; Roy Buduan; Michael Ceurvorst
Subject: Civil Unions Bill

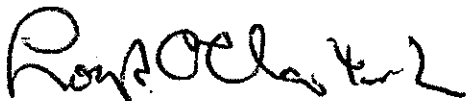
I strongly request your support for SB232 (SD1) and ask that you not support HB1244 and HB1453.

HB1244 Allows for the refusal of services or accommodations related to the solemnization of same-sex marriages, civil unions, and other same-sex unions on religious grounds. This is totally unnecessary since no one since SB232-SD1 explicitly states in Section 4(c) that a judge/minister is not required to perform the solemnization ceremony. It is not necessary and will just serve as another thorn in the gay community's side reminding them they are not equal citizens. **PLEASE DO NOT SUPPORT THIS BILL.**

HB1453 is unnecessarily complicated and burdened down. By trying to name every possible scenario, items will be left out and loop-holes created. **PLEASE DO NOT SUPPORT THIS BILL.**

SB232-SD1 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. This is a simple, straight-forward bill and is nearly the same (with a few editorial changes made by the senate) as the original bill that already passed but was vetoed by Gov. Lingle. **PLEASE SUPPORT THIS BILL!**

Thanks,



Loyd Clayton Jr
PO Box 17
Hanapepe, HI 96716

JUDtestimony

From: Annie Rupp [christianamericanpatriot@gmail.com]
Sent: Saturday, February 05, 2011 1:42 PM
To: JUDtestimony
Subject: SB 232: VOTE NO TO CIVIL UNIONS!

Please give the below as my Testimony! I live on Maui and can not make the Hearing:

Please VOTE NO to SB 232 for Civil Unions! This should NEVER go to the House Floor for a Vote because the Voice of the People of the State of Hawaii have already Voted NO with overwhelming numbers by Referendum!

In addition, last year alone when this was under HB444 title, there was a rally of about 20,000 Hawaii Citizens at the State Capital saying "VOTE NO TO HB 444 AND NOW - NO TO SB 232!"

You are there as Representatives of the Voice of your constituents and to vote yes is to vote against the Voice of the people of Hawaii! Plus, to Vote yes would "Crush" our already crippled economy! I have a Travel Store and immediately last year I received email saying "If the Civil Union Bill is passed I will NEVER take my FAMILY to Hawaii on Vacation!!!" The feelings were mutual where ever I checked.

Our economy will be crushed because we are a NATION of Family and Faith - We are a State within a Nation we do not stand alone and separate - Plus 90% of our economy comes from small businesses which will start drying up with Civil Unions which leads to Homosexual Unions because most of our economy is dependant upon Tourism. This is not a matter of Homophobia, it is Faith! Contrary to what the President may say or what you may think, our Nation is still a Christian Nation and you only need to see the ramifications from the other areas that have ventured into this ungodly arena to see how serious it can and will affect our States Economy.

Across this Great Nation, there may be 1% who is sympathetic to the homosexual agenda but please know that our state is preserved by Tourism from the 99% who will cancel reservations and turn to other areas for vacation for their FAMILIES (one man married to one woman = birthing children = Family).

The above brings me to another decision that this is against the Federal DOM (Defense of Marriage Act).

Taking all into consideration, surely you see that you must VOTE NO to SB 232 immediately! It should have never even been a consideration!

Mahalo!
Registered Voter on Maui
Annie Rupp

JUDtestimony

From: Carol Curran [Carol@cacurran.com]
Sent: Saturday, February 05, 2011 1:55 PM
To: JUDtestimony
Subject: I strongly support SB232-SD1

I strongly request your support for SB232 (SD1) and ask that you not support HB1244 and HB1453.

SB232-SD1 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. This is a simple, straight-forward bill and is nearly the same (with a few editorial changes made by the senate) as the original bill that already passed but was vetoed by Gov. Lingle.

Carol A. Curran
1972 Haleukana Street
Lihue, HI 96766
808-245-6437

JUDtestimony

From: alohamann [alohamann@aol.com]
Sent: Saturday, February 05, 2011 2:24 PM
To: JUDtestimony
Subject: SB 232, Civil Unions

From: Robert F. Gentry
2999 Kalakaua Ave., #201
Honolulu, Hi., 96815
808/293-4060

Re: SB 232, In support

Ladies and Gentlemen:

I write in support of SB 232, Civil Unions. I am the former Mayor and City Councilmember of Laguna Beach, Ca. Serving in elected office from 1982 until 1995. In 1991, I wrote one of California's early Civil Union ordinances for the City of Laguna Beach. It passed unanimously. I firmly believe that it passed, as should SB 232, for the principal of good government. Government must protect the rights of all its citizens, and protect the minority from the tyranny of the majority when it comes to law and government policy. Sound government policy must also not discriminate against any group or class of its citizens, even if it is perceived to be popular and the will of the majority. This is basic to our democratic form of government.

There are many citizens asking the government for relief from being treated differently from the majority when it comes to domestic partnership relationships. This different treatment is discriminatory, and based only on the label or class of those citizens. The citizens asking for relief are law abiding, tax paying, contributing members of society who seek the same domestic tranquility granted to the majority. It is that simple.

This is not a religious issue, but rather a governmental policy issue where classes of citizens are treated differently just because of WHO THEY ARE. We must end this form of discrimination.

Civil Unions are not marriage, and are not recognized by the Federal Government. Hopefully the right to marry will follow, in order to end the discrimination that permeates our nation. It is interesting to note that I can apply and receive from the government a variety of licenses, i.e. fishing, business, building, driving, etc., but I cannot receive a marriage license just because of WHO I AM. This discriminatory practice must come to an end just as many others have before (voting, housing, inter racial marriage, etc.). It is the American way!

Mahalo for your consideration.

JUDtestimony

From: William Albinger [billalbinger@aol.com]
Sent: Saturday, February 05, 2011 2:33 PM
To: JUDtestimony
Cc: Rep. Gilbert Keith-Agaran; Rep. Angus McKelvey
Subject: Testimony in Support of SB232

TESTIMONY IN SUPPORT OF SB 232

Dear Rep. Keith-Agaran and Members of the House Judiciary Committee:

Thank you for holding hearings on SB232, especially so early in this Session. I am the Rev. William J. Albinger, Jr. and am the Rector of Holy Innocents Episcopal Church in Lahaina where I have served for the past six years. In addition to being a priest, I am: 65 years old, a director of several civic non-profits on Maui, a former corporate lawyer, a Vietnam veteran (combat engineers), and a graduate of Yale ('67), U. of PA Law School ('72) and Drew Theological Seminary ('02).

In addition to the above, I am gay man in a 22 year committed relationship to Mark LeDoux. Mark is very supportive of my work at Holy Innocents and is himself active in many non-profit civic groups on Maui. For our relationship not to be recognized legally in Hawaii is a violation of our equal protection and rights as law abiding productive citizens of Hawaii. For people to say that our relationship is a threat to the family or anyone else is, in my opinion, beyond reason. I would like to ask each of you to put the shoes Mark and I walk in on your feet. Before we accepted the call to serve Holy Innocents we were legally married in our home state of Massachusetts and had the same rights and obligations as our neighbors. We were treated equally under the law. Upon arriving in Hawaii, we became legal strangers to one another. How would you feel if that happened to you and your spouse if you moved to another state? What arguments would make that treatment acceptable to you?

The legislation you are considering impacts the daily lives and fortunes of your constituents. Given the tax, inheritance and other consequences of SB 232, passage or rejection of this Bill in Hawaii will determine whether or not Mark and can plan on retiring here. For others, the consequences can be far more urgent (medical care decisions, insurance for children, etc. As a former corporate executive, I can assure you that civil unions laws or lack thereof impact the decision of gay and lesbian doctors, professors, teachers and others with needed skills in deciding whether or not they will come to work in Hawaii Nei.

More dramatically, it can be a matter of life and death. A neighbor down Front Street was denied being able to ride in the ambulance with his long term partner who suffered a heart attack. By the time he got to Maui Memorial Hospital and explained who he was, his partner had died. Is this common decency, let alone common sense?

SB232's importance extends beyond same-gender couples. Many older couples cannot afford to marry because they would lose pension benefits. Should they be without all legal protections? Approximately 40% of births in Hawaii are to single mothers. Often the fathers live in the household or are involved in their children's lives. For whatever reason they do not marry. These families need legal protection, especially if the child is in an accident or sick and a parent needs to be informed or if the father dies.

Most of the opposition to this bill, like HB444, comes from religious groups based on their denominational beliefs or reading of Scripture. Passage of SB232 will in no way impinge on their beliefs nor affect what they do or won't do in their churches. While some faiths oppose civil unions, other religious bodies are in favor. For example, at the Annual Convention of the Episcopal Diocese of Hawaii held in October, 2009, 80% of the clergy and almost 75% of the laity voted to support HB444 and asked our Bishop to speak in favor of it. Not only do most Hawaiians favor civil unions, but many people of faith do also.

Again I'd like to thank you for taking this up now. Perhaps we can pass it and move onto other pressing issues that affect all of us.

Respectfully submitted,

the Rev. William J. Abinger, Jr.

PO Box 411, Lahaina, HI 96767

(808)344-5549

JUDtestimony

From: kenplonsky@aol.com
Sent: Saturday, February 05, 2011 2:38 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Testimony for SB232 RE: Civil Unions

TO House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Ken Plonsky and I am here to express my strong support for SB232 - Civil Unions. I believe in equal rights for all.

From the bottom of my heart, I am asking for your support of SB232 (Civil Unions Bill). This is a very important bill. It is about civil rights, social justice, fairness, and doing the right thing. It is about our community's respect for the lives and beliefs of others. Civil unions convey those rights and duties without changing the definition or character of traditional marriage. Civil unions are not marriage. They will extend a basic social and legal right to a new group of individuals without altering or diminishing what we now think of as marriage. Hawai'i has a history of recognizing personal and cultural differences. It has been a guiding principle of our community to respect individuals' differences. In matters of religion, culture and lifestyle, Hawai'i has stood as one of the most welcoming and tolerant places in our nation. Please do not let this bill be stopped in committee. It is time for Civil Unions (CU) to become law.

I am a person of faith. My strong support for civil unions was inspired by several social justice sermons given by my minister. There are many faith communities that believe that Civil Unions (CU) is the right, fair and just thing to do. This bill does not force civil unions on any faith community that disagrees. That is their religious freedom. The CU bill will allow those faith communities that want civil unions to use their religious freedom.

Over the years some Churches have been against civil rights. Some have used the bible to defend their position. Some churches were for slavery, segregation, not letting women vote, and not allowing interracial marriages. Those Churches do not believe in those views today but those scripture passages still exist. Some churches' view points have changed over the years. This usually happened after civil rights were allowed.

Civil unions are not the same as marriage. There have been a number of state courts that have stated that. The New Jersey Commission on Civil Unions came to the conclusion after an extensive study that civil unions are not equal to marriage.

Reciprocal Beneficiaries (RB) does not give the same rights as marriage. RB only gives a small percent of the rights of marriage. There are a number of areas; e.g. family law that are not covered by RB. It does not make sense to have RB cover those areas. CU would cover rights that same gender couples need but are not needed by everyone who is covered by RB.

On the White House Web site: "President Obama supports full civil unions that give same-sex couples legal rights and privileges equal to those of married couples.". In his inauguration speech, he said "All are equal, all are free and all deserve a chance to pursue their full measure of happiness".

Times have not stood still. Civil unions are now supported by the majority of the public, the majority of the Hawaii House of Representatives and Senators, Governor Abercrombie, former Governor Cayetano, many young people and others. The issue of equal treatment for same-sex couples is the civil rights issue of this generation. Equality is a simple concept yet sadly has been out of reach to so many. Denying rights hurts all families. It is time for Civil Unions.

I ask that you support SB232 and appreciate your careful consideration.

Mahalo,
Ken Plonsky
1778 Ala Moana Blvd apt 2208
Honolulu, Hi 96815
Kenplonsky@aol.com

JUDtestimony

From: KUALI'I for Kaua'i [kipukai.kualii@gmail.com]
Sent: Saturday, February 05, 2011 2:45 PM
To: JUDtestimony
Subject: Strongly support SB232(SD1)

TO: The Committee on Judiciary
FROM: KipuKai KUALI'I - Director of Operations, YWCA of Kaua'i; Secretary, Hui Kako'o `Aina Ho`opulapula (DHHL/State of HI); Treasurer, Parents, Families and Friends of Lesbians and Gays (PFLAG) Kaua'i Chapter; Boardmember, Hawai'i Alliance for Community Based Economic Development (HACBED); Candidate, KUALI'I for Kaua'i candidate committee (Kaua'i County Council); Member, Nutrition and Physical Activity Coalition/Get Fit Kaua'i Steering Committee; Member, Policy Advisory Committee/Council for Native Hawaiian Advancement (CNHA)
RE: February 8, 2011 at 2:15pm hearing on SB232 (SD1)
POSITION: I strongly support SB232(SD1)

As a Kaua'i born-and-raised, native Hawaiian who spent over ten years away from Hawai'i, I feel strongly that passage of a civil unions bill that provides full equality for all our families is necessary to be consistent with our genuine and unconditional love, acceptance, respect and even celebration of humanity that is the Aloha Spirit. This law [2010's HB444 or 2011's SB232 (SD1)] should have been passed years ago. Unfortunately, deceitful and misguided media campaigns by an opposing minority has meant that justice would be delayed for over ten years and that the fair-minded citizens of Hawai'i would have to wait until now.

The people of Hawai'i do not want to see any of our families treated as second or third-class families any longer. Our local Hawaiian culture and history demands that we honor everyone's dignity and rights. And yet, this is about so much more than our traditions of open, enduring hospitality; instead, it is about compassion, fairness and equal protection under the law. It's about being "pono" and doing what is "right"!

Please do what's right for our State and our people, reject both HB 1244 and HB1453 and pass SB232 (SD1) instead.

--
Me ka ha`aha`a,
KipuKai

KipuKai Kualii
PO Box 662061
Lihu'e, HI 96766

kipukai.kualii@gmail.com

H: (808) 212-9192
C: (808) 652-3684

JUDtestimony

From: Erenio Arincorayan [erenioa@yahoo.com]
Sent: Saturday, February 05, 2011 2:50 PM
To: JUDtestimony
Cc: Karen Kushi
Subject: Opposition to HB 1453 (Relating to Legal Relationships) | Opposition to SB 232 SD1 (Relating to Civil Unions)

Dear Judiciary committee member,

I am born and raised in this state. Just like you, I love living here in Hawaii. I hope you will consider why I am in opposition to HB 1453 & SB 232 SD1, or civil union bills like this.

A vote for civil unions is a vote for same sex marriage.

Same sex marriage will affect my family by setting a wrong example for my children and grandchildren. It will affect the entirety of the heritage the founding fathers of America.

When our country's Declaration of Independence, Bill of Rights, Constitutional Amendments were founded on the freedoms and liberty based on Judeo -Christian values. This is what has made America a great nation.

I am mentioning Judeo because everyone knows who Moses is.

Our American justice system is based out of the ten commandments.

Moses also wrote the book of Leviticus chapter 18, which makes it clear what types of sexual relationship are acceptable.

For example, Leviticus 18:23, Neither shall you lie with any beast to defile yourself therewith . . .

Now when it comes to same sex relationships go to Leviticus 18:22, Thou shalt not lie with mankind, as with womankind: is is abomination.

The results of all abominations is given in verse 26 on.

Pursuit of happiness does not come without morality.

Basic morality of United States of America are preserved for all to see in the art work in Washington D.C.

For example, Pochantas being baptised.

The men who started our country went into prayer asked God for guidance and direction on how to build America.

Worked on the constitution of America.

Many years has passed.

Now that our country has become wealthy through the blessings of who?

Wise men? Politicians? Wars? Natural resources ?

Or was it God bless America?

People want to do it their way.

Who knows best?

Coming against the original values of our founding father will destroy not only our state but our country's future.

The Roman Empire fell, it can happen to America.
The very fabric of our country will be affected.

Please Vote No on HB 1453 and SB 232 SD1.

Please represent 69% of Hawaii's people
who support Traditional Marriage between one man and one woman.

Sincerely,

Karen Arinconayan
ph. 942-4594

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 05, 2011 2:59 PM
To: JUDtestimony
Cc: athanadachi@earthlink.net
Subject: Testimony for HB1244 on 2/8/2011 2:15:00 PM
Attachments: What same sex marriage has done.doc

Testimony for JUD 2/8/2011 2:15:00 PM HB1244

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Athan Adachi
Organization: Individual
Address: 1702 Kalaepaa Drive Honolulu, HI
Phone: 808-841-1910
E-mail: athanadachi@earthlink.net
Submitted on: 2/5/2011

Comments:

I support HB 1244. Ministers should not be force to commit a religious act they do not believe in. Furthermore I believe that civil unions and same sex marriage is not a civil right, but a life style choice that is unhealthy and immoral. If we start to call this a civil right, what will stop people from wanting their civil right to marry their children or their pets?

What same-sex "marriage" has done to Massachusetts It's far worse than most people realize

by Brian Camenker
October 20, 2008

Anyone who thinks that same-sex "marriage" is a benign eccentricity which won't affect the average person should consider what it has done in Massachusetts. It's become a hammer to force the acceptance and normalization of homosexuality on everyone. And this train is moving fast. What has happened so far is only the beginning.

On November 18, 2003, the Massachusetts Supreme Judicial Court announced its Goodridge opinion, ruling that it was unconstitutional not to allow same-sex "marriage." Six months later, homosexual marriages began to be performed.

The public schools

The homosexual "marriage" onslaught in public schools across the state started soon after the November 2003, court decision.

In 2006, in the elementary school where my daughter went to Kindergarten, a man undergoing a sex-change operation and cross-dressing was being brought into class to teach the children that there are now "different kinds of families." School officials told the mother that her complaints to the principal were considered "inappropriate behavior."

Libraries have also radically changed. School libraries across the state, from elementary school to high school, now have shelves of books to normalize homosexual behavior and the lifestyle in the minds of kids, some of them quite explicit and even pornographic. Parents complaints are ignored or met with hostility.

"Gay days" in schools are considered necessary to fight "intolerance" which may exist against same-sex relationships. Hundreds of high schools and even middle schools across the state now hold "gay, lesbian, bisexual, and transgender appreciation days". They "celebrate" homosexual marriage and move forward to other behaviors such as cross-dressing and transsexuality. In my own town, a school committee member recently announced that combating "homophobia" is now a top priority.

Once homosexuality is normalized, all boundaries begin to down. The schools are already moving on to normalizing transgenderism (including cross-dressing and sex changes).

Public health

Since homosexual marriage became "legal" the rates of HIV / AIDS have gone up considerably in Massachusetts. This year public funding to deal with HIV/AIDS has risen by \$500,000. As the homosexual lobby group MassEquality wrote to their supporters after successfully persuading the Legislature to spend that money: "With the rate of HIV infections rising dramatically in Massachusetts, it's clear the fight against AIDS is far from over."

Citing “the right to marry” as one of the “important challenges” in a place where “it’s a great time to be gay”, the Massachusetts Department of Public Health helped produce The Little Black Book, Queer in the 21st Century, a hideous work of obscene pornography which was given to kids at Brookline High School on April 30, 2005. Among other things, it gives “tips” to boys on how to perform oral sex on other males, masturbate other males, and how to “safely” have someone urinate on you for sexual pleasure. It also included a directory of bars in Boston where young men meet for anonymous sex.

Domestic violence

Given the extreme dysfunctional nature of homosexual relationships, the Massachusetts Legislature has felt the need to spend more money every year to deal with skyrocketing homosexual domestic violence. This year \$350,000 was budgeted, up \$100,000 from last year.

Businesses

Businesses are often “tested” for tolerance by homosexual activists. Groups of homosexual activists often go into restaurants or bars and publicly kiss and fondle each other to test whether the establishment demonstrates sufficient “equality” — now that homosexual marriage is “legal”. In fact, more and more overt displays of homosexual affection are seen in public places across the state to reinforce “marriage equality”.

The public square

Since gay “marriage”, annual gay pride parades have become more prominent. There are more politicians and corporations participating, and even police organizations take part. And the envelope gets pushed further and further. There is now a profane “Dyke March” through downtown Boston, and recently a “transgender” parade in Northampton that included bare-chested women who have had their breasts surgically removed so they could “become” men. Governor Patrick even marched with his “out lesbian” 17-year old daughter in the 2008 Boston Pride event, right behind a “leather” group brandishing a black & blue flag, whips and chains!

In conclusion

Homosexual “marriage” hangs over society like a hammer with the force of law. And it’s only just begun. Unfortunately, like elsewhere else in America, the imposition of same-sex marriage on the people of Massachusetts was a combination of radical, arrogant judges and pitifully cowardly politicians.

It’s pretty clear that the homosexual movement’s obsession with marriage is not because large numbers of them actually want to marry each other. In fact, a very low percentage of homosexuals actually “marry”. (In fact, over the last three months, the Sunday Boston Globe’s marriage section hasn’t had any photos of homosexual marriages. In the beginning it was full of them.) Research shows that homosexual relationships are fundamentally dysfunctional on many levels, and “marriage” as we know it isn’t something they can achieve, or even desire. This is about putting the legal stamp of approval on homosexuality and imposing it with force throughout the various

social and political institutions of a society that would never accept it otherwise. To the rest of America: You've been forewarned.

(For a copy of this article with links to source material see www.MassResistance.org)

JUDtestimony

From: Dawn Webster [Dawn@loomis-isc.com]
Sent: Saturday, February 05, 2011 3:46 PM
To: JUDtestimony
Subject: Testimony in Support of SB232 SD1
Attachments: Testimony--House-1.docx

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Testimony in Support of SB232-SD1

House Hearing on Tuesday Feb 8 at 2:15 p.m.

LGBT couples and families for years have asked that their repeated, anguished calls for equal treatment under the law be heard. Too often their experience has been something akin to that of the frustrated caller on a bad phone connection, yelling "Can you hear me now? Can you hear me now?"

Perhaps the question they should have been asking is "Can you see me now?"

Faith has been wielded like a club in this long struggle for equality.

Faith asks a great deal of us. We are expected to see what is not necessarily visible and hear and understand that which cannot be put into words. That capacity to see and hear with both faith and conscience lies at the heart of the quest for equal rights for LGBT families. But unlike the faiths that so many of us profess, the quest for equal rights for LGBT families is supported by what our eyes can see and our ears can hear -if our hearts are open.

We cannot continue at this time and in this place of aloha to go on pretending that we do not recognize committed gay couples raising families, providing loving homes, paying taxes and living productive lives. We cannot in good conscience pretend that we do not hear their requests for equal treatment as Americans and as citizens of this state.

I am a lay Catholic and a happily married heterosexual with children. I disagree with the position of the institutional (and evangelical) Church towards LGBT families. Every lay Catholic I have talked to and many people in Catholic orders who stay silent because of their vows of obedience also take the view that the Church is once again just slow to emerge on the right side of this issue.

I urge you, as elected officials, to resist the pressure being exerted by conservative religious factions to view this provision of basic rights to all citizens as a matter that runs counter to religious dogma. It is wrong to assert that discrimination against LGBT families is an example of a form of discrimination that is "not unjust." There is nothing just about the discrimination that religious zealotry fosters.

I join those who are counting on you to not be afraid to do the right thing. No one's faith is adversely affected by extending the same rights to all. No one is compelled to perform or participate in a civil union ceremony in a place of worship. No one's marriage is affected by the provision of the same rights and protections any married couple enjoys to ALL couples in

a committed relationship. Passing a civil unions bill can only contribute to the stability and well-being of families. This is something the state should welcome in these tough times.

This is not a matter to be decided by popular vote. But the votes that put you in power do carry with them the expectation that you will not be afraid to ensure that everyone is treated equally under the law. In so doing you will be living the values of Hawaii and representing the central tenet of all religions to "love thy neighbor as thyself. " I offer this testimony in wholehearted support of the enactment of civil unions in Hawaii.

aloha,
Dawn

DAWN MORAIS WEBSTER
Director
Loomis-ISC
Pioneer Plaza, Suite 350
900 Fort Street Mall
Honolulu, HI 96813
Direct Tel: 808-853-3037
www.loomis-isc.com

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Testimony in Support of SB232-SD1 Civil Unions legislation
House Hearing on Tuesday Feb 8 at 2:15 p.m.

LGBT couples and families for years have asked that their repeated, anguished calls for equal treatment under the law be heard. Too often their experience has been something akin to that of the frustrated caller on a bad phone connection, yelling "Can you hear me now? Can you hear me now?"

Perhaps the question they should have been asking is "Can you *see* me now?"

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Faith asks a great deal of us. We are expected to see what is not necessarily visible and hear and understand that which cannot be put into words. That capacity to see and hear with both faith and conscience lies at the heart of the quest for equal rights for LGBT families. But unlike the faiths that so many of us profess, the quest for equal rights for LGBT families is supported by what our eyes *can* see and our ears *can* hear –if our hearts are open.

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This is not a matter to be decided by popular vote. But the votes that put you in power do carry with them the expectation that you will not be afraid to ensure that everyone is treated equally under the law. In so doing you will be living the values of Hawaii and representing the call of all religions to "love thy neighbor as thyself."

I offer this testimony in wholehearted support of the enactment of civil unions in Hawaii.

JUDtestimony

From: Cheryl Toyofuku [healthjourney@hawaii.rr.com]
Sent: Saturday, February 05, 2011 4:45 PM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

Testimony from: Cheryl Toyofuku
Bill Numbers: SB 232, HB 1453 and HB 1244 relating to Civil Unions
Committee: House Judiciary Committee
Hearing Date: Tuesday, February 8, 2011
Hearing Time: 2:15 p.m.
Hearing Location: State Capitol Auditorium

RE: **STRONG OPPOSITION TO CIVIL UNIONS BILLS SB 232 AND HB 1453**
STRONG SUPPORT FOR HB 1244

Dear Representative Keith-Agaran and Members of the House Judiciary Committee,

Thank you for your service to Hawaii as legislators. Please vote against Civil Unions Bill SB 232 and HB 1453 and do not allow it to leave your committee. Please support HB 1244. I appeal to your wisdom and integrity in honoring and preserving our generational legacy and historical tradition of marriage between one man and one woman. In 1998, the people of Hawaii already voted that the marriage institution must be protected and remain between one man and one woman. We have spoken and this issue has already been settled by the people of Hawaii. To usurp the people's voice through the passage of a Civil Unions bill is a travesty that our legislators will be accounted for. Traditional marriage is a basic human and social institution for as long as we can remember and the foundation of the traditional nuclear family should not be undermined. Every child has a biological father and mother and there is substantial evidence that our children develop best in a home with a father and mother role model. This has been our heritage of our parents, grandparents, great-grandparents and so forth.

The people of Hawaii deserve an honest debate with astute clarity and understanding about the language of these bills. The people of Hawaii have a right to know about how SB 232 and HB 1453 are nearly identical to bills passed in California and Connecticut which led to courts ultimately imposing same-sex "marriage" on those states. Other states such as Massachusetts, Vermont, New Hampshire and New Jersey were also plagued with similar situations where activists submitted legislation for "domestic partnerships" or "civil unions" that eventually concluded with same-sex "marriage". For a clearer perspective, please see the attached article "*What Same-Sex Marriage Has Done to Massachusetts*".

Although SB 232 states, "*it is not the legislature's intent to revise the definition or eligibility requirements of marriage*", it is very obvious that the activists lobbying for civil unions really want same-sex marriage. Since there really isn't any difference and the goal is the same, it is very clear that **a vote for civil unions is a vote to force same-sex marriage on Hawaii**. This is not a civil rights or equality issue. In my limited understanding of the language in legislative documentation, the careful reading of SB 232 and HB 1453 makes it clear to me that these bills will be setting the stage to re-define "marriage" to include same-sex couples. The goal will be to establish same sex marriage... just under a different name for now to make everyone think it's not about "marriage", but about "equality" or "civil rights". Consider and research the above mentioned states where same-sex advocates initially introduced "civil unions" or "domestic partnerships" bills and later demanded legislative imposition for same-sex "marriage".

The American Civil Liberties Union and its many allies are determined to force all students to undergo indoctrination in homosexual behavior with or without parental permission. If you think this kind of propaganda isn't having a devastating impact, just check out what is going on in California. A state law passed there several years ago eliminates a publicly funded school's ability to make any distinctions based on biological sex, resulting in the wholesale moral subversion of school children. Specifically, this law, S.B. 777, requires that homosexual behavior be presented to young people – all the way down to kindergarten – as a choice just as legitimate and even desirable as heterosexual behavior. What's more, anything that might promote a "discriminatory bias" toward someone's orientation must be removed from the curriculum.

As a Registered Nurse, I am also concerned with the potential increase in diseases to our already burdened health care system. According to the Hawaii State Department of Health website, "As of December 31, 2007, a total of 3,011 AIDS

cases were reported by health providers. Men who have sex with men (MSM) account for the majority of AIDS cases (73%), followed by injection drug use (IDU) (8%), MSM/IDU (7%), and heterosexual contact (6%)." Other similar STD statistics are listed on the website. Thus, there is a genuine concern for the gay community and Hawaii's community with such detrimental, irrefutable health statistics and evidence.

The negative impact on health care providers is also a grave concern. Enacting Civil Unions in our state will open the door to additional law suits when a healthcare provider decides, based on personal conscience, not to provide elective services to a same-sex couple. Such was the artificial insemination case in August 2008, when the California Supreme Court ruled "that patient demand for nonessential care trumps the freedom of conscience of physicians and their ability to practice medicine in accordance with their religious or moral beliefs."

I conclude summarizing that historical research confirms the negative consequences of Civil Unions and the governmental elevation of same-sex relationships. State-sanctioned Civil Unions will have devastating implications on adoption, parental and family rights, health care provider rights and individual religious rights. I believe that you will continue to hear the strong collective voice of social justice of Hawaii's people in the coming weeks if SB 232 and HB 1453 proceeds to legitimize the destruction of our most basic belief of traditional marriage in a family unit. I respectfully request that you preserve Hawaii's desire to protect the legacy and tradition of marriage between one man and one woman, therefore I urge you to please oppose SB 232 and HB 1453. Please support HB 1244 in order to protect clergy from civil or criminal penalties for refusing to perform same-sex ceremonies.

Thank you for your time and consideration on this very critical issue.

Sincerely,
Cheryl Toyofuku
Ph: (808) 561-0369

JUDtestimony

From: Matthew Melendez [m_israel808@yahoo.com]
Sent: Saturday, February 05, 2011 6:03 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

I would like to oppose the following bills: **SB 232 SD1** & **SB 1453**.

Thank you,

Matt

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 05, 2011 6:07 PM
To: JUDtestimony
Cc: ocsjosie@hotmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Civil Unions 2011 - Da Moms House Jud. testimony SB232SD1, 2-8-11.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Josephine Chang
Organization: Da MOMS
Address: Moomuku Pl. Honolulu, HI
Phone: 3832111
E-mail: ocsjosie@hotmail.com
Submitted on: 2/5/2011

Comments:

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

House Judiciary Committee

Josephine Chang for Da MOMS

Tuesday, February 8, 2011, 2:15 p.m.

In Support of S.B. 232, S.D. 1 Relating to Civil Unions

I am Josephine Chang, co-founder of DA MOMS, a support group for parents of lesbian, gay, bisexual, and transgender children. We strongly support SB 232, SD1 that would establish civil unions in Hawaii.

As parents we want equality for all of our children, and this bill would be a very large step forward to recognizing and protecting the relationships and families of our gay and lesbian children in the same ways as the relationships and families of our straight children.

Recognizing gay and lesbian relationships and providing them equality under state law would also demonstrate our government's respect for lesbian and gay people, and its sincere effort to include them openly in the fabric of our rainbow society. It would finally say to them that they are good enough too. It would lead the way to breaking down discrimination towards gays and lesbians in our communities, making it safer for them to live their true lives. Inclusion and equality is more than lip service – we need to act on our beliefs and have the courage of our convictions.

There are often many forces that suppress our true feelings for the good -fear, family pressures, cultural pressures, and peer pressure – but for us, the greatest force is the love of our children that helps us to step out of our safety zone and declare to everyone what our hearts and minds tell us is the right thing. While it may feel like a new direction, this is only a step to confirm what already is – gay and lesbian couples and families are already a real and wonderful part of our own families and our communities, throughout all of Hawaii. We need your help today – this is your opportunity, please support SB 232, SD1 to finally establish civil unions in Hawaii.

Thank you.

JUDtestimony

From: James E. Baker Jr [jebakerjr@aol.com]
Sent: Saturday, February 05, 2011 6:37 PM
To: JUDtestimony
Cc: Rep. Kymberly Pine
Subject: OPPOSITION TO CIVIL UNIONS

Dear Re. Keith-Agaran and Rep. Rhoads,

As a concerned citizen, I am writing to **OPPOSE CIVIL UNIONS**

This legislation has been a rollercoaster of emotions with wins and defeats suffered by those who oppose and support the Civil Unions bill. Last minute scrupulous actions by the elective body last year in the final day were shameful. Bringing this bill to the floor once again further erodes citizens faith in the government body.

The Civil Unions bill should not be decided by a handful of citizens, elected or not, but by the people as a whole in a referendum. Put the vote to the people and let society decide.

I ASK THAT YOU STRONGLY **OPPOSE CIVIL UNIONS**

Thank you for your civil service.

Sincerely,
James E. Baker Jr

JUDtestimony

From: ons432005@hawaii.rr.com
Sent: Saturday, February 05, 2011 6:44 PM
To: JUDtestimony
Cc: mail@icebreakerschristiannetwork.ning.com
Subject: Civil Union Bills

Dear Judiciary Committee,

I am writing to you in opposition of the Civil Union Bills. The people of Hawaii have already spoken time and time again in opposition to the bills that would allow same sex marriage. Trying to pass those bills once again, is undoubtedly forcing the people of Hawaii to submit to something not supported by the majority in the Islands. We already have a huge problem with not having enough jobs for our local people who were born and raised here which is partly as a result of the huge inflow of immigrants from Micronesia. The unemployment rate for our local born people is growing. Allowing same sex marriage will not only encourage many mainlanders to move here resulting in taking more jobs from local people, but it will also send a message to the people of Hawaii that our voices are not important and have no value. Most unfortunately, it will send a message out to our younger generation that same sex relationships are condoned by the government. We have one of the highest rate in the nation regarding drug use and drug related crimes. That being said, we definitely cannot take the chance of hate crimes rising up here in the islands. The long term affects of legalizing same sex marriage is still unknown completely but only to those who do not believe in or know the word of God. The states that have passed bills allowing same sex marriage, have cited growing negative affects on society. The passing of these bills will further push the values and principals of God out of the islands which result in destruction simply written in the Bible. Thank you for your time and I pray that God leads you all to the right choices.

Sincerely,
Naomi Salomon and Family

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 05, 2011 7:03 PM
To: JUDtestimony
Cc: thirr33@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: 170px-Shoninki24_-_disguises.gif; Buddhist Register.jpg

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Arvid Tadao Youngquist
Organization: The Mestizo Association
Address:
Phone:
E-mail: thirr33@gmail.com
Submitted on: 2/5/2011

Comments:

Char & Vice Chair, House JDL Committee Honorable House Committee Members Hawaii State House of Representatives

We support SB 232 SD1 Relating to Civil Unions and as a preferred vehicle, my comments are more in that vein.

However, we thank the three co-sponsors who introduced this "companion" bill on the part of the Chamber.

Regards to HB 1244, although we respect the introducer's intentions and considerations, we feel that this measure should be held.

Mahalo for this opportunity to provide comments on SB 232 SD1, and urge the JDL Committee recommend adoption.

Me Ke Aloha Pumehana,

Arvid Tadao Youngquist
Kalihi Valley resident

JUDtestimony

From: george calbillo [georgeycraig@hawaiiintel.net]
Sent: Saturday, February 05, 2011 8:08 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

My partner and I have been together for almost 31 years. We came here from Texas in 2002. We are a mixed race couple, he being Mexican American, myself being white. We know what hatred and discrimination feels like, because we have lived it, at first from our families and then from ordinary people, who we have both tried to serve all our lives. He is a charge nurse on nights at Queen's ER and I am a social worker with the mentally ill homeless for the Waikiki Health Center. None of our patients have ever asked our sexual orientation. They just want us to help them get well. We pay a great deal of federal, state, property, and sales taxes, and all we ask is that we be treated with the same respect that all other citizens of this great state and nation are treated. At 62 I am simply tired of begging for what should be my birthright, as an American, and now as a proud citizen of this wonderous place we call home. Make me proud, make the consitution alive for everyone. With hope and gratitude for your progressive judgement.....With Aloha to all, Craig Alan Thistleton

JUDtestimony

From: Lynne Matusow [lynnehi@aol.com]
Sent: Saturday, February 05, 2011 10:49 PM
To: JUDtestimony
Subject: SB232, SD1 Relating to Civil Unions, Hearing Feb. 8

You did the right thing last year by supporting HB444. I urge you to do the same now by passing SB232, SD1, relating to civil unions.

There was a time when Hawai'i led the nation in supporting civil rights. In recent years it has ruefully ceded that position to other states. It is time to get on the bandwagon and give everyone equal rights.

I am a heterosexual, but I have many gay, lesbian, and transgender friends and acquaintances. I don't like that they are treated as second class citizens.

Please vote this bill out today.

Mahalo nui.

Lynne Matusow
60 N. Beretania, #1804
Honolulu, HI 96817
531-4260

JUDtestimony

From: Walter Delos Reyes [wilie@mauigateway.com]
Sent: Saturday, February 05, 2011 11:47 PM
To: JUDtestimony
Cc: Rep. Angus McKelvey
Subject: Testimony re: SB 232 from Holy Innocents' Episcopal Church, Lahaina

February 5, 2011

Subject: Testimony re: SB232

Aloha Representative Keith-Agaran and members of the Judiciary Committee:

The membership and ohana of Holy Innocents Episcopal Church in Lahaina, Maui, would like to go on public record as strongly supporting SB232. The Civil Unions Bill is not about religious weddings or values. It takes nothing away from the existing institution of marriage or families. It is about honoring all as equal human beings and strengthening our society through strong, loving and secure family units.

In the Episcopal Church, our baptismal vow, which we reiterate with every baptism done, contains these questions to the congregation: "Will you seek and serve Christ in all persons, loving your neighbor as yourself" and "Will you strive for justice and peace among all people and respect the dignity of every human being?"

To these questions and to SB232, we offer a resounding yes! We stand together as a Christian community acting on our baptismal vow: equal rights and dignity are deserved by every human being and by every family. Holy Innocents Episcopal Church stands in favor of SB232.

We thank you for your willingness to strive for justice for all in our state.

Respectfully submitted,

The Vestry

Holy Innocents Episcopal Church

Box 606

Lahaina, HI 96761

Diane Delos Reyes, Senior Warden

Marc Orgish, Junior Warden

Jackie Kelly, Clerk

Nancy Sherman, Treasurer

Chris Gale

Scott McCoy

Donna Tarsitano

Penny Wakida

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 2:49 AM
To: JUDtestimony
Cc: marytang@hawaii.edu
Subject: Testimony for HB1453 on 2/8/2011 2:15:00 PM
Attachments: HB1453_Testimony_Tang.doc

Testimony for JUD 2/8/2011 2:15:00 PM HB1453

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Mary Tang
Organization: Individual
Address: Honolulu, HI
Phone:
E-mail: marytang@hawaii.edu
Submitted on: 2/6/2011

Comments:
I strongly oppose HB1453 for the State of Hawaii.

February 5, 2011

Representative Gilbert S.C. Keith-Agaran (Chair)
Representative Karl Rhoads (Vice Chair)

Re: Strong Opposition to HB 1453 (RELATING TO LEGAL RELATIONSHIPS)

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee:

My name is Mary Tang and I am a graduate student in the School of Social Work at UH Manoa. I respectfully request that you vote against HB 1453 (RELATING TO LEGAL RELATIONSHIPS) for the following reasons:

1. Establishing Civil Unions and extending the same legal benefits and obligations of heterosexual marriage is not an issue of civil rights. Civil unions create a replica of marriage that is without the same biosocial obligations and private welfare marriage entails.
2. Civil unions do not benefit society as a whole in the same way that heterosexual marriage does. Civil unions are based on a premise that marriage is only a private relationship between two people of which the primary purpose is to satisfy the individuals who enter it. Inclusion of such a union into the legal definitions of marriage would drastically shift the focus of marriage from family formation and responsibility to personal fulfillment. Personal fulfillment is not in the role of the government to provide to each individual.
3. Civil unions will continue to shift the natural consequences of heterosexual marriage in stable family formation and structure to a disconnected processes of intercourse, procreation, and child rearing. The well-being of children is maximized when provided not only food and shelter, but education, play, work, discipline, love, and respect. These aspects vital to welfare is impossible to be provided to children through use of welfare programs and initiatives on a government level; they are provided to children through strong families. When marriage is weakened, families are less stable and children are often the ones to bear this consequence.

For these reasons, I respectfully ask you vote against HB 1453. Thank you for your consideration.

Respectfully submitted,

Mary Tang

JUDtestimony

From: Kanuji Parmar [kanujiparmar@gmail.com]
Sent: Sunday, February 06, 2011 8:45 AM
To: JUDtestimony
Subject: Bill #s HB1244, HB1453, SB232(SD1)

This is to let you know that we oppose Bill number HB1244 and HB1453 and strongly support Bill SB232(SD1).

Sajjan and Kanuji

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 10:07 AM
To: JUDtestimony
Cc: pamelalichy@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: sb232 sd1 civil unions 2-8-11.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Pamela Lichty
Organization: Individual
Address: Honolulu, HI 96816
Phone: 808 224-3056
E-mail: pamelalichy@gmail.com
Submitted on: 2/6/2011

Comments:

PAMELA G. LICHTY, MPH
HONOLULU, HAWAII 96816
PHONE: 808 735-8001 ~ FAX: 808 735-2971
PAMELALICHTY@GMAIL.COM

COMMITTEEHOUSE COMMITTEE ON JUDICIARY

Rep. Gilbert SC Keith-Agaran Brian Taniguchi, Chair
Rep. Karl Rhoads, Vice Chair

FROM: Pamela Lichty, MPH
DATE: February 8, 2011
(2:15 p.m. Capitol Auditorium)
RE: **S.B. 232, SD1 RELATING TO CIVIL UNIONS – In Strong Support**

As an activist in Hawai'i for the last 20 years, as a spouse who has enjoyed the benefits of marriage for more than 40 years, and as a person who values and appreciates Hawaii's progressive traditions, I strongly support SB 232, SD1.

This bill is carefully crafted to avoid conflict with any current marriage statutes; it does not contravene the constitutional amendment that was passed in 1998; and does not require any religious official to perform the solemnization ceremony.

If logic were applied here, even those who deplore same sex relationships should acknowledge that a committed union of two people is better for our state, our community and our keiki than officially prohibiting committed partners from legally sealing their union.

In large part this is a question of fairness. Although Hawaii does have a reciprocal beneficiary law in place, less than a half dozen rights are afforded to those registered under it. By contrast, this bill would afford same gender couples the same 400 rights afforded to opposite gender couples. We are talking here of inheritance rights, hospital visitation and many others that we married couples take for granted.

I urge this committee to do the right thing, to remember Hawaii's historic traditions of fairness and tolerance and to pass this bill out with a strong recommendation. Mahalo for the opportunity to testify.

JUDtestimony

From: marktryk@earthlink.net
Sent: Sunday, February 06, 2011 12:11 PM
To: JUDtestimony
Subject: Re: The Committee on Judiciary -In Support Of SB232 - personal testimony

To: The Committee on Judiciary
House of Representatives
The 26th Legislature
Regular Session of 2011
From Norton Bedford
6390 Koolau Road,
Anahola, Hawaii
Re:In Support Of SB232.

For what it's worth, here are the thoughts of an old man. My name is Norton Bedford - I am 61 - long ago, I attended high school in Honolulu and currently I am retired and live on Kauai. I support Measure SB232, and it is a privilege to address you in your consideration of this measure.

Part of this privilege is the ability to address you as a citizen with the right to express my opinion. This is part of the idea of all men (and women) being considered equal with certain unalienable rights to respect, freedom and the pursuit of happiness - and what could be a better expression of these rights than the freedom to form a respected union with someone I love.

I will never, as long as I live, understand how anyone believes in their heart that they have the right to tell someone else who they can or can't legally share their life with. Pushing a moral agenda in schools, or the workplace or even in government has always been questionable, but pushing it in someone else's private life is... I don't know. There isn't even a word strong enough to describe how absolutely wrong that is.

Ask yourselves - what would it mean to you if the state disallowed your marriage.

This is not the first time that our legislative representatives have been called upon to uphold the rights of certain groups who have been denied basic privileges - including women's right to vote, the abolishment of slavery, interracial marriage (can you imagine a Hawaii where interracial marriage was not legal?!), equal opportunity employment, regardless of sex or race or religious belief - and now, same sex civil unions. This is, as my nephew says, 'a no-brainer' - he says that 'people are people and if as citizens of the United States, they should have the same rights as everyone else'.

There has been opposition to all of the previously mentioned civil rights - As we look back, we think of that opposition as misguided and incomprehensible. We have always ended by supporting equal rights for all citizens, because ultimately, whatever else we think, this belief in equality is considered most important and undeniable.

It is perhaps the greatest legacy of our cultural philosophy - and of which we are the most proud. It is arguably our greatest achievement as a nation, and in our legislative structure is ultimately responsible for the belief in and the creation of state's rights -so it is the reason that you are all here today voting on this issue. Our belief in the premise and practice of the equality of men has made a difference in the history of mankind and the way people all over the world think about the rights of men in every culture, even as we continue to struggle with our own imperfect politics and social customs to establish this idea. We have been generally successful in this pursuit and it is only common sense to continue to uphold that belief in our support now for same sex civil unions.

To say that SB232 would improve the lives of same sex couples is certain - but more important is that passage of the bill would strengthen our sense of worth and self respect as a community and a culture, and not just for the same sex couples the bill affects directly. Passage of this measure represents a continuing affirmation of the first and most basic principles of equality. As an old man, I can only say that I think my nephew is right. Mahalo for your attention,

Norton Bedford

JUDtestimony

From: Karen Kahn [KKahn@PHInational.org]
Sent: Sunday, February 06, 2011 12:21 PM
To: JUDtestimony
Subject: Testimony SB 232, HB1453, and HB1244, Hearing February 8, 2:15
Attachments: Testimony House 2.8.11.doc

Testimony Regarding SB 232, HB1453, HB1244

Hearing February 8, 2011; 2:15 pm, before the House Judiciary Committee

Submitted by Karen Kahn, co-author of *Courting Equality: A Documentary History of America's First Same-Sex Marriages*

Address: 4188-1 Keanu St. Honolulu, HI

Dear Representatives of the House Judiciary Committee:

I am writing in support of passing a civil unions bill through the Hawaii legislature during the 2011 session. In the state of Massachusetts, where I live for half the year, I am married to my partner, Patricia Gozemba. When I travel to Hawaii each year, for half the year, our marriage is not recognized. That means, during the months that we are here, that we could be faced with an emergency in which we were not recognized as next of kin. Imagine if you traveled to another state, and had to leave behind the protections you share as a family.

It is imperative that our nation meet the challenge of providing full civil rights to same-sex partners—including the right to love and marry the person of our choice. But while that may take some time, Hawaii can make a difference for the thousands of same-sex couples who live here and contribute to the community by paying taxes, raising children, volunteering, helping to preserve Hawaiian culture, and so on. These families need—and deserve—the rights, benefits, and protections that heterosexual couples and their children are granted under Hawaii law. These protections are intended to help families maintain economic security and stability, no small thing in these difficult times.

I would like to share a short story with you. Recently, my partner and I assumed joint ownership of our house and asked our mortgage company to add my name to the mortgage, which had been held in my partner's name only. We were told that our bank did not recognize domestic partnerships or same-sex marriages. Because of our legal marriage, we were able to resolve this issue; but this is the type of discrimination that our families face on a daily basis. We are not treated as equals when it comes to buying a home, saving for retirement, accessing health coverage, or even dissolving our partnerships. This is not healthy for our families or our communities.

During the recent Senate hearing on SB232, several people mentioned the supposed negative consequences of same-sex marriage in Massachusetts. All of the testifiers were misinformed about the history of same-sex marriage in our state, and about how our communities have adapted to this change in marriage law. In fact, Massachusetts is an ongoing demonstration of the fact that same-sex marriage is pretty much a non-issue once it is enacted. It does not affect heterosexual marriages, and it does not impact the religious or spiritual life of those who oppose it. Only those who wish to marry, and can benefit from the state sanctioning their family relationships, are affected—and for them it is a change that brings the joy, security and affirmation that strengthens the bonds of family and community.

Same-sex couples have been granted legal family recognition through civil unions or marriage in Massachusetts, Connecticut, New Jersey, New Hampshire, Vermont, Washington, Oregon, California, Iowa, Illinois, and Washington, DC.

Similar legislation is likely to pass in Maryland and New York this year. Hawaii, where diversity is honored more than in any other state in the union, should act quickly to ensure equality and justice for all.

Testimony in regard to SB232, HB 1244, HB1453

Submitted by Karen Kahn

Co-author Courting Equality: A Documentary History of America's First Same-Sex Marriages
For

Public Hearing: February 8, 2:15 pm
House Judiciary Committee

Karen Kahn
4188-1 Keanu St.
Honolulu, HI 96816

Dear Representatives of the House Judiciary Committee:

I am writing in support of passing a civil unions bill through the Hawaii legislature during the 2011 session. In the state of Massachusetts, where I live for half the year, I am married to my partner, Patricia Gozemba. When I travel to Hawaii each year, for half the year, our marriage is not recognized. That means, during the months that we are here, that we could be faced with an emergency in which we were not recognized as next of kin. Imagine if you traveled to another state, and had to leave behind the protections you share as a family.

It is imperative that our nation meet the challenge of providing full civil rights to same-sex partners—including the right to love and marry the person of our choice. But while that may take some time, Hawaii can make a difference for the thousands of same-sex couples who live here and contribute to the community by paying taxes, raising children, volunteering, helping to preserve Hawaiian culture, and so on. These families need—and deserve—the rights, benefits, and protections that heterosexual couples and their children are granted under Hawaii law. These protections are intended to help families maintain economic security and stability, no small thing in these difficult times.

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Same-sex couples have been granted legal family recognition through civil unions or marriage in Massachusetts, Connecticut, New Jersey, New Hampshire, Vermont, Washington, Oregon, California, Iowa, Illinois, and Washington, DC. Similar legislation is likely to pass in Maryland and New York this year. Hawaii, where diversity is honored more than in any other state in the union, should act quickly to ensure equality and justice for all.

JUDtestimony

From: Joe O'Brien [obrienhawaiian@yahoo.com]
Sent: Sunday, February 06, 2011 1:39 PM
To: JUDtestimony
Subject: In Support of SB 232 (SD1)

February 8, 2011

To: Members of the House Judiciary Committee

Topic: In Support of Senate Bill 232, The Civil Unions Bill

Greetings Ladies and Gents:

My name is Joseph O'Brien and I have been a resident of Hawaii for most of my life. I expect to continue to live in Hawaii until the day I die. I first remember having same sex attractions when I was in my early teens. It happened at about the same time. I suppose, that most straight people start to have opposite sex attractions. I foolishly thought that, as time went by, those feelings would diminish, and eventually, would disappear. They never did. About the age of 19, I finally accepted that those feelings were not temporary, would likely never change and that I was, in fact, a gay person. I continued to insult my loved ones by pretending to be straight and claiming that I had just "not found the right person yet". But when you're in your late twenties, that charade begins to wear thin.

