



**OFFICE OF THE LIEUTENANT GOVERNOR**

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**JAMES R. AIONA, JR.**  
LIEUTENANT GOVERNOR

**TESTIMONY ON HOUSE BILL NO. 444  
A BILL FOR AN ACT RELATING TO  
CIVIL UNIONS**

**James R. Aiona, Jr., Lieutenant Governor  
Office of the Lieutenant Governor**

**HOUSE COMMITTEE ON JUDICIARY  
Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair**

**Thursday, February 05, 2009  
2:00 P.M., Conference Room 325**

Good Afternoon Chair Karamatsu, Vice Chair Ito, and Members of the Committee:

Thank you for the opportunity to testify. The Office of the Lieutenant Governor strongly opposes the passage of H.B. No. 444.

Throughout the 1990's, our community engaged in an emotional, decade-long debate over the legalization of same-sex marriage. The Legislature, for its part, had amended HRS §572-1 to clarify that marriage "*shall be only between a man and a woman[.]*" The Legislature also passed a Reciprocal Beneficiary law where it expressly found that "*the people of Hawaii choose to preserve the tradition of marriage as a unique social institution based upon the committed union of one man and one woman.*"



Ultimately, the decision was put to the public in the form of a constitutional amendment. On November 3, 1998, the people of Hawai'i overwhelmingly made their voice clear on this matter and decided that "the Legislature shall have the power to reserve marriage to opposite-sex couples." Hi. Const. 1-23.

H.B. No. 444 now attempts to circumvent the will of the people by authorizing the equivalent to same sex marriage, albeit under a different name. That is, despite not referring to a civil union as "marriage," this bill would confer all of the rights, duties, and obligations of marriage to participants in a civil union by declaring that "[p]artners to a civil union . . . 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 spouses in a marriage[.]"

Furthermore, Section 3 of H.B. No. 444 provides:

*Except for part I of chapter 572, every reference in the Hawaii Revised Statutes to "marriage", or any aspect thereof, shall apply equally to "civil unions", including:*

- (1) Every reference in the Hawaii Revised Statutes to "married" shall apply equally to the status of partners in a civil union;*
- (2) Every reference to "husband", "wife", or "spouse" shall apply equally to a partner in a civil union; and*
- (3) Every reference to marital status, including without limitation provisions pertaining to parties and procedures for annulment, divorce, separation, or dissolution, which shall apply equally and as necessary to civil unions and to partners in a civil union.*

In view of the above, this bill clearly seeks to modify all Hawai'i law so that the terms "marriage" and "civil union" are synonymous. If the public is on record as being overwhelmingly opposed to the concept of same sex marriage, how could one conclude that they would support its 'identical twin' just because it goes by a different name? Under this bill, all of the above would occur without the public ever having an opportunity to vote on the legalization of civil unions.

Hawai`i's Reciprocal Beneficiary law (HRS §572C) already confers significant benefits to same sex couples, including but not limited to: health care coverage; hospital visitation privileges; property rights (including tenancy in the entirety rights); worker's compensation; State employee retirement beneficiary rights; and automobile insurance coverage. If there are further rights and privileges the Legislature wishes to convey to same sex couples, we believe it should be accomplished through modification of the existing Reciprocal Beneficiary law, not through the creation of civil unions.

Thank you for the opportunity to testify.



**STATE OF HAWAII  
BOARD OF EDUCATION**

P. O. BOX 2360  
HONOLULU, HAWAII 96804

House Judiciary Committee  
Hearing on February 5, 2009  
2 p.m. in Conference Room 325

Testimony in **Strong Support of HB444**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

One critical element of the Vision Statement of the Hawaii State Board of Education (BOE) is that *all* students become contributing members of society. To this end, the BOE has promulgated Administrative Rules and Board Policies that mandate the equal treatment of all students and employees. BOE Policy 2000, Philosophy of Education, explains the connection between education, equality and a democratic society:

The Board of Education believes that a democratic society is dependent upon the free, full growth of individuals who will participate in the creation and development of the institutions in that society. The institution of government in this society is founded on a secular base, which allows and encourages the development of a pluralistic society that contains many cultures within that society. . . . Students shall have an equal educational opportunity to enroll in programs regardless of race, color, religion, sex, sexual orientation, disabilities, or national origin.

The relevant meaning of this policy is that the BOE does not confer more rights and responsibilities to heterosexual students, or conversely withhold certain rights and responsibilities from gay and lesbian students. In fact, our Administrative Rules and Board Policies allow the Department of Education (DOE) to consequence students and employees for disparate treatment against students or employees on the basis of their sexual orientation. The BOE is committed to prepare all of our students, whether they are straight or gay, for a society that will fully value all of their contributions.

I am here today testifying as a Board member because equality is a public policy issue that directly affects our students, employees and their families. Let me illustrate the impact of discrimination on the school community using another set of factors. Imagine if the BOE came up with an arbitrary policy like: "Japanese are not allowed to participate in any DOE athletic program. No matter how fast you run, how well you handle a ball, how quick your reflexes, no matter how hard you are willing to practice - if you are Japanese, you cannot play a sport."

We could easily imagine the direct impact this would have on Japanese students who dream of playing football, basketball, baseball or tennis. This would be demoralizing for *all* Japanese students, employees, and their family members and friends. Regardless

of its intent, no one would deny that this policy would send the message to the entire school community that something is "wrong" with Japanese people.

Recently, I met some high school students who said they had no idea gay families are denied civil marriages in Hawai'i. I was intrigued as these students' shock turned into anger as they processed this blatant injustice - it was as if someone took something away from them they thought had been theirs.

It made me wonder: has the DOE done such a good job ensuring all students are treated equally? Have our students been misled into expecting that they will be treated equally by the State of Hawai'i?

What are we, as elected officials, saying when we perpetuate arbitrary and discriminatory public policy upon our students, citizens or families?

Let me clarify that I am not testifying today just on behalf of our gay and lesbian students. I am here to also support our heterosexual students, who may have gay parents and family members: What message have we been giving these students about their own families? I am also here on behalf of the gay and lesbian employees of the DOE and Public Libraries: How do we expect our students to treat them with equal respect if our own State laws do not?

In order for the BOE to fully actualize its Vision Statement, that *all students become contributing members of society*, we need to ensure that our society will value the contributions of *all* of its members. I applaud Chair Karamatsu, the co-sponsors and supporters of HB444 for allowing our State to become a society that values the contributions of all its members, students and families.

Yours truly,

A handwritten signature in black ink, appearing to read "Kim Coco Iwamoto". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kim Coco Iwamoto, Esq.  
State of Hawaii Board of Education Member



# HAWAI'I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 • HONOLULU, HI 96813-5095 • PHONE: (808) 586-8636 • FAX: (808) 586-8655 • TDD: (808) 586-8692

February 5, 2009  
2:00 p.m.

To: The Honorable John Riki Karamatsu, Chair  
and Members of the House Committee on Judiciary

From: Livia Wang, Acting Chief Counsel  
Bill Hoshijo, Executive Director

Re: H.B. No. 444

The Hawai'i Civil Rights Commission (HCRC) staff submits this memorandum to inform the Committee that the HCRC will not be able offer testimony on H.B. No. 444 at the hearing scheduled for the afternoon of February 5, 2009, because the HCRC Commissioners have not completed their review of legislation and taken positions on a number of bills including this measure.

The Commissioners are in the process of reviewing legislative proposals. This process should be completed by the end of this week.

The HCRC takes its role and authority to testify and make recommendations to the legislature very seriously, and will do everything possible to assist you in your consideration of bills that affect HCRC jurisdiction and civil rights. We hope the temporary constraints we face will not cause inconvenience or difficulty for the House Committee on Judiciary. Please let us know if we can provide you any background information or answer any questions. Thank you for your understanding and patience.

# UNITE HERE!

## LOCAL 5 HAWAII

*Eric Gill, Financial Secretary-Treasurer*

*Hernando Ramos Tan, President*

*Godfrey Maeshiro, Senior Vice-President*

Wednesday, February 04, 2009

The Honorable Jon Riki Karamatsu, Chair  
and Members  
Hawaii State Legislature  
Committee on Judiciary  
State Capitol  
415 S. Beretania Street

Dear Chair Karamatsu, Vice-Chair Ito, and members of the House Committee on Judiciary:

My name is Eric Gill, Financial Secretary-Treasurer of UNITE HERE Local 5, a local labor organization representing over 11,000 hotel and health care workers employed throughout our State.

I come to testify in support of House Bill 444.

HB 444 is controversial. There are many strong feelings generated by the issue that is central to this bill. Some people come before this committee with great hopes, and look at this bill as a way to seek validation and recognition long withheld. Others come before this committee with great fear, seeing in this bill a threat to beliefs they hold dear. There will be much strong emotion, springing from many sources, expressed before you today.

But this bill is not about those things.

This bill 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 written in our most fundamental law. It is the basic ideal that our government is expected to live up to.

This legislation is an attempt to make our laws live up to the cherished ideals of our society. But at its core, this bill is not about the laws or ideals. This bill is about people.

When my wife got sick, nobody questioned my right to be there in the hospital by her side. When her job was taken away from her, and she lost her health care, no one questioned my right to cover her under my medical insurance. If I should pass away, no one will question her right to her fair share of my retirement fund. I expect these things, because the law provides for them.

But this isn't true for all of my fellow citizens. In a society where our government has solemnly pledged to provide equal rights for all, we have failed to do so for some. This failure demeans us, and makes a mockery of our most cherished ideals.

*1050 Queen Street, Suite 100 • Honolulu, Hawaii • 96814-4130 • Phone (808) 941-2141 • Fax (808) 941-2166 • www.unitehere5.org*

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.

This legislature is considering this bill at a great turning point in our nation's history. The people of America have once again affirmed our nation's unique commitment to bringing all of us together in our diversity. We have elected a President whose every action demonstrates his intent to ensure that each and every American is included in the American plan and the American dream.

The voters of our country have rejected eight years of division among us, of hatred and fear between us. America has decided to be a better place, the place where we live together, bound together by our common belief that human beings can be more than we have been, and strive for better than we are.

Now is Hawaii's chance to join this historic motion. Now is the time for Hawaii's legislature to take a stand. Bring us together. Care for all of us, equally. Pass HB 444.

Sincerely,



Eric Gill  
Financial Secretary-Treasurer

## karamatsu3-Leanne

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**From:** Brian Schatz [hawaiischatz@yahoo.com]  
**Sent:** Tuesday, February 03, 2009 7:45 PM  
**To:** Rep. Ken Ito; Rep. Jon Karamatsu; JUDtestimony  
**Subject:** testimony on Civil Unions, HB 444 from Brian Schatz

Chair Jon Riki Karamatsu  
House Judiciary Committee

Chair Karamatsu, Vice Chair Ito, and members of the committee:

Thank you for the opportunity to testify in favor of HB 444 on behalf of the Democratic Party and our 51,000 members across Hawaii.

We support civil unions because we stand for equality and justice. Our Party has a long and proud history of making progress on behalf of those who weren't being treated fairly under the law. This bill presents an opportunity for all of us to choose the right side of history.

As a former member of your esteemed body I am more than a little reticent to come here and to try to tell you what to do – I know how difficult these decisions are, and how the pressures of your constituents, both in and out of your district, are often difficult to balance with the dictates of your conscience. It is hard, when you are in the middle of it, to sort it all out.

I'd like to offer you my perspective: In a session which will likely be remembered for budget cuts and a struggling economy, this is your opportunity to make history – to choose the right side of an issue that transcends all of us – that, in fifty years, will seem obvious to our children and grandchildren.

As President Obama, quoting Martin Luther King said in 2008, "The Arc of history is long, but it bends towards justice."

Bend it today.

Mahalo,  
Brian Schatz  
Chair  
Democratic Party of Hawaii





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-Fifth Legislature, State of Hawaii  
Hawaii State House of Representatives  
Committee on Judiciary

Testimony by  
Hawaii State AFL-CIO  
February 5, 2009

## H.B. 444 – RELATING TO CIVIL UNIONS

The Hawaii State AFL-CIO strongly supports the purpose and intent of H.B. 444 which would extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

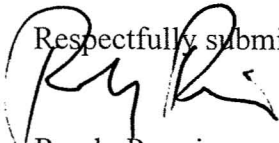
Same-sex couples deserve the same rights and benefits as heterosexual couples who are entered into a legal marriage. Unfortunately, same-sex couples and their families are denied hundreds of protections and responsibilities offered by the state of Hawaii. As a result, by refusing to legally recognize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

Furthermore, 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, people would be in an uproar if interracial marriage was illegal. Therefore, it is time to move forward and accept civil unions to guarantee the same rights and protections as those entered into a legal marriage.

Without civil unions, the family truly suffers. When a partner in a same sex relationship dies, their children and partner are not guaranteed their pensions and other survivor benefits. This is tragic and utterly 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.

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. The point is, they are no different and it is time to recognize that. It is time to pass H.B. 444 and guarantee same-sex couples the same rights and benefits as those who are married.

Thank you for the opportunity to testify.

Respectfully submitted,  
  
Randy Perreira  
President



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**

AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**

*Executive Director*

Tel: 808.543.0011

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*Deputy Executive Director*

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**House of Representatives  
The Twenty-Fifth Legislature  
Regular Session of 2009  
Committee on Judiciary**

**Testimony by  
Hawaii Government Employees Association  
February 5, 2009**

**H.B. 444 – RELATING TO  
CIVIL UNIONS**

The Hawaii Government Employees Association strongly supports the purpose and intent of H.B. 444 which proposes to extend to partners in a civil union the same rights, benefits, protections and responsibilities of spouses in a marriage.

The Hawaii Government Employees Association is the State's largest labor union, representing more than 29,000 public employees. In May 2008, the HGEA General Assembly, our union's highest policy making body, resolved to support efforts to establish civil unions in Hawaii. Delegates from all islands and all HGEA bargaining units vowed to continue the fight for equal protection, support and respect for workers, including our lesbian, gay, bisexual and transgender (LGBT) brothers and sisters. Without passage of the proposed measure, benefits gained in contract negotiations will not be equally shared by families of LGBT employees.

We urge passage of this bill to help fulfill the need for same gender couples to have the same benefits, rights and entitlements as all other working families in Hawaii. Thank you for the opportunity to testify in strong support of H.B. 444.

Respectfully submitted,

**Nora A. Nomura  
Deputy Executive Director**

**Gary H. Okino**  
**98-1315 Kaonohi Street**  
**Aiea, Hawaii 96701**  
**Phone (808) 488-0830**  
**Email: gary-o@hawaii.rr.com**

**Date:** February 5, 2009

**To:** House Judiciary Committee  
Rep. John Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair

**Re: Testimony in Opposition to HB 444, Relating to Civil Unions**

1. Circumvention of the Majority Will of the People

In 1998, an overwhelming majority of the people of Hawaii proclaimed by their vote that marriage must remain as one that is between one man and one woman. By passing HB 444, you will be circumventing the will of the 70% of the people who voted... your constituents who sent you a strong and clear message by their vote to preserve traditional marriage.

I strongly urge that you not pass HB 444 as it will reawaken this divisive and controversial battle in our community. Passing HB 444 will be seen as “back-dooring” the agenda of an illicit minority special interest. Your constituency will be enraged because you would have thwarted the will of the people.

2. Equal Rights

This legislation has nothing to do with equal rights. Same sex couples already have the benefits of Hawaii’s reciprocal beneficiary law which gives them the same rights that were previously reserved for spouses.

3. Call It What It Is

No matter what you call it, this is “same sex” marriage. HB 444 duplicates the marriage law. The only thing this doesn’t do is force religious institutions to perform these marriages.

4. Strength of the Traditional Family

Our nation was founded on the basis of preserving the strength of the traditional marriage and families. In fact, this foundational law has existed since the beginning of civilization. It transcends our modern laws. Every long-standing society has viewed marriage as a union of one man and one woman. Studies of previous civilizations reveal that when societies deviate from this standard of marriage as the foundation of its society, they inevitably deteriorate and eventually cease to exist.

In addition, collected data are clear and irrefutable – children do best in stable, healthy homes with a mother and a father. It would be reckless and irresponsible to rewrite our most basic marriage laws to suit the desires of adults at the expense of our children. The legalization of same sex marriage will weaken and eventually destroy our families and our society.

For these reasons, I strongly urge that you oppose HB 444.

Thank you for this opportunity to testify.

**A JOINT LEGISLATIVE EFFORT**

E-Mail: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)  
Regarding: House JUD Committee  
Hearing on: February 5, 2009 @ 2:00 p.m. in room #325  
Copies Necessary: 5 copies

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**Date:** February 2, 2009  
**To:** House Committee on Judiciary  
Rep. John Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair  
**From:** Walter Yoshimitsu  
Lobbyist, Hawaii Catholic Conference  
**Re:** **STRONG OPPOSITION TO HB 444,  
Relating to Civil Unions**

**1. Civil Unions = Same Sex Marriage without the Title**

Civil Unions (CUs) are simply same sex marriages by a different title. The bill text reads: **"Same benefits, protections, and responsibilities as marriage.** 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 spouses in a marriage validly entered into pursuant to chapter 572."

**2. The People Have Spoken: NO to Same Sex Marriage**

Civil Unions re-open the community controversy. The people of Hawaii have spoken on the same-sex marriage issue and have overwhelmingly rejected the idea. The decade of the 90s saw countless hours of debate to finally resolve this contentious issue. Let's not re-argue the same sex marriage fight via civil unions when the people have spoken so clearly (nearly 70% support for the constitutional amendment).

**3. Hawaii Confers Significant Benefits through the Reciprocal Beneficiary Law**

- a) Part of the compromise during the same-sex marriage debate was passage of Hawaii's reciprocal beneficiary (RB) legislation. The RB law provides significant benefits to many more people in need — separate from their sex partner status.
- b) Under the current RB law, elderly siblings residing together can access important benefits. Under the civil unions proposal, only same-sex couples can access the benefits.

**Some of the RB benefits include:**

- health care coverage
- hospital visitation privileges
- uniform health care decision making rights
- property rights, including tenancy in the entirety rights
- probate rights, including survivorship rights
- worker's compensation
- state employee retirement beneficiary rights
- automobile insurance coverage
- mental health commitment approvals and notifications
- family and funeral leave
- disaster relief loans
- public lands leases
- legal standing for wrongful death
- legal standing for victim's rights
- domestic violence family status
- University of Hawaii facility use
- Anatomical gift rights
- Government vehicle emergency use

- c) If there is something the Legislature wants to fix with the current set of benefits, like the health insurance provisions, it should simply go ahead and fix the RB statute.

**4. Reciprocal Beneficiaries were and are Progressive & Have Been a Model for Discussion Elsewhere - Vast Majority of States Grant NO Benefits**

RBs were a progressive solution at the time and still provide many more benefits than the vast majority of states in the country. Hawaii remains progressive. Most states have neither CUs nor RBs. Most states simply provide NO SUCH BENEFITS.

**5. Hawaii has many more Pressing Problems — Re-Arguing the Settled Same Sex Marriage Issue is an Unwise Use of Limited Resources**

Hawaii is facing serious problems affecting many more people than this narrow, controversial and divisive issue. It is hard to understand why the Legislature would want to re-open this wound that divided our community for so many years without any clear identification of the need for it.

6. **Civil Unions Sought Now but Marriage Benefits WITH Title Change Will Be Sought Next**

It is absolutely undeniable: if you were to pass civil unions, gay marriage advocates WILL be back arguing “that everything is the same and fundamental fairness suggests you should simply change the title as well.” Gay marriage proponents recently in New Jersey demonstrated against civil unions. They declared nothing but same-sex marriage, including the title, was acceptable and demanded both title and benefits.

7. **Actual Reason for Bill Still Unclear**

Proponents should be clear about the primary reasons for this bill. Many of the items frequently mentioned are already available under the current law. Some benefits not currently available are limited state-only tax benefits and parenting rights.

8. **Legally Complicated and Socially Explosive — Children Adversely Affected**

The two most controversial aspects of this will be: parenting issues and what is taught to children about the law. How will the law confer parenting benefits and responsibilities to the same sex partner of a mother without adversely affecting the parenting rights of the mother and the parental rights of a birthfather? The civil union aspects related to children and parenting raise extremely complicated issues of family law and are unfortunately focused on the rights of the adults and not on the needs of the children.

This opens a nearly-unending number of legal possibilities, which will require complicated and expensive litigation to resolve. **Again, what justification exists to upend our legal system for a very small number of cases?**

Finally, what will be taught to children in public school? Will children be taught that the law says same-sex couples are just like married couples but with a different title? If not, why not? That would be the law. If it would be taught, then, we’re right back to the heart of the same sex marriage debate and this issue is among the primary reasons people opposed same sex marriage in the first place.

Mahalo for your kind consideration we ask you to oppose HB 444.



**karamatsu3-Leanne**

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**From:** BCurll@aol.com  
**Sent:** Tuesday, February 03, 2009 7:48 AM  
**To:** JUDtestimony  
**Subject:** House Bill 444 - Civil Unions

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Brian Curll and I am President of Hui O Mana Ka Pu'uwai Outrigger Canoe Club, Executive Director of Kukui'ulu Outrigger Canoe Club, and Race Director for TriKauai Triathlons here on the island of Kauai.

I am writing this e-mail to offer my support for House Bill 444 - Civil Unions. Our organizations believe in equal treatment for all people in our community.

Brian R Curll, President  
Hui O Mana Ka Pu'uwai Outrigger Canoe Club  
TriKauai Triathlons  
Federal ID 501 ©(3) # 99-0285770  
Public Charity: 509(a)(1), 170(b)(1)(A)(VI)  
Hawaii Tax ID# W-404 38 462  
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Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

## karamatsu3-Leanne

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**From:** Himenes, Carmen [chimenes@rcchawaii.org]  
**Sent:** Tuesday, February 03, 2009 8:52 AM  
**To:** JUDtestimony  
**Subject:** opposition to Civil Unions Bill HB444



To whom it may concern:

I am submitting testimony to be submitted for the hearing on Thursday February 5 at 2:00pm against the Civil Union Bill HB444. In 1998 the people voted clearly that marriage, which is what the Civil Union bill alludes to for same sex couples, is to be solely defined between a man and a woman.

Also in 1997 the Reciprocal Beneficiary Act became law which provides for relationship privileges and benefits outside of marriage.

Furthermore, special legal protection and benefits should not be based solely on sexual preferences and behaviors.

I am in direct opposition to HB444 and ask that you do not support the passage of the Civil Unions Bill. The ramifications for family life and children are at stake here and need to be protected. Act on behalf of the future of our children and the protection of families.

Sincerely,  
Carmen Himenes, Ed.D.  
Superintendent  
Hawaii Catholic Schools  
6301 Pali Highway  
Kaneohe, HI 96744  
office: 808.203.6764  
toll free: 1.877.263.8855 ext. 764  
fax: 808.262.6126  
email: [chimenes@rcchawaii.org](mailto:chimenes@rcchawaii.org)

## karamatsu3-Leanne

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**From:** jonipherkwong@aol.com  
**Sent:** Tuesday, February 03, 2009 9:15 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 444

**Date:** February 4, 2009

**Submitted by:** Rev. Dr. Jonipher Kwong, Metropolitan Community Church

**To:** House Judiciary Committee, c/oOASgt.-at-Arms, State Capitol

**Re:** In SUPPORT of HB 444: A Bill for an Act Relating to Civil Unions  
Thursday, 2/5/09, at 2 p.m.  
Conference Room 325

To the Honorable Rep. Jon Riki Karamatsu and the House Judiciary Committee:

It is a pleasure for me to submit this testimony in STRONG SUPPORT of HB 444 as an ordained clergy and as one who also believes strongly in religious freedom. My denomination (Metropolitan Community Church) has been performing Holy Unions for same-gender couples since 1969. We believe the loving relationships of adult, consensual, non-related gay and lesbian couples are blessed in the eyes of God and ought to be celebrated by communities of faith. That is why we provide this rite or ritual to those who seek such an affirmation.

I have had the honor and privilege of performing these Holy Unions in Hawai'i and also legal marriages in California last summer. The one that stands out most in my mind was for an interracial couple in Silverlake, California. They have been together for 39 years! As they were reading their vows to one another, they openly wept – realizing the hardships and obstacles that stood in their way for years – until they were able to finally proclaim their love and commitment in such a public way at that moment. The rest of those gathered there were also crying, empathizing in their struggle for equality and human dignity. Now, their marriage stands in suspension once more. Will they be forced to divorce by a slim majority of Californians who voted for Prop 8? I hope not.

I realize, however, that not all religious communities share our perspective on marriage equality or even granting civil unions to same-gender couples. They don't have to. That is part of the beauty of the separation of church and state. What the state offers its citizens is not the *rite* I just mentioned, but rather the *rights* to its tax-paying, law-abiding citizens. The constitution is supposed to offer equal protection under the law and pay close attention to "suspect" classes such as gays and lesbians, who are more prone to discrimination and unfair treatment. That is my understanding of the spirit in which the United States was founded.

I would also encourage each of you, out of respect to the *aina*, to go back to Hawaiian history, when *mahu* ("two-spirit" people who were ancient equivalents of modern-day gays and lesbians) were treated with the utmost dignity and respect. They were thought to have embodied that delicate balance between the earthly realm and the spiritual realm. They were shamans and chief advisors to *ali'i* because of their unique sensitivity.

President Obama, during his inauguration speech, calls us to “a new era of responsibility.” We are indeed responsible for same-gender couples being able to visit each other in the hospital, sharing insurance policies, and being able to draw from their partner’s pension upon retirement. We are responsible for treating each other as fellow first-class citizens, not relegating certain people to the “back of the bus.” We are responsible for making sure we broaden our definition of “kakou (we)” to include same-gender ‘ohana and truly embody “malama kakou (caring for one another)” in order for there to be “pono (righteousness)” in our land.

Mahalo nui loa for your consideration. It is once again my prayer and my audacious hope that HB 444 will pass.

Blessings and Aloha,< /div>  
Rev. Dr. Jonipher Kwong

---

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Fax 586-8494

To: Judiciary Chair Jon Riki Karamatsu  
Judiciary Ken Vice-Chair Ito  
House Judiciary Committee, Room 325  
Thursday, February 5, 2009 2 p.m.

**TESTIMONY SUPPORTING HB 444 – Civil Unions**

Chair Karamatsu, Vice Chair Ito and Members of the Committee:

My name is Rev. Sam Cox. Previous to my retirement 10 years ago, I was the Executive Director of Hale Kipa Youth Services for homeless and runaway youth for 23 years. I am currently the part-time Visitation Pastor of the Kailua United Methodist Church.

I would like to register my **strong support** for this bill that would extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. It is long overdue.

During my tenure at Hale Kipa, we had a disproportionate number of youth who had same gender-orientation issues. Most were the result of family problems, with parents and other adults in their lives who could not come to terms with their sexual orientation, rejecting them and even throwing them out. The youth themselves often had low self-esteem as the result of the rejection. They also faced the enormous homo-phobia in our society. The prospect of falling in love, finding a life partner and having a happy family life seemed daunting.

