

HOUSE OF REPRESENTATIVES

AMENDMENT TO: S.B. No. 1 H.D. 1OFFERED BY: Representative Bob McDermottDATE: November 8, 2013

SECTION 1. Senate Bill No. 1 H.D. 1 RELATING TO EQUAL RIGHTS, is amended by replacing its contents with the following:

SECTION 1. The legislature finds that the issue of legalizing same-sex marriage is one of the most contentious issues of this generation. After receiving Senate Bill No. 1, during the second special session of 2013, the joint house committee on judiciary and finance conducted a public hearing on the measure, which began on October 31, 2013 and did not conclude until November 4, 2013. No other issue has ever generated as much testimony in a single public hearing in the history of the house of representatives.

Therefore, the legislature further finds that rather than rushing to a decision on the issue of same-sex marriage in a truncated special session, it would be more prudent to convene a task force to study the potential impacts of same-sex marriage in Hawaii, before taking any legislative action.

The purpose of this Act is to create a task force to study the social, economic, and religious impacts of legalizing same-sex marriage in Hawaii.

SECTION 2. (a) There shall be established a task force known as the Same-Sex Marriage Task Force. This task force shall study the social, economic, and religious impacts of legalizing same-sex marriage in Hawaii, and examine, among other issues:

(1) Whether civil unions are sufficient to provide the rights and benefits necessary to ensure strong, healthy families in Hawaii;

(2) The impact of the United States Supreme Court's 2013 decisions in *United States v. Windsor*, regarding the constitutionality of the Defense of Marriage Act, and *Hollingsworth v. Perry*, regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8;

(3) The social, economic, and religious impacts of passing, or failing to pass, same-sex legislation in Hawaii; and

(4) The effects of legalizing same-sex marriage through legislative action, judicial action, or ballot initiatives, as seen in other jurisdictions of the United States, to determine whether Hawaii should follow those jurisdictions, and to

determine whether improvements could be made based on the experiences of those jurisdictions.

(b) The task force shall be chaired by the director of the department of business, economic development & tourism, or the director's designee, who shall serve as the chair of the task force. The chair shall select the following members of the task force:

(1) The director of finance, or the director's designee;

(2) Two esteemed members of Hawaii's legal community, including at least one attorney who has served the State or one of the State's counties, or the attorneys' designees;

(3) Two members of Hawaii's business community, including at least one member representing Hawaii's tourism industry, or their designees;

(4) Two current or former clergy members, or the clergy members' designees;

(5) One member of a prominent community organization that advocates for same-sex marriage, or the member's designee;

(6) One professor of economics from the University of Hawaii at Manoa who has conducted research on the economic impact of same-sex marriage in Hawaii, or the professor's designee; and

(7) One professor of sociology from the University of Hawaii at Manoa who has conducted research on the sociological

impact of same-sex marriage in Hawaii, or the professor's designee.

(c) Additionally, the task force membership shall include:

(1) One member selected by the president of the senate;

and


(2) One member selected by the speaker of the house of representatives.

(d) The task force shall meet a minimum of five times before January 1, 2015.

(e) The task force shall report its findings and recommendations, including proposed legislation, if any, to the legislature no later than twenty days prior to the convening of the regular session of 2015.

(f) The task force shall cease to exist on June 30, 2015.

SECTION 3. This Act shall take effect upon its approval.

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CHIEF CLERK, HOUSE OF REPRESENTATIVES		