I would see movies and TV shows where I heard such words as "wife" and "spouse" and "fiancee" and "honeymoon". I would think, sadly, that for me those were just *words*. Words that would never be a part of *my own* life. Those things were forwell, other people. I remember thinking how unfair it was that I would be deprived of those things. After all, I knew in my heart that I did not choose my orientation. I wondered why I had to hide my real feelings or else face painful teasing and even ostracism from schoolmates, co-workers and maybe some of my family members.

What a huge boost to my very low self esteem it would have been if, back then, I knew that there were ten foreign countries (and a handful of states in my own country) that would treat me as equal and would recognize that my love and my relationship with my life partner was just as valid as was the relationship of my straight brother or my straight sister. My knowing that would have made a world of difference. It would have made my life brighter. In fact, a lot brighter. It would have told me that I am just as good as anyone else. Some gay people spend their whole life fighting for their self esteem. It's hard to achieve in a world where many people will laugh at you, will say that you are disgusting or even worse.

In the countries and the states that now allow gay marriages or civil unions there is not a trace of evidence that allowing gay folks marriage rights has ever hurt heterosexuals in any way. People who oppose this bill before you will often claim that allowing gay folks marriage rights will somehow hurt the institution of marriage itself. However, when such people are asked if allowing gay couples to marry will hurt their own marriage, just about all of them admit that it will not hurt their marriage. Yet mysteriously, they seem convinced that it will hurt **somebody else's** marriage. In reality, they have no proof of that. What they have is ignorance and fear.

And so, to you, members of the legislature, for the sake of the young gay couples of this state who are trying to get through this life, battling daily for equal civil rights, fair treatment and for their self esteem, I ask you to please pass this civil unions bill and allow Governor Abercrombie sign it into law.

Thank you,

Joseph O'Brien

Nuuanu

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 2:06 PM
To: JUDtestimony
Cc: mgsmart@yahoo.com
Subject: Testimony for HB1244 on 2/8/2011 2:15:00 PM
Attachments: HB 1244 Solemnization submit.doc

Testimony for JUD 2/8/2011 2:15:00 PM HB1244

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Mary Smart
Organization: Individual
Address: 94-210 Kakaili Pl Mililani, HI
Phone: 627-1220
E-mail: mgsmart@yahoo.com
Submitted on: 2/6/2011

Comments:
I support with Amendments. The individual must be protected.

Attention: House Judiciary Committee

Hearing: Tuesday, February 08, 2011

Conference Room: Capitol Auditorium

Subject: **SUPPORT HB 1244 AMENDED WITH ADDITIONAL PROTECTIONS**

Submitted by: Mary Smart, Mililani, HI

Chairman Josh Keith-Agaran, Vice Chair Rhoads and Members:

1. I request you **SUPPORT HB 1244 with the following requested Amendments:**
 - a. Each protection to refrain from participating in “solemnization” ceremonies for same sex relationships must be extended to individual who hold the same values of the religious organizations and institutions. For example, change Section 1 after refusal to provide services, etc. (a) to: Nothing in this chapter shall be construed to render unlawful, or otherwise affirmatively punishable at law, the solemnization of same-sex relationships by individual, religious organizations, or religious or charitable organizations operated, supervised or controlled by a religious institution or organization. ... **Rationale:** It is an individual choice to have a “solemnization” ceremony; therefore it must be an individual choice to participate in the solemnization ceremony. No one’s personal ethics or their source of employment should be placed in jeopardy by refusing to participate in a ceremony that a large portion of the population deem immoral.
 - b. Paragraph b should be modified in the same manner: “Individuals, religious institutions or organizations, or religious or charitable organizations operated, supervised , or controlled by an individual, a religious institution or organization, shall not be required to provide to an individual or individuals, services, accommodations, benefits, advantages, facilities, goods, or privileges that are related to a solemnization or celebration of same-sex relationship, such as a same-sex marriage or a civil union between persons of the same sex, if the solemnization or celebration is in violation of the individual’s, institution or organization’s religious beliefs and faith. **Rationale:** Individuals require the same conscience protections as religious organizations and institutions so they can act in accordance with those religious values. No individual should be forced to participate in an act which they deem harmful to the individual requesting the service.

2. It is a sad day in America, the land of the free, that we must put legislation in place to protect one of our Constitutional freedoms, the freedom of religion. That freedom extends to individuals, not just organizations and institutions.

3. This bill is needed because the religious community never forced their values on others, but OTHERS continue to force their beliefs and values on the religious community and are willing to threaten a citizen's livelihood and a religious community's existence to get their value system imposed on others.

4. This bill (with amendments) is needed because the Constitution is repeatedly circumvented and violated. Same-sex solemnizations are not Constitutional rights but freedom to practice one's religion is protected by the Constitution.

5. Recommendation: Approve this bill with the requested protections for individuals.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 2:27 PM
To: JUDtestimony
Cc: amaynard@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232Maynard.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Ashley Maynard
Organization: Individual
Address: 700 Richards Street, #2308 Honolulu, HI
Phone: 8089567343
E-mail: amaynard@hawaii.rr.com
Submitted on: 2/6/2011

Comments:
Thank you.

TESTIMONY BEFORE THE HOUSE COMMITTEE ON JUDICIARY
RE: IN SUPPORT OF SB 232 -- RELATING TO CIVIL UNIONS.

DATE: Tuesday, February 8, 2011, 2:15 pm

The Honorable Gilbert S.C. Keith-Agaran, Chair
The Honorable Karl Rhoads, Vice Chair
Hawaii State House
Committee on Judiciary
State Capitol
Honolulu, HI 96813

Dear Chairman Keith-Agaran, Vice Chair Rhoads, and Committee Members:

Thank you for the opportunity to give personal testimony related to SB 232. I am Dr. Ashley Maynard and I serve as Associate Professor and Chair of the Department of Psychology at the University of Hawai'i at Mānoa. This testimony does not necessarily represent the position of the University of Hawai'i.

I am a cultural developmental psychologist. I have studied the interrelationships of culture, contexts of child development, and healthy cognitive and social development of children for the past 20 years. I have taught approximately 2000 students over the past 11 years in psychology courses. The most important thing I do in my job is to teach students to think critically. Critical thinking involves examining all the evidence—even evidence that we don't like—when weighing information about a subject. My field, Cultural Psychology, uses anthropology and psychology to look at the many healthy pathways to development in cultures all over the world, and it provides evidence related to the issue of civil unions for same-sex couples. Adults in societies around the world marry, form partnerships, or group together to organize social ties of co-residence, parental responsibility, and inheritance. Decades of anthropological and psychological research point to the clear conclusion that a vast array of family types, including those built upon same-sex partnerships, contribute to stable and humane societies.

Treating people equally contributes to that stability. Civil unions are a way for Hawaii to extend the same privileges, rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. *Research indicates that these benefits and responsibilities should be afforded to same-sex couples. These include both physical and mental health benefits.* Not allowing same-sex couples these benefits is state-sponsored discrimination tantamount to the anti-miscegenation laws on the books in many states some decades ago. Research indicates that the experience of prejudice has long-term, pernicious health effects. Discrimination is not good for anyone.

SB 232 will provide rights, benefits, and responsibilities needed by many families in our state. Families in our state, our country, and indeed the world take on a wide variety of adaptive forms, and the preponderance of evidence in the most reputable journals demonstrates that parents of the same sex are able to provide consistent, responsive, nurturing care to children as well as parents of the opposite sex. *There is no evidence whatsoever that sexual orientation is related to one's ability to parent.*

TESTIMONY BEFORE THE HOUSE COMMITTEE ON JUDICIARY
RE: IN SUPPORT OF SB 232 -- RELATING TO CIVIL UNIONS.

As a psychologist, I would like to respond to some of the claims made in opposition to this bill. Most of all, I want to make it clear that being gay is not a choice. It is all too easy for people who feel perfectly natural about their heterosexual orientation to claim that other people are making a choice not to be heterosexual. What they don't experience is that it is just as natural for people who are homosexual to feel the way they feel.

You may hear an opinion that it is a confusing message to tell children when they grow up that it is o.k. to marry a man or marry a woman. The reality is that there are already same-sex headed families around the world. It *is* confusing to tell children that they cannot be who they are, or that they cannot love the person they love just because they are the same sex. This is not to mention that we typically tell children that they can grow up to be anything they want in their professional lives. No one seems to find *that* confusing, even when many of the jobs our children will grow up to do don't exist yet.

It *is* confusing and it does harm to society to keep perpetuating the myth that being straight is the way that people are "supposed to be", because the reality is that there are people who are not, and it is not by choice. Perpetuating a false myth *is* confusing to people when they are confronted with the reality of so many people worldwide who are different from them. We must learn to deal with the fact that being gay is not a choice.

As an educator I also wanted to comment on the idea that children may learn about same-sex headed households in school through books such as *Heather Has Two Mommies*. Heather is a real girl who *does* have two mommies, and we have to deal with that. What is the impact on Heather's education if her family is considered unreal or is banned from discussion? To claim that reading such a book will hurt children or make them gay is as insidious as claiming that reading *Hansel and Gretel* or any of the many fairy tales read to children will make them grow up to put children in ovens or believe that wolves can dress up as grandmothers and fool them. Please don't be fooled by the myths of the opposition presented here today.

Thank you for your consideration. Please vote Yes on SB 232.

Very truly yours,



Ashley E. Maynard, Ph.D

JUDtestimony

From: James Cartwright [jamesfc@hawaii.rr.com]
Sent: Sunday, February 06, 2011 2:38 PM
To: JUDtestimony
Cc: Equality Hawaii
Subject: SB232 testimony
Attachments: SB232_2011_02_Test.doc

Please find attached my testimony in support of SB232.

James F. Cartwright

Testimony of James F. Cartwright, private citizen

for House Judiciary Committee

Hearing on Tuesday 8 Feb. 2011, 2:15 p.m.

For SB 232

Please supply each member of committee a copy (16 copies)

Hello, I am James F. Cartwright, living at 2525 Date Street in Honolulu. I write in support of SB232 for civil unions.

I came out as a gay man relatively late in life; I was in my late forties, had recently taken a position at the University of Hawai'i, and had been active in the Christian faith in which I grew up. I had known for years that I was attracted only to men, but following the teachings of my church, I kept trying to become heterosexual. Over the years, I concluded it must be my fault that I had not changed in spite of therapy and dating women. Then one morning I vividly remembered the concept recorded in Christ's inference that "Men do not gather figs of thistles nor grapes of thorns." Christ goes on to indicate that men like trees are known by the fruits of their labors: evil trees do not bring forth good fruit. I reflected on the richness of my life, both as it led to blessings for others in the church work I did and as it directly affected me. I realized, finally, that God loves me *as I am*, not as I supposed I should be.

Settling the differences between what I felt spiritually guided to realize and what my church taught was one thing. Reconciling the discrepancies between my civil rights as an American and the realities as a gay American was a totally different issue—or should have been. I quickly realized, however, that religions frequently influence political decisions, and these often impinge on civil rights of individuals.

In 1949, the people of Hawai'i wrote a Constitution for statehood. In it, the authors included a clause stating that marriage was a *civil* right. The framers of the Hawai'i Constitution knew that nationwide, there would be antagonism to the rights of interracial marriages enjoyed by the citizens of Hawai'i, and they wanted it clearly stated that there would be no revocation of those rights after statehood. It is now past time for the citizens of Hawai'i through their elected legislators to extend further equal rights to lesbian, gay, and transgendered individuals by granting the rights covered in SB232.

Thank you for reading my testimony in support of SB232.

Respectfully,

James F. Cartwright
2525 Date St. #4105
Honolulu, HI 96826

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 3:24 PM
To: JUDtestimony
Cc: pacificrimconsulting@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: House of Representatives SB 232 (civil union).docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Paula Dozier
Organization: Individual
Address:
Phone:
E-mail: pacificrimconsulting@yahoo.com
Submitted on: 2/6/2011

Comments:

House of Representatives, Judiciary Committee Honorable Chairman Keith-Agaran, Vice Chairman Rhoads and Committee Members:
Thank you for the opportunity to testify on this subject and for listening objectively to your constituents. In an age where immediate self-gratification and an attitude of "if it feels good, do it" dominate much behavior, sometimes it is too easy to lose focus that comes with maturity and wisdom gained from experiencing life's consequences. Consequences have a way of demonstrating the benefits of traditional wisdom and the advantages of restraint as codified in cultural mores. Moral standards have the effect of providing stability, consistency and strength to a community. Other cultures, much older than ours and still extant are solidified around principles that protect the foundational structure of their respective communities. Whether related to murder, thievery, fraud or licentiousness, laws provide protection against chaos, confusion and the demise of society itself. While there has been an energetic effort on behalf of a small portion of society to "dignify" a type of relationship that is illegal in multiple other countries globally and has been a contributing factor to the disintegration of ancient empires, there is wisdom and benefit in simply saying, "No." Please consider the ramifications of acceding to the immediate demands of a few, rather than fortifying oneself and remaining stalwart in not allowing something that you know will ultimately be harmful to individuals, as well as to society as a whole. Please do not get near-sighted when there is talk of falsely-conceived individual freedoms and thus overlook the greater good that is established on truth. Any measure that in any way attempts to give sanction to a relationship outside of the marriage of one man to one woman renders no benefit to society as a whole. Please vote "no" on SB 232. Thank you.

House of Representatives, Judiciary Committee

Honorable Chairman Keith-Agaran, Vice Chairman Rhoads and Committee Members:

Thank you for the opportunity to testify on this subject and for listening objectively to your constituents. In an age where immediate self-gratification and an attitude of "if it feels good, do it" dominate much behavior, sometimes it is too easy to lose focus that comes with maturity and wisdom gained from experiencing life's consequences. Consequences have a way of demonstrating the benefits of traditional wisdom and the advantages of restraint as codified in cultural mores. Moral standards have the effect of providing stability, consistency and strength to a community. Other cultures, much older than ours and still extant are solidified around principles that protect the foundational structure of their respective communities. Whether related to murder, thievery, fraud or licentiousness, laws provide protection against chaos, confusion and the demise of society itself. While there has been an energetic effort on

behalf of a small portion of society to “dignify” a type of relationship that is illegal in multiple other countries globally and has been a contributing factor to the disintegration of ancient empires, there is wisdom and benefit in simply saying, “No.” Please consider the ramifications of acceding to the immediate demands of a few, rather than fortifying oneself and remaining stalwart in not allowing something that you know will ultimately be harmful to individuals, as well as to society as a whole. Please do not get near-sighted when there is talk of of falsely-conceived individual freedoms and thus overlook the greater good that is established on truth. Any measure that in any way attempts to give sanction to a relationship outside of the marriage of one man to one woman renders no benefit to society as a whole. Please vote “no” on SB 232. Thank you.

JUDtestimony

From: Gary Okabayashi [garlen.gary@gmail.com]
Sent: Sunday, February 06, 2011 3:48 PM
To: JUDtestimony
Subject: In Support Of SB 232, SD 1; Hearing: Feb. 8, 2011, 2:15 PM

February 6, 2011

Committee on Judiciary
House of Representatives
State Capitol
Honolulu, HI

Aloha, Chair Gilbert S.C. Keith-Agaran, Vice Chair Karl Rhoads, and members of the Committee on Judiciary:

My name is Gary Okabayashi, and I am a resident of Waikiki. I support SB 232, SD 1 relating to civil unions, and thank you for considering this bill at your hearing on February 8, 2011, at 2:15 PM.

I am a third generation Japanese-American. My paternal grandfather came from Japan in the early 1900's to work on a sugar plantation on the Big Island of Hawaii. My maternal grandfather also came from Japan to be the Buddhist minister in the town of Hawi in Kohala. I was born and grew up in Honolulu, attended Kalani High School, and graduated from the University of Hawaii. Having worked both in Hawaii and New York, I am now retired. In short, I am a typical citizen of the State.

I also have a partner, Lenny Zimmerman, and we have been together for over 32 years. Enactment of a civil unions law is of the highest priority for us. Most importantly, this is a matter of civil rights -- we would no longer feel that we are second-class citizens. Instead, we would have a sense of pride and integrity because the State has finally recognized us as individuals equal to all others. Civil unions would recognize the committed relationship that we have had since August 1978.

I urge this Committee to act favorably with respect to civil unions and to ensure that Hawaii does indeed have aloha for everyone.

Mahalo.

Sincerely,
Gary Okabayashi

1551 Ala Wai Blvd #2304
Honolulu, HI 96815
garlen.gary@gmail.com

JUDtestimony

From: Lenny Zimmerman [garlen.lenny@gmail.com]
Sent: Sunday, February 06, 2011 3:54 PM
To: JUDtestimony
Subject: In support of SB 232, SD 1; Hearing: Feb. 8, 2011, 2:15 PM

February 6, 2011

Committee on Judiciary
House of Representatives
State Capitol
Honolulu, HI

Aloha, Chair Gilbert S.C. Keith-Agaran, Vice Chair Karl Rhoads, and members of the Committee on Judiciary:

My name is Lenny Zimmerman, and I am a resident of Waikiki. I support SB 232, SD 1, relating to civil unions, and mahalo for considering this bill at your hearing on February 8, 2011, at 2:15 PM.

The era of Ozzie and Harriet, when the idealized American family comprised a husband, a wife, and 2.4 children, is over. The contemporary American family comes in all shapes, sizes, and colors. And although Hawaii is home to many of these family combinations, only one, that of same-sex couples, still goes unrecognized by the State and denied equal rights, equal protections, equal obligations, and equal responsibilities under the law.

Yet all around us, the walls of discrimination erected around the LGBT community and same-sex couples are rapidly being dismantled. Same-sex marriage is now legal in five states and the District of Columbia. Far more, joined recently by Illinois, offer civil unions or domestic partnerships, and worldwide, ten nations and Mexico City now have full marriage equality for couples of the same sex. Don't Ask, Don't Tell has gone the way of the dodo bird and the constitutionality of DOMA is currently being challenged in the courts. The proverbial handwriting is on the wall. History is moving inexorably toward full equality for the LGBT community and their families. And yet, with every passing day, Hawaii finds itself falling further and further behind on the equality curve.

I proudly tell my mainland friends that I live in Hawaii, the Aloha State. Yet in my heart, I don't feel that the aloha applies to me or to Gary Okabayashi, my partner of over 32 years. I, therefore, respectfully ask this committee to vote in favor of SB 232, SD 1 so that the next time I tell someone that I live in the Aloha State, Gary and I will also feel that aloha in our hearts.

Mahalo.

Sincerely,

Lenny Zimmerman

1551 Ala Wai Blvd., #2304
Honolulu, HI 96815
garlen.lenny@gmail.com

JUDtestimony

From: Steve Williams [hirealtor@gmail.com]
Sent: Sunday, February 06, 2011 4:17 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

A vote for civil unions is a vote for same-sex marriage in Hawaii!

Every time a civil union bill has been imposed on a state, demands for same-sex "marriage" have followed.

- The activists lobbying for civil unions really want same-sex "marriage" in Hawaii. We know it, they know it, and the people of Hawaii have a right to know it.
- Same-sex "marriage" activists can't convince the people to redefine marriage, so they are pursuing sequential strategies like this.
- You can't talk about civil unions without talking about same-sex marriage because there really isn't any difference. The goal is the same.
- Hawaii's civil union bill is nearly identical to bills passed in California and Connecticut. Those led to courts ultimately imposing same-sex "marriage" on those states.
- The foremost activists pursuing civil unions are being funded by a Colorado billionaire who has given millions to impose same-sex "marriage" nationwide.
- As we've seen in California, not even constitutional amendments protecting marriage are safe from activist courts.
- The people of Hawaii and the majority of our elected officials still support marriage as the union of one man and one woman.
- Those pushing for civil unions will do anything to make sure the people don't know the real goal is same-sex "marriage" in Hawaii.
- If this isn't about undermining and redefining marriage, why would the language of the marriage law be used to create civil unions?

--

Steve J. Williams (RA) CNAS CNRS
Aloha Aina Award Winner
Realty Executives Oahu
Reasonable Faith Honolulu
(808) 282-5630

"And if your wheels are sinkin' low.....":

Isaiah: 53 <>

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JUDtestimony

From: JosephMG [joeymg@hawaii.rr.com]
Sent: Sunday, February 06, 2011 6:22 PM
To: JUDtestimony
Subject: Oppose SB 232 and HB 1453

Civil unions and same-sex "marriage" should not be supported because they cheapen and render insignificant the very core of society: the family.

Joseph Gefroh
Honolulu, HI

JUDtestimony

From: David Henkin [davidhenkin@yahoo.com]
Sent: Sunday, February 06, 2011 7:10 PM
To: JUDtestimony
Subject: In Support Of SB232: Hearing Feb. 8, 2011, 2:15 p.m.

Chair Keith-Agaran, Vice-Chair Rhoads, and members of the House Committee on Judiciary:

My name is David Henkin, and I write in strong support for Senate Bill 232.

I am a married man who does not believe that my wife and I should receive special rights and privileges from the state merely because we are heterosexual. All couples who commit to sharing the challenges of life together should be treated equally and with dignity.

I am the father of two children who does not want my keiki to grow up in a Hawai'i that discriminates between its citizens based on the sex of the person that they love. Rather, I want them to grow up in a Hawai'i that celebrates the diversity of its people.

Please pass civil unions. It is long overdue.

Mahalo for the opportunity to testify.

Aloha,
David Henkin

JUDtestimony

From: Van Law [vanlaw@gmail.com]
Sent: Sunday, February 06, 2011 7:21 PM
To: JUDtestimony
Subject: Re: Testimony Supporting SB232
Attachments: 11_0206 HOUSE Written Testimony in Support of SB 232.docx

Please use this attachment instead.

On Sun, Feb 6, 2011 at 7:18 PM, Van Law <vanlaw@gmail.com> wrote:
Aloha Representatives,

Please include the attached testimony in support of SB232 into public record.

Mahalo,
Van Law
Vice President
Pride Alliance Hawaii
3274 Loke Pl
Honolulu, Hawaii 96816
808-375-5579

WRITTEN TESTIMONY IN SUPPORT OF S.B. 232

Committee: House Judiciary Committee

Date: Tuesday, February 8, 2011

Time: 2:15 PM

Room Number: Auditorium

Dear Honorable Representatives,

My name is Van Law; I am a gay male and the Vice President of Pride Alliance Hawaii, a local non-profit organization created for the purpose of eliminating inequality and discrimination in Hawaii through education and outreach, and I am submitting my written testimony in support of SB 232.

I support SB232 because making civil unions available to all couples would benefit the state, the couples wishing to enter into such a relationship, and all gay and lesbian members of society who face endless discrimination on a daily basis. Passing SB232 will empower LGBT men and women to contribute further to Hawaii's future by acknowledging our role as responsible citizens and mutual caretakers of progress and prosperity of our beautiful state.

Speaking on a more personal level, I understand firsthand the difference between discrimination and complete acceptance, and realize the need to uncover my full, true, gay self. For the greater majority of my life I did not share my sexual identity with my parents; it was only after getting involved with the civil unions bill two years ago that I mustered the courage to do so. Although my parents still hold certain stigmas about who I am, I can breathe a sigh of relief because I no longer carry the burden of living a lie. I told my mother and father that I loved them both dearly, and would never lie to them, and in the case of my homosexuality, it was not a lie when I say I was never given a choice on the matter. The only choice I had to make was between happiness (by being myself) and sadness (by living a lie), and I chose to be me.

The same burden exists in the workplace; in my two previous places of employment, I did not have the courage to reveal to anyone I was gay so I was never truly happy at either place. At my current place of employment, where I serve as a Design Engineer at one of Hawaii's top ten construction firms, I decided to be open and honest with my coworkers and bosses from the day I was hired. I found their acceptance invigorating and can attest to its true value in employee retention; in my young professional career, I have served three years with the same employer.

Although I am single and do not intend to enter into a civil union in the immediate future, I understand it to be a matter between society acceptance and intolerance, which must be remedied so everyone in Hawaii can find their happiness. I know you share in my hopes of making Hawaii the best place to live and work for everyone and hope that you will act in a manner that will provide the loving atmosphere we need.

Thank you very much for your passage of the civil unions bill in the last legislative session and the expeditious hearing on SB 232 this year. We now have a receptive governor and a receptive public so please pass SB232 so Governor Neil Abercrombie can sign it into law.

Mahalo,

Van Law
Vice President
Pride Alliance Hawaii

JUDtestimony

From: Paul Blaicher [paul.blaicher@gmail.com]
Sent: Sunday, February 06, 2011 7:46 PM
To: JUDtestimony
Subject: SB 232 and HB 1453

To whom it may concern:

I wish to respectfully voice my concern over the consideration that the Judiciary Committee is taking over SB 232 (relating to civil unions) and HB 1453 (relating to legal relationships). At the same time, I wish to voice my support for HB 1244 (Relating to solemnization). Please understand that I (and a majority of Hawaiians) still support marriage as the union of one man and one woman. As can be seen in trends across these United States, as quickly as a civil union bill is passed, demands for same-sex "marriage" quickly follow. I would implore you to keep in mind the people whom you represent and the beliefs that they continue to uphold. Thank you for your time and consideration.

Respectfully,
Paul Blaicher

JUDtestimony

From: Kent Hirata [khirata2@hawaiiantel.net]
Sent: Sunday, February 06, 2011 8:46 PM
To: JUDtestimony
Subject: In support of SB232 (SD1)

For:

Public hearing on HB1244, HB1453, and SB232 (SD1)
February 8, 2011 at 2:15 p.m.
Auditorium
State Capitol
415 South Beretania Street
Honolulu, HI 96813-2425

Honorable Members of the House Judiciary Committee:

I have been following the struggle to enact civil unions in Hawaii with great interest, because it concerns the strength of our state's commitment to liberty and justice **for all**.

Let me begin by saying that HB1244 seems to be unnecessary, and that SB232 may provide a more efficient way to accomplish what HB1453 is intended to accomplish. Now, having said that, I would like to observe that the same reasons that made last year's HB444 worthy of passage, apply with equal force to SB232. In my testimony on SB232 which I recently e-mailed to the Senate Judiciary Committee, I presented the following points, some of which I have further edited and expanded.

(1) The passage and signing of SB232 would legislatively correct a long-standing injustice that conflicts with the equal-protection provisions of the state and federal constitutions. A legislative remedy for this injustice would be preferable to intervention by the courts, which would be inevitable if they rule in favor of the gay and lesbian plaintiffs in *Young v. Lingle*.

(2) Simple considerations of fairness more than justify legislative efforts to provide equal benefits and equal protections, not only to gays and lesbians, but also to their children.

In a letter to the editor which was published in the January 28, 2010 Honolulu Advertiser, Dr. Joshua Hawley, a local physician, stated that he has "witnessed firsthand the odious effects of discrimination against gay and lesbian families. Same-sex couples, many of whom are raising children, do not receive the same protection under the law as heterosexual married couples. Children of gay and lesbian families can enter legal limbo and be forced into the foster system should the biological parent die and the other parent is not legally recognized." He went on to say that "all families in Hawaii deserve equal dignity and respect under the law."

(3) In enacting civil unions, Hawaii would not be initiating an unprecedented social and legal experiment. A number of other states have enacted civil unions or domestic partnerships, and same-sex marriages are now legal in the District of Columbia, Massachusetts, Connecticut, Iowa, Vermont, and New Hampshire. In addition, ten foreign countries--Belgium, the Netherlands, Spain, Canada, South Africa, Norway, Sweden, Portugal, Iceland, and Argentina--have already legalized same-sex marriages.

(4) Same-sex marriages have been legal in Massachusetts since May 17, 2004. From that time forward (a period of nearly seven years), Massachusetts has not experienced dire consequences attributable to same-sex

marriages. Among other things, it still enjoys a healthy tourist industry.

For example, the Massachusetts Office of Travel and Tourism reports that "domestic and international travelers in Massachusetts directly spent nearly \$14.4 billion on transportation, lodging, food, entertainment and recreation and incidentals during 2009." In that same year, "domestic and international traveler spending in Massachusetts generated \$2.2 billion [in] tax revenue for [the] federal, state and local governments," of which close to \$574 million went to the state government and nearly \$342 million went to local governments. The total tax revenue contributed by tourism to the state and local governments in Massachusetts in 2009 was therefore close to \$916 million.

If legalization of same-sex **marriages** in Massachusetts did not result in a boycott that substantially damaged Massachusetts' tourist industry, or bring about other dire consequences, there is no reason to think that Hawaii would experience dire consequences if **civil unions** were enacted here.

(5) According to an article in the May 25, 2010 Honolulu Advertiser, two UH-Manoa economists, Sumner La Croix and Kimberly Burnett, have reported that civil unions would not impose undue administrative or economic burdens on the state. In fact, they estimate that civil unions could add \$6.9 million annually to the state's economy. This suggests that civil unions could enhance Hawaii's ability to compete with other destinations for a share of tourist dollars.

(6) In a May 6, 2010 commentary in the Honolulu Advertiser, John Webster, director of the Hogan Entrepreneurs Program at Chaminade University, stated that civil unions would be good for business. As he put it, "businesses of all size[s] thrive when governments are clean and their employees and partners and clients are afforded basic civil rights and civil liberties." He remarked that the 2010 Legislature's passage of HB444 was "a political and human reaction to the overwhelming case for justice that the bill's proponents brought to the table, time and time again."

(7) The contention that enactment of civil unions would be inevitably followed by court-ordered legalization of same-sex marriages has been refuted by retired Hawaii Supreme Court Associate Justice Steven Levinson. He pointed out that Hawaii's courts cannot override the Legislature's discretionary authority to restrict marriage to opposite-sex couples, because that authority resides in the Hawaii Constitution--the state's highest law.

(8) Justice Levinson also pointed out that "by definition, civil rights can't be defined by the majority. That's why we have a Bill of Rights, both at the federal and the state level."

(9) The argument that civil unions are not needed because Hawaii's reciprocal-beneficiaries law could be expanded to provide a wider range of benefits and protections is defective. Expanding that law in a way that falls short of providing truly equal benefits and truly equal protections would still perpetuate inequality and would still invite intervention by the courts.

Equality under the law cannot be achieved through incomplete, piecemeal measures which would continue to deny tax-paying, law-abiding gays and lesbians access to the full menu of benefits and protections that heterosexual citizens automatically receive, simply by virtue of their being heterosexual. The reciprocal-beneficiaries law could not serve as a replacement for SB232, unless it were rewritten so as to match SB232 in sum and substance.

(10) On the subject of civil unions, the religious community is divided, rather than united. People who express faith-based opposition to civil unions do not speak for **all** people of faith, nor should their views be given more weight than the views of believers who **support** civil unions.

In a commentary which was published in the December 11, 1996 issue of The Anderson News, the Reverend

Dave Charlton, a Southern Baptist, wrote that "the opponents of same-sex marriage [or civil unions] . . . who base their position on scriptural interpretations fail to understand . . . that the state will not set legal precedents based upon what is recorded in scripture. The state will base its decision upon what is in keeping with the rights that are given to [all of] its citizens. Gay people have legitimate rights in our society and the state has an obligation to protect those rights."

(11) When complying with tradition would leave palpable injustice uncorrected, tradition must yield to measures that restore justice. As Jay Sakashita, assistant professor of religion at Leeward Community College, stated in his May 22, 2010 commentary in the Honolulu Advertiser, "traditions . . . should . . . not be invoked to mask [or perpetuate] discrimination."

Thomas Jefferson put it this way: "**Laws and institutions must go hand in hand with the progress of the human mind.** . . . We might as well require a man to wear still the coat which fitted him as a boy, as a civilized society to remain ever under the regimen of their barbarous ancestors."

(12) Finally, to correct a common false belief, civil unions are **not** marriages under a different name. Unlike marriages, they are **not** transportable from one state to any other state. Moreover, because of the Defense of Marriage Act, participants in civil unions (and even same-sex marriages) are denied access to 1,138 federal benefits, rights, and privileges which are available only to married **heterosexual** couples.

Thank you very much for this opportunity to testify.

Kent Hirata
1666-A Lusitana Street
Honolulu, HI 96813-1690

JUDtestimony

From: Steven Jacquier [stevenjacquier@gmail.com]
Sent: Sunday, February 06, 2011 8:58 PM
To: JUDtestimony
Subject: Testimony in favorable support of Civil Unions; HB 1244; HB 1453 and SB 232

Voting against civil unions is a vote in favor of oppression. The tide of history favors rationality, fairness, and equality. Indeed, as Gandhi said "Whenever I despair, I remember that the way of truth and love has always won. There may be tyrants and murderers, and for a time, they may seem invincible, but in the end, they always fail. Think of it: always." If you do not think "tyrants and murderers" applies here, then you have not been paying attention.

Hawaii can be part of the solution instead of the pollution on this issue of basic human rights. There will be economic consequences for the state if civil unions fail now that fig-leaf Lingle is out; expect a boycott if bigotry wins the day. Also expect unceasing effort to defeat anyone who votes against civil unions. Out-of-state Mormon cash buying ad time will not snowjob the voters next election if you vote "no" and a national travel boycott hits Hawaii. The economy is already pinched enough; we do not need to send visitor business elsewhere out of sheer spite toward gay folks.

Please support decent treatment of everyone for the good of us all.

Sincerely,
Steven Jacquier
Big Island

--

-----Tidbits du Jour-----

Awesome photo (be sure and click on it at the Discover site to embiggen for even vaster awesomeness)
<http://blogs.discovermagazine.com/badastronomy/2011/01/04/insanely-awesome-solar-eclipse-picture/>

"Every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed. This world in arms is not spending money alone. It is spending the sweat of its laborers, the genius of its scientists, the hopes of its children."

— Dwight D. Eisenhower

JUDtestimony

From: Elaine Brown [elainebrown@hawaii.rr.com]
Sent: Sunday, February 06, 2011 9:21 PM
To: JUDtestimony
Subject: Oppose SB 232, SD1 and HB 1453. And Support HB 1244

Aloha Judiciary Chair and Committee Members,

I respectfully request that you OPPOSE SB 232, SD1 and HB 1453 because it is flawed and it will have unintended consequences to our families, children, community, economy and state. There are better alternatives for us to consider in this legislative session, with the foremost being HB 165 which allows clarification of marriage be put on the ballot so voters to can make their voices known and whether we should amend our constitution accordingly. I also do not agree with the "equality and civil right" stance to justify civil union because homosexual preference does not arise from genetic makeup but rather choices. A series of scientific research suggesting homosexual preference is linked to genetic makeup is NOT fact and one need only look at who is funding the research scope. Other scientific research shows there is no link to genetic preference.

I support HB 1244 as pastors and ministers should be protected if they refuse to perform union ceremonies. As it is, they can decline to perform a marriage ceremony if they believe the man and women are not suited for marriage at the time or right for the other person. This is not discrimination, just that they do not agree to perform the ceremony in their good judgements.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 9:40 PM
To: JUDtestimony
Cc: shinelikeystar215@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: CIVILUNIONStestimony.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Gracie Cockett
Organization: Individual
Address:
Phone:
E-mail: shinelikeystar215@yahoo.com
Submitted on: 2/6/2011

Comments:

TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

February 8th, 2011
2:15 P.M.

TESTIMONY ON SENATE BILL NUMBER 232, RELATING TO CIVIL UNIONS

TO THE HONORABLE REPRESENTATIVE KEITH-AGARAN, CHAIR,
REPRESENTATIVE RHOADS, VIE-CHAIR, AND MEMBERS OF THE COMMITTEE:

Aloha, my name is Gracie Cockett and I am a 16 year old resident of Hawaii Kai. I am in opposition to this bill. A vote for civil unions is a vote for same-sex marriage and will bring about harm to families, especially the children.

As a child myself, I am in the process of learning how important it is to have both of my parents in my life. Both of them have been, and I know will continue to be, so instrumental in helping me grow into adulthood. There are things I can learn from my mother that I can't learn from my father and vice versa.

As Heather Macdonald, JD from Stanford Law School, states, "On average, men and women have different biological dispositions towards aggression, competition, empathy, and cooperation — a proposition that even radical feminists and gender constructivists sometimes affirm. While there are of course exceptions and infinite variations on type, a father on average is more likely to serve as the authority figure and the model of manly virtues, the mother as nurturer."

Allowing civil unions further allows and encourages raising up children in homes with single-gender parents: denying them the right to have both a mom and a dad, a right every child has and should not be denied. Mothers and fathers both contribute something very special in the upbringing of their children.

Heather Macdonald continues on to say that "Proponents of gay child-rearing proclaim that boys do not need fathers and male role models at home and that males can provide the same emotional rapport with their children that females can. Regardless of whether these claims are empirically accurate, they undermine the argument that fathers have a unique contribution to make in a boy or girl's development. (Obviously, children who have lost one parent through death or separation may be raised without both sexes at home. But gay parenting creates a single-sex home as a matter of deliberate engineering, not accident or unforeseen chance.)"

Similarly, for parents who desire to continue to pursue and uphold the traditional family model, there are no provisions in this bill to uphold the parental rights of those who do not want their children exposed to morally objectionable teachings in the public schools. Without access to exemptions, parents with the desire to protect their children will be on a collision course with the state mandated curricula generated to teach "civil unions."

While I do not believe that this bill should be passed out of committee, at the very least, it should be amended to insert language that preserves parents' rights to determine the upbringing and education of their children before this bill is further considered.

If passed into law, this bill would undermine the right of children to have both a mom and a dad, which would be detrimental because men and women have complementary and unique contributions to the upbringing of children. This bill also weakens parental rights and needs to be amended to better uphold those rights before we can further consider the issue. I urge you to protect the keiki and Ohana by voting no on this bill. Thank you.

Gracie Cockett

Citations:

1. Heather MacDonald (an atheist, and Juris Doctorate degree from Stanford University School of Law, February 2010, "Reengineering the Family"

<http://www.nationalreview.com/articles/229057/reengineering-family-heather-mac-donald>

JUDtestimony

From: Julia Jimenez [jvj9212@earthlink.net]
Sent: Sunday, February 06, 2011 10:12 PM
To: JUDtestimony
Subject: *****SPAM***** OPPOSITION TO CIVIL UNIONS
Attachments: 232.doc

Hello my name is Julia and this is a testimony I want to submit in opposition of SB232.

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

February 6th, 2011

2:15 P.M.

TESTIMONY ON SENATE BILL NUMBER 232, RELATING TO CIVIL UNIONS

TO THE HONORABLE GILBERT S.C KEITH-AGARAN, CHAIR, AND
MEMBERS OF THE COMMITTEE

My name is Julia Jimenez. I am a student of Mililani, Hawaii. I am NOT in support of this bill. A vote for civil unions is a vote for same sex-marriage. In passing this specific piece of legislation, I believe that our economy will be damaged by the repercussions of this bill.

If I may, I would like to ask a question to the committee. Why should my parents and I pay for something we don't believe in? How do the gay advocates think they will get the funding for this bill? Taxes are the only solution.

I thank the committee for taking the time to consider my testimony on this important issue, and I know that by not passing this bill, the people of Hawaii will benefit. Please vote NO on this issue. Thank you.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 10:33 PM
To: JUDtestimony
Cc: anakurashige@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony for SB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Ana Kurashige
Organization: Individual
Address:
Phone:
E-mail: anakurashige@gmail.com
Submitted on: 2/6/2011

Comments:

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

February 8, 2011

2:15 pm

TESTIMONY ON SENATE BILL NUMBER 232, RELATING TO CIVIL UNIONS

TO THE HONORABLE REP. GILBERT S.C. KEITH-AGARAN, CHAIR, AND
MEMBERS OF THE COMMITTEE

My name is Ana Kurashige, I am a high school sophomore and I oppose SB232.

The reason why I stand in opposition to this bill is because civil unions is just another word for same sex marriage. It is giving same sex couples the same benefits only under a different name. Civil unions should not be passed for everyone recognizes that there is morality in sexual orientation. People oppose polygamy, incestuous relationships, and pedophilia. Homosexuals often identify their battle with the African American movement for equality or women's fight for equal rights. This is a deceiving argument. There are no right or wrong races or genders. And currently we are not treating individual homosexuals as less than human. No one is preventing them from their unalienable rights to life, liberty, and the pursuit of happiness. We recognize them as valuable individuals and love them. However everyone would agree that in regards to sexual relationships there is a right and wrong. Once civil unions is passed, same sex marriage will be knocking on the door. Once the standard drops in regard to this area, who is to say anything else is wrong? Will not other couples (like those mentioned previously)

eventually enter the political arena and use the same arguments as the proponents of civil unions? What will we say then?

Thank you for all your work, and I ask that you vote against SB232.

JUDtestimony

From: Beth Brown [hibrowns@hawaiiantel.net]
Sent: Sunday, February 06, 2011 11:08 PM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

COMMITTEE ON JUDICIARY
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

SB 232 SD1 Relating to Civil Unions

DATE: Tuesday, February 08, 2011

TIME: 2:15 PM

PLACE: Auditorium

Thank you for your service to the people of Hawaii. Because laws create precedents and the basic understanding of what our community views as good, healthy and beneficial for the people in our community, I especially thank you for your *careful* consideration of this significant legislation.

Laws are often thought of as creating boundaries for our protection, but they do more than that, they also educate us as to what is good for us. SB 232 sends the message to our society that a partnership between two people of the same sex can be *equally substituted* for the family unit as defined by one man and one woman, thus redefining the environment which we believe is best for healthy families to raise healthy children and develop a healthy society. SB 232, if passed will strongly redefine what is “good” for our community in Hawaii.

If we pass SB 232, while we may not be currently using the term “same-sex marriage” we will have redefined legally, what the family is made of. We will have made a policy change that will alter the fundamental unit of our community and we will be doing it without understanding the long term and unintended consequences of this “social experiment.”

Although SB 232 uses the term civil union, it would be naive to believe that the social impact would not be one of making “civil unions” equivalent to marriage. This re-definition runs contrary to the basic way cultures throughout the world have embraced as the “best” way to build the foundational unit of society—the family. While sociologists have collected significant data over decades showing the benefits of opposite-sex, man-woman marriage for children, we have yet to collect long-term, repeatable information on the effect of parenting children in same-sex unions. If we pass SB 232, we are changing society’s boundaries and our community’s understanding of what is best, healthy and beneficial for Hawaii’s families. **The people of Hawaii do not view same-sex marriage as equivalent to opposite-sex marriage.** Same-sex marriage/Civil union is not the best, the healthiest, the most beneficial way to make a family.

I urge you to allow the people of Hawaii to determine if they believe the fundamental changes proposed through SB 232 are the best for our community. Civil union legislation has led to court decisions in other states in favor of same-sex marriage. The leap from “civil union” to “same-sex” marriage was very easy to make in the mind of the court because in reality there is no difference

I’m concerned that our state laws support and create a healthy environment and view of what is the “good” for families in Hawaii. Please vote against SB 232. It is not “good.”

Respectfully, and grateful for your consideration,

Beth Brown

For Trevor, Christa (16), Caleb (13) and Charis (10)

JUDtestimony

From: Ryan M. [mailto:mail@change.org]
Sent: Sunday, February 06, 2011 11:12 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Ryan M.
Chicago, IL

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Sukwah Grace Lin [sukwahlin@earthlink.net]
Sent: Monday, February 07, 2011 1:19 AM
To: JUDtestimony
Subject: *****SPAM***** OPPOSITION TO CIVIL UNIONS

Dear Sirs/Mdms,

I strongly oppose SB 232 SD1, HB 1453 and I strongly support HB 1244, HB 165

As a registered dietitian, I had worked in hospital settings for a number of years. I had helped provide nutritional support to numerous AIDS patients. These patients usually require isolation rooms, i.e. a room all by themselves, whoever went into the rooms require special gowns and masks. Everyone on the medical team must take extra measure when we dealt with patients like that. They usually stayed for months. Then a few months later, they would come back again, again and again. According to my observations, they suffered very slow and agonizing deaths, which a lot of times include cancers and tumors. As I got to know them better, I found that these are usually very bright, intelligent and nice people who were supposed to be in the prime of their years. I had great respect for them. At the same time, I felt great loss for these very valuable human beings.

While we cannot dictate how people conduct their private lives, it does not make sense to me why we have to actively support the homosexual lifestyle, which can cost us millions of dollars to support their medical treatments. It does not make sense to me even more why we have to teach our children that this is an acceptable alternative lifestyle. It is like teaching our children how to get cancer and to die young, and tell them that this is acceptable and good.

God loves the homosexuals. He has also provided ways for them to be made whole. There are ministries such as Love Won Out by Focus on the Family, or the Exodus that help homosexuals heal. Sy Rogers, David Kyle Foster who were gay, or bi-sexual are excellent examples of how God transform their lives. Homosexuals are not stuck. They have choices to make. God has provided ways for them.

Secondly, the law must not force ministers to violate their conscience and their commitment before God to solemnize the same sex marriage vows. That would be violating their constitutional right of freedom of speech.

Lastly, I also support that marriage should be defined as between a man and a woman as how God ordained it to be in the Book of Genesis.

Thank you.

Sukwah Grace Lin, M.S., R.D.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 6:05 AM
To: JUDtestimony
Cc: cc6@hawaii.edu
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232 statement Vote NO.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Constance A. Wong, M.D.
Organization: Individual
Address:
Phone:
E-mail: cc6@hawaii.edu
Submitted on: 2/7/2011

Comments:
Thank you for considering my view-point.

Sincerely,

Constance Wong, M.D.

The traditional family unit is the backbone of our society, and is capable of perpetuating itself naturally. It existed before there were laws or government, and has kept the human race in existence. It is designed by nature to be a "good fit", so to speak, and is our society's strength.

If we allow marriage to adopt a same-gender status, then soon we will have polygamy and children being coerced into marriage. The sequence will be as follows: first the opposite gender criterion goes out the window, then monogamy, then age requirement. Soon we'll have a nation with men & women "married" to multiple men, women & children. It will be the end of the strength & decency of our nation. This will cause chaos and bedlam, to our children and to our society as a whole.

The Reciprocal Beneficiaries Law was adopted in 1997 after the people of this state voted against civil unions. This Law gives people of any sexual orientation, or even non-sexual relationships, a legal and binding partnership, with health care insurance benefits, hospital visitation rights, healthcare decision-making rights, inheritance rights and other benefits. Hospital visitation rights and healthcare decision-making rights can also be readily obtained with a Health Care Directive, which only requires a witness, and notarization. It can be placed in a patient's chart as a permanent record, and is readily available. If the reciprocal beneficiaries law is not satisfactory, then it should be amended. The focus of this legislature should be on improving the reciprocal beneficiaries law, and not breaking down the institution of Marriage to the detriment of our society. To adopt civil unions is to open Pandora's box resulting in the ultimate, long term destruction of the strength of our country which is the traditional family.

In the short term, the norm should be for our children to have a mother and a father. Although this does not always happen, it is the best case scenario, and should be an ideal we all strive for. My own father passed away in his 30's, so many of my growing-up years were spent without a father. There is definitely something missing in a child's life without the love of both a mother and a father.

Please put your energy and focus on changing the Reciprocal Beneficiaries Law, and leave marriage the way it is. If you cannot see to do this, then at the very least,

give the people their voice: take it to a public vote!

JUDtestimony

From: Tony Wagner [Tony.Wagner@hrc.org]
Sent: Monday, February 07, 2011 7:23 AM
To: JUDtestimony
Subject: Testimony in support of SB 232 SD1

TESTIMONY IN SUPPORT OF SB 232 SD1, A BILL RELATING TO CIVIL UNIONS

Name: Tony Wagner, Western Regional Field Director, Human Rights Campaign
Committee and Comments Directed to: Chairman Keith-Agaran; House Committee on the Judiciary
Date/Time of Hearing: Tuesday, February 8, 2011 at 2:15pm
Measure Number: SB 232 SD1
Copies Submitted: One via Email

OPENING STATEMENT

Aloha. Good afternoon Chairman Keith-Agaran, members of the House Judiciary Committee and other attendees. My name is Tony Wagner and I am the Western Regional Field Director for the Human Rights Campaign, America's largest civil rights organization working to achieve lesbian, gay, bisexual and transgender equality. We have nearly 4,000 members and supporters here in Hawaii.

Today, I speak in support of SB 232 SD1, a bill relating to civil unions. This bill is nearly identical to HB 444 passed by the legislature last year, before Governor Lingle vetoed it at the last possible minute. This year the Senate has again overwhelmingly passed civil unions and our supporters urge the House to swiftly do the same. My testimony will focus on the effects of providing relationship recognition for same-sex couples in the areas of business, family support and history.

CIVIL UNIONS ARE GOOD FOR BUSINESS AND THE ECONOMY

Demographers have found that the new generation of highly desirable workers are likely to choose where they want to live before looking for a job, and they cite *diversity and inclusion* as one of the key factors in their decision. Simply put, allowing civil unions in Hawaii will help attract, recruit and retain top-notch employees to the state. It will increase productivity among workers and enable employees to focus on work rather than on concerns around discrimination and equal pay and benefits.

For business, it will increase employers' competitiveness compared to peers in other states with laws that might restrict benefits availability or level out the playing field with states like California, Washington and Oregon. It will help Hawaii retain home grown talent in its workforce and not lose bright young people to the mainland. It will simplify transfers of employees to states where legal rights for same-sex couples already exist. And it will lead to the elimination of regulations where some states require benefits for same-sex couples and others forbid them, or make them difficult to obtain or administer. Civil unions will provide the maximum flexibility for businesses to define their own benefits policies in all 50 states.

CIVIL UNIONS ARE GOOD FOR HAWAII FAMILIES

In reality, our struggle for equal treatment under the law is quite possibly the most conventional, family-friendly equal rights struggle ever. At its core, this debate is about the extraordinarily ordinary reality of day-to-day life, where two people who are connected at the soul want to protect one another and their children with basic legal rights and safeguards. LGBT people are your friends, family, neighbors and co-workers. They attend service with you, are on the other side of the teller window, across the aisle at the PTA meeting and on the other end of the stethoscope. Their lives are an awful lot like yours and they, and their families, deserve equality under the law.

Relationship recognition provides greater certainty that partners can make medical decisions for one another, and inherit disability of life insurance benefits and property. Without these legal protections, many couples face challenges when severe illness or death occurs, and this is especially critical as couples grow older together and they rely more heavily on retirement, social security, and pensions.

Opponents of equality for LGBT families say they are concerned about the impact on children. We share that concern. Millions of children are being raised by same-sex couples in this country today. We worry about the legal protections they lack and what our society is telling them about the value of their families when their parents relationship is not recognized. No child of a same-sex family should have to grow up thinking their family is somehow less legitimate or loving than that of their friends and neighbors.

If the legally recognized parent should become ill or die, the other parent is vulnerable to legal challenges regarding their custody and their right to raise the child. The child may also be at risk of losing health insurance, housing and friends should the “non legal parent” not be able to inherit property or put the child on their medical insurance. The ability to put a partner and/or children on health insurance plan increases access to preventative health care for the entire family and helps get more people insured in order to avoid catastrophic situations if illness or disease should arise.

ON THE RIGHT SIDE OF HISTORY

Since Vermont first enacted civil unions in 2000, thirteen states plus Washington, D.C. have laws providing an expansive form of state-level relationship recognition for gay and lesbian couples. Connecticut, Iowa, Massachusetts, New Hampshire, Vermont and Washington D.C. provide marriage to same-sex couples under state law. New York and Maryland recognize out-of-jurisdiction same-sex marriages, but do not yet provide marriage licenses to same-sex couples in state.

Six other states—California, Illinois, Nevada, New Jersey, Oregon, and Washington —provide same-sex couples with access to almost of all the state level benefits and responsibilities of marriage, through either civil unions or domestic partnerships. Colorado, Hawaii, Maine, and Wisconsin currently provide gay and lesbian couples with limited rights and benefits, not all rights provided to married couples.