We have come a long way over the past 30 years. Our social attitudes have changed, particularly among youth and better educated. Most of us know today that same gender orientation is not a disease, but is as normal as being left-handed or having a particular pigment of skin.

Everyone deserves to be treated equally under the law, a chance to experience love and happiness with full civil rights, and be part of the American dream.

I hope you will take this opportunity to correct this flaw in our society. It will go a long way in healing our youth and families.

Thank you for your support.



Rev. Sam Cox, Visitation Pastor  
Kailua United Methodist Church  
1216 Keolu Drive, Kailua, Hawaii 96734  
Telephone 261-1934



# The Church of the Holy Innocents

561 Front Street  
PO Box 606  
Lahaina, HI 96767-0606

[www.HolyIMaui.org](http://www.HolyIMaui.org)

808-661-4202 (phone)  
808-661-8667 (Fax)

February 3, 2009

House Judiciary Committee  
State Capitol  
415 Beretania Street,  
Honolulu, HI

By Fax and E-mail

## House Bill 444 A Bill for an Act Relating to Civil Unions

Dear Members of the House Judiciary Committee:

At the request of the vestry of Holy Innocents Episcopal Church in Lahaina, Maui, I am enclosing a letter of testimony in support of the passage of legislation creating civil unions (HB 444) by your committee and the entire legislature. This letter was written in 2007 when this matter last came before your committee and the vestry reaffirms its previous testimony.

We reaffirm that our support of this legislation is based not only on what we perceive to be the best interests of the citizens of Hawai'i but also on our religious faith that we are called to respect and support the dignity of every human being. It is a matter justice and respect for all of our citizens.

Our priest and his partner were married at their home in Massachusetts and living there when we called them to serve our parish in Lahaina. We are keenly aware of the fact that by answering our call and moving to Hawai'i, they gave up significant legal protections. We are aware that if one died they would suffer significantly higher tax consequences that would jeopardize the financial security of the survivor. This is unjust and unwise. Such disparity in the recognition of civil unions among the states puts Hawai'i at a significant disadvantage in attracting qualified people.

In the past five years or so, we have seen civil unions recognized in many States. We are unaware of any instance in these States where families or the institution of marriage have in any way been "hurt or destroyed". Quite the contrary! We recognize that failure to provide legal

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recognition and protection for the committed relationships of our gay and lesbian members is what can and does hurt families by such things as denying children health care coverage or denying survivors pension benefits.

We believe that HB 444 supports families and is beneficial to Hawai'i and all its families. We believe that HB 444 in no way impinges upon the free exercise of anyone's religious beliefs or compels them to do anything contrary to those beliefs in the context of their churches or temples.

Respectfully submitted on behalf of the Vestry,



Diane DelosReyes  
Bishop's Warden

2014



# The Church of the Holy Innocents

561 Front Street  
PO Box 606  
Lahaina, HI 96767-0606

808-661-4202  
808-661-8667 (Fax)

holyinno@aloha.net

February 24, 2007

Hon. Members, Senate Judiciary Committee  
Hon. Members, House Judiciary Committee  
State of Hawai'i Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, HI 96813

*This year is HB#444*

### SB 1062 & HB 908

Dear Senators and Representatives:

We, the undersigned Wardens, Vestry Members and Priest-in-Charge of Holy Innocents Episcopal Church in Lahaina, Maui, respectfully urge you to favorably vote out of your Committees HB 908 and SB 1062 for consideration and vote by the full House and Senate. We also urge you to vote in favor of these Bills when they do come before the House and Senate for the following reasons:

1. We believe the existing laws of the State of Hawaii do not provide for the full and equal protection of Hawaii's gay and lesbian citizens and that there is no rational basis for this disparate and discriminatory treatment. We know that our gay and lesbian members have entered committed, loving and supportive long-term relationships. We see no reason for the State of Hawaii to continue to deny the reality of the lives of its gay and lesbian citizens and thus deny them the legal recognition and protections these relationships require.

2. We believe the creation and fostering of committed, long-term, mutually supportive relationships with clearly defined benefits and obligations is good public policy. Such legal clarity will benefit not only the parties to such civil unions but also governmental agencies, hospitals, corporations, etc. which deal with the public.

3. We recognize with regret that much of the opposition to these bills comes from religious sources. However, there is much dispute within various religious traditions and denominations over this subject. The views of Orthodox Jewish bodies differ from those of Reform and Conservative Jewish bodies. The views of Unitarians and Quakers differ from those of many fundamentalist or evangelical Christians. Lutherans, Episcopalians, Presbyterians and Methodists are divided and struggle with this issue within their own churches. We should also point out that many citizens have no religious affiliations.

*2/14*



4. Given this difference of theological opinion, there is no reason why Hawaii's laws need to be in accord with the views of any particular religious body. Every day, Hawaii licenses and records marriages of divorced people that certain religious denominations would not permit. Every day, wills and contracts are enforced that may not be in accord with the tenets of certain faiths. Every day, the State licenses businesses to sell products that may be prohibited by certain faiths. We see no reason why permitting competent adult citizens to enter into a civil contract of civil union pursuant to HB 908 & SB 1062 should be viewed any differently. Some religious bodies may disapprove of such unions but this law in no way forces them in any way to perform or recognize such unions in a religious context.

Most importantly, we write to you in support of HB 908 and SB 1062 out of affirmation of our faith and out of affection for our gay and lesbian members. As part of our Baptismal Covenant, we are called to affirmatively answer the following two questions: Will you seek and serve Christ in all persons, loving your neighbor as yourself? Will you strive for justice and peace among all people, and respect the dignity of every human being? These promises compel us to write to you in support of this important legislation.

Very truly yours,



the Rev. William J. Albinger, Jr.  
Priest-in-Charge

Jackie Kelly  
Vestry Member



Diane Delos Reyes  
Bishop's Warden

Scott McCoy  
Vestry Member

Nancy Sherman  
Jr. Warden

Jane Cambouris  
Vestry Member

Penny Wakida  
Vestry Member

*Other Signatures are on original copy  
filed with Committee in 2007*

*469*

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February 5, 2009

**To:** Representative Jon Riki Karamatsu, Chair and Representative Ken Ito, Vice Chair, House Committee on Judiciary.

**From:** Katie Reardon, Vice President of Government & Public Affairs, Planned Parenthood of Hawaii.

**Re:** Testimony in Support of HB 444

Thank you for hearing this important bill and for the opportunity to testify in support of it. Planned Parenthood of Hawaii (PPHI) supports HB 444 and the Civil Unions it creates. We encourage members of the House Committee on Judiciary to pass this bill.

At PPHI, we 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 HB 444 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 Clinic**  
1350 So. King Street  
Suite 310  
Honolulu, HI 96814  
(808) 589-1149

**Kona Clinic**  
75-184 Hualalai Road  
Suite 205  
Kailua-Kona, HI 96740  
(808) 329-8211

**Kahului Clinic**  
140 Hoolana Street  
Suite 303  
Kahului, Maui, HI 96732  
(808) 871-1176

(A Maui United Way Agency)

To: Rep. Jon Riki Kamaatsu, Chair  
Rep. Ken Ito, Vice-chair  
Committee on Judiciary

From: Deanna M. Schafer, Owner  
"I Do" Weddings

Date: February 3, 2009

Subject: In support of HB444  
Hearing Date: Thursday, February 05, 2009

I'm the owner of "I Do" Weddings, a wedding coordination business located on Kauai. I'm also an ordained and State licensed wedding officiant. I support HB 444 that extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. I support this Bill for two reasons:

1) It is good for business. Hawaii's destination wedding business will get a much-needed boost. By taking the lead on an issue that is rapidly gaining public support we will attract a whole new group of visitors.

2) It is the right thing to do. During my lifetime I have seen the end racial segregation, the granting of equal pay for women and the prohibition of discrimination on the basis of race, religion, gender, ethnic origin, and disability. It is now time to address the discrimination that exists toward same-sex couples. It is not only morally right, but will create more family stability.

I urge you to show leadership on this most important civil rights issue and pass House Bill 444. The extension of rights and responsibilities to committed same-sex couples is the right thing to do as a matter of justice and good public policy.

Deanna M. Schafer  
"I Do" Weddings  
2/3/09

To: Rep. Jon Riki Kamaatsu, Chair  
Rep. Ken Ito, Vice-chair  
Committee on Judiciary

From: Larry and Elaine LaSota, Owners  
Profile Video Productions

Date: February 3, 2009

Subject: In support of HB444  
Hearing Date: Thursday, February 05, 2009

We are a video production company located on Kauai. Larry is also an ordained and State licensed wedding officiant. We support HB 444 that extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. We support this Bill for two reasons:

1) It is good for business when that is something that wedding and visitor industry desperately needs. With the reversal in California of the right for same sex civil unions, there is an even greater demand for this kind of offering.

2) It is the right thing to do. It is now time to address the discrimination that exists toward same-sex couples. It is not only morally right, but will create more family stability.

I urge you to show leadership on this most important civil rights issue and pass House Bill 444. The extension of rights and responsibilities to committed same-sex couples is the right thing to do as a matter of justice and good public policy.

Larry and Elaine LaSota  
Profile Video Productions  
2/3/09



House of Representatives  
25th Legislature, 2009  
State of Hawaii  
Hearing Date: Thursday, February 05, 2009

Attention: The Honorable Jon Riki Karamatsu, Chair, and Ken Ito, Vice Chair,

**Address:** 6440 Olohena Road  
Kapaa, HI 96746  
**Phone:** 808-822-5381

Speaking in SUPPORT of Bill HB 444

Date Feb 3rd, 2009

As an ordained and Hawaii State licensed minister on Kauai I fully support this bill because I believe that both I, and also the State, have a responsibility to treat all couples in a similar manner, without discrimination. Offering a Civil Union with the same benefits as heterosexual couples is the right thing to do.

Secondly, with the huge deficit we are facing in Hawaii, any stimulus that attracts more dollars, this time through a law that offers equality in weddings is a good thing for everyone in the state.

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. J. Hough".

Reverend Michael John Hough. CEO

Kauai Islands Weddings



Hawaii State House of Representatives  
The Twenty-Fifth Legislature, State of Hawaii  
Regular Session of 2009

Committee on Judiciary  
Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair

Thursday, February 5, 2009, 2:00 p.m.  
Conference Room 325, State Capitol

Re: H.B. 444 – RELATING TO CIVIL UNIONS

The Screen Actors Guild Hawaii Branch strongly supports the purpose and intent of H.B. 444 which would extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

Labor has a long history of fighting for equal rights for working people. Same-sex couples deserve the same rights and benefits as heterosexual couples who are entered into a legal marriage. Unfortunately, same-sex couples and their families are denied hundreds of protections and responsibilities offered by the state of Hawaii. As a result, by refusing to legally recognize same-sex relationships, Hawaii and other States deprive thousands of families the most important attributes of labor: the ability to take care of and provide for their family members.

Many same-sex couples are our neighbors, teachers, actors, athletes, police officers, firefighters, and teachers to name a few. Many keep us safe, educate our children, protect and entertain us. 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 marriages were illegal in a number of states. Today, people would be in an uproar if interracial marriages were illegal. Therefore, it is time to move forward and accept civil unions to guarantee the same rights and protections as those entered into a legal marriage.

The point is, they are no different from you and I and it is time to recognize that. It is time to pass H.B. 444 and guarantee same-sex couples the same rights and benefits as those who are married.

Thank you for the opportunity to testify on HB 444.

Glenn Cannon, President  
Brenda Ching, Executive Director

**SCREEN ACTORS GUILD**

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**From:** Richard Koob [richkoob@kalani.com]  
**Sent:** Tuesday, February 03, 2009 6:45 PM  
**To:** JUDtestimony  
**Subject:** Please support House Bill 444, A Bill For An Act Relating to Civil Unions

Please support House Bill 444, A Bill For An Act Relating to Civil Unions because  
**Family Values Means Valuing Families . . . All Families**

*Richard*

Richard Koob, MFA UHM  
Founder/Director, KALANI Oceanside Retreat Village  
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## Testimony

Testifying: Social Justice Council of First Unitarian Church of Honolulu  
2500 Pali Highway  
Honolulu, HI 96817  
Email to: [uusocialjusticehnl@live.com](mailto:uusocialjusticehnl@live.com)

To: House Judiciary Committee

Hearing Date: February 5, 2009 at 2 pm Conference Room 325

Bill: Supporting HB 444

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Chair Karamatsu, Vice-Chair Ito, and members of the Judiciary Committee:

I am Nancy Young, a member of the elected Social Justice Council of the First Unitarian Church of Honolulu.

Our church urges you to support House Bill 444 to establish civil unions, and to support other measures to establish the rights of same gender marriage.

We are empowered by our congregation to ask for your support by this resolution, first adopted by our congregation in 1991 and reaffirmed continually since then.

“Resolution on Freedom of Religion as pertaining to the  
**RIGHT OF SAME GENDER MARRIAGES**

WHEREAS: The First Unitarian Church of Honolulu covenants to affirm and promote the inherent worth and dignity of every person as well as his or her right of conscience; and

WHEREAS: The First Unitarian Church of Honolulu (as well as other churches) offers congregational and ministerial support for services uniting couples in marriage without discrimination on the basis of gender, including and without prejudice against same gender couples; and

WHEREAS: the right of a couple (regardless of gender) to live in a state of



marriage is a fundamental right of conscience deserving to be honored and celebrated for its profound spiritual and religious significance to the participants; and

WHEREAS: the right of this church to celebrate and participate in honoring such marriages, by authorizing its ministers to conduct, celebrate and officially witness such taking in marriage, is a fundamental religious right; and

WHEREAS: same-gender marriages currently go unrecognized by government, and are actively undermined by such disregard as well as by laws, restrictions and practices that, for example, deny property rights of married couples to same-gender couples, deny rights of mutual responsibility (such as family insurance rights, visitation rights or rights to make medical decisions for same-gender spouses, etc.), and many other rights necessary to sustain a family couple;

THEREFORE BE IT RESOLVED: that the congregation of The First Unitarian Church of Honolulu encourages the state of Hawaii to license and legally recognize marriages without discrimination on the basis of gender, including and without prejudice against same-gender marriages; and

BE IT FURTHER RESOLVED: that this congregation supports equal recognition and provision of laws, services, privileges, rights, etc. by cities, counties, and the United States Government due all marriages and married couples, without discrimination on the basis of gender.

Passed: 2 June 1991

Reaffirmed: 12/02/07”

Thank you for the opportunity to testify in support of House Bill 444.

February 5, 2009

Chair Karamatsu, Vice Chair Ito, and Members of the House Judiciary Committee:

Thank you for allowing me to testify before this committee. My name is Alan Spector and I am a Licensed Clinical Social Worker and a resident of Kaneohe. I serve as Co-Chair of **Family Equality Coalition**. We are a non-profit group of diverse individuals and organizations (gay and non-gay) working together to achieve equal marriage rights for gay, lesbian, bisexual, and transgender people and their families in Hawaii. We were founded in late 2007. We collaborate closely with The Interfaith Alliance of Hawaii, GLBT Caucus of the Democratic Party, UNITE HERE Local 5, ACLU-Hawaii, Japanese American Citizens League-Honolulu Chapter, National Association of Social Workers-Hawaii Chapter, and Pride at Work. Our membership is expanding rapidly each day and we have grown from just 40 members in June 2008 to almost 1300 as of today! Family Equality Coalition **strongly supports House Bill 444** as it would extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

Passing civil union legislation in Hawaii is long overdue and much has changed since Hawaii began this national discussion during the early 1990s. Public opinion on this issue continues to progress in our favor over time. According to the December 2008 Newsweek poll, 55% of Americans support legally sanctioned unions or partnerships for same-sex couples. This is up significantly from 2004 when only 40% of Americans supported such unions. These figures compare to a survey done of Hawaii residents in December 2007 by QMark Research and Polling that revealed the following:

- 77% agree that "We should not limit an individual's access to social and civil benefits and rights pertaining to relationships based on gender."
- 62% agree that "Couples of the same gender should have access to the legal privileges and protections of marriage as couples of the opposite gender - as a matter of civil rights."
- 73% agree that "Committed couples and their families, regardless of their sexual preference or orientation, should have the same rights. That's the bottom line - we should treat people equally."
- 56% agree to "Giving rights to same-sex partners in the form of civil unions or domestic partnerships."

Since the last time this committee heard a civil union bill (2007), both the Hawaii Government Employees Association and the Hawaii State AFL-CIO have passed resolutions in support of civil unions. As of 2009, civil unions or comprehensive domestic partnerships that grant all state level spousal rights to same-sex couples are legal in Vermont, Connecticut, New Jersey, New Hampshire, California, Oregon, and Washington, DC. Limited domestic partnerships that offer just offer a small defined set of rights are legal in Washington State, Maine and Maryland. Marriage is legal for same-sex couples in Massachusetts and Connecticut. New York State currently recognizes marriages of same-sex couples validly contracted in other jurisdictions. Most of the USA's civil union, domestic partnership, and same-sex marriage laws have been passed since 2004. Since that time, not a single

## Family Equality Coalition/Spector, cont'd

legislator has lost his or her seat for supporting such legislation. On the horizon, we anticipate a ruling from the Iowa Supreme Court on this issue in 2009. Legislation is currently being introduced in New Mexico and Washington State for comprehensive domestic partnerships and marriage bills have been introduced in New Hampshire and Maine.

We come before you asking not for special rights but for equal rights. This is something required by the Hawaii Constitution as well as rulings by the Hawaii Supreme Court and lower court. Some will claim that the 1998 Constitutional Amendment decided this issue. That is not true. The amendment merely gives the legislature the sole ability to define Hawaii's marriage statutes, something that remains within your Constitutional right. I should stress, however, that HB 444 does not impact or alter Hawaii's marriage laws or the definition of marriage in any way. Civil unions are not the same as marriage. Marriage is more than just a package of rights. It is a social status, understood by all, that tells a community that two people love each other and are a family. Civil unions are an alternative legal structure that attempts to provide the legal rights and obligations associated with marriage without allowing the couple to actually marry. Civil unions do not have the same social meaning as marriage as evidenced by the differences in both public support and legislative support for the two. We currently have widespread public and legislative support for civil unions (32 out of 51 Hawaii House Reps. have signed onto this bill) whereas our marriage bill, HB 878 only has 9 co-introducers and co-signers. If civil unions were the same as marriage, why are there different levels of support for each? If civil unions were truly the same as marriage, how many married people would be willing to trade their marriage for a civil union?

Civil unions represent a significant compromise for the GLBT community of Hawaii as they don't represent our true goal of marriage equality, however, they do represent a significant advancement towards the extending of equal treatment under the law. We are willing to accept this compromise and continue to work in coalition with others to educate the public and the legislature until the day comes that this legislature is ready to grant us full marriage equality.

Our opposition will claim that civil unions are not needed and that we should just "fix" the reciprocal beneficiary laws. I am glad that the word "fix" is used as it validates our claim that the reciprocal beneficiary laws are deficient and broken, however, it is our opinion that they are beyond fixing. According to the 2006 statement by Kelly Rosati, former Executive Director of Hawaii Family Forum, reciprocal beneficiaries were never meant to be a "marriage substitute." Reciprocal beneficiary status offers a very limited set of rights to any two single adults unable to legally marry. This includes same-sex couples as well as blood relatives including two single siblings or a widowed mother and her unmarried son. There are two main problems associated with reciprocal beneficiaries. Firstly, most people have no idea what rights are afforded under reciprocal beneficiaries despite being law since 1997. Again to quote Ms. Rosati from her 2006 statement, "If you asked most people in Hawaii about reciprocal beneficiaries, their response would be 'reciprocal who'." As a result of such widespread confusion, many of the rights afforded to reciprocal beneficiaries are never

Family Equality Coalition/Spector, cont'd

realized. Secondly, reciprocal beneficiaries group into the same category same-sex couples living in spousal like relationships, often with children, with blood relatives such as siblings. The needs of each of these two types of reciprocal beneficiary couple vary greatly. No one has every argued that family dyads such as siblings or parent and child should be treated the same as married. Reciprocal beneficiaries excludes such rights as joint taxation, health insurance benefits, parental rights, joint adoption, and anything else relating to family law including spousal support, access to family court, and judicial dissolution (divorce). It is simply not feasible to impose such spousal equivalent rights onto blood relative reciprocal beneficiaries. Are we to require that sisters obtain divorces or be obligated to support one another with alimony if they choose to dissolve their reciprocal beneficiary relationship so one can marry? How will the business community react if it is required to provide health benefits to an employee's sibling, parent, aunt, uncle, etc?

Family Equality Coalition supports leaving Hawaii's reciprocal beneficiary statutes alone and following the "Vermont Model" which offers both a civil union law and a separate reciprocal beneficiary law.

I would like to conclude on a more personal note and share why this issue is so important to me. I moved to Hawaii from a region of the USA that already recognizes marriage for same-sex couples. I moved here with my husband as a legally married gay man, albeit, had my marital status invalidated the moment I landed on this beautiful island. My journey to marriage has been a long one. My parents raised me with a strong sense of family and the importance of a strong solid marriage. In 1999, my husband and I were married by a rabbi in a Jewish wedding ceremony recognized by the Central Conference of American Rabbis and the Union for Reform Judaism, the largest denomination of Judaism in North America. We did not have the benefit at that time of achieving legal status. My parents paid for the wedding and after the rabbi pronounced us married, my parents cried, hugged my husband, and said, "Welcome to the family, now you are one of us." In 2000, we renewed our vows in a legal civil union. In 2005, once again, we renewed our vows, only this time in a legal marriage! It is terribly painful for us that this state invalidates our marital status and denies us the rights for which we are entitled. How would you feel if you were in my place? Would you want your child treated this way?

I ask that you strongly support HB 444. Mahalo for this opportunity to testify.

Alan R. Spector, MSW, LCSW  
Co-Chair  
Family Equality Coalition  
PO Box 11444  
Honolulu, HI 96828  
[www.familyequalitycoalition.org](http://www.familyequalitycoalition.org)  
[alan@familyequalitycoalition.org](mailto:alan@familyequalitycoalition.org)

## karamatsu3-Leanne

---

**From:** Dr. John Heidel [jheidel@hawaii.rr.com]  
**Sent:** Tuesday, February 03, 2009 8:54 PM  
**To:** JUDtestimony  
**Subject:** Testimony for House Bill 444

To: House Judiciary Committee  
For: Hearing of HB 444 for an Act Relating to Civil Unions  
Date: Thursday, February 5, 2009, 2:00pm  
Place: State Capitol, Conference Room 325  
From: Rev. Dr. John R. Heidel, President, The Interfaith Alliance Hawaii

Thank you for holding this hearing on House Bill 444 for an Act Relating to Civil Unions.

My name is John Heidel and I am a minister of the United Church of Christ. I began my ministry here in the islands as the Minister of Youth at Central Union Church in 1962 and then served as a Chaplain at Punahou School for 32 years. Today I am representing The Interfaith Alliance Hawaii and offer this testimony in strong support of HB 444.

We affirm that people of faith and good will are bound together by shared principles of compassion, civility and mutual respect for human dignity for 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 protection of law within its jurisdiction, civil liberties that should be extended to all Americans. The Interfaith Alliance has neither standing nor 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 others do neither. We find our diversity to be a source of strength. We firmly believe that the State and Federal Governments have no place in defining the sanctity of some traditions to the exclusion of others, as pertaining to our diverse practices of unions. 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.

We thank you for considering this significant, civil rights legislation and urge it's passage from this committee.

## karamatsu3-Leanne

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**From:** Robert Finley [bob2222@hawaii.rr.com]  
**Sent:** Tuesday, February 03, 2009 8:55 PM  
**To:** JUDtestimony  
**Cc:** Jo-Ann M. Adams  
**Subject:** Testimony in Support of HB444  
**Attachments:** WNB FAMILYEQ Resolution.jpg

Aloha Chair Karamatsu

Attached is a resolution from the Waikiki Neighborhood Board voted on in November 2007 favoring Civil Union Legislation be supported.

I realize this is a controversial issue and the Waikiki Neighborhood Board had a spirited discussion on the issue and our vote of 10-2-3 probably reflected community concerns and support for the issue.

Testimony provided by:  
Robert J. Finley  
Chairman  
Waikiki Neighborhood Board  
Tel 923-5482  
E-mail [bob2222@hawaii.rr.com](mailto:bob2222@hawaii.rr.com)

Mahalo for hearing this bill and your positive support will be greatly appreciated.





## WAIKIKI NEIGHBORHOOD BOARD NO. 9

c/o NEIGHBORHOOD COMMISSION • CITY HALL, ROOM 400 • HONOLULU, HAWAII 96813

### FAMILY EQUALITY RESOLUTION

**WHEREAS**, the cornerstone of a family is love, honor and commitment, between two adults and inclusive of any children under their parentage or guardianship; and

**WHEREAS**, there are many families across Hawai'i that are currently denied equal protection under the law based on gender; and

**WHEREAS**, all children deserve equal protection under the law regardless of the marital status of their parents; and

**WHEREAS**, in Hawai'i, there are rights, responsibilities, benefits, protections and privileges of marriage currently available exclusively to couples consisting of one man and one woman; and


**WHEREAS**, civil unions have been recognized nationally and internationally as a compromise measure that protects a definition of marriage as being solely between a man and a woman, while allowing family equality protection before the law for all couples, whether they are same or opposite sex; and

**WHEREAS**, the aforesaid rights, responsibilities, benefits, protections and privileges granted under the marriage laws of the State are not provided equally to couples who are not married; and

**WHEREAS**, the Waikiki Neighborhood Board No. 9 supports the right of all its constituents to equal protection under the law; and

**THEREFORE BE IT RESOLVED THAT** the Waikiki Neighborhood Board No. 9 goes on record to request community members, state legislators and the Governor support civil rights equality and enactment of civil unions legislation that will protect all families across Hawai'i, equally under the law, ending discrimination that exists today and thereby strengthening all our communities and the potential of each individual.

**THIS RESOLUTION WAS VOTED ON AND SUPPORTED, 10-2-3, AT THE NOVEMBER 13, 2007 MEETING OF THE WAIKIKI NEIGHBORHOOD BOARD.**

  
**ROBERT J. FINLEY**  
CHAIR



February 5, 2009

To: Rep. Karamatsu, Chair  
And members of the House Judiciary Committee

From: Renee H. Furuyama, LSW  
Testimony on Behalf of the National Association of Social Workers, Hawaii

Re: HB 444, Relating to Civil Unions

Chair Karamatsu and members of the House Judiciary Committee, I am Renee Furuyama, Chair of the Political Action Committee of the National Association of Social Workers (NASW), Hawaii. I am testifying on behalf of NASW in **VERY STRONG SUPPORT of HB 444** which will extend the same rights and responsibilities of spouses to partners in a civil union.

