



GOV. MSG. NO. 827

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

July 15, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith SB777 SD1 HD1, without my approval, and with the statement of objections relating to the measure.

SB777 SD1 HD1

A BILL FOR AN ACT  
RELATING TO COMPREHENSIVE SEXUALITY  
HEALTH EDUCATION.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

July 15, 2009

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 777

Honorable Members  
Twenty-Fifth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 777, entitled "A Bill for an Act Relating to Comprehensive Sexuality Health Education."

This bill requires sexual health education programs that receive State funding to provide medically accurate and factual information that is age appropriate that includes education on abstinence, contraception, and prevention of unintended pregnancies and sexually transmitted diseases when engaging in intercourse.

This bill is objectionable because it will prohibit the use of State funds for a legitimate, proven form of sex education that encourages children to abstain from sexual intercourse.

Programs such as "Try Wait," offered by Catholic Charities, help teenagers to understand the implications of sexual activity and the options of refraining from such activity. According to data collected by the U. S. Department of Health and Human Services, Hawaii ranks 12th in the nation in teen pregnancies and 10th in the nation in sexually transmitted diseases. Students and their parents deserve to have options that provide instruction in and encourage abstinence.

The State Department of Health and the State Department of Education already provide medically accurate and factual content in the sexual health education programs they offer. The Board of Education's Policy No. 2110 requires schools'

STATEMENT OF OBJECTIONS  
SENATE BILL NO. 777  
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abstinence-based education programs to include information on protective devices and methods for preventing pregnancy and sexually transmitted diseases. Should the Department of Education elect to teach courses that focus on abstinence only that do not include instruction on preventing pregnancies and sexually transmitted disease, this bill would prohibit these education programs from receiving State funds.

For the foregoing reasons, I am returning Senate Bill No. 777 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE  
Governor of Hawaii

# VETO

THE SENATE  
TWENTY-FIFTH LEGISLATURE, 2009  
STATE OF HAWAII

S.B. NO. 777  
S.D. 1  
H.D. 1

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## A BILL FOR AN ACT

RELATING TO COMPREHENSIVE SEXUALITY HEALTH EDUCATION.

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

1           SECTION 1. The federal government spends over \$170,000,000  
2 per year to subsidize states and community organizations that  
3 provide abstinence-only-until-marriage sex education to youth in  
4 the United States. Abstinence-only-until-marriage sex education  
5 teaches that the expected standard of human sexual activity is a  
6 monogamous, marital, heterosexual relationship and that sex  
7 outside such a relationship is physically and psychologically  
8 harmful. Abstinence-only education advocates that abstinence is  
9 the only method that can effectively prevent disease and  
10 pregnancy and provides no additional information about  
11 contraception or alternative methods of disease prevention.

12           In April 2007, a federally funded report found abstinence-  
13 only education to be ineffective. The study found that youth  
14 receiving abstinence-only education had the same abstinence  
15 rate, average age at first intercourse, and average number of  
16 sexual partners as youth who did not participate in abstinence-  
17 only programs. Report researchers concluded that the recent



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1 decline in the rate of teen pregnancy in the United States is  
2 most likely the result of improved use of contraception rather  
3 than a decrease in sexual activity.

4 As of September 2008, twenty-five states have refused to  
5 participate in abstinence-only programs. These states instead  
6 support a comprehensive sexuality education that provides  
7 responsible, age-appropriate instruction on the benefits of  
8 abstinence as well as a variety of issues related to sexuality,  
9 contraception, and disease prevention.

10 The purpose of this Act is to require any recipient of  
11 state funding specifically for sexuality health education  
12 programs to provide medically accurate, factual, and  
13 comprehensive information that is age appropriate and includes  
14 education on abstinence and contraception.

15 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:

18 "§321- Medically accurate sexuality health education.

19 (a) Sexuality health education programs funded by the State  
20 shall provide medically accurate and factual information that is  
21 age appropriate and includes education on abstinence,  
22 contraception, and methods of disease prevention to prevent



1 unintended pregnancy and sexually transmitted disease, including  
2 human immunodeficiency virus.

3 (b) For the purposes of this section:

4 "Age appropriate" means suitable to a particular age or age  
5 group based on developing cognitive, emotional, and behavioral  
6 capacity typical for that age or age group.

7 "Factual information" means medical, psychiatric,  
8 psychological, empirical, or statistical information that is  
9 verified or supported by research conducted by recognized  
10 medical, psychiatric, psychological, and public health  
11 professionals or organizations.

12 "Medically accurate" means verified or supported by  
13 research conducted in compliance with accepted scientific  
14 methods and recognized as accurate and objective by professional  
15 organizations and agencies with expertise in the relevant field,  
16 such as the federal Centers for Disease Control and Prevention,  
17 the American Public Health Association, the American Academy of  
18 Pediatrics, and the American College of Obstetricians and  
19 Gynecologists.

20 "Sexuality health education" means education in any medium  
21 regarding human development and sexuality, including education



1 on pregnancy, family planning, and sexually transmitted  
2 diseases."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