Despite some setbacks, it is clear that momentum in this fight for equal civil rights for the LGBT community is moving in the direction of granting those rights and not restricting them.

CLOSING STATEMENT

Equality for the lesbian, gay, bisexual and transgender community is the civil rights struggle of this generation. Polling in Hawaii and across the country shows that opinions on these issues are quickly changing and that a majority of Americans, as well as residents of Hawaii, believe that LGBT people should be treated with equal dignity and respect under the law. That’s what this bill does and that’s why you should support its passage. This is common-sense legislation. It’s the right thing to do for business, for families and for the people of Hawaii. History will show this to be true and Hawaii’s place in this civil rights struggle will be cemented in time.

Tony Wagner

Western Regional Field Director | Human Rights Campaign
1640 Rhode Island Ave, NW | Washington, DC 20009
202.772.3888 (o) | 202.459.3298 (c)
tony.wagner@hrc.org | www.hrc.org

JUDtestimony

From: Robert Rameyer [bobrameyer@gmail.com]
Sent: Monday, February 07, 2011 7:59 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

I'm asking for your support of SB232. I wanted to share with you two moments of my day this past Friday, February 4. The first occurred while at work and I overheard a visiting intern mention to a coworker that he was engaged to be married. The coworker will be celebrating her first wedding anniversary this Valentines Day and was offering the intern some wedding advice. While I'm happy for them, I'm reminded of the unfairness of our states laws that consider me unworthy of the same rights because of who I am. I am gay and in a loving and committed relationship with my partner of 16 years.

Later that evening I received a phone call from an old friend who is vacationing for a month here in Hawaii. He told me that he was going to the airport the following day to pick up some other friends - a gay couple recently married in Iowa - who would be joining him on vacation.

And so I'm reminded of how things can be when a state honors all of its' citizens and their rights. Make me proud to be a citizen of Hawaii. Vote to pass SB232 and make this a special Valentines Day for the LBGT community here in the Aloha State.

Mahalo,

Robert Rameyer
3006 Pualei Circle #209
Honolulu, HI 96815

JUDtestimony

From: Leon Santinizio [santinizio@gmail.com]
Sent: Monday, February 07, 2011 8:11 AM
To: JUDtestimony
Subject: SB 232 Testimony
Attachments: SB232_Hearing_Testimony.pdf

Dear Representatives,

Attached is my testimony in opposition to SB 232. Thank you for your time and service.

Aloha,
Leon Santinizio

Date of Hearing: February 8, 2011, 2:15pm

To: Committee on Judiciary
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

From: Leon Santinizio

Re: Opposition to SB 232

Dear Representatives,

My name is Leon Santinizio. I am a United States Navy veteran and legal resident of the State of Hawaii. I am opposed to the Civil Unions bill (SB 232) for three major reasons:

1. Definition of Marriage

- If the true intent is not to revise the definition of marriage established in HRS 572 as stated in SB 232, Section 1, an alternate solution should be explored. I would support an amendment/addition to the Reciprocal Beneficiaries Act (Act 383) implemented in 1997.

2. Legislative Procedures

- I am concerned with the legislative procedure for Civil Unions and the impact it potentially has on future legislations. In SB 232, Section 2.9, "all the same rights, benefits, protections, and responsibilities under law...as granted to those pursuant to chapter 572" are honored under the Civil Unions. I personally interpret this section as an insert-HRS-572-here section. It is HRS 572 under another name, Civil Unions with an extended definition.

3. Economics

- An argument has been commonly presented in regards to the economic benefits of honoring Civil Unions. I neither deny nor affirm the veracity of the claim, but I do find it troubling to consider such an argument in such a culturally sensitive issue. Regardless of what side one is on, it can be acknowledged that this legislation is on the frontier of catalyzing a major cultural shift that will affect all families in the state of Hawaii.
- The opposing argument is not that Civil Unions or same-sex marriages are incapable of raising a secure loving family. The opposing argument is that, in terms of economics, Civil Unions, which in other states have led to same-sex marriages, do not increase human capital.

Please vote "NO" to SB232. Thank you for your time and public service.

Respectfully,

Leon Santinizio

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 8:43 AM
To: JUDtestimony
Cc: monica.adams@me.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SUPPORTSB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Monica Adams
Organization: Individual
Address: 17-977 Konomanu Road Kurtistown, HI 96760
Phone: 808-756-2530
E-mail: monica.adams@me.com
Submitted on: 2/7/2011

Comments:

February 7, 2011

House Judiciary Committee

Re: **TESTIMONY IN SUPPORT OF SB 232**

Dear Judiciary Committee and Members of the House of Representatives,

My name is Monica Adams, I am a resident of Kurtistown on Hawaii Island. I want to first extend a heartfelt Mahalo to you for your consideration of SB232.

I live in Kurtistown, which is in the district of Puna, near Keaau on the Big Island of Hawaii, with my partner of 10 years. We recently purchased a home together and now live in a multi-generational household with my partner's mother. Our family contributes to our neighborhood association, working to improve our community, we support the local Hongwanji, we volunteer and work to improve our Big Island communities in our small way. We have a very "normal" life and we do what we can to make a positive difference in our community. I say this first because it is important to note that there are hundreds of people like us, whom I know personally, who quietly live their lives but are afraid to speak openly for their own rights. I am speaking for them and for myself. We are not seeking special rights, just human rights taken for granted by many.

Gays face discrimination on a constant basis. I work for a health care nonprofit organization. When I was hired, the company did not have an anti-discrimination policy that protected the jobs of gays and lesbians, despite the fact that 5% of the employees were openly gay. I worked to change that so that our employees would not be afraid of losing their jobs simply on the basis of their sexual orientation. Protecting a minority group does not take away the benefits and rights of the majority group. Inclusion of civil protections for this small group does not reduce the value of employee protection for all. Civil Unions are the same. By awarding rights, the rights of those who benefit from protection already are not reduced. The value of the right is not diminished. Civil Unions do not take the place of a marriage celebrated and awarded in a person's faith community or church. It simply provides rights denied to a group of people who experience limited rights and civil protections.

Gays and lesbians experience daily discrimination in their search for housing, in the health care setting, and in receiving death benefits simply because they cannot enter into a governmentally recognized union with the same rights as marriage.

Although my partner has listed me as her beneficiary, and I her, for our retirement accounts and savings, we face discrimination in our ability to collect our own money. Even though it is our money we work for and save, we do not have rights to the full amount without greater taxes and penalties, if one of us passes away, unless we are married or in a civil union. Reciprocal beneficiary laws allow us to receive each other's savings, but we have to pay higher taxes and penalties because we are not in a civil union.

Even though we are in a committed long-term relationship that is respected by our families; of both the Buddhist and the Mormon Faith (my family is Mormon), we still face financial, health care, and other discriminations because our government provides only limited recognition unequal to marriage. We are not asking for the religions that provide faith based Marriage Ceremonies to recognize us, we respect the rights of different faith communities to hold their own beliefs. I am a former Mormon, and have had a long journey reconciling my faith with who I am, and I have also been truly humbled at the level of love and acceptance my family has awarded me over the years despite their faith. Even though my family, all Mormons, love and respect me, and I them, I do not expect the Mormon Church to change. They have the right to hold their own beliefs, practice their own ceremonies, as all churches do. I simply ask from you, our representatives, to help us work toward equality and civil rights through recognition of Civil Unions, which will provide legal and equal rights and benefits for people in committed relationships.

Thank you for the opportunity to provide you with my story. The time has come to change. President Obama supports Civil Unions, as do many Americans. The military has repealed Don't Ask Don't Tell. Let us help Hawaii be the place of inclusion and civility that it and its people want.

Again, I strongly support SB232.

Thank you for your service to all of the people of Hawaii.

Monica Adams

17-977 Konomanu Road

Kurtistown, HI 96720

JUDtestimony

From: Inoke Suguturaga [kailaie@yahoo.com]
Sent: Monday, February 07, 2011 8:49 AM
To: JUDtestimony
Subject: Civil Unions.

The civil unions bill should not have been considered, much less make it to the committee hearings. Those that engage in this lifestyle do so by choice. The ramifications of that choice should not be forced onto the general public. This lifestyle is a choice and not a right as the proponents keep arguing. Approving civil unions will inevitably lead to approval of same-sex marriage. Please remember that this measure was soundly rejected by Hawaii's voters. Yet, our elected officials have decided to allow this to reach this stage in the process.

Civilization as we know it was established and has grown and flourished by maintaining the natural balance ie: marriage should be between a man and a woman. There is nothing natural about homosexuality and it should be considered a crime against nature. If laws can be enacted to protect the environment ie:nature, then similar laws should be enacted to protect humanity against such unnatural acts.

If homosexuality became a universal practice, the world would be depopulated within a generation. I urge the committee to please carefully weigh the consequences of your decision.

Sincerely,
Inoke Suguturaga,
Laie, HI. 96762.

JUDtestimony

From: Peter Ehrhorn [ehrhornp001@hawaii.rr.com]
Sent: Monday, February 07, 2011 8:51 AM
To: JUDtestimony
Subject: In support of SB232 (SD1)

To: The Committee on Judiciary

From: Peter Ehrhorn
254 Kaha St.
Kailua, Hi 96734

Re: In strong support of SB 232

Dear members of the committee and especially my representative Cynthia Thielen,

This state has spent too much time on the matter of gay rights. I believe it was in 1992 when the supreme court ruled that the state must show a compelling reason to prevent 2 gays from marrying. They have not done this. Only thing that was done was the passage of a law that limits marriage. But no compelling reason was ever given. This was a restriction on freedoms that this state should have rejected! But it didn't and someday this anti American law will have to be repealed.

In the mean time the gay community, along with others where marriage is not an option, would like to have the right to form civil unions. This is the least that can be done to support a portion of our society who are presently being treated like second class citizens. The benefits of such unions will be many but among the most important, is the reduction of Aids and other STDs. Committed relationships have a tendency to do this.

This country is ruled by majority rule but it also is suppose to recognize minority rights. Just because the majority is for or against something does not make it right. There still needs to be a compelling reason why the state should be involved. People who are against this law would also have been against the marriage of my daughter to a man of asian descent which was against the law in the past. They also probably see nothing wrong with locking up Americans of Japanese ancestry during WWII.

Thank you for considering this testimony and I urge you to support this Bill.

Aloha,

Peter Ehrhorn

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 9:14 AM
To: JUDtestimony
Cc: cmurphyrealtor@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232 Testimony.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Colleen Murphy
Organization: Individual
Address: 44-160 Kou Pl. #7 Kaneohe, HI 96744
Phone: 808-218-0408
E-mail: cmurphyrealtor@yahoo.com
Submitted on: 2/7/2011

Comments:

IN SUPPORT OF SB 232

February 7, 2011

Dear Members of the House Committee on Judiciary,

We are Colleen Murphy and Monica Grant, Kaneohe residents and homeowners and a same-sex couple, together since 2000. I am a Realtor and Director of Associate Development with RE/MAX Honolulu, and Monica is Vice President of Resource Development with the YMCA of Honolulu. **We stand in strong support of SB 232.** We are honored and moved to be a part of this important discussion, and sincerely thank you for hearing these testimonies today and for your consideration of the bill.

Like so many others that have moved to Hawaii, we came here because of the promise – both declared and unspoken – that this is a place that truly opens its arms to all people with a spirit of Aloha. However, although we have been humbled by the friendship we have been offered in our six years here, we have been deeply saddened by some of the realities of living in Hawaii as a same-sex couple.

We struggle with this paradox; and yet all we wish to do is thrive here and give this community all we have to offer in return. We give of our time, our money, and our voices, as members of the Hawaii business community, as community volunteers, and as tax-paying, law-abiding citizens. We work, worship and play here, and we, our families, our friends, our co-workers and our communities wish for us to be recognized as equal, and have our relationship recognized as a legal civil union.

Please know that a “yes” vote on this legislation will not only prove another landmark in civil rights and equality (for which you should be truly proud), it will also send a strong message that Hawaii embraces and welcomes all people, including its gay and lesbian brothers and sisters.

We ask for your support on SB 232; it is the right and just thing to do. Thank you for your consideration of legislation that will have a positive impact on the lives of so many Hawaii citizens for generations to come.

Mahalo,



Colleen Murphy and Monica Grant
Kaneohe, HI 96744

JUDtestimony

From: Cynthia Fritts [fritts@hawaii.rr.com]
Sent: Monday, February 07, 2011 9:20 AM
To: JUDtestimony
Subject: Testimony in favor of SB 232

House Hearings Feb 8 · 2:15 p.m
State Capitol
415 South Beretania Street

Testimonial on Civil Unions Bill
SB232

I am a straight woman and the sister of a gay man and I am a business owner in the State of Hawaii. I believe civil unions providing equal rights and protects under the law is of critical importance to the State of Hawaii. I have witnessed how discrimination and homophobia have affected my family and my friends and putting a law on the books giving equal rights to our GLBT ohana will be a historic step forward in ending discrimination in our state.

As a business owner passing the civil unions bill will assure a much needed influx of business to our state by extending a message of aloha to all friends, family and members of the GLBT community.

On a more personal note a want to say I was widowed 18 months ago very suddenly. My husband was a retired Navy Submarine Captain and was 45 when he died. If not for the support of my of my gay and lesbian friends and family my 10 year old son and I would not have made it through our terrible loss. There were there for us day in and day out. They took care of us and nurtured us. My brother and my son's Godfather both who are gay filled the terrible void that was left and made sure my son knew he was loved and taken care of.

It is unjust and immoral that these member of my friends and family are denied equal rights and protections under Hawaii State Law. This is not a religious issue, but it is a moral one and discrimination is immoral.

Thank you for allowing me to submit my testimony.

Cynthia P. Fritts
626 West Hind Dr.
Honolulu, HI 96821
808-781-1741

JUDtestimony

From: Margaret Scow [jonlovesmargaret@yahoo.com]
Sent: Monday, February 07, 2011 9:54 AM
To: JUDtestimony
Subject: STRONG OPPOSITION to civil unions from a former lesbian
Attachments: Testimony against SB232 from Annemarie.doc

Aloha Chairman, Representative Keith-Agaran & Judiciary Committee,

I am a former lesbian and I am in STRONG OPPOSITION TO Civil Unions. Please see my attachment letter in opposition to SB232.

Mahalo

Annemarie

February 5, 2011

To: The House Judiciary Committee; Chairman Gilbert Keith-Agaran & Committee Members

From: Annemarie Frye

Re: SB232, Relating to Civil Unions

Hearing Date: Tuesday, Feb. 8th

Hearing Location: Hawaii State Capitol Auditorium

Strongly oppose SB232 SD1

Dear Chairman Keith-Agaran & House Judiciary Committee Members,

I am currently on the Mainland and I'm sorry that I cannot be in Hawaii in person to read this testimony at the Hearing.

My name is Annemarie Frye and I am a former homosexual. I would ask that you OPPOSE SB232 SD1, the Civil Unions Bill. I believe that marriage or in this case, a Civil Union should be between one man and one woman, only.

Three years ago, I got married to my husband after having struggled with homosexual feelings for as long as I can remember. We also have a 7 ½ month old son. Until a few years ago I would never believe that I could get married to a wonderful man. As I worked through my issues with defensive detachment with my mother and abuse from my dad, I started to change. Since I became a Christian at age 25 I have never pursued a same-sex relationship, because in my view God does not approve of such relationships. Thankfully I received counseling and over the years I developed a desire to be married. Before that I was always open to it, but at that point it was something I longed for. I had found my identity as a woman, which had been suppressed and shut down. As my identity as a woman became stronger I desired to be with a man, no longer with a woman. It is not that I never struggle with same-sex attraction, but it has become a sideline issue instead of my core struggle. I am truly happy to be married.

I have been involved with women and I can tell you the difference between those relationships and my marriage to my husband. I have personally experienced the dysfunction in same-sex relationships. Besides that I have studied counseling and know what can cause homosexual tendencies as well as what is the road to healing.

In my opinion marriage cannot be opened up for couples of the same-sex. Marriage is a covenant between a man and a woman, which God has ordained. There is a complementary in man and woman that you cannot find in a same-sex relationships.

According to this bill SB232 S1, same-sex couples can adopt children and raise them. The role of a father is very different from the role of a mother and children will grow up confused. How does a little boy learn he is a boy if he grows up with two women? Even though one might be very masculine and the other more feminine. How can a girl know the love of a man, a father if she grows up with two women? This will cause gender confusion in children. We cannot allow our children to grow up in a society where a husband and a wife are no longer the cornerstone in society.

So I would like to ask you **not** to pass this Bill SB232 SD1 and vote against it, for the benefit of our children and our nation.

Sincerely,

Annemarie Frye

SB 232 Relating to Civil Unions
Feb 8, 2011 Tuesday 2:45 Auditorium

Dear House Judiciary Committee, Rep. Gilbert Keith Agaran, Chair

My Name is Pastor Virginia Domligan
The Prayer Center of the Pacific

Today I made time to come out from the trenches to testify to your committee with all humility of heart your decision in every bill that you sign that pass your committee and other committees how it effects society as a whole and individually. I will address the issue at hand SB 232 relating to Civil Union.

Allow me this brief moment to share the effects of the laws that passed through that touches lives in every part of society here in our beloved State of Hawaii. In 1970 a bill was passed for abortion with no restriction no parental notification. 52 Million abortions have been reported in America nobody knows the effect unless your in the trenches I am here to share first hand A 15 year old comes in just had an abortion the day before her boy friend paid the bill no parental notification she lays in the clinic as the doctor proceed to sucked out the fetus and left the pieces it in a tray for her eyes to see. 15 years old devastated crying without any comfort this is only one of the many we find in the trenches of this life because of laws we've passed. Addressing the issue at hand a Young man lay's in the Hospital ashamed suffering dieing of full blown aids his life style choice was having sex with another man. Yes, his partner was at his bed side what pain and sorrow their family suffered there heart was heavy because of the choices that was made. Who paid the bill he was unable to work for a long while. The saddest day was the day of burial. How many more will we have to bury because the effects of choices. Can you not hear the voice of the people of Hawaii and there wise council for traditional marriage. By Passing SB 232 it's a step to legalizing same sex marriages you are extending the same rights, benefits, protections and responsibilities of spouses in a marriage to partners in a civil union. All of this benefits is entitled to those who are traditional married. Any benefits to those who choice to have a same sex partnership should be worked out on the recipical benefit bill. This is not about civil rights it a matter of choice of a life style that will effect my grandchildren when they are taught in Elementary school that is all right to have two mommies or two daddies this will bring utter confusion being that they are nurtured with one daddy and one mommy in a traditional family since the beginning of society. Please I plead with you there are more important needs that has to be address this session my husband lost his job after 31 years because his company downsized. He went from corporate pay to minimum He pays \$400. a month for my dental and medical I minister in the prisons for 23 years I'm in the trenches visiting those who are sick, those who are bound by alcohol and drugs, raped, suffering hardship financially trying to make ends meet living here in Hawaii. Let concentrate on the most important issues at hand. Please don't pass SB232 in your committee don't be swayed like the State of Massachusetts who started down this road only to legalize same sex marriage. Let there be no regrets in our beloved State of Hawaii which we the people have to pay for. **Vote No to SB 232**

IN SUPPORT OF SB 232

February 7, 2011

Dear Members of the House Committee on Judiciary,

We are Colleen Murphy and Monica Grant, Kaneohe residents and homeowners and a same-sex couple, together since 2000. I am a Realtor and Director of Associate Development with RE/MAX Honolulu, and Monica is Vice President of Resource Development with the YMCA of Honolulu. **We stand in strong support of SB 232.** We are honored and moved to be a part of this important discussion, and sincerely thank you for hearing these testimonies today and for your consideration of the bill.

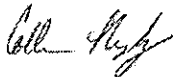
Like so many others that have moved to Hawaii, we came here because of the promise – both declared and unspoken – that this is a place that truly opens its arms to all people with a spirit of Aloha. However, although we have been humbled by the friendship we have been offered in our six years here, we have been deeply saddened by some of the realities of living in Hawaii as a same-sex couple.

We struggle with this paradox; and yet all we wish to do is thrive here and give this community all we have to offer in return. We give of our time, our money, and our voices, as members of the Hawaii business community, as community volunteers, and as tax-paying, law-abiding citizens. We work, worship and play here, and we, our families, our friends, our co-workers and our communities wish for us to be recognized as equal, and have our relationship recognized as a legal civil union.

Please know that a “yes” vote on this legislation will not only prove another landmark in civil rights and equality (for which you should be truly proud), it will also send a strong message that Hawaii embraces and welcomes all people, including its gay and lesbian brothers and sisters.

We ask for your support on SB 232; it is the right and just thing to do. Thank you for your consideration of legislation that will have a positive impact on the lives of so many Hawaii citizens for generations to come.

Mahalo,



Colleen Murphy and Monica Grant
Kaneohe, HI 96744

JUDtestimony

From: House Sergeant At Arms
Sent: Monday, February 07, 2011 10:26 AM
To: JUDtestimony
Subject: Testimony for S.B. 232/H.B. 1453
Attachments: S.B. 232 + H.B. 1453 (1).pdf

We received this fax and are forwarding it to your committee.

Thank you,
HSA

ROBERT K. MATSUMOTO
Attorney at Law
345 Queen St., Suite 701
Honolulu, HI 96813
Telephone: (808) 585-7244
Facsimile: (808) 585-7284
Email: rkmbengoshi@hawaii.rr.com

No. of pages including this page: 4 (main text)

DATE: February 7, 2011

TO: Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice-Chair

FACSIMILE NO. 586-6501

RE: Testimony on Bill Relating to Civil Unions, SB No.232 SD1 & HB 1453
Date & Time of Hearing: February 8, 2011 @ 2:15 p.m.
Auditorium

Dear Representatives of the Committee on Judiciary

I urge you to vote NO on SB No. 232 SD1 and HB1453 and NOT pass the said Bills out of your Committee.

No matter how the relationship is couched in SB No. 232 SD 1 and HB 1453, THE SAID BILL IS SIMPLY A "MARRIAGE" between to 2 persons no less, or a pretext which will lead ultimately to marriage between a non-heterosexual couple. The effect of SB 232 SD1 and HB 1453 are to destroy the nuclear family with the consequent destruction of society itself. This is so because marriage between a man and a woman, with its attendant benefits and obligations will be rendered meaningless, and SB No. 232 SD1 and HB 1453 will encourage other relationships to the detriment of traditional marriage, i.e. between a man and a woman, which over millennia has proven to be the one true foundation of society.

The prescient words of Judge Walter Heen (dissenting judge in the landmark case of Baehr v. Lewin (later Miike), should serve as an admonition to this committee when it considers SB 232 SD 1 and HB 1453

“This court should not manufacture a civil right which is unsupported by any precedent, and whose legal incidents – the entitlement of statutory benefits (conferred upon unmarried persons through a certification system) will reach beyond the right to enter into a legal marriage and overturn long standing public policy encompassing other areas of public concern. This decision will have far-reaching and grave repercussions on the finances and policies of the governments and industry of this state and all the other states in the country.”

The passage of SB No. 232 SD 1 and HB 1453 will have the following consequences, among other consequences, (this list is not exhaustive of a myriad of religious, moral, societal and economic considerations):

1. It will destroy the importance of marriage between a man and a woman as a social institution, thereby destroying the very fabric of society and civilization.

There have been numerous studies conducted to determine the effects on married couples, children and society at large where the institution of marriage has been weakened such as “no fault” divorce. The devastating impact on children has been noted especially. A strong correlation has been found between the family breakup and child homelessness, drug abuse among the young, the physical abuse and neglect of babies and children, high rates of teenage pregnancy and a continuing cycle of broken relationships. Clearly, once traditional marriage becomes marginalized or rendered irrelevant with the passage of SB 232, the seeds of destruction of society will have been sown.

2. It will leave children vulnerable to an educational system that ultimately will be forced to teach and promote an unhealthy homosexual lifestyle.

A U.S. District Court ruling (February 23, 2007) in Lexington, Massachusetts, will have profound effect elsewhere where civil unions or same sex marriages are recognized. *David Parker, et. al., Plaintiffs v. William Hurley, et. al. Defendants*, C.A. No. 06-10751-MLW. In that decision, the District Court judge dismissed the lawsuit of concerned parents of public school children, who have been forced to learn that “normalizing homosexuality to young children is ‘reasonably related to the goals of preparing students to become engaged and productive citizens in our democracy.’” The District Judge further held that the parents of the school children cannot have their children opt out of the curriculum teaching the “normalization of homosexuality.” Instead, he gave a “TAKE OR LEAVE IT” stance. He said if the parents don’t like it, they can send their children to private schools that do not teach the normalization of homosexuality or to teach their children at home.

If your committee passes SB 232 SD 1 and HB 1453 out of committee, and if both bill, if not one bill, is passed as law, it will be only a few years when what happened in Lexington, Massachusetts may become a reality in Hawaii, i.e. parents of public school children will not be able to “opt” their children out of classes teaching the so called normalization of homosexuality even though such teaching contravenes the religious beliefs of the parents and their school children. Moreover, the “forced” teaching of the normalization of homosexuality may cause teachers to file lawsuits against the State DOE because their religious beliefs too will be infringed. This is far from being imaginary as shown in a recent news article from an English publication, “The Telegraph.” See the attached article.

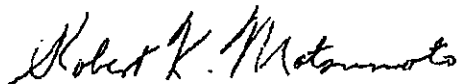
3. It will encourage persons to push for other relationships, such as polygamous marriages or relationships, because the very definition of "marriage" and "civil union" ultimately will take on a different meaning.

Consider a devout Muslim man who comes to Hawaii and want to have his recognized marriage under Sharia law to 4 wives be recognized as well with all of the attendant benefits and obligations conferred upon him. How can this Legislature not recognize his relationship with his 4 wives under the "equal protection" clause of the Hawaii State constitution?

4. There will be enormous financial and other costs to Hawaii should one or the other, or both bills are passed. See the Hawaii State Department of Health sheet which gives sobering statistics on AIDS Diagnosis in Hawaii from 1982 to 2007 wherein it was reported male to male sex accounted for 72.4% of AIDS reported cases during that period and another 7.1% of AIDS cases resulted from male to male sex and injection drug use. Without cavil, it can be assumed the medical costs associated with such risky behavior increased dramatically as well since the cost of drugs for treatment of HIV and AIDS have risen dramatically. Both bills will in effect give State sanction to such risky behavior and the medical treatment resulting there from.

Once again, I urge you to vote NO on SB 232 SD 1 and HB 1453 and not pass both bills out of committee.

Very truly yours,



Robert K. Matsumoto

The Telegraph

'Gay lessons' in maths, geography and science

Children are to be taught about homosexuality in maths, geography and science lessons as part of a Government-backed drive to "celebrate the gay community".



The lesson plans, spread across the curriculum, will be offered to all schools, which can choose whether or not to make use of them. Photo: GETTY



By Jasper Copping (<http://www.telegraph.co.uk/journalists/jasper-copping/>)

9:00PM GMT 22 Jan 2011

Lesson plans have been drawn up for pupils as young as four, in a scheme funded with a £35,000 grant from an education quango, the Training and Development Agency for Schools.

The initiative will be officially launched next month at the start of "LGBT History Month" – an initiative to encourage teaching about lesbian, gay, bisexual and transsexual issues.

The lesson plans, spread across the curriculum, will be offered to all schools, which can choose whether or not to make use of them.

But critics last night called the initiative a poor use of public money which could distract from the teaching of "core" subjects.

Among the suggestions are:

[EC spent £124k on gay activists' conference](http://www.telegraph.co.uk/news/worldnews/europe/eu/8098792/European-Commission-spent-124000-on-gay-activists-conference)

<http://www.telegraph.co.uk/news/worldnews/europe/eu/8098792/European-Commission-spent-124000-on-gay-activists-conference>

[UK overseas aid spent on coffee and dancing](http://www.telegraph.co.uk/news/newstoppers/politics/8261809/Where-our-overseas-aid-goes-salsa-in-Cambridge-cc)

<http://www.telegraph.co.uk/news/newstoppers/politics/8261809/Where-our-overseas-aid-goes-salsa-in-Cambridge-cc>

Canterbury is 'gay enough'

(<http://www.telegraph.co.uk/news/newstopics/howaboutthat/5629668/Canterbury-is-sufficiently-gay-council-inspector>)

Maths – teaching statistics through census findings about the number of homosexuals in the population, and using gay characters in scenarios for maths problems;

Design and technology – encouraging pupils to make symbols linked to the gay rights movement;

Science – studying animal species where the male takes a leading role in raising young, such as emperor penguins and sea horses, and staging class discussions on different family structures, including same-sex parents;

Geography – examining the transformation of San Francisco's Castro district in the 1960s from a working-class Irish area to the world's first "gay neighbourhood", and considering why homosexuals move from the countryside to cities;

Languages – using gay characters in role play scenarios, and teaching "LGBT vocabulary".

The lesson plans, written by teachers and backed by the Department for Education, will be available for schools to download from the Schools Out website.

For younger children, the plans will suggest using images of same sex couples and also promoting books such as "And Tango Makes Three", which is about two male penguins raising a young chick, inspired by actual events at New York's Central Park Zoo.

The Schools Out organisation, which runs the month-long event, declares on its website that the aim is to "celebrate the lives and achievements of the LGBT community" and "encourage everyone to see diversity and cultural pluralism as positive forces".

However, Craig Whittaker, Conservative MP for Calder Valley and a member of the Education Select Committee, said: "This is nonsense.

We have enough problems in our country, where we are too far down the national comparative league tables in these core subjects.

"Teachers should concentrate on teaching the core subjects, so we become the best at those again. I don't see how introducing LGBT themes into those subjects is going to help.

"This is not about being homophobic, because there are other schemes around the education system which support the LGBT agenda."

John O'Connell, from the TaxPayers' Alliance, added: "Parents will wonder if this is the right use of funds and time in those subjects, particularly when we keep hearing how tight budgets are."

Sue Sanders, from Schools Out, defended the project.

She said: "These lessons are not big tub-thumping lessons about LGBT and nothing else.

"All we are attempting to do is remind teachers that LGBT people are part of the population and you can include them in most of your lessons when you are thinking inclusively."

David Watkins, a teacher involved in the scheme, said: "We don't want teachers to start out saying 'This is a gay lesson.' We just want lessons that don't ignore that there are lesbian and gay people who suffer from issues and problems.

"When you have a maths problem, why does it have to involve a straight family or a boyfriend and girlfriend? Why not two boys or two girls?"

"It's not about teaching about gay sex, it is about images and exposing children to the idea that there are other types of people out there."

A spokesman for the TDA said the funding was secured last March and that £20,000 was to go towards the lesson plans, with the rest spent mostly on the website.

A Department for Education spokesman added: "These are optional teaching materials. Ultimately, it is for heads and teachers to choose the most appropriate teaching resources to help promote equality and tolerance."

LGBT History Month started in 2005 and has previously focused more on raising awareness of prominent figures said to be homosexual.

A list on its website includes Hadrian, the Roman emperor, Michaelangelo, the Renaissance painter, Alan Turing, the mathematician, and Will Young, the singer.



**HIV/AIDS SURVEILLANCE
SEMI-ANNUAL REPORT**
Cases to June 30, 2008

AIDS Reporting: As of June 30, 2008, 3,066 AIDS cases were reported to the Hawaii HIV/AIDS Surveillance Program, Department of Health. A total of 93 cases were reported during the past one-year period (July 1, 2007 to June 30, 2008). Of these, 78 (84%) cases were male and 15 (16%) cases were female. These cases were reported from Honolulu County (64, 69%), Hawaii County (14, 15%), Maui County (13, 14%), and Kauai County (2, 3%). Among these 93 reported cases, 37 cases were diagnosed during this period: 32 (86%) males, 5 (14%) females. The majority of these cases were diagnosed in Honolulu County (29, 78%). This semi-annual report contains AIDS demographic data for reported cases by year (page 2), by county (page 3), and by race/ethnicity (page 4).

HIV Reporting: The Hawai'i State Department of Health (DOH) has issued new reporting requirements on March 13, 2008, for healthcare providers and laboratories to include the patient's name for all cases of HIV infection. This includes individuals who were diagnosed previously in Hawai'i or elsewhere and those who are newly diagnosed. The new requirements for named HIV reporting are part of recent changes to the Hawai'i State Administrative Rules, Chapter 156, Communicable Disease Reporting. The earlier code-based HIV reporting no longer exists.

AIDS Diagnosis in Hawaii

Figure 1. Hawaii AIDS Cases for four time periods, 2000 - 2007

Figure 1 shows the number of Hawaii AIDS diagnoses (left bar) and reported cases (right bar) for four time periods from 2000 to 2007. AIDS cases are reported long after they are diagnosed. Due to reporting delay, the numbers of diagnosed and reported cases do not match for each time period. The number of AIDS diagnoses decreased from 234 in 2000-2001 period to 121 in 2006-2007 period. The increased number of reported cases in the periods from 2002-2003 to 2006-2007 is a result of active surveillance and many unreported cases were discovered during these periods. Some of these reported cases were diagnosed in 2000-2001 or earlier.

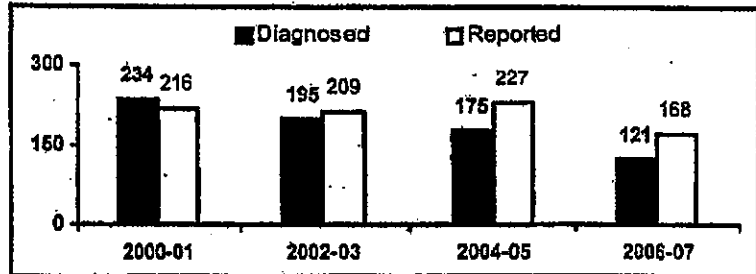


Table 1. Demographics of Hawaii AIDS Diagnosis, 2000 - 2007

Table 1 illustrates numbers of AIDS diagnoses for four time periods (from 2000-2001 to 2006-2007) by gender, risk, age, and county. From 1982 to 2007, there were 3,046 AIDS cases diagnosed in Hawaii. Males account for most of these cases (2,792, 91.7%). The proportion of female cases has increased to 15.7% in the recent period (2006-2007), compared to 13.3% in the 2000-2001 period. Men having sex with men (MSM) continues to be the primary risk for AIDS diagnosis in all four time periods. The proportion of MSM cases decreased from 64.3% in 2000-2001 to 54.5% in 2006-2007. The proportion of AIDS cases for Injection Drug Use (IDU) has increased to 18.2% in 2006-2007 from 8.7% in 2000-2001. Seventy-three percent (2,209/3,046) of Hawaii AIDS diagnosed were between 30 to 49 years of age. There were no pediatric AIDS cases for the recent two time periods (2004-2005, 2006-2007). The majority of AIDS diagnoses were in Honolulu County.

Characteristics	2000-01	2002-03	2004-05	2006-07	1982-2007	
	N = 241 (%)	N = 201 (%)	N = 134 (%)	N = 121 (%)	N = 3,046 (%)	
Gender	Male	209 86.7	174 86.6	138 89.6	102 84.3	2,792 91.7
	Female	32 13.3	27 13.4	16 10.4	19 15.7	254 8.3
Risk	MSM	155 64.3	120 59.7	94 61	66 54.5	2,205 72.4
	IDU	21 8.7	15 7.5	8 5.2	22 18.2	233 7.6
	MSM/IDU	12 5.0	14 7	12 7.8	6 5	216 7.1
	Hetero	25 10.4	16 7.5	9 5.8	4 3.3	171 5.6
	Other/Unkn.	28 11.6	37 18.4	31 20.1	23 19	221 7.3
Age	<13	1 0.4	1 0.5	0 0	0 0	17 0.6
	13-19	1 0.4	1 0.5	2 1.3	1 0.8	12 0.4
	20-29	17 7.1	18 9	13 8.4	6 5	371 12.2
	30-39	88 36.5	67 33.3	43 27.9	33 27.3	1,254 41.2
	40-49	87 36.1	68 33.8	59 38.3	47 38.8	955 31.4
	>49	47 19.5	46 22.9	37 24	34 28.1	437 14.3
County	Honolulu	161 66.8	154 76.6	108 70.1	93 76.9	2,212 72.6
	Hawaii	30 12.4	18 9	21 13.6	12 9.9	392 12.9
	Maui	38 15.8	21 10.4	19 12.3	12 9.9	311 10.2
	Kauai	12 5.0	8 4	6 3.9	4 3.3	131 4.3

Please forward any questions and comments to the HIV/AIDS Surveillance Program, 3627 Kilauea Avenue, Suite 306, Honolulu, HI 96816, Phone: (808) 733-9010, Fax: (808) 733-9015. This report is available at this website:

http://www.hawaii.gov/health/healthy-lifestyles/std-aids/about-us/prg-aids/aids_rep/index.html

JUDtestimony

From: Kent West [eggsactlyinhawaii@yahoo.com]
Sent: Monday, February 07, 2011 10:00 AM
To: JUDtestimony
Subject: Testimony in Support of SB232
Attachments: In Support of SB232.doc

Aloha Blessings

It would be my great pleasure to be afforded an opportunity to testify in person on SB232, of which I am a strong supporter.

I look forward to hearing back from you.

Kent West
46034 Puulena St., #723
Kaneohe, HI 96744
808-772-0283
<http://www.eggsactlyinhawaii.com>

the Meaning of ALOHA

A-Akahai, meaning kindness to be expressed with tenderness
L-Lôkahi, meaning unity, to be expressed with harmony
O-`Olu`olu, meaning agreeable, to be expressed with pleasantness
H-Ha`aha`a, meaning humility, to be expressed with modesty
A-Ahonui, meaning patience, to be expressed with perseverance

In Support of SB232

Aloha. My name is H. Kent West. First I wish to say Mahalo nui loa to the committee for it's consideration of SB232, of which I stand as a strong supporter.

My partner and I have been together for 20 years, both of us born and raised in America. We have been selfless contributors to a plethora of organizations throughout the communities that we have resided in. We have been contributors to our state and federal government through the taxes we have paid, since we both started working at the age of 15.

We were both raised in a religious/spiritual environment with a strong emphasis on practicing the many values and lessons we were taught for example; Love one another; Do to others as you would have done to you; Love your neighbor as yourself. As a result of this we have always prided ourselves, and continue to do so, on maintaining a strong foundation of being loving, compassionate, caring and accepting of all that cross our path.

We are deeply saddened that as native born Americans, values and foundations laid out by our forefathers that are guaranteed to us as native born Americans in the Constitution, are not being practiced.

The lack of Civil Unions, or legal protections and benefits, impacts us directly and tremendously, because we are not extended access to the same legal protections and benefits that traditionally married couples are given access to once they are married. This gives way to our society categorizing individuals into 'classes', of which I was taught was not a quality or reflection of being a true American.

Civil Unions will NOT change or force any religious institution to alter their practices when it comes to marriage. Communities of faith will always be free to define marriage according to their specific traditions.

Simply, we do not wish to either change or diminish traditional marriage. We simply wish to be recognized for 'committing to a loving relationship', as traditionally married couples do, and in doing so be given access to those privileges and benefits that traditionally married couples are extended once that commitment is made.

I remain in infinite gratitude to you in standing with me in support of SB232, and I thank you in advance for making the right decision to approve Civil Unions.

Blessings

H. Kent West
46034 Puulena St., #723
Kane'ohe, HI 96744
808-772-0283

JUDtestimony

From: Sharon Toyomura [masae626b@yahoo.com]
Sent: Monday, February 07, 2011 10:17 AM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

98-458 Hoomailani Street
Pearl City, HI 96782

February 7, 2011

Judiciary Committee
Hawaii State Legislature
Hawaii State Capitol
Honolulu, HI 96813

Dear Members of the Judiciary Committee:

Please oppose SB 232 SD1 regarding civil unions. This bill is yet another attempt to force same-sex marriage on the people of Hawaii. It states that a member of a civil union may be referred to as "spouse". According to Webster's NewWorld Dictionary, a "spouse" is a "husband or wife." This bill is clearly redefining marriage to include couples of the same sex. Hawaii voters have amended the State Constitution to define marriage as between one man and one woman. If the definition of marriage is to be changed, it should be up to the people of Hawaii as a whole to change it.

Thank you very much.

Sincerely,

Sharon Toyomura

JUDtestimony

From: Abe Evan [aecc17@ymail.com]
Sent: Monday, February 07, 2011 11:23 AM
To: JUDtestimony
Subject: Oppose SB 232 SD 1 and HB 1453

Aloha Representatives,

Thank you for all the hard work you do in setting our laws. Please vote "No" on SB 232 SD1 relating to civil unions and HB 1453. As we have seen in France the legalization of civil unions have led to an increase in "divorce" rates. The "watering down" of marriage has led to an "easy-out", an increase in unstable "commitments", and an attack on the family unit. Our state needs laws that promote stability, not laws that promote the easier break-down of families.

Thank you for your consideration.

Sincerely,

A. Evan
768-3146

JUDtestimony

From: Renae Hamilton [hamiltonrenae@gmail.com]
Sent: Monday, February 07, 2011 11:37 AM
To: JUDtestimony
Subject: Strong support for SB232 SD1

Honorable Judiciary Committee,

I wish to commend all of you on the prompt hearing of this bill, another day that discrimination is allowed in this state is one day too long. I strongly support SB232 and ask that you support this bill thru committee and to also support it when it comes to the House full vote. This bill helps bring our great state back to it's long tradition of equality and non-discrimination. All families in Hawaii deserve their full civil rights, the peace of mind that security for your family brings is truly priceless. Please have the courage to support this bill and be part of history in the making. Aloha, Renae Hamilton

JUDtestimony

From: Jonipher Kwong [jonipherkwong@gmail.com]
Sent: Monday, February 07, 2011 12:40 PM
To: JUDtestimony
Cc: Ken Plonsky
Subject: In SUPPORT of SB 232

Dear Members of the House Judiciary Committee:

Mahalo for hearing this senate bill that would grant Civil Unions to same-sex couples. As a person of faith, I am in favor of this piece of legislation that would grant the basic rights and responsibilities to committed couples regardless of which gender they happen to have fallen in love with. This bill would ensure religious freedom because it places the kuliana of providing benefits on the State of Hawai'i and does not force religious institutions to marry people against their church's teachings or dogma. I am ordained with two denominations (Metropolitan Community Church and the Unitarian Universalists) who have courageously been blessing same-sex unions since the 1960s. While it is our hope that other denominations will catch up (and more and more are doing so), we also realize there are some who will continue to struggle with this issue for decades to come.

Our hope, however, lies with our keiki, who realize that love knows no bounds -- not along racial lines, not along gender lines. It is a miracle to even find someone to connect with and love for the rest of your life. The government has no role dictating who that special someone ought to be. We applaud the senate for taking a bold step forward in passing this bill and trust that the House will do the same.

Aloha,
Rev. Dr. Jonipher Kwong
Aina Haina, HI

JUDtestimony

From: HOLLY ALGOOD [hollyalgood@sbcglobal.net]
Sent: Monday, February 07, 2011 12:43 PM
To: JUDtestimony
Cc: Eila Algood; Holly Algood
Subject: Testimony for Committee on Judiciary, Tuesday, February 8, 2011, 2:15pm

Dear Committee on Judiciary,

Please consider this testimony as you make decisions for measures HB1244, HB1453, and SB232, SD1, (SSCRR2). We want you to make laws that afford same gender married couples the same rights and recognition as different gender married couples.

My wife and I live in Hawai on the Big Island of Hawai'i. When we moved here several years ago we were very thrilled to live here in Hawai'i, a state filled with beauty, wonder and special people. Prior to living here we resided on Salt Spring Island, Canada and Madison, Connecticut.

One unfortunate surprise in living here is the discrimination we feel that is inherent in the state systems against same gender married couples. Our marriage was not recognized in the purchase of the land we bought here. Our marriage was not recognized by any Hawaii health insurer. In fact for the first time in our married lives we do not and can not share a health insurance policy. When we purchased our land in Hawaii, we were told there was some sort of beneficiary benefits for same gender couples that might apply to us but neither the mortgage company or any lawyer we spoke with understood the details of what that meant.

We were married in Canada in 2005 and our marriage was legal in Connecticut more recently. We want Hawaii to recognize our relationship. Our son attends the University of Hawaii at Manoa and asks why doesn't Hawaii afford us the same rights and recognition as different gender married couples.

My wife and I own a small business. We pay taxes, own property here and we are very committed to community service. Please give us and others like us the same respect and rights as other married citizens of this great state.

Sincerely,
Holly & Eila Algood
808.557.0354
PO BOX 1509
KAPAAU, HI 96755

JUDtestimony

From: Mark Levin [levin@hawaii.edu]
Sent: Monday, February 07, 2011 12:54 PM
To: JUDtestimony
Subject: House Judiciary Committee, scheduled for Tuesday, February 8, 2011, 2:15p.m., Concurrent hearings on HB 1244; HB 1453 and SB 232

TO: House Judiciary Chair, Gilbert S.C. Keith-Agaran
RE: House Judiciary Committee, scheduled for Tuesday, February 8, 2011, 2:15p.m.

Testimony of Professor Mark A. Levin in strong support of SB232, Relating to Civil Unions

Hawai'i State Legislature, House Judiciary Committee, February 8, 2011
Chair Keith-Agaran, Vice Chair Rhoads, and members of the Judiciary Committee:

Thank you for scheduling today's hearing.

I am one of two faculty advisers for the Lambda Law Student Organization at the William S. Richardson School of Law, a student organization which brings together students of diverse sexual orientation in a shared mission of fostering communication regarding issues relating to persons of diverse sexual orientation and bringing greater awareness to the Law School community concerning these issues. I am writing in strong support of SB232.

As a law professor, I am especially sensitive to the burdens of inequality in our society imposed upon my students. As we teach the compelling value of equality in the classroom, it is tragically ironic that many of the future lawyers in our school can not themselves enjoy equal treatment under the law of our state.

As my students have explained to me, same-sex couples in our current regime of "reciprocal beneficiary relationships" suffer from disparate treatment under approximately 500 Hawai'i statutes. This is surely unfair, unnecessary, and unwise. Unequal treatment continues to be an affront to notions of fairness, inclusion, and personal dignity that are important to our collective sense of community.

This is not a matter only for the benefit of the gay and lesbian community. As Dr. King said so eloquently in his Letter from Birmingham Jail: "Injustice anywhere is a threat to justice everywhere."

Aloha and thank you for your consideration.

Mark A. Levin

(For identification purposes only)
Associate Professor and Faculty Adviser, Lambda Law Student Organization
The William S. Richardson School of Law
The University of Hawai'i at Mānoa
2515 Dole St., Honolulu, HI 96822

Opinions presented here are personal views and not the official views of the University of Hawai'i or any other organization or entity.



Mark Levin

Associate Professor of Law

P (808) 956-3302 | **F** (808) 956-5569 | **E** levin@hawaii.edu | **SSRN:** <http://ssrn.com/author=624452>

University of Hawai'i at Mānoa · William S. Richardson School of Law · 2515 Dole Street, Room 245 · Honolulu, HI 96822-2328

JUDtestimony

From: LCicotello@Gmail.com
Sent: Monday, February 07, 2011 12:49 PM
To: JUDtestimony
Subject: Testimony in SUPPORT of SB232 HD1 and/or HB1453
Attachments: Senate Bill 232HD1 Testimony.docx; ATT00001..txt

Testimony in SUPPORT of SB232 HD1 and/or HB1453

Hearing: 2:15 p.m., Tuesday, Feb. 8, 2011, Conference Room 016

Dear Rep. Keith-Agaran, Rep. Rhoads, Rep. Brower, Rep. Cabanilla, Rep. Carroll, Rep. Herkes, Rep. Ito, Rep. Luke, Rep. McKelvey, Rep. Morita, Rep. Oshiro, Rep. Souki, Rep. Tsuji, Rep. Fontaine, Rep. Marumoto and Rep. Thielen:

Aloha. Mahalo for this opportunity to testify before you this afternoon. My name is Laurie Cicotello and I live in Moili‘ili. I come before you today in support of Senate Bill 232 HD 1 and/or House Bill 1453 regarding the legalization of Civil Unions. I represent COLAGE, Children of Lesbians and Gays Everywhere. Founded more than 20 years ago, COLAGE envisions a world in which all families are valued, protected, reflected and embraced by society and all of its institutions.

I strongly believe all unions between two consenting adults should be treated equally under the law and as protected by the United States Constitution. Senate Bill 232 HD1 and/or HB 1453 would provide the same rights, benefits, protections and responsibilities to partners in civil unions as to

those people in traditional marriages. In addition, children of same-sex couples are currently without the same family protections and benefits provided to children of opposite-sex couples. All families and their children will benefit from the passage of Senate Bill 232 HD1 and/or House Bill 1453.

My parents proudly celebrated their 42nd anniversary on February 1, 2011 – in a legal, now same-sex marriage. In 1969, at Sacred Hearts Catholic Church in Milwaukee, my folks committed in front of God, their family and friends to “Let No One Rend Asunder” their wedding vows. More than 25 years ago, my parent, Dainna, completed the transition from male to female. She and my mom, Mary, decided to stay together and remain married during this intensely personal and emotional change. They are the first couple in the United States to remain legally married following Dainna’s transition.

Over the years, various people from all walks of life have had no problem telling me they feel my parent’s marriage is null and void. I have been told that children are “better off raised in traditional families,” whatever that means. Children like me also hear that as the product of nontraditional families, we will turn into a deviant scourges on society. Yet, I stand before

you today as a moral, healthy, well-adjusted adult who has a great deal more compassion for all family structures. I have a highly successful career as a journalist and educator—and even served as a communications specialist in Governor Linda Lingle’s executive office.

In 1996, Colorado overturned State Amendment 2 after the United States Supreme Court ruled 6-3 in *Romer v. Evans* that “an identifiable group of people could not be walled off from the legal system.” Because marriage—and now civil unions—are first and foremost legal contracts and agreements, the proof of which is that while many, but not all, weddings take place in churches, ALL divorces must take place in a courtroom. Thus, not allowing a certain identifiable group of people to enter into a legal contract effectively walls them off from the legal system.

There is also no way to define the terms, “male,” “female,” “man,” or “woman,” legally or otherwise and no criteria to write those definitions. We are more alike than we are different on every consideration. For example, the International Olympic Committee stopped chromosomal testing in 1994 after finding too many athletes were not exclusively XX or XY.

In addition to supporting the legalization of civil unions, I also kindly ask that Hawai‘i honor the “Full Faith and Credit” afforded under the United States Constitution regarding marriages, civil unions, domestic partnerships or similar legal recognitions between two consenting adults.

I join my parents and countless other ‘ohana across the country in fighting for equality and justice within the law. As my parents travel the country, we are never sure which states will still recognize their marriage and their commitment to “Let No One Rend Asunder” their vows.

Mahalo nui loa for your consideration and support of Senate Bill 232 HD1 and House Bill 1453 recognizing Same-Sex Civil Unions. Thank you for your consideration and support of my family and all families like mine.

Imua Hawai‘i!

Laurie Cicotello

2740 Kuilei St.

#2404

Honolulu HI 96826

COMMITTEE ON JUDICIARY
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

Senate Bill 232 SD1
Tuesday, February 8, 2011, 2:15pm

****Testimony in SUPPORT of Senate Bill 232 SD1****

February 7, 2011

I am writing to express my support for Civil Unions and urge the House of Representatives' Committee on Judiciary to extend equal rights to *all* of Hawaii's residents by passing SB232 SD1.

Thank you for your time and consideration on this important issue.

Sincerely,
Dana L. Abdinoor
902 Prospect Street
Honolulu, Hawaii
96822

JUDtestimony

From: pgozemba [pgozemba@gmail.com]
Sent: Monday, February 07, 2011 1:29 PM
To: JUDtestimony
Subject: Support SB232, HB1244,HB1453,SB231
Attachments: HI Leg.MA.Exrperience 2. 6. 11.docx

Attached and pasted in.