There has been too much discrimination for too long against people who identify themselves as being gay, lesbian, bisexual or transgender. Historically throughout the world, nationally in the news, locally in our streets and in our schools, we hear about or are witness to hate crimes. Discrimination is not only in the form of physical abuse or verbal abuse, but has its most widespread and long lasting effects when policies discriminate and deny a group their civil rights in employment, education, credit, housing and other public accommodations. We must bring an end to this discrimination!

Looking back at the heated atmosphere of past legislative hearings on this topic reinforces the importance of crying out for justice which can only be brought about when policymakers view this bill as a civil rights bill. If we are going to make any progress at all toward ending discrimination and bringing about socioeconomic and political justice for people who currently do not receive equal benefits and privileges, then civil unions is a crucial step in the right direction.

NASW believes that same-gender couples should be afforded the same respect and rights as other-gender couples. Discrimination and prejudice directed against any group is damaging to the well-being of society as a whole.

**NASW strongly supports HB 444.** Please pass this bill.

Thank you.





Legislative Committee  
Democratic Party of Hawaii  
1050 Ala Moana Blvd, D26  
Honolulu, HI 96814

## Testimony in support of HB444 Relating to Civil Unions

To: Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair  
Members of the Committee:

Representatives Belatti, Cabanilla, Carroll, Herkes, Luke, McKelvey, Mizuno,  
Morita, Oshiro, Souki, Tsuji, Wakai, Marumoto and Thielen

Fm: Jo-Ann M. Adams, Member of the Government Operations Subcommittee of the  
Legislative Committee of the Democratic Party of Hawaii

Thank you for the opportunity to testify in support of HB444, which extends the same rights, benefits, protections, and responsibilities of marriage to partners in a civil union.

We appreciate the support given to HB444 by the Speaker, the Judiciary Chair, the 30 additional introducers, and all Representatives who support this bill.

HB444 aligns with President Obama's priorities: "President Obama supports full civil unions that give same-sex couples legal rights and privileges equal to those of married couples."<sup>1</sup>

The Legislative Committee of the Democratic Party of Hawaii considers passage of a civil union bill one of its top priorities. HB444 embodies the essence of Government Operations Resolution 08-04, which reads in pertinent part: "the Democratic Party of Hawai'i supports the institution of civil unions for two people of legal age only as a reasonable step towards full marriage equality for those who wish to enter into such a civil and contractual relationship".

Because Resolution 08-04 supports "the institution of civil unions for two people" regardless of gender, I prefer that HB444 be amended: a) to eliminate subsection (2) of paragraph 2 ("of the same sex as the other partner in the civil union"), and b) to conform paragraph 3 accordingly ("A civil union shall be void if between the following persons: parent and child; grandparent and grandchild; two siblings; aunt or uncle and niece or nephew" and deleting the remainder of paragraph 3). These amendments make HB444 consistent with its definition of civil union as a "union between two individuals".

These two amendments eliminate the gender discrimination in HB444. Without these amendments, HB444 extends the gender discrimination inherent in marriage to civil unions by creating a separate, equally-discriminatory institution limited to same-sexed couples.

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<sup>1</sup> White House website, [http://www.whitehouse.gov/agenda/civil\\_rights/](http://www.whitehouse.gov/agenda/civil_rights/)



# GREGORY HOUSE PROGRAMS

*Hawaii's Statewide HIV/AIDS Housing and Support Services Provider*

**DATE: Thursday, February 05, 2009**

**TIME: 2:00p.m.**

**PLACE: Conference Room 325**

**HB 444**

## **RELATING TO CIVIL UNIONS.**

***Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.***

### **Board of Directors**

David Andreoli  
President

Guy Merola  
Treasurer

Akiko Hayashida  
Secretary

### **Board Members**

Joe Bock

Jaimie Kahale

Cecile Kendrick

Joe O'Mealy

Donald Munro

Gennitt Simons

Les Ueoka

Leighton Yuen

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House  
Judiciary Committee:

Thank you for this opportunity to provide testimony before this committee. My name is Jonathon Berliner, executive director of Gregory House Programs – Hawaii's Statewide HIV/AIDS Housing Organization. I pleased to have the opportunity to express my **support for House Bill 444 - Civil Unions.** I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

The majority of our clients are in same gender relationships, and this House Bill 444 would go a long way to supporting the emotional, mental and physical well-being of many of our clients. It is demeaning and demoralizing to the one group who has little rights afforded them in their relationships.

This unequal treatment that many of our clients experience is unfair and unjust. Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. On behalf of Gregory House Programs and the many clients we serve, I ask that you support HB 444 and appreciate your careful consideration.

Mahalo and Aloha,

Jonathon Berliner  
Executive Director

**Executive Director**  
Jonathon Berliner  
[jontb@gregoryhouse.org](mailto:jontb@gregoryhouse.org)

**House Committee on Judiciary  
HB 444  
Hearing Feb. 4 2009 @ 2:00P.M.  
40 Copies please**

House Judiciary Committee

**To:** Honorable John Riki Karamatsu  
Honorable Ken Ito Vice Chair

**From:** Pastor Virginia Domligan  
Co-Founder The Prayer Center of the Pacific 456-7729

Honorable Chair and members of the House Judiciary Committee, I am Pastor Virginia Domligan I am representing the families **who strongly oppose HB 444.**

In 1998 nearly 70% of the People of Hawaii **affirmed their commitment** to traditional marriage. This is the **heart beat of the majority** of our island people.

When a man and a women unites in Holy Matrimony **they legally receive** the full marriage benefits since the beginning of time this has never changed. There is no benefits to an **unproductive relationship.**

These kinds of relationship fosters confusion, embarrassment and unhappiness and a stigma in children and it effects all of us in society.

By giving the same marriage rights and responsibilities to partners in Civil Unions it gives them the right to **enter in the back door** in this legislative session and then **enter into the front door** for marriage at a later time and date in a form of a Bill for a future legislative session. **Lets not be fooled, we know full well the heart of the People of Hawaii.** Let us never forget our State of Hawaii seal and moto. **The Life of the land is perpetuated in righteousness.**

This bill should have never been birthed it is **deceiving**, full benefits are for traditional marriages **a male and a female.** Can we not learn from pass history that Sodom and Gomorrah was destroyed because of sodomy and homosexuality the city was destroyed with brimstone and fire. **History has found its ruins.**

We cannot subject this generation and the next **who already face** so many challenges the **consequences of a few.**

Rights and responsibilities are for those who are **living according to morality.** **The heart of the majority has not changed.** The People of Hawaii affirm traditional marriages with this comes the full rights and benefits. Civil Union is unacceptable and does, not qualify for the same privileges be courages and follow the ways of our founding Fathers when they served the people of this great nation in truth and morality.

**Michael Golojuch, Lt Col, USAF (Ret)**  
**92-954 Makakilo Drive #71**  
**Kapolei, Hawaii 96707-1340**

**February 3, 2009**

**Representative Jon Riki Karamatsu, Chair**  
**Representative Ken Ito, Vice-Chair**  
**Committee on Judiciary**  
(Chief Clerk's Office Fax: 586-6401)

RE: Testimony in Support of HB 444, Relating to Civil Unions

I am Mike Golojuch and I am on the Board of Directors for Parents, Family, Friends of Lesbian and Gays – Oahu and a past Secretary for Dignity Honolulu, supporting gay and lesbian Catholics. I am testifying in support of HB444, which will a positive step to bring equal rights to our gay and lesbian tax paying citizens.

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 43 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 H.B. No. 444. Thank you for this opportunity to testify.

Sincerely,



Mike Golojuch, Lt Col, USAF (Ret)

# CHRISTIAN VOICE of HAWAII

*Standing for Righteousness in the Public Square*  
Post Office Box 23055 • Honolulu, Hawai'i 96823

## HOUSE JUDICIARY COMMITTEE

**PUBLIC HEARING:**

**FEBRUARY 5, 2009**

**2:00 P.M., CONFERENCE ROOM 325**

## TESTIMONY IN OPPOSITION TO HB 444 – RELATING TO CIVIL UNIONS

CHAIR JON KARAMATSU, VICE-CHAIR TOM BROWER and  
MEMBERS of the HOUSE JUDICIARY COMMITTEE:

Aloha. I offer this testimony today on behalf of Christian Voice of Hawaii, a network of more than 800 ministers from many denominations throughout Hawaii. The network involves pastors and numerous faith-based ministries that are active in providing support services in communities throughout the islands — from homeless shelters, to food distribution, family counseling, medical care, elderly and hospice care, social and spiritual counseling, assisting un-wed mothers, problem pregnancies, child services, education and so forth.

The members of the Christian Voice of Hawaii network hereby register our **OPPOSITION** to **HB 444 – RELATING TO CIVIL UNIONS**.

In 1998, after a drawn-out seven-year battle, the people of Hawaii decisively and conclusively said NO to “same-sex marriage.” The vote to ratify that constitutional amendment emphatically registered the people of Hawaii’s disapproval to altering our traditional and cultural system. The people rejected the notion of re-defining the institution of “marriage” to include “same-sex” couples.

This legislature’s subsequent passage of Reciprocal Beneficiaries provided that civil benefits available to married couples, would be available to many other types of relationships regardless of the sexual or non-sexual nature of that relationship. This includes “same-sex” couples. Since these benefits are already available, and since HB 444 “Relating to Civil Unions” calls for benefits specific to homosexual couples; it is apparent that HB 444 is not really seeking equal benefits, it is seeking official state validation of homosexual partnerships.

HB 444 is really asking you legislators to recognize homosexuality as a specifically protected class of people. HB 444 is really asking you legislators to recognize “same-sex marriage,” only this time around calling it “civil unions.”

The mark of a civilized society is not how much evil and depravity it can tolerate, but how much good it can maintain for the protection and benefit of the society. Pushing for the approval of special rights based on sexual deviancy constitutes a serious erosion of the foundational principles of this society. If you legalize “civil unions” on the basis of homosexual behavior, why not give approval for the “rights” of those who practice other sexual aberrations? How about recognizing and legalizing the “rights” of child molesters? Or recognizing and legalizing the “rights”

of rapists? Should those also be granted special legal standing alongside those who maintain the standards of our society's long-established moral behavior?

Legalizing "civil unions" or any other so-called "rights" based on sexual identity will only serve to further destroy a basic pillar of a wholesome society — the family. Many of Hawaii's families are already seriously dysfunctional from other aberrant behaviors such as drugs and alcohol abuse, domestic violence, sexual promiscuity. Add to that extreme financial pressures, frustration and pop-culture hedonism and the entire society is already in crisis. Legalizing "civil unions" would greatly add to this crisis of societal degradation.

HB 444 is clearly an act of provocation. Because "civil unions" is the same as "same-sex marriage" this issue will be just as highly divisive and volatile. If this committee passes this bill you will once again unleash a firestorm of outrage from the community that will utterly cripple this legislative body, keeping you from the truly urgent matters you should be dealing with this year.

The state's crises in tourism downturn, job losses, foreclosures, falling revenues, homelessness, energy instability, high taxes, education, health care, "ceded lands" and so forth, are much more crucial to your constituents than your getting needlessly bogged down in another pitch battle over an issue that the people of Hawaii decisively addressed over ten years ago.

Please do not waste taxpayer's time and resources by starting another "same-sex marriage" war. We the members of the Christian Voice of Hawaii network urge you the members of this committee to vote NO on HB 444.

Respectfully submitted,



Leon Siu  
Director,  
Christian Voice of Hawaii

***Ua mau ke Eā i ka 'Āina i ka Pono.***  
*The Sovereignty of the Land is perpetuated in Righteousness.*

Strong Opposition to HB444 (Relating to Civil Unions).

Senators,

On behalf of the Hawaii Christian Coalition and our members, we strongly oppose HB444. Since the founding of our great nation, Homosexuality and its lifestyle has been considered immoral and unnatural. We do not understand why some legislators would want to start making this an acceptable behavior in our society today, and greatly alarms our membership. Our members will be contacting all of our friends, neighbors and relatives to inform them of the legislators who support this bill. We urge every legislator to oppose this bill. We cannot confuse our children who are the future leaders of this great nation, that unnatural and immoral behavior is now an acceptable part of society. I don't have to remind you of the vast majority of this State who oppose this lifestyle.

Respectfully,

Garret Hashimoto  
State Chairman, Hawaii Christian Coalition  
garret@hi-christian.com

*League of Women Voters  
49S. Hotel Street  
Suite 413  
Honolulu, Hawaii 96813  
808-531-7448  
[www.lwv-hawaii.com](http://www.lwv-hawaii.com)*

February 3, 2009

To: Chair Karamatsu, Vice Chair Ito,  
and members of the Committee on Judiciary

From: Suzanne Meisenzahl  
Chair of the Women's Health & Safety Committee

Re: HB444 Relating to Civil Unions  
Thursday; February 05, 2009; Room 325; 2:00 p.m.

The League of Women Voters of Hawaii strongly supports HB444, which extends the same rights and responsibilities of spouses to partners in a civil union. Response to a survey of League members several years ago was in overwhelming support of civil unions for gays and lesbians.

This position is a natural extension of the longtime concern for civil rights in the League of Women Voters, which grew out of the women's suffragist movement. Our civil liberties are the cornerstone of our American values.

We strongly urge the recognition of gays and lesbians as valuable citizens of our state and the nation, entitled to all the rights of citizenship, and join the increasing number of states taking such action

We urge your support. Thank you for the opportunity to testify on this bill.



Testifier's Name: Clyde J. Wadsworth, Attorney with a Honolulu law firm and  
a Director of Hawaii Lesbian and Gay Legal Association

Committee: Judiciary

Hearing Date and Time: February 5, 2009, 2:00 p.m.

Measure Number: HB 444

My name is Clyde Wadsworth. I'm an attorney practicing business litigation with a large Honolulu law firm and a director of the Hawai'i Lesbian and Gay Legal Association, a newly forming organization of lesbian and gay lawyers, legal workers and our allies.

My partner and I decided to make this our home in large part because of the gracious, welcoming attitude of Hawai'i's culturally rich and diverse people. The aloha spirit is truly a spirit of inclusiveness—an invitation to share both the benefits and responsibilities of living in this paradise.

The civil unions bill is a natural outgrowth of this spirit. It seeks to remedy a basic inequality in our system that denies gay and lesbian families—and make no mistake about it, we are families in every way that matters—the same rights and responsibilities that protect married couples.

We can't let the forces of intolerance trivialize this issue. We are real people—your brothers, your sisters, your neighbors, your friends, even your lawyers—who feel the daily sting of the state's failure to recognize and protect the dearest, most central relationships in our lives. That is why this is the defining civil rights issue of our generation.

It may not be easy to take the steps necessary to remedy this issue. But make no mistake about its importance. And make no mistake about its urgency. Some may say there will be a better time in the future to address this issue, but if history has taught us anything, it is that there is never a perfect time for advancing the civil rights of political or cultural minorities. And the longer we delay, the more pain loving and committed families will suffer.

The time to enact HB 444 is now.

Thank you for your time and consideration of this important step forward.



House Sergeant at Arms  
Fax 586-6501  
House Judiciary Committee

For: Public Testimony Hearing on Thursday, 2/05/09, 2 pm Room 325

Re: Testimony in Strong Support for HB 444 – relating to Civil Unions

From: Democratic Party of Hawai'i

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for the opportunity to testify before this committee. The Democratic Party of Hawai'i strongly supports HB 444. This testimony is submitted by Douglas Pyle & Rachel Orange, Co-Chairs of the Legislation Committee of the Democratic Party of Hawai'i.

The Democratic Party of Hawai'i supports HB 444 because Civil Unions will correct inequality in current law, and further the values of supporting families, respecting diversity, and protecting all equally under the Law.

The Democratic Party at its 2008 State Convention, with overwhelming support of delegates assembled, declared its support for Civil Unions as a step toward full marriage equality. The Party has adopted resolutions supporting equal marriage rights regardless of sexual orientation, as well as Civil Unions. Both are priority issues this legislative session. HB 444 is an appropriate step toward full equality. We ask for your support and vote in favor of HB 444 relating to Civil Unions.

Respectfully submitted,

Rachel Orange & Douglas Pyle, Co-Chairs  
Legislation Committee of the State Central Committee,  
Democratic Party of Hawai'i

**karamatsu3-Leanne**

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**From:** makosmoon@gmail.com on behalf of Edward M. Johns [ejohns@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 11:06 AM  
**To:** JUDtestimony  
**Subject:** TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS

TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS

To: JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

From: Edward M. Johns, President of Pride Hilo,  
Registered Independent Organization for the University of Hawaii at Hilo

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,

Edward M. Johns  
President, Pride Hilo  
Registered Independent Student Organization of the University of Hawaii at Hilo

Calendar: <http://www2.hawaii.edu/~ejohns/>



# Progressive Democrats of Hawai'i

<http://pd-hawaii.com>

2457 Lamaku Pl, Honolulu, HI 96816

email: [info@pd-hawaii.com](mailto:info@pd-hawaii.com)

tel: 808.265.1334

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February 2, 2009

Relating to HB 444  
Testifying in Support  
On Behalf of  
The Progressive Democrats of Hawai'i

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee,

Mahalo for this opportunity to present testimony in support of House Bill 444 relating to Civil Unions. 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, and 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 tax payers. They are soldiers in our military. They are teachers and lawyers and laborers. Our government expects the same of them as it does of heterosexuals.

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 few rights than a child born of, or adopted by, same-sex couples.

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

Above all, this Civil Unions bill is a step toward creating equality for families, not simply homosexuals or same-sex couples. Please support this bill both upon its own merits, but also as an incremental step toward full equality for same-sex couples and families.

Mahalo for your time and consideration.

Aloha,  
Joshua R. Frost  
1418 Mokuna Pl.  
Honolulu, HI 96816

*Labor and materials for this donated.*

**UNIVERSITY OF HAWAII AT MĀNOA**

LGBT Student Services Office

**TO:** Rep. John Ricky Karamatsu, Chair  
Members, House Committee on the Judiciary  
State Capitol, Room 302

**FROM:** Camaron Miyamoto, Director  
LGBT Student Services  
University of Hawai'i at Mānoa

**DATE:** February 3, 2009

**RE:** **STRONG SUPPORT of HB 444 relating to Civil Unions**

Dear Representative Karamatsu and Members of the House Committee on the Judiciary,

Thank you for this opportunity to testify tonight; my name is Camaron Miyamoto and I serve as a Director of Student Services at the University of Hawaii at Mānoa relating to Student Equity, Excellence and Diversity. While my statement does not represent the official opinion of the university, it reflects my personal and professional opinion as university faculty who witnesses the negative messages sent to the students of Hawaii who are made to believe that they can not hope or dream for marriage, or even the civility of a civil union.

Now is the time for us to seriously take up our responsibilities as citizens and as public servants. We must:

- Safeguard the rights and responsibilities of couples and families
- Strengthen equality and economic justice
- Legislate with fairness for all families

*I ask you, what will your legacy be? As you vote today, will you encourage liberty and justice for all?*

Regardless of any personal beliefs or faith traditions, I implore you to adhere to the tenets of our law, the spirit of letting others live openly with their families and the need to truly value all citizens of our democracy.

Thank you for taking this small step to stand with over 32 legislators who have already signed on to this bill. I ensure you that our future generations will look back and wonder: "What is the big deal?" This is what I continue to hear from our students. Truly, this is not a time to make a big deal about a simple issue. Now is the time for family equality. Please show your support. Please vote in strong support on HB444.

Mahalo for your time.



Camaron Miyamoto

**From:** lcicotello@aol.com  
**Sent:** Wednesday, February 04, 2009 12:14 PM  
**To:** JUDtestimony  
**Subject:** Testimony for House Bill 444, A Bill For An Act Relating to Civil Unions

- Testifier's name with position/title and organization: **Laurie Cicotello of COLAGE (Children of Lesbians and Gays Everywhere)**
- The Committee the comments are directed to: **House Judiciary Committee**
- The date and time of the hearing: **2 p.m., Thursday, February 5, 2009**
- The measure number: **House Bill 444, A Bill For An Act Relating to Civil Unions**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee: 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 House Bill 444 on 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. House Bill 444 would provide the same rights, benefits, protections and responsibilities to partners in civil unions as to those people in traditional marriages.

On February 1, 2009, my parents proudly celebrated their 40th anniversary – in a legal, now same-sex marriage. At Sacred Hearts Catholic Church in Milwaukee in 1969, 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 intensely personal and emotional changes. They are the first couple in the United States to remain legally married following Dainna’s transition.

During the past 25 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. I have had a successful career and even worked as a writer in Governor Linda Lingle’s executive office. Being raised in a nontraditional family has made me a good and moral citizen and allows me a great deal more compassion for all family structures and understanding of cultural differences.

To that end, 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.

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.” Marriage and civil unions, are first and foremost legal contracts and agreements. 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 this legal contract effectively walls them off from the legal system.

There is no way to define the terms, “male,” “female,” “man,” or “woman,” legally or otherwise and no criteria to even 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 Hawaii honor the “Full Faith and Credit” of marriages, civil unions, domestic partnerships or similar legal recognitions between two consenting adults. Mahalo nui loa for your consideration and support of House Bill 444 recognizing Same-Sex Civil Unions.

Laurie Cicotello  
2648 Kuilei St., #C-95  
Honolulu, HI 96826  
[lcicotello@aol.com](mailto:lcicotello@aol.com)  
303.594.8464 (Denver-based cell)

---

Carnations mean admiration, Tulips mean love - what do Roses mean? [Find out now!](#)



Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice-Chair  
Committee on Judiciary  
Da Moms  
Thursday, February 5, 2009

## Support of HB 444 Relating to Civil Unions

Da Moms is a support group for parents of GLBT (gay, lesbian, bisexual, and transgender) persons. We strongly support HB 444, Relating to Civil Unions which would give couples of the same sex the opportunity to enter into state licensed civil unions. My name is Josephine Chang. I am a co-founder of Da Moms. Like many senior citizens, I am a retired public servant, a long-time community volunteer, and a family care-giver. Most important, I am the mother of three sons, and a grandmother. I am thankful that all of my sons are good and productive adults, but especially thankful that my oldest and gay son has successfully coped with the terrible discrimination he faces daily as a gay man.

For a gay person, a gay youth, a gay adult, a gay senior, life is far more difficult and hazardous because of wide-spread discrimination against gays. Many gays live in fear of harm every day just because of who they are. They may try to keep their gayness a secret from those that matter most to them, their parents and siblings, extended family, friends, and co-workers, because they fear rejection or worse, just because of who they are. They are a vulnerable and at-risk population that often goes undetected and underserved by our social services system because they are afraid of discrimination from them too.

Because of discrimination, when parents learn that their son or daughter is gay, they often experience similar fears for their child and themselves. Some parents speak of traumatizing emotional upheavals, family crises, family secrecy, and depression. Parents may withdraw from each other, from their extended families, and their support systems, because they do not know how to cope with the confusion they feel knowing their child is good and does not deserve the discrimination surrounding them. Parents also go into the closet.

Parents often seek outside support for this very personal matter of a gay child, because they are afraid to risk rejection from family and friends. We believe that the best a parent can do for their gay child is to love them unconditionally. However, a parent's love cannot dispel the very real, harmful discrimination in our society. And a parent's voice can often be drowned out by the derogatory messages all around us.

It is for that reason we appeal to you, our lawmakers. The only antidote for unwarranted and harmful discrimination against minorities is leadership from the highest levels. As we have seen, government can contribute to discrimination by passing discriminatory laws that exclude gays, or it can pass laws to include gays and treat them equally. HB 444, by establishing civil unions, will at least provide gay couples, and thereby, their children with the opportunity to have the same rights, benefits, protections, and responsibilities of marriage. While it is a big step in our struggle to end the great human costs of discrimination against gays in our communities, this is

not a complete solution. Gays will remain excluded from actual marriage in our state. Separate but equal still sends a message of second class citizenship.

We all need to recognize that the social, emotional, and family problems caused by discrimination against gays is a problem for all of us. Gays are part of so many families, and extended families. They are among our valued friends, neighbors, co-workers, in every profession and line of work. When we hurt the gay members of our community, we hurt ourselves. For the health and well-being of all of us, and of all families, please kokua and do justice and fairness by passing HB 444. Thank you for this opportunity to testify.

**Chair Karamatsu, Vice-Chair Ito  
Susan Roth co-founder DaMom's  
Judiciary Committee Feb 5, 2009  
HB 444 in support**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

It was about 7 years ago when one of our four children came out to me, "Hey mom, I'm gay". I first considered not telling a soul. That lasted for about 5 minutes. Here I am today, telling all of Hawaii.

As an educator, I began to read books about sexual orientation. As a mom, I shared with other family members and found comfort in my very devote, Catholic father's words, "Don't worry, honey, God doesn't make junk." And as an individual, I began to look at how society would treat this child of ours. I have to admit, I had a lot to learn.

There was no question in our minds of unconditional love for all of our children. I also worried about their personal safety and this concern was intensified for our gay son. I looked and found comfort in my church in supporting the family values of acceptance and hope. My prayers have been answered for all of our grown children, as they are happy, responsible and contributing members of our society. However, even though they each pay taxes, go to work every day and help others in different ways, one of them, our gay son, is not afforded all the benefits that the others enjoy. My heart says society may not be ready for the total acceptance that a parent has for their child, but my head says that now is the time to start giving back the dignity that we must have in order to live the best life we can.

In my research and experience, I have found that sexual orientation is not a choice. We all come programmed in our unique special ways. We are all challenged to treat others, as we would like to be treated. Society's laws help establish what each of us must do to keep order and help the common good. I see the civil union bill as a vehicle for a group of people to find a socially acceptable avenue to build their lives in a happy and fulfilling manner. Civil unions would promote bonded relationships, not promiscuity. The status of the GLBT community would be recognized in a way to lessen discrimination. And we all would take a step forward in respecting all of God's creation.

I ask you for your support of House Bill 444. Let us create a Hawaii that truly welcomes all of its citizens equally. Mahalo for your kokua.



**Kauai Wedding  
Professional Association.  
PO Box 662344  
Lihue, HI 96766**

**WEBSITE**

<http://www.kauaiwedpro.com/>

**BOARD MEMBERS**

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[lasotas@hawaiiilink.net](mailto:lasotas@hawaiiilink.net)

House of Representatives  
25th Legislature, 2009  
State of Hawaii  
Hearing Date: Thursday, February 05, 2009

Attention: The Honorable Jon Riki Karamatsu, Chair, and Ken Ito, Vice Chair,

Speaking in SUPPORT of Bill HB 444

Speaking on behalf of all members of the Kauai Wedding Professional Association who voted in a poll to support this bill, and having taken that poll of all our member companies, in which 100% of all members who voted approved with a yes vote, our association fully supports this bill because it recognizes that we have a responsibility to treat all couples in a similar manner, without discrimination. Offering a Civil Union with the same benefits as heterosexual couples is the right thing to do.