Civil Unions in Hawai'i

Understanding the Massachusetts Experience

To: Members of the House and Senate, Hawai'i State Legislature, considering civil unions legislation (SB 232, SB 231, HB 1244, and HB 1453)

From: Patricia A. Gozemba, co-author of *Courting Equality: A Documentary History of America's First Legal Same-Sex Marriages* (Beacon Press, 2007)

Re: **FIVE TRUTHS BASED ON THE MASSACHUSETTS EXPERIENCE**

Getting Beyond the Mistruths in "The Effects of Same-Sex Marriage in Massachusetts" (2008) by Brian Camenker of MassResistance

Date: February 7, 2011

I have the utmost respect and appreciation for the manner in which Senator Clayton Hee conducted the Senate Judiciary Hearing on SB 232 on January 25, 2011. Throughout the hearing, however, one senator on the Judiciary Committee and several members of the public quoted, without citing, "The Effects of Same-Sex Marriage in Massachusetts" (2008).

I am a part-time resident of Hawai'i and permanent resident of Massachusetts, as well as a researcher and writer on issues of concern to our LGBT community. I know first-hand the distortion of reality by Brian Camenker in relation to the book, *Courting Equality* that my spouse, Karen Kahn and I co-authored.

His Massachusetts-based group Mass Resistance has been cited for the past four years as an Anti-Gay Hate Group by the Southern Poverty Law Center, a watchdog of hate groups in the US.

In Massachusetts, Brian Camenker's work is generally regarded as not worth addressing seriously because it is so fraught with purposeful distortions. But given its emergence again in Hawai'i at this critical moment of the consideration of several bills addressing civil unions, I want to give you a sense of the egregiousness of some of Camenker's misinformation. To that end, I highlight just five truths that are lost in the many deliberate "mistruths" of Camenker's "The Effects of Same-Sex Marriage in Massachusetts."

Karen and I were married in MA in 2005. Like the nearly 19,000 married same-sex couples in our state, we are grateful to have been able to marry and to enjoy the same rights, benefits, and family protections as all other citizens of the Commonwealth. We wish the same for other LGBT couples in Hawai'i.

As you consider Civil Unions Legislation in Hawai'i, you may find this helpful.

Five Truths based on the Massachusetts Experience

1. It will NOT force any school or any teacher to teach about marriage or homosexuality
2. Books about the struggle for same sex marriage were NOT distributed at taxpayer expense to schools
3. Rates of HIV/AIDS have dropped since same-sex marriage became legal.
4. Domestic violence occurs among people in same-sex relationships at similar rates to people in heterosexual relationships.
5. The legalization of same-sex marriage has had NO EFFECT on the level of funding for programs to combat homophobia and provide respite and support for youth who may or may not be gay, but who may be subject to bullying

TRUTH #1:

The First Circuit's ruling in the *Parker v. Hurley* case DID NOT mandate the teaching of any subject or course material, nor did it say that the school had any duty to teach about marriage or any other subject. Rather, in response to the claims by Robert and Robin Wirthlin and David and Tonia Parker of Lexington, MA that their free exercise rights had been violated, the Court found that "the mere fact that a child is exposed on occasion in public school to a concept offensive to a parent's religious belief does not inhibit the parent from instructing the child differently." Overall, the decision found that including a few books with depictions of same-sex couples in the curriculum did not violate the constitutional rights of students or parents - NOT that those books must be included or taught. (Source: Nima Eshgisi, Esq. of Gay, Lesbian, Advocates and Defenders).

Brian Camenker's assertions to the contrary do not make them true.

TRUTH # 2:

Courting Equality tells the story of how LGBT people and their allies across the state used the democratic political process to expand civil rights for LGBT people. The donors thought this book would inspire teenagers to become active participants in democracy. They "offered" the book as a gift, and no high school GSA or library was forced to accept it.

Locally, Dawn Morais Webster wrote about *Courting Equality* in "Seeing Is Believing for LGBT Family and Friends," *Honolulu Star-Advertiser*, Jan. 31, 2011.

Camenker's statement that "homosexual groups have been using taxpayer money to distribute a large, slick hardcover book celebrating homosexual marriage titled "Courting Equality" to every school library in the state" is a lie. He demonstrated as much when he reported on Sept. 27, 2007, to his own listserv that Chip McLaughlin and Keith Maynard donated private funds to PFLAG (Parents and Friends of Lesbians and Gays) for distribution of *Courting Equality* (Beacon Press, 2007), to Gay/Straight Alliances (GSA) in MA public high schools and to the libraries of high schools that do not have GSAs.

TRUTH # 3

Rates of HIV/AIDS have NOT gone up since same-sex marriage became legal.

In fact, the number of new HIV cases has dropped by more than 25 percent over the past six years, the decrease accelerating since the implementation of same-sex marriage. Additional funding was available at the beginning of FY09 to address the disparate impact of HIV/AIDS in communities of color. However, since then, given current budget crises, funding for HIV/AIDS has declined by \$1.75M. (Source: Kevin Cranston, Director, Bureau of Infectious Disease, Massachusetts Department of Public Health).

Again, Camenker lies when he says that “Since homosexual marriage became ‘legal’ the **rates of HIV / AIDS have gone up considerably in Massachusetts**. This year public funding to deal with HIV/AIDS has risen by \$500,000.”

TRUTH # 4

Domestic violence occurs among people in same-sex relationships at similar rates to people in heterosexual relationships. However, many domestic violence programs are unable to work effectively with same-sex victims of domestic violence because they lack adequate training—thus, the state’s interest in providing funding. The legalizing of same-sex marriage has had no detectable effect on rates of same-sex domestic violence. (Source: Carlene Pavlos, Director, Division of Violence and Injury Prevention, Massachusetts Department of Public Health.)

Camenker offers this lie on the subject: “Given the extreme dysfunctional nature of homosexual relationships, the Massachusetts Legislature has felt the need to **spend more money every year to deal with skyrocketing homosexual domestic violence**. This year \$350,000 was budgeted, up \$100,000 from last year.”

TRUTH # 5

The legalization of same-sex marriage has had NO EFFECT on the level of funding for efforts to combat homophobia by supporting programs such as Gay-Straight Alliances and Safe Spaces for LGBT Youth. These programs, which began in the early 1990s long before same-sex marriage became legal, provide respite and support for youth who may or may not be gay, but who may be subject to slurs and hate speech from their peers or sometimes hateful adults.

Camenker, however, asserts: “Since homosexual relationships are now officially ‘normal,’ **the Legislature now gives enormous tax money to homosexual activist groups**. “ Not true.

Additional General Information about Anti-Gay Hate Groups and Their Message

The hateful portrayal of LGBT people promoted by Brian Camenker through his organization Mass Resistance.org has been rebutted by LGBT organizations and mainstream, predominantly heterosexual, organizations ranging from the NAACP to the ACLU.

In their *Intelligence Report* (Winter 2010), the Southern Poverty Law Center published an article by Evelyn Schlatter and Robert Steinback, “10 Anti-Gay Myths Debunked,” which lays bare the specious arguments promoted by anti-gay hate groups including Mass Resistance. Hateful messages hurt us all. Let’s speak truth to hate.

Sources

Southern Poverty Law Center <http://www.splcenter.org/intel/map/type.jsp?DT=26>

Brian Camenker http://www.massresistance.org/docs/marriage/effects_of_ssm.html

Gay Lesbian Advocates and Defenders www.GLAD.org

Dawn MoraisWebster

[http://www.staradvertiser.com/editorials/20110131 Seeing is believing for LGBT family and friends.html](http://www.staradvertiser.com/editorials/20110131_Seeing_is_believing_for_LGBT_family_and_friends.html)

Commonwealth of Massachusetts <http://www.mass.gov/cgly/>

“10 Anti-Gay Myths Debunked” <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2010/winter/10-myths>

Patricia A. Gozemba
4188-1 Keanu Street
Honolulu, HI 96816
pgozemba@gmail.com
www.courtingequality.com
978.744.9141

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Honolulu, HI 96816
pgozemba@gmail.com
978.744.9141

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:55 AM
To: JUDtestimony
Cc: tallguycpo94@earthlink.net
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Letter to OPPOSE SB232 (2).doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Lanson Hoopai
Organization: Individual
Address: 99-040 Kealakaha Dr. Aiea, HI
Phone: 8083474268
E-mail: tallguycpo94@earthlink.net
Submitted on: 2/7/2011

Comments:

To the Members of the Judiciary

February 8, 2011

Auditorium

January 8, 2011

2:15 PM

Honorable Chair Keith-Agaran, Vice-Chair Rhoads, and Members of the Committee,

A vote for civil unions is a vote for same sex marriage. Same sex marriage **does** affect Traditional Marriage. It affects our businesses, our religious institutions and it affects my generation.

Homosexual advocates admit that this bill is not about equality and/or civil rights. Opponents of this bill also know that SB232 is not about equality and/or civil rights. This bill, if passed, would take away my parent's rights, our religious rights and many of the freedoms that we enjoy such as freedom of speech and freedom of religion.

In November 2009, the SMS Survey reported that 69% of Hawaii's people still support Traditional Marriage between one man and one woman. These are the people that you took an oath to represent. Regardless of your party affiliation, you are supposed to represent the people of Hawaii.

Please vote NO on SB232 and represent every person who lives in Hawaii, not just the less than 2% homosexual population who want special rights.

Sincerely,
Lanson Hoopai

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:19 AM
To: JUDtestimony
Cc: littlesis.kitcat@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: TO THE SENATE COMMITTEE ON CIVIL RIGHTS.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Crystal Tanaka
Organization: Individual
Address:
Phone:
E-mail: littlesis.kitcat@gmail.com
Submitted on: 2/7/2011

Comments:

TO THE SENATE COMMITTEE ON CIVIL RIGHTS

TWENTY-SIXTH LEGISLATURES

Regular Session of 2011

Tuesday, February 6, 2011

2:15 p.m.

TESTIMONY ON SENATE BILL 232 RELATING TO CIVIL UNIONS

TO THE HONORABLE REPRESENTATIVE GILBERT S.C. KEITH-AGARAN, CHAIR AND MEMBERS OF THE COMMITTEE:

My name is Crystal Tanaka, a high school freshman. I am in opposition of Senate Bill 232 which allows homosexuals the same benefits as a traditional couple.

If this bill were passed, the children of Hawaii would be taught in schools that this union between a man and man or a woman and a woman is morally acceptable. This is not correct and would be a lie to children. Not only this, but we would be going against our own state motto, "The Life of the Land is Perpetuated in Righteousness." A union between people of the same gender is not righteous, therefore, how can we claim the life of our land is perpetuated in righteousness?

If the topic of homosexuals were to be addressed in the school system, I ask that it not be taught as normal behavior. As again, this would be lying to the children of Hawaii. Please consider the children of our State before making a decision to pass this bill.

Thank you for your service to our state. I continue to pray for righteousness in our state.

Sincerely,

Crystal Tanaka

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:23 AM
To: JUDtestimony
Cc: mghsmart@yahoo.com
Subject: Testimony for HB1453 on 2/8/2011 2:15:00 PM
Attachments: HB1453 civil marriage submit.doc

Testimony for JUD 2/8/2011 2:15:00 PM HB1453

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Mary Smart
Organization: Individual
Address: 94-210 Kakaili Pl Mililani, HI
Phone: 627-1220
E-mail: mghsmart@yahoo.com
Submitted on: 2/7/2011

Comments:

Attention: House Judiciary Committee

Hearing: Tuesday, February 08, 2011 2:15 PM

Conference Room: Capitol Auditorium

Subject: OPPOSE HB 1453

Submitted by: Mary Smart, Mililani, HI

Chairman Keith-Agaran, Vice Chair Rhoads and Members:

1. I request you **OPPOSE HB 1453 Relating to Legal Relationships:**

- a. It would be derelict of duty for a Hawaii legislator to believe that the intent of a civil union bill was not to impose same-sex marriage on Hawaii's citizens and business. HB 1453 blurs the line between civil union and marriage. Both Proponents and Opponents believe civil unions will result in same-sex marriage.
- b. This bill is not needed. Every annotation equates civil unions to marriage. Reciprocal Beneficiary statutes can be amended to contain all the rights that are appropriate for unions that are not marriage.
- c. There is no rationale provided how civil unions can benefit the citizens or the State. Everywhere civil unions are implemented, traditional marriage is diminished. If a new category of relationship is needed, it is Covenant Marriage. Three states have passed legislation to reinforce the position that marriage is for life.
- d. Civil unions have been rejected by Hawaii's voters. If the legislature believes the public has changed their mind, it should be voted on as a Constitutional amendment.
- e. This new category of relationships adds more bureaucracy and expense to government. There are over 400 pages in HB 1453, mostly to equate civil union relationships to marriage. The civil union dissolution process is invasive and complex, essentially establishing a jobs program for lawyers.
- f. The bill replaced "mother and father" with "parents." The best family structure is comprised of a mother and father. References to mother and father should be retained. Every other family structure is suboptimal.

2. Recommend a vote to **OPPOSE HB1453.**

JUDtestimony

From: Kalua, Lorena [Lorena.Kalua@dfs.com]
Sent: Monday, February 07, 2011 11:25 AM
To: JUDtestimony
Subject: Testimony
Attachments: Testimony.pdf

Please find attached Testimony from Sharon Weiner.

<<Testimony.pdf>>

February 7, 2011

Hawaii State Capitol
House of Representatives
Email: JUDtestimony@capitol.hawaii.gov

House Hearings February 8, 2011, 2:15 p.m.
Relating to bills: SB 232; HB1244 and HB 1453

Testimony by Sharon R. Weiner

My name is Sharon Weiner and I have been a resident of Hawaii since 1973. I have been fortunate to have played leadership roles in various non-profit organizations and in the business community.

No issue is more important to Hawaii than providing the relationship rights and privileges afforded by creating Civil Unions.

Please support SB 232, HB 1244, HB 1453 and any other legislation which relates to Civil Unions. It's time we treat all people in Hawaii fairly and respectfully.



JUDtestimony

From: ELLEN CARSON [ECARSON@ahfi.com]
Sent: Monday, February 07, 2011 12:13 PM
To: JUDtestimony
Subject: Testimony on SB 232, support for Civil Unions bill
Attachments: hppscan6.pdf

aloha.

I provide the attached testimony in support of SB 232. Thank you.

JUDtestimony

From: stephkonnnect@yahoo.com
Sent: Monday, February 07, 2011 11:55 AM
To: JUDtestimony
Cc: repkeitharagan@capitol.hawaii.gov
Subject: Fw: STRONGLY OPPOSE SD 232 (SD1) Civil Unions
Attachments: SB 232 SD1.House 020811.docx

Sorry - resubmitting with corrected JUD email and testimonial attachment. SKon

----- Forwarded Message -----

From: "stephkonnnect@yahoo.com" <stephkonnnect@yahoo.com>
To: JUDestimony@capitol.hawaii.gov
Cc: repkeitharagan@capitol.hawaii.gov
Sent: Mon, February 7, 2011 11:51:45 AM
Subject: STRONGLY OPPOSE SD 232 (SD1) Civil Unions

Aloha Chair Keith-Aragan,

Enclosed is my submitted testimony for tomorrow's Judiciary Committee's hearing on SB 232 (SD1).

I oppose this bill as is, with three main points - to make time and process for this bill, to amend the wording and bill appropriately into the reciprocal benefits law, or to put it on the voter's ballot. This bill is anti-marriages and anti-families anywhere in the world; in this particular case, it is wrong for Hawai'i. I provide three reasons why your committee must take bold action on this bill, I hope that it will.

I have opposed this bill in the past, and I am purposely participating this session because I think many opposers are restrained by apathy and disdain for the fast-tracking of this bill and a disregard in representing their voice in this Legislative session due to coercion either by misappropriated "civil rights" strategy and/or heavy financial lobbying by Pro-Gay activists.

I strongly support the maintenance of traditional marriage and family values. I believe my testimony accounts for at least 1,000 and more opposers who feel their voice is being unheard on civil unions. Thank you,

Stephanie Kon
Resident of Kalihi/Honolulu

February 7, 2011

2011 State Legislative Testimony

RE: Relating to Civil Unions

Dear House Judiciary Committee Members:

My name is Stephanie Kon. I am a resident of Honolulu and a registered voter in the State of Hawai'i.

I oppose this bill that strives to establish lawful civil unions in Hawai'i based on it's current language and requirements that are too similar to our existing marriage law, and because there already exists a reciprocal benefits law that is the most appropriate law to amend, if any, to address the intentions of this bill. *I submit three points for your deliberations – to conduct due process, to amend the bill or put it on the voter's ballot - as follows:*

1. As is, SB 232 is suspect of intending to change, amend or alter our existing marriage law in Hawai'i and to provide a precedence/foundation for legislating "same-sex marriage" in Hawai'i. It contains the same language as in our State's marriage law, HRS Chapter 572. It is proposed as an added chapter to the marriage law. It does NOT propose to utilize or amend the current reciprocal (Equal) benefits law that would prevent any such threats as stated, in that, it would not be joined to the marriage law in any way and would maintain an "equal" status that supporters are demanding for Hawai'i. Amend this bill appropriately in order to continue to support traditional marriage and family values in Hawai'i.
2. This bill is being fast-tracked for passing in this Legislative session, which is suspect of undue process. Legislators and the media have reported that this bill will be moved through quickly "in order to move on with more important issues." Yes, the issue has been talked about for years, and last year's session conducted a very thorough process ... that is, until the LAST DAY of the session, at which time the bill was brought to the floor for a vote and passed. The Civil Unions bill mains a major, controversial issue and one that appears to be sneakily or quickly processed. It should be taken seriously and not considered a "lesser" bill, and certainly not coerced through in fear it may stall. All bills share the same risk of being passed or not.
3. Protect public trust and make a stand, put this issue on the ballot to ensure the "majority" of Hawai'i residents have spoken. If time cannot be given to this bill, don't settle for a "coerced" or "minority" vote in the Legislature, or by the Governor. Lawmakers are largely responsible for Legislative and public apathy and distrust. People are feeling "sick and tired" of the bill and turned off that their representatives appear motivated by misused "civil rights" strategy and by big-money Pro-Gay lobbyists in Washington and in Hawai'i. People also know that the majority of lawmakers and residents SUPPORT traditional marriage and family values, so the "yes" votes don't add up. The Legislature is saying it speaks for the people, but it has demonstrated otherwise last year, and again, at the beginning of this session.

To reiterate, make the proper time and process for this bill, amend the wording and bill appropriately into the reciprocal benefits law, OR put this contentious, far impacting bill on the voter's ballot to ensure that the people of Hawai'i speak to this issue at this present time.

I believe my testimony accounts for at least 1,000 and more opposers who feel their voice is being unheard on civil unions. Mahalo for receiving my written testimony.

Stephanie Kon
3019 Ukiuki Place
Honolulu, Hawaii 96819

JUDtestimony

From: Fabian Africano [afriano001@hawaii.rr.com]
Sent: Monday, February 07, 2011 11:27 AM
To: JUDtestimony
Subject: Testimony Submittal Please Oppose SB 232 & HB 1453
Attachments: SB232 Testimony.odt

Greetings Honorable Chair Gilbert S.C. Keith-Agaran, Vice Chair Karl Rhoads and Members of the Committee:

Attached is my testimony regarding SB 232 SD1 and HB 1453. Thank you for taking the time to review it.

Best regards,

Charity Africano

TO THE LEGISLATIVE COMMITTEE

Testimony on SB 232 SD1 and HB 1453– Relating to Civil Unions
Hearing Date: February 8, 2011 2:15pm Auditorium

Dear Honorable Chair Gilbert Keith S.C. – Agaran, Vice Chair Karl Rhoads and Members of the Committee:

My name is Charity Africano. I am a 14 y/o student and I am testifying in opposition to SB 232 and HB 1453 relating to Civil Unions.

I believe that passing this bill will cause more problems and tension in our state. Similar bills passed in other states have already done so. The majority of Hawaii's people have already voted against what this bill proposes. Since the people were given the power to decide this matter in our state, then the legislature should honor their decision. If the legislature continues to vote against the will of the people then this is not a true democracy.

First, the problem with this bill will raise serious health concerns. Although many in the gay community deny this, it is well known in the USA that AIDS and other sexually transmitted diseases (STDs) are much higher in homosexuals compared to heterosexuals. It is a scientific and medical fact that homosexuality is a “learned” behavior. It is not genetic. Homosexuals can have from 1 to 1,000 partners in their lifetime. In spite of warnings from the medical field, they continue with their behavior. This explains their higher rates of AIDS and STDs. Homosexuals make up less than 5% of America's population yet about 50% of the AIDS cases are found in the gay population. With such a small percentage of gays, they have higher percentages of STDs, rare cancers, mental illnesses, domestic abuse cases and substance addictions. What does this tell us? This tells us that a homosexual lifestyle is not only unnatural, it is unhealthy and dangerous. Although homosexuals will continue in this lifestyle whether it's legal or not, I don't believe that the government should put a stamp of approval on it by allowing civil unions. The passing of this bill encourages people to think that it's okay to engage in this dangerous lifestyle. This is not responsible government. As far as I know, the government is suppose to protect the people. These diseases are on the rise in our country, but little is told about it in the media. In fact, the number of people with STDs have risen in Massachusetts where civil unions is allowed. We must listen to the scientific and medical studies that are warning us of the result of a homosexual lifestyle. Please do not put our islands at risk.

Secondly, this bill will also lead to the encouragement of lawsuits. The gay community will sue others if they don't believe the same way. People will be sued for standing up for what they believe. Now our freedom of speech and religion will be threatened. Lawsuits devastate businesses. This is not good for our economy. Why should you allow Hawaii to go through this?

Finally, this bill will eventually affect our public school system. In Massachusetts, public schools are teaching that homosexuality is normal. The school has to accommodate to the demands of the gay community to believe that this way of life is acceptable. Curriculum needs to be added and/or changed. Children whose parents have religious convictions about homosexuality are being taught contrary to their parent's values. This is happening right now. Will you allow this to happen to Hawaii's families? If this bill is passed you will set us in this path.

These are only a few problems that are happening now in other states where similar laws have passed. We should learn from their mistakes and prevent it from happening to us.

Hawaii voters said we should keep marriage traditional and strictly for one man and one woman. This is natural and healthy. The family unit consists of man and woman as the basic foundation for human life. When you go against what is natural, you will always have problems. The strength of the family is the foundation of our society. This bill will only hurt our state if it is passed and will only plunge it into further problems. Please do not pass these bills.

Thank you for allowing me to present my testimony and I ask that SB 232 and HB 1453 be stopped.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 8:43 AM
To: JUDtestimony
Cc: monica.adams@me.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SUPPORTSB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Monica Adams
Organization: Individual
Address: 17-977 Konomanu Road Kurtistown, HI 96760
Phone: 808-756-2530
E-mail: monica.adams@me.com
Submitted on: 2/7/2011

Comments:

February 7, 2011

House Judiciary Committee

Re: **TESTIMONY IN SUPPORT OF SB 232**

Dear Judiciary Committee and Members of the House of Representatives,

My name is Monica Adams, I am a resident of Kurtistown on Hawaii Island. I want to first extend a heartfelt Mahalo to you for your consideration of SB232.

I live in Kurtistown, which is in the district of Puna, near Keaau on the Big Island of Hawaii, with my partner of 10 years. We recently purchased a home together and now live in a multi-generational household with my partner's mother. Our family contributes to our neighborhood association, working to improve our community, we support the local Hongwanji, we volunteer and work to improve our Big Island communities in our small way. We have a very "normal" life and we do what we can to make a positive difference in our community. I say this first because it is important to note that there are hundreds of people like us, whom I know personally, who quietly live their lives but are afraid to speak openly for their own rights. I am speaking for them and for myself. We are not seeking special rights, just human rights taken for granted by many.

Gays face discrimination on a constant basis. I work for a health care nonprofit organization. When I was hired, the company did not have an anti-discrimination policy that protected the jobs of gays and lesbians, despite the fact that 5% of the employees were openly gay. I worked to change that so that our employees would not be afraid of losing their jobs simply on the basis of their sexual orientation. Protecting a minority group does not take away the benefits and rights of the majority group. Inclusion of civil protections for this small group does not reduce the value of employee protection for all. Civil Unions are the same. By awarding rights, the rights of those who benefit from protection already are not reduced. The value of the right is not diminished. Civil Unions do not take the place of a marriage celebrated and awarded in a person's faith community or church. It simply provides rights denied to a group of people who experience limited rights and civil protections.

Gays and lesbians experience daily discrimination in their search for housing, in the health care setting, and in receiving death benefits simply because they cannot enter into a governmentally recognized union with the same rights as marriage.

Although my partner has listed me as her beneficiary, and I her, for our retirement accounts and savings, we face discrimination in our ability to collect our own money. Even though it is our money we work for and save, we do not have rights to the full amount without greater taxes and penalties, if one of us passes away, unless we are married or in a civil union. Reciprocal beneficiary laws allow us to receive each other's savings, but we have to pay higher taxes and penalties because we are not in a civil union.

Even though we are in a committed long-term relationship that is respected by our families; of both the Buddhist and the Mormon Faith (my family is Mormon), we still face financial, health care, and other discriminations because our government provides only limited recognition unequal to marriage. We are not asking for the religions that provide faith based Marriage Ceremonies to recognize us, we respect the rights of different faith communities to hold their own beliefs. I am a former Mormon, and have had a long journey reconciling my faith with who I am, and I have also been truly humbled at the level of love and acceptance my family has awarded me over the years despite their faith. Even though my family, all Mormons, love and respect me, and I them, I do not expect the Mormon Church to change. They have the right to hold their own beliefs, practice their own ceremonies, as all churches do. I simply ask from you, our representatives, to help us work toward equality and civil rights through recognition of Civil Unions, which will provide legal and equal rights and benefits for people in committed relationships.

Thank you for the opportunity to provide you with my story. The time has come to change. President Obama supports Civil Unions, as do many Americans. The military has repealed Don't Ask Don't Tell. Let us help Hawaii be the place of inclusion and civility that it and its people want.

Again, I strongly support SB232.

Thank you for your service to all of the people of Hawaii.

Monica Adams

17-977 Konomanu Road

Kurtistown, HI 96720

JUDtestimony

From: suzanne [suzannealoha@gmail.com]
Sent: Monday, February 07, 2011 9:00 AM
To: JUDtestimony
Subject: testimony for SB232
Attachments: Sb232 Testimony.pdf

Date: February 6, 2011

To: Committee on Judiciary
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

From: Suzanne Nakano

Re: Opposition to SB 232

Dear Representatives:

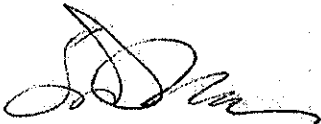
Thank you for serving the public.

God loves everyone. God's Word = His love. God's tells us in His Word "No" to SB 232.

Reference versus: Leviticus 18:22, Leviticus 20:13, 1 Corinthians 6:9-10, Romans 1:26-27

Please vote "No" to SB232. Thank you very much.

Respectfully,



Suzanne Nakano

JUDtestimony

From: Mark and Jean Au [jmj@hawaiiantel.net]
Sent: Monday, February 07, 2011 1:51 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)

Dear House Judiciary Committee members –

I am here today to ask that you please oppose Civil Union bill HB 1453 and SB232. To my understanding, HB 1453 is written as though civil unions is seen as several technicalities – 2 adults entering into a partnership, an agreement – just follow these rules and you're now a couple. Civil unions WILL LEAD to same sex marriage. Marriage is a very important moral issue – not an issue of technicalities so partners can have equal rights. Do not confuse these two issues.

Marriage is a sacred act between a man and a woman. I tell that to my children. I don't tell them that marriage is a civil union between a man and a man or a woman and a woman. To a child it just doesn't make sense. Wouldn't you agree that children have a lot of common sense and wisdom? If proponents want to cohabitate together and be treated equally as married couples then reciprocal beneficiaries act affords them equal benefits under the law. In fact, most of bill HB1453 should be part of the reciprocal beneficiaries act. Why are you separating the two? If this act needs amending then CHANGE THE LAW, NOT MARRIAGE. This bill is basically a same sex marriage law under the guise of civil union language.

Also, I thank Representative Souki for introducing bill HB1244. Civil unions will force those with strong religious beliefs to go against their convictions.

If you have any hesitation in your heart in allowing bills HB1453 and SB232 to become law, and how it will affect the people of our beautiful island home, I urge you to oppose them. Rather, allow us, the people of Hawaii to vote on this vital issue in our next general election.

Thank you.

Jean Au
818 Kaha Place, Kailua HI 96734
808-383-5635

JUDtestimony

From: jasebennett@gmail.com on behalf of jase bennett [jase@stapleshawaii.com]
Sent: Monday, February 07, 2011 1:56 PM
To: JUDtestimony
Subject: TESTIMONY ON SENATE BILL 232, AND HOUSE BILL 1453

TESTIMONY ON:

- SENATE BILL 232, SENATE DRAFT 1, A BILL FOR AN ACT RELATING TO CIVIL UNIONS
- HOUSE BILL 1453, A BILL FOR AN ACT RELATING TO LEGAL RELATIONSHIPS

HOUSE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

Gilbert S.C. Keith-Agaran, Chair

Karl Rhoads, Vice Chair

Tuesday, February 8, 2011
2:15 p.m., Capitol Auditorium

Aloha,

Chair Keith-Agaran and Vice Chair Rhoads and Members of the Committee.

Thank you for the opportunity to testify. I strongly oppose the passage of S.B. 232, S.D. 1 and H.B. 1453.

My name is Jason Bennett. I am currently self-employed as a Real Estate Broker on the North Shore of Oahu.

I oppose both S.B. 232 and H.B. 1453. I believe that marriage is the union of a man and a woman. I oppose the state conferring legal status on any other type of sexual

relationship. I believe that the government should help every child to have a mother and a father in the child's life. Protecting marriage makes this more likely. Conferring legal

status on other sexual relationships makes this less likely. S.B. 232 creates a legal status called "civil unions" and makes it available to

opposite-sex couples as well as same-sex couples. Section 9 of S.B. 232 states that partners to a civil union "shall have all the same rights, benefits, protections, and

responsibilities . . . as are granted to those who" marry in accordance with Hawaii's marriage law. It is same-sex marriage in all but name that also allows an opposite-sex

couple to enter into a civil union rather than a marriage. H.B. 1453 is limited to same-sex couples. It also confers all of the rights, benefits,

protections, and responsibilities of marriage upon civil unions partners. It is also same- sex marriage in all but name.

In 1998, the voters of Hawaii by a landslide majority amended our State Constitution with the intent of limiting marriage to one man and one woman. Yet the

Legislature is now poised to pass a bill that will essentially create same-sex marriage in all but name. Moreover, practically every state that has passed a civil unions bill has

ended up passing same-sex marriage, or being compelled by their state supreme courts to recognize same-sex marriage. The supporters of civil unions who say that civil unions

won't lead to same-sex marriage are not being honest about their ultimate goal of imposing same-sex marriage on Hawaii.

Hawaii already provides many rights and benefits to pairs of individuals who are not legally permitted to marry under the Reciprocal Beneficiaries Law found in Chapter

572C of the Hawaii Revised Statutes. House Bill 1354 introduced this Legislative Session by Representative Karen Awana would provide additional rights and benefits to

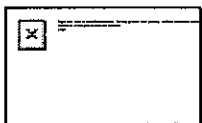
reciprocal beneficiaries. I have yet to hear of any reason to institute yet another domestic relations scheme called civil unions when our current marriage law and reciprocal

beneficiaries law with amendments can provide everyone with appropriate and comparable rights and benefits.

I therefore ask this committee to hold S.B. 232, S.D. 1 and H.B. 1453, and not recommend passage of either measure.

Mahalo,

Jase Bennett
Broker in Charge
Staples Realty Inc.
cell: (808) 778-7694
fax: (808) 293-1116



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JUDtestimony

From: Dr. John Heidel [jheidel@hawaii.rr.com]
Sent: Monday, February 07, 2011 2:12 PM
To: JUDtestimony
Subject: Testimony for SB 232

> To: House Judiciary Committee
> For: Hearing of SB 232
> Date: Tuesday, February 8, 2011, 2:15pm
> Place: State Capitol Auditorium
> From: Rev. Dr. John R. Heidel, President, The Interfaith Alliance
> Hawaii
>
> Thank you for holding this hearing on Senate Bill 232.
>
> My name is John Heidel and I offer this testimony in strong support
> of SB 232. I'm a minister of the United Church of Christ and began
> my ministry here in the islands as the Minister of Youth at Central
> Union Church in 1962 and then served as chaplain of Punahou School for
> 32 years - retiring in 2001. Today I am representing The Interfaith
> Alliance Hawaii.
>
> We affirm that people of faith and good will are bound together by
> shared principles of compassion, civility and mutual respect for the
> human dignity of all people; we are different branches of a
> pluralistic society that weave a common thread through the fabric of
> our nation. The Interfaith Alliance is committed to the guarantee of
> civil liberties and religious liberties; though they may not always
> coincide. Civil unions will affirm what kind of interpersonal
> associations are subject to the protection of law; civil liberties
> that should be extended to all Americans. The Interfaith Alliance has
> no intent to evaluate the theology and practice of any particular
> faith tradition, but affirms its respect for the religious liberties
> that honor the diversity of approaches to human relationships.
>
> Some of our faiths perform and recognize same-sex marriages, some
> officially bless unions, and some do neither. We find our diversity
> to be a source of strength. We affirm the human dignity and worth of
> all people and we also affirm that civil unions will not endanger our
> religious traditions nor the stability of our families.
>
> In regard to the opposition to civil unions based on religion, many
> people of faith acknowledge four important realities: first, every
> faith tradition is granted the religious freedom to define marriage
> according to the precepts of their belief; second, civil unions will
> not deny that freedom nor compromise their concept of marriage; third,
> sacred literature (like Leviticus) that condemns homosexuality and
> that is 4,000 years old needs to be understood within the wisdom of
> more recent scholarship; and fourth, the real threat to traditional
> marriage is the failure of heterosexual unions to honor family values.
>
> For these reasons, people representing many faith traditions support
> civil unions. This position is reinforced by arguments for civil
> rights and social justice.

- >
- > We thank you for considering this significant civil rights legislation
- > and urge the passage from this committee.

JUDtestimony

From: Betty Keana'aina [betty@stutenbergdurrett.com]
Sent: Monday, February 07, 2011 1:46 PM
To: JUDtestimony
Cc: 'Jonathan S. Durrett'
Subject: SB 232 - HB 1453
Attachments: Testimony SB 232 - HB 1453.pdf

I am attaching the Testimony of Jonathan Durrett and Mary Durrett in regards to SB 232 and HB 1453.

Thank you,
Betty



Betty T. Keanaaina,
Legal Assistant to
Jonathan S. Durrett, Esq.
Adrian W. Rosehill, Esq.
Alan J. Ma, Esq.
Shauna L. Silva Bell, Esq.
Davies Pacific Center
841 Bishop Street, Suite 1101
Honolulu, Hawaii 96813
Direct: (808) 792-1214
Main: (808) 526-0892
Facsimile: (808) 533-4399
E-mail: betty@stutenbergdurrett.com
Website: www.stutenbergdurrett.com

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**TESTIMONY ON SENATE BILL 232, SENATE DRAFT 1,
A BILL FOR AN ACT RELATING TO CIVIL UNIONS, AND
HOUSE BILL 1453, A BILL FOR AN ACT RELATING TO LEGAL
RELATIONSHIPS**

Jonathan and Mary Durrett Family

**HOUSE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS
Gilbert S.C. Keith-Agaran, Chair
Karl Rhoads, Vice Chair**

**Tuesday, February 8, 2011
2:15 p.m., Capitol Auditorium**

Good afternoon, Chair Keith-Agaran and Vice Chair Rhoads and Members of the Committee. My name is Jonathan Durrett. I am submitting this testimony on behalf of myself, my wife Mary Kamoe-Durrett and our five (5) children and grandchildren, all of whom are lifelong Hawaii residents.

Thank you for the opportunity to testify. We strongly oppose the passage of S.B. 232, S.D. 1 and H.B. 1453.

The Durrett family feels that the State already addressed this issue by adopting a constitutional amendment in 1998; the State's legal policy is that same sex couples cannot by definition receive legal recognition as married couples. We are deeply disturbed that the legislature would now try to circumvent the state constitution by the ruse of a civil unions bill at this time, and we view this legislation as a subterfuge of the public's intent.

We oppose both S.B. 232 and H.B. 1453 in that marriage is the union of a man and a woman. We oppose the state conferring legal status on any other type of sexual relationship. We believe that the government should help every child to have a mother and a father in the child's life. Protecting marriage makes this more likely. Conferring

legal status on other sexual relationships makes this less likely. The research is legion on how stable marriages between and father and mother optimize a child's opportunity for success both in school and in later careers. Marginalizing marriage—which these bills seek to do-- will further deteriorate the legal relationship which is *most likely* to produce responsible and productive citizens. The State of Hawaii has a compelling governmental interest in protecting marriage.

S.B. 232 creates a legal status called “civil unions” and makes it available to opposite-sex couples as well as same-sex couples. Section 9 of S.B. 232 states that partners to a civil union “shall have all the same rights, benefits, protections, and responsibilities . . . as are granted to those who” marry in accordance with Hawaii's marriage law. It is same-sex marriage in all but name that also allows an opposite-sex couple to enter into a civil union rather than a marriage.

H.B. 1453 is limited to same-sex couples. It also confers all of the rights, benefits, protections, and responsibilities of marriage upon civil union partners. It is also same-sex marriage in all but name.

The record is very clear that practically every state which has passed a civil unions bill has ended up passing same-sex marriage, or being compelled by their state supreme courts to recognize same-sex marriage. The supporters of civil unions who say that civil unions won't lead to same-sex marriage are not being honest about their ultimate goal of imposing same-sex marriage on Hawaii.

Hawaii already provides many rights and benefits to pairs of individuals who are not legally permitted to marry under the Reciprocal Beneficiaries Law found in Chapter 572C of the Hawaii Revised Statutes. House Bill 1354 introduced this Legislative

Session by Representative Karen Awana is the appropriate way to correct any untoward discrimination towards same-sex couples with respect to rights and benefits.

My family therefore respectfully asks this committee to hold S.B. 232, S.D. 1 and H.B. 1453, and not recommend passage of either measure.

Thank you.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 1:54 PM
To: JUDtestimony
Cc: terryanddeb@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: to the senate committee on civil rights 2.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Deborah Tanaka
Organization: Individual
Address: 296 Iliwai Drive Wahiawa
Phone: (808)621-6075
E-mail: terryanddeb@gmail.com
Submitted on: 2/7/2011

Comments:

TO THE SENATE COMMITTEE ON CIVIL RIGHTS

TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

Tuesday, February 8, 2011
2:15 p.m

TESTIMONY ON SENATE BILL NO. 232 - RELATING TO CIVIL UNIONS

TO THE HONORABLE REPRESENTATIVE GILBERT S.C. KEITH-AGARAN, CHAIR
AND MEMBERS OF THE COMMITTEE

My name is Deborah Tanaka. I am a homeschooling mom testifying in opposition of SB232.

UA MAU KE EA O KA AINA I KA PONO
The life of the land is perpetuated in righteousness

Righteousness is defined as acting in accord with divine or moral law; morally right or justifiable

SB232 does not promote righteous relationships. I trust you will take into consideration the children of Hawaii's future as you make your final decision on this bill. They will continue in the ways of a decision made today, believing it to be right. I strongly encourage you to consider your decision and not be afraid to take a stand for righteousness.

Sincerely,

Deborah Tanaka

JUDtestimony

From: Sumner La Croix [lacroix@hawaii.edu]
Sent: Monday, February 07, 2011 1:56 PM
To: JUDtestimony
Cc: Kimberly Burnett
Subject: Testimony on SB 232, HB 1244, and HB 1453
Attachments: CU_Econ_Impact_Hawaii_SB232.pdf; ATT00001..txt

Attached is testimony on SB 232, HB 1244, and HB 1453.

Mahalo for your consideration!

Sumner

The Impact of Civil Unions on Hawai'i's Economy

Sumner La Croix

Professor, Department of Economics, University of Hawai'i-Mānoa

E-mail: lacroix@hawaii.edu

Kimberley Burnett

Assistant Specialist, University of Hawai'i Economic Research Organization, University of Hawai'i-Mānoa

E-mail: kburnett@hawaii.edu

Date: 8 February 2011

Testimony: SB 232, HB 1244, and HB 1453

How many same-sex couples in Hawai'i will choose civil unions?

- 2005 U.S. Census survey shows 3,262 self-declared same-sex couples in Hawai'i.
- Based on civil union license rates in other civil union states, we estimate that between 1,600 and 2,300 same-sex couples living in Hawai'i will enter into civil unions between July 2009 and June 2015. Best estimate is 1,962 couples.

Will Hawai'i's legalization of civil unions affect tourism to Hawai'i?

- There is **no evidence** that states allowing same-sex marriages (Connecticut, Iowa, Massachusetts, New Hampshire, and Vermont—and the District of Columbia) or recognizing same-sex marriages (New York, Rhode Island, and Maryland) or domestic partnerships or domestic partnerships (5 states) have had declines in tourism or business travel.
- Some increase in tourism is likely due to couples from other civil union states visiting Hawai'i for their civil union ceremony or honeymoon as well as friends and relatives visiting Hawai'i to attend ceremonies for in-state and out-of-state couples.
 - 9,500 annual additional visitor days.
 - Additional annual visitor spending of roughly \$3.6 million.
 - Multiplier effect (1.94) will expand spending to \$6.9 million.

How will legalization of civil unions affect state government revenue and spending?

- Increase in state revenue from civil union registration fee.
- Increases in state excise tax revenues due to additional visitor spending.
- Increases in state income tax revenues due to higher visitor expenditures.
- Minimal costs of implementing civil unions include new forms, computer programming, and training sessions for staff in Depts. of Taxation and Health.

Will Hawai'i State and County Governments face higher health insurance expenses?

- **No**, domestic partners (and their children) of state and county employees are already covered under the state's EUTF health, drug, dental, and vision plans.

Will private employers in Hawaii face higher health insurance expenses?

- **No**, for private firms not offering health coverage to spouses and children.

- For private firms offering health coverage to spouse and children:
 - Additional federal taxes due on health ins. Premiums limit take-up rates.
 - Best estimate: 23-46 partners and 16-32 children sign up for coverage.
Context: 714,000 people in Hawai'i over age 18 have private health insurance (most of which is employer-provided coverage).

The views expressed in this paper are those of Sumner La Croix and Kimberly Burnett and are not the official views of the University of Hawai'i, the University of Hawai'i Economic Research Organization or the University of Hawai'i Dept. of Economics

JUDtestimony

From: Glenda Delenstarr [delenstarr@gmail.com]
Sent: Monday, February 07, 2011 1:59 PM
To: JUDtestimony
Subject: In support of SB 232
Attachments: In Support of SB 232.docx

Hi,

I have attached a letter in support of SB 232.

Thank you for this opportunity to bring Hawaii on the correct side of this civil rights issue, and on the side of Love :)

--

Dr. Glenda Delenstarr, PhD and Dawna Delenstarr
808-212-1099

In Heart-Full Support of SB 232:

Hi, our names are Glenda Delenstarr & Dawna Delenstarr. We have been in a committed same-sex relationship for 21 wonderful years.

Mahalo for giving us the opportunity to support the civil union bill that you have brought up in committee.

We moved to Kauai in 2007 and are happy to be citizens of the rainbow state.

However, we were so saddened to hear that state civil unions were not supported.

We have had to do much legal & financial paperwork and expense for professional lawyers and accountants to be certain that our legal, medical, and financial rights will be protected.

These should be all automatically protected with a state-civil union.

Every time we are denied rights that are automatically given to straight couples, it is another slap in the face. We have been dealing with this our whole lives, and it is tiring and pulls us down out of our joy.

In addition to our own story, we have such grief knowing that there is so much misinformation about gay issues. This is a known issue that increases suicide among gay people, especially young people. They see the bigotry aimed at GLBT and feel such inner shame and hopelessness.

This is a tragedy.

By supporting state civil unions, you will be assisting countless couple, as ourselves, to have smooth transitions with our medical, financial, & legal needs. You will be also sending a clear message that we are FULL citizens, respected and valued by the state.

This will in turn, send a wonderful message to our GBLBT and questioning youth. It will also really help in educating and decreasing bullying, which also leads to higher rate of teen suicide for GLBT youth, than the rate for straight-identified youth.

We also know gay families with children. These children are not given protection/benefits that are afforded to children of straight couples. This is a hardship on the parents and a continuing source of hurt for the families.

This is not a challenge to beliefs that are taught in the church. Churches can be involved in these ceremonies or not, as they wish. We cannot let the wishes of a particular type of religion to dictate the

rights of the citizens of Hawaii. This is an issue of civil rights, in keeping with our separation of church and state. Let's keep this separation strong and clear.

You will also be seen as a fellow pioneer of your fellow supporters in this generations key civil rights issues.

Please support this bill and be on the right side of history and on the side of Love.

Many thanks,

Glenda & Dawna Delenstarr

Testimony - 1 page
(2 pages, including cover sheet)

Fax: 586-6211

Civil Unions

Re: SB232, SD1: Relating To

TO: House Committee on Judiciary

From: Feth Kollio

Date: 2/5/2011

**TO: The Honorable Gilbert Keith-Agaran, (Chair)
The Honorable Karl Rhoads, (Vice Chair)
and the Members of the Judiciary Committee**

**DATE: Tuesday, February 8, 2011
2:15pm Legislature Conference Room Auditorium**

RE: SB 232,SD1 Relating To Civil Unions.

POSITION : STRONGLY OPPOSE

My name is Fetu Kolio, and a Community Resident of the State of Hawaii, I am Strongly oppose to this measure because we already have Laws that are written into our State of Hawaii's Constitution on Civil Rights Laws .

The facts are that Civil Rights Laws of the State of Hawaii's Constitution are based on the history and the purpose of why we have a protected class of citizens under existing Civil Rights Laws of Hawaii's Constitution .

By amending civil unions to become law is not right because we already have existing state and federal laws concerning civil rights . That are never taken seriously yet, with NO historical reason why it should be necessary for civil unions to become written law of Hawaii's Constitution under civil rights laws, when this is a matter of benefits, protections, issues . NOT ABOUT MARRIAGE

Thank You for the opportunity to testify.

FETU KOLIO, (Community Resident)



February 1, 2011

To: Representative Gilbert Keith-Agaran
Chairman- Judiciary Committee
And Members of the Judiciary Committee

Re: Testimony - HB 1453 - Civil Unions

I would like to offer my testimony in support of HB 1453 in the affirmative for the following reasons.

1. Offers an alternative option to SB 231/SB 232 which states that a license similar to the marriage license has to be issued for a civil union to be considered legal. HB 1453 would provide a declaration of civil union process.
2. SB 231 would mean that the Department of Health will need to issue the civil union licenses. There will be financial expenses that will include a computerized program for the issuance of the licenses, new applications for civil union licenses and new applications for the issuance of certified copies of the civil union certificates.
3. There is also a space problem since the existing marriage license agents would be the same personnel to issue civil union licenses. The agents will need to be properly trained to distribute the correct application to the prospective applicants and to enter the information in the correct system.
4. There will also be a need to change the licensing of ministers/judges to include civil unions. There may be objection by some if the licenses are inclusive.
5. If SB 231 is implemented, the proposed fee of \$60 will be less the marriage agent fee whereas HB 1453 will have the entire fee going to the state. (The fee for HB 1453 should be set higher.)

Therefore, it is my personal opinion that HB 1453 will provide a simpler process of utilizing declaration of civil union rather than a complex process of civil union licenses. There will be no need to have a separate computer program, new applications or additional duties to a department that is short-handed.

There is also an option of combining the reciprocal beneficiary program with the HB 1453 option of declaration of civil unions. It could be part of the existing reciprocal beneficiary program, or located at the Dept. of Consumer Affairs where they have a licensing section, Dept. of Bureau and Conveyances or the Judiciary. The possibilities are endless and should not be limited to the licensing option offered by SB 231/232. Thank you for the opportunity of testifying in behalf of HB 1453.

Shirley T. Fyji

Shirley T. Fyji
3410 Keolu Ave. #201
Honolulu, Hawaii 96815
Phone: (808) 735-6301

PRO-FAMILY HAWAII

P.O. Box 25158

Honolulu, Hawaii 96825

Phone and Fax: (808) 396-6569

Testimony on Feb. 8
SB232
House Judiciary
in Auditorim at 2:15 p.m.

Civil unions are neither civil nor unions.

They are a clever plan to recruit children to homosexual lifestyles by teaching them this evil in schools, once civil unions are voted for by legislators who should care less about the civil rights of our keiki.

Am I exaggerating? Not at all! The Telegraph in the U.K. now reports gay lessons in math, geography and science. The U.K.'s Training and Development Agency for Schools launched this month "LGBT History Month"--an initiative to encourage teaching about lesbian, gay, bisexual and transsexual issues.

I'm attaching to my testimony the three pages from The Telegraph, clearly pointing out the lesson plans have been drawn up for pupils as young as four.

For those legislators who favor civil unions, they are closing a blind eye to the effect this will have on our schoolchildren.

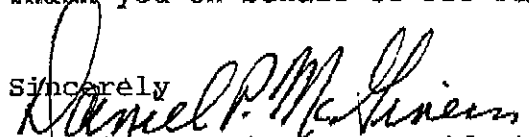
In one sentence: this is their largest recruitment plan for turning keiki away from traditional marriage.

In math, this article points out, teaching includes census findings about the number of homosexuals, and uses gay characters in scenarios for math problems; geography examines the transformation of San Francisco's Castro district from a working class Irish area 50 years ago to the world's first "gay neighborhood" and it considers why homosexuals move to the country to cities.

If you don't want Hawaii parents to vote you out for allowing this to happen here, too, then Pro-Family Hawaii asks you to stand up for what is right and vote NO to civil unions.

Thank you on behalf of Pro-Family Hawaii and Hawaii's keiki.

Sincerely


Daniel P. McGivern, President

'Gay lessons' in maths, geography and science - Telegraph

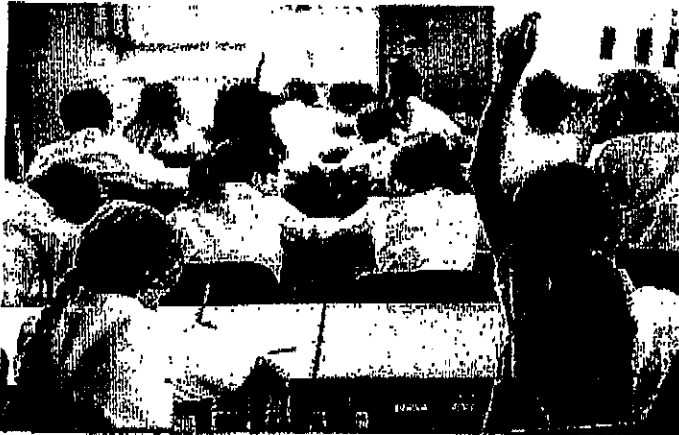
<http://www.telegraph.co.uk/education/educationnews/8275937/Gay-le...>

The Telegraph

*PRO-FAMILY HAWAII
TESTIMONY*

'Gay lessons' in maths, geography and science

Children are to be taught about homosexuality in maths, geography and science lessons as part of a Government-backed drive to "celebrate the gay community".



The lesson plans, spread across the curriculum, will be offered to all schools, which can choose whether or not to make use of them Photo: GETTY



By Jasper Copping (<http://www.telegraph.co.uk/journalists/jasper-copping/>)

9:00PM GMT 22 Jan 2011

Lesson plans have been drawn up for pupils as young as four, in a scheme funded with a £35,000 grant from an education quango, the Training and Development Agency for Schools.

The initiative will be officially launched next month at the start of "LGBT History Month" – an initiative to encourage teaching about lesbian, gay, bisexual and transsexual issues.

The lesson plans, spread across the curriculum, will be offered to all schools, which can choose whether or not to make use of them.

But critics last night called the initiative a poor use of public money which could distract from the teaching of "core" subjects.

Among the suggestions are:

EC spent £124k on gay activists' conference

(<http://www.telegraph.co.uk/news/worldnews/europe/eu/8098782/European-Commission-spent-124000-on-gay-activ>)

UK overseas aid spent on coffee and dancing

(<http://www.telegraph.co.uk/news/newstoppers/politics/8261809/Where-our-overseas-aid-goes-salsa-in-Cambridge-cc>)

'Gay lessons' in maths, geography and science - Telegraph

<http://www.telegraph.co.uk/education/educationnews/8275937/Gay-les...>

PRO-FAMILY HAWAII
TESTIMONY

Canterbury is 'gay enough'

(<http://www.telegraph.co.uk/news/newstopics/howaboutthat/5629668/Canterbury-is-sufficiently-gay-council-inspector>)

Maths -- teaching statistics through census findings about the number of homosexuals in the population, and using gay characters in scenarios for maths problems;

Design and technology -- encouraging pupils to make symbols linked to the gay rights movement;

Science -- studying animal species where the male takes a leading role in raising young, such as emperor penguins and sea horses, and staging class discussions on different family structures, including same-sex parents;

Geography -- examining the transformation of San Francisco's Castro district in the 1960s from a working-class Irish area to the world's first "gay neighbourhood", and considering why homosexuals move from the countryside to cities;

Languages -- using gay characters in role play scenarios, and teaching "LGBT vocabulary".

The lesson plans, written by teachers and backed by the Department for Education, will be available for schools to download from the Schools Out website.

For younger children, the plans will suggest using images of same sex couples and also promoting books such as "And Tango Makes Three", which is about two male penguins raising a young chick, inspired by actual events at New York's Central Park Zoo.

The Schools Out organisation, which runs the month-long event, declares on its website that the aim is to "celebrate the lives and achievements of the LGBT community" and "encourage everyone to see diversity and cultural pluralism as positive forces".

However, Craig Whittaker, Conservative MP for Calder Valley and a member of the Education Select Committee, said: "This is nonsense.

We have enough problems in our country, where we are too far down the national comparative league tables in these core subjects.

"Teachers should concentrate on teaching the core subjects, so we become the best at those again. I don't see how introducing LGBT themes into those subjects is going to help.

"This is not about being homophobic, because there are other schemes around the education system which support the LGBT agenda."

'Gay lessons' in maths, geography and science - Telegraph

<http://www.telegraph.co.uk/education/educationnews/8275937/Gay-le...>

*PRO - FAMILY HAWAII
TESTIMONY*

John O'Connell, from the TaxPayers' Alliance, added: "Parents will wonder if this is the right use of funds and time in those subjects, particularly when we keep hearing how tight budgets are."

Sue Sanders, from Schools Out, defended the project.

She said: "These lessons are not big tub-thumping lessons about LGBT and nothing else.

"All we are attempting to do is remind teachers that LGBT people are part of the population and you can include them in most of your lessons when you are thinking inclusively."

David Watkins, a teacher involved in the scheme, said: "We don't want teachers to start out saying 'This is a gay lesson.' We just want lessons that don't ignore that there are lesbian and gay people who suffer from issues and problems.

"When you have a maths problem, why does it have to involve a straight family or a boyfriend and girlfriend? Why not two boys or two girls?"

"It's not about teaching about gay sex, it is about images and exposing children to the idea that there are other types of people out there."

A spokesman for the TDA said the funding was secured last March and that £20,000 was to go towards the lesson plans, with the rest spent mostly on the website.

A Department for Education spokesman added: "These are optional teaching materials. Ultimately, it is for heads and teachers to choose the most appropriate teaching resources to help promote equality and tolerance."

LGBT History Month started in 2005 and has previously focused more on raising awareness of prominent figures said to be homosexual.

A list on its website includes Hadrian, the Roman emperor, Michaelangelo, the Renaissance painter, Alan Turing, the mathematician, and Will Young, the singer.

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Testimony Before House Judiciary Committee
Tuesday, February 8, 2011, 2:15 p.m.
State Capitol Auditorium

Mark B. Au
Concerned Citizen
SB 232, SD 1
Three copies (includes original)

818 Kaha Place
Kailua, HI 96734

The Honorable Gilbert S.C. Keith-Agaran, Chair
House Judiciary Committee
Hawai'i House of Representatives
Hawai'i State Capitol
Honolulu, HI 96813

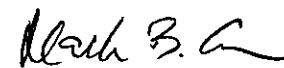
Dear Representative Keith-Agaran and Committee Members:

I am writing in opposition to SB 232, SD1 Relating to Civil Unions. Identical to last year's legislative session's HB 444, this measure circumvents the existing system established under the Hawai'i Reciprocal Beneficiaries Act of 1997 (RBA) which provides same sex couples similar rights, benefits, protections and responsibilities of married couples. While proponents argue SB 232, SD1 addresses only civil unions, and does not legalize same sex marriage, it is a fact, that similar legislation like SB 232, has passed in other states and has led proponents to later successfully argue for and eventual be given court ordered mandates legalizing same sex marriage. This is a pattern throughout our country and I can reasonably say that same sex marriage is about to happen if SB 232, SD 1 passes. Sadly, this approach here and across the nation is wrong, unethical and disingenuous at best to the people.

While I understand efforts to provide same rights, benefits, and protections of married couples to partners in civil unions, and have listened to stories of loved ones experiencing the pain of being denied rights, I firmly believe the legal mechanism for such benefits already exists in RBA not SB 232, SD 1. Proponents have argued that the RBA doesn't go far enough and address their needs. Well if that is the case, then why isn't the legislature finding ways to fix RBA. Let's do so in a way that properly meets the needs of same sex partners without redefining and removing traditional marriage. My objection to this bill is that it is a vehicle to accomplish not one as proponents have argued, but two objectives – first, accord rights, benefits, protection and responsibilities of same sex unions (existing in RBA) and second, lay the ground work for marriage between same sex couples as in similar cases across the country. This objective is not being told to us.

Mr. Chair, there are other options to pursue instead of this legislation. As elected officials, I strongly urge you to examine other options besides this bill. It appears that this and similar legislation is being fast tracked without real, meaningful dialogue among the elected officials, stakeholders and especially the community. I recommend deferring this legislation and let's amend RBA to satisfy both sides of this issue. Moreover, we need to open up this debate statewide by placing this question of civil unions on the ballot. Lets' put this matter in the hands of the voters. This will once and for all settle this important issue by leaving it to the people. To this end, I strongly urge you to defer SB 232, SD 1. Mahalo.

Sincerely,



Mark B. Au

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:36 PM
To: JUDtestimony
Cc: hrhsf@me.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Hector Hoyos Jr. a.k.a. (SisterFace)
Organization: Individual
Address: 2499 kapiolani blvd. #3303 Honolulu, Hawaii
Phone: 808-352-0796
E-mail: hrhsf@me.com
Submitted on: 2/7/2011

Comments:

THE HOUSE

THE HOUSE JUDICIARY COMMITTEE

HECTOR R. HOYOS JR. & GRANT W. LARSONS TESTIMONY IN SUPPORT OF
HAWAII CIVIL UNIONS BILL SB232

MAHALO TO THE HOUSE COMMITTEE FOR HEARING MY TESTIMONY
FOR TUESDAY , 2 / 8 / 2011

I'm writing you today with my/our support for this very important Bill SB232. The almost you could really say, battle here in our great state has gone on way to long. Taking away from the importance of many other way more important issues facing our states future. I have hopes that because you all have taken the very important steps to be done with this early in your newly elected session. That hopeful not only approval but that our State House Reps. represent the future of Equality for our state. That will have not only have a local impact but, a very important national impact towards civil rights and it's future in our great country. I will not be taking too much of your time because I have already been fighting since 1986 in our country. For Civil Right Justice & Equality for all weather it be color, creed or lifestyle, identity etc.. The last year since summer has been a long inner battle for me and my partner of 12 years, longer then most marrages even make it these days. We both made our friends proud and even served at this point as a good example for our community and friends as much as we can,we always will...

We have been Recip. Beneficiary here in Hawaii since 2005, I must let all of you know right here and now. It has done not 1 good thing for me or my partner Grant, which could not be here

today because he's working. Not 1 thing at all... the Banks do not see it, the Insurance companies Health and all other do not see it, please we even had trouble with Queens Hospital not

seeing it. I say it to you like that because, it is a total blind document that has meant nothing. In times when we could have used it to not only save money but, our dignity, our hopes

to be able to continue on the island we call paradise. To not have to ask the state for health insurance cause 1 could not apply on the others, Because even with Recip. Document. The

Health Insurance companies do not have to accept us because the State does not. We both have heard this and asks while trying to safe our health and each others health insurances in

the last 2 years cause one has been out of a job, because. Gay hate discrimination retaliation at work place. Life is not easy being gay just like any other not accepted lifestyle or even color

still in our hateful world. Hawaii can not be apart of that like the last view years. Hawaii must think of it's future young generations that are still very young children. If Hawaii does not start

thinking of it's future and start helping the communities more together. I fear the hate and religious radicals that utterly preach hate thru mis-guided facts and fears. hate will be more likely

to happen in schools, public, work places against gays or lgbt youth more and more with them. Having no trusted place to report the violence and hopes of even having anything done to

help them. These are just some possible future affects that I already have seen in other states and palaces around our world. You all on this elected Committee can bring real hope and change

to for generations to come. You all can help start to bring people and communities together for the common good. Build trust thru others seeing in the future, that thru even adoptions. We would

love to help raise a child that needs a good stable home. This bill could make that easier for many in the future, which would build good starting trust slowly in the communities. I have given

my whole life when I/we can, aid taxes and been thru everything we all must go thru everyday. We were 2 of the many we got to vote for a newer better Hawaii then what we just had. I

believe that our awesome Governor Abercrombie will sign this into law, Like you all will to. I pray and hope with out me taking more of your time today. You all understand not just me, but

all in support of this bill. Equality is how a truly fierce forward thinking government should be in our ever so changing world. I want to thank each and everyone of you today for your time &

consideration. I Hector R. Hoyos & Grant W. Larson support Bill SB232 to becoming law.

Much Mahalo's

HECTOR R. HOYOS , A.K.A. (SISTER FACE)

2499 KAPIOLANI BLVD. #3303

HONOLULU, HAWAII 96826

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:51 PM
To: JUDtestimony
Cc: rachel@pd-hawaii.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: CFER House Testimony RO SB232 2011.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Rachel Orange
Organization:
Address: 2343 Kula Kolea Dr Honolulu, HI
Phone: 265-1334
E-mail: rachel@pd-hawaii.com
Submitted on: 2/7/2011

Comments:



Citizens for Equal Rights

"We Believe in Equal Rights For All"

equality808@gmail.com • (808)528-6888

www.tinyurl.com/equality4808

2343 Kula Kōlea Dr. • Honolulu, HI 96819

Dear Chair Rep. Gilbert S.C. Keith-Agaran, Vice-Chair Rep. Karl Rhoads, and Members of the House Committee on Judiciary:

My name is Rachel Orange and I am here to testify on behalf of Citizens for Equal Rights, a group of more than 1000 citizens from both the straight and LGBT community. Our group includes many progressive business executives and civil servants, and people from all professions: teachers, doctors, lawyers, entertainers, students. I invite you to visit our website at www.equality808.com to meet the great diversity of people of many religions and ethnicities, all ages and communities who have chosen to call themselves Citizens for Equal Rights.

We stand together in 2011, as we did in 2010, to say that that we support equal rights for ALL families. We believe SB 232 is a hopeful step in the direction of providing equality and justice for all families through civil unions. Thank you for moving this issue forward so early in the legislative session.

We believe this is a basic civil rights issue and the time is long overdue for Hawai'i to deliver on the promise of the state's constitution to treat all its citizens equally. It is time for us to afford all of them the full protection of the law, regardless of their sexuality. We need to honor the golden rule and treat our neighbors with the full dignity that is theirs as fellow human beings.

Civil unions give everyone the opportunity to enjoy legal recognition of a union as much when it ends as when it begins. Same-sex couples and their children deserve the protections afforded by our legal system when making decisions about children or joint assets.

The public discourse about civil unions has been over-shadowed by the claims of churches that see the move to institute civil unions as running counter to the tenets of their faith. Citizens for Equal Rights respect the religious beliefs of all. We ask, however, that the necessary wall between church and state that this nation holds dear be respected as well.

Nothing about SB232 gets in the way of anyone's religious beliefs. Nothing in SB232 compels any minister or religious official to perform a civil union. The sanctity of faith-based ceremonies is in no way affected by allowing civil unions as an option for couples of any sex to gain legal standing for their relationship and all the powers and rights pertaining to a committed relationship. However if we fail to pass this bill, we will be denying some members of our community the rights that many of us enjoy. This kind of discrimination is not just, it's not American, and it's not *pono*.

Please vote in favor of SB 232. Common decency and our sense of justice and aloha demand it.

Respectfully submitted,
Rachel S. Orange
President, Citizens for Equal Rights

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:53 PM
To: JUDtestimony
Cc: rachel@pd-hawaii.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232 Civil Unions testimony 2011.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Rachel Orange
Organization: Individual
Address: 2457 Lamaku Pl Honolulu, HI
Phone: 265-1334
E-mail: rachel@pd-hawaii.com
Submitted on: 2/7/2011

Comments:

Dear Chair Rep. Gilbert S.C. Keith-Agaran, Vice-Chair Rep. Karl Rhoads,
and Members of the House Committee on Judiciary:

Thank you for the opportunity to testify before this committee. My name is Rachel Orange and I strongly support SB 232 relating to civil unions.

Granting civil unions, with all the current benefits of marriage, to same-sex couples is simply the right thing to do. This is a basic civil rights issue and the time is long overdue for Hawai'i to offer equal rights to all of its citizens.

My husband and I have always supported civil unions as way to offer same-sex couple the benefits of marriage that I can enjoy. After attending hearings on this topic over the last several years and listening to testimony of others, it became clear to me that legal acknowledgment of a union is just as important for when that union may end. Same-sex couples and their children deserve the right to the support of the legal system when seeking child support or equitable division of property.

Our society has long recognized the special unions between two individuals that are bound by love. Let's finally acknowledge that that recognition should be allowed to same-sex couples as it has always been for opposite sex-couples.

Please vote in favor of SB 232. It is simply the right thing to do.

Respectfully submitted,
Rachel S. Orange
2457 Lamaku PI
Honolulu, HI 96816
rachel@pd-hawaii.com
265-1334

JUDtestimony

From: Ann Freed [annfreed@hotmail.com]
Sent: Monday, February 07, 2011 3:17 PM
To: Ann Freed
Cc: JUDtestimony
Subject: STRONG SUPPORT for SB232 SD1 Civil Unions
Attachments: House Civil Unions Jan 2011; ATT00001..htm

ATTN: COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair
Committee Members

HEARING DATE: Tuesday, February 08, 2011
HEARING TIME: 2:15 PM
PLACE: Auditorium

IN STRONG SUPPORT OF SB232 SD1 - RELATING TO CIVIL UNIONS

Aloha, Chair Keith-Agaran, Vice-Chair Rhoads and committee members,

We urge you to pass this measure as expeditiously as possible. Civil Unions is among the top 2011 legislative goals for the Coalition, as we understand that civil rights are not a matter for debate, but are guaranteed by the Constitution of the United States. Further we understand that when the rights of our LGBT brothers and sisters civil rights are trampled on then the rights of women are not far behind.

Under Nazi Germany gays were among those sent to the death camps. Are we really more enlightened in 21st Century America?

Remember the ominous poem by by Martin Niemöller, prominent German anti-Nazi theologian and Lutheran pastor

When the Nazis came for the communists,
I remained silent;
I was not a communist.

When they locked up the social democrats,
I remained silent;
I was not a social democrat.

When they came for the trade unionists,
I did not speak out;
I was not a trade unionist.

When they came for the Jews,
I remained silent;
I wasn't a Jew.

When they came for me,
there was no one left to speak out.

Our gay teens are bullied to death. Our gay brothers and sisters beaten and reviled, their rights to mutual health care, hospital visits, and inheritance denied all because they choose to love each other.

Either we are the land of liberty and justice for all or we are not.

Please do the right thing. Pass this bill out of committee. You will have our profound thanks if you do.

Regards,

Ann S. Freed
Co-Chair Hawai'i Women's Coalition
Mililani, Hawai'i
808-623-5676

JUDtestimony

From: Deborah Ward [dward@hawaii.edu]
Sent: Monday, February 07, 2011 3:15 PM
To: JUDtestimony
Subject: Support for H.B. 1453 and S.B. 232

Support
Bill number: H.B. 1453 and S.B. 232
Committee: House Judiciary Committee
Date: Tuesday, February 8, 2011
Time: 2:15 p.m.
Room number: Auditorium

Aloha,
Mahalo for finally hearing this highly timely legislation. It's time Hawaii supports civil unions legislation, not only for same sex couples, but for partners of opposite sex, who for other reasons, do not marry. This legislation will ensure the unity, security, dignity and stability of all Hawaii's families.

Sincerely,
Deborah Ward
P.O.Box 918
Kurtistown HI 96760
808-966-7361

JUDtestimony

From: Sheryl Nicholson [SNicholson@pjpn.com]
Sent: Monday, February 07, 2011 3:17 PM
To: JUDtestimony
Subject: Testimony re: HB 1453/SB 232, SD1

February 7, 2011

Committee: House Committee on Judiciary
Hearing Date/Time: Tuesday, February 8, 2011, 2:15 p.m.
Place: State Capitol Auditorium
Re: Testimony in Support of H.B. 1453 and S.B. 232, SD 1 Relating to Civil Unions

Dear Chair Keith-Agaran, Vice-Chair and Members of the Committee on Judiciary and Labor:

I write in support of H.B. 1453 and S.B. 232, SD 1 Relating to Civil Unions.

By conferring on partners to a civil union more of the rights, benefits, protections and responsibilities of same-gender couples, HB 1453 and SB 232, SD 1 represent a significant and important step toward closing the gap in treatment between heterosexual "married" couples on one hand, and gay and lesbian couples who intend the same committed relationship, in Hawai'i. Gay and lesbian couples, for example, currently do not have the right to jointly adopt a child in a single court proceeding, nor are private employers required to offer health benefits to same-sex couples on the same basis as married couples. HB 1453 and SB 232 would correct these and other inequities.

Neither bill goes the full distance to enable gay and lesbian couples who wish to marry the enjoyment of the status of marriage and all of the corresponding rights, benefits and protections afforded heterosexual married couples under all laws. Civil unions are not marriages. Nevertheless, and while full marriage equality should remain our collective objective, HB 1453 and SB 232, SD 1 are an important step toward that objective.

Thank you for this opportunity to testify.

Sincerely,

Sheryl L. Nicholson
P. O. Box 4438
Honolulu, Hawai'i 96812
Tel.: (808) 524-1212

JUDtestimony

From: Lois Perrin [loisperrin@yahoo.com]
Sent: Monday, February 07, 2011 3:24 PM
To: JUDtestimony
Subject: Testimony in support of SB 232, SD1
Attachments: Testimony ISO SB 232.pdf

Via E-mail: JUDTestimony@Capitol.hawaii.gov

Committee: House Judiciary Committee

Date: Tuesday, February 8, 2011

Time: 2:15 p.m.

Room number: House Conference Room Auditorium

Re: Testimony in SUPPORT of S.B. 232, SD1

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee on Judiciary:

I write in strong support of S.B. 232, SD 1, Relating to Civil Unions. Although I believe the Legislature should allow same-sex couples the right to marry, I believe that S.B. 232 is a significant step in the right direction. This is a simple matter of civil rights for all of Hawaii's people.

Thank you for this opportunity to testify.

Sincerely,

Lois Perrin

JUDtestimony

From: Margaret Scow [aaadrywall@hotmail.com]
Sent: Monday, February 07, 2011 3:38 PM
To: JUDtestimony
Subject: Strongly OPPOSE SB232
Attachments: Testimony in Strong OPPOSITION to SB232.doc

Aloha Chairman Keith-Agaran & House Judiciary Committee,

Attached is my letter is strong OPPOSITION to SB232. Mahalo!

Best Regards,
Margaret Scow
AAA Drywall & Masonry, LLC
Mililani, HI 96789
Ph/Fax (808) 627-0872

February 7, 2011

To: Chairman, Gilbert Keith-Agaran & House Judiciary Committee
 From: Margaret Scow
 Re: Strong OPPOSITION to SB232

Dear Chairman Representative Chairman Keith-Agaran,

I write to you today regarding SB 232 SD1, relating to Civil Unions. As you know, for the past two years, another Civil Unions Bill HB 444 was debated, re-debated, and voted on time and time again. HB 444 is dead! Many people tried to revive it but it remains dead. One of the reasons this bill never passed is simply because the people of Hawaii are against Same Sex Marriage. In 1998, 70% of Hawaii's people voted to support Traditional Marriage, between one man and one woman. Then again, in November 2009, the SMS Survey reported that 69% of Hawaii's people still support Traditional Marriage between one man and one woman. These are the people that you took an oath to represent. Regardless of your party affiliation, you are supposed to represent the people in your district and the people of Hawaii. **Please set a hearing date for HB165, so that the people can decide on Traditional Marriage or Same Sex Marriage. This important decision should NOT be made by our Legislators. Hear HB165 so that both sides can vote on this issue on the ballot!**

Like France, (The French Mission – study on same sex marriage) I believe **you should look out for the best interest of the children - <http://www.realwomenca.com/page/news/ma0601.html>**. Here is a quote from the French Mission: **"it is the responsibility of society, and especially its legislative bodies, to ensure that children are able to develop harmoniously". According to the Mission's report, this principle led to the Mission's decision to affirm and protect children's rights and the privacy of those rights over adults' aspirations.**

Right now, our taxpayer dollars are paying for Reciprocal Beneficiaries, which includes benefits for same sex couples. Same sex couples already have medical benefits, hospital visitation benefits and all the benefits that married opposite sex couples enjoy. So we know this Bill SB 232 is NOT about equality. We are also aware that this is not a civil rights issue. Homosexuals were never forced to ride at the back of a bus, drink from a separate drinking fountain and homosexuals were never denied the right to vote. We cannot change the color of our skin but we can change our sexual behavior -www.exodusinternational.org. Even homosexual advocates, themselves admit that this is not an equality or civil rights issue.

IF civil unions a.k.a. same sex marriage bill SB 232 SD1 were passed, a church that holds a biblical view of marriage and sexuality could lose its tax-exempt status as a result of the recognition of special rights for one sexual behavior (civil unions.) The Ocean Grove Camp Meeting Association, a New Jersey United Methodist organization, lost part of its property tax-exemption for refusing to allow a same-sex civil union ceremony to be conducted on its property. Additionally, it is being investigated and charged with violating the state's nondiscrimination statutes. The church is still in litigation. New Jersey has a statutory "religious exemption" law but it doesn't protect churches! The government has continually persecuted this church for their stand against homosexuality.

In addition, there are many, many health risks associated with homosexual behavior. I have a 30-page report from the Massachusetts Department of Health that details the health issues associated with the homosexual lifestyle and bisexual behavior. Our beloved state of Hawaii doesn't have all the extra funds needed to deal with the increase in AIDS/HIV, increase in STD's, increase in suicides, increase in domestic violence, increase in alcohol and drug abuse and the list goes on & on.

In Hawaii, of the 3,152 cumulative cases of AIDS reported as of Dec. 31, 2009, 2,518 of these cases of AIDS are men who have sex with men. That is 80% of the AIDS cases in Hawaii that are homosexual men. Another 5% or 145 men are "undetermined" – so these men could be bisexual or transgender since those weren't choices on the Dept. of Health Survey. Since the average homosexual male only lives to 40 years of age, almost half the lifespan of heterosexual males, by promoting homosexuality in Hawaii via the civil unions bill, you would be assisting in killing homosexual males at an early age.

I have barely touched the surface regarding AIDS & HIV but I want to go on to another important subject that would effect all of Hawaii and that is this: STD's. There is a rare STD that showed up in the Netherlands between 2003-2004. This STD is called Lymphogranuloma Venereum (LGV). The Netherlands had 92 confirmed cases of this STD from 4/03 - 9/04. I cannot give details at this hearing because the symptoms of this STD are very graphic and gruesome. There were similar outbreaks of LGV in Antwerp, Hamburg, Paris, Sweden and the United Kingdom. There are recent reports of this gruesome STD in Canada and the United States, according to the Morbidity and Mortality Weekly Report. Nearly every case of this STD outbreak occurs between homosexual males. Doctors have tried to treat this STD but there is no cure for it. So the doctors ask the homosexual males to track down their sex partners for the last 60 days since they also may be infected with LGV. For every homosexual male, according to the John A. Burns School of Medicine, University of Hawaii they must be tested for the following every year:

1. HIV
2. Syphilis

3. Urethral CT & GC
4. HSV
5. Rectal gonorrhea
6. Rectal Chlamydia
7. Pharyngeal gonorrhea

For homosexual males that have multiple partners which is about 97% of all homosexual males, every 3-6 months, it is recommended that they are tested for:

Methamphetamine use (Every 3-6 months)

The cost of Meth-Related Emergency Room visits in Hawaii are already at \$43 Million Dollars per year!

That is a very expensive endeavor and with all those treatments not even mentioning the medical expenses of treating someone with AIDS, the health care system in Hawaii would be financially stressed and close to collapse. And IF we were to legalize same sex marriage in Hawaii, don't you think same sex partners on the US Mainland will come to Hawaii with their diseases, too?

Who's going to pay for all these expensive tests and treatments? Since Hawaii is the only state that doesn't require Fiscal Notes, we don't know the actual cost of implementing this civil unions bill SB 232 SD1. Who will pay the expenses? Taxpayers? Or will the money come out of the Hurricane Fund? Or we won't know until Mid-March when Governor Abercrombie finally discloses the Hawaii State Budget? Or will the money come from Education?

Oh, no wait – we will need that money in Education because IF civil unions were to become law, the homosexuals want to teach our children in the public schools about same sex marriage. They already have homosexual curriculum and they already have books written for kindergartners to teach them about same sex parents. Parents in Massachusetts have sued their state for not allowing them to opt out of homosexual education, which was taught without parental consent to their kindergartners and first graders. However, the parents lost the lawsuit since same sex marriage is legal in Massachusetts. We don't want the same thing to happen here in Hawaii. Which brings me to another subject. We have parental rights and when those rights are taken away in the public school system, you can prepare for tons of lawsuits. I for one do not want my children to learn about same sex parents, same sex relationships and I don't want them to read any same sex curriculum.

The implications for children are profound. Because homosexuals are rarely monogamous, often having as many as three hundred or more partners in a lifetime — some studies say it is typically more than one thousand partners in a lifetime — children in those polyamorous situations are caught in the middle. I recently talked to a young girl whose mom is a lesbian and she told me that when she was about 9 years old, she was approached for lesbian sex and sexually molested. She saw her mother come and go. She witnessed her mother bringing multiple girlfriends home. The homosexual lifestyle is devastating to children! And IF civil unions were to be legalized, what would happen to our young people? The next generation coming up would not know the meaning of a lifelong commitment, emotional bonding, the role of children in a family and the sanctity of marriage. They would be more self-centered into getting their sexual needs met without commitment. As we have seen in the European countries that have legalized civil unions, their young people are into short-term relationships and living together. Those that want lifelong commitments move from their country to the United States where we have cherished and nurtured the marriage relationship based upon our nation's Judeo-Christian roots.

And you should be ready for more lawsuits concerning Party A and Party B. When I got married, it was bride and groom but IF civil unions a.k.a. were to be implemented, all the marriage documents on all the islands in the state of Hawaii would have to be changed to Party A and Party B. But just like in California, there were lawsuits because husband and wife wanted to have on their marriage license "bride" and "groom", not Party A and Party B. California lost tons of money by changing all the marriage documents to read Party A and Party B. Then when all the lawsuits came, they changed it back to "bride" and "groom." Lawsuits could cost the State of Hawaii thousands upon thousands of dollars and then some.

SB232 SD1 would negatively affect businesses. Many businesses would close their doors and go elsewhere. Most photo businesses don't want to photograph same sex couples' civil union or same sex wedding because it's against their morals. Recently, a couple in New Mexico was fined for not taking same sex wedding photos. Small business lawsuits could also cost the State of Hawaii thousands upon thousands of dollars and then some. In addition Business owners across the nation and in Canada are being fined for not embracing homosexuality. A man who owned a printing press in Canada was fined \$3,400 for refusing to print stationary for a homosexual activist organization.

Our religious organizations would be greatly affected **IF** this same sex marriage bill which Senator Brickwood Galuteria, the sponsor of this bill calls civil unions is passed. On April 28th, 2004, the Canadian Parliament passed bill C 250, which effectively criminalized speech or writings that criticize homosexuality. Anything deemed to be "homophobic" can be punished by six months in prison or by other severe penalties. That would mean a pastor or a preacher could not preach or teach from

Leviticus where the Scripture calls the homosexual lifestyle an abomination or preach from Romans Chapter 1 where the Scriptures clearly show that homosexuality is unclean, lustful, dishonorable, a deceitful lifestyle, vile, unnatural, unseemly and in verse 27 it says that homosexuals will reap consequences for their error. As a church leader, I believe it is gravely wrong for anyone to say what can and cannot be preached in a Church or Synagogue. The majority of Jewish leaders and Christian leaders in Hawaii preach against same sex marriage or civil unions as you call it. You would have to jail most of the Jewish leaders and Christian leaders in Hawaii because we are not going to remain silent.

I HAVE TO REITERATE THIS AGAIN: Children would also greatly be affected. Everyone knows that the best environment for a child is a stable home with a mother and a father.

Lastly, but definitely not least, same sex marriage would undermine opposite sex marriages and traditional families.

Our society here in Hawaii is made of up more than 97% of heterosexuals and less than 2% of homosexuals. There should not be special privileges for one sexual behavior. Where will it end? Then other groups that practice another sexual behavior (polygamists, pedophiles, etc.) will want their rights. Where will it end? And what will the standard be for sexual behavior. We must have a standard. You, as a Legislator must draw the line somewhere.

If we want Hawaii to be a blessed state, we must choose the standard of the Word of God. If you, personally choose to be obedient to God's Word and vote AGAINST SB232, you will be blessed:

- 1 And it shall come to pass, if thou shalt hearken diligently unto the voice of the LORD thy God, to observe and to do all his commandments which I command thee this day, that the LORD thy God will set thee on high above all nations of the earth:
- 2 And all these blessings shall come on thee, and overtake thee, if thou shalt hearken unto the voice of the LORD thy God.
- 3 Blessed shalt thou be in the city, and blessed shalt thou be in the field.
- 4 Blessed shall be the fruit of thy body, and the fruit of thy ground, and the fruit of thy cattle, the increase of thy kine, and the flocks of thy sheep.
- 5 Blessed shall be thy basket and thy store.
- 6 Blessed shalt thou be when thou comest in, and blessed shalt thou be when thou goest out. Deuteronomy 28:1-6 KJV

But if you choose not to obey God, and vote FOR SB232, you will be cursed:

- 15 But it shall come to pass, if thou wilt not hearken unto the voice of the LORD thy God, to observe to do all his commandments and his statutes which I command thee this day; that all these curses shall come upon thee, and overtake thee:
- 16 Cursed shalt thou be in the city, and cursed shalt thou be in the field.
- 17 Cursed shall be thy basket and thy store.
- 18 Cursed shall be the fruit of thy body, and the fruit of thy land, the increase of thy kine, and the flocks of thy sheep.
- 19 Cursed shalt thou be when thou comest in, and cursed shalt thou be when thou goest out.
- 20 The LORD shall send upon thee cursing, vexation, and rebuke, in all that thou settest thine hand unto for to do, until thou be destroyed, and until thou perish quickly; because of the wickedness of thy doings, whereby thou hast forsaken me.
- 21 The LORD shall make the pestilence cleave unto thee, until he have consumed thee from off the land, whither thou goest to possess it. Deuteronomy 28:15-21 KJV

This is the Word of God.

Sincerely,

Margaret Scow

Wife, Mother, Business Owner, Community Leader & Church Leader

JUDtestimony

From: Vellalos Ohana [t-tita@hawaiiantel.net]
Sent: Monday, February 07, 2011 4:00 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)
Attachments: House Judiciary Committee SB232 & HB1453.pdf

Testimony in opposition to HB1453 & SB232 SD1 Judiciary Committee Tuesday, February 8, 2011
2:15 PM

TO THE HOUSE JUDICIARY COMMITTEE
TWENTY-SIXTH LEGISLATURE Regular Session of 2011

Tuesday, February 8, 2011 2:15PM

TESTIMONY in Opposition to:

SENATE BILL NUMBER 232, RELATING TO CIVIL UNIONS

and

HOUSE BILL NUMBER 1453, RELATING TO LEGAL RELATIONSHIPS

Aloha Judiciary Committee,

I'm writing to request that you Oppose HB 1453 & SB 232 SD1.

In 1998, the people of Hawaii were given the opportunity, through a Constitutional Amendment, to clearly express their views on traditional marriage & same sex marriage. The voters, in an overwhelming majority of almost 80%, amended the state constitution to preserve the definition of marriage as the union of a man and a woman.

We, the residents of Hawaii, do not want civil unions!

SB 232 says it is not the "**intent**" of the legislature to redefine traditional marriage through the passage of "civil unions." But SB 232 does not prevent this measure from being used to redefine marriage.

I would like to recommend that the House Judiciary Committee amend SB 232 to insert language that specifically **prohibits** this bill from redefining marriage to ensure against such an 'unintended' consequence.

At this point a vote for civil unions is a vote for same sex marriage in Hawaii.

I respectfully request that you oppose HB 1453 & SB 232 SD1.

Mahalo,
Elizabeth Vellalos

JUDtestimony

From: Ryan J Loeffers [ryanjl@hawaii.edu]
Sent: Monday, February 07, 2011 3:42 PM
To: JUDtestimony
Subject: In Support of SB232

TO: House Judiciary Chair, Gilbert S.C. Keith-Agaran
RE: House Judiciary Committee, scheduled for Tuesday, February 8, 2011, 2:15p.m.

Testimony of Ryan Loeffers in strong support of SB232, Relating to Civil Unions

My name is Ryan Loeffers from Hawaii Kai and I am strongly in favor of passing SB232.

I had a very difficult time coming to terms with my sexuality and then dealing with the depression associated with being discriminated against. I was initially afraid that my parents would be among those who would turn me down for who I was. I was very pleasantly surprised that they supported me from the instance I came out to them. They never stopped loving me or supporting me and, they would love for me to be able to have a family of my own. This would be much easier for me if the committee were to pass SB232.

Unfortunately, not everyone is as supportive as my parents are and I've experienced a great deal of discrimination since I came out 4 years ago. The civil unions bill is a sign that same-sex couples as legitimate families. We are not second-class citizens, but we are currently not protected under Hawaii law. SB232 would provide us the essential legal protection that we need, our families need, and our children need.

As important as the legal protection is the dignity that we gain from not being treated as second-class citizens and the step forward that Hawaii would be taking in social progress in denouncing homophobia. Civil unions would mean so much to myself personally and Hawaii's other same-sex families.

My parents want what any parent wants for their child. They want me to be happy, to find a partner and have children. Though possible, this is currently a legal nightmare for Hawaii's families.

I would like to extend my warmest aloha to the committee for considering SB232 and taking into account Hawaii's same-sex families.

Mahalo and Aloha,

Ryan Loeffers

JUDtestimony

From: Lambda Law Student Association [lambdalawhawaii@gmail.com]
Sent: Monday, February 07, 2011 3:46 PM
To: JUDtestimony
Subject: Strongly in Support of SB232

TO: House Judiciary Chair, Gilbert S.C. Keith-Agaran
RE: House Judiciary Committee, scheduled for Tuesday, February 8, 2011, 2:15p.m.

Testimony of the Lambda Law Student Association in strong support of SB232, Relating to Civil Unions

We represent the Lambda Law Student Association at the William S. Richardson, and we are strongly in favor of SB232.

We were formed in order to promote equality for those of diverse sexual orientations and gender identities. It is with great enthusiasm and aloha that we welcome and embrace the Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) people of Hawaii. It is in this spirit of community, fairness, and equality that we are reaching out to you today; the state of Hawaii is fortunate to have another chance to pass one of our more basic of rights! For far too long, our country has witnessed discrimination based on gender, race, and sexual orientation amongst other things. Now, Hawaii is at a pivotal point in a new year and a new decade to wipe away inequality.

Civil Unions will grant the basic legal protection that Hawaii's LGBT families need. Many of our families have been together for decades and have minor children together. Unfortunately, Hawaii's current laws do not provide adequate protection for our families and their children. Providing basic legal protection for minor children should not be a controversial matter.

We would like to emphasize that SB232 is a simple matter of basic legal protection and as such we are not addressing a religious issue or a redefinition of "marriage." Again, we support this bill because the only things it will affect are the basic legal rights of Hawaii's LGBT families, including minor children. This vote is not about politics; rather, it is about an issue of fairness for people of the right age and sound mind, who choose to live together, share everything together to be able to have the protection of our government.

We have nothing to fear from love and commitment. As an elected leader, we hope that you will fight for the rights of all the people of whom you serve. We hope SB232 has your support and hope to take a step forward alongside you. We are all in this together.

Mahalo Nui Loa,
Ryan Loeffers, President
Kori Weinberger, Vice President

Lambda Law Student Association
University of Hawaii at Manoa
William S. Richardson School of Law

--
Lambda Law Student Association
2515 Dole Street
Honolulu, HI 96822
lambdalawhawaii@gmail.com

lambdalawpolitics@gmail.com

Lambda LSA seeks to foster communication regarding issues relating to persons of diverse sexual orientation and to bring greater awareness to the Law School community of these issues.

**Please let us know if you no longer wish to receive emails from Lambda LSA.

JUDtestimony

From: Rachel Bennett [jaiebennetts@gmail.com]
Sent: Monday, February 07, 2011 3:53 PM
To: JUDtestimony
Subject: My testimony on senate bill 232, and house bill 1453

TESTIMONY ON:

- SENATE BILL 232, SENATE DRAFT 1, A BILL FOR AN ACT RELATING TO CIVIL UNIONS
- HOUSE BILL 1453, A BILL FOR AN ACT RELATING TO LEGAL RELATIONSHIPS

HOUSE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS
Gilbert S.C. Keith-Agaran, Chair
Karl Rhoads, Vice Chair

Tuesday, February 8, 2011
2:15 p.m., Capitol Auditorium

Aloha,

Chair Keith-Agaran and Vice Chair Rhoads and Members of the Committee.

Thank you for the opportunity to testify. I strongly oppose the passage of S.B. 232, S.D. 1 and H.B. 1453.

My name is Rachel Bennett. I was born here in Hawaii and now have 5 children of my own. I am very concerned about the aftermath if these bills were to pass.

I oppose both S.B. 232 and H.B. 1453. I believe that marriage is the union of a man and a woman. I oppose the state conferring legal status on any other type of sexual

relationship. I believe that the government should help every child to have a mother and a father in the child's life. Protecting marriage makes this more likely. Conferring legal

status on other sexual relationships makes this less likely. S.B. 232 creates a legal status called "civil unions" and makes it available to

opposite-sex couples as well as same-sex couples. Section 9 of S.B. 232 states that partners to a civil union "shall have all the same rights, benefits, protections, and

responsibilities . . . as are granted to those who" marry in accordance with Hawaii's marriage law. It is same-sex marriage in all but name that also allows an opposite-sex

couple to enter into a civil union rather than a marriage. H.B. 1453 is limited to same-sex couples. It also confers all of the rights, benefits,

protections, and responsibilities of marriage upon civil unions partners. It is also same- sex marriage in all but name.

In 1998, the voters of Hawaii by a landslide majority amended our State Constitution with the intent of limiting marriage to one man and one woman. Yet the

Legislature is now poised to pass a bill that will essentially create same-sex marriage in all but name. Moreover, practically every state that has passed a civil unions bill has

ended up passing same-sex marriage, or being compelled by their state supreme courts to recognize same-sex marriage. The supporters of civil unions who say that civil unions

won't lead to same-sex marriage are not being honest about their ultimate goal of imposing same-sex marriage on Hawaii.

Hawaii already provides many rights and benefits to pairs of individuals who are not legally permitted to marry under the Reciprocal Beneficiaries Law found in Chapter

572C of the Hawaii Revised Statutes. House Bill 1354 introduced this Legislative Session by Representative Karen Awana would provide additional rights and benefits to

reciprocal beneficiaries. I have yet to hear of any reason to institute yet another domestic relations scheme called civil unions when our current marriage law and reciprocal

beneficiaries law with amendments can provide everyone with appropriate and comparable rights and benefits.

I therefore ask this committee to hold S.B. 232, S.D. 1 and H.B. 1453, and not recommend passage of either measure.

Strongly Concerned,

Rachel Bennett

JUDtestimony

From: Jennifer Ruggles [jenniferjangles@gmail.com]
Sent: Monday, February 07, 2011 3:56 PM
To: JUDtestimony
Subject: Support H.B. 1453 and S.B. 232 CIVIL UNIONS

Please support equality for all under our law without regard for sexual orientation. Please end the discrimination. Please Support H.B. 1453 and S.B. 232.

Sincerely,
Jennifer Ruggles

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 4:00 PM
To: JUDtestimony
Cc: ladyvalledor@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: BJA Testimony SB 232 Civil Unions.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: BettyJean Anderson
Organization: Individual
Address: 91-1006 Waiko'ihl St. Ewa Beach, HI 9676
Phone: 808-681-3232
E-mail: ladyvalledor@hawaii.rr.com
Submitted on: 2/7/2011

Comments:

Monday, February 7, 2011

To: The Hawaii State Senate, 26th Legislature of 2011
Chairman Gilbert S.C. Keith-Agaran, Vice Chairman Karl Rhoads, and
All Members of House Committee on Judiciary

Re: OPPOSE Senate Bill S.B. 232 – “RELATING TO CIVIL UNIONS” and all related bills
legitimizing homosexuality
Hearing, Tuesday, February, 2011 at 2:15 P.M. in the Auditorium
State Capitol, 415 So. Beretania St., Honolulu, HI

Chairman Keith-Agaran, Vice Chairman Rhoads and all the Members of the House Judiciary
Committee:

My name is BettyJean Anderson. I'm a Berkeley graduate, married 27 years, mother of three
adults and resident of Hawaii 30 years. I represent the majority of Hawaii citizens who oppose
homosexuality and S.B. 232. Though you may not endorse the homosexual lifestyle and your
major concern is equality, yet your vote for S.B. 232 will, in fact, be your endorsement which
will impact Hawaii enormously for generations to come.

In the attachments to this testimony you will see my testimony to the Senate Judiciary
Committee on January 26th discussing other matters as well as see in my 2nd attachment the
negative effects homosexuality has had upon the state of Massachusetts. Please read that as well.

Homosexuality has been considered a perverse behavioral lifestyle until recent history when the
medical journals, through pressure from homosexual lobbying groups, have changed it from
being an “aberant sexual behavior,” i.e., departing from an acceptable lifestyle.’ Other journals
used to state it was “perverse.” I have since come to learn that perversity applies in many
instances but its basic meaning is a “dysfunctional use from its original intent.” For example, to
feed ones ear with a carrot would be perverse. To eat sand could also be an example of
perversity. The homosexual lifestyle is also one that exhibits a form of perversity in that the
sexuality of human beings was designed for procreation and sexual activity in which the sexual
organs correspond according to its design. The union of homosexuality is a perversion of God’s
intent and original design. Even our beloved Ellen Degeneres takes on the persona of the male
counterpart in a marriage union.

The question here is who has the authority to determine what is? Man or God? And, who has
given us the idea and concept of authority to make these decisions? As a student and teacher of
scripture in our church, I’d like to direct you to 2 short passages on authority that state:

“And, there is no creature hidden from His sight, but all things are open and laid bare to the eyes
of Him with whom we have to do.” – Heb. 4:13

And, “1Every person is to be in subjection to the governing authorities For there is no authority
except from God, and those which exist are established by God.

2Therefore whoever resists authority has opposed the ordinance of God; and they who have opposed will receive condemnation upon themselves.

3For rulers are not a cause of fear for good behavior, but for evil. Do you want to have no fear of authority? Do what is good and you will have praise from the same;

4for it is a minister of God to you for good. But if you do what is evil, be afraid; for it does not bear the sword for nothing; for it is a minister of God, an avenger who brings wrath on the one who practices evil.

5Therefore it is necessary to be in subjection, not only because of wrath, but also for conscience' sake. – Romans 13:1-5

In these passages, the whole issue of homosexuality has to do with homosexuals and the legislature coming into agreement with God, or going against the Supreme Authority's decrees and dictates. It would seem that the One who designed us should have the final say and give us the blueprint for how we should function in marriage and in sexual relationships. Yes, all of these moral issues have to do with "Him with whom we have to do." God has given you authority to use to condone good behavior and not one that goes against His design.

There is not enough time for me to prove to you that the homosexual lifestyle is not one of inherent DNA and discrimination but one of choice. Please oppose S.B. 232, HB 1453, HB1623; and support HB 1244. Please allow Hawaii to remain the "Aloha State" and not as the next 'Gay Capitol of the United States.'

Please see attached:

1) my testimony to the Senate Judiciary Committee;

2) article "What Same-sex 'marriage' has done to Massachusetts") showing the negative cultural changes that have happened to the state of Massachusetts when same-sex marriage was legalized.

Respectfully submitted,
Mrs. BettyJean Anderson
Ewa Beach, Hawaii

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 4:15 PM
To: JUDtestimony
Cc: kkitagawa1@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Kent T. Kitagawa
Organization: Individual
Address: 98-1440A Koahehe Street Pearl City
Phone: 808456-8985
E-mail: kkitagawa1@gmail.com
Submitted on: 2/7/2011

Comments:

Honorable Representatives:

It seems that there is a concerted effort to push Civil Unions upon the people of Hawaii despite our rejection of this issue time and again. There already is a reciprocal beneficiary law which is TRULY open to all who require benefits accorded to traditional family units, and with very little expansion of benefits, would give all who truly need, to the rights and benefits this civil unions bill purports to be about. This is no civil rights issue; it is legislated acceptance of same-sex marriage. And three bills have been introduced! Has the legislature nothing more important to deal with, or are they only representing one minority segment of the population, to the exclusion of the wishes of the rest of their constituency? There is an alternative in place; why is it being ignored?! Why is the voice of the general population being ignored?!

This kind of action by the legislature is why the general population of the state feel disenfranchised and lack motivation to participate in government.

Please hear the voice of the people and oppose passage of HB 1623, HB 1453, and SB 232! This is our home too, and we want to preserve all our families and their physical, spiritual and emotional health for the generations to come!

Mahalo For Your Kind Consideration,

Kent Kitagawa
98-1440A Koahehehe Street
Pearl City, HI 96782

JUDtestimony

From: Jeffrey Hong [jeffhong@microsoft.com]
Sent: Monday, February 07, 2011 4:50 PM
To: JUDtestimony
Subject: FW: SB232 Support Testimony
Attachments: HICivilUnion_Williams.pdf; SB232(Support) Testimony.docx

Chair Keith-Agaran, Vice-Chair Rhoads, and Members of the House Committee on Judiciary

My name is Jeffrey Hong. I would like to add my voice in support of SB 232. From my personal perspective as a businessman, as Vice-President of the ACLU, and having served as a Major in the Hawaii Army National Guard, SB 232 will move Hawaii forward.

I am the head of Microsoft Consulting Services in Hawaii. Microsoft is in the business of producing intellectual property (IP). Education, imagination, and a solid work ethic form the raw resources of the IP industry. Diversity is a vital component of any creative environment. Microsoft has resources dedicated to increasing workforce diversity because it is viewed as a competitive advantage.

Last year there was a ballot initiative in Washington State to limit the rights of couples in a Civil Union type relationship. Microsoft spoke with its pocketbook on the importance of a diverse workforce when it donated \$100K to defeat an initiative that would hurt its gay employees. Google and Apple publically stood in opposition to a similar discriminatory proposition in California. Why would our State want to erect a barrier to our competitiveness that other businesses feel a need to remove in their States?

We live in a time where the production of IP can occur anywhere. Technology can now turn our geographic isolation into an advantage and I know we have a solid base of raw resources. My group assists local businesses with their IT systems. These systems are primarily developed here, but also in Boston, Seattle, LA, and India. For Hawaii based work I want to hire locally, but to fill technical gaps I have also hired from the mainland, and abroad.

It is a real disadvantage to be located in a place where the protections of civil unions are lacking. We are competing with Boston, Seattle, LA, and the Bay Area for the same resources who are free to locate their businesses anywhere. How do I convince talented gay persons from these areas to come to Hawaii when they will be losing protections for their families?

This barrier works in other subtle ways to undermine our competitiveness. Many of our brightest children head to the mainland to escape a negative local environment. We are losing some of our best resources.

As the Vice-President of the ACLU of Hawaii, SB 232 is easy; it's the right thing to do. Last year, the ACLU contacted the Williams Institute of the UCLA Law School to provide an analysis of the economic effects of HB 444. I have attached the study for your review. It affirms the positive effects of the legislation on the business community and puts into perspective the costs the legislation will impose.

Finally, I speak as one who has served in the military; I know there are many gay citizens proudly serving our State and Nation in our armed forces. With the pending elimination of "Don't Ask, Don't Tell", gay and lesbian military families will choose to domicile in States that offer protection to their families. Let's make Hawaii a place that Military families want to call home. We need their tax revenue, and we can relieve a source of unnecessary family stress where the dangers of war only amplify the vital need for this legislation.

I respectfully urge passage of SB232. It is the right thing to do, it helps our military families, and it removes barriers to our economic competitiveness.

Sincerely,

Jeffrey Hong
Principle Consultant
Microsoft Consulting Services Hawaii



TO: Representative Blake Oshiro
33rd Representative District, House of Representatives, Hawai'i State Legislature

FROM: Naomi G. Goldberg, R. Bradley Sears, and M.V. Lee Badgett
The Williams Institute, University of California, Los Angeles

DATE: June 14, 2010

RE: Potential Impact of HB444 the State of Hawai'i

Executive Summary

This memo summarizes current research about the potential impact on the State of Hawai'i of HB444 HD1 SD1: Relating to Civil Unions on the state economy and budget. We estimate that between 569 and 1,285 same-sex couples will enter civil unions in the first four years that registration is available. Over twenty studies conducted during the past ten years, including by a number of state governments and the Congressional Budget Office, suggest that HB444 will have the following positive fiscal effects. Our analysis is consistent with a recent analysis of the HB444 conducted by researchers at the University of Hawai'i showing measurable and positive effects.¹

Civil unions will boost the economy of Hawai'i through increased spending and jobs.