Secondly, with the huge deficit we are facing in Hawaii, this will be a stimulus that attracts more business to all of our members, and to the State in general. It's a good thing for everyone in the state.

Sincerely yours,

Mike Dandurand. President

Kauai Wedding Professional Association.


**JAPANESE AMERICAN CITIZENS LEAGUE**
**HONOLULU CHAPTER**
**P.O. BOX 1291, HONOLULU, HAWAII 96807**
**PHONE: 523-8464**
*Working For A Greater America*
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**HB 444: Relating to Civil Unions**
**Testimony in Support**
**Hearing: Thursday, February 5, 2009 at 2:00 p.m. in Conf. Rm 325**

 To: The Honorable Jon Riki Karamatsu, Chair  
 The Honorable Ken Ito, Vice Chair  
 Members of the Committee on Judiciary

The JACL Hawai'i, Honolulu Chapter strongly supports HB 444, relating to civil unions.

Founded in 1929, the Japanese American Citizens League is the nation's oldest and largest Asian Pacific American Civil Rights organization made up of over 20,000 members. Locally, we are a strong civil rights organization committed to the protection of civil and human rights of all. The Honolulu chapter is a staunch supporter of the human and civil rights of all people, regardless of race, sex, religion, national origin, age, disability, and sexual orientation.

JACL was among many groups who fought relentlessly against the constitutional amendment denying the rights of same-sex individuals to marry. When the Alliance for Traditional Marriage waged an attack on Hawai'i's State Constitution to prohibit same gender marriage, the JACL Honolulu Chapter stood shoulder to shoulder with other civil rights organizations in working the phone banks, talking to voters and taking out advertisements to Protect Our Constitution. JACL also filed an amicus brief on June 2, 1997 arguing against the denial of the right to marriage based upon sexual orientation. The JACL National Council adopted a resolution supporting same-sex marriage in 1994.

We believe that a person involved in a relationship with a person of the same sex should be allowed the same rights and protections as those who are involved in a heterosexual marital relationship. Differential treatment of married couples and persons in a same-sex relationship is both unfair and unjustified.

JACL Hawai'i believes that HB 444 is an incremental step towards extending the litany of rights, benefits, and obligations conferred on married couples, but denied to same-sex couples who cannot legally marry. Therefore, we urge your support of HB 1667.

Sincerely,

 Shawn L.M. Benton  
 President, JACL Hawai'i, Honolulu Chapter  
 Japanese American Citizens League

**HOUSE JUDICIARY COMMITTEE**  
**HB 444 - RELATING TO CIVIL UNIONS**  
2 PM - THURSDAY, FEBRUARY 5, 2009

**TESTIMONY BY JANICE PECHAUER**  
Past President, Save Traditional Marriage '98

My name is Janice Pechauer, Past President of Save Traditional Marriage '98, the coalition formed to pass the Constitutional Amendment preserving traditional marriage.

HB 444 – Relating to Civil Unions subverts the will of Hawaii’s citizens. After many years of Legislative wrangling and judicial intrusion, the Legislature finally allowed the people to decide the issue of homosexual “marriage” via a Constitutional Amendment ballot measure. In 1998 Hawaii’s citizens voted overwhelmingly against homosexual “marriages.” Winning a majority vote in every House District and by a margin of 70% they supported traditional marriage between one woman and one man only. As a trade off, Legislators passed a reciprocal beneficiary law.

Now, apparently, some in the Legislature do not consider those actions final and believe the 30% minority view should prevail. In 2003, 2004, 2007 and now here again in 2009, we have another Legislative effort to allow homosexuals to marry through a sleight of hand “civil union” designation. Passage of HB 444 would eliminate any legal distinction between homosexual civil union marriages and traditional marriage. Except for the marriage license, a civil union would be treated in the same way as a traditional marriage. Supporters have admitted their next goal is to exert pressure to legalize same-sex marriage.

When I lead the grassroots effort to preserve traditional marriage I spoke before forty-two different groups, and a common concern was a fear of homosexual sex being taught in schools. This fear is not unfounded, considering what was happening in our schools then and what has transpired in several states since then.

For example, then I was told that an Ewa high school sex education teacher told students that they needed to try both lifestyles before deciding what they were. At McKinley H.S. homosexuals were invited to speak to students in sex education classes, and in some private preschools, the books "Heather has Two Mommies" and "Daddy's Wedding" were in the classrooms - much to the shock of parents.

Indoctrinating students exists across the country. On March 25, 2000 the Massachusetts Dept. of Education sponsored a workshop for high school students. A description of it can be found at <http://www.massnews.com/maygsa.htm>. Please be advised that the contents are extremely graphic.

“The statewide conference, called "Teach-Out," was sponsored by the Massachusetts Department of Education, the Governor's Commission on Gay and Lesbian Youth, and the Gay,

PAGE TWO: JANICE PECHAUER TESTIMONY

Lesbian and Straight Education Network. Among the goals were to build more Gay/Straight Alliances in Massachusetts and expand homosexual teaching into the lower grades. Scores of gay-friendly teachers and administrators attended. Teenagers and children as young as 12 were encouraged to come from around the state, and many were bussed in from their home districts. Homosexual activists from across the country were also there.”

“To say that the descriptions of workshops and presentations of this state-sponsored event for educators and children are "every parent's nightmare," does not do them justice. It is beyond belief that this could be happening at all. One music teacher who attended out of curiosity said that she could not sleep for several nights afterwards and had nightmares about it.”

If you pass HB 444, parents in Hawaii should be even more concerned and ever more vigilant with what their children will be taught in school, as the pressure is already there to teach homosexual sex to children.

The people of Hawaii strongly expressed their views that marriage is an institution to be protected. Creating counterfeit parallels to marriage, such as civil unions, diminishes the institution of marriage.

Please vote no on HB 444. Mahalo.



# Hawai'i Friends of Civil Rights

P.O. Box 11946  
Honolulu, Hawai'i 96828  
(808) 732-4987

## Officers

Faye Kennedy, Co-Chair

DATE: February 5, 2009

Amy Agbayani, Ph.D., Co-Chair

TO: House Judiciary Committee  
Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair

## Advisory Board

Daphne Barbee-Wooten, Esq.

FROM: Hawai'i Friends of Civil Rights (HFCR)  
Dr Amy Agbayani, Co-Chair

Richard Port

Allicyn Hikida Tasaka

RE:: HB 444 Relating to Civil Unions  
Conference Room 325 - 2 p.m.

Richard Turbin, Esq.

G. Todd Withy, Esq.

The Hawai'i Friends of Civil Rights (HFCR) strongly urges passage of this bill. We consider the issue of civil unions to be one of fundamental, constitutionally protected civil rights. We also regard it as long overdue for our Aloha State that prides itself as a leader on matters of justice and equality for all the diverse members of our community.

## Program Committee

Jo-Ann Adams, Esq.

Sharon Ferguson -Quick

HFCR is a community organization committed to promoting civil rights and building bridges in our Islands and supporting other community groups with similar objectives.

Bettye Jo Harris

Gwendolyn Johnson

Thank you for the opportunity to submit this testimony in strong support of this bill.

Kaethe Kauffman, Ph.D.

Joy Kobashigawa Lewis

John Nichols

Sandra Simms, Esq.

Winifred Simmons, M.D.

Kathryn Takara, Ph.D.

Yoshie Tanabe

R. Carolyn Wilcox





# Life Foundation

## WRITTEN TESTIMONY

House Committee on Judiciary  
Thursday, February 5, 2009  
2:00p.m. in Room 325

FIGHTING AIDS  
IN HAWAII  
AND THE PACIFIC

### HB 444 RELATING TO CIVIL UNIONS

Chairman Karamatsu, Vice Chairman Ito and members of the Committee:

Life Foundation, Hawaii's oldest and largest AIDS organization, would like to be recorded **In support** of this important legislation establishing legal civil unions for same-sex couples.

While the devastating effects of AIDS have not been confined to gay people, it is fair to note that nearly three-quarters of the HIV positive people assisted by Life Foundation over the years have been gay men. This has provided us with a unique vantage point to observe gay couples as they confronted life with or death as a result of AIDS. We have seen how existing laws and practices have prevented gay partners from decision-making related to healthcare and end of life issues and have seen long-term partners excluded from funerals and property dispositions.

As an AIDS organization, we find that our ability to positively impact a person's health related decision making is in direct proportion to the person's self worth. A person who feels empowered and valued will tend to do things that are more-beneficial such as wearing a seat belt, limiting cigarettes, drugs and alcohol and avoiding unsafe sexual practices.

Conversely, a person who is undervalued as an individual and a member of a class will have less self-regard with resulting negative consequences.

We strongly urge establishment of civil unions and the rights they confer because to do so will clearly send the message that no one in Hawaii should be considered less worthy of equal protection by the law and the government. To confer rights on some categories of citizens while leaving others out simply serves to reaffirm the perceived valueless nature of the omitted categories of people. Thank you for your consideration.

Paul S. Groesbeck  
Executive Director

Phone: 853-3234  
Email: [pgroesbeck@lifefoundation.org](mailto:pgroesbeck@lifefoundation.org)

677 ALA MOANA BLVD.  
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[www.lifefoundation.org](http://www.lifefoundation.org)



Testimony from Americans for Democratic Action/Hawaii in support of HB 444 Relating to Civil Unions, submitted by Barbara Polk, Legislative Committee Chair.

TO: Chair John Riki Karamatsu, Vice-Chair Ken Ito and  
Members of the House Judiciary Committee

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

RE: SUPPORT FOR HB444 Relating to Civil Unions

Chair Karamatsu, Vice-Chair Ito and members of the Judiciary Committee. Thank you for the opportunity to testify on this bill.

Americans for Democratic Action/Hawaii has long supported equal rights for all people. At our Annual Meeting on Jan. 31, 2009, we considered and passed unanimously the following Resolution:

WHEREAS: "Each individual's journey through life is unique. Some will make this journey alone, others in loving relationships - maybe in marriage or other forms of commitment. We need to ponder our own choices and try to understand the choices of others. Love has many shapes and colors and is not finite. It cannot be measured or defined in terms of sexual orientation." *(From the Statement of Affirmation and Reconciliation by the Quaker meeting in Aotearoa.)*

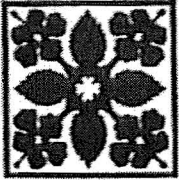
WHEREAS: The Declaration of Independence of the United States of America states: "All men are created equal, endowed by their creator with certain inalienable rights."

THEREFORE: Americans for Democratic Action, Hawaii (ADA/H) concurs with the Lambda Legal Defense and Education Fund: "Because marriage is a basic human right and an individual personal choice,

RESOLVED, the State should not interfere with same-gender couples who choose to marry and share fully an equally in the rights, responsibilities, and commitment of civil marriage."

Yet ADAH recognizes that the current political climate is unfavorable to true and full equality. Therefore a logical step on the path to true equality would be the passage of a civil unions bill granting all rights of marriage without the title.

In light of this position, Americans for Democratic Action/Hawaii urges you to pass HB444.



## Hawai'i Women's Political Caucus

P.O. Box 11946  
Honolulu, Hawai'i 96828  
(808) 732-4987

Faye Kennedy  
*President*

Allicyn Hikida Tasaka  
*Vice President*

Nanci Kreidman  
*Vice President*

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*Director*

Joy Kobashigawa-Lewis  
*Director*

Alice Tucker  
*Director*

A State Chapter of the  
National Women's  
Political Caucus

February 5, 2009

TO: Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice Chair  
And Members of the House Committee on Judiciary

FROM: Faye Kennedy  
President, Hawai'i Women's Political Caucus

RE: HB 444 Relating to Civil Union  
(February 5, 2007 at 2:00 p.m. Room 325)

POSITION: STRONG SUPPORT

Good afternoon Chair Karamatsu, Vice Chair Ito, and Members of the House Committee on Judiciary. My name is Faye Kennedy and I am submitting testimony as President of the Hawai'i Women's Political Caucus in strong support of HB 444 Relating to Civil Union.

HB 908 extends the same rights and responsibilities of spouses to partners in a marriage to partners in a civil union.

Through civil marriage, couples are granted more than 1,000 federal rights, benefits and responsibilities under law, along with hundreds of state level rights and protections. The government uses the legal recognition of civil marriage to grant these rights, which include Social Security survivor benefits, hospital visitation rights and the ability to inherit a spouses' property without being taxed.

"In 1948, 19 years before the Supreme Court's ruling in *Loving v. Virginia*, the California Supreme Court ruled on an interracial case, *Perez v. Lippold*, with a four justice majority affirming the right of interracial marriages. The majority opinion said that each person seeking a license to marry the 'wrong' kind of person, 'finds himself barred by law from marrying the person of his choice and that person to him may be irreplaceable. Human beings are bereft of worth and dignity by a doctrine that would make them as interchangeable as trains.'"   
*(Human Rights Campaign website)*

Hawai'i lawmakers had the courage to pass out the Hawai'i Reciprocal Beneficiaries law which was enacted July 8, 1997. This law provides limited state rights to same gender couples, relatives and friends. At the time of passage, this law represented a commitment to provide substantially similar government rights to those couples who are barred by law from marriage.

HB 444 is the next step for Hawai'i to take to bring equality and justice to people who wish to enter into same gender civil unions.

I urge your Committee to pass this important measure that is long overdue and makes equal rights for same gender couples who enter into civil unions as with heterosexual partners.

Thank you for the opportunity to submit this testimony in strong support of HB 444.



"If more people believed in justice equality would be a reality." Cmg

February 3, 2009

House Judiciary Committee: Chair Karamatsu with entire committee

Thursday, February 5, 2008 - 2 p.m.  
Hawaii State Capitol - Conference Room 325

RE: HB 44 - Civil Unions - SUPPORT

Aloha Chair Karamatsu and entire Judiciary Committee,

My name is Carolyn Martinez Golojuch. I have been married for 44 years to Mike, a retired USAF officer; I am the mother of two adult children; a social worker with a masters degree and trained to stand up for equality and justice for all; besides I am a community organizer and leader as well as being the President of PFLAG-Oahu (Parents, Families and Friends of LGBTIQ children).

Today I address you in support of HB444 because it is a constitutional issue. One example is reflected when Hawaii Supreme Court Judge, Kevin Chang, ruled on December 3, 1996 that the State of Hawai'i had failed to prove its case and that the state did not have a valid reason to deny marriage licenses to the three same-sex couples, and he ordered the state to issue the licenses immediately. However, the Hawai'i State Attorney General's office allowed an appeal, which was granted immediately. Thus our children were denied their equal rights by the minority that applied for the appeal.

This is my 14th year of speaking for social justice. My husband and I have a daughter and a gay son. Most people hear about our gay son. I love both of our children equally but my daughter does not need my constant working for her equal rights because she has always had them. Our son does not have equal rights ONLY because he is gay. Thus, I am before you today asking for the passage of HB444.

Historically here in Hawaii it is apparent that since before 1990, our children have been working for free access to equality in their lives. Here is a partial list of their work for equality:

1. In 1990 3 Hawaii citizens apply for marriage licenses;
2. 1992 State Supreme Court statement: "Isn't it obvious, one judge asked, that male-female couples can go to the Health Department and get licenses, whereas same-sex couples cannot? Isn't that discrimination, pure and simple?"
3. September 1995 Governor, Ben Cayetano established the 2nd Governor's Commission on Sexual Orientation and the Law. <http://www.hawaii.gov/lrb/rpts95/sol/pref.html> which found that state did not have a valid reason to deny marriage licenses to the three same-sex couples, and he ordered the state to issue the licenses immediately. However, the Hawai'i State Attorney General's office requested an appeal, which was granted immediately. The judgment wasn't followed; in less than 24 hours the appeal stopped any licenses.
4. **1997 HB 118 "Reciprocal Beneficiaries"** and would grant a minimal rights package "to those people who are otherwise not able to marry." Bill killed in the Joint Session.
5. **1998** Constitutional Amendment to limit marriage to one man and one woman by the 2<sup>nd</sup> lowest voter turn out to date.
6. **2005 HB 1231:** Civil Unions Bill passed over. even though the most violate
7. 2006 Gov Ben Cayetano "With regard to the separation of church and state, we believe that marriage as a religious institution should be a matter for the various religious groups who perform marriages, while civil partnerships should be controlled by the state governments and open to all who apply."
8. 2-7-07 **HB 908 - Civil Unions Bill passed over.**



**"If more people believed in justice equality would be a reality." Cmg**

All this and more have kept us working for social justice, equality under the law because we believe all human beings should have the right to have their basic needs supplied and have the right to be treated equally, with no discrimination on the basis of age, ethnicity, skin color, race, sexual orientation or gender identity. We oppose any laws that would deprive anyone of equal treatment under the laws and in the work place.

My husband and I along with the membership of PFLAG-Oahu do not live in fear that our marriages would be hurt by our children having equal social justice, freedom to marry who they love because we believe the world needs love now more than ever and that our GLBTIQ children should be covered by the US Constitution to have equal access to the law in every way that our heterosexual is covered.

Please bring justice, equality and freedom to all our children. Anything less is discrimination.

Please pass HB444 for Civil Rights. I would prefer equal marriage rights but for today, please pass HB444 for any resemblance of justice.

Mahalo,

A handwritten signature in cursive script that reads "Carolyn M. Golojuch".

Carolyn Martinez Golojuch, MSW  
Mother of a Gay Son  
President, PFLAG-OAHU



## American Friends Service Committee

### *Hawai'i Area Program*

2426 O'ahu Avenue • Honolulu, HI 96822 • Phone 808/988-6266 • Fax 808/988-4876

Website: [www.afschawaii.org](http://www.afschawaii.org) • Email: [afschawaii@afsc.org](mailto:afschawaii@afsc.org)

Date: February 3, 2009  
To: Rep. Jon Riki Karamatsu, Chair, Rep. Ken Ito, Vice Chair, members of the House Judiciary Committee; Hearing Date 2/5/09, 2pm, Room 325; Transmitted via email: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)  
From: Kyle Kajihiro  
Subject: STRONG SUPPORT for HB444 Civil Unions

Aloha Kakou. Thank you for this opportunity to testify on this very important human rights legislation. The American Friends Service Committee (AFSC) is a Quaker organization that works to promote peace and social justice based on values of nonviolence and equality.

We **strongly support HB444**, a bill to create a class of civil unions that would confer equal rights to same-sex couples as enjoyed by married heterosexual couples.

The AFSC has a long history of standing with oppressed groups in their struggles for justice. During World War II, we assisted persons of Japanese ancestry in Hawai'i who were victims of racist war-time policies that forced many from their homes or into concentration camps. Equal rights for Lesbian, Gay, Bisexual and Transgender persons is one of the foremost civil rights issues of our time.

Sadly, the current marriage laws in Hawai'i, and in most parts of the United States, constitutes an apartheid system, with same-sex couples excluded from basic protections of the law, and LGBT persons relegated to second-class status. I believe that in the future, we will look back upon today's discriminatory and exclusionary policies against LGBT with the same abhorrence we hold for Jim Crow laws and apartheid.

This kind of legalized discrimination has a rippling negative effect in the society by giving "permission" to more overt acts of bigotry. Through AFSC's work with Lesbian, Gay, Bisexual and Transgender (LGBT) youth to create safer schools for all students, we witnessed that anti-gay attitudes and hostility became more accepted and prevalent in the aftermath of the tragic 1998 vote to ban same-sex marriage in Hawai'i.

Now, with HB444, we have a chance to repair some of the harm caused by the divisive campaign a decade ago.

HB444 does not interfere with anyone's religious beliefs or practices, nor does it undermine heterosexual marriage. Leave the sacred act of "marriage" to the domain of personal beliefs and religion. But you, the lawmakers have a duty to ensure equal rights and responsibilities of civil contracts between committed life partners. I urge your support of this bill. Thank you for your consideration.

# Filipino American Citizens League

Jake Manegdeg, President  
P. O. Box 270126 \* Honolulu, Hawai'i 96827

## Testimony in Strong Support of HB 444

House Judiciary Committee

February 5, 2009, 2 p.m.

Hawai'i State Legislature

Conference Room 325

Measure Title: RELATING TO CIVIL UNIONS

Description: Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

To: Honorable Jon Riki Karamatsu, Chair  
Honorable Ken Ito, Vice-Chair  
Honorable House Judiciary Committee Members:  
Rep. Della Au Belatti, Rep. Rida T.R. Cabanilla, Rep. Mele Carroll,  
Rep. Robert N. Herkes, Rep. Sylvia Luke, Rep. Barbara Marumoto,  
Rep. Angus L.K. McKelvey, Rep. John M. Mizuno, Rep. Hermina M. Morita,  
Rep. Blake K. Oshiro, Rep. Joseph M. Souki, Rep. Cynthia Thielen,  
Rep. Cliff Tsuji, Rep. Glenn Wakai

From: Jake Manegdeg, President, Filipino American Citizens League

My name is Jake Manegdeg. I am the president of the Filipino American Citizens League. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

I submit this testimony to strongly support this bill. As a former legislator, father, and grandfather, and church-going community member, I believe, as does our Hawai'i-born President Barack Obama, that our nation and Hawai'i State Legislature, need to support full civil unions that give same-sex couples legal rights and privileges equal to those of married couples.

Thank you for the opportunity to support this bill. I urge you to shepherd this most important civil rights issue to its safe passage. In this day and age, isn't it time to do the right thing?

Very Sincerely,

Jake Manegdeg  
President, Filipino American Citizens League



# **Filipinos for Affirmative Action**

3432 B-1 Kalihi Street: Honolulu, HI 96819

## **TESTIMONY IN STRONG SUPPORT OF HB 444**

House Judiciary Committee  
February 5, 2009, 2 p.m.  
Hawai'i State Legislature  
House Conference Room 325

Measure Title: RELATING TO CIVIL UNIONS

Description: Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

To: Honorable Jon Riki Karamatsu, Chair  
Honorable Ken Ito, Vice-Chair  
Honorable House Judiciary Committee Members:  
Rep. Della Au Belatti, Rep. Rida T.R. Cabanilla, Rep. Mele Carroll, Rep.  
Robert N. Herkes, Rep. Sylvia Luke, Rep. Barbara Marumoto, Rep. Angus  
L.K. McKelvey, Rep. John M. Mizuno, Rep. Hermina M. Morita, Rep. Blake  
K. Oshiro, Rep. Joseph M. Souki, Rep. Cynthia Thielen, Rep. Cliff Tsuji,  
Rep. Glenn Wakai

From: Agnes Malate, Filipinos for Affirmative Action

My name is Agnes Malate. As a member of Filipinos for Affirmative Action, a proponent of civil rights, I submit strong support for HB 444.

We believe that equal rights and responsibilities should be granted to all couples without gender-based discrimination.

Respectfully submitted,

Agnes Malate



**UNIVERSITY OF HAWAII AT MĀNOA**

Women's Center

**TO:** Rep. John Ricky Karamatsu, Chair  
Members, House Committee on the Judiciary  
State Capitol, Room 325

**FROM:** Christine Quemuel, Director  
Women's Center  
University of Hawai'i at Mānoa

**DATE:** February 3, 2009

**RE:** **STRONG SUPPORT of HB 444 relating to Civil Unions**

Dear Representative Karamatsu and Members of the House Committee on the Judiciary,

Thank you for this opportunity to testify tonight; my name is Christine Quemuel and I serve as a Director of the Women's Center. While my statement does not represent the official opinion of the university, it reflects my personal and professional opinion as university faculty.

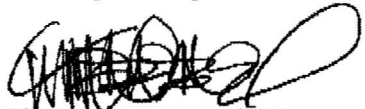
Equal rights and responsibilities should be granted to all couples without gender-based discrimination.

A survey done by QMark in Nov 2007 showed that the majority of Hawai'i residents agreed with the following statements:

- "Committed couples and their families, regardless of their sexual preference or orientation, should have the same rights. That's the bottom line-we should treat people equally." (73%)

Granting equal rights through civil unions in no way impacts marriage and religious communities will always be free to define marriage according to their specific traditions. Families with legal protection are less likely to be a burden on society and children of same sex couples are currently without the same family protections and benefits that are provided to children of opposite sex couples. We need to value all families and all children.

Thank you for your careful consideration and support,



Christine Quemuel, Director

# TEMPLE EMANU-EL

February 4, 2009

Dear Committee Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Peter Schaktman, and I am the rabbi of Temple Emanu-El, Hawai'i's largest and oldest synagogue community. The Temple is a part of the Union for Reform Judaism (URJ), linking it with over 900 other Reform congregations throughout the United States and Canada. I am also a member of the Central Conference of American Rabbis (CCAR), whose roster includes hundreds of Reform rabbis all over the world. I have come to offer testimony to this committee today because I support House Bill 444, and because I believe this bill gives Hawai'i state legislators an historic opportunity to demonstrate their support for families, for communities of faith, and for freedom from unnecessary government intrusion in the lives of our neighbors.

HB 444, as you know, extends to partners in a civil union exactly the same rights, benefits, and protections that come as a matter of course to spouses in a marriage. It also holds such partners to responsibilities similar to those who are married. As a member of the clergy serving a congregational community, it is my sacred calling to strengthen family life in the context of faithful covenants made by individuals with one another, and between such individuals and God. In my synagogue, like a growing number of synagogues, churches, temples and other religious communities, the need for and right to such sacred covenants is not limited to families led by heterosexual couples. Rather, we understand that family life is strengthened – and the lives of children being raised by such families greatly enhanced – when a strong, publicly-validated commitment exists between the heads of the household. Civil unions, to the chagrin of those whose political or religious ideologies lead them to lobby against legislation like HB 444, are unquestionably pro-family, pro-faith, and pro-children. The state of Hawai'i must not sacrifice our families and our keiki on the altar of exclusivist or triumphalist ideologies that disguise themselves as religious faith.

And I am not alone in believing so. The Reform Movement in Judaism has been an advocate of gay and lesbian rights for over 40 years, first calling for human rights for homosexuals and the decriminalization of homosexuality and later affirming our support for civil unions, explicit workplace non-discrimination and civil rights legislation.

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RABBI AVIMAGID  
ANDRE S. TATIBOUJET

z"l - of blessed memory

More recently, both the URJ and the CCAR have adopted resolutions in support of gay and lesbian partnerships. In its 1993 resolution, the URJ resolved, among other things, to call upon congregations to extend the same benefits that are afforded to heterosexual spouses of staff members to homosexual partners of staff members. The CCAR, in its 1996 resolution on gay and lesbian partnerships, resolved to "oppose governmental efforts to ban gay and lesbian marriage." In 1998, the CCAR's Ad Hoc Committee on Human Sexuality issued a report which concluded that "*kedushah* (holiness) may be present in committed same gender relationships between two Jews and that these relationships can serve as the foundation of stable Jewish families, thus adding strength to the Jewish community." The most recent major Reform movement on the issue was the March 2000 passage of the CCAR resolution on "Same Gender Officiation," which held "that the relationship of a Jewish, same gender couple is worthy of affirmation through appropriate Jewish ritual."