- Over twenty studies by academic institutions, governments, and trade industry associations have shown that recognizing same-sex couples is likely to increase spending in a state, creating jobs and tax revenues.
- As same-sex couples enter civil unions, businesses in Hawai'i will experience increased spending on civil union celebrations. We estimate that over four years, these couples will spend between \$4.2 million to \$9.5 million on their civil union celebrations. This estimate is just of spending by the couples themselves.
- If out-of-state guests travel to these celebrations is similar to that of travel to weddings of same-sex couples in Massachusetts, out-of-state guests will spend between \$17.8 million and \$40.3 million in Hawai'i over four years on hotels, food, entertainment, and retail. This estimate does not include the spending of in-state guests or the spending by all guests on gifts.
- This increase in spending by same-sex couples and their out-of-state guests will also lead to the creation of 193 to 333 new jobs in the state, most directly in businesses related to the travel and events.

Civil unions will attract highly- skilled "Creative Class" workers to Hawai'i.

- A 2009 study shows that LGBT friendly policies such as civil unions could attract highly skilled workers to a state.
- LGBT-friendly policies, like legal recognition for same-sex couples, signal to potential employers and employees a welcoming and diversity-friendly climate.
- Such an environment is likely to attract the so-called "Creative Class," a mix of individuals in occupations including financiers, software engineers, artists, teachers, and scientists, who represent a key to regional economic development in today's post-industrial and global

economy. Individuals in the creative class are generally young, highly educated, mobile, and are more likely to value innovation and diversity.

- Individuals in same-sex couples are nearly twice as likely as other adults to be in the creative class.
- A 2009 study of marriage for same-sex couples in Massachusetts evaluating the impacts of marriage there after five years found that Creative Class individuals were 2.5 times more likely to move to Massachusetts in the three years after marriage equality than in the three years prior.

Businesses in Hawai'i will be more productive and will not experience significant increases in costs.

- To the extent HB444 encourages more Hawaii businesses to adopt favorable corporate policies toward lesbian, gay, bisexual, and transgender employees, such as non discrimination policies and domestic partner benefits, research has shown such policies improve productivity of current employees.
- Businesses in states with legal recognition of same-sex couples do not report experiencing significant costs as a result of such recognition. Studies of employers who recognize same-sex couples find that there is generally a 0.3 to 1% increase in enrollment when employers offer same-sex partner benefits and a 1.3 to 1.8% increase when benefits are offered only to different-sex couples.

Civil unions will positively impact the State's budget through increased revenue and savings.

- Over twenty studies by academic institutions and governments have shown that legal recognition of same-sex couples would have a positive impact on a state's budget. The net positive impact on a state's budget is driven by three fiscal impacts: tax revenues from celebrations by same-sex couples, filing fees, and savings in means-tested public benefits programs.
- We estimate that the State of Hawai'i will collect \$714,000 to \$1.6 million in excise tax revenues a result of civil union expenditures by same-sex couples and their out-of-state guests over four years.
- The State will also experience an increase in revenue from the filing fee associated with obtaining a civil union. Based on the number of couples expected to enter a civil union, we estimate that the State will see an increase in revenues of \$34,100 to \$77,100 over four years.
- As a result of entering a civil union and having a higher household income, some individuals in Hawai'i may no longer be eligible for means tested public assistance. As a result, the State of Hawai'i will experience a savings in these public assistance programs. Studies of other states and the Congressional Budget Office have estimated this saving to range from hundreds of thousands to tens of millions of dollars. A state with a similar size same-sex couple population as that of Hawai'i, New Hampshire, was estimated to save \$400,000 per year in spending on public benefits programs.

The experience other states that have passed domestic partnership and civil union laws has shown that implementation of HB444 will not create any significant costs or problems.

- Several states that have evaluated similar civil union or domestic partnership laws after they have been passed have shown that they do not result in any significant implementation costs or issues.
- For example, in 2009 testimony by officials in New Jersey indicated that state departments had minimal costs associated with their civil union law and implementation was "seamless."

Introduction

HB444 HD1 SD1: Relating to Civil Unions, which would extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. The impact on the business climate, the economy, and the state budget is explored in this memo using research and experiences of other states that have extended relationship recognition to same-sex and different-sex couples.

Over twenty studies by academic institutions and state and local governments have predicted that relationship recognition for same-sex couples will have a positive economic impact on businesses and the state economy as a result of spending on celebrations by couples.² This analysis relies on the same methods used in previous studies of the fiscal impact of relationship recognition for same-sex couples on Washington, New Mexico, New Hampshire, California, Connecticut, Colorado, New Jersey, Massachusetts, Vermont, Maryland, Maine, Iowa, Oregon, Arizona, Alaska, and the District of Columbia.³ These studies have found that extending the rights and obligations of marriage to same-sex couples would have a positive impact on each state's budget.

Similar conclusions have been reached by legislative offices in Connecticut⁴ and Vermont⁵ and by the Comptroller General of New York.⁶ In addition, the Congressional Budget Office has concluded that if all fifty states and the federal government extended the rights and obligations of marriage to same-sex couples, the federal budget would benefit by nearly \$1 billion each year.⁷ We find that Hawai'i may also experience a positive impact on the economy and the state as a result of celebration spending by same-sex couples.

The estimates included in this memo are conservative for several reasons, including that we do not include different-sex couples in our estimates. According to the 2008 American Community Survey, there are 22,759 unmarried different-sex couples who would also be eligible to enter civil unions if HB444 were enacted.⁸ These estimates also do not include same-sex couples or different-sex couples who may travel from other states to Hawai'i to enter civil unions. Given Hawai'i's existing destination for weddings, it is possible that there may be additional wedding tourism by couples entering civil unions.

Estimates of the Number of Same-Sex Couples Likely to Enter Civil Unions

We predict that approximately as many as 272 same-sex couples in Hawai'i may enter into a civil union within the first year. This figure is based upon estimates from the 2008 American Community Survey, which finds that there are 2,472 same-sex couples living in Hawai'i.⁹ Research from New Jersey, which instituted civil unions in 2007, shows that 11% of same-sex couples living in New Jersey entered civil unions in the first year.¹⁰ Applying this figure to the same-sex couples living in Hawai'i, we estimate that, in the first year, 272 same-sex couples will enter into civil unions. After four years, 23% of same-sex couples in New Jersey had entered into civil unions.¹¹ If Hawai'i experiences similar civil union registrations, we estimate that 569 same-sex couples will enter civil unions within the first four years.

It is possible that same-sex couples in Hawai'i may be more likely to enter civil unions than those couples living in New Jersey. Unlike New Jersey which is located in a region with several other states offering various forms of legal recognition to same-sex couples (marriage in Massachusetts, Connecticut, New Hampshire, Vermont, and Washington, D.C., and civil unions in Maine), same-sex couples in Hawai'i do not have as many options for legal recognition in neighboring states. In Massachusetts, which has had marriage equality for same-sex couples since 2004, in the first year 37% of same-sex couples living in Massachusetts married¹² and after four years, 52% of same-sex couples in Massachusetts married.¹³ Applying such figures to the same-sex couples living in Hawai'i, we estimate that 915 same-sex couples

will enter a civil union in the first year and 1,285 same-sex couples may enter civil unions in the first four years.

Civil unions will boost the economy of Hawai'i through increased spending and jobs.

Prior research has shown that civil unions are likely to generate economic gains for Hawai'i businesses, generating tax revenues for state and local governments.¹⁴ Weddings create economic activity as well as jobs, providing a boost to the economy. Forbes magazine projects that if same-sex marriage rights were granted nation-wide, same-sex weddings would generate \$16.8 billion dollars in expenditures, adding significantly to America's annual \$70 billion wedding industry.¹⁵ Another recent estimate concludes that gay marriage will generate a billion dollars per year in spending in the United States.¹⁶

It is likely that some of some of the same-sex couples entering civil unions will have celebrations. A previous survey of same-sex married couples in Massachusetts found that same-sex couples spent, on average, \$7,400 on their celebrations, including invitations, flowers, clothing, entertainment, catering, and other related expenses.¹⁷ Based on the estimated 569 to 1,285 same-sex couples who will enter civil unions in the first four years, we estimate that this celebration-related spending could amount to \$4.2 million to \$9.5 million.

In addition to spending by couples on their celebrations, it is possible that same-sex couples in Hawai'i will invite out-of-state guests to attend their celebrations. A survey of same-sex couples who married in Massachusetts found that they had, on average, 16 out-of-state guests in attendance at their celebrations.¹⁸ We assume that each out-of-state guest will spend the equivalent of the average per diem spending by a Hawai'i tourist for the average number of days spent in Hawai'i by a Hawai'i tourist. The average amount spent by U.S. tourists in Hawai'i in 2009 per day was \$150 for a total trip duration of 10 days.¹⁹ Multiplying this by the number of out-of-state guests attending celebrations, we find that, over four years, celebrated-related expenditures by out-of-state guests could total between \$17.8 million and \$40.3 million based upon the ranges set forth above for the number of couples expected to enter civil unions.

In total, we predict that celebration-related spending by same-sex couples and their guests could total between \$4.2 million and \$30.8 million over four years, with the most likely spending at the lower end of that range. Such spending will help local Hawai'i businesses as well as lead to the creation of new 193 to 333 new tourism-related jobs, based upon 2008 data from the State of Hawai'i estimating the number of jobs created by tourism-related spending.²⁰ This is a conservative estimate given that it only takes into consideration same-sex couples, not different-sex couples, who may enter a civil union, and it is limited to those couples living in Hawai'i, not same-sex or different-sex couples may travel to Hawai'i to enter a civil union. In 2009, 1% of U.S. visitors to Hawai'i indicated that they were visiting to be married.²¹ Given the fact that same-sex couples can now marry in five states and the District of Columbia, the demand for Hawaii civil unions by same-sex couples is likely to be relatively low. However, if out-of-state couples decide to have a ceremony in Hawaii, the business revenue increase would be significantly enhanced.

Civil unions will attract highly- skilled "Creative Class" workers to Hawai'i.

Researchers have recently argued that diversity in laws and policies could positively impact the diversity of communities and, in turn, economic development. Richard Florida, a researcher at the University of Toronto, argues that a vibrant and visible lesbian and gay community marks one of the best predictors of a region's ability to attract a group of workers that he dubs the "creative class".²²

Florida suggests that the “creative class” (comprised of an eclectic mix of individuals in occupations including artists, teachers, financiers, software engineers, and scientists) represents a key to regional economic development in today’s post-industrial and global economy. The creative class is a relatively young, highly educated, and mobile workforce that values innovation and diversity as keys to creating stimulating work environments.

Florida argues that LGBT-friendly policies like legal recognition for same-sex couples signal a welcoming and diversity-friendly climate that fosters entrepreneurship and innovation and attracts the creative class and the companies that employ them. Using the concentration of same-sex couples as an indicator, Florida has found that the “gay index” of a region can be predictive of housing prices, regional development, overall wages, the number of young college graduates moving to an area, and overall economic health.

One study finds a connection between marriage equality and the migration of the creative class. A 2009 study of marriage equality in Massachusetts found that there was a small but positive impact on the number of individuals in same-sex couples who were attracted to the state.²³ This study found that marriage equality in Massachusetts resulted in an increase of younger, female and more highly educated and skilled individuals in same-sex couples moving to the state. These creative class individuals in same-sex couples were 2.5 times more likely to move to Massachusetts in the three years after marriage equality than in the three years before.

Businesses in Hawai’i will be more productive and will not experience significant increases in costs.

To the extent HB444 encourages more Hawaii businesses to adopt favorable corporate policies toward lesbian, gay, bisexual, and transgender (LGBT) employees, such as nondiscrimination policies and domestic partner benefits, research has shown such policies improve productivity of current employees without imposing significant costs. Businesses that have favorable corporate policies toward same-sex couples and LGBT people are better able to attract, recruit, and retain employees, especially those in the creative class.

In one public opinion survey, almost half of LGB employees indicated that partner benefits would be their most important consideration if offered another job.²⁴ Domestic partner benefits are also important for heterosexual employees; 6% of heterosexual employees reported that domestic partner benefits would be the most important factor in deciding whether to accept a new job – more than those who would look for onsite child care, and 7% of heterosexual workers who actually changed jobs reported that domestic partner benefits were the most important factor in their decision.²⁵

Prior research has shown the fiscal impact on businesses of extending benefits to same-sex couples is much less than generally assumed. Previous studies suggest a 0.3 to 1% increase in enrollment when employers offer same-sex domestic partner benefits and a similar increase in costs, and a 1.3 to 1.8% increase when the benefits are offered only to different-sex couples.²⁶ Other research supports that the argument that providing benefits will ultimately benefit employers in terms of recruitment and retention, overall cost savings, and lower uninsured health care costs for state and federal governments.

And, while employers may experience a small increase in health care costs as enrollment increases slightly, it is likely that these increased costs would be offset by the benefits gained.²⁷ Providing domestic partner benefits to employees ultimately reduces the number of uninsured people. As a result, state and federal governments would likely see a reduction in Medicaid spending and

uncompensated care.²⁸ Furthermore, reducing the number of uninsured people would also likely reduce the health care costs for all employers.²⁹

Numerous studies from various academic disciplines suggest that LGBT workers will have greater job satisfaction and be more productive workers if they have legal protection from discrimination.³⁰ Several studies have found higher levels of disclosure in workplaces when employers have their own non-discrimination policies that include sexual orientation.³¹ Hawai'i businesses would benefit from being able to increase their competitiveness in attracting such employees.

Civil unions will positively impact the State's budget through increased revenue and savings.

Prior research also indicates that as a result of celebration spending by same-sex couples and their guests, the State of Hawai'i can expect an increase in excise tax revenues.³² If same-sex couples and their guests spend the expected \$5.6 million to \$12.6 million over four years, the state would collect between \$714,000 and \$1.6 million in excise taxes, assuming the current excise rate of 4%.³³

In addition, the state will also experience increased revenue through the filing fee associated with civil unions. If 569 same-sex couples enter civil unions over four years, the State will collect an additional \$34,100 in fees, assuming the proposed filing fee of \$60 per couple. If 1,285 same-sex couples enter civil unions over four years, the State would see an increase in revenue of \$77,100.

Finally, the state will experience savings through a decrease in the number of individuals eligible for means tested benefits programs. A number of other studies, including one conducted by the Congressional Budget Office, has estimated that if the rights and obligations of marriage are extended to same-sex couples, state governments will save money in means tests benefit programs like Medicaid and SSI.³⁴ Spouses are obligated to provide for one another's basic needs. After entering a civil union, a same-sex partner's income and assets would be included in assessing an individual's eligibility for means-tested public benefits after entering a civil union. This will reduce the number of people eligible for such benefits, thereby saving the state money.

Although New Hampshire has different state-level public benefits programs and share of costs on federal benefit programs, it has a similar number of same-sex couples as does Hawai'i. A 2005 study found that allowing same-sex couples to marry in New Hampshire would save the state approximately \$400,000 per year in means tested benefits programs.³⁵ Savings to states are the largest in the areas of Medicaid and Social Security Insurance spending.

The experience other states that have passed domestic partnership and civil union laws has shown that implementation of HB444 will not create any significant costs or problems.

The costs to the State of Hawai'i to implement civil unions are likely to be minimal. Several studies of other states find that state governments have the capacity to implement civil unions.³⁶ For example, the New Jersey Civil Union Review Commission recently held hearings to evaluate the effectiveness of civil unions eighteen months after implementation. At these hearings, multiple state officials testified that the costs associated with implementing the civil union legislation were minimal and that implementation was relatively easy. For example, officials from the Departments of Children and Families, Labor and Workforce Development, the Motor Vehicle Commission, the Office of the Courts, and other testified that the costs of implementing the new civil union law were "negligible to none," "the most minimal of costs," and that the implementation itself had been "seamless." Specific officials mentioned that some forms needed to be reprinted, but that such printed fell within the annual procedures.³⁷

A 2005 analysis conducted by the Connecticut Legislative Commissioner concluded that the state's departments were well-prepared to implement the necessary changes and that the costs to do so were minimal.³⁸ For example, the state's judicial department was expected to expand court-based services as a result of the civil union legislation, but the costs for the expansion were small.

Conclusion

This memo estimates the impact on the State of Hawai'i, its economy, businesses, and budget of HB444. Extending civil unions to different-sex and same-sex couples in Hawai'i will positively boost the economy of the state through increased spending and job creation, will attract highly educated and talented members of the "Creative Class," will increase the ability of businesses to recruit and retain employees, and will generate revenue and savings for the State. Additionally, based upon the experiences of states that have implemented civil unions, including Connecticut and New Jersey, the costs to the State of Hawai'i of implementing HB444 would be minimal.

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² All studies are available on the Williams Institute website: www.law.ucla.edu/williamsinstitute. Several of these studies have been published in academic journals; Badgett, M.V.L. and R.B. Sears. Putting a Price on Equality? The impact of same-sex marriage on California's Budget. *Stanford Law and Policy Review* 16: 197, 2005; Badgett, M.V.L., R.B. Sears, and D. Ho. Supporting Families, Saving Funds: An economic analysis of equality for same-sex couples in New Jersey. *Rutgers Journal of Law & Public Policy* 4:1, 2006; Badgett, M.V.L., A.K. Baumle, S. Kravich, A.P. Romero, and R.B. Sears. The Impact on Maryland's Budget of Allowing Same-Sex Coupls to Marry. *University of Maryland Law Journal of Race, Religion, Gender & Class* 7:2, 2007; State of Connecticut, General Assembly. Senate File No. 379. January 2005. <http://www.cga.ct.gov/2005/fc/2005SB-00963-R000379-FC.htm>; State of Vermont, Legislative Council. Report of the Vermont Civil Union Review Commission. January 2001. <http://www.leg.state.vt.us/baker/cureport.htm>; Office of the New York City Comptroller. Love Counts: the economic benefits of marriage equality for New York . June 2007. <http://www.law.ucla.edu/williamsinstitute/publications/Love%20Counts.pdf>; Congressional Budget Office. The Potential Budgetary Impact of Same-Sex Marriages. June 21, 2004. <http://www.cbo.gov/ftpdocs/55xx/doc5559/06-21-SameSexMarriage.pdf>

³ All studies are available on the Williams Institute website: www.law.ucla.edu/williamsinstitute. Several of these studies have been published in academic journals; Badgett, M.V.L. and R.B. Sears. Putting a Price on Equality? The impact of same-sex marriage on California's Budget. *Stanford Law and Policy Review* 16: 197, 2005; Badgett, M.V.L., R.B. Sears, and D. Ho. Supporting Families, Saving Funds: An economic analysis of equality for same-sex couples in New Jersey. *Rutgers Journal of Law & Public Policy* 4:1, 2006; Badgett, M.V.L., A.K. Baumle, S. Kravich, A.P. Romero, and R.B. Sears. The Impact on Maryland's Budget of Allowing Same-Sex Coupls to Marry. *University of Maryland Law Journal of Race, Religion, Gender & Class* 7:2, 2007.

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⁵ State of Vermont, Legislative Council. Report of the Vermont Civil Union Review Commission. January 2001. <http://www.leg.state.vt.us/baker/cureport.htm>

⁶ Office of the New York City Comptroller. Love Counts: the economic benefits of marriage equality for New York . June 2007. <http://www.law.ucla.edu/williamsinstitute/publications/Love%20Counts.pdf>

⁷ Congressional Budget Office. The Potential Budgetary Impact of Same-Sex Marriages. June 21, 2004. <http://www.cbo.gov/ftpdocs/55xx/doc5559/06-21-SameSexMarriage.pdf>

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- ¹⁴ All studies are available on the Williams Institute website: www.law.ucla.edu/williamsinstitute. Several of these studies have been published in academic journals; Badgett, M.V.L. and R.B. Sears. Putting a Price on Equality? The impact of same-sex marriage on California's Budget. *Stanford Law and Policy Review* 16: 197, 2005; Badgett, M.V.L., R.B. Sears, and D. Ho. Supporting Families, Saving Funds: An economic analysis of equality for same-sex couples in New Jersey. *Rutgers Journal of Law & Public Policy* 4:1, 2006; Badgett, M.V.L., A.K. Baumle, S. Kravich, A.P. Romero, and R.B. Sears. The Impact on Maryland's Budget of Allowing Same-Sex Coupls to Marry. *University of Maryland Law Journal of Race, Religion, Gender & Class* 7:2, 2007; State of Connecticut, General Assembly. Senate File No. 379. January 2005. <http://www.cga.ct.gov/2005/fc/2005SB-00963-R000379-FC.htm>; State of Vermont, Legislative Council. Report of the Vermont Civil Union Review Commission. January 2001. <http://www.leg.state.vt.us/baker/cureport.htm>; Office of the New York City Comptroller. Love Counts: the economic benefits of marriage equality for New York. June 2007. <http://www.law.ucla.edu/williamsinstitute/publications/Love%20Counts.pdf>; Congressional Budget Office. The Potential Budgetary Impact of Same-Sex Marriages. June 21, 2004. <http://www.cbo.gov/ftpdocs/55xx/doc5559/06-21-SameSexMarriage.pdf>
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³² All studies are available on the Williams Institute website: www.law.ucla.edu/williamsinstitute. Several of these studies have been published in academic journals; Badgett, M.V.L. and R.B. Sears. Putting a Price on Equality? The impact of same-sex marriage on California's Budget. *Stanford Law and Policy Review* 16: 197, 2005; Badgett, M.V.L., R.B. Sears, and D. Ho. Supporting Families, Saving Funds: An economic analysis of equality for same-sex couples in New Jersey. *Rutgers Journal of Law & Public Policy* 4:1, 2006; Badgett, M.V.L., A.K. Baumle, S. Kravich, A.P. Romero, and R.B. Sears. The Impact on Maryland's Budget of Allowing Same-Sex Coupls to Marry. *University of Maryland Law Journal of Race, Religion, Gender & Class* 7:2, 2007; State of Connecticut, General Assembly. Senate File No. 379. January 2005. <http://www.cga.ct.gov/2005/fc/2005SB-00963-R000379-FC.htm>; State of Vermont, Legislative Council. Report of the Vermont Civil Union Review Commission. January 2001. <http://www.leg.state.vt.us/baker/cureport.htm>; Office of the New York City Comptroller. Love Counts: the economic benefits of marriage equality for New York . June 2007. <http://www.law.ucla.edu/williamsinstitute/publications/Love%20Counts.pdf>; Congressional Budget Office. The Potential Budgetary Impact of Same-Sex Marriages. June 21, 2004. <http://www.cbo.gov/ftpdocs/55xx/doc5559/06-21-SameSexMarriage.pdf>

³³ State of Hawai'i, Department of Taxation. http://www6.hawaii.gov/tax/a7_faq.htm#get

³⁴ All studies are available on the Williams Institute website: www.law.ucla.edu/williamsinstitute. Several of these studies have been published in academic journals; Badgett, M.V.L. and R.B. Sears. Putting a Price on Equality? The impact of same-sex marriage on California's Budget. *Stanford Law and Policy Review* 16: 197, 2005; Badgett, M.V.L., R.B. Sears, and D. Ho. Supporting Families, Saving Funds: An economic analysis of equality for same-sex couples in New Jersey. *Rutgers Journal of Law & Public Policy* 4:1, 2006; Badgett, M.V.L., A.K. Baumle, S. Kravich, A.P. Romero, and R.B. Sears. The Impact on Maryland's Budget of Allowing Same-Sex Coupls to Marry. *University of Maryland Law Journal of Race, Religion, Gender & Class* 7:2, 2007; State of Connecticut, General Assembly. Senate File No. 379. January 2005. <http://www.cga.ct.gov/2005/fc/2005SB-00963-R000379-FC.htm>; State of Vermont, Legislative Council. Report of the Vermont Civil Union Review Commission. January 2001. <http://www.leg.state.vt.us/baker/cureport.htm>; Office of the New York City Comptroller. Love Counts: the economic benefits of marriage equality for New York . June 2007. <http://www.law.ucla.edu/williamsinstitute/publications/Love%20Counts.pdf>; Congressional Budget Office. The Potential Budgetary Impact of Same-Sex Marriages. June 21, 2004. <http://www.cbo.gov/ftpdocs/55xx/doc5559/06-21-SameSexMarriage.pdf>

³⁵ Badgett, M.V.L. The Impact on New Hampshire's Budget of Allowing Same-Sex Couples to Marry. *The Williams Project and The Institute for Gay and Lesbian Strategic Studies* November 2005. <http://www.law.ucla.edu/williamsinstitute/publications/New%20Hampshire%20Econ%20Study.pdf>

³⁶ State of Vermont, Legislative Council. Report of the Vermont Civil Union Review Commission. January 2001. <http://www.leg.state.vt.us/baker/cureport.htm>

³⁷ State of New Jersey, Division on Civil Rights, Civil Union Review Commission. <http://www.state.nj.us/lps/dcr/curc.html>

³⁸ State of Connecticut, General Assembly. Senate File No. 379. January 2005. <http://www.cga.ct.gov/2005/fc/2005SB-00963-R000379-FC.htm>

Naomi G. Goldberg is the Peter J. Cooper Public Policy Fellow at the Williams Institute, UCLA School of Law. Naomi's research interests focus on policies affecting families, including adoption, foster care, and aging issues.

R. Bradley Sears is Executive Director of the Williams Institute, UCLA School of Law, where he is also an Adjunct Professor of Law and teaches sexual orientation and disability law courses. His current research focuses on HIV discrimination by health care providers.

M.V. Lee Badgett is Research Director at the Williams Institute, UCLA School of Law, and Director of the Center for Public Policy and Administration at the University of Massachusetts Amherst, where she is also on the faculty of the Department of Economics. She studies family policy and employment discrimination related to sexual orientation.

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williamsinstitute@law.ucla.edu
www.law.ucla.edu/williamsinstitute

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 6:20 PM
To: JUDtestimony
Cc: William.D.Hoshijo@hawaii.gov
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232 SD1 HCRC test. House JUD 2-8-11.doc; SB 232 HCRC suggested amendments House JUD 2-8-11.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: William Hoshijo
Organization: Hawai'i Civil Rights Commission
Address: 830 Punchbowl St., Rm. 411 Honolulu, Hawai'i
Phone: 586-8636
E-mail: William.D.Hoshijo@hawaii.gov
Submitted on: 2/7/2011

Comments:

If there is any problem or question regarding this testimony, please contact Bill Hoshijo at the email address above.

ATTACHMENT

HCRC Suggested draft language § -4(b) and (c) of the new civil unions chapter as proposed in SB 232:

§ -4 **Solemnization; license to perform; refusal to join persons in a civil union.** (a) A civil union shall become valid only upon completion of a solemnization by a person licensed in accordance with this section.

(b) Any judge or retired judge, including a federal judge or judge of another state who may legally join persons in chapter 572 or a civil union, may solemnize a civil union. Any ordained or licensed member of the clergy may solemnize a civil union. Solemnization may be entirely secular or may be performed according to the forms and usages of any religious denomination in this state. ~~[Nothing in this section shall be construed to require any person authorized to perform solemnizations of marriages or civil unions to perform a solemnization of a civil union, and no such authorized person who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for such failure or refusal.]~~

(c) Nothing in this section shall be construed to require any ~~[person]~~ ordained or licensed member of the clergy authorized to perform solemnizations of chapter 572 or civil unions to perform a solemnization of a civil union, and no such ~~[authorized person]~~ ordained or licensed member of the clergy who fails or refuses for any reason to join persons in a civil union shall be subject to any fine or other penalty for such

failure or refusal.

(d) No agent may solemnize a civil union; nor may any assistant or deputy of the agent solemnize a civil union.

(e) No person shall perform solemnization of a civil union without first having obtained a license from the department of health. The department of health shall issue licenses to solemnize civil unions in the same manner as it issues licenses pursuant to chapter 572. The department of health may revoke or suspend a license to solemnize civil unions. Any penalties or fines that may be levied or assessed by the department of health for violation of chapter 572 shall apply equally to a person licensed to solemnize civil unions.

JUDtestimony

From: Patrick Clay [clayohana50@yahoo.com]
Sent: Monday, February 07, 2011 7:57 PM
To: JUDtestimony
Subject: OPPOSITION CIVIL UNIONS

Aloha,
Please opposes civil unions.

Patrick

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 8:01 PM
To: JUDtestimony
Cc: mikemcguire95@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony with Regards to Civil Unions and Same.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Mike McGuire
Organization: Individual
Address: 91-332 Hoalauna Pl Ewa Beach, HI
Phone: 808387-7787
E-mail: mikemcguire95@gmail.com
Submitted on: 2/7/2011

Comments:

Testimony with Regards to Civil Unions and Same-sex Marriage
House Judiciary Committee Hearing
February 8, 2011

Michael B. McGuire

Honorable Representatives. I stand before you today as a dad of three young boys, as a little league baseball coach, and as a pastor serving families of the leeward community. Each role gives me a different perspective on this issue of civil unions and same sex-marriage.

I speak to you from the trenches of family life on the leeward side. At our church we welcome families of all kinds. They are not conservative families or religious families. They are simply average families. They come to us because they are hurting and looking for help. They are hurting in epidemic proportions. We have support groups surging with husbands who are cheating on wives, wives inflicting revenge on husbands, and couples struggling to stay together to raise a family. They form families in all sorts ways; some date, have kids, and then consider getting married. Some have a child, the move in together, and then date, while trying to raise a family. Some date, move in together, have children, and then decide how not to get married.

One might say, what's wrong with that let everyone is free to do what they want. My experience, freedom without vision, without clarity results in pain and confusion. Young people are confused and lacking in direction. What makes for a successful family, and how do you form one, how does one endure? These are the most basic questions to which we need clear and definitive answers. My concern is that we are telling them to figure it out for themselves. In this legislative session, we are moving even further from answers.

What does this have to do with civil unions and same-sex marriage? In order for this civil union and same-sex marriage bill to be successful it's going to require something from this legislative body.

One, it will require this legislature to erase the current definition of family. What is the safest, healthiest, way to raise a child? We have 30 years of documented evidence that children thrive in a family with a stable husband and wife relationship. The National Marriage Project warns that, "The evidence suggests that the most unsafe of all family environments for children is that in which the mother is living with someone other than the child's biological father." Family structure and family order do matter. If this legislature adopts a civil union or same-sex marriage bill it will be required to erase this definition a nuclear family of one husband and one wife, and in so doing, we will lose our strongest means for communicating the values of family to the next generation.

Two, it will require this legislative body to legislate a new family structure. We do not have same-sex marriages in Hawaii. We have never had them. On what grounds is this legislature proposing to start this new family structure? What is the historical data supporting this structure and the benefits it will have on our civilization? Does this legislative body know without a doubt that this new family structure is in the best interest of Hawaii?

Three, it will require this legislative body to become an advocate for this experimental family structure. It will need to review all DOE policies, curriculum, observance days, parent newsletters, and counselor interactions, to ensure this new family structure is taught, legitimized, and advanced before the students. Did all the first graders in Mrs. Ramos's class get to read at least one afternoon story that featured a healthy and happy homosexual couple? If not, then the legislature will not have done its job to advocate the bill we are now considering.

In all three of these actions, (1) erasing the definition of family, (2) legislating a new family structure, and (3) advocating this ideology in schools, this legislature is positioning itself, government against nuclear family, government against parent who advocates husband-wife marriage as a moral choice, government against church, government against non-profits with a

moral position on marriage and family. In efforts to appease the voices of a few, you will trounce on the rights of the many.

Members of the Judiciary Committee, you are in a difficult position. For many, you do not believe same-sex marriage is the right direction for Hawaii. But what you face are loud, demanding shouts of “liberty, rights, equality, and justice.” In your mind, you are thinking, “How can we argue with that.” Indeed they are powerful human aspirations. Yet, they are not the only values of a great society. Prudence is the balancing virtue.

As a little league baseball coach, I have to hold two values in tension. One, the goal to win. I teach the kids to work together as a team toward a common goal. We learn to develop our skills, work hard, keep a good attitude, and compete according to the rules of the game. The second goal is to have fun. We learn to enjoy the game, the exercise, and the relationships. I error if I pursue only one of these goals. I need balance.

In the Declaration of Independence, we see a balance of values. We see freedom when we read: “*We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.*” What has been missing in this forum we read three sentences later. The Declaration of Independence says, “*Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes.*” In other words, just because someone calls for freedom doesn’t mean we overthrow the government. The untempered pursuit of freedom can be just as harmful as political oppression. Prudence balances and sustains a government for long-term prosperity. Prudence is to exercise good judgment and balance good order and individual freedom. For some of you, in this precarious season you need to draw courage to resist the incessant voices shouting freedom and vote your conscience according to prudence.

If prudence is too dated a word, consider the word “humility.” Humility is to not assert yourself further than what is reasonable for your position. My sons try to tell me all the time how things should be run at home. “One day son, you will get your chance and we’ll see what you do.” Thomas Jefferson didn’t assume he just knew the right way to do things. He leaned on the reputation of the Creator who endowed humanity with unalienable rights.

In this climate we hear shouts of “equality, liberty, freedom” for same-sex couples to get married. Are we to assume that they just know the right way to do things? I have not seen their arguments. Is it an argument from science, that same-sex marriages are the psychological right foundation for raising children? Is it an argument of natural reason that demonstrates historically that societies have thrived under this institution? Is it an argument supported by the Creator, that this definition of family will perpetuate the land in righteousness?

Members of the Judiciary Committee, I appeal to you today, to say “No” to all bills that attempt to legitimize same-sex marriage, in part, or in full. What that means is that you will need to be prepared to look a gay or lesbian couple in the eye and say to them, “No, we do not believe that you have a right to redefine family for our society.” The words don’t leave your mouth before you already hear the rebuttal, “Discrimination!” In reply, you answer, “You have equal dignity as a member of our society; you have a right to vote; you have a right to earn a living; the right to free speech; the right to practice religion, or not practice religion; you have rights of privacy, the right to be free from home invasion, and many other freedoms. But you do not have the right to re-engineer our society.”

Members of the judiciary committee, this position is the call to prudence, and it’s the position I pray you would take.

JUDtestimony

From: Sandra Young [sandrayoungesq@yahoo.com]
Sent: Monday, February 07, 2011 8:16 PM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS (SB 232 & HB 1453); Hearing 2/8 House Judiciary Committee
Attachments: civil.union.legishouse.sb.232.2.7.11.pdf

Dear Sir/Madam:

My opposition letter to the Civil Union bills is attached. Thank you.

Sandy

Sandra G.Y. Young

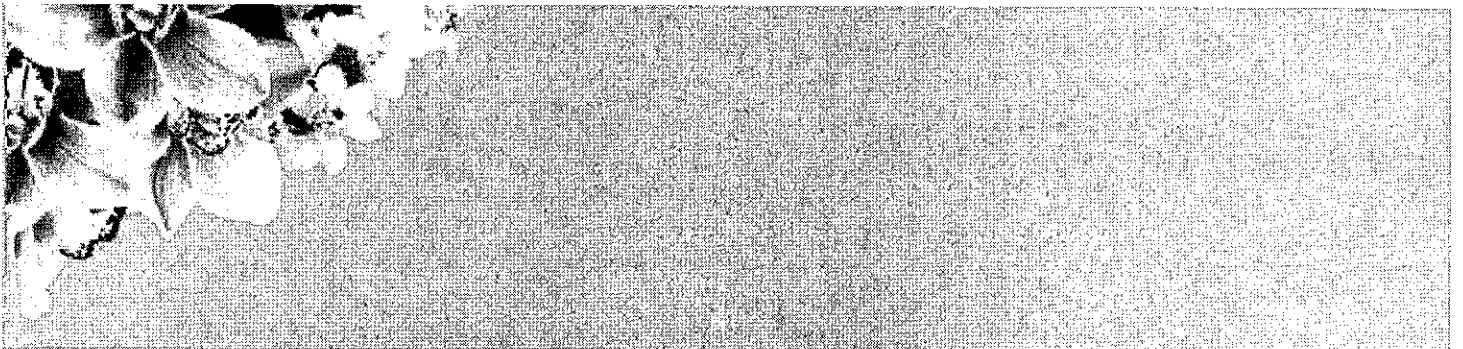
Attorney at Law

98-211 Pali Momi Street, Suite 402

Aiea, HI 96701

(808) 487-8464

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SANDRA G. Y. YOUNG

Attorney at Law
Pearlridge Office Center, Suite 402
98-211 Pali Momi Street
Aiea, Hawaii 96701
Telephone: (808) 487-8464

February 7, 2011

Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair
Members of the Judiciary Committee

Re: Strong Opposition to Civil Unions (SB 232, HB 1453)
Support of HB 1244

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Judiciary Committee:

I respectfully request that you vote against the Civil Union bills for the following reasons:

1. **Civil Unions = Same Sex Marriage.** As drafted, the civil union bill is same sex marriage because it gives same sex couples the same rights, responsibilities, benefits and protections of marriage. For example see the specific language in SB 232, see page 7, paragraph 9, lines 10-16 of SB 232. Likewise, HB 1453 contains many of the statutory rights, responsibilities, benefits and protections of marriage.

2. **Civil unions will be have the name of same sex marriage.** Within a few years, it is virtually certain that if the civil union bill is passed, same sex marriage will be the law of the land in Hawaii. If we look at other states which have enacted civil unions, same sex marriages were subsequently recognized in those jurisdictions such as Vermont, New Jersey, Connecticut and New Hampshire. Once civil unions are recognized in Hawaii, advocates of same sex marriage will have a stronger case in state and federal courts to argue their case.

Immediately after the Connecticut State Legislature passed a Civil Unions bill similar to the SB 232, proponents of same sex marriage filed a lawsuit and prevailed in their case for same sex marriage by arguing that the newly-enacted civil unions law violated the equal protection clause of the state constitution. Similarly, if either one of these Civil Union bills is passed, it is likely that the courts will impose same sex marriage on the citizens of Hawaii once a lawsuit is initiated by same sex marriage advocates. It appears more likely to occur if the action is brought in the federal courts of this State.

3. **Civil unions will subordnate parental rights and the First Amendment rights of religious people to practice their faith and to speak freely about their beliefs to the rights of same sex couples.** In communities where civil unions and same-sex marriages exist, parental rights have been subordinated to the claims and rights of same sex couples. It happened to David and Tonia

Parker of Massachusetts. In 2005, Mr. Parker asked the school where his 5 year old was attending for advance notice and an opportunity for his child to opt out of any presentation that depicts or celebrates gay marriage because there was a state statute that allows parents to have notice and opt their children out of any instruction on human sexuality. The school declined to accommodate his request, so he sued them, and lost. The U.S. Supreme Court declined to hear his case.

One day we may acquire the same legal regime as in Canada and Europe, where pastors who have spoken about the Biblical view on homosexuality have been arrested, fined and forbidden to speak on the issue (Canadian Pastor Stephen Boisson in 2008) or even jailed (Swedish Pastor Ake Green in 2004).

4. **The Civil Union bills are discriminatory bills.** The Civil Union bill is a discriminatory bill because it excludes family members and other classes of people. Unlike the civil union bill, the existing reciprocal beneficiaries law represents true equality because it is open to family members. If the benefits for reciprocal beneficiaries are insufficient, then an amendment should be added to the existing law to increase the benefits. Furthermore, in my view, it is unlikely that it would lead to same sex marriage or adversely affect the rights of parents or the religious liberty rights of people of faith.

5. **The Civil Union bills contains legally defective provisions.** Regardless of whether you support or oppose the concept of civil unions, it is our concern that these bills contain legal and technical defects which will have serious implications on the practical implementation and administration of civil unions, in addition to the devastating impact on traditional marriages, parental rights and our religious liberties. These defects are serious and even strong proponents of civil unions would not want these defects to remain in the bill as passed by the 2011 Legislature. In its haste to pass a civil union measure this session the Legislature failed to adequately research, analyze and address the complexities of creating a new legal relationship.

In brief, with respect to SB 232, the defects and problems include issues relating to the following: failure to include any provisions for dissolving the civil union; failure to confer jurisdiction on the appropriate court to dissolve civil unions; failure to address how tax returns should be filed; multiple legal relationships appear to be possible; devastating effects on the rights of the biological parents and children; detrimental impact on religious liberties and parental rights. As mentioned above, the bill will strengthen the claims of proponents of civil unions to achieve their goal of same sex marriage, which has been resoundingly rejected by the Hawaii electorate.

With respect to HB 1453, I had an opportunity to skim the 402 page draft. It contains numerous provisions from the statutes that involve married couples, but does not appear address or incorporate appropriate case law to issues of property division, alimony, parentage and custody when the civil union is terminated. It too is a defective bill, and leaves the court in the dark in resolving many issues.

6. **A Reasonable, Non-Discriminatory Alternative Is Available to Every Unmarried Person Who Meets Certain Criteria.** For the most part, I support the Reciprocal Beneficiaries law. It is a morally neutral law and doesn't identify people by their behavior. Rep. Awana and perhaps others have sponsored bills to increase benefits for reciprocal beneficiaries, such as health insurance, state tax benefits, certain privileges (similar to the spousal privilege given in criminal cases), death benefits, and so on. It would not open the floodgates to same sex marriage or adversely affect our religious liberties or parental rights.

For these reasons and others, I respectfully request that you vote against all of the proposed Civil Union bills. With respect to HB 1244, please pass that bill.

Mahalo nui loa for your service and dedication to our community.

Respectfully submitted,

SANDRA YOUNG

JUDtestimony

From: Steve Ziadie [zrfamily@yahoo.com]
Sent: Monday, February 07, 2011 8:32 PM
To: JUDtestimony
Subject: My Opposition to SB 232 SD1 and HB 1453

Dear Sir/Madam,

As a concerned citizen of Hawaii and an active voter, I am appalled by the provision of SB 232DS1 and HB 1453. I urgently and feverently request that you lend your power and support to oppose and defeat these two pieces of legislation that will have adverse long term effects on our society.

At the same time, I request you support HB 1244, that reinforces the solemnity of true marriage. Thank you for listening to us, your voting public.

Very Respectfully,

Steve Z.
Kaneohe, HI 96744

JUDtestimony

From: Sylvia Wan [sylvia06@hotmail.com]
Sent: Monday, February 07, 2011 8:53 PM
To: JUDtestimony
Subject: Please Support SB 232, the Civil Unions Bill

Hawai'i State Legislature, House Judiciary Committee, February 8, 2011
Chair Keith-Agaran, Vice Chair Rhoads, and members of the Judiciary Committee:

Thank you for scheduling today's hearing and thank you very much for taking the time to read my letter. I am straight, and I support the passage of SB 232, the Civil Unions Bill.

Civil Unions is crucial for LGBT families. A growing number of gay and lesbian couples have children. The Human Rights Campaign estimates that about one third of all lesbian couples and one fifth of all gay couples have children. This means that there is an ever growing need by LGBT families for protections by the state. Their children need protections just like the children in heterosexual families. Civil Unions will stop the discrimination against the children of LGBT parents, because it will allow their parents to enter a state recognized relationship that will confer the same protections that we confer to a heterosexual couples.

Civil Unions would provide benefits to LGBT couples and their families that they would have no other way to receive. There have been numerous law review articles detailing how the majority of rights provided by the status of marriage cannot be duplicated through separate contracts. Not to mention, why should it harder for an LGBT family to receive the same rights extended to a heterosexual family? Its just unfair.

The opponents to Civil Unions like to talk about how their religion doesn't allow for the recognition of homosexual couples. But as it stands, not all religious sects frown upon homosexual couples. Actually there are churches that will marry homosexual couples under the eyes of god. Even so, religious rights are not civil rights. The creation of Civil Unions will not in any way tarnish the right of churches to refuse to recognize and sanction the unions of homosexuals, just as they do now.

Civil rights should never be tied to the views of a particular religious group. The acceptance of LGBT has steadily increased over the years. The marriage amendment passed in Hawaii over 15 years ago. Half of a generation children are adults now. A Gallup poll has shown in a nationwide poll that about 60% of people age 30 and under support same-sex marriage, while the nation on a whole is evenly divided on its support. In the same poll over 70% support extending benefits to same-sex couples. Civil Unions is not same-sex marriage. Civil Unions merely extends benefits to same-sex couples.

In an interview on Hawaii Public Radio, the opponents conceded that is it only a matter of time before Civil Unions becomes reality. If it is only a matter of time, why not now?

Its just fair to let LGBT couples and families have the same rights as the rest of us. Please support SB 232.

Mahalo,

Sylvia Wan
712 Birch St. Unit A
Honolulu, HI 96814
(808) 987-0464

JUDtestimony

From: Karlyn Miyashiro [dkmiyashiro@hawaii.rr.com]
Sent: Monday, February 07, 2011 8:59 PM
To: JUDtestimony
Subject: OPPOSITION TO CIVIL UNIONS

Importance: High

I am writing to state my opposition to the Civil Union bill that is being brought up again....There are several items that I believe, that in the interest of fairness to all should address some key points before this bill should be entered for voting....These are just a few...

1. SB 232 says it is not the "*intent*" of the legislature to redefine traditional marriage through the passage of "civil unions." But SB 232 **does not prevent** this measure from being used to redefine marriage.

I would like to recommend to amend SB 232 to insert language that specifically *prohibits* this bill from redefining marriage to ensure against such an 'unintended' consequence.

2. There are no delineations in SB 232 for what constitutes compliance beyond the "civil unions" ceremony. What constitutes compliance? Who is required to comply? Are there exemptions from compliance? Are there penalties for non-compliance?

I would like to recommend to amend SB 232 to insert language that specifically defines compliance. Include penalties for non-compliance and processes for exemptions, waivers, amnesty, etc.

3. There are no provisions in SB 232 to preserve the parents' right to determine the upbringing and education of their children. There are no provisions allowing parents to withhold their children from being exposed to morally objectionable teachings in the public schools. Without access to exemptions, parents with the desire to protect their children will be on a collision course with the state mandated curricula generated to teach "civil unions."

I would like to recommend to amend SB 232 to insert language that preserves parents rights to determine the upbringing and education of their children. Provide processes for exemptions, waivers, amnesty, etc.

These are just three very valid reasons why the bill should not be law in its current verbiage. Most of the arguments of the gay and lesbian community are based on fairness and equality - but where is the fairness and equality towards the ones who believe in marriage remaining in as a union of a man and a woman. Does this not count? Do we not count? There are very serious flaws that this bill has that does not warrant such haste. Pass a bill to refine it later or not? I would like to recommend refining the law of reciprocal beneficiaries that was to address the concerns of "equality" towards couples that did not meet the traditional marriage definition. Which provides the only conclusion that the main focus of the gay and lesbian community is not for benefits (as they have said it is about) or they would want to fix a law that currently exists rather than fighting for a "civil union" bill that would allow them to marry!

Please reconsider....if you choose to pass this into law, make sure it is a law without obvious flaws. Cover and address the issues stated above...we voted you in...we are counting on you to be our voice as well...

Thank you for your time and consideration.

Mahalo,
Karlyn Miyashiro

JUDtestimony

From: Cory (Martha) Harden [mh@interpac.net]
Sent: Monday, February 07, 2011 9:58 PM
To: JUDtestimony
Subject: support civil unions, HB 1453, SB 232, house Judiciary, 2-8-11 2:15 PM auditorium

Your position: Support
Bill number: H.B. 1453 and S.B. 232
Committee: House Judiciary Committee
Date: Tuesday, February 8, 2011
Time: 2:15 p.m.
Room number: Auditorium

Dear Legislators,

It's WAY past time to extend the hundreds of rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. This will provide a safety net for same-sex couples and their families and will strengthen our families and communities.

Mahalo,

Cory Harden
PO Box 10265
Hilo, Hawai'i 96721
mh@interpac.net
808-968-8965

JUDtestimony

From: Vellalos Ohana [t-tita@hawaiiantel.net]
Sent: Monday, February 07, 2011 10:06 PM
To: JUDtestimony
Subject: OPPOSITION TO HB 1453 (Relating to Legal Relationships) and OPPOSITION TO SB 232 SD1 (Relating to Civil Unions)
Attachments: Oppose SB232 & HB1453.pdf

Opposition to HB 1453 and SB232 SD1
House Judiciary Committee
February 8, 2011
2:15 PM

TO THE HOUSE JUDICIARY COMMITTEE
TWENTY-SIXTH LEGISLATURE Regular Session of 2011

Tuesday, February 8, 2011 2:15PM

TESTIMONY **in Opposition to:**

SENATE BILL NUMBER 232, RELATING TO CIVIL UNIONS

and

HOUSE BILL NUMBER 1453, RELATING TO LEGAL RELATIONSHIPS

Aloha Judiciary Committee,

I'm writing to request that you Oppose HB 1453 & SB 232 SD1.

In 1998, I was one of the majority that voted to amend the state constitution to preserve the definition of marriage as the union of a man and a woman.

Civil Unions is just another name for same sex marriage.

In SB 232 SD1 there are no provisions to preserve the parents' right to determine the upbringing and education of their children. There are no provisions allowing parents to withhold their children from being exposed to morally objectionable teachings in the public schools. Without access to exemptions, parents with the desire to protect their children will be on a collision course with the state mandated curricula generated to teach "civil unions."

SB 232 needs to be amended with language that preserves parental rights to determine the upbringing and education of their children.

A vote for civil unions is a vote for same sex marriage in Hawaii.

I respectfully urge that you oppose HB 1453 & SB 232 SD1.

Mahalo,
Whitney Vellalos

JUDtestimony

From: Sandy Farmer-Wiley [mztata@hawaiiantel.net]
Sent: Tuesday, February 08, 2011 1:10 AM
To: JUDtestimony
Subject: IN SUPPORT OF SB232 SD 1- RELATING TO CIVIL UNIONS

January 24, 2011

Sandra Farmer-Wiley & N. Jean Walker
2763 Kauhale Street
Kihei, HI. 96753
mztata@hawaiiantel.net

TESTIMONY IN SUPPORT OF SB232 SD 1 - Relating to Civil Unions

HEARING DATE: February 8, 2011

HEARING TIME: 2:15 p.m. Place: Auditorium, State Capitol, 415 South Beretania Street

Aloha Chairman Rep. Gilbert S. C. Keith-Agaran,

Vice Chairman Rep. Karl Rhoads

and Members of the Judiciary Committee

We, Sandra Farmer-Wiley and N. Jean Walker are in support of SB 232 SD1

We have been together in a committed relationship and because we, as Senior Citizens, could no longer wait for Hawaii to catch up with our lives. We Married in Vt. October of 2009. We are hoping that with Civil Unions passing in the State of Hawaii we can stop being fearful of what will become of our shared belongings.

After being in a together for 33 years we can not be assured of the surviving Partner / Spouse being able to inherit the properties we have accumulated and only with the President passing the new rules for Hospitals accepting Medicare / Medicaid can we be sure of spending our last moments together. It must be difficult for those of you who are not in unaccepted relationships to realize how precarious things can be for us. The day either of us passes away the other will be without 75% of the income that supports our lives.

Jean was a State of Hawaii employee and so gets Retirement + SSI checks. If she dies first that source of income is GONE. I will have no way to recoup that to supplement the SSI check that I receive. Nor will I any longer have the Medical & Dental plans that we have now.

Please remember that no matter what kinds of Ads and Commercials that are playing on the television, Civil Unions are not Marriage. The Federal Government does not recognize them and none of the 1,000 + benefits that are extended to Married people in the United States will be extended to anyone in a Civil Union. SB232 SD 1 makes the responsibilities clear enough to reassure.

Please pass this Bill. Let Hawaii's Citizens know that we can count on you to put in place us safely within the rule of law.

Thank you for your time and attention,

Sandra Farmer-Wiley & N. Jean Walker

Kihei, Maui, HI. 96753

JUDtestimony

From: Jack Law [jlawhnl@aol.com]
Sent: Tuesday, February 08, 2011 4:32 AM
To: JUDtestimony
Cc: office@acluhawaii.org
Subject: Support of H.B. 1453 and S.B. 232

Feb. 8, 2011

To: Hawaii State House of Representatives Judiciary Committee

I support H.B 1453 and S.B. 232 for 2 simple reasons, which are the main pillars in our Federal and State's Constitutions.

- **All People must be treated equally before the law.**
- **Religious freedom, is to allow all citizens to believe according to their own conscious. Our Government is a secular Government.**

**Sincerely,
Jack Law
Kaimuki, Oahu, Hawaii
808-737-8862 or 386-6498**

JUDtestimony

From: Ron Whitmore [whitmo17@msu.edu]
Sent: Tuesday, February 08, 2011 5:31 AM
To: JUDtestimony
Subject: H.B. 1453 and S.B. 232

I strongly support bill number H.B. 1453 and S.B. 232 before the House Judiciary Committee on Tuesday, February 8, 2011 at 2:15 p.m. in the Auditorium.

Please give all couples in Hawaii equal rights and protections. This is a basic civil rights issue.

Ron Whitmore
113 Alae St.
Hilo, HI 96720

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:19 PM
To: JUDtestimony
Cc: islomane@gmail.com
Subject: Testimony for HB1453 on 2/8/2011 2:15:00 PM
Attachments: Civil Unions Testimony.odt

Testimony for JUD 2/8/2011 2:15:00 PM HB1453

Conference room: Auditorium
Testifier position: support
Testifier will be present: Yes
Submitted by: Shaun Campbell
Organization: Individual
Address: 1911 Kalakaua Avenue, Apt. #305
Phone: 8083883014
E-mail: islomane@gmail.com
Submitted on: 2/7/2011

Comments:

1911 Kalakaua Avenue, Apt. #305
Honolulu, Hawaii 96815
(808) 388-3014
islomane@gmail.com

A marriage shall be considered valid only if the wife is a virgin. If the wife is not a virgin, she shall be executed. (Deuteronomy 22:13-21)

Dear Judiciary Committee Members:

I provide this testimony in support of full equality for all Citizens of the State of Hawaii, and in relation to House Bills 1244 and 1453, and Senate Bill 232. SD1 (SSCR2). I, hereby, note my opposition to HB 1244, as well as my full support in favor of passage of HB 1453 and SB 232.

As to House Bill 1244, Relating To Solemnization, I am decidedly in opposition to the particular, duplicitous language of this bill. First, it is taken for granted that, in order to comply with separation of church and State requirements, the State of Hawaii need not be in the business of solemnizing any marriage, whatsoever, but, instead, should extend Civil Unions equally to all its Citizens as the sole means of sanctioning legal, economic, fiducial, and otherwise supportive relationships between two persons. Leave solemnization and sanctification of any relationships to the private purview of churches, temples, synagogues, and the like. Such autonomy of non-governmental organizations is already sufficiently codified in Hawaii's laws, explicitly, or through implicit interpretation to require this bill. Further delineations in this measure that restrict equal rights of citizens is counterproductive to pass into law.

Furthermore, House Bill 1244 is, on its face, discriminatory against couples and families headed by same-gender partners. It's provisions, therefore, are likely to be deemed unconstitutional by the Courts of this State.

I do support House Bill 1453, Relating To Legal Relationships, as this bill provides equal, however separate rights to same-gender and other couples as those accorded to heterosexual,

married couples. Therefore, this is a measure of advancement toward full equality of Citizens in this State.

On the whole, I support the House's passage of Senate Bill 232 for the same reasons I have cited in favor of HB 1453. My only lingering opposition has to do with the stated timeline for implementation of Civil Unions. Denying same-sex couples the equal, albeit separate rights and responsibilities of State-sponsored marriage by means of Civil Unions for even one day hence is irreparably inequitable, harmful, and unjust. Civil Unions in Hawai'i should be legalized as quickly as is practical, and well before January 2012.

"Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it." -- Republican President, Abraham Lincoln

In testament,

Shaun J. Campbell
Citizen of the State of Hawai'i

1911 Kalakau Avenue, Apt. #305
Honolulu, Hawai'i 96815
(808) 388-3014
islomane@gmail.com

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"Those who deny freedom to others, deserve it not for themselves; and, under a just God, can not long retain it." -- Republican President, Abraham Lincoln

In testament,

Shaun J. Campbell
Citizen of the State of Hawai'i

JUDtestimony

From: godlygay@hawaii.rr.com
Sent: Monday, February 07, 2011 2:24 PM
To: JUDtestimony
Subject: SB 232, HB 1244, and HB 1453

Dear HB 1244 and HB 1453 Committee to hear testimony: There is a paradigm shift in society and culture which provides for more equality and justice than ever before. As a Christian I have seen prejudice originate with churches and religious organizations. This is wrong and must be stopped NOW!

I fully support SB 232, HB 1244, and HB 145. Please vote yes for these important bills.

Most cordially, Tim Earhart
Dignity Honolulu

President

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:19 PM
To: JUDtestimony
Cc: john.zuern@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: zuern-testimony-SB232.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: John Zuern
Organization: Individual
Address: 3029 Lowrey Avenue #A1102 Honolulu , HI
Phone: 808-988-0587
E-mail: john.zuern@gmail.com
Submitted on: 2/7/2011

Comments:

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Rep. Isaac Choy, Mānoa, Mānoa Valley, University

Testimony in Support of SB232-SD1

House Hearing on Tuesday Feb 8 at 2:15 p.m

As a professor of English at the University of Hawai‘i at Mānoa and as the father of a nine-year-old son, I am writing to express my strongest support of the proposed legislation to establish civil unions in Hawai‘i.

In my fourteen years of teaching at UHM I have had the privilege of working with many LGBT students and faculty whose courage and commitment to justice are contributing to a stronger, more welcoming, and more supportive environment for everyone on our campus.

Almost every semester, I also have the profound but very different privilege of hearing the personal stories of LGBT students who are struggling to understand themselves and to find a place for themselves in world that does not always treat them kindly. Some have come from high schools where they were mercilessly taunted, some have been rejected by their families, and some have even suffered physical abuse.

As a teacher, my job is to help all my students gain the skills and confidence they will need to succeed when they leave school. As a father, my job is to help my son develop into a generous, loving person who cares enough for himself to care even more for other people.

I want send my students and my child out into a world that offers them as many options—professional and personal—as possible. A civil union with a life partner needs to be one of those possibilities.

Civil unions don’t only represent possibilities for LGBT people. For all us, as citizens of Hawai‘i, civil unions will be a step toward a society of which we can all be proud, a society that recognizes love, partnership, and commitment as fundamental to our collective well being, and a society that realizes that when any of our fellow citizens suffer discrimination and prejudice, all of us are ultimately harmed.

As legislators, you have the power and the responsibility to foster such a society. I know you have to listen to your constituents, but you also have to listen to your conscience. We know from the history of American civil-rights legislation that some principles must be enshrined in law before they are enshrined in the hearts of a broad base of citizens. Real social change requires courageous lawmakers, and I hope that you have the courage and the conviction to vote to establish civil unions in Hawai‘i.

Sincerely,

John David Zuern

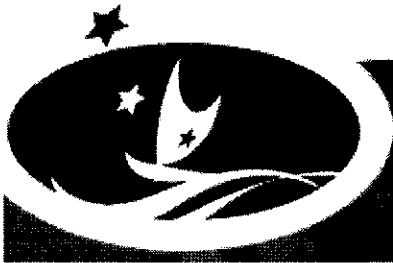
JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 6:44 PM
To: JUDtestimony
Cc: jyohta@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony SB 232 SD1 civil unions 020811.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Janne Y Ohta
Organization: Hawaii State Democratic Women's Caucus
Address:
Phone: 373-3186
E-mail: jyohta@hawaii.rr.com
Submitted on: 2/6/2011

Comments:



DEMOCRATIC PARTY OF HAWAI'I

Hawai'i State Democratic Women's Caucus 1050 Ala Moana Blvd #D-26, Honolulu, HI 96814 Email: hidemocraticwomenscaucus@yahoo.com

February 8, 2011

To: Rep. Gilbert Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair and
Members of the Committee on Judiciary

From: Jeanne Ohta, Co-Chair, Hawai'i State Democratic Women's Caucus

Re: SB 232 SD1 RELATING TO CIVIL UNIONS
(2:15 p.m., Tuesday, February 8, 2011, Auditorium)

Position: STRONG SUPPORT

Thank you for hearing this bill and for allowing me to present testimony today, in strong support of SB 232 SD1 which extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawai'i's women and girls. It is because of this mission, the Women's Caucus strongly supports this measure which extends the rights of married couples to partners in a civil union.

Establishing a civil union provision is a big step to ending the disparity between the rights of opposite-sex married couples and those of same-sex couples. It is a step toward the goal of treating people equally under the law, as required by our Constitution. SB 232 SD1 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

Because there is no legal recognition for same-sex couples, many are unable to obtain employer sponsored health insurance for their partners, a benefit that is given to same-sex married couples. There are other economic benefits, given to married couples, such as in the filing of federal income taxes that same-sex families are unable to obtain. Enacting a civil union provision will help end this unequal treatment by government agencies and employers.

We urge the committee to pass SB 232 SD to extend rights to partners in a civil union so that equal protection under the law will not be reserved for some, but is available for all.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:26 PM
To: JUDtestimony
Cc: jpizer@lambdalegal.org
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: 2011-02-07_Lambda_Legal_Support_for_SB232 (Hawaii_Civil_Unions).jcp.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Jennifer C. Pizer
Organization: Lambda Legal Defense & Education Fund, Inc.
Address: 3325 Wilshire Blvd, #1300 Los Angeles, CA
Phone: (213) 382-7600 ext 223
E-mail: jpizer@lambdalegal.org
Submitted on: 2/7/2011

Comments:



Jennifer C. Pizer
SENIOR COUNSEL AND
NATIONAL MARRIAGE PROJECT DIRECTOR
jpizer@lambdalegal.org

February 7, 2011

**Via email to JUDtestimony@capitol.hawaii.gov
and United States Mail**

Honorable Gilbert S.C. Keith-Agaran, Chair
Honorable Karl Rhoads, Vice-Chair
Members of the House Judiciary Committee
Hawai'i State Capital
Honolulu, Hawai'i 96813

**Re: Lambda Legal Supports Senate Bills 231 and 232 (Civil Unions), and
Recommends Against HB1453 (Civil Unions with Incomplete Rights and
Responsibilities), and Suggests Amendments**

Dear Representatives Keith-Agaran and Rhoads, and Committee Members,

We write on behalf of Lambda Legal Defense and Education Fund, Inc. ("Lambda Legal") in support of Senate Bills 231 and 232 ("SB231" and "SB232"), both of which would allow unmarried couples to enter a civil union which would protect the couple and their dependent family members much more effectively. Civil unions would do this by expanding the important but modest and confusing protections that Hawai'i now allows unmarried couples to assume through registration as reciprocal beneficiaries.

Lambda Legal also respectfully encourages the Committee to consider incorporating into SB232 some of the new provisions included in SB231 (which also would allow unmarried couples to enter a civil union). As noted below, these new provisions clarify the rights and duties of civil union partners and are likely to facilitate implementation of this legislation.

Lambda Legal recommends against HB1453, which proposes to create civil unions with incomplete enumerated rights and responsibilities rather than comprehensive, easily-understood rights and responsibilities. Legal systems that offer incomplete legal protections have proven to be confusing for families, businesses and government about what is, and is not, included. Consequently, they fail in practice to provide the legal protections and predictability that they appear in law to promise.

Western Regional Office

3325 Wilshire Boulevard, Suite 1300 · Los Angeles, CA 90010-1729
t. 213/382-7600 · f. 213/351-6050 · www.lambdalegal.org



Lambda Legal is the nation's oldest and largest legal organization advocating for the civil rights of lesbian, gay, bisexual and transgender ("LGBT") people. Lambda Legal's family protection advocacy has included providing technical assistance to legislators across the country on dozens of bills relating to marriage, domestic partnership, civil unions, and parenting rights and obligations for same-sex partners, including primary drafting of the California Domestic Partner Rights and Responsibilities Act of 2003, which has been a model for numerous other states since then. Lambda Legal also litigates cases addressing these issues, and over the years has served as counsel or *amicus curiae* in various family protection cases in the Hawai'i courts, in addition to offering information through our Legal Help Desk to many Hawai'i residents about the rights and vulnerabilities of lesbian and gay couples under the state's current laws.

Lambda Legal believes firmly that **the soundest way to remedy the inequality same-sex couples face under Hawai'i law is to offer them equal access to the same legal status the state offers to different-sex couples—civil marriage.** By creating civil unions and not opening marriage, SB231 and SB232 do not offer equality to lesbian, gay and bisexual people. Both of these bills would, however, allow the state to take an important step forward in reducing the harms that same-sex couples face because current law does not include them fairly within the family law system. These bills also would offer important legal protections to other couples for whom marriage is not feasible for any number of personal reasons. They thus would offer greater security to many Hawai'i families, and are sound means of increasing stability for the benefit of society generally.

This legislation is needed urgently. Although Hawai'i's reciprocal beneficiary law does provide important rights that protect registered partners in times of medical crisis, death and other difficult circumstances, Lambda Legal is all too aware that the gaps in the law are terribly confusing and leave these partners without essential rights and responsibilities that SB231 and SB232 would afford them. We regularly are contacted for assistance through our Legal Help Desk by same-sex partners living in Hawai'i who face uncertainty, vulnerability and sometimes tragedy because their committed family relationships are not recognized due to the current laws' illogic and incomplete coverage. And we see consistently from these Hawai'i residents and those who contact us from other states that the lack of comprehensive legal protection falls hardest on those who are most vulnerable, including those who are poor, have less education, are older, and/or have dependent children or aging senior family members. Both SB231 and SB232 would help mitigate these harms and increase family stability by, for example, providing that these couples are covered by the laws recognizing jointly-acquired property, ensuring mutual responsibility for family debt, and enforcing parental obligations and rights.

Keeping in mind the lessons learned in other states that have protected unmarried partners through civil union or comprehensive domestic partnership legislation, we



respectfully encourage you to consider incorporating into SB232 at least provisions analogous to those in SB231 that do the following:

- 1) Confirm that parties who enter a civil union **consent to the jurisdiction of the Hawai`i family courts** with respect to any legal action properly initiated to dissolve the couple's union and any related matters, such as division of property, responsibility for shared debt and any appropriate ongoing support obligations, regardless of whether either or both parties are residents of Hawai`i when the dissolution action is filed.
- 2) Confirm the **parental rights and responsibilities of both civil union partners** regarding any children born to either partner during the couple's civil union.
- 3) Specify that, where Hawai`i law draws upon or refers to federal law for a rule governing family relationships, **Hawai`i law shall assume the federal rule recognizes civil union partners** in the same manner as Hawai`i law, so there will be consistency and a result that treats civil union partners and spouses as close to equally as possible. This rule of construction is especially important with respect to issues of taxation but ought not to be limited to tax matters. The following language would make clear that state or private programs that use federal law as a referent—but are not explicitly restricted by federal law—are to treat civil union partners fairly, in a manner consistent with the law's overall purpose:

“To the extent that provisions of Hawai`i law adopt, refer to, or rely upon, provisions of federal law in a way that otherwise would cause civil union partners to be treated differently than spouses, civil union partners shall be treated by Hawai`i law as if federal law recognized a civil union in the same manner as Hawai`i law.”

- 4) Provide that **applicants for a civil union license need not terminate their reciprocal beneficiary registration**, if they are registered, before entering a civil union, to avoid couples being left without legal protection between the termination of the prior status and their secure entrance into the second. We have recommended the following language (insertion into the statute of the phrase included here in italics, or words to similar effect): “Neither of the parties be married, a partner in a civil union, nor a party to another reciprocal beneficiary relationship *with any person other than each other.*”

We respectfully suggest that it could be very beneficial for Hawai`i's **lesbian and gay couples who enter into civil unions to be able to remain registered as reciprocal beneficiaries as well**, because some mainland states have laws and/or



state constitutional amendments barring legal recognition of same-sex couples' marriages, civil unions or comprehensive registered domestic partnerships. In some of those states, a same-sex couple in a civil union may be seen to have no recognizable legal status, but reciprocal beneficiaries (with that more limited status) would be recognized in case of emergency for medical decisionmaking and similar matters covered by the limited status. Accordingly, allowing same-sex couples to assume overlapping responsibilities for each other by entering into both statuses could offer legal protection that would help these families, as well as third parties such as hospitals, **without creating any conflicting legal duties.** Such protections could significantly benefit Hawai'i residents traveling in states with broad antigay laws.

We therefore recommend deletion of the following words (as indicated with strikethrough below), rather than expansion of this provision to include civil unions, in order that same-sex couples can be registered as reciprocal beneficiaries as well as being in a legal union (such as a civil union or a marriage entered into in another state): "Section 572C-7, Hawaii Revised Statutes, is amended as follows: 1. By amending its title to read: [~~§572C-7~~ Termination of reciprocal beneficiary relationship; filing fees and records; ~~termination upon 21 marriage~~ or civil union."]"

Similarly, we recommend deleting the following provision:

~~2. By amending subsections (c) and (d) to read:~~

~~"(c) Any marriage or civil union license subsequently issued by the department to any individual registered as a reciprocal beneficiary shall automatically terminate the individual's existing reciprocal beneficiary relationship.~~

~~(d) If either party to a reciprocal beneficiary relationship enters into a legal marriage[,] or civil union, the parties shall no longer have a reciprocal beneficiary relationship and shall no longer be entitled to the rights and benefits of reciprocal beneficiaries."~~

5) We respectfully encourage you to consider including nondiscrimination and rule-of-construction language along the following lines:

(a) "Civil union partners shall have the same rights regarding nondiscrimination as those provided to spouses."

(b) "No public agency or its employees or agents in this state may discriminate against any person or couple on the ground that the person is or intends to become a civil union partner rather than a spouse, or that the couple are or



intend to become civil union partners rather than spouses, except as otherwise required by federal law.”

- (c) “This act shall be construed liberally in order to secure to eligible civil union partners the full range of legal rights, benefits and protections, as well as all of the responsibilities to each other, to their children, to third parties and to the state, as the laws of Hawai`i extend to and impose upon spouses.”

Until the State of Hawai`i fulfills its constitutional promises of equal rights and liberties to its law-abiding, tax-paying lesbian, gay and bisexual citizens by permitting them to marry, measures such as SB231 and SB232 serve as critical stop-gap protections that can reduce the daily harms inflicted upon same-sex couples and their dependents.

Accordingly, Lambda Legal respectfully encourages each of you to support legislation to create civil unions with full legal rights and responsibilities under Hawai`i law, including the specific recommendations set out in this letter.

Thank you for your very kind consideration of this matter.

Most respectfully,

LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC.

Jennifer C. Pizer
Senior Counsel and
Marriage Project Director

Tara L. Borelli
Staff Attorney

Stefan C. Johnson
National Help Desk Attorney

cc: Representative Blake K. Oshiro
Representative Tom Brower
Representative Rida T.R. Cabanilla
Representative Mele Carroll
Representative Robert N. Herkes
Representative Ken Ito
Representative Sylvia Luke
Representative Angus L.K. McKelvey
Representative Hermina M. Morita
Representative Joseph M. Souki
Representative Clift Tsuji
Representative George R. Fontaine
Representative Barbara C. Marumoto
Representative Cynthia Thielen

Testimony for SB232 on 2/8/2011 2:15:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Thursday, February 03, 2011 11:21 PM

To: JUDtestimony

Cc: president@mauigayinfo.com

Attachments: BSN Civil UnionsLetter020311.pdf (125 KB)

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Nora Pierson
Organization: Both Sides Now
Address: PO BOX 2007 Kihei, HI
Phone: 917-992-7931
E-mail: president@mauigayinfo.com
Submitted on: 2/3/2011

Comments:

BOTH SIDES NOW

servicing MAUI'S LGBT community

PO BOX 2007 • Kihei, HI 96753

E-Mail: president@mauiigayinfo.com Web: www.mauiigayinfo.com

Date: February 3, 2011

House Judiciary Committee
415 South Beretania Street
Honolulu HI 96813

Aloha,

My name is Nora Pierson. I am writing to you on behalf of Both Sides Now, a non-profit 501(c)(3) organization, dedicated to the education and celebration of LGBTQ lifestyles on Maui. Our board, and members, would like to express our sincere support for SB232 and our gratitude to the committee for considering it.

Being denied equal rights and recognition greatly impacts a large population of Maui residents on a concrete level, as well as an emotional level. On a concrete level, couples who may have been together for decades are not eligible to the 1,138 Federal marriage benefits that are offered to heterosexual couples. Supporting civil unions will be a step towards marriage equality. I have witnessed many members of our local community who have suffered because they were not recognized as a legal couple. One local woman who worked for the National Guard was relocated to Washington, D.C. Recognizing that spouses of military service personnel who quit their jobs due to a military transfer may not be quitting "voluntarily," state legislators have amended unemployment compensation laws to help military families who are relocating between states. Because her "wife" was not recognized as her legal partner, she was unable to receive such benefits. Another woman who was with her partner for over twenty years did not have spousal hospital visitation rights nor could she make medical decisions on her behalf. We have numerous LGBTQ couples with children who are currently without the same family protections and benefits awarded to children of opposite-sex couples. We need to value all families and all children in Hawaii.

The lack of support on a governmental level has left a number of Maui residents feeling that they are not wanted in Hawaii. Several members of our board have recently relocated to other states where they feel more accepted by the inclusive legislative decisions. We have all witnessed the recent outbreak of gay suicides in the media. Studies have examined the negative effects of state constitutional bans on same-sex marriage on the mental health of LGBTQ adults: "Using the NESARC data from 16 states that enacted constitutional amendments against same-sex marriage during 2004 and 2005, the researchers found significant increases in mental disorders among self-identified LGB respondents in these states. Specifically, mood disorders increased by more than one-third, from 23% to 31% of LGB respondents. Increases were also found in generalized anxiety disorder, from 3 to 9%, and alcohol use disorder, from 22 to 31%. By contrast, no comparable increases in mental disorders between the two waves of the survey were observed in heterosexual respondents living in these 16 states" (Journal of Homosexuality, Volume 58, Issue 1 January 2011).

We strongly encourage you to vote in favor of SB232 — in favor of equality for Hawaii's ohana. Thank you for your time and consideration.

Sincerely,

Nora Pierson
President of the Board

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 02, 2011 9:37 PM
To: JUDtestimony
Cc: fujitar004@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony for SB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Ruth Fujita
Organization: Individual
Address:
Phone:
E-mail: fujitar004@hawaii.rr.com
Submitted on: 2/2/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 02, 2011 10:18 PM
To: JUDtestimony
Cc: merway@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Marjorie Erway
Organization: Individual
Address:
Phone:
E-mail: merway@hawaii.rr.com
Submitted on: 2/2/2011

Comments:

Aloha Judiciary Committee Members!

I urge you to fully support SB232, a bill relating to Civil Unions. It is time to bring more justice to Hawaii, and this will be very helpful.

Mahalo for your thoughtful consideration of support.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 12:47 AM
To: JUDtestimony
Cc: chuck@mauisunseeker.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Charles Spence
Organization: Maui Sunseeker LGBT Resort
Address: 551 S Kihei Rd Kihei
Phone: 808-879-1261
E-mail: chuck@mauisunseeker.com
Submitted on: 2/3/2011

Comments:

WE FULLY SUPPORT PASSAGE OF THIS BILL. As a significant taxpaying entity that caters to the LGBT community, I can attest our hotel performed well through the entire recession because of a higher disposable income of our demographic. Hawaii will benefit from being an equality minded state.

Additionally, it is the right thing to do. LGBT people should not and will not be treated as second class citizens. The constitution will prevail on this and ultimately grant full and equal rights. Hawaii should be on the leading edge of this issue showing the true Aloha spirit.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 7:11 AM
To: JUDtestimony
Cc: crissouth@earthlink.net
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232 Testimony letter to the committee.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Lynn C South
Organization: Individual
Address: 155 Kuono Pl Makawao HI
Phone: 808-281-7170
E-mail: crissouth@earthlink.net
Submitted on: 2/3/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 8:00 AM
To: JUDtestimony
Cc: marilyn.york@monsanto.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Marilyn York
Organization: Individual
Address: 1399 Hiahia Street Wailuku, HI
Phone: 808-264-4253
E-mail: marilyn.york@monsanto.com
Submitted on: 2/3/2011

Comments:

I support Legal Civil Unions for all. Please pass this bill.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 9:57 AM
To: JUDtestimony
Cc: smbarthwise@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: S Morris Wise
Organization: Individual
Address: 7000 Pomaikai Street Kapaa, HI
Phone: 808-212-5918
E-mail: smbarthwise@aol.com
Submitted on: 2/3/2011

Comments:

I support this bill. I support equal rights for all people. All persons in a committed relationship should have access to government benefits and rights of marriage.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 10:12 AM
To: JUDtestimony
Cc: robinwurtzel@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony SB 232 2.3.2011.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Robin Wurtzel
Organization: Individual
Address: 2354 Liloa Rise Honolulu, HI 96822
Phone:
E-mail: robinwurtzel@gmail.com
Submitted on: 2/3/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 11:33 AM
To: JUDtestimony
Cc: HawaiiVotingProject@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Dorothy Cornell
Organization: Individual
Address: 545 Queen St. #717 Honolulu HI 96813
Phone:
E-mail: HawaiiVotingProject@gmail.com
Submitted on: 2/3/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 11:35 AM
To: JUDtestimony
Cc: rkushins@hawaii.edu
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232 House Testimony.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Rebecca Kushins
Organization: Individual
Address: 3371 Kaha Drive Kihei, HI
Phone: 808-344-3808
E-mail: rkushins@hawaii.edu
Submitted on: 2/3/2011

Comments:

Rebecca Kushins
3371 Keha Drive, Kihei, HI 96753
808-344-3808
rkushins@hawaii.edu

RE: In Support of SB232

To the members of the House Judiciary Committee:

First, mahalo nui loa for your consideration of SB232. I support the passage of this bill into law, and it is with great gratitude that I submit this testimony to you. In addition to my gratitude for your open-hearted listening, I also write to you with the earnest plea that you support this important bill and send it swiftly to the desk of the Governor.

I am a 28 year old Maui resident, currently studying for my master's degree in social work through the University of Hawaii. Both personally and professionally, the passage of civil unions for Hawaii's citizens is important to me.

Personally, I do not want to live in a state in which I am not given equal rights to be recognized legally as united with my partner. I am committed to receiving my graduate education and serving my neighbor island community, but I cannot promise to remain a resident in a place where I am discriminated against on the basis of whom I love. Hawaii needs more well-educated residents, not fewer. I do not want to be another statistic to add to the list of Hawaii's "brain drain" to the mainland. However, I cannot promise to stay if I am not shown the respect that I deserve.

Professionally, I cannot ignore that the worth and dignity of all of Hawaii's citizens is at stake when some of her citizens are not granted equality under the law. The joint values of American democratic equality and Hawaiian aloha spirit stand to be bolstered by the passage of civil unions in our state. Please do not ignore this important bill, with its vast implications for the wellbeing of our entire community. In particular, I am concerned that the continued discrimination between opposite-gender and same-gender couples is having a negative impact on the youth of our state. As a social worker, I am concerned that continuation of the message of inequality is permanently damaging the well-being of LGBT youth. By passing this bill, you will be making a great show of your support for their happiness, and health over the entire course of their lives.

Thank you very much for joining me in supporting equality for all of Hawaii's citizens, of today and tomorrow.

Rebecca Kushins

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 1:58 PM
To: JUDtestimony
Cc: abrahamsson@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: TestimonySB232.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Dan Abrahamsson
Organization: Individual
Address: 1607 Quincy Place Honolulu, Hawaii
Phone: 8087536287
E-mail: abrahamsson@hawaii.rr.com
Submitted on: 2/3/2011

Comments:

**HONORABLE CHAIRPERSON KEITH-AGARAN
HONORABLE VICE-CHAIRPERSON RHOADS
MEMBERS OF THE JUDICIARY COMMITTEE**

SB232 SD1, CIVIL UNIONS

Tuesday, February 08, 2011

HOUSE OF REPRESENTATIVES
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

My name is Dan Abrahamsson, I am strongly in support of the SB232 SD1, and I am grateful that this Committee has taken up SB232 SD1 for its consideration to become law in Hawaii.

In November 2000, my long time gay male partner of 24 years died of lung cancer. Until he was diagnosed with cancer, 16 months earlier, we lived a wonderful harmonious loving life together. Just like any heterosexual married couple, we enjoyed our relationship of love, planned for our future and for our retirement at old age.

However, there was a big difference at the end. We could not marry, or obtain the many benefits and privileges that heterosexual couples were given for a secured and protected future in old days, simply because we were a same-gender couple. When my partner died, the property and the assets we both had worked and saved so hard for were taxed much higher and differently than if we had had the opportunity to marry. Because my partner's relatives accepted our loving relationship, I was fortunate to be allowed to care for and visit my partner at the hospital during his illness. I was allowed to arrange his funeral according to his own wishes. I know of friends that did not have relatives who were as tolerant as ours. These friends were not allowed to care for or visit their partners, let alone to attend the funeral of their loved one.

The time has come to stop wallowing in antiquated dogmas, misinterpretation of the Bible, and superstitions. Attempts to stop the Civil Unions Bill have nothing to do with legality; they simply respond to uninformed public opinion as well as political and religious ambitions. Gays and lesbians are equal Hawaiian and American citizens and have a right to enjoy the same protection and privileges as anyone else in the Hawaiian and American societies.

Here are just a few of the legal rights that heterosexual married partners have and same gender couples are denied:

- Joint housing for elderly
- Right to make a decision about the disposal of loved ones remains
- Immigration and residency for partners from other countries
- Automatic inheritance in the absence of a will
- Deferred Compensation for pension and IRAs
- Bereavement or sick leave to care for partner or children
- Joint Insurance Plans
- Joint filing of tax returns
- Social Security
- Medicare
- Estate and gift tax benefits
- Welfare and public assistance
- Child support
- Joint parental rights of children
- Joint adoption
- Tax credits including: Child tax credit, Hope and lifetime learning credits
- Credit protection
- Crime victims' recovery benefits
- Domestic violence protection orders
- Judicial protections and immunity
- Spousal veterans' benefits
- Public safety officers' death benefits
- Wrongful death benefits for surviving partner and children
- Medical care for survivors and dependents of certain veterans

Within the current legal system, including the Reciprocal Beneficiary Law, these benefits cannot be privately arranged or contracted.

You have the chance to support and pass the Civil Unions bill this legislature. Passing SB232 SD1 and letting it become law in the State of Hawaii would finally allow same gender oriented citizens, who are willing to commit to each other, to receive some of the rights that heterosexual married partners are granted. From the bottom of my heart, I implore you to pass SB232 SD1; please show that you care!

Me Ke Aloha Pumehana,

Dan Abrahamsson
 1607 Quincy Place
 Honolulu, HI 96816
 (808) 753-6287

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 2:51 PM
To: JUDtestimony
Cc: gregboorsma@aim.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony Doc.rtf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Greg Boorsma
Organization: Individual
Address: 469 Ena Road #1705 Honolulu, HI 96815
Phone: 8085515167
E-mail: gregboorsma@aim.com
Submitted on: 2/3/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 03, 2011 3:17 PM
To: JUDtestimony
Cc: nihipalim001@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Michele Nihipali
Organization: Individual
Address: 54-074 A Kam Hwy Hauula, HI
Phone: 293-1522
E-mail: nihipalim001@hawaii.rr.com
Submitted on: 2/3/2011

Comments:

My name is Michele Nihipali and I support SB 232 a bill relating to civil unions. I've seen how denying everyone equal rights under the law perpetrates a false sense of security for some while alienating a larger segment of society. Any form of legal bias based on age, sex, religion or sexual preference needs to go. We all must have access to the same protections and benefits the law offers, regardless of customs, religious beliefs or philosophies. I urge you to pass SB 232 to make Hawaii one of the many states that supports equality for everybody.

Thank you for your consideration in this matter, Michele Nihipali
54-074 A Kam Hwy
Hauula, HI 96717

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 04, 2011 12:40 AM
To: JUDtestimony
Cc: p-lucas@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: In support of SB232.wps

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Pamela Lucas
Organization: Individual
Address: 1185 Olomea Street Honolulu, Hawaii
Phone: 630-1978
E-mail: p-lucas@hawaii.rr.com
Submitted on: 2/4/2011

Comments:

Dear Members of the Hawaii House of Representatives:

I am writing this to you as a resident of the Commonwealth of Massachusetts, as a citizen of the United States and as a frequent visitor to Hawaii. I have been following the Civil Unions debate in Hawaii closely as I have a lot of LGBT friends in your State who are in committed monogamous relationships that deserve the same legal/ civil protections as their heterosexual counterparts in the same type of relationship.

I am the first man to go through the Massachusetts State Police Academy openly gay and graduate to become a State Trooper. Having come out in week 18 of a 25 week (live in Monday – Friday) academy, my classmates already knew me and knew of my work ethic as well as the type of person I was. To them, it was not a big deal. Once I graduated and began working, I found that my colleagues that were not my academy classmates were aware of two things about me before they even met me. 1. I was gay, and 2. I could flat bench 325 pounds. It took many people on the job some time to adjust to me because of #1. Somehow, I feel that #2 helped. Once people actually knew me as a Trooper and as a person, things regarding my sexuality suddenly became a non-issue for most people. Coworkers have confided in me about gay friends and family members who are having a rough time and even during the Constitutional Conventions at the Massachusetts State House, my Lieutenant enlisted my help as an unofficial liaison between the State Police and the Pro-Equality people assembling at the Massachusetts State House. My sexuality is never worn on my sleeve but at times it becomes a valuable resource to draw upon to help serve and protect the citizens in my State. It is just a part of who I am much the same as my coworker's personal traits are part of theirs. On my job, we all draw upon our diverse strengths to become one of the finest law enforcement agencies in the country.

And, as a resident of Massachusetts, I take offense to the incorrect rhetoric that the anti-equality folk like to spread. One of the most popular lies is about David Parker from Lexington. This man, is rumored to have been arrested because of his religious beliefs by the conservative and religious press. The truth is, he went to a public school where his child was enrolled and created such a scene that he was lawfully ordered to leave the building. When he refused that lawful order, he was arrested. The conservative and religious press took it upon themselves to blog all sorts of fear and fiction as fact about this incident – and their fear tactic has worked in many states. I even heard this brought up by members of the Hawaii State Senate last week during the hearings on this very bill. Perhaps if Hawaii becomes Connecticut (as a Senator suggested last week during the hearing on this Bill) it can help thaw out Massachusetts. It's been a rough winter back home.

In actuality, since 2004, the only thing that has changed in Massachusetts because of the Goodrich Decision affecting same sex marriage is the following: Massachusetts now has the lowest divorce rate in the country – if anything, we're doing wonders for the sanctity of civil marriage.

Denying “basic” partnership rights to gay men and women who are committed to each other has somehow taken on an air of *punishment* by those who oppose homosexuality. I don't think I have ever heard a reason given to deny these rights that is not *secular* in origin. To an outsider, it appears that they believe that if they take a stand against gay relationships it is the same exact thing as taking a stand against homosexuality, and, if they do that, they will somehow force gay men and women to abandon their sexual orientation and embrace heterosexuality. In every other state, the same exact groups fighting and funding the fight against civil unions here in Hawaii say that they are all for civil unions but not for marriage because the term marriage has special meaning for them. It plays well for their public relations on this issue. However, the battle over civil unions in your state shows their true colors and that they are really not for civil unions or any other civil legal protections for same sex couples.

One of the biggest pieces of religious rhetoric is the urgent need to “Protect the Sanctity of Marriage”. Please explain why people say that *this* civil unions bill affects marriage? It does nothing to change the existing laws pertaining to marriage in your state. If denied the right to equality and marriage, gay men and gay women will continue with their long term relationships, continue to raise blood relatives and adopted children and continue to contribute to society – they will just continue to lack legal rights and civil protections given to all other couples in committed relationships.

The opposing side loves to cite the welfare of the children. How can they say denying civil unions is good for the children of same sex couples? It not only makes life difficult but it burdens the child in the relationship with feelings that his or her family is somehow deficient and inadequate. In their own "traditional" family, it creates a hostile environment towards alternate sexual identities that could drive a child who may be coming to terms with their sexual identity towards self destructive behavior such as drugs, alcohol, promiscuity or even suicide.

I have the option to enter into a legally recognized committed relationship in my state. I look forward to the time where I love someone enough and want to take that huge step in the relationship. It is a great comfort to have that as an option. I pray that this bill passes the Hawaii Legislature and is signed by Governor Abercrombie, so my friends here can have the same option.

Respectfully and Sincerely;

Ronald Clapham (Boston, MA)

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 04, 2011 6:29 PM
To: JUDtestimony
Cc: cmikasobe@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Carol Mikasobe
Organization: Individual
Address: 91-1031 Kanehili St. Kapolei, Hawaii 96707
Phone: 808-620-9835
E-mail: cmikasobe@gmail.com
Submitted on: 2/4/2011

Comments:

It is the WILL of God and the people of Hawaii to oppose this bill. If services and benefits are needed by this group of individuals, fix the reciprocal law to better serve there needs.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 04, 2011 6:40 PM
To: JUDtestimony
Cc: cmikasobe@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Louie Mikasobe Sr.
Organization: Individual
Address:
Phone:
E-mail: cmikasobe@gmail.com
Submitted on: 2/4/2011

Comments:

Our representatives are not listening to the people of Hawaii. We do not want same sex marriage or civil unions in the state.
Give these folks that want the same benefits a way via the Reciprocal Law.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 04, 2011 7:42 PM
To: JUDtestimony
Cc: Laieski.Caleb@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Caleb Laieski
Organization: Individual
Address:
Phone:
E-mail: Laieski.Caleb@yahoo.com
Submitted on: 2/4/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 05, 2011 11:13 AM
To: JUDtestimony
Cc: NJHawaiiWalter@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Walter Mahr
Organization: Individual
Address: Mililani, Hawaii
Phone:
E-mail: NJHawaiiWalter@aol.com
Submitted on: 2/5/2011

Comments:

My name is Walter Mahr and I live in Mililani. I am writing in support of the civil union bill. My partner and I have been together for over 16 years and we should not face discrimination here in the land of Aloha. We pay taxes and abide by the laws of our state the same as everyone else yet we do not receive the same benefits and obligations as our friends and neighbors. Please pass this bill so that all the people of Hawaii are the same in the eyes of the law. Mahalo.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 9:19 AM
To: JUDtestimony
Cc: tomcoleman@earthlink.net
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Civil Unions for All.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Thomas F. Coleman
Organization: Individual
Address: P.O. Box 11036 Glendale, CA 91226
Phone: 818-482-4485
E-mail: tomcoleman@earthlink.net
Submitted on: 2/6/2011

Comments:

Civil Unions for All: Better Now than Never

by Thomas F. Coleman

The Hawaii Legislature is poised to pass a civil union bill this month. Gov. Neil Abercrombie has pledged to sign the measure into law once it reaches his desk.

The new law would grant all rights and benefits, and impose all obligations, on parties to a civil union that Hawaii state law grants to or imposes on spouses.

This law, which has the support of the LGBT community in Hawaii, has been a long time in the making. I should know. I introduced the concept to the Hawaii Legislature back in 1995.

In response to the preliminary decision of the Hawaii Supreme Court in 1993 on same-sex marriage, the state Legislature established a Commission on Sexual Orientation and the Law. The purpose of the Commission was to study the issue and to make recommendations to the Legislature on how to respond to the Supreme Court's decision.

This is where I entered the picture. Due to years of work in the field, I had become a national legal expert on domestic partnership rights. I taught the subject at the University of Southern California Law Center, litigated the issue in appellate courts in various states, and lobbied state and local legislative bodies to enact domestic partnership legislation.

Tom Gill, Chairman of the Hawaii Commission, invited me to come to Hawaii to address Commission members on domestic partnership as one response to the Supreme Court's decision. I did so in October 1995, and as a result, the Commission's final report to the Legislature made two recommendations – either legalize same-sex marriage or adopt a comprehensive domestic partnership law to give registered partners equal rights and benefits to spouses under state law.

This was the first time in American history that the concept of *comprehensive* domestic partnership was presented to a state legislature. Most prior legislative proposals had been focused on city ordinances and a few state proposals had suggested domestic partnerships with limited rights and benefits.

I recall testifying in the Hawaii Legislature's auditorium in January 1996, explaining the concept to a joint committee of members from both houses. Although there was considerable interest by the legislators, leaders from the gay and lesbian community were openly hostile to the idea – and to me.

I was called a traitor by some. Others suggested that I was an interloper, despite the fact that I had been invited by legislators to provide them advice on the issue.

The matter soon moved to the Senate Judiciary Committee, with Sen. Rey Grauly presiding. He invited three experts to address the committee on the issue. I was one of them.

I tried to explain to the gay and lesbian leaders that this was a legislative forum and that, due to strong public opposition to same-sex marriage, the most they would get out of the Legislature – for years to come – would be comprehensive domestic partnership. I was not opposed to same-sex marriage. After all, I am a gay man and was in a long-term committed relationship. But until public opinion were to change, and change considerably, the legalization of same-sex marriage in Hawaii would be up to the Hawaii Supreme Court.

My views were generally well received by the Senate which passed a comprehensive domestic partnership bill that year. The only part of the bill I objected to was that it was limited to same-sex couples. I had urged them to pass an equal rights bill that was open to heterosexual couples as well.

The bill died when the House Judiciary Committee, then chaired by Rep. Terrance Tom, refused to even grant it a hearing. Perhaps the outcome would have been different had the gay and lesbian community lobbied in support of the measure. But with no support from gay rights advocates, and strong opposition from the religious right, the bill died in committee.

That was then. This is now. What a difference 15 years can make.

When the voters amended the Hawaii Constitution to allow legislators to deny marriage to same-sex couples, the Hawaii Supreme Court backed off on gay marriage. The Legislature threw the gay community a few table scraps when it passed a reciprocal beneficiary law.

Meanwhile, other states began to enact comprehensive domestic partnership statutes, sometimes known as "civil union" laws. Some, such as Nevada and Illinois adopted the full concept, making the new relationship status available to heterosexual couples too.

It is a shame that it has taken Hawaii so long to get with the program. They say that "justice delayed is justice denied." But when it comes to equal rights, I say "better now than never." ♦♦

Thomas F. Coleman is the author of *The Domino Effect: How strategic moves for gay rights, singles' rights, and family diversity have touched the lives of millions.* (2009: Spectrum Institute Press) / www.dominoeffectbook.com

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 6:07 PM
To: JUDtestimony
Cc: ttorres@hawaii.edu
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232_testimony-torres.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Tanya Torres
Organization: Individual
Address: 247 Beachwalk 402 Honolulu
Phone: 303-895-5230
E-mail: ttorres@hawaii.edu
Submitted on: 2/6/2011

Comments:

In Support of SB 232

Aloha to the members of the House Judiciary Committee,

My name is Tanya Torres and I am writing in support of SB 232. Mahalo for your time and consideration in a such a hotly contested matter. I'd could start with accusations of discrimination, but I prefer a story. My Uncle Tom was the gay son of my father's Mexican-Navajo parents, one of four other boys who married women and had children. My father and his brothers all stayed close to home- close enough to drive to my grandparents house in a day if need be. Even after military service, my father came back to the Rocky Mountains. My Uncle Tom did not- the stigma against being openly gay in a small farming community in the mountains drove him to Georgia's cities. He wasn't alone – many rural LGBT people travel to cities in hope of acceptance and romantic possibility.

Although service members of the U.S. Armed forces can be financially helped to attend the funerals of loved ones, the army did not see my Uncle Tom's death from AIDS in the 1980s as reason to fly out. My brothers and I never got to say good bye to our uncle because my father could only afford his ticket. This wasn't the only example of homophobia, so, fed up with the attitudes about sexuality I found rampant in my home, I moved. I did my research first though. I found a state in the U.S. with a history of acceptance for sexual practices that bore strong stigmas that fracture families. When I learned of mahu, 'aikane and fa'afafine, I felt that Hawai'i had good foundations to serve as an example to other states.

I was overly optimistic. Upon moving here, I found the same problems- but while knowledge of indigenous culture at home doesn't appear in the popular consciousness, in Hawai'i, the indigenous presence is still felt strongly. I remain confused at our insistence that the family kinship structure be closed off by molding the nuclear family of the 1950s when alternative models exist that can also maintain family cohesion without stigmatizing people for love.

No family is perfect and no family the same, but when they work, it's because they have one thing in common-love. The right to love is a basic human right that shouldn't be restricted on the basis of only a particular Judeo-Christian view of the world that wants to *define* love. But defining love is about as easy as taming it. After all, if we remember that some bees have detachable penises, some ducks have 6 foot, barbed, prehensile penises, and some slime molds must mate with multiple partners to reproduce, then what do we have to fear from LGBT kinship rights that promote love?

However, if we can't speak the language of aloha, then we can speak in the language of dollars.

A recent Forbes article broke down the numbers for gay marriage industries in states where civil unions are legal. In "The \$9.5 Billion Gay Marriage Windfall," Miriam Marcus finds that, under the conditions of legalized civil unions, the gay marriage industry would total almost \$10 billion. Of that total, \$3.4 billion is spent on gifts, \$1.6 billion on reception & catering, and another \$1.2 billion for the honeymoon, video and photography. These are all parts of the wedding industry that are likely to take place on-site. Since Hawai'i is already known for it's wedding/honeymoon industry, legalizing civil unions could mean a boost to our economy. Let's make this \$6.2 billion pie a reality so we can get our slice.

Gracias and mahalo for your consideration,

Tanya Torres

247 Beachwalk 402
Honolulu, HI 96815

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 7:13 PM
To: JUDtestimony
Cc: keolabear@hotmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Keola Akana
Organization: Individual
Address: 449 Kawaihae Street Honolulu, Hawai`i 96825
Phone: 808-234-8220
E-mail: keolabear@hotmail.com
Submitted on: 2/6/2011

Comments:

Aloha House Judiciary. My testimony is in support of SB232 SD1. This bill is consistent with the civil unions bill passed by the legislature last year. SB232 SD1 furthers justice and equality, a corner stone of our democratic society and Hawai`i Nei. Please pass SB232 SD1. Thank you.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 9:35 PM
To: JUDtestimony
Cc: birthwaves@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: tamara fehling
Organization: Individual
Address: 89 hollywood ave selden, ny
Phone: 6319264206
E-mail: birthwaves@aol.com
Submitted on: 2/6/2011

Comments:
I support sb232

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 9:37 PM
To: JUDtestimony
Cc: longdriver62@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: ken fehling
Organization: Individual
Address: 89 hollywood ave selden, ny
Phone: 6317962572
E-mail: longdriver62@aol.com
Submitted on: 2/6/2011

Comments:
I support sb232

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 9:49 PM
To: JUDtestimony
Cc: raew@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Rae Watanabe
Organization: Individual
Address:
Phone:
E-mail: raew@hawaii.rr.com
Submitted on: 2/6/2011.

Comments:

LGBTI people pay the same amount of taxes as heterosexual people. They should have the same rights, too. Civil Unions isn't even the equivalent of marriage. It's the least the people of Hawaii can do.

How are our current laws different from owning a store and charging LGBTI people more money for the same product? It's not different; it's an ugly and obvious injustice, and it should be corrected.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 06, 2011 10:09 PM
To: JUDtestimony
Cc: juliedagenais@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: In Support Of SB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: julie dagenais
Organization: Individual
Address: po box 835 waialua, HI
Phone:
E-mail: juliedagenais@gmail.com
Submitted on: 2/6/2011

Comments:

"In Support Of SB232."

Hello,

My name is Julie Dagenais, I am a strong supporter of SB232 and would like to say a big mahalo to the committee for its consideration. I, for a long time have been a supporter of civil rights, particularly equal rights for same-sex couples and their families. I have friends whose equal rights are denied. It makes me real sad to see that this is still going on in 2011. In my opinion, it is unacceptable. How can we as a civilized nation not allow equality and fairness to all?

The majority of the public supports civil unions as does Pres. Obama. Civil unions do not impact religious freedom. Communities of faith will always be free to define marriage according to their specific traditions. No church will be forced to perform civil unions.

This also strengthens families. Children of same-sex couples are currently without the same family protections and benefits awarded to children of opposite-sex couples. We need to value all families and all children.

I would like to thank you again for this opportunity to show my support of SB232.

Julie Dagenais
PO Box 835
Waialua, HI
96791

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 4:45 AM
To: JUDtestimony
Cc: wcmmb@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: IN SUPPORT OF SB232 - 2-7-11.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: William Musick
Organization: Individual
Address: 2130 Haena Dr Honolulu, HI
Phone: 9469769
E-mail: wcmmb@aol.com
Submitted on: 2/7/2011

Comments:

IN SUPPORT OF SB232 – RELATING TO CIVIL UNIONS

February 7, 2011

To: Members of House Judiciary Committee

Gilbert S.C. Keith-Agaran, Chair

Karl Rhoads, Vice Chair

Blake K. Oshiro

Tom Brower

Rida T.R. Cabanilla

Mele Carroll

Robert N. Herkes

Ken Ito

Sylvia Luke

Angus L.K. McKelvey

Hermina M. Morita

Joseph M. Souki

Clift Tsuji

George R. Fontaine

Barbara C. Marumoto

Cynthia Thielen

I am writing in support of SB232 which recognizes the right of citizens, who cannot be married under state laws, to form loving and committed relationships that are recognized by the state in terms of both benefits and responsibilities. For the thousand of same sex couples who live in Hawaii today, this bill will help reduce the inequality and unfairness that they and their extended families face every day.

No one in Hawaii should be treated as a second-class citizen, yet we still live a world where vestiges of inequality in the traditions descended from denying rights to people who are different from the majority persist today. Passage of SB232 would move Hawaii one step closer to being a land of true Aloha.

Thank you for standing up to make a difference by ensuring that Hawaii becomes a society that treats all of its citizens fairly.

Mahalo for your consideration –

Bill Musick

Bill Musick
2130 Haena Dr
Honolulu, HI 96822

JUDtestimony

From: Scott Fehlan [sfehlan@att.net]
Sent: Thursday, February 03, 2011 3:29 PM
To: JUDtestimony
Cc: Scott Fehlan
Subject: Please Support Senate Bill 232 – Civil Unions

Dear Members of the House Judiciary Committee,

Please pass Senate Bill 232 – Civil Unions and maintain Hawai'i's tradition of welcoming people from many backgrounds. Senate Bill 232 will make Hawai'i a safer and more attractive place for tourists, business people and other visitors.

My domestic partner and I live in Illinois, whose governor signed our civil unions bill last week. During ten business and personal trips to your state since 2001, we have supported Hawai'i hotels, restaurants, shops and tourism facilities on four islands. Our last trip was in January 2009.

Sadly, we no longer feel welcome visiting Hawai'i. Instead, we visit states and countries that recognize our relationship. This also affects conventions that we attend. In choosing locations, some groups of professors, doctors and lawyers now consider whether all their attendees, including those in civil unions, will have equal legal protection in the host city.

Passing the civil unions bill will help Hawai'i compete for such conventions.

Our church supports civil unions. While some churches oppose them, no church would be required to perform a civil union, and no pastor would be in trouble for criticizing them.

You have an historic opportunity to maintain Hawai'i's tradition of welcoming people from many backgrounds. Please pass the civil unions bill and keep Hawai'i safe and attractive for all your tourists, business people and other visitors. I hope that my partner and I will be able to return soon to your beautiful state.

Thanks

- Scott Fehlan

Chicago, IL 60611

JUDtestimony

From: james m nordlund [mailto:mail@change.org]
Sent: Monday, February 07, 2011 8:07 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

james m nordlund
Fargo, ND

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Cyndi Mears [mailto:change.org] \
Sent: Monday, February 07, 2011 8:03 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Cyndi Mears
Chicago, IL

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Anthony Legg [mailto:mail@change.org]
Sent: Monday, February 07, 2011 7:44 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Anthony Legg
Edwardsville, IL

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Emily Russell [mailto:mail@change.org]
Sent: Monday, February 07, 2011 7:44 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Emily Russell
Allston, MA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Tara McIntosh [mailto:mail@change.org]
Sent: Monday, February 07, 2011 9:50 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,


I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Tara McIntosh
Cape Coral, FL

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition. 