As you consider this bill, I ask to consider as well the many couples here in Hawai'i who wish nothing more than to ground their relationship in the most traditional of social institutions, and who, because of misinformation and, in many cases, downright bigotry, cannot currently do. We can do better, much better. Please don't miss this opportunity. Please support HB 444.

Thank you for your hard work on behalf of the people of Hawai'i, and for your consideration of this bill.

Rabbi Peter B. Schaktman  
Temple Emanu-El  
2550 Pali Hwy.  
Honolulu, HI 96817

## karamatsu3-Leanne

---

**From:** lawrence@byuh.edu  
**Sent:** Wednesday, February 04, 2009 2:12 PM  
**Subject:** HB444 (Relating to Civil Unions)

### Testimony in opposition to HB444 (Relating to Civil Unions)

**Name:** Eugenia Lawrence  
**Title:** Assistant Director of Human Resource Services  
**Organization:** Brigham Young University Hawaii

To the House of Judiciary Committee Members and Senate Judiciary Committee Members:

***My testimony is in opposition to HB444 (Relating to Civil Unions).*** I ask that you oppose this bill.

"**THE FAMILY: A Proclamation to the World**", a document written by the First Presidency and the Council of the Twelve Apostles of The Church of Jesus Christ of Latter-Day Saints, gives the following counsel:

***"... we warn that the disintegration of the family will bring upon individuals, communities, and nations the calamities foretold by ancient and modern prophets.***

***We call upon responsible citizens and officers of government everywhere to promote those measures designed to maintain and strengthen the family as the fundamental unit of society."***

I believe the traditional family unit to be the main fabric that holds society and this nation together. The Constitution of the United States allows us all specific freedoms and rights. The amendment has been changed from time to time to accommodate specific and significant changes in our society both on a National and State level. This is not one of those changes that should be sought after.

I ask that you uphold the sanctity of marriage as it was made long before our time and by our forefathers who were wise, that marriage should be recognized between a man and a woman. Those who believe different or choose otherwise as in the Civil Union issue is by choice. We will not infringe upon their freedoms or beliefs however they should not be allowed the same privileges and/or benefits as marriages between a man and woman.

I strongly believe that a marriage between a man and woman is the fundamental unit of society that will keep this Nation and State strong. Take that away, what have you then?

Thank you for your time and consideration. Again, I ask that you oppose HB444 (Relating to Civil Unions)



## THE LEAGUE OF WOMEN VOTERS OF HAWAII

### TESTIMONY ON HB444 RELATING TO CIVIL UNIONS

Committee on Judiciary  
Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair  
Thursday February 5, 2009, 2:00 p.m.  
Conference Room 325

Testifier: Jean Aoki, LWVHI Legislative Liason

Chair Karamatsu, Vice Chair Ito, members of the Committee on Judiciary,

The League of Women Voters of Hawaii supports HB 444 Relating to civil unions.

We believe that scientific evidence points to the determination of sexual orientation as a natural state and not a matter of choice. Another convincing argument is that, given the obstacles confronting gays and lesbians in the market place for employment opportunities, home purchase and rentals, military service, child adoption and all of the other rights heterosexuals enjoy in general, why would anyone choose a lifestyle which only invites discrimination.

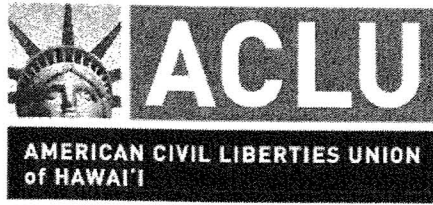
Throughout the two-hundred and plus years of our country's history, many prejudices and discriminations have, if too slowly, been overcome and the equal rights of all United States citizens been accepted although not perfectly, except as it pertains to gays and lesbians. This is especially true among older citizens who were brought up with the negative stereotypes passed on to them by their parents at a time when little was understood about the causes of a different sexual orientation and there was very little social interaction between the two groups, interaction which might have changed the negative perceptions harbored by the average straight citizen.

49 South Hotel Street, Room 314, Honolulu, Hawaii 986813 Ph. (808) 531-7448 Fax (808) 599-5669  
Website: [www.lwv-hawaii.com](http://www.lwv-hawaii.com) email: [voters@lwv-hawaii.com](mailto:voters@lwv-hawaii.com)

The "coming out" of more and more members of the gay and lesbian community, extending to individuals in high government office and to members of the media, has been very helpful, we believe, in focusing people's attention to the similarities between individuals in the two groups --- same facial features, same ambitions, same intelligence, same values, same differences between individuals in the respective groups and more. And with interaction comes understanding and acceptance.

Recognizing civil unions as a union of two individuals of the same gender, with the clarifications in this bill that negate the oft-repeated possible corruptive influences of such a law as a father entering such a union with his daughter, etc., will bring more normality into the lives of gays and lesbians. It gives them better foundations for planning for and building long-term relationships.

As we help improve the well-being of each individual, each couple and each family in our society, we are paving the way for a united and prosperous state, and a strong, healthy nation.



VIA EMAIL: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

Committee: Committee on Judiciary

Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.

Place: State Capitol, Conference Room 325

Re: *Testimony of the ACLU of Hawaii in Support of H.B. 444,  
Relating to Civil Unions*

Dear Chair Karamatsu and members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.B. 444, Relating to Civil Unions because it represents a substantial step forward toward ensuring that gay and lesbian 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 the House who, by sponsoring or supporting this bill, have recognized that it is just and appropriate to extend more protections to lesbian and gay couples than those currently provided under Hawaii law. H.B. 444 will further extend rights to gay and lesbian 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. Additionally, the law does not require that private employers offer health benefits to same-sex couples. The law further fails to protect members of a same-sex couple in the event the couples chooses to separate — there are no provisions in the law for judicial dissolution of the relationship or for spousal support.

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 lesbian and gay 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 lesbian and gay 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 Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)



Chair Karamatsu, Committee on Judiciary  
and Members Thereof  
February 5, 2009  
Page 2 of 2

- **Technical Observations and Suggestions for the Language of H.B. 444**

As currently drafted, H.B. 444 may inadvertently prohibit those couples who have entered into valid civil unions or marriage in another jurisdiction from entering into a civil union in Hawaii. We suggest that the following language be added to the end of §-2(1) "with anyone other than his or her intended civil union partner."

Additionally, we believe that the exemption provided in proposed §-4(b), *i.e.*, that no clergy member shall be required to perform religious solemnization of a civil union, should be clarified to ensure that the exemption does not apply to public servants authorized to perform solemnizations.

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,  
Jeffrey Hong  
Member of the ACLU of Hawaii Legislative Committee

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)





# Nursing Advocates & Mentors, Inc.

... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.

P.O. Box 2034 Aiea, HI 96701  
E-mail: [bramosrazon@aol.com](mailto:bramosrazon@aol.com)

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FACDONA  
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## TESTIMONY IN STRONG SUPPORT OF HB 814

House Judiciary Committee

February 5, 2009, 2 p.m.

Hawai'i State Legislature | Conference Rm. 325

Measure Title: RELATING TO CIVIL UNIONS

Description: Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

To: Hon. Jon Riki Karamatsu, Chair & Hon. Ken Ito, Vice-Chair  
Hon. House Judiciary Committee Members

From: Beatrice Ramos-Razon, RN, FACDONA  
President, Nursing Advocates and Mentors, Inc. (NAMI)

My name is Beatrice Ramos Razon. As the founder and president of NAMI (Nursing Advocates & Mentors, Inc.), we are in strong support of this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people by addressing not only a statewide, but worldwide nursing shortage through the training and mentoring of foreign medical graduate nurses, many of whom come from underprivileged backgrounds, to pass Hawai'i's nurses board exams.

As professional nurses, we are committed by oath to serve all people, and to advocate for the civil rights of all people. As nurses, we have the ethical obligation and intellectual duty to discern our personal beliefs that may differ from that of the general public, and not let that impede us from providing health care services to all who need it. Likewise, when it comes to legislative matters, I hope that you, our lawmakers, will discern the same to protect the civil rights of all people, and not discriminate who is, and who is not entitled, to the rights and privileges of couples.

Please vote yes to this civil union bill. Thank you for hearing this important bill, and for the opportunity to provide testimony in strong support.

Sincerely,

Beatrice Ramos-Razon, RN, FACDONA  
President, Nursing Advocates and Mentors, Inc.

## karamatsu3-Leanne

---

**From:** Wendy Vaka [vakaw@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 3:05 PM  
**To:** JUDtestimony  
**Cc:** Rep. Jon Karamatsu; Rep. Ken Ito; Sen. Brian Taniguchi; Sen. Mike Gabbard; Sen. Dwight Takamine; Rep. Cynthia Thielen  
**Subject:** Measure HB444

Name

**From:** Wendy Vaka, Manager - Regulated & Restricted Accounting, Brigham Young University - Hawaii

**To:** House Judiciary Committee Members, Senate Judiciary Committee Members

**Date & Time of Hearing:** February 5, 2009 , 2:00 p.m.

**Measure number :** HB444 (Relating to Civil Unions)

I wish to voice my opinion on the new measure coming up for Civil Unions. I do not feel that this is good for the state. The people have already spoken about same sex marriage in 1998. We voted to ban same sex marriage. Civil Unions is just another word for same sex marriage and it undermines the sanctity of marriage and family that is so important in this state. Family is the foundation for the civilization amongst Hawaiians and all other Polynesian groups which are so prevalent here in this state. The only way families can progress is through the legal bonds of marriage. If you add civil unions as an option for young people, then they get very confused. It also undermines the sacred obligations that exist in marriage. Whereas marriage and family is a sacrifice and a selfless way of life, civil unions are focused on selfish means. Civil Unions are focusing on what they can get out of the government if they are considered "Married." Marriage is not just a legal document; it is something much more than that. I do not feel that this is right for our population here in Hawaii and I urge all committee members to seriously consider my remarks and vote AGAINST Civil Unions. We should be looking into ways we can adjust our economy, not ways to break up our society!!

Wendy Vaka, Regulated and Restricted Acctg

BYUH Box 1955

55-220 Kulanui St.

Laie, HI 96762

808-675-3314

## Testimony

Testifying: Social Justice Council of First Unitarian Church of Honolulu  
2500 Pali Highway  
Honolulu, HI 96817  
Email to: uusocialjusticehnl@live.com

To: House Judiciary Committee

Hearing Date: February 5, 2009 at 2 pm Conference Room 325

Bill: Supporting HB 444

---

Chair Karamatsu, Vice-Chair Ito, and members of the Judiciary Committee:

I am \_\_\_\_\_, a member of the elected Social Justice Council of the First Unitarian Church of Honolulu.

We urge you to support HB 444 to establish civil unions, and to support other measures to establish the rights of same gender marriage.

We are empowered by our congregation to ask for your support by this resolution first adopted by our congregation in 1991 and reaffirmed continually since then.

“Resolution on Freedom of Religion as pertaining to the  
**RIGHT OF SAME GENDER MARRIAGES**

WHEREAS: The First Unitarian Church of Honolulu covenants to affirm and promote the inherent worth and dignity of every person as well as his or her right of conscience; and

WHEREAS: The First Unitarian Church of Honolulu (as well as other churches) offers congregational and ministerial support for services uniting couples in marriage without discrimination on the basis of gender, including and without prejudice against same gender couples; and

WHEREAS: the right of a couple (regardless of gender) to live in a state of

marriage is a fundamental right of conscience deserving to be honored and celebrated for its profound spiritual and religious significance to the participants; and

WHEREAS: the right of this church to celebrate and participate in honoring such marriages, by authorizing its ministers to conduct, celebrate and officially witness such taking in marriage, is a fundamental religious right; and

WHEREAS: same-gender marriages currently go unrecognized by government, and are actively undermined by such disregard as well as by laws, restrictions and practices that, for example, deny property rights of married couples to same-gender couples, deny rights of mutual responsibility (such as family insurance rights, visitation rights or rights to make medical decisions for same-gender spouses, etc.), and many other rights necessary to sustain a family couple;

THEREFORE BE IT RESOLVED: that the congregation of The First Unitarian Church of Honolulu encourages the state of Hawaii to license and legally recognize marriages without discrimination on the basis of gender, including and without prejudice against same-gender marriages; and

BE IT FURTHER RESOLVED: that this congregation supports equal recognition and provision of laws, services, privileges, rights, etc. by cities, counties, and the United States Government due all marriages and married couples, without discrimination on the basis of gender.

Passed: 2 June 1991

Reaffirmed: 12/02/07"

Thank you for the opportunity to testify in support of HB 444.

VIA EMAIL: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

Committee: Committee on Judiciary

Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.

Place: State Capitol, Conference Room 325

Re: Testimony of Barbara Ankersmit in Support of H.B. 444,  
Relating to Civil Unions

Dear Chair Karamatsu and members of the Committee on Judiciary:

I write in support of H.B. 444, Relating to Civil Unions because it represents a substantial step forward toward ensuring that gay and lesbian couples are afforded equal treatment under the law.

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

I strongly commend those members of the House who, by sponsoring or supporting this bill, have recognized that it is just and appropriate to extend more protections to lesbian and gay couples than those currently provided under Hawaii law.

H.B. 444 will further extend rights to gay and lesbian couples in several significant ways:

- Current Hawaii law does not permit same-sex couples to adopt jointly a child in a single court proceeding
- Current Hawaii law does not require that private employers offer health benefits to same-sex couples
- Current Hawaii law fails to protect members of a same-sex couple in the event the couples chooses to separate — there are no provisions for judicial dissolution of the relationship or for spousal support.

I support the current bill; however, I want to be clear that an ultimate goal is to obtain full marriage equality for same-gender 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 lesbian and gay couples. History has taught us that separate is never truly equal. I will continue to work with the Legislature and advocate for full marriage equality in the future.

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

Chair Karamatsu, Committee on Judiciary  
and Members Thereof  
February 5, 2009  
Page 2 of 2

Thank you for this opportunity to testify.

Sincerely,

Barbara Ankersmit  
President  
ACLU of Hawaii  
1570 Uluhao Street  
Kailua, Hawaii 96734

VIA EMAIL: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

Committee: Committee on Judiciary

Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.

Place: State Capitol, Conference Room 325

Re: Testimony of Gail P. Gnazzo, M.S. in Support of H.B. 444,  
Relating to Civil Unions

Dear Chair Karamatsu and members of the Committee on Judiciary:

I write in support of H.B. 444, Relating to Civil Unions because it represents a substantial step forward toward ensuring that gay and lesbian couples are afforded equal treatment under the law.

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

I commend those members of the House who, by sponsoring or supporting this bill, have recognized that it is just and appropriate to extend more protections to lesbian and gay couples than those currently provided under Hawaii law. H.B. 444 will further extend rights to gay and lesbian 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. Additionally,
- the law does not require that private employers offer health benefits to same-sex couples.
- The law further 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 spousal support.

I strongly support the current bill; however, I want to be clear that the ultimate goal is to obtain full marriage equality for lesbian and gay 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 lesbian and gay couples. As history has taught us, separate is never truly equal. I will continue to press the Legislature for full marriage equality in the future.

Thank you for this opportunity to testify.

Sincerely,

Gail P. Gnazzo, M.S.  
ACLU Board of Directors  
Legislative Committee

19 Ohia Lehua Place  
Makawao, Hi. 96768

February 4, 2009

Committee: Committee on Judiciary  
Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.  
Place: State Capitol, Conference Room 325  
Re: Testimony of Sheryl L. Nicholson in Support of H.B. 444,  
Relating to Civil Unions

Dear Chair Karamatsu and Members of the Committee on Judiciary:

As a member of the ACLU of Hawai'i Legislative Committee, I write in strong support of H.B. 444, Relating to Civil Unions.

By conferring on partners to a civil union all of the same rights, benefits, protections and responsibilities of couples married under Hawai'i law, HB 444 is 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 444 would correct these and other inequities.

Admittedly, the bill does not go 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, and as history has taught us, separate is not the equivalent of equal. Full marriage equality should remain our collective objective.

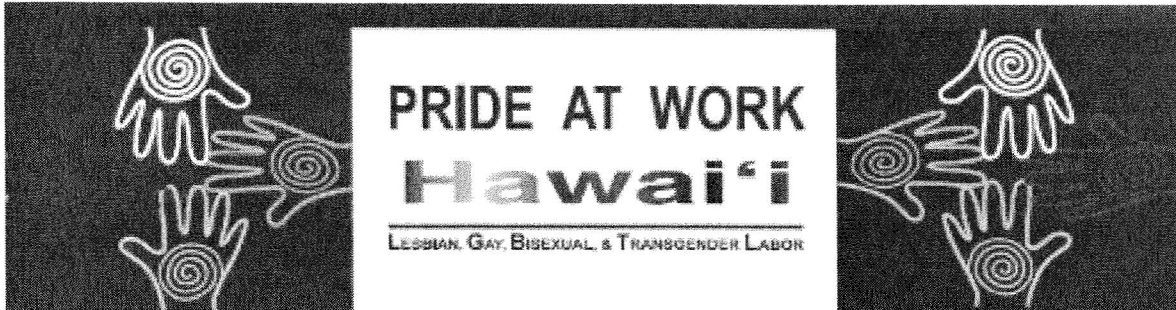
In the meantime, HB 444 is a vitally important step toward that objective.

Thank you for this opportunity to testify.

Sincerely,

Sheryl L. Nicholson, Esq,  
1001 Bishop Street, Suite 1300  
Honolulu, Hawai'i 96813  
Tel.: (808) 524-1212





PO Box 22416 Honolulu, HI 96822  
(808) 543-6054  
*prideatworkhawaii@hawaiiantel.net*  
*www.hawaflcio.org/PAWHI*

February 5, 2009

Hawaii State House of Representatives  
Committee on Judiciary  
Chair, Rep. Karamatsu  
Vice Chair, Rep. Ito

Testimony in favor of H.B. 444 – CIVIL UNIONS

Pride At Work Hawai'i, an affiliate of the Hawai'i State AFL-CIO whose mission is 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 H.B. 444. As drafted, the bill would create civil unions for same-sex couples in Hawai'i, providing all the rights, benefits, and responsibilities of marriage.

Historically, labor support for the rights of LGBT workers began to grow in the 1970s as they began to come out, get involved in their unions, 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 - had the same needs as they did: 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, Hawai'i's labor movement has taken up the issue 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 unions which Pride At Work Hawai'i's officers belong to - the Musicians' Association of Hawai'i, HGEA, and UNITE HERE Local 5 - have all endorsed civil unions.

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 have joined the latest 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.”

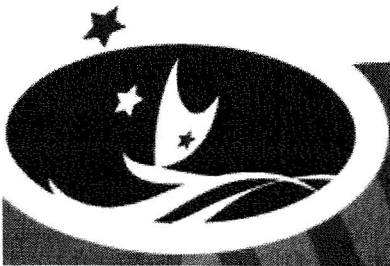
The labor movement knows that same-sex couples are devoted to each other and love their families, and that without official recognition, they are left vulnerable. In these difficult and uncertain economic times, it is more important than ever to give all workers a fair shake as they struggle to provide 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 H.B. 444. On behalf of all LGBT workers in Hawai'i, and their families, we hope you will support this bill.

Respectfully submitted,

Steve Dinion, President

Wayne Akana, Vice President



WOMEN'S CAUCUS

DEMOCRATIC PARTY OF HAWAII

Hawai'i State Democratic Women's Caucus 1050 Ala Moana Blvd #D-26, Honolulu, HI 96814 Email: [hidemocraticwomenscaucus@yahoo.com](mailto:hidemocraticwomenscaucus@yahoo.com)

February 5, 2009

To: Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair and  
Members of the House Committee on Judiciary

From: Jeanne Ohta, Chair of Legislative Committee, Hawai'i State Democratic Women's Caucus

Re: HB 444 RELATING TO CIVIL UNIONS  
(2:00 p.m., Thursday, February 5, 2009, Room 325)

Position: STRONG SUPPORT

Thank you for hearing this bill and for allowing me to present testimony today, in strong support of HB 444 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. HB 444 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 HB 444 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.

**Hawai'i HIV/AIDS Community Planning Group  
C/O Hawaii Department of Health, STD/AIDS Prevention Branch  
3627 Kilauea Avenue, Room 305  
Honolulu, Hawaii 96816**

**DATE: Thursday, February 05, 2009**

**TIME: 2:00p.m.**

**PLACE: Conference Room 325**

**House Bill 444**

**RELATING TO CIVIL UNIONS.**

**Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to provide testimony before this committee. My name is Jon Berliner and I am providing this testimony on behalf of the Hawaii HIV/AIDS Community Planning Group - Steering Committee, of which I'm a member and serve as one of the Community Co-Chairs. At our Steering Committee meeting today, Wednesday, February 4, 2009, we voted to authorize me to submit this testimony on behalf of the Steering Committee of the Hawaii HIV/AIDS Community Planning Group (CPG). The CPG Steering Committee oversees the vision and direction of community planning around prevention and care services for HIV/AIDS/STD's, and in turn advising the Hawaii Department of Health on these services.

We are pleased to have the opportunity to express our **support for House Bill 444 - Civil Unions**. We believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

Many persons served through HIV/AIDS care and prevention services are impacted by this legislation. Allowing Civil Unions to same gender relationships would go a long way to supporting the emotional, mental and physical well-being of many of the consumers of HIV/AIDS care and prevention services, thus eliminating one of the stigmas this bill would result in. It is demeaning and demoralizing to the one group who has little rights afforded them in their relationships.

The current unequal treatment that a large population experiences is unfair and unjust, when compared to opposite sex couples who enjoy many additional rights with marriage. Civil Unions are supported by the majority of the public. 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. On behalf of the Steering Committee of the Hawaii HIV/AIDS Community Planning Group and the many people served through these services, we respectfully ask that you support HB 444 and appreciate your careful consideration of this important issue.

Mahalo and Aloha,  
Jonathon Berliner, Community Co-Chair

VIA EMAIL: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

Committee: Committee on Judiciary

Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.

Place: State Capitol, Conference Room 325

Re: Testimony of Esther Solomon in Support of H.B. 444,  
Relating to Civil Unions

Dear Chair Karamatsu and members of the Committee on Judiciary:

I write in support of H.B. 444, Relating to Civil Unions because it represents a substantial step forward toward ensuring that gay and lesbian couples are afforded equal treatment under the law.

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

I commend those members of the House who, by sponsoring or supporting this bill, have recognized that it is just and appropriate to extend more protections to lesbian and gay couples than those currently provided under Hawaii law. H.B. 444 will further extend rights to gay and lesbian 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. Additionally, the law does not require that private employers offer health benefits to same-sex couples. The law further 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 spousal support.

I strongly support the current bill; however, I want to be clear that our ultimate goal is to obtain full marriage equality for lesbian and gay 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 lesbian and gay couples. As history has taught us, separate is never truly equal. I will continue to press the Legislature for full marriage equality in the future.

Thank you for this opportunity to testify.

Sincerely,

Esther Solomon

ACLU of Hawaii Legislative Committee

6514 Kalama Road

Kapaa, Hawaii 96746

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

## karamatsu3-Leanne

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**From:** preslocal677@aol.com  
**Sent:** Wednesday, February 04, 2009 10:45 PM  
**To:** JUDtestimony  
**Subject:** Testimony for JUD 2/5/2009 2:00:00 PM HB444

Testimony for JUD 2/5/2009 2:00:00 PM HB444

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Brien Matson  
Organization: Musician's Association of Hawaii Local 677  
Address: 949 Kapiolani Blvd Honolulu, HI 96814  
Phone: (808) 596-2121  
E-mail: [preslocal677@aol.com](mailto:preslocal677@aol.com)  
Submitted on: 2/4/2009

Comment s:  
Hawaii House Committee on the Judiciary  
Chair Jon Riki Karamatsu  
Vice Chair Ken Ito  
Right Honorable Members of the JUD Committee

I strongly support House Bill 444 Relating to Civil Unions. It is co-sponsored by 32 House Members and is bi-partisan in nature.

I suggest that the adoption of House Bill 444 will positively impact Hawaii by affording people in non-traditional relationships the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union, and would also recognize civil unions, domestic partnerships, and same-sex marriages performed in other states as civil unions here.

As an officer of a Labor union, I suggest that the adoption of House Bill 444 will be another step forward in ridding our State and our Country of lingering discrimination against a segment of our population, which will lead to greater harmony in the workplace, and a more equitable community for all types of families.

To further show my support of HB444, and to illustrate that my National Organization is in support of equality for all on a Federal level, I would like to include a resolution Passed in 2007 at the American Federation of Musicians' International convention. Although the subject of the AFM resolution is different (marriage/civil union), it is plain that the spirit of support for the end of a type of gender/ lifestyle discrimination is in synch with HB 444.

*Resolution in support of same-sex marriage  
Passed, 2007 Convention, American Federation of Musicians*

*WHEREAS, The primary declaration of Mission Statement of the AFM identifies our collective objective to bring the forces of the AFM to bear so that "We can live and work in dignity;" and*



*WHEREAS, The Mission Statement of the AFM states, in part, that we must commit to “Treating each other with respect and dignity without regard to ethnicity, creed, sex, age, disability, citizenship, sexual orientation, marital status, family status, or national origin;” and*

*WHEREAS, Every class described above except one is protected under U.S. federal law, and*

*WHEREAS, The Mission Statement of the AFM directs us to “Build coalitions and act in solidarity with other organizations that share our concern for social and economic justice;” and*

*WHEREAS, Implied within these objectives is the imperative to lend political support to those classes relegated to second-class status; and*

*WHEREAS, Our members are affected by this second class status, as members of society as a whole; therefore be it*

*RESOLVED, That the 97th Convention of the American Federation of Musicians calls upon the United States Congress to enact a law, binding on all states, establishing the right of same-sex couples to enter into marriage under civil law, and thereby entitle such couples to the same benefits and obligations of marriage as are afforded to opposite-sex married couples; and be it further*

*RESOLVED, To direct the International President’s office to develop, coordinate and implement a plan to communicate the intent of this Resolution to all U.S. Senators and Representatives prior to the next session of Congress.*

I thank the Committee and the co-sponsors of the legislation who also sit on the Judiciary Committee and recommend that HB 444 be reported out to the full House for adoption in the highest spirit of urgency.

Thank you for this opportunity to provide testimony in support of House Bill 444 Relating to Civil Unions.

Sincerely,

Brien Matson  
President  
Musicians’ Association of Hawaii Local 677

---

~~Garnations mean admiration, Tulips mean love – what do Roses mean? [Find out now!](#)~~

## PRO-FAMILY HAWAII

P.O. Box 25158  
Honolulu, Hawaii 96825

Phone and Fax: (808) 396-6569

Feb. 5, 2009

Testimony for House Judiciary  
Feb. 5 at 2 p.m. in Room 325  
on HB444

Pro-Family Hawaii is adamantly opposed to H.B.444. Civil unions are neither civil nor unions.

It is an affront to marriage and it is not moral nor legal in a society.