JUDtestimony

From: Daniel Musgrove [mailto:mail@change.org]
Sent: Monday, February 07, 2011 9:58 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Daniel Musgrove
Vista, CA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Jeffrey Harwood [mailto:mail@change.org]
Sent: Monday, February 07, 2011 9:58 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Jeffrey Harwood
Memphis, TN

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Delaney Imar [mailto:mail@change.org]
Sent: Monday, February 07, 2011 10:50 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Delaney Imar
Miami, FL

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: George Akerley [mailto:mail@change.org]
Sent: Monday, February 07, 2011 10:54 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

George Akerley
bloomfield, CT

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Ed Zink [mailto:mail@change.org]
Sent: Monday, February 07, 2011 11:02 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Ed Zink
Vista, CA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Levin Manabat [mailto:mail@change.org]
Sent: Monday, February 07, 2011 10:01 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Levin Manabat
Portland, OR

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Kailey Murphy [mailto:mail@change.org]
Sent: Monday, February 07, 2011 12:58 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Kailey Murphy
Havelock, NC

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Keith Bailey [mailto:mail@change.org]
Sent: Monday, February 07, 2011 1:02 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Keith Bailey
Evansville, IN

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Elizabeth McFadden [mailto:change.org]
Sent: Monday, February 07, 2011 1:04 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Elizabeth McFadden
Gaithersburg, MD

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Dan(iel) Metzger [mailto:mail@change.org]
Sent: Monday, February 07, 2011 1:04 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,


I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Dan(iel) Metzger
Allentown, PA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii--i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition. 

JUDtestimony

From: Carole Sarcinello [mailto:mail@change.org]
Sent: Monday, February 07, 2011 1:04 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Carole Sarcinello
Mosheim, TN

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Lindsey Poore [mailto:mail@change.org]
Sent: Monday, February 07, 2011 1:19 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Lindsey Poore
federalsburg, MD

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and include a link to this petition.



JUDtestimony

From: Shawn Revelle [mailto:change.org]
Sent: Monday, February 07, 2011 1:20 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Shawn Revelle
Kansas City, MO

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: John Richard Young [mailto:mail@change.org]
Sent: Monday, February 07, 2011 10:43 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

John Richard Young
Norristown, PA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 1:43 PM
To: JUDtestimony
Cc: BidwellRob@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony SB232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Robert J. Bidwell, M.D.
Organization: Individual
Address: 610 Kumukahi Pl. Honolulu
Phone: 396-8392
E-mail: BidwellRob@aol.com
Submitted on: 2/7/2011

Comments:

Robert J. Bidwell, MD

Adolescent Medicine

1319 Punahou St., Rm. 715 ♦ Honolulu, Hi. 96826 ♦ Telephone (808) 983-8387 ♦ Fax (808) 945-1570

Testimony in Support of SB 232

Dear House Judiciary Committee:

My name is Robert Bidwell and I am submitting this testimony in strong and heartfelt support of Senate Bill 232. I thank you for taking the time to consider this legislation which, if enacted, will bring our Hawai'i `ohana closer together in understanding and inclusiveness to the benefit of thousands of couples and families, and their children, across our state. I submit my testimony as a pediatrician, as a father, and as a gay man who has made Hawai'i his home for over 30 years.

As a pediatrician and adolescent medicine physician at Kapi`olani Medical Center for Women and Children since the 1980s, I have worked with hundreds of lesbian, gay, bisexual and transgender (LGBT) youth. I have worked with many more in my position as Associate Professor of Pediatrics at UH JABSOM, fulfilling contracts to provide health care and counseling to youth residing at the Juvenile Detention Facility in Kapolei and the Hawai'i Youth Correctional Facility in Kailua. One of my most important roles is to provide LGBT youth in my practice with hope for a happy and healthy future, nurtured by the presence of loving and supportive committed relationships in their lives. Our society has deemed that relationships that are based on love and commitment and that are officially recognized and supported by the broader community are relationships that are strengthened because of that recognition. And strong loving relationships are important not only for the two individuals in that relationship, but also for the children they might raise together, and for our Hawai'i `ohana as a whole.

Furthermore, as a gay man myself, such legislation has important implications for both me and my son, of whom I am so proud. The protection and support that comes from the recognition of civil unions has been well-documented in the testimony you have received from many individuals and families over the past several years.

As individuals who care deeply about the people of Hawai'i, I urge each of you to vote in favor of SB 232. With your support for equality for *all* of Hawai'i's people, we can make our state an even better place to live, work, and raise our families. What a wonderful and historic legacy to leave for our grandchildren and future generations of families.

**Respectfully submitted,
Robert J. Bidwell, M.D**

JUDtestimony

From: Maria F. [mailto:change.org]
Sent: Monday, February 07, 2011 12:55 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Maria F.
Verona, Italy

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:07 AM
To: JUDtestimony
Cc: makana94@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: kaitestimony.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Kai Miyamoto
Organization: Individual
Address: Kapolei, HI
Phone:
E-mail: makana94@yahoo.com
Submitted on: 2/7/2011

Comments:

TO THE HOUSE JUDICIARY COMMITTEE

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

Tuesday, February 8, 2011

2:15pm

TESTIMONY ON SENATE BILL SB232- RELATING TO CIVIL UNIONS

**TO THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR, AND
THE HONORABLE KARL RHOADS, VICE CHAIR, AND MEMBERS OF
THE COMMITTEE:**

!

My name is Kai Miyamoto and I am a student in the eleventh grade and I am **opposed** to SB232. Passage of this bill will only encourage its proponents to seek same-sex marriage. This is exactly what happened in other states with civil unions. Hawaii voted against same-sex marriage thirteen years ago, and I believe the legislature should uphold what the people want.

The people want traditional marriage. Passage of SB232 will ignite a process that would change the meaning of marriage and it will cause much confusion especially for the children of traditional families. There is a lot at stake particularly as children will be affected through the education system. If this bill is passed then the schools will be teaching that civil unions are just as normal and acceptable as traditional marriage. The ramifications of SB232 need to be given full consideration. I hope the committee sees that SB232 will do much more harm than good.

I thank the committee for reading my testimony and I hope you vote "no" to SB232.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:07 AM
To: JUDtestimony
Cc: nashmiyamoto@hawaiiantel.net
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: chadtestimony-1.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Chad Miyamoto
Organization: Individual
Address: Kapolei
Phone:
E-mail: nashmiyamoto@hawaiiantel.net
Submitted on: 2/7/2011

Comments:

TO THE HOUSE JUDICIARY COMMITTEE

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

Tuesday, February 8, 2011

2:15pm

TESTIMONY ON SENATE BILL SB232- RELATING TO CIVIL UNIONS

TO THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR, AND THE HONORABLE KARL RHOADS, VICE CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Chad Miyamoto and I am a student in the eighth-grade. I am against SB232, or the civil unions bill that will give same-sex couples the same rights as married. This bill will only lead to the legalization of same-sex marriage and it will stand in the way of parental rights over the education of their children.

If same-sex marriage is made legal, than schools will start teaching about homosexuality as a 'normal' behavior. We see this happening on the Mainland. I believe in traditional marriage between one man and one woman and many other students may believe this, too. Forcing students to believe something against their values is wrong. This will only serve to confuse students and it will create more tension between parents and the DOE. Our current school system has a lot of problems as it is without adding this to it.

I read in my constitutional studies that government is straying its path from our U.S. Constitution. Loss of parental right to not be able to choose what their children are taught will prove that statement. Please preserve traditional marriage and protect parental rights to choose what their children learn, as well as, protect my values by not having to learn in school that homosexuality is normal.

I thank the committee for reading my testimony and hope you will vote "no" to SB232.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 9:21 AM
To: JUDtestimony
Cc: trinatrina@msn.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Jacob Minyard
Organization: Individual
Address:
Phone:
E-mail: trinatrina@msn.com
Submitted on: 2/7/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:55 AM
To: JUDtestimony
Cc: fritlang@msn.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Fritz Fritschel
Organization: Individual
Address: Honolulu, HI
Phone:
E-mail: fritlang@msn.com
Submitted on: 2/7/2011

Comments:

I testify in support of the Civil Union bill SB 232. As a retired clergy, I have long been concerned about the quality of relationships between people. It is the concrete, particular relationship that always needs support, whether from a viable community or public legislation. It is not the abstract concept of marriage that needs support, it is the particular relationship that must be honored in any way possible.

Fritz Fritschel
1415 Victoria St # 1101
96822

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:37 AM
To: JUDtestimony
Cc: olindaaiwohi@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Olinda Aiwohi
Organization: Individual
Address:
Phone:
E-mail: olindaaiwohi@yahoo.com
Submitted on: 2/7/2011

Comments:

I am definitely against this bill of "civil union." There is already a bill for Domestic Partnership that gives rights to couples. The airlines, doctors, hospital all accept this partner bill. There is no need for this civil union bill. Whether gay or straight couples we all have that right in this state to sign and receive benefits allowed married couples. This bill is only opening the way to same sex marriage which I am opposed.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:00 PM
To: JUDtestimony
Cc: olindaaiwohi@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Lynn
Organization: Individual
Address:
Phone:
E-mail: olindaaiwohi@yahoo.com
Submitted on: 2/7/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:00 PM
To: JUDtestimony
Cc: tad781@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Tad Aiwohi
Organization: Individual
Address:
Phone:
E-mail: tad781@hawaii.rr.com
Submitted on: 2/7/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:01 PM
To: JUDtestimony
Cc: olindaaiwohi@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Kaulana Aiwohi
Organization: Individual
Address:
Phone:
E-mail: olindaaiwohi@yahoo.com
Submitted on: 2/7/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:02 PM
To: JUDtestimony
Cc: olindaaiwohi@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: alma Aiwohi
Organization: Individual
Address:
Phone:
E-mail: olindaaiwohi@yahoo.com
Submitted on: 2/7/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:08 PM
To: JUDtestimony
Cc: randy.rodriguez@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Randy Rodriguez
Organization: Individual
Address:
Phone: 808-221-3933
E-mail: randy.rodriguez@gmail.com
Submitted on: 2/7/2011

Comments:

Aloha Committee,

I just wish to exercise my duty as a citizen of Hawaii to voice my concerns about the pending civil unions legislation.

I humbly ask that you reconsider signing off on them without first conducting an economic feasibility study. Its no secret that we need to stop the spending and tighten our belts in all areas of the state budget. This is NOT the time to implement such bill which would service 2-3% of the population when we have groups such as the homeless in greater numbers and in greater need of assistance.

It is clear to me that passing such bills will increase/add new governmental departments which translates into salaries and benefits. Further would lead to educating such behavior to our keiki in schools. Tax dollars used for this time spent on something I'm adamantly opposed to. Why should I be forced to pay taxes that are used for indoctrinating students when that time should be used for learning. Its bad enough that we're near the bottom of the list in our education system compared to the rest of the country!

This is NOT the will of the people of Hawaii and further request consideration to adding this to the next election so that the people of Hawaii may decide.

Mahalo,
Randy Rodriguez

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:31 AM
To: JUDtestimony
Cc: dwchoy63@mac.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: David W. Choy
Organization: Individual
Address: 5028 Maunalani Circle Honolulu, HI
Phone: 808-352-5758
E-mail: dwchoy63@mac.com
Submitted on: 2/7/2011

Comments:

Mahalo. Please contact me if you are unable to open/print the enclosed Word document.

**David W. Choy
Jeffrey A. Minter
5028 Maunalani Circle
Honolulu, HI 96816
808.352.5758**

February 7, 2011

House Judiciary Committee
Hawai'i State Capitol
Honolulu, HI

Re: SB 232

Dear Sir or Madam:

My name is David W. Choy and my husband, Jeff A. Minter, and I support SB232. A big mahalo to the committee for choosing to consider such an important piece of legislation in these times. You have an opportunity to effect positive change in the ever-evolving diverse and tolerant community for all of us who choose to call Hawai'i our home.

My husband, Jeff Minter, was diagnosed with brain cancer in October 2008. We immediately sought out an attorney and filed various documents with the State of Hawai'i, including the advanced health care directive. This document was also given to The Queens Medical Center. I am happy to say that Jeff came through his surgery and with the help of an understanding, respectful, and compassionate staff, Jeff and I were treated as the equal partners in life that we are. The doctors, nurses, aides, and the rest of the staff kept me informed at all times and recognized the legal documents allowing me to make medical decisions for Jeff.

Jeff is now a two-year cancer survivor. There were three additional extended stay hospitalizations at The Queens Medical Center. May 2010's experience was similar to our October 2008 experience. Doctors, nurses, aides, therapists, and the rest of the staff recognized our relationship backed up by the advanced health care directive on file with the hospital. The doctors and nurses sought me out to keep me well-informed and as the decision maker on all medical junctures.

Our two most recent hospitalizations at The Queens Medical Center were made difficult by two physicians who chose not to recognize our relationship and/or the advanced health care directive filed with the State of Hawai'i. Jeff was hospitalized twice in October and November 2010. Each time, we were entrusted to the care of a

hospital physician who failed to communicate with me as the next-of-kin. Messages left by myself for each doctor to return my calls or meet me at the hospital were ignored. Each doctor made medical decisions for Jeff without his or my consent. In each case, I had to wait at the hospital for a 24-hour period to catch them on their rounds. In fairness to the hospital staff, they were all horrified at the treatment we received from the doctors and were at a loss to explain the doctors' behaviors. It was during these conversations that I learned both doctors were released from the defunct St. Francis Hospital—a hospital with a Catholic administrative bent. It seems the doctors we had may have been confusing their medical responsibilities and personal religious views.

Multiple conversations with the hospital's patient advocates resulted with little change in either doctor's demeanor toward us. In the end, I had to retrieve our July 18, 2008, Certificate of Marriage, from San Diego County and threaten to sue the hospital over discriminatory practices. One doctor refused to treat Jeff and transferred his case to the other doctor. That doctor treated Jeff until his release, and was minimally civil and available.

Thank you for tackling this major civil rights issue in our state. I hope our story is one of many that persuades you to support SB232. You now have an example that different legal paperwork is not the same as a recognized union in Hawai'i. Without a Certificate of Marriage or a state recognized civil unions, we, and every gay couple, every non-traditional marriage, every unmarried straight couple, are subject to the personal religious views of any individual. It boggles the mind to think that after 20 years of being together, I had to spend time, energy, and money producing useless paperwork to prove I can make medical decisions for my partner while a one hour old straight married partner can make decisions for his/her partner without proof beyond saying they are married. Support this bill and give all of us equal access to equal treatment all the time.

With Great Aloha,

David W. Choy
Jeffery A. Minter

For verification of our story, we are more than happy to provide the hospitalization dates and the names of The Queens Medical Center patient advocates and the two offending doctors.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:45 AM
To: JUDtestimony
Cc: bmonroe@hawaii.edu
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: In support of SB232.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Briana Monroe
Organization: Individual
Address: 1515 Nu'uauu Ave #133 Honolulu, HI
Phone: 808-635-3820
E-mail: bmonroe@hawaii.edu
Submitted on: 2/7/2011

Comments:
Mahalo.

COMMITTEE ON JUDICIARY

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

DATE: Tuesday, February 08, 2011

TIME: 2:15 PM

PLACE: Auditorium

State Capitol

415 South Beretania Street

Re: In support of SB232 SD1

I am a member of several equality organizations and a student at the University of Hawai'i, but am writing as a citizen in strong support of SB232 SD1. I want to thank the committee and its chairs for your consideration of my written support of this bill and ask for its swift passage.

This issue is near to my heart as my mother is a lesbian who came out of the closet 8 years ago. My father is on his third marriage after being unfaithful to all of his previous wives. Nowhere in the logic of my mind does it make sense that he is allowed all of the thousands of benefits a marriage can offer a committed couple, yet my mother is deemed a second class citizen for being true to herself, for being happy, and for wanting to share her life with someone.

After a bad accident, my mother had previously been denied health insurance coverage because she did not fall under the category of a heterosexual relationship with her partner. She had to carry the burden of being self-employed and struggling with the financial burden of her injuries as well as the pain that was associated with them.

When our laws cannot protect families, children, and the households they are raised in any longer, it is time for a change. I can only hope that Hawai'i will pave the way for future states to offer her the same protections and benefits under the law that traditional couples are afforded and in doing so, will help other states to realize how they can better strengthen their own families.

My mother is happier and more true to herself than she ever was previously being married and I want her to be respected in all areas of her life- in a hospital if her partner runs into any health issues, for her end of life wishes, and for benefits offered any other opposite sex couple, such as those my father and his wife are currently allowed.

Under this bill, future couples could be granted legal rights for protection of their children to prevent legal battles, be respected for end of life issues, and the multitude of other health, tax and legal rights homosexual couples might gain. No longer do same sex couples need to be treated and reminded that they less than equal to heterosexual couples in any way.

This bill is not about changing the face of marriage for others or impinging upon heterosexual couples in any way, but about showing equal respect and dignity to all loving, committed couples. It's being able to give the same chance, protections, and legal rights to all couples and children and to help Hawai'i be a more tolerant, loving place for all its families and children.

Mahalo nui loa for your consideration and support,

Briana Monroe
1515 Nu'uau Ave #133
Honolulu, HI 96817

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 1:58 PM
To: JUDtestimony
Cc: renea@juniroa.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232Testimony.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Renea C. Stewart
Organization: Individual
Address: 215 Kawaihae Street #6 Honolulu, HI
Phone: 808-864-7422
E-mail: renea@juniroa.com
Submitted on: 2/7/2011

Comments:

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 12:48 PM
To: JUDtestimony
Cc: tboneill10@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: 2011 Civil Unions House Testimony.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Tara O'Neill
Organization: Individual
Address: 431 Nahua Street Honolulu HI
Phone:
E-mail: tboneill10@yahoo.com
Submitted on: 2/7/2011

Comments:

ATTN: Committee on Judiciary
Rep. Gil Keith-Agaran, Chair Rep. Karl Rhoads, Vice Chair

HEARING DATE: February 8, 2011
HEARING TIME: 2:15 p.m.

IN SUPPORT OF SB232 SD1 - RELATING TO CIVIL UNIONS

Dear Chair Keith-Agaran, Vice-Chair Rhoads and members of the Committee on Judiciary

Thank you for the opportunity to testify before this committee. My name is Tara O'Neill and I am here to express my strong support for S.B. 232 SD1. At the heart of this bill is the belief that all people should be treated equally under the law and that our state Constitution serves to protect the economic and civil rights of all its citizens.

For ten years, I served as a public high school and middle school science teacher and recently became an Assistant Professor at the University of Hawaii at Manoa. While still teaching seventh grade science, in June 2008, my long-term partner and I held a private commitment ceremony, where we dedicated our lives to each other. As a sign of this commitment, we exchanged rings. It is important at this point for me to explain that I do not regularly wear jewelry, and the only "jewelry" I am know to wear at school is a Timex sports watch. Thus, when I returned to teach following our commitment ceremony, my commitment ring was noticed immediately by my eagle-eyed seventh graders. Before I could finish explaining the class activity for the day, a student raised her hand and asked, "Did you get married?" I told her and the other students, "Not exactly but I will explain after class to those of you who are interested." And science class continued as planned.

When the students were dismissed, five elected to stay behind in an effort to get to the bottom of the marriage question. I explained that my partner and I had a commitment ceremony. To which a student asked, "Why didn't you get married?" I said that we did not get married because my partner is a woman and same-sex couples are not allowed to get married or have civil unions based on state and federal law. The five students were quiet for a moment and then one asked in thoughtful tone, "*Are you worth less than other couples?*" It is this student's response that has made the issues of civil unions in Hawaii central to my heart. While I was touched by how much love and support my students showed me in their genuine joy for my happiness, they were upset that this was the first they had heard of my partner or my commitment to her and troubled at the idea that our

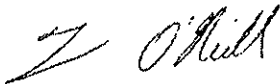
love somehow counted for less.

I have had many students with two mothers, with gay and lesbian siblings, aunts or uncles, and students who identify themselves as gay and lesbian. The idea that my students question the worth of their gay parents' love and/or the value of themselves and their gay teachers, friends and family due to the lack of state and federal government action to uphold the civil rights of its gay and lesbian citizens brakes my heart.

The majority of the public, President Obama, Governor Abercrombie and the majority of the Hawaii Senate and House of Representatives support civil unions. The issue of equal treatment for same-sex couples is *the* civil rights issue of this generation. I ask that you support S.B. 232 SD1 and send a clear message to my thoughtful and confused students that the members of the gay and lesbian community that they love, admire and look-up to are not "less than" other people.

I appreciate your thoughtful and careful consideration.

Mahalo,

A handwritten signature in cursive script, appearing to read "Tara O'Neill".

Tara O'Neill, PhD

Home Address:

431 Nahua Street

Apt. 507

Honolulu HI 96815

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 1:12 PM
To: JUDtestimony
Cc: jnpmonderen@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232 Testimony.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Joseph Monderen
Organization: Individual
Address: 444 Niu Street Honolulu, HI 96815
Phone:
E-mail: jnpmonderen@gmail.com
Submitted on: 2/7/2011

Comments:

HEARING TESTIMONY EMAIL:
FEBRUARY 8, 2011
MEASURE NUMBER SB232

Aloha e Honorable Senators in the Judiciary Committee,

I am writing a concise testimony regarding SB232. Civil right inequalities debase groups of people and are an egregious attack on liberty and the founding constitution.

The national stage has transformed with conspicuous and dynamic cultural shifts in support of civil unions. The question is this: Will the Senate Judiciary Committee have audacity and tenacity to ride the approaching national tsunami of change that will bring social justice and civil equality to all groups of people? SB232 is apart of the rising wave of change. Let Hawaii be a shining star and a leader among our sister states! Surf the impending wave with courage and not contempt, and be on the right side of HISTORY.

Mahalo Nui Loa,

Joseph Monderen

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 11:30 AM
To: JUDtestimony
Cc: nitagage@aol.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Juanita Gage
Organization: Individual
Address: 3557 Baldwin Avenue Makawao, Hawaii
Phone: 8082805697
E-mail: nitagage@aol.com
Submitted on: 2/7/2011

Comments:

House Judiciary Committee
State of Hawaii

RE: SB 232

Dear House Judiciary Committee:

Mahalo for considering this bill and for letting me provide testimony.

I have lived and worked in Maui for over 10 years. My partner and I do have a Domestic Partnership Reciprocity, which we applied for as soon as we moved to Hawaii. We both have held significant positions on Maui, and have paid taxes and enjoy all that Maui has to offer.

It has been difficult however, to negotiate the less than equal treatment we are afforded as a couple in Hawaii. Our health care benefits are impacted, we have not enjoyed the same discounts heterosexual couples receive who are married, and we have had to be careful in all our dealings with anything legal related to ownership, inheritance etc. It has costs us significant fees with attorneys to set up agreements that are automatically given to married heterosexual couples.

I also worked for a number of years at Aloha House Inc, a large community substance abuse and mental health center, and I would like to point out that the research supports what I witnessed, that closeted gay people suffer addiction and mental illness at disproportionate rates. When they are allowed to live as equal citizens, as they are in Western European cities, the rates of addiction and mental illness track with general public. So, it is the closeted life that results in more tax payer dollars going to treat this population of Hawaii residents.

For financial as well as human rights decency, please pass this bill to ensure that these unnecessary problems are eradicated from our beautiful state.

Sincerely,
Juanita Gage, PhD
Makawao Hawaii

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 9:14 AM
To: JUDtestimony
Cc: cmurphyrealtor@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB 232 Testimony.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Colleen Murphy
Organization: Individual
Address: 44-160 Kou Pl. #7 Kaneohe, HI 96744
Phone: 808-218-0408
E-mail: cmurphyrealtor@yahoo.com
Submitted on: 2/7/2011

Comments:

Mahalo piha to the Committee for your consideration of SB 232.

My name is Renea C. Stewart and I am in support of SB 232.

I am a lesbian who is in a 17 year committed relationship. My partner and I struggle everyday with discrimination and injustices'. When my partner was in an accident and in the hospital it was very difficult to see her due to the hospital staff indicating I was not her family.

SB 232 addresses a gross injustice to families in Hawaii and justice delayed is justice denied.

This is about the Constitution of Hawaii, protection and equal rights for all citizens under the law. It is nothing more then that.

We are not second-class citizens that don't deserve the same rights as straight couples are afforded. We are your neighbors, teachers, and soldiers fighting for our country in the armed forces, the working class and tax paying citizens. We are your mothers, fathers, friends and people that mean the world to their loved ones, as yours do to you. We deserve that much from our state. We are worthy of our civil rights, protection under the law of the land and equality.

Please do the right thing, don't segregate us, only to repeat history.

Let us not have a dream any longer to be equal. Allow Hawaii to be an example to our great nation of what is right and just.

Thank you again for your time and consideration of SB 232.

Humbly, Renea C. Stewart

Renea C. Stewart

215-6 Kawaihae Street
Honolulu, HI 96825
rstewart@hawaii.rr.com
808-864-7422

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:00 PM
To: JUDtestimony
Cc: delenstarr@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: In Support of SB 232.docx

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Glenda Delenstarr
Organization: Individual
Address: Kapaa, Hawaii
Phone:
E-mail: delenstarr@yahoo.com
Submitted on: 2/7/2011

Comments:
Mahalo for this opportunity to support civil unions.

In Heart-Full Support of SB 232:

Hi, our names are Glenda Delenstarr & Dawna Delenstarr. We have been in a committed same-sex relationship for 21 wonderful years.

Mahalo for giving us the opportunity to support the civil union bill that you have brought up in committee.

We moved to Kauai in 2007 and are happy to be citizens of the rainbow state.

However, we were so saddened to hear that state civil unions were not supported.

We have had to do much legal & financial paperwork and expense for professional lawyers and accountants to be certain that our legal, medical, and financial rights will be protected.

These should be all automatically protected with a state-civil union.

Every time we are denied rights that are automatically given to straight couples, it is another slap in the face. We have been dealing with this our whole lives, and it is tiring and pulls us down out of our joy.

In addition to our own story, we have such grief knowing that there is so much misinformation about gay issues. This is a known issue that increases suicide among gay people, especially young people. They see the bigotry aimed at GLBT and feel such inner shame and hopelessness.

This is a tragedy.

By supporting state civil unions, you will be assisting countless couple, as ourselves, to have smooth transitions with our medical, financial, & legal needs. You will be also sending a clear message that we are FULL citizens, respected and valued by the state.

This will in turn, send a wonderful message to our GBLBT and questioning youth. It will also really help in educating and decreasing bullying, which also leads to higher rate of teen suicide for GLBT youth, than the rate for straight-identified youth.

We also know gay families with children. These children are not given protection/benefits that are afforded to children of straight couples. This is a hardship on the parents and a continuing source of hurt for the families.

This is not a challenge to beliefs that are taught in the church. Churches can be involved in these ceremonies or not, as they wish. We cannot let the wishes of a particular type of religion to dictate the

rights of the citizens of Hawaii. This is an issue of civil rights, in keeping with our separation of church and state. Let's keep this separation strong and clear.

You will also be seen as a fellow pioneer of your fellow supporters in this generations key civil rights issues.

Please support this bill and be on the right side of history and on the side of Love.

Many thanks,

Glenda & Dawna Delenstarr

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:45 PM
To: JUDtestimony
Cc: jkealoha@ilwulocal142.org
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: 2011SB232.rtf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Joanne Kealoha
Organization: ILWU Local 142
Address: 451 Atkinson Drive Honolulu, HI
Phone: 949-4161
E-mail: jkealoha@ilwulocal142.org
Submitted on: 2/7/2011

Comments:

The Twenty-Sixth Legislature
Regular Session of 2011

HOUSE OF REPRESENTATIVES
Committee on Judiciary
Rep. Gilbert S.C. Keith-Agaran, Chair
Rep. Karl Rhoads, Vice Chair

State Capitol, Auditorium
Tuesday, February 8, 2011; 2:15 p.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 232, SD1
RELATING TO CIVIL UNIONS**

The ILWU Local 142 supports S.B. 232, SD1, which extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. The law will take effect January 1, 2012.

Our support is embodied in the ILWU's motto which declares: "An Injury to One is an Injury to All." This statement is the first in our Union's Declaration of Principles that clearly opposes discrimination in any form.

S.B. 232, SD1 seeks to remedy the inequality suffered by same sex couples and heterosexual couples who choose not to marry for a host of legitimate reasons when they are denied the rights and benefits that married heterosexual couples enjoy.

It is not the intent of S.B. 232, SD1 to provide for marriage between individuals of the same sex. Through this bill, the Legislature is making clear that marriage remains the privilege of one man and one woman. S.B. 232, SD1 also does not require anyone to perform the solemnization of a civil union. The choice is theirs to do or not. However, what S.B. 232, SD1 does is extend the same rights, benefits, protections, and responsibilities to partners in a civil union that spouses in a marriage enjoy. S.B. 232, SD1 will provide for equality in a society that promotes equality on the basis of race, religion, sex, national origin, disability, age. Why not provide for the same kind of equality for same sex couples unable to marry and heterosexual couples choosing not to marry?

The issue of promoting equality and banishing discrimination should not be put to a popular vote. Elected leaders of this State--in this case, the Legislature and the Governor--must set aside emotional rhetoric, weigh the facts, and do what is right. And what is right is to establish a law allowing civil unions in order to preserve democracy and equality for all.

The ILWU urges passage of S.B. 232, SD1. Thank you for the opportunity to testify on this matter.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 2:49 PM
To: JUDtestimony
Cc: zmenon@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: ZM testimony civil unions.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Zubin Menon
Organization: Individual
Address:
Phone:
E-mail: zmenon@gmail.com
Submitted on: 2/7/2011

Comments:

House Judiciary Committee
Gilbert S.C. Keith-Agaran, Chair
Karl Rhoads, Vice Chair

Hearing on HB 1244, HB 1453 and SB 232
Feb. 8, 2011, 2:15pm, Auditorium

TESTIMONY in SUPPORT

I am a twenty-seven year heterosexual business professional who works in Hawai'i's science and technology sector. I am writing in strong support of passing civil unions legislation this session.

If we expect the very best in terms of creativity, energy, and new ideas from individuals in all sectors of our economy, then we must be prepared to provide an environment in which individuals and families feel comfortable and equally represented/protected, regardless of sexual orientation. Same sex couples/families simply do not enjoy the same rights, privileges and protections as heterosexual couples in the state of Hawai'i. The civil unions legislation before you aims to right this. This is not a matter of faith, spirituality, or morals – it is a legal issue, one we should have addressed a long time ago.

The passage of HB 444 last year was a step in the right direction. With support from the executive branch this year, I strongly urge you to pass the civil unions legislation before you.

Aloha,

Zubin Menon
zmenon@gmail.com

JUDtestimony

From: Maria Rosmini [mailto:mail@change.org]
Sent: Monday, February 07, 2011 2:54 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Maria Rosmini
Wagontown, PA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii--i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Paul Sant-Filh [mailto:mail@change.org]
Sent: Monday, February 07, 2011 3:00 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,


I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Paul Sant-Filh
New York, NY

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition. 

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 3:39 PM
To: JUDtestimony
Cc: llach@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Linda E.F. Lach
Organization: Individual
Address: 6525 Kuamoo Road Kapaa HI 96746
Phone: 808-823-0011
E-mail: llach@hawaii.rr.com
Submitted on: 2/7/2011

Comments:

I am not able to attend the hearing on hb1453 and sb232, but I want to register my strong support for these two bills. Please help to bring everyone in our community together. (BTW, I am a married women for 34 years, with children, grandchildren and a great-grandchild. I want everyone to be able to have the same benefits as I enjoy as a member of a family.)

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 3:58 PM
To: JUDtestimony
Cc: theede@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Teri Heede
Organization: Individual
Address:
Phone:
E-mail: theede@hawaii.rr.com
Submitted on: 2/7/2011

Comments:
CIVIL UNIONS = CIVIL RIGHTS

VOTE FOR CIVIL RIGHTS FOR ALL AMERICANS

MAHALO

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 4:12 PM
To: JUDtestimony
Cc: dan_gluck@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony in support - SB232 2.8.11.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Daniel Gluck
Organization: Individual
Address: Honolulu, HI
Phone:
E-mail: dan_gluck@yahoo.com
Submitted on: 2/7/2011

Comments:

Committee: Senate Judiciary Committee

Date: Tuesday, February 8, 2011

Time: 2:15 p.m.

Room number: Auditorium

Re: Testimony in SUPPORT of S.B. 232

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Members of the Committee on
Judiciary

I write in strong support of S.B. 232, Relating to Civil Unions. Although I believe the Legislature should allow same-sex couples the right to marry, I believe that S.B. 232 is a significant step in the right direction. This is clear and simple: it's about equal rights for all of Hawaii's people. Please pass this bill.

Thank you for this opportunity to testify.

Sincerely yours,

Daniel Gluck
Honolulu

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 4:54 PM
To: JUDtestimony
Cc: jordandachamp@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Testimony on SB232.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Jordan Kakugawa
Organization: Individual
Address: Honolulu, HI
Phone:
E-mail: jordandachamp@gmail.com
Submitted on: 2/7/2011

Comments:

TO THE HOUSE COMMITTEE ON JUDICIARY

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

Tuesday, January 25, 2011

TESTIMONY ON SENATE BILL SB232- RELATING TO CIVIL UNIONS

TO THE HONORABLE GILBERT KEITH-ARAGON, CHAIR, AND MEMBERS OF
THE COMMITTEE:

My name is Jordan Kakugawa, I am a home-educated student in the tenth grade. I am submitting testimony in opposition of SB232, which gives civil unions the same benefits as a married couple.

Ultimately, passing this bill will allow same-sex couples to have the same privileges as marriage and will become a stepping stone for same-sex marriage in Hawaii. As other states have shown, for example, Massachusetts(http://www.aclu.org/lgbt-rights_hiv-aids/aclu-massachusetts-welcomes-new-hampshire-civil-unions-law) and Vermont(http://healthvermont.gov/research/records/cv_reciprocity.aspx) that once civil unions bills were adopted, a bill to pass same-sex marriage followed.

Supporters of civil-unions claim that their goal is not same-sex marriage, but the evidence taken from other states(http://www.aclu.org/lgbt-rights_hiv-aids/aclu-massachusetts-welcomes-new-hampshire-civil-unions-law), shows that it is. The executive director of ACLU of Massachusetts, Carol Rose states, "*While we believe that civil unions are only a step toward the ultimate goal of marriage equality, it is heartening to see another state recognize that lesbian and gay couples need ways to protect one another and their families.*"

JORDAN KAKUGAWA

To the House Committee of JDL

Testimony on SB232

Page 2

I support the amendment of the Reciprocal Beneficiaries Act and I believe same-sex couples are entitled to benefits regarding tax advantages, health insurance and employment benefits, however, we should not have to redefine marriage in order for same-sex couples to have these benefits. Amending the Reciprocal Beneficiaries Act is the obvious answer to taking care of the needs of same-sex families, if this was indeed the purpose for passing a civil unions bill. Amending this act would also avoid the controversy from opponents of SB232 who believe that the civil unions bill is in actuality a stepping stone to same-sex marriage in Hawaii.

As a young adult growing up in the state of Hawaii, I believe that "traditional family values" are the foundation to our society. I also believe that this bill threatens traditional marriage because the ultimate goal of proponents of this bill would in-fact be same-sex marriage.

I thank the committee for taking the time to read my testimony on SB232 and I ask that you take into consideration that my opposition to this bill still represents the majority of people in our state, therefore I strongly ask you to oppose this bill relating to civil-unions.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 6:06 PM
To: JUDtestimony
Cc: gwa@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232 - IN SUPPORT OF CIVIL UNIONS.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: Gerald W Ashton
Organization: Individual
Address: PO Box 1661 Wailuku HI
Phone: 808-244-3241
E-mail: gwa@hawaii.rr.com
Submitted on: 2/7/2011

Comments:

A life of Aloha together

For nearly 40 years, my partner John & I have shared our lives in the full potentiality of Aloha. We write today to ask for your support to pass the Civil Union Bill again this year. It was this dream that brought us to Hawai'i over 17 years ago. We have never given up on our dream.

As kids in the 50's, racial bigotry left indelible marks on each of us, and led us to lifelong passion and pride in standing with those who have been oppressed. As our country gained the wisdom of racial equality, we became an America strengthened by those beliefs and actions. When we treated each other differently we denied ourselves becoming the best we could be -- individually and as a Nation.

Gays and lesbians have yet to obtain all of these full equalities. We are denied hundreds of rights the rest of society takes for granted. For those of us who have loving partners, the challenges are even more serious and complex.

If we are fortunate to find someone with whom we wish to share life with, we know we will be treated as less than straight couples, yet we endure these indignities because our love is worth more than the pain of being 'different'. All we ask is that you look into your hearts and ask "What if this was about your *life partner and you*"?

As the years pass, we fear each other's illnesses less we be denied access to each other in a hospital, if seriously ill. Even with a well-written trust, we fear a day when unknown entities may claim ownership of our hard-earned gains in life. We fear not being given the dignity of saying a final *aloha* to each other when that day arrives.

All we desire is to live each day with that *aloha*. This is the reason we moved our family and business from a bigoted southern state to this most wonderful place we love so dearly. We have tried through our years to be productive and giving members within the Ohana of Hawai'i. We are proud of our dear Maui and our home state of Hawai'i at this most wonderful and historic moment.

The Civil Union Bill will demonstrate an over-abundance of goodwill for our State. Though the most important reason to pass the Bill is stated above, we are confident it's passing will bring millions of new dollars to the State with thousands of couples who will have even further reason to plan their ceremony in paradise.

We cannot imagine a more wonderful Fortieth anniversary than to commemorate the occasion with a Civil Union Ceremony in Hawaii.

Please make these dreams of two lifetimes reality.

Mahalo pumehana,

Gerald W Ashton / John M Westerberg
Wailuku HI

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 6:09 PM
To: JUDtestimony
Cc: jmw2@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: SB232 - IN SUPPORT OF CIVIL UNIONS.pdf

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: support
Testifier will be present: No
Submitted by: John M Westerberg
Organization: Individual
Address: PO Box 1661 Wailuku HI
Phone: 808-244-3241
E-mail: jmw2@hawaii.rr.com
Submitted on: 2/7/2011

Comments:

A life of Aloha together

For nearly 40 years, my partner John & I have shared our lives in the full potentiality of Aloha. We write today to ask for your support to pass the Civil Union Bill again this year. It was this dream that brought us to Hawai'i over 17 years ago. We have never given up on our dream.

As kids in the 50's, racial bigotry left indelible marks on each of us, and led us to lifelong passion and pride in standing with those who have been oppressed. As our country gained the wisdom of racial equality, we became an America strengthened by those beliefs and actions. When we treated each other differently we denied ourselves becoming the best we could be -- individually and as a Nation.

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If we are fortunate to find someone with whom we wish to share life with, we know we will be treated as less than straight couples, yet we endure these indignities because our love is worth more than the pain of being 'different'. All we ask is that you look into your hearts and ask "What if this was about your *life partner and you*"?

As the years pass, we fear each other's illnesses less we be denied access to each other in a hospital, if seriously ill. Even with a well-written trust, we fear a day when unknown entities may claim ownership of our hard-earned gains in life. We fear not being given the dignity of saying a final *aloha* to each other when that day arrives.

All we desire is to live each day with that *aloha*. This is the reason we moved our family and business from a bigoted southern state to this most wonderful place we love so dearly. We have tried through our years to be productive and giving members within the Ohana of Hawai'i. We are proud of our dear Maui and our home state of Hawai'i at this most wonderful and historic moment.

The Civil Union Bill will demonstrate an over-abundance of goodwill for our State. Though the most important reason to pass the Bill is stated above, we are confident it's passing will bring millions of new dollars to the State with thousands of couples who will have even further reason to plan their ceremony in paradise.

We cannot imagine a more wonderful Fortieth anniversary than to commemorate the occasion with a Civil Union Ceremony in Hawaii.

Please make these dreams of two lifetimes reality.

Mahalo pumehana,

Gerald W Ashton / John M Westerberg
Wailuku HI

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 6:54 PM
To: JUDtestimony
Cc: ssliva7@hawaiiantel.net
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Sharon Silva
Organization: Individual
Address: Honolulu, Hawaii
Phone:
E-mail: ssliva7@hawaiiantel.net
Submitted on: 2/7/2011

Comments:

My name is Sharon Silva and I have been a resident of Hawaii since 1962. Currently I'm retired after working 25 years with my husband in our a State Farm Insurance Agency. I very strongly oppose S.B.232,,S.D.1 and H.B. 1453. I believe that marriage is the legal union of one man and one woman. Giving children the best opportunity for growing up in a strong family unit is best done by carefully protecting marriage, I believe. We should not legalize any other type of sexual relationship. Hawaii voted over a decade ago, by a huge majority, to amend our Constitution with the intent of limiting marriage to a man and a woman. Cival Union laws ultimately lead to same-sex marriage laws. I'm sure you've checked out the states that have had this occur. Supporters of Civil Unions are being very misleading about their ultimate goal of imposing same-sex marriage on Hawaii. Please REMEMBER that, as a state, we voted against this is 1998 by amending the State constitution, as I mentioned above. Hawaii already has a Reciprocal Beneficiaries Law in force. There is no need to pass a Civil Union law. Our present marriage law and Reciprocal Beneficiaries law with amendments can give each person comparable rights and benefits. I ask that this committee hold S.B.232,S.D.1 and H.B. 1453, and not recommend passage of these measures. Thank you.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 7:34 PM
To: JUDtestimony
Cc: timothib@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: Timothy Civil Unions SB232-SD1.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Timothy Buttram
Organization: Individual
Address:
Phone:
E-mail: timothib@gmail.com
Submitted on: 2/7/2011

Comments:

TO THE SENATE COMMITTEE ON JUDICIARY AND LABOR

TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

February 8th, 2011
2:15PM

HOUSE TESTIMONY ON SENATE BILL 232 SD1, RELATING TO CIVIL
UNIONS
ALOHA HONORABLE CHAIR KEITH-ARAGAN & MEMBERS OF THE
COMMITTEE

My name is Timothy Buttram. I am a 17-year old high school student and resident of Pearl City. I do not support this bill: SB232 SD-1

In this debate over whether or not civil unions between two men or two women should be legalized, it is imperative to rediscover what made America what it is today. The famous French philosopher Alexis de Tocqueville said, "America is great because America is good. If America ceases to be good, America will cease to be great." So what makes America good? James Wilson, signer of the Declaration of Independence and a Supreme Court Justice, said "Human law must rest its authority ultimately upon the authority of that law which is Divine. . . . Far from being rivals or enemies, religion and law are twin sisters, friends, and mutual assistants."

According to our Founding Fathers human law must rest on God's divine law. Then what does God, the author of the Bible and the Christian faith, have to say about homosexuality? I Corinthians 6:9-10 (ESV) says that things like thievery, adultery, swindling, and the acts of "men (meaning people) who practice homosexuality" are considered wrong by the God who created us and gave us our rights and freedoms.

Those who would promote homosexuality through civil unions say that their Constitutional rights are discriminated against, but that argument shows the flawed belief that people should have the liberty to do what they want regardless of morality. The Continental Congress of 1778 stated, "True religion and good morals are the only solid foundations of public liberty and happiness . . ." Freedom in a society is founded on morality, and without the restraint of virtue, a society must have the restraint of

government. It is the responsibility of government to promote good morals for the good of the country's citizens. When a government begins to do otherwise, it is a sign that the greatness of this state and this nation is in jeopardy.

Thank you so much for taking the time to reading my testimony. Please VOTE NO on SB232.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 9:31 PM
To: JUDtestimony
Cc: puzzle_fanatic@yahoo.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM
Attachments: TESTIMONY ON THE SENATE BILL SB 232.doc

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Kylie
Organization: Individual
Address: Aikanaka Rd. Ewa Beach, HI
Phone: 808-689-6958
E-mail: puzzle_fanatic@yahoo.com
Submitted on: 2/7/2011

Comments:

TESTIMONY ON THE SENATE BILL SB 232, WHICH RELATES TO CIVIL
UNIONS.

To the Honorable Chair of the Judiciary Committee, Clayton Hee, and Members of the
Committee

Aloha! My name is Kylie Gumban, and I am a 14 year-old high school student and resident of Ewa Beach, Hawaii. I am absolutely NOT in support of this bill. There have been many events, such as rallies at the Capitol that have proven the citizens of Hawaii have spoken, and we do not want civil unions here.

If passed, SB 232 will destroy parental rights, as we can be sure that children will be forced into an explicit education curriculum that promotes the fact that homosexuality is normal, when in fact it is not. Also, it violates the religious freedoms of individuals and families alike!

Because a vote for civil unions is a vote for same-sex marriage, I strongly believe that marriage is between a man and woman, and it should stay that way. Please vote NO on this issue. Thank you for your time and service!

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 9:39 PM
To: JUDtestimony
Cc: mshawaii27@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Lace Hatcher
Organization: Individual
Address:
Phone:
E-mail: mshawaii27@gmail.com
Submitted on: 2/7/2011

Comments:

My husband and I are strongly against Civil unions in the State of Hawaii and we wish to express our opposition. Thank you for considering. God Bless.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 9:40 PM
To: JUDtestimony
Cc: softballking03@gmail.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Anton Hatcher
Organization: Individual
Address:
Phone:
E-mail: softballking03@gmail.com
Submitted on: 2/7/2011

Comments:

My wife and I are strongly against Civil unions in the State of Hawaii and we wish to express our opposition. Thank you for considering. God Bless.

JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 10:58 PM
To: JUDtestimony
Cc: hsmiyamoto@msn.com
Subject: Testimony for HB1453 on 2/8/2011 2:15:00 PM
Attachments: MiyamotoH_SB232_HB1244_HB1453_HouseTestimony.pdf

Testimony for JUD 2/8/2011 2:15:00 PM HB1453

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Hannah Miyamoto
Organization: Individual
Address: 2424 Maile Way, #247 Honolulu
Phone: 8085610357
E-mail: hsmiyamoto@msn.com
Submitted on: 2/7/2011

Comments:

HANNAH MIYAMOTO

SOCIOLOGY DEPT. • SAUNDERS HALL 247
2424 MAILE WAY • hsmiyamoto@msn.com

February 7, 2011

House Committee on the Judiciary
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Subject: Support Senate Bill 232, Senate Draft 2 – Civil Unions, and
Oppose House Bill 1453 – Legal Relationships
Oppose House Bill 1244 – Solemnization

Honorable Representatives,

After working passionately for HB 444 last year, and enduring the disappointment of witnessing it being vetoed, I can share little more eloquence. Please pass SB 232, Senate Draft 2, so that Hawai‘i can retake its place among the states of the United States moving toward justice and social progress.

In addition, given the great length of the House Bill, and the progress of SB 232, passage of HB 1453 is likely to lessen the likelihood that any civil unions bill will pass. Perhaps HB 1453 could be adopted as a resolution of the House to guide the administration of SB 232, when it becomes law?

Finally, House Bill 1244 is unnecessary and would weaken state public accommodations laws, at most. Therefore, HB 1244 should not be adopted.

I regret being unable to present my testimony in person, due to teaching commitments.

Mahalo and Aloha,

/s/

Hannah Miyamoto, J.D., M.S.

JUDtestimony

From: Bob Ramczyk [mailto:mail@change.org]
Sent: Tuesday, February 08, 2011 4:16 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Bob Ramczyk
Brown Deer, WI

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Alicia Guevara [mailto:mail@change.org]
Sent: Tuesday, February 08, 2011 5:17 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Alicia Guevara
Buenos Aires, Argentina

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 08, 2011 6:33 AM
To: JUDtestimony
Cc: hikaleakanaekahawai@hawaii.rr.com
Subject: Testimony for SB232 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Brandy Kahawai
Organization: Individual
Address:
Phone:
E-mail: hikaleakanaekahawai@hawaii.rr.com Submitted on: 2/8/2011

Comments:

JUDtestimony

From: John Leaderbrand [mailto:mail@change.org]
Sent: Tuesday, February 08, 2011 6:52 AM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

John Leaderbrand
new york mills, MN

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Kathie Young [jky42@clearwire.net]
Sent: Monday, February 07, 2011 10:21 PM
To: JUDtestimony
Subject: Civil Unions

To whom it may concern

I cannot be there to give testimony in support of the Civil Unions Bill as I will be working. I do however support it. It is time to recognize a group of people who as American citizens deserve this right. They contribute to society, pay taxes and have feelings.

Sincerely, Kathie Young

JUDtestimony

From: joe rodriguez [mailto:change.org]
Sent: Monday, February 07, 2011 10:40 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

P.S. And I visit Hawaii.

joe rodriguez
San Francisco, CA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: Alissa Warner [mailto:mail@change.org]
Sent: Monday, February 07, 2011 10:59 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

Members of the Committee,

I am writing in strong support of SB232, a bill to recognize families equally.

All families should be treated equal under state law and I hope to see the passage of this bill shortly.

Kindest Regards,

Alissa Warner
Kingston, ON, Canada

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



JUDtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 1:43 PM
To: JUDtestimony
Cc: randftadda@aol.com
Subject: Testimony for HB1453 on 2/8/2011 2:15:00 PM

Testimony for JUD 2/8/2011 2:15:00 PM HB1453

Conference room: Auditorium
Testifier position: oppose
Testifier will be present: No
Submitted by: Frank Tadda
Organization: Individual
Address: 95-1050 Makaikai St 14c Mililani, Hi
Phone: 808-626-1717
E-mail: randftadda@aol.com
Submitted on: 2/7/2011

Comments:

Please do not be misled. This bill, HB1453 is not generated by the legislators, it is at the instigation of the devil himself in order to create chaos in this world and so we ask that you do not allow this to go forward. Thank you.

Frank and Rosalie Tadda
Olaloa retirees

JUDtestimony

From: Alissa Warner [mailto:mail@change.org]
Sent: Monday, February 07, 2011 10:59 PM
To: JUDtestimony
Subject: Testimony in Support of SB232

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Kindest Regards,

Alissa Warner
Kingston, ON, Canada

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii---i-support-civil-unions. To respond, email responses@change.org and

include a link to this petition.



Testimony for SB232 on 2/8/2011 2:15:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Tuesday, February 08, 2011 9:06 AM

To: JUDtestimony

Cc: onlyJESUS.wtr@gmail.com

Testimony for JUD 2/8/2011 2:15:00 PM SB232

Conference room: Auditorium

Testifier position: oppose

Testifier will be present: No

Submitted by: Walter H. I. Rickard, Jr

Organization: Individual

Address:

Phone: 235-0718

E-mail: onlyJESUS.wtr@gmail.com

Submitted on: 2/8/2011

Comments:

My Dear Leaders of Hawaii,

Please reconsider to not let SB232 pass. I have friends and even relatives who have chosen a same-sex lifestyle and I love them very much. I am not their enemies but I believe with all my heart that if this bill is passed, our Land of Aloha will be in jeopardy of losing its uniqueness:the Aloha Spirit. I sense that a great separation between families and friendships will occur here if this bill is passed. Even the Roman Empire fell after homosexuality along with economic downfall ravaged the land which caused its demise. If any of you have a personal relationship with The LORD JESUS CHRIST, you should remember that HE loves the gay community but is very grieved with their choices. We must love them but not compromise what GOD has instructed in how we are to live as HIS children.

Respectfully,

Walter H. I. Rickard, Jr.