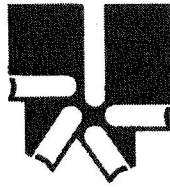
Unfortunately, legislators do not understand civil unions leads to marriages, then leads to demanding recognition of this homosexual/lesbian existence in the schools, where early recruiting is done. History books have to be rewritten, the gays demand when in power.

It is in one word: evil. We have to face God if we approve such evil in the islands.

Please kill this H.B. 444.

Submitted by: Daniel P. McGivern  
President





House Judiciary Committee  
February 5, 2009  
2:00 p.m.

**H.B. 444 an Act Relating to Civil Unions**

The University of Hawaii Professional Assembly supports the passage of H.B. 444 that will advance equal rights for all individuals and their families by recognizing civil unions between same sex partners.

UHPA has committed to ensuring that its members and their families are afforded legal rights that advance their security and protection without reference to their sexual orientation. UHPA has a history of negotiating non-discrimination policies and supporting reciprocal partner legislation.

H.B. 444 continues the momentum to provide equal protection under Hawaii law for all citizens.

Respectfully Submitted,

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>



## Advocates For Consumer Rights

*Working for Hawaii's consumers since 1994*

Scott Foster, Communications Director

808- 988-0555 <fosters005@hawaii.rr.com>

### **TESTIMONY FOR THE COMMITTEE ON JUDICIARY**

#### **Re: HB 444 "RELATING TO CIVIL UNIONS"**

Rep. Jon Riki Karamatsu, Chair

Rep. Ken Ito, Vice Chair

Thursday, February 05, 2009

2:00 p.m.

Conference Room 325

State Capitol

415 South Beretania Street

Aloha Representatives,

Advocates For Consumer Rights and it's over 6,000 state-wide members support HB 444. We take this position because the Constitution of the United States guarentees "equal treatment under the law" for all our citizens. In Hawai'i we would add, "because it is pono; because it is righteous."

For the House Democratic Majority, the 2008 National Democratic Party Platform states:

1) "Democrats will fight to end discrimination based on race, sex, ethnicity, national origin, language, religion, sexual orientation, gender identity, age, and disability in every corner of our country, because that's the America we believe in." and "We support the full inclusion of all families, including same-sex couples, in the life of our nation, and support equal responsibility, benefits, and protections."

Article-9B of the General Laws of the Democratic Party of Hawaii reads, "Discrimination on the basis of race, sex, sexual orientation, gender identity, age, color, national origin, religion, ethnic identity, disability, or economic status in the conduct of the business of the Democratic Party of Hawai'i is prohibited."

Thank you for considering our testimony.

Sincerely,

/s/

Scott Foster

*Peace is a daily, a weekly, a monthly process, gradually changing opinions, slowly eroding old barriers, quietly building new structures. -- John Fitzgerald Kennedy*

## karamatsu3-Leanne

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**From:** Gary Bradley [gary@islandindoor.com]  
**Sent:** Monday, February 02, 2009 2:38 PM  
**To:** JUDtestimony  
**Cc:** paul.perry11@fleet.defence.gov.au  
**Subject:** HB 444 - Judiciary Committee


Aloha, my name is Gary Bradley. I do sales and marketing for Gatorade, my territory is Waikiki, Maui, Hilo, Kauai. I'm also Vice President of my condo association & Acting Resident Manager for our building as well. We own our condo in Waikiki and we are very proud to be residents of Hawaii. My Significant other, Paul Perry, runs our advertising company and other things.

Hawaii now has an opportunity to take an important step in the movement toward fairness. A proposal now being considered by House Judiciary Committee creates "civil unions" in our state, allowing all couples (including same-sex couples) to enjoy the legal protections and responsibilities of marriage.

Recognizing civil unions serves one of the primary functions of government – to ensure equal access to basic rights for ALL citizens. The leaders of Hawaii must act immediately to ensure that all families in Hawaii have the basic legal protections.

We appreciate your time and please support House Bill 444. By the way, we filed with the Director of Health, State of Hawaii for Reciprocal Beneficiary Relationship and received a document indicating such. It'd be nice to have a civil union and equal rights in the Aloha State.

Mahalo~  
Gary Bradley & Paul Perry  
435 Walina St. #1004  
Honolulu, HI 96815  
*write:* [gary@islandindoor.com](mailto:gary@islandindoor.com)  
*ring:* 808.753.1002

 Before printing this e-mail think if it is necessary. Think Green!

**karamatsu3-Leanne**

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**From:** John Bickel [jbickel15@yahoo.com]  
**Sent:** Monday, February 02, 2009 3:00 PM  
**To:** JUDtestimony  
**Subject:** HB444

Testimony of John Bickel

2415 Ala Wai Blvd. 901

Honolulu, HI 96815

for

House Judiciary Committee

JUDtestimony@capitol.hawaii.gov

Thursday, 2/5/09, at 2 p.m.

Conference Room 325

**In favor of HB 444**

As a history teacher, I recognize the greatest advancement in values during the Enlightenment was the move toward equality. That shift is most evident in Jefferson's words in the "Declaration of Independence" where he states that all men are created equal and endowed by their Creator with certain inalienable rights. America has made great strides toward equality with regard to women and ethnic minorities. It is time that we do the same for gay men and lesbian women. Full equality would involve full marriage rights. Unfortunately our society does not seem ready for that yet. However, even conservatives such as Sarah Palin admit that it is time for full benefits such as those in the civil union bill, HB 444.

For those who have religious objections to such a bill, I would remind them of two points. The first is that Jesus never condemned behavior. He condemned hate. He touted love. Does not love make a marriage? Second is that in history most marriage contracts were property contracts and not religious sacraments. Even in Christian society, the sanctity of opposite-sex marriages is inconsistent. See the argument of the former History Department Chair at Yale, John Boswell that same-sex marriage preceded opposite-sex marriage in the Christian Church.

As a legislators, you will have a legacy. I trust it will be a legacy of increasing equality and justice and not the continued promotion of second-class citizenship.

February 1, 2009

Relating to HB 444

Testifying in Support

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Malia Ribeiro and I am here to express my support for House Bill 444 - Civil Unions. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

This unequal treatment that my friends and family experience in America is unfair and unjust. How would you feel if you or one of your family members was treated in this manner? Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. I ask that you support HB 444 and appreciate your careful consideration.

Mahalo,

Malia Ribeiro  
PO Box 62186  
Honolulu, HI 96839

**karamatsu3-Leanne**

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**From:** Sinclair B. Coghill [coghill431@hawaii.rr.com]  
**Sent:** Monday, February 02, 2009 3:03 PM  
**To:** JUDtestimony  
**Subject:** HB 444

I'm writing in opposition to this bill. Marriage is a sacred union between a man and woman and only through this union are the rights, benefits, protections and responsibilities allowed. Legislators should honor this union and not add to it.

## karamatsu3-Leanne

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**From:** Joel Fischer [jfischer@hawaii.edu]  
**Sent:** Monday, February 02, 2009 3:22 PM  
**To:** JUDtestimony  
**Subject:** HB444; JUD; 2/5/09; 2PM; Rm 325

**Importance:** High

HB444, Relating to Civil Unions  
JUD; Chair, Rep Karamatsu

### **PLEASE PASS THIS BILL!**

This bill has widespread support in our community except for those factions who wish to deny others their rights. It is horrifying that gays and lesbians are the last people who are not granted all the rights of our state and nation and against whom it is still legal to discriminate.

HEWA!!!

I view this bill as a civil rights bill, and any one who opposes it is opposed to civil rights for all. Same sex couples deserve all the rights that my wife and I have; there is no basis at all for denying them these rights.

I realize that for some in our community, this issue is controversial because they do not see it as a civil rights issue. But what else can it be called when one group is denied the rights that everyone else has?

I ask for your support in passing this bill and advocating for its passage in the full senate.

Thank you.

Aloha, joel

Dr. Joel Fischer, ACSW  
President, 19-3, Democratic Party

Professor  
University of Hawai'i, School of Social Work  
Henke Hall  
Honolulu, HI 96822

"It is reasonable that everyone who asks justice should DO justice."  
Thomas Jefferson

"There comes a time when one must take a position that is neither safe, nor politic, nor popular, but one must take it because one's conscience tells one that it is right."  
Dr. Martin Luther King, Jr.

"Never, never, never quit."  
Winston Churchill



## karamatsu3-Leanne

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**From:** Bob Schoenthal [Bob@hawaiiinformation.com]  
**Sent:** Monday, February 02, 2009 4:24 PM  
**To:** JUDtestimony  
**Subject:** HB 444 - Relating to Civil Unions - Testimony

Bob F. Schoenthal  
Product Manager  
Hawaii Information Service

Committee on Judiciary  
Thursday, February 05, 2009 at 2 p.m.  
HB 444 Relating to Civil Unions

I, Bob Schoenthal, wish to testify in favor of the House Bill 444 to extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. If America is ever to truly be a place of freedom and equality for all, then we need to make sure that every tax paying adult is extended the same rights and benefits regardless of race, creed, sex, religion, sexual preference, color of skin, etc. Hawaii has once stood for equality and was one of the first to provide the same benefits to all life partners. It was a shock when a place that stands for love "Aloha" has given into fear mongering and hate by a few select groups. Please remember when making this decision, matters of Church and State should be kept separate. I'm a devote Christian and even I know to keep them separate. Please do not listen to anything that is fueled by religious dominations as these are the words and agendas of angry individuals, not God.

With that said, My background is a that I'm a Product Manager for a successful software development company here in the state of Hawaii. I have been with my life partner for 3 years and recently had a commitment ceremony in Oregon (Where they allow Civil Unions; if we could have it here that would have brought several thousand dollars to local businesses and at least 50 visitors to Hawaii). Our pastor has said as soon as it becomes legal, he would process the paper so that our ceremony wouldn't just be an announcement of commitment of love in front of family, friends and God; but also a legal contract that would permit us the rights and benefits enjoyed by the self-proclaimed "normal" couples. Our love is neither a sin nor an "abomination". We are people, and only wish to be treated equally. We need to move forward as a society and get past the superstitions of yester years. Our survival is dependent on this. For an example of what we could be, look to the middle east which is torn asunder by religious wars and zealots that each claim their word of God is the word of God. In this day and this age, we need to be better than this. We need to look at logic, and not base our decisions solely on belief.

So in closing I ask for a simple question, If you were in my shoes how would you like to be treated? If the tables were turned and you couldn't see your injured spouse in the hospital or had trouble getting a home loan with them, how would you feel? This is not something I can change nor should it be something I need to change.

If you have any further questions, comments or would like me to testify in person feel free to contact me at the following information:

Bob Schoenthal  
824 Kinau St. Apt 1005  
Honolulu, HI 96813

Cell: 808-222-3757  
Email: [Bob@hawaiiinformation.com](mailto:Bob@hawaiiinformation.com)

Mahalo,

Bob Schoenthal  
Hawaii Information Service - *Product Manager*  
800.628.3121 x153

## karamatsu3-Leanne

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**From:** James & Lorrie Roller [jerlmr@flex.com]  
**Sent:** Monday, February 02, 2009 4:22 PM  
**To:** JUDtestimony  
**Subject:** OPPOSITION TO HB 444 , Relating to Civil Unions

Dear Chairman and members of the House Judiciary Committee,  
In opposition to HB444 for which hearing is scheduled Thursday, February 5, 2009 @ 2pm I submit this testimony via e-mail. As elected members of the state of Hawaii legislature, it should be your duty to uphold past electorate decisions. The people of Hawaii spoke in 1998 loud and clear, no to gay marriage. Civil Unions are gay marriage in disguise. For the sake of our families and to uphold the traditions of marriage, I urge each of you to oppose civil unions and HB444. Thank you for your continued public service.

James & Lorrie Roller  
Mililani, Hi 96789

## karamatsu3-Leanne

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**From:** Eduardo Hernandez [mreduardo@nyc.rr.com]  
**Sent:** Monday, February 02, 2009 4:31 PM  
**To:** JUDtestimony  
**Subject:** HB 444 - Supportive Testimony - JUD - Thursday, Jan 2, 2pm - Rm 325

To: Representative Jon Riki Karamatsu, Chair – Judiciary Committee  
Representative Ken Ito, Vice Chair – Judiciary Committee  
Members of the Judiciary Committee

From: Eduardo Hernandez, Hawai`i resident from 1999-2008.  
Past Chair, Ka`imuki Neighborhood Board

Re: **HB 444 – Civil Unions – Testimony in SUPPORT**

I would like to thank the Chair, sponsor and all co-sponsors of this important family equality legislation. It is key to our national economic recovery. President Obama endorses civil unions because it is good for our nation to treat all families equally. In these challenging economic times, it is more important than ever for Hawai`i to be a globally competitive destination, as well as a thriving place to live and work.

Civil unions will clearly position Hawai`i amongst the world's most welcoming places to live, visit and do business in. That's why so many of the nation's leading businesses and the University of Hawai`i commit themselves to family equality. In 2007, the Ka`imuki, Waikiki and Kalihi Neighborhood Boards also committed themselves to supporting civil unions.

For those who dare suggest that this issue has already been decided, we need look no further than the devastating circumstances of 9/11 and the "new economy. The world has changed so much. Isn't it time we give equality a chance? This is especially true when you consider how much we thought to be true, turned out not to be so. In 1998, Hawai`i was told that the visitor industry would collapse if we allowed family equality. The truth is that 9/11 and the global economic crisis are what negatively impact the visitor industry. Family equality actually builds capacity for visitor arrivals and visitor spending.

Equality is a fundamental principle of the Hawai`i Constitution as well as the United States Constitution. It is good for families and good for business. Equality protects families during difficult times like these, because it means access to healthcare, and nearly all forms of insurance. Equality offers tax savings, parenting rights, and protection in cases of dissolution. It is about securing joint assets and making sure every family is treated equally when they buy, sell or rent their home.

I urge you to affirm family equality for Hawai`i.

Mahalo nui loa,

Eduardo Hernandez

Via e-mail – [mreduardo@nyc.rr.com](mailto:mreduardo@nyc.rr.com)

Former Hawai`i resident

## karamatsu3-Leanne

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 02, 2009 7:32 PM  
**To:** JUDtestimony  
**Cc:** thirr33@gmail.com  
**Subject:** Testimony for HB444 on 2/5/2009 2:00:00 PM

Testimony for JUD 2/5/2009 2:00:00 PM HB444

Conference room: 325  
Testifier position: support  
Testifier will be present: No  
Submitted by: Arvid Tadao Youngquist  
Organization: The Mestizo Association  
Address: P O Box 375342 Honolulu, Hawaii 96837  
Phone:  
E-mail: [thirr33@gmail.com](mailto:thirr33@gmail.com)  
Submitted on: 2/2/2009

Comments:  
Hawaii House Committee on the Judiciary  
Chair Jon Riki Karamatsu  
Vice Chair Ken Ito  
Right Honorable Members of the JUD Committee

I strongly support House Bill 444 Relating to Civil Unions. It is co-sponsored by 32 House Members and is bi-partisan in nature.

Additionally, amongst the co-sponsors, I find at least 10 lawyers not to mention lawmakers that will be deciding the fate of this bill. It is my considered opinion that much thought went into drafting this legislation.

The effective date of January 1, 2010 is apropos in the sense that it's a New Day & a Beginning, and the year is the beginning of the New Decade. For those in Government concerned with the cost effects, this should give them ample time to factor in the ramifications.

I suggest that the adoption of House Bill 444 will positively promote Hawaii as a tourist destination. In this time of recession and cries for bail-outs, some proposals should be explored if it benefits the State and its people. Is this not more preferable than casinos, video poker, or slot machines?

As to the intent of the bill which is to address the fairness and the justice which has been ambiguous in the Hawaii Constitution regarding "equal protection under the law", not withstanding reservations based on ethics, mores, or creed, since we thankfully do not live in a Theocracy, the merit of House Bill 444 should be based solely on promotion of fairness, equality, justice; no less than the acceptance of our people's diversity.

I know that the Majority, if not all from the House of Labor are supportive of Civil Unions as early as May 2008, and the Hawaii State Democratic Party has passed resolutions and platform that embody the upholding of fairness and justice underlining House Bill 444.

I thank the Committee and the co-sponsors of the legislation who also sit on the Judiciary Committee and recommend that HB 444 be reported out to the full House for adoption in the highest spirit of urgency.

Thank you for this opportunity to provide testimony in support of House Bill 444 Relating to Civil Unions.

("1 of 16,588 local voices")

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Suzette Tom, and I am testifying in support of House Bill 444. Several years ago, when Hawaii went through its fight for gay marriage, I submitted testimony and put a lot of time and energy into the effort. My partner of 11 years went down to testify in person, and even ended up on TV. We were both excited that the home we'd known since birth was one of the first states to consider equality for all of its citizens. As you know, the effort was defeated by a constitutional amendment.

I can't tell you how saddened and demoralized I was by this. People came out in droves to actively pass a law that would deny me my equal rights. People whom I knew and loved, who insisted that they weren't trying to discriminate, but that "marriage was different." Well, I don't necessarily agree with that. The history of marriage is not the "one-woman-one-man-for-love-forever" version that some people would have you believe. It actually started as a business arrangement to provide for inheritance, and could be changed and dissolved as needed. But that's beside the point.

What became clear to me was that some people felt strongly about their definition of marriage, and they felt it was somehow threatened by arrangements which weren't exactly like theirs. So I let it go. I swallowed the fact that I am no different from these people, that I am just as much a tax-paying citizen as any of them. Though I have worked just as hard at my job, though I have the same roots and family in these islands, though I have the same hopes and dreams – I am somehow a second-class citizen. I have to spend much more time and money trying to create arrangements to protect my loved ones, to provide healthcare for offspring and partners, to make sure I have the same authority to act for them in emergencies, to make sure they will inherit what I want them to have. And many rights that come with marriage I can't give them no matter how much time and money I spend.

I can't tell you how the unfairness of such things is like an acid that eats at your soul. But I told myself that it was just that people couldn't get over the concept of "marriage" being separated from its religious component.

Well, okay. Now you have a chance to make things right. You can retain the word "marriage" for the church and those who need it to be connected to what they consider sacred. (I consider my own love to be as sacred as anyone else's, but I won't argue the point.) You can also grant the rights and privileges earned by those who are willing to enter into a commitment with their life's choice. People who are NO DIFFERENT than any of you on the committee. Even if you don't realize you know any gay people, I can promise you that you do, and that they are the same as you. How fair is it that people like Brittany Spears can legally make a mockery of marriage, but two men or two women who have been committed to each other for decades cannot have their union recognized?

It is past time to give us equality, and it doesn't require you to call it "marriage." There are those who believe we don't deserve any rights at all, no matter what we call it. Please realize that that kind of thinking belongs in the past – as much as the belief that women shouldn't vote, or that people of different races shouldn't mix. At one time all kinds of arguments were used to "prove" such things were unnatural and against God's will. Now we know better.

In the spirit of a new beginning, a new era of hope, please finally give us the right to celebrate our love, our partnerships, and our families in the way we deserve.

Thank you for giving me the opportunity to testify.

Suzette Tom  
1011 11<sup>th</sup> Avenue  
Honolulu, HI 96816



**karamatsu3-Leanne**

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**From:** Daniel Meier [dani@danielmeier.net]  
**Sent:** Monday, February 02, 2009 7:55 PM  
**To:** JUDtestimony  
**Subject:** To: Judiciary Committee - Testimony Re: HB444

Daniel Meier, Psy.D.  
1917 Huea Pl  
Honolulu, HI 96819

To: Judiciary Committee

Hearing: Thursday, 2/5/09, 2 p.m

Measure: HB444

Testimony in Support of HB444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

I am personally affected by the potential passing of this bill and would like to ask you to **support HB444**. My partner Axel and I have been together for over 13 years. Ten years ago we moved together from Germany to Hawaii. Hawaii has become our home. When Germany passed a civil unions bill several years ago we went back to Germany to receive legal recognition. There were even some good friends of ours who came all the way to Germany and attend the ceremony. It is very sad that so far our legal status is not recognized in Hawaii. When the civil unions bill passed in Germany there was hardly any opposition. After all, why should same-sex couples not have the same legal benefits as heterosexual couples? This is especially true as Civil Unions legislation does not forbid religious groups to continue practicing their own beliefs when it comes to Marriage. To me, 2009 is - economic worries aside - a year of hope. There is much hope for a fresh spirit in politics as our newly elected President - President Barak Obama- seeks political change. One of the changes he strives for is to bring Civil Unions forward across the nation and thus move further towards reducing discrimination.

Thank you for considering to support this bill.

Daniel Meier, Psy.D.

TO: HOUSE COMMITTEE ON JUDICIARY  
Rep. Jon Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair

HB 444 RELATING TO CIVIL UNIONS.

Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

For hearing Thursday, February 5, 2009, 2:00 p.m. Room 325

TESTIMONY IN SUPPORT, WITH SUGGESTIONS FOR IMPROVEMENT

By: Kenneth R. Conklin, Ph.D.  
46-255 Kahuhipa St. Apt. 1205  
Kane'ohe, HI 96744  
tel/fax (808) 247-7942  
e-mail Ken\_Conklin@yahoo.com

Aloha Chair Karamatsu, Vice Chair Ito, members of the committee, and members of the public.

I am a civil rights activist. Therefore I support this bill to create "civil unions" because it makes forward progress in civil rights. But I regret that the bill would still leave civil unions as a second-class form of marriage instead of providing full first-class recognition. We do not allow first-class and second-class citizenship; we do not allow "white" and "colored" drinking fountains; and neither should we allow first-class and second-class certificates granting governmental recognition to the legal merger of two people.

But my views are more complex, because I believe it's important to keep church and state separate. And there's the further question whether the status of two people's relationship with each other should confer government benefits or detriments by comparison

with the benefits or detriments given by the government to two totally separate and unrelated people.

## SEPARATING CHURCH AND STATE

Let's begin by sorting out the difference between personal mergers certified by the government versus personal mergers blessed by God.

I believe that the government should have nothing whatever to say regarding whether two people have a sacramental union of souls in the eyes of God. Sacramental union is a matter for a church, or a community of believers, or two people, to ratify in their own way, according to whatever religious or spiritual beliefs they hold.

Thus I believe that the only role of government is to certify a civil union between two people who freely choose to merge their financial assets, their place of residence, and to cement their privileges and responsibilities toward each other under the law. Any two people who wish to create such a merger should be able to do so, regardless whether they are of the same gender or opposite gender (except for parent/child, brother/sister, and other exceptions identified in the bill).

Thus the bill should be amended to allow civil unions for everyone, including people of opposite gender; and to make civil unions the only form of "marriage" recognized or certified by the government.

Marriage should be a sacrament within the confines of a religion or a spiritual viewpoint. Marriage should be the joining together of two souls who pledge their loyalty to each other in front of God. Marriage is a sacrament that changes two people's relationship in heaven regardless of what happens on earth. The government should have no role to play in marriage. "Render unto Caesar what

is Caesar's, and render unto God what is God's."

A man and woman, a man and man, or a woman and woman should be able to be joined in civil union regardless of their religious beliefs, regardless whether they choose to have their union further blessed by a church or other religious institution, and regardless whether they believe their merger of property on earth is also a union of souls in heaven.

There might be some couples (M/F, M/M, F/F) who pledge their hearts to each other and have their merger blessed by a church as a union of souls, even though they might choose not to seek a government certificate of civil union. That would be their personal choice, and the government should not interfere with it. But without a government certificate of civil union, they would have neither the rights nor the responsibilities enjoyed or cursed by those who get the certificate.

#### EQUAL RIGHTS UNDER THE LAW FOR CIVIL UNIONS WHETHER OPPOSITE GENDER OR SAME GENDER

We do not allow first-class and second-class citizenship; and neither should we allow first-class and second-class certificates granting governmental recognition to the legal merger of two people.

The thing I dislike most about this bill is the creation of two classes of personal relationship: first-class marriage for heterosexuals and second-class civil union for homosexuals. Creating such a distinction perpetuates the violation of equal rights under the law that is currently in place. But it's an improvement.

It's a matter of civil rights that all persons should be treated equally under the law. Failure to allow same-gender marriage

enlists the government in forcing every person to discriminate against half the population in choosing a life partner and creating a merger recognized by the government.

Personally, I have no desire for sexual relations with men. I feel strong revulsion when I imagine the things two men might do with each other. But I have no right to enact my personal emotions into law and to force them upon others.

Some defenders of traditional (heterosexual) marriage say that recognition of civil unions or marriages between homosexuals would somehow weaken the institution of marriage. I simply cannot understand that view. Those who have strong marriages will still have strong marriages. So far as public perception is concerned, the proposal set forth in this bill for civil unions would make civil unions a second-class form of marriage, whose members would be riding in the back of the bus. If anything, that would give greater prestige to traditional marriage. Fear not my married friends! You lose nothing by granting rights to others; indeed, you gain self-esteem by knowing you are generous in spirit.

**SHOULD GOVERNMENT BE SUBSIDIZING CIVIL UNIONS OR MARRIAGES, GIVING PREFERENTIAL TAX RATES AND OTHER BENEFITS TO SUCH PAIRS OF PEOPLE?**

Underlying the issues of marriage vs. civil union, and opposite-gender vs. same gender, is this question: Why does the government care whether two people have a merger? Is there an advantage to society, and hence to the government, when two people come together to create a (theoretically) permanent union?

If we had a society where individual responsibility prevails, then government would not be expected to guarantee healthcare, housing, food, etc. If someone falls on hard times, he must rely

upon himself to stand up or else must hope his friends or community charities will provide help. Children would be the property and sole responsibility of their parents.

But to the extent people rely upon government to guarantee quality of life and to ensure that children have opportunities even when their parents are unable to provide for them, then to that extent government has an interest in encouraging individuals to form partnerships and help each other. Every time one person gets help from belonging to a stable partnership, government is relieved of the burden of providing what he needs. That's why in bygone times marriage was very hard to break, and each spouse had strong legal obligations to provide financial support and lifelong care for the other. "Til death do us part."

Government saves money when couples in a strong, enduring relationship provide food, housing, and healthcare for each other so that if one partner falls ill or injured then the government will not be called upon for support. That's why it makes sense for government to give tax breaks to married couples, or to partners in a civil union, to encourage such partnerships.

It's also desirable for society, and the welfare state government, to have people in stable sexual relationships, so that predatory behavior and sexually transmitted diseases are minimized.

All the advantages to the government of having strong heterosexual marriages are the same as the advantages of having strong homosexual marriages or civil unions. It's better to have two people strongly committed to providing economic support for each other rather than placing demands on government handouts. And it's better to have two homosexual men or two lesbian women exhausting their sexual energies with each other rather than engaging in predatory behavior which spreads disease, and frightens or disgusts people with more conventional proclivities.

REPRESENTATIVE JON RIKI KARAMATSU, CHAIR  
REPRESENTATIVE KEN ITO, VICE-CHAIR  
HOUSE COMMITTEE ON JUDICIARY

TESTIMONY RE: HOUSE BILL NO. 444  
RELATING TO CIVIL UNIONS

February 5, 2009, 2:00 p.m.  
Conference Room 325

Good afternoon Chair Karamatsu, Vice-Chair Ito, and members of the committee:

My name is David Lane Henkin, and I am testifying as a father of two wonderful children. I strongly support House Bill No. 444. If the State is to confer rights and impose obligations on its citizens based on their participation in a committed relationship, it should not discriminate based on whether the individuals forming that couple are of opposite sex or the same sex. House Bill 444, which would extend the same rights and obligations as spouses in a marital relationship to civil union partners, is a vital step toward providing the people of Hawai'i with equal protection under the law, regardless of sexual orientation.

My daughter is eight years old, and my son is five. They are too young at this point for me to know their sexual orientation. As a parent, my only hope is that, whether straight, gay, bisexual, or transgender, they will find happiness in a committed relationship with someone they love. When they do, I want to ensure that they will enjoy the same legal rights as any other citizen of this state, regardless of the sex of their partner. Please pass this bill.

Thank you for the opportunity to offer this testimony.

**karamatsu3-Leanne**

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**From:** Clyde Sauget [csauget@hotmail.com]  
**Sent:** Monday, February 02, 2009 10:09 PM  
**To:** JUDtestimony  
**Subject:** Testimnoy Against HB 444

Testifier – Dr. Clyde Sauget

Testimony for House Judiciary Committee

Hearing – Thursday, February 5, 2009 @ 2:00 p.m.

Measure Number – HB 444

As a registered voter, I urge the House Judiciary Committee to kill “Civil Unions Bill –HB 444” during your upcoming hearing on February 5, 2009.

We voters spoke loud and clear in 1998 and sent the Legislature a clear message that marriage in Hawaii must remain between one man and one woman. This bill is an attempt to circumvent the voters and tell us that our votes are of no value in the State of Hawaii.

Additionally, as a taxpayer, I am opposed to my taxes being used to further ANY gay rights agenda whatsoever.

I would consider any vote to support this bill as a statement by that representative that he/she cares not for constituents who elected them.



## karamatsu3-Leanne

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**From:** robie lovinger [rezumes@hotmail.com]  
**Sent:** Monday, February 02, 2009 10:13 PM  
**To:** JUDtestimony; rezumes@hotmail.com; louise esselstyn  
**Subject:** House Bill 444 - Support For Civil Unions in Hawaii

February 3, 2009

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. Our names are Louise Esselstyn, M.Div. and Robie Lovinger, PHR. Among our many roles, we are aunties who reside in lovely Makakilo. We would like to express our support for House Bill 444 - Civil Unions. We emphatically believe that all people should be treated respectfully and equally under the law, as required by our amazing Constitution of the United States of America. HB 444 extends the same rights, protections, benefits, and responsibilities of spouses in a marriage to partners in a civil union. This legislation is extremely important in our life together. Our hope is to live long enough to enjoy the benefits of Civil Unions in our Hawaii home.

We are mature and responsible American citizens and have been law-abiding and tax paying residents of O'ahu since 1985. We are not young in years, as we have a combined experience level of 109 years. In 1993 on O'ahu, we became life partners and have been in a committed relationship for the past 16 years. As leaders in our community, we are valued and respected. We are both professional women who work hard every single day, to contribute to the civil rights, employment, safety, and security of every citizen in our state.

We have consistently progressed through life with grace, dignity, education, and accomplishment. We are blessed by each of our large families; we have also been a blessing to them and to our large extended Ohana. We are patriotic Americans who pay our taxes without complaint, knowing that it is our contribution to the American way of life. We are Aunties, who deeply believe in God and in goodness. Our own prayer is to be acknowledged as valued members of the State of Hawaii citizenry, who are worthy of legal recognition of our commitment to each other.

We were among the very first to become Reciprocal Beneficiaries in the 90's. However, the revisions to the original legislation diluted the intent of that law, making it nearly meaningless in our lives. At its best, it never came close to providing us with the types of protections and responsibilities we had envisioned.

Long ago, our parents taught us the values of honesty and integrity. However, without legal recognition as a couple, we are forced to live a lie. For example, consider the Census, questionnaires, surveys, and legal documents. We are not each "single"; yet we are forced to be such because we are also not "married". As we were raised to be truthful, this is an especially uncomfortable consequence of not having the recognition accorded those of a Civil Union. Do you think this is fair and just?

On a financial note, there are significant consequences we bear, as a result of us not having legal recognition as a couple. We are unable to obtain employer sponsored health insurance for each other, a benefit that opposite sex married couples take for granted. Additionally, we pay considerably more in taxes every year, both to the State of Hawaii and to the US Federal Government, because we are legally prohibited from filing our taxes jointly. Funds that could be used to pay down our mortgage or to purchase long term insurance for our quickly approaching "golden years" are instead used for our increased tax burden and for higher medical premiums. We are forced to cover up the reality and truth of who we are, when we must bear significant costs of preparing updated legal documents to protect our assets and each other, unlike our opposite sex married friends and family. Is this fair and equitable?

We must tell you that the unequal treatment that our family experiences is completely unfair and unjust. How would you feel if you or one of your family members was treated in this manner? Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. The issue of equal treatment for same-sex couples is the civil rights issue of this generation. According to 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."

Granting equal rights to same-sex couples in no way impacts the rights of opposite sex couples or religious communities. Religious communities will always be free to define marriage according to their specific traditions. Granting same-sex couples equal rights strengthens families. Families with legal protections are less likely to be a burden on society.

On a personal note, how does unequal rights and no legal recognition impact us and our family members on both an emotional and concrete level? We feel like second class citizens who are definitely devalued in America and in the State of Hawaii. We feel invisible at times, and discarded at other times. Is this fair and equitable treatment in America in 2009?

Equality is a simple concept; sadly equality has been out of reach for so many and for such a long time. With your leadership and wisdom to do the just thing, we look forward to being among the very first to celebrate our Civil Union in Hawaii. We depend on your sense of justice and support of civil rights for us as a loving and committed couple and as tax-paying voters, for your support of HB 444. Please remember our story as you carefully consider our life, as it is directly impacted by your support for HB 444.

Finally, we deeply appreciate your careful consideration of the worthiness of HB 444. It is wrong to deny us equitable civil rights. We truly are one nation, under God, indivisible, with liberty and justice for all.

Mahalo.

Appreciatively,

H. Louise Esselstyn and G.F. Robie Lovinger

92-1085 Kakoo Place, Kapolei, HI 96707

Phone (808) 722-0746

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## **Testimony in support of HB 444, A Bill For An Act Relating to Civil Unions**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is David M. Walter, and I am here to express my support for House Bill 444 - Civil Unions.

For the record: Here is some of what a gay civil union, a gay marriage — or any committed relationship between two gay people — is:

It's entering into an exciting but scary new realm of human existence, a realm where the focus on "me" transforms (eventually) into a focus on "us."

It's the happiness and thrill of moving into your first new place together.

It's missing your spouse desperately when the two of you are separated for a prolonged period of time.

It's arguing, during the first year or two, about things that never ever are contentious in later years.

It's finally allowing yourself to be totally vulnerable in front of another person and not worry that your vulnerability will be exploited.

It's being deeply worried and anxious when you have to take your spouse to the emergency room because he is feeling very ill.

It's not being able to fathom life without your spouse.

It's professing your love for your spouse daily — or more frequently.

It's snuggling with your spouse under the blankets on a cold winter night.

It's smiling instead of cringing when your spouse hugs you and his unshaven face makes the nerve endings on your neck go into hypersensitive mode.

It's doing a chore that your spouse was supposed to do, and not minding doing it.

It's inviting friends or family over for a 4th of July cook-out and putting on a mini-fireworks-display in the back yard.

It's quitting your job and moving to a distant city so your spouse can take a new job that will advance his career.

It's going with your spouse to a social event that you know you will loathe, but not getting mad at him when he wants to skip an engagement you want him to attend.

It's going on a trip to Europe with your spouse — and his parents — and enjoying it.

It's being there to support your spouse emotionally when he needs it, and knowing that he'll be there to support you when you need it.

It's watching yourselves grow older and marveling at all the many unexpected twists and turns your lives have taken together.

It's knowing that the relationship you have with your spouse is good, precious and a true blessing.

It's both you and your spouse wishing you knew each other when you were children.

It's watching, over some period of years, as sex falls lower and lower on your list of what's important in a marriage.

It's being amazed that, after 28 years, your love for each other still grows deeper.

It's knowing that no person, no institution, no thing could split the two of you up.

It's accepting that, at various times, you'll experience hurt, reassurance, anger, joy, distrust, respect, jealousy, understanding, confusion, bliss, resentment, praise, sorrow, guilt, self-affirmation, the sense that life is a dream, and the sense that life is a nightmare.

It's — a lot like a good heterosexual marriage, isn't it?

Please support HB 444.

Mahalo.

Sincerely,

David M. Walter.  
98-1971 Kaahumanu St., Apt. C  
Aiea, HI 96701-1864

Submitted Feb. 2, 2009

**karamatsu3-Leanne**

---

**From:** Monica M Onoe [monoe@hawaii.edu]  
**Sent:** Monday, February 02, 2009 11:36 PM  
**To:** JUDtestimony  
**Subject:** hb444 testimony

To Whom it May Concern,

I am writing to you because I support this bill. I am a local resident (born and raised) who identifies as a heterosexual and i see the value of passing this bill and the progress we will make by passing this bill. I think its important that our state sets a new standard for equality. i ask that you support hb444 and appreciate their careful consideration. Thank you!

-Monica Onoe

TESTIMONY IN SUPPORT TO **HB 444**  
BY OHANA FOLEY  
BEFORE THE JUDICIARY COMMITTEE  
ON 2/5/09  
REPRESENTATIVE KARAMATSU, CHAIR  
REPRESENTATIVE ITO, VICE CHAIR

---

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to offer testimony before this committee. I am honored to have the chance to add my voice to the call for justice and fairness for our brothers and sisters in the gay and lesbian community. My name is `Ohana Foley and I am writing to express my ardent support for House Bill 444 - Civil Unions. I am a graduate student in social work at UH Manoa and was born and raised in Hawai`i, originally from the island of Maui. I have dear friends who are gay and lesbian and I am well aware of the history of inequality and discrimination they, like so many others throughout the world have had to face simply as a result, in my opinion, of how their Creator made them. Right now, we have en writ if not de jure discrimination in our state and nation's policies and practices on a range of issues for this population of citizenry from housing, taxation to adoption for couples who have done nothing but keep their commitments to each other and be productive citizens. HB 444 will help right our course and alleviate the injustices that our fellow citizens endure on a daily basis.

On occasion I find myself with the opportunity of working with GLBTQ youth and young adults as I have progressed in my field of the helping profession. I would like this committee to consider the effect that passage of a bill such as this would have in supporting them in feeling like they matter too in this society—that they too have rights, just as they have obligations. The Declaration was made “all men are created equal” and that we have “unalienable Rights among these the pursuit of Life, Liberty, and the pursuit Happiness” in a manner that we see fit. Will this bold call still go unheeded in the domain of gender? Can we not have our laws reflect this pivotal and revolutionary statement that I am sure not just a few gay men died in passionate patriotism to make stand and young people of my generation and those to come who are still waiting to see rhetoric match reality?

Please, for a more just today and a more inclusive future, pass this bill. Mahalo for your time and consideration of this most pressing civil and human rights issue.

`Ohana Foley  
3410 Leahi Ave Apt 103  
Honolulu, HI 96815  
808.271.5731

House Bill 444 - Testimony

**Testifiers:** Darroll & Christine Kahuena (Husband & Wife)

**To:** Committee On Judiciary

**Date:** Thursday, February 05, 2009

**Time:** 2:00 p.m.

**Place:** Conference Room 325

State Capitol

415 South Beretania Street

**Measure:** House Bill 444 - Relating to Civil Unions.

“Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.”

Honorable Members of the Judiciary Committee,

Both myself and my wife oppose HB 444, not that we don't want rights and benefits withheld from members of our community or state. But we oppose that the same protections being requested goes again protecting the sanctity of marriage, which is between a man and woman. Marriage has been setup by our Heavenly Father from the beginning of time and should be protected. Specifically, civil unions between same sex partners should not be compared to marriage. By not protecting the sanctity of marriage which is between a man and woman, the family will cease to exist. One of the greatest ideals about marriage and family is stated by the following proclamation:

**The Family: A Proclamation To The World**

We, the First Presidency and the Council of the Twelve Apostles of The Church of Jesus Christ of Latter-day Saints, solemnly proclaim that marriage between a man and a woman is ordained of God and that the family is central to the Creator's plan for the eternal destiny of His children.

All human beings—male and female—are created in the image of God. Each is a beloved spirit son or daughter of heavenly parents, and, as such, each has a divine nature and destiny. Gender is an essential characteristic of individual premortal, mortal, and eternal identity and purpose.

In the premortal realm, spirit sons and daughters knew and worshipped God as their Eternal Father and accepted His plan by which His children could obtain a physical body and gain earthly experience to progress toward perfection and ultimately realize their divine destiny as heirs of eternal life. The divine plan of happiness enables family relationships to be perpetuated beyond the grave. Sacred ordinances and covenants available in holy temples make it possible for individuals to return to the presence of God and for families to be united eternally.

The first commandment that God gave to Adam and Eve pertained to their potential for parenthood as husband and wife. We declare that God's commandment for His children to multiply and replenish the earth remains in force. We further declare that God has commanded that the sacred powers of



## House Bill 444 - Testimony

procreation are to be employed only between man and woman, lawfully wedded as husband and wife.

We declare the means by which mortal life is created to be divinely appointed. We affirm the sanctity of life and of its importance in God's eternal plan.

Husband and wife have a solemn responsibility to love and care for each other and for their children. "Children are an heritage of the Lord" (Psalm 127:3). Parents have a sacred duty to rear their children in love and righteousness, to provide for their physical and spiritual needs, and to teach them to love and serve one another, observe the commandments of God, and be law-abiding citizens wherever they live. Husbands and wives—mothers and fathers—will be held accountable before God for the discharge of these obligations.

The family is ordained of God. Marriage between man and woman is essential to His eternal plan. Children are entitled to birth within the bonds of matrimony, and to be reared by a father and a mother who honor marital vows with complete fidelity. Happiness in family life is most likely to be achieved when founded upon the teachings of the Lord Jesus Christ. Successful marriages and families are established and maintained on principles of faith, prayer, repentance, forgiveness, respect, love, compassion, work, and wholesome recreational activities. By divine design, fathers are to preside over their families in love and righteousness and are responsible to provide the necessities of life and protection for their families. Mothers are primarily responsible for the nurture of their children. In these sacred responsibilities, fathers and mothers are obligated to help one another as equal partners. Disability, death, or other circumstances may necessitate individual adaptation. Extended families should lend support when needed.

We warn that individuals who violate covenants of chastity, who abuse spouse or offspring, or who fail to fulfill family responsibilities will one day stand accountable before God. Further, we warn that the disintegration of the family will bring upon individuals, communities, and nations the calamities foretold by ancient and modern prophets.

We call upon responsible citizens and officers of government everywhere to promote those measures designed to maintain and strengthen the family as the fundamental unit of society.

By President Gordon B. Hinckly – September 23, 1995

Thank you for your consideration.

Darroll & Christine Kahuena

Thursday, February 5  
House Judiciary Committee  
2 p.m. Conference Room 325  
State Capitol

Testimony in full support of HB 444

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:

House Bill 444 - Civil Unions is a clear step toward equal protection under the law, a requirement of the US constitution.

HB 444 would serve to extend the same rights, benefits and responsibilities of a marriage contract to committed partners in a civil union.

Gay and lesbian people have comprised up to 15% of the population in every culture, in every country since the beginning of recorded history. We are not going to go away, nor will our numbers diminish. But we have a much better chance of an improved quality of life under HB 444.

Marriage is a contract between two people that is licensed and recognized by the state. Lesbian and gay people have a right to the same protections offered by that contract. We have a right to equal protection under the law. This bill would help eliminate a serious injustice.

Equal rights for same-sex couples is one of the most important civil rights issues of today. My partner and I have been in a relationship for over 15 years. In 1996, we returned home to Hawai'i and registered as a "domestic partnership." When I requested a copy of our registration from the Department of Health last year, their response was, "Oh, we don't keep those records."

Your yes vote for this important bill be a vote for equal justice.

Equality is a simple concept that is in your power to ensure. Please vote YES and support HB 444, a bill for equal rights in the 21<sup>st</sup> Century.

Sincerely,

Cha Smith  
4117 Black Point Road  
Honolulu, Hawai'i 96816

## karamatsu3-Leanne

---

**From:** colleen kelly [colleenkelly@hawaii.rr.com]  
**Sent:** Tuesday, February 03, 2009 8:40 AM  
**To:** JUDtestimony  
**Subject:** Testimony in SUPPORT of HB 444

Thursday, February 5

House Judiciary Committee

2 p.m. Conference Room 325

State Capitol

Testimony in SUPPORT of HB 444

TO: Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:

House Bill 444 - Civil Unions is a very good step toward equal protection under the law, a requirement of the US constitution.

HB 444 would serve to extend the same rights, benefits and responsibilities of a marriage contract to committed partners in a civil union.

Gay and lesbian people have comprised up to 15% of the population in every culture, in every country since the beginning of recorded history. We are not going to go away, nor will our numbers diminish. But we have a much better chance of an improved quality of life under HB 444.

Marriage is a contract between two people that is licensed and recognized by the state. Lesbian and gay people have a right to the same protections offered by that contract. We have a right to equal protection under the law. This bill would help eliminate a serious injustice.

Equal rights for same-sex couples is one of the most important civil rights issues of today. My partner and I have been in a relationship for over 15 years. In 1996, we returned home to Hawai'i and e registered as a "domestic partnership." When I requested a copy of our registration from the Department of Health last year, their response was, "Oh, we don't keep those records."

Your yes vote for this important bill be A VOTE FOR EQUAL JUSTICE.

Equality is a simple concept that is in your power to ensure. Please vote YES and support HB 444, a bill for equal rights in the 21<sup>st</sup> Century.

Sincerely,

Colleen Kelly

4117 Black Point Road

Honolulu, Hawai'i 96816

(808) 232-9001

## karamatsu3-Leanne

---

**From:** NJHawaiiWalter@aol.com  
**Sent:** Tuesday, February 03, 2009 8:45 AM  
**To:** JUDtestimony  
**Subject:** House Bill 444-Civil Unions

Honorable member of the House Judiciary Committee:

My name is Walter Mahr and I live at 95-1020 Paemoku Place in Mililani. It's no secret that there has been a big drop in tourism here to Hawaii. The one group that has the biggest disposable income is the gay and lesbian market but our state has never attracted this community because Hawaii is perceived as not very gay friendly. Gay people are still traveling and spending money...big money...they just aren't doing it here. As a matter of fact, Hawaii was the first state to vote against equal rights for gay and lesbian Hawaiians and gay Americans and their families and friends have not forgotten. They have not been coming here ever since. Would you go where you did not feel welcome? I don't think so. This group makes up about ten per cent of the population. Wouldn't it be wonderful if we had a ten per cent jump in tourism when it's needed most? Those millions of tourist dollars are going elsewhere. Gay people have never forgotten that Hawaii started the movement that swept across the country and created second class American citizens. Fortunately, many states and countries around the world have since recognized that all people as well as gay and lesbian Americans deserve to be treated equally. Times have changed both on the mainland and here in Hawaii. What was once acceptable in the 1990's is no longer acceptable today. The majority of the public, the majority of the House of Representatives and even President Obama are now in favor of civil unions. This is golden opportunity for you, as our representatives, to extend equal rights to all the people of Hawaii and show the country and the world that everyone is welcome here in the Aloha state. Let's show them the true meaning of Aloha.

My partner and I have been together for over fifteen years. Don't you think we deserve the same rights, obligations and benefits that you and your family have? Why should we be treated differently? Won't you please give us the opportunity to be treated equally? The eyes of America and the world are watching. Let's bring those gay tourist dollars into Hawaii and extend equal rights to all Hawaiians regardless of sexual orientation. This is not a religious issue...it is a civil rights issue and it we are hopeful that you see the wisdom of extending equal rights to all.

Thank you.

Walter Mahr  
95-1020 Paemoku Place  
Mililani, Hawaii 96789

---

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Date: February 2, 2009

To: House Judiciary Committee  
Chair Rep. Karamatsu  
Vice-Chair Rep. Ito  
And Committee Members

From: Lance Bateman, Chair of the GLBT Caucus of the Democratic Party of Hawaii

Re: HB444 regarding Civil Unions  
Testimony in Favor of HB444

I cannot help but testify not only as Chair of the GLBT Caucus of the Democratic Party of Hawaii but also as the husband of the late Bill Woods. Even though Bill worked publicly for the last twenty years of his life for equal marriage rights, among other issues, we both would have supported this bill as a positive step forward for Hawaii.

Support for Civil Unions in Hawaii has also been provided through resolutions approved by the State Democratic Party Convention Delegates in 2006 and 2008.

Personally, I can only tell you of the pain both Bill's brother and I felt when filling out the papers at the mortuary, when I could only be listed as Bill's "friend". If HB444 had passed before then, such a situation could have been avoided. It was greatly appreciated and of help emotionally to receive the formal declaration from the State House regarding Bill, including mention of my status as his husband. US Congressman Neil Abercrombie also used the same nomenclature in his letter to me and Bill's family. I am among the fortunate in that both our families fully embraced our marriage. I'm sure you may hear of the many who have not been that fortunate, with the additional injuries their lack of legal standing caused.

HB444 not only addresses civil rights equality, it will help provide certain economic benefits to the State of Hawaii, through those who may visit Hawaii due to our new status, but through reduction in certain expenses the State incurs such as when unrecognized couples (which often include their children) separate. **Legal recognition of relationships not only provides certain benefits and responsibilities during the relationship, but very importantly addresses benefits and responsibilities when a relationship ends.**

Hawaii's Reciprocal Beneficiary law mostly addresses issues surrounding illness and death, but largely ignores the responsibilities due to family members, and the various issues of life. This is yet again another reason a full recognition as provided in HB444 is a great step forward.

Again, on behalf of the GLBT Caucus of the Democratic Party of Hawaii, and from myself, I deeply appreciate your favorable consideration of HB444.

**MICHAEL GOLOJUCH, JR.**  
**92-954 MAKAKILO DR. #71, KAPOLEI, HI 96707**  
**PHONE: 808-672-9050 FAX: 808-672-6347**

February 2, 2009

Testimony for the House Judiciary Committee on:

Thursday, February 05, 2009 - 2:00 p.m.  
State Capitol - Conference Room 325  
415 South Beretania Street

RE: House Bill 444: Civil Unions - SUPPORT

Aloha Chair Karamatsu and fellow committee members,

When I first heard of House Bill 444 the Civil Unions bill I have to admit I was against it. I was like why do we, the gay community, have to settle for second-class citizen treatment with Civil Unions and not get Marriage. But the more I thought about House Bill 444 the more Civil Unions has grown on me.

Marriage has the history of being used for the granting of property rights, protection of bloodlines, creating alliances and protecting wealth. This was done through arranged marriages, where the couple that was going to be married had no say in the process. Marriage was and is for some to this day viewed as a business transaction nothing more nothing less. The worst part is that for centuries women were treated as property. Love and caring had nothing to do with it.

Now marriage is being used as a weapon, a tool to bash the gay community.

Now Civil Unions on the other hand has the history of being hard fought for by couples that love each other and desire to have the same rights that the government has chosen to bestow upon married couples. While it is true Civil Unions is not Marriage it also does not have the negative historical baggage that comes with marriage.

So if there are those that want that baggage more power to them.

I would ask that you make this bill totally inclusive and not just a "gay" bill. You need to make Civil Unions open to opposite-sex couples as well. So that straight couples that do not want to participate in the discriminatory act of getting married here in Hawaii can also enter into a Civil Union.

There are those that are going to be talking about the need to save traditional marriage, Civil Unions is not Marriage. Words have power in our legal system. This is a time that a name is not just a name.

1 OF 2

**MICHAEL GOLOJUCH, JR.****2 OF 2**

The one question you need to ask each of these people clamoring to "save" traditional marriage is "What have they done to "save" marriage except fight against loving couples that wish to get married?" I can tell you - NOTHING but fight against anything that would bring equality to the gay community. They were silent when television shows like "Who Wants To Marry a Millionaire" made a mockery out of marriage.

Why have they not set-up pre-marriage counseling to make sure that each couple is ready to enter into a marriage that will last a lifetime?

Maybe if the anti-gay poster boy Gabbard spent more time on his own family and less time on fighting against equality for the gay community just maybe Tulsie would still be married.

I ask that you pass House Bill 444, it is not perfect and it is not marriage but it is a step in the right direction.

"Like Martin, I don't believe you can stand for freedom for one group of people and deny it to others", Coretta Scott King told this to black civil rights leaders angered by gays and lesbians comparing their struggle to their own. So do you in your official elected position stand for freedom or not?

Sincerely,



Michael Golojuch, Jr.  
Kapolei Resident



**karamatsu3-Leanne**

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**From:** dave.mulinix@juno.com  
**Sent:** Tuesday, February 03, 2009 9:43 AM  
**To:** JUDtestimony  
**Subject:** Testimony in full support of HB 444

Testimony in full support of HB 444

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:

House Bill 444 - Civil Unions is a clear step toward equal protection under the law, a requirement of the US constitution.

HB 444 would serve to extend the same rights, benefits and responsibilities of a marriage contract to committed partners in a civil union. This is a right that should be extended to everyone, regardless of sexual orientation.

Marriage is a contract between two people that is licensed and recognized by the state. Lesbian and gay people have a right to the same protections offered by that contract.

Everyone has a right to equal protection under the law. This bill would move help eliminate a serious injustice.

Please vote in favor of HB 444 and help to further civil rights for gay and lesbian people in Hawai'i

email your testimony to: [JUDtestimony@capitol.hawaii.gov](mailto:JUDtestimony@capitol.hawaii.gov)

Mahalo nui,

David Mulinix  
47-185-A Hui Akepa Place  
Kaneohe, Hawai'i 96744

## karamatsu3-Leanne

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**From:** durell douthit [ddouthit@mac.com]  
**Sent:** Tuesday, February 03, 2009 9:47 AM  
**To:** JUDtestimony  
**Cc:** Rep. Scott Nishimoto; Abe Kanamu  
**Subject:** Written testimony from Durell Douthit on HB 444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to present testimony to this Committee. I wish health permitted me to appear before you on person.

My name is Durell Douthit.

I practiced Family Law in all Circuits for most of 40 years. My practice not been active for several years and I retired this year. I remember with particular affection and respect the Honorable Shunichi Kimura and Ben Gaddis on the Big Island, the Honorable Doug McNish and Eric Romantic on Maui, and The Honorable Max Graham on Kauai. The Honorable Francis Q.Wong on Oahu remains a steady rock for us in this Circuit.

In my years I have seen tragedies that would break your heart. One situation that cries out for relief is that of partners of the same sex who break up after long years of living together. I have seen more of those in my practice than you might imagine.

Divorce law irritates about half of the people who are subject to it, and it is necessary to equalize money and power between married couples who, for whatever reason, decide that one partner will stay home and run the house while the other pursues a living. When they come to divorce there is an inequality that must be addressed.

It is also necessary, when couples separate, to have a court available to divide assets when the couple can't agree on how to do it. Even so simple a matter as who gets to keep the family dog can become n issue.

If it weren't for the equalizing authority of the Family Court when they separate we would see many more of our people forced on the welfare rolls or into the ranks of the homeless; and many more folks resorting to self-help.

Families whose partners have the same sex have the same issues as oppositely sexed couples. It often happens that one partner will forego a career advancement to support the career of the other partner

If the couple is married, Family Court may make all the difference. But for those stay-at-home partners whose partner is of the same sex, the law is very different. The only recourse to avoid poverty and homelessness, in many cases, is a palimony suit, which is expensive to bring and whose results are unsatisfactory, in my experience. The less-well-off-partner, in these separations, too often does end up on welfare or homeless, or working many part-time, low-paying jobs in sad hopelessness, while the other partner continues to prosper. It's not fair. It's not fair at all.

This is only one of many examples of the help that Family Court gives married families that families of the same sex don;t have.

Denying relief to partners of the same sex is a needless waste of our human resources -- and a shameful injury to the body politic. This waste, this shame, ends if the Legislature os the state of Hawaii agrees with our Supreme Court of the state of Hawaii and our President of the United States and passes the Civil Union Bill.

There will still be those who don't sign up for a civil union, just as there is an increasing number of people who opt not to get married. But for those who are serious about their relationship and want it to last, there are good reasons -- good *family* reasons -- to adopt the Civil Union Bill.

Note: nothing in this Bill affects marriage in any way. The family is strengthened, not weakened, and those for whom the sanctity of marriage is sacred will lose nothing whatever by the passage of this Bill.

On a more personal level, I at 75 years of age, will likely become senile or incapable in the foreseeable future. You will too, you who are younger, but the prospect is less pressing. Medicine has progressed so far, now, that we do not die naturally, barring accident. Science and machines keep us alive long after the body has any reason to go on living.

Abraham Kanamu has been my constant companion, working with me in my law practice, and now working in part to supplement our income. We have, for 34 years, shared with each other as equals, sharing material and spiritual matters equally.

Abraham *must* be treated as equal to a marriage partner as old age creeps up. He and he alone knows my wishes, when I am no longer able to express them myself. I trust only Abraham to order the plug pulled if I am unable to give the order. I have a living will, which may or may not be found, and may or may not be given effect. Only if Abraham has the legal position of a spouse can I rest secure in the knowledge that my wishes will be respected.

I won't mention matters of health insurance, inheritance, and the like. They are important, but I'm sure others will bring them to the Committee's attention.

Please help me secure the same rights that other committed couples enjoy. Equal justice seems to demand it, as our President has said. I respectfully request it of this Honorable Committee.

Thanks a lot for reading this short email. I'm sorry that health prevents me from meeting with you personally. Please call me if you have any questions.

Durell Douthit  
3423 Francis Street  
Honolulu, Hawai'i 96815  
291-2496; 537-2776  
Sgt., U.S. Army (Ret.)  
Lawyer *Emeritus*

I join Mr. Douthit in this testimony.

Abraham Kanamu  
3423 Francis Street  
Honolulu, Hawai'i 96815  
537-2776  
Tax Preparer

**James Hochberg, Attorney at Law**  
**Topa Financial Center**  
**745 Fort Street, Suite 1450**  
**Fort Street Tower**  
**Honolulu, HI 96813**  
**Phone: (808) 534-1514 / Fax: (808) 538-3075**  
**E-mail: [jim@jameshochberglaw.com](mailto:jim@jameshochberglaw.com)**

**Date:** February 3, 2009

**To:** House Committee on Judiciary  
Rep. John Riki Karamatsu, Chair  
Rep. Ken Ito, Vice Chair

**Re: STRONG OPPOSITION TO HB 444, Relating to Civil Unions**

At some point in their lives, most Americans have studied history. In so doing, we inevitably learn something that we previously did not know. We study and embrace history, erect memorials regarding it, and record it in the hopes of avoiding having it repeat itself. When we need a glimpse of the future, we need only to look to our past. Let's embark on a history lesson with regard to the great Hawaii debate over "civil unions."

As a hot political topic in Hawaii, everyone should be asking themselves and the legislature, why enact a civil unions bill? What do we hope to achieve? What's the ultimate goal?

Well, not much is left to speculation.

A Jan. 24 *Honolulu Advertiser* article reported that "a new group, the Family Equality Coalition...has quietly been building support for civil unions.... Alan Spector, a social worker and co-chair of the Family Equality Coalition, said the long-term goal is to legalize same-sex marriage." That approach is confirmed by recent history elsewhere.<sup>1</sup>

Wherever they are enacted, so-called "civil unions" and "domestic partnerships" have been nothing other than an alternative way of enacting "marriage" for same-sex couples. If the Hawaii Legislature chooses to drag within its walls the innocuous-looking Trojan horse of civil unions, it needs to understand the danger hidden inside of it: same-sex "marriage."

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<sup>1</sup> Final Report of the New Jersey Civil Union Review Commission December 10, 2008 found that: "the separate categorization established by the Civil Union Act invites and encourages unequal treatment of same-sex couples and their children." And that "The Commission concludes that a marriage law would provide that remedy, despite the existence of a federal prohibition on the recognition of same-sex relationships."

The civil unions bill states, "Partners to a civil union...shall have all of the same rights, benefits, protections, and responsibilities under law...as are granted to spouses in a marriage...." It also states, "A civil union, domestic partnership, or marriage of two persons of the same sex...shall be recognized as a civil union in this State...."

Now consider the state of California, where the legislature enacted "domestic partnerships" that provided same-sex couples the full rights and benefits of marriage. Was that good enough? No. How about New Jersey and Vermont, which both did the same thing as California? Nope, not good enough for same-sex advocates there, who now demand legislatively imposed same-sex "marriage."

The same demands are being made in Maine, Washington, and New Hampshire, states which also provided legislatively enacted domestic partnership and civil union schemes. Most importantly, in both California and Connecticut, the existence of full domestic partnership and civil union schemes provided a platform for those states' supreme courts to judicially impose same-sex "marriage."

Thus, history shows us two important things: (1) that civil unions are wholly unacceptable to those who demand them; and (2) that the existence of civil unions has twice led to the imposition of same-sex "marriage" via judicial fiat.

The Hawaii Supreme Court in 1993 first assisted in the imposition of same-sex "marriage" in just this way. The fallout from what the court did would have quickly brought about same-sex "marriage" had the people of Hawaii not adopted a constitutional amendment that gave power to the legislature "to reserve marriage to opposite-sex couples." Then Hawaii enacted the reciprocal beneficiaries law, which opens up benefits to all who do not qualify for marriage. That was a fair and balanced response.

But while the current reciprocal beneficiaries law is open to all who are not permitted to marry, the proposed civil unions law is not. The definition excludes a man taking care of his sick grandmother, or a woman taking care of her adult brother with Down Syndrome. Why are they less deserving of benefits than unmarried persons in civil unions? The activists clamor for "family diversity," but apparently only in the way they wish.

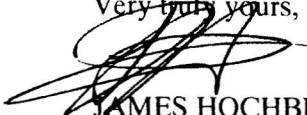
Through the passage of a civil unions bill, the Hawaii Legislature is setting the stage for the extension of "marriage" to same-sex couples. The history of this process in other states should not be ignored, unless the people of Hawaii want to be caught off guard. No one should allow themselves to be fooled and let history repeat itself...again.

**JAMES HOCHBERG**  
ATTORNEY AT LAW

House Committee on Judiciary  
February 3, 2009  
Page 3

I ask that you oppose HB 444 for the reasons I mentioned above. Mahalo for the opportunity to testify.

Very truly yours,



JAMES HOCHBERG, ESQ.

## karamatsu3-Leanne

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**From:** Steve Jacques [jacques@hawaii.edu]  
**Sent:** Tuesday, February 03, 2009 9:56 AM  
**To:** JUDtestimony  
**Subject:** HB 444 testimony

To: Judiciary Committee  
Re: HB 444  
Time: 2/5/09 at 2:00PM

Aloha,

The time for equality is now. All citizens of the State of Hawaii deserve equal treatment. Please pass this bill for an Act Relating to Civil Unions.

Thanks you.

Steve Jacques  
Coordinator, Study Abroad and International Programs  
Office of International Programs - BE 109  
Leeward Community College  
96-045 Ala Ike  
Pearl City, HI 96782

TO: House Judiciary Committee  
The Hon. Jon Riki Karamatsu, Chair  
The Hon. Ken Ito, Vice Chair

RE: **House Bill 444, A Bill For An Act Relating to Civil Unions**

DATE: February 3, 2009

FROM: Sheila Beckham

I support HB 444 because it extends equal rights to same sex couples—the same rights guaranteed to everyone else.

In my capacity as a director for a non-profit health center, I work hand in hand with many same sex couples that have long-standing relationships but have been denied equal rights under the law. These individuals are law-abiding, tax-paying citizens who are not treated equally nor are they treated fairly under our current laws.

I encourage you to do what's right buy supporting this bill.



**karamatsu3-Leanne**

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**From:** Madalyn Purcell [purcellm@mac.com]  
**Sent:** Tuesday, February 03, 2009 10:21 AM  
**To:** JUDtestimony  
**Subject:** CIVIL UNIONS

Thursday, February 5  
House Judiciary Committee  
2 p.m. Conference Room 325  
State Capitol

Testimony in full support of HB 444

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:

As a practicing family law attorney in Honolulu, I understand the legal rights and responsibilities conferred by marriage.

Not only would civil unions provide equal protection under the law for gay and lesbian couples who wish to form a domestic partnership but also for any two individuals who would benefit by forming a domestic partnership.

I recall an elderly client of mine who had been an elementary school teacher all of her life. She was not a lesbian, but she was a woman without much cash. She explained to me that she would like to form a domestic partnership with another elderly retired teacher so they could benefit from the same economic benefits and healthcare benefits conferred on married partners. I believe she was right to perceive an inequality in the law as it applied to her.

Moreover, it appears that the creation of Civil Union laws harmonizes with President Obama's thinking on the subject of conferring equal rights for those seeking "gay marriage." The time is right. Please pass the Civil Union law.

Respectfully

Madalyn Purcell, Esq.

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

We are both proud and pleased to submit testimony in favor of House Bill 444 regarding Civil Unions. Our names are Greg Boorsma and William Linmark, residents of Waikiki. We both believe that the time is now for the State of Hawaii to extend the same benefits, legal protections, rights and responsibilities of spouses in a marriage to partners in a recognized civil union.

We met in 1995 here in Hawaii and have been together now for over 13 years. We moved to the mainland for five years, living in Louisiana and Minnesota. In 1999, we were granted a Certificate of Domestic Partnership by the City of Minneapolis. We moved back to Hawaii in 2001.

Mr. Boorsma, 50, is a graduate of the University of Wisconsin-River Falls, and has been a flight attendant with Northwest Airlines since 1986. Mr. Linmark, 39, is an artist and currently is pursuing a degree in art history at the University of Hawaii. We own our condominium at the Waipuna in the house district of our neighbor, Rep. Tom Brower, a co-sponsor of HB 444.

Northwest Airlines, Mr. Boorsma's employer of over 22 years (soon to become Delta Airlines), has improved its recognition of domestic partners over the years. Some of the benefits we receive have come through managements' understanding of the right thing to do. Others have come through contract negotiations. But all of our domestic partner benefits come with a cost because our relationship is not recognized by the government. Mr. Boorsma must pay income taxes on medical, dental and flight benefits while his married co-workers do not. His pension ceases to exist upon his death. It is not inherited as with married co-workers. While Northwest Airlines has done almost everything it can within the law, the economic loss continues because our relationship is not legal and has no force of law.

These same economic injustices apply to the filing of Federal and State income taxes, future social security benefits, inheritance taxes and estate transference. In this time of economic turmoil, it is tremendously frustrating knowing that we are paying more than our fair share because we can't get married or apply for a recognized Civil Union.

We believe that the Constitution requires that all people be treated equally under the law. It's time to end discrimination, both real and economic, in the State of Hawaii and in the United States. Civil Unions are supported by our President, by the majority of the public, and by a majority of the Hawaii House of Representatives. 2009 is shaping up to be an historic year. We ask you to help Hawaii join many other states in the march to end all forms of discrimination. We ask that you support HB 444 and help us realize our dream of becoming a

recognized family here in Hawaii.

Mahalo,

A handwritten signature in black ink, appearing to read "Greg Boorsma". The signature is fluid and cursive, with the first name "Greg" being more prominent.A handwritten signature in black ink, appearing to read "William Linmark". The signature is fluid and cursive, with the first name "William" being more prominent.

Greg Boorsma  
William Linmark  
469 Ena Road #1705  
Honolulu, HI 96815

Rev. William J. Albinger, Jr.  
PO Box 411  
Lahaina, HI 96767  
Email: [BillAlbinger@aol.com](mailto:BillAlbinger@aol.com)

February 3, 2009

House Judiciary Committee  
State Capitol  
415 Beretania Street  
Honolulu, HI  
By Fax and E-mail

House Bill 444  
A Bill for an Act Relating to Civil Unions

Dear Members of the House Judiciary Committee:

I am writing you to pass through your committee HB 444 and to recommend that you vote in favor of this bill when it comes before the entire legislature. I believe that not only does it redress the injustices done to our gay and lesbian families by our failure to give their committed relationships legal recognition and protections, but I also believe that passage of this legislation is in the best social and economic interests of all the people of Hawai'i. My parish, on its own initiative, has already written in favor of this bill. I would like to add my personal testimony.

I was ordained priest in the Episcopal Church in 2004. Prior to that, I was General Counsel of the US operations of the Munich Reinsurance Group, the world's largest reinsurer. I graduated from Yale, got my JD from Univ. of Penn. Law School, and my M.Div from Drew Univ. I served in Vietnam as a combat engineer. My partner, Mark LeDoux, graduated from Harvard and got his MBA from the Sloan School at MIT. Your average gay couple we are not. We have received many privileges for which we are thankful. On the other hand, we are not that unusual either. Gay people can be and are found in every profession, race, cultural group and economic strata. **FACT #1** – we exist in every town and many families and we go to work and pay taxes like everybody else. There are those who deny this. That is their right, but it is thinking that does not deal with reality.

My partner and I have been in a committed relationship for almost 20 years. Following my ordination, we sold our home in NJ (which at that time did not recognize civil unions) and moved to Massachusetts where we bought a home. Massachusetts did recognize same-gender marriage and that was our primary reason for going there. We were married at our home on April 10, 2004 – surrounded and blessed by family and friends. We know many gay and lesbian couples who have been together as a committed couple for a long time, some for 50 years. **FACT #2** – we are not single; that is a civil status imposed on us by civil law which does not reflect the reality of our lives, let alone the needed legal and economic protections of our relationships.

In 2005, I responded to a call to serve Holy Innocents Episcopal Church on Maui. In doing so, Mark and I gave up significant legal protections and human rights. Spending

money on attorneys to draft legal and medical powers of attorney, wills and other documents may be of some – but limited – help. Aside from the very real issues involving important matters like taxes, pensions, inheritance right, health insurance, property and liability insurance, etc., we often encounter banks, insurers, businesses and other organizations who simply don't know how to deal with our relationship. All too often their decisions seem to be based not on our needs (the same as any other couple's) but on their own economic interests or convenience. If we had children, the problems would be greater. **FACT #3** – passage of civil union legislation would not only give our gay and lesbian citizens in committed relationship the legal status their lives need but would also clarify their status for government and business.

The lack of legal status here in Hawai'i weighs heavily on my mind. What would happen at a hospital if one of us was unable to speak for himself? If one of us died unexpectedly, would the other have sufficient economic resources? I love Hawai'i and I love serving my parish and the community, but I do ask myself if I am putting Mark and myself too much at risk by living in a State that by civil law treats us as if we are total strangers? This is not only my concern. As more and more States give civil union or civil marriage protection to all its citizens, more and more potential employees, doctors, nurses, teachers, etc. will be asking the same question when considering moving to Hawai'i. **FACT #4** – the real life benefits that passage of civil union legislation would bring to Hawaii's economic competitiveness and to all it's citizens far outweighs the fears and dire warnings of its opponents. (Such fears and warnings have, in my opinion, proven unwarranted in all states which have passed such legislation).

As a priest, I support civil union legislation based on my baptismal covenant to “respect the dignity of every human being” and upon my understanding of the Gospels and the life, works and teachings of Jesus Christ. I respect that others may differ. They are free to set whatever doctrines and rules in their churches as others are in theirs. To establish civil law and rights on the basis of some denominations' beliefs without any other rational basis (especially when many faith communities disagree) is a violation, in my opinion, of Hawaii's constitution and the legislators' oaths of office.

Finally, I ask that you put yourselves in my position. If you were married to a second spouse after being previously married and divorced, how would you feel if you moved to Hawai'i only to find yourself treated as single and divorced: your current marriage not being recognized on the basis of the theological views of churches not your own? Is such a law right? Would it be right even if a majority believed such things? Impossible? Well, that used to be the case if an inter-racial couple married in Hawai'i moved to many States back in the 50's and early 60's. Think about it. How would you feel? What would such a situation mean for *your family*?

Respectfully,

202

## karamatsu3-Leanne

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**From:** Patrick Macy [macy71@byuh.edu]  
**Sent:** Tuesday, February 03, 2009 1:52 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444

My testimony is plain and simple...and so should be our stand on this. Marriage should be between a Man and a Woman. We have enough problems with that...why would we want to add more problems?

Our ancestors would roll over in their grave...we should be ashamed of ourselves for even talking of this! C'mon...take a stand on this and quit wimping out. Choose something that can build our society not tear it down.

Dr. Patrick Macy  
BYU-Hawaii  
International Student Services  
675-3558  
McKay 181-J

## karamatsu3-Leanne

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**From:** kauaiboy4200@aol.com  
**Sent:** Tuesday, February 03, 2009 2:09 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444 - Civil Unions - Testimony

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Aloha!

Mahalo for the opportunity to present my testimony before this committee. I apologize that I am unable to be present to read this in person.

My name is Joseph Savino and I want to express my support for House Bill 444 - Civil Unions. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

My partner and I have been together for 6 years. I am currently employed by the State of Hawaii and my partner works in the hotel industry. As a result of us not having legal recognition as a couple, there are over 1,100 rights, responsibilities, and privileges that we lose out on that legally married people get to enjoy. Does that sound fair?

This unequal treatment that me and my partner endure is unfair and unjust. How would you feel if you or one of your family members was treated in this manner? Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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 do to discrimination. It is sad that in this day and age people are still discriminated against because of their sexual preference.

I did NOT choose to be gay, I was born this way, just as people do not choose their race.

I humbly ask that you support HB 444 and appreciate your careful consideration.

Mahalo,

Joseph A. Savino  
PO BOX 390  
Kaunakani, HI 96747

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Relating to HB 444

Testifying in Support

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Shawn Steiman and I am here to express my support for House Bill 444 - Civil Unions. The bill's hearing is February 5th, 2009 at 2 pm.

Love is a quality that our society greatly cherishes. We consecrate that emotion and experience by recognizing the union of two people of different genders. Those unions then attain many privileges and rights in our society. HB 444 extends the same rights, benefits, protections, and responsibilities to any couple in a civil union, independent of the gender of the individuals.

We live in a society that promises that you can be whatever you want when you grow up. Our society has been strengthened by the very concept of "The American Dream." We purport that each individual is equal to all others, independent of race, religion, gender, or creed.

Yet, we deny same-gender couples equality of love, equality of respect and freedom of choice. By passing this bill, we change all of that. With the mere acceptance of this legislation, we proudly state that two people in love are honored by our society. They aren't granted any special rights, privileges or benefits. They are only granted what other couples have been given by our civil society for centuries.

I ask that you support HB 444. Be part of legislation that makes our state a better place for everyone. Be a part of change that will move our society towards one of greater love and respect between all members of our society.

Thank you for your time and the consideration of this bill,

Shawn Steiman  
1418 Mokuna Pl  
Honolulu, HI  
96816



## karamatsu3-Leanne

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**From:** Kecia Joy [keciamai@yahoo.com]  
**Sent:** Tuesday, February 03, 2009 2:17 PM  
**To:** JUDtestimony  
**Subject:** Support Equality!

I am testifying asking that you vote in favor of marriage equality for committed gay and lesbian couples. All residents of Hawai'i deserve the same dignity and respect under the law.

I know hundreds of really great and hard working residents on Maui who deserve equal treatment under law.. Please do the right thing for all humans. If we can over come our prejudices of skin color by electing a black president, we are certainly ready and capable to give everyone equal rights and not discriminate on the basis of sexual orientation. Thank you very much for doing the right thing!

Kecia Joy  
Kihei, Maui

## karamatsu3-Leanne

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**From:** Tomoko Iwai [tomoko@hawaii.edu]  
**Sent:** Tuesday, February 03, 2009 2:25 PM  
**To:** JUDtestimony  
**Subject:** Testimony in Support for House Bill 444 - Civil Unions

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Tomoko Iwai and I am writing this testimony to show my support for House Bill 444-Civil Unions. My partner, our two sons and I need this bill to pass so that our family is protected in the same way marriage protects heterosexual families. I believe that all people should be treated equally under the law.

My partner and I are going to celebrate our 30th anniversary this coming July. We adopted two boys at birth, one in 2002 and another in 2003 and are running a bustling household with two active boys. They call me "Mama" and my partner "Mommy" and proudly announce to their friends that they have two moms, to which most of their friends react with curiosity and/or envy. We are a happy family and have a very strong bond as a cohesive family.

Though our friends and family are all supportive and treat us as a family, we have been discriminated against by various institutions and policies, and had to make special arrangements in order to protect ourselves. We are grateful that the state of Hawaii has taken steps in the past to protect us with reciprocal beneficiary and domestic partnership which gave us some benefits. Hawaii's hospitals have been good to us as well treating my partner as my family when I went through surgery and procedures. This was very important to me as I have no other family in Hawaii. I hope that with this bill, we will not have to depend on people's good will to be treated equally, and that we will not have to go out of our way to convince people that we are a family that deserves the same protection and respect as our heterosexual counterparts. Granting equal rights to same-sex couples in no way impacts the rights of others. We are law-abiding citizens that go about our lives everyday just the same as everyone else, and when we are granted equal rights, we will keep doing the same things we are doing now, only with an ease of mind that we are protected and confidence in our government that strives to do the right thing.

Our 6 year old son asked me the other day if we were married. I said no. Then, he asked when we were going to get married. I said sometime but never thought that day was so near. I hope this bill passes and our sons will be able to witness this historical moment in our lives. You will be their heroes.

Mahalo,

Tomoko Iwai  
46-081 Konohiki St. Apt. 3563  
Kaneohe, HI 96744

**karamatsu3-Leanne**

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**From:** Chuck Freedman [cmfreedman@hotmail.com]  
**Sent:** Tuesday, February 03, 2009 2:35 PM  
**To:** JUDtestimony  
**Subject:** testing

Testimony to the House Judiciary Committee  
House Bill 444 Relating to Civil Unions  
Thursday, February 5, 2009

Dear Chair Karamatsu, Vice Chair Ito and Committee Members:

I would like to testify on behalf of HB 444, Relating to Civil Unions.

I will forego any attempt at legal arguments. In this case I opt for the personal plea.

Decades ago, an older first cousin of mine, whom I did not know very well, took his own life. He had served in the United State Marines. He worked hard at his job. He belonged to at least one religious organization that tried to advise him on the issues he faced in his life. He was gay and, could not reconcile his feelings with the expectations around him. And so he left this world by his own hand, way too soon.

I would like to have gotten to know my cousin. I would like to live in a world that lets people be what they are, so long as they do no harm to anyone else.

Please pass HB 444. It speaks to fairness, compassion and a society of mutual respect.

Sincerely,

Chuck Freedman (388-1927)

Kathleen Sands  
(Assoc. Professor of American Studies, UH Manoa)

Home Address  
3670 Hawaii Kai Drive #34

Testimony to House Judiciary Committee  
February 5, 2009  
2 p.m.

In support of HB 444 (Civil Union)

#### TESTIMONY

My name is Kathleen Sands and I'm a professor of American Studies at UH Manoa. I recently moved to Hawaii with Linda Hamilton Krieger (who's a professor at the Richardson School of Law). I'm here to testify in support of HB 444.

In Massachusetts, Linda and I are legally married. In Massachusetts and in Linda's former state (California), we could share the basic legal rights that all life partners need and deserve - buying, owning, and inheriting property, sharing health and life insurance benefits, public employee retirement benefits, parental and step-parental rights and so forth. The list, as you know, goes on and on.

So, although we both love Hawaii and UH, coming here was a serious loss for us. Upon setting foot on this lovely island, nearly all these rights were lost to us, along with the basic respect and regard that we deserve as life partners, regardless of whether people are comfortable with our private life. And the loss we have undergone signals a problem and danger for the university as well, because no university can be first-rate unless it's

able to draw the best workers from a competitive labor market. Same-sex couples expect spousal recognition from universities, which is why most universities today go as far as they can do to provide it. It's a simple matter of institutional competitiveness.

There is, of course, the reciprocal beneficiary option in Hawaii and we availed ourselves of this option before buying our home. However, when Linda went to the Department of Health to obtain the necessary forms, the security officer actually denied that such a thing as RB's existed – all the while refusing to make eye contact with her. Eventually she located the appropriate office on her own, but the experience was vivid evidence of the disrespect and indeed contempt for same sex relationships that is encouraged when marriage equality is denied. Moreover, the rights of reciprocal beneficiaries in Hawaii are widely recognized as vastly inferior to those associated with civil union in other states, and even this short list of rights has been whittled away in the years since 1997.

I'd like to comment also on the moral and religious aspects of this issue. As a theologian and scholar of religion, I've had lots of opportunity to observe how moral maturation occurs, and also lots of opportunity to see (in my extremely diverse classrooms) how people with religious differences can create a healthy community. I've learned that a mature moral judgment is something quite different than a visceral reaction against something. I say this because so many people – including perhaps some of you – have what amounts to a visceral reaction against homoeroticism, and therefore against same-sex marriage or even civil-unions. At a “gut” level, it may seem jarring, ridiculous, even disgusting. This is how we all were raised when it came to homosexuality; this is how our “guts” were trained.

Gay and lesbian people were raised this way too, so most of us, growing up, struggled with feelings that we ourselves were wrong, ridiculous, or disgusting. But we had to grow up. We had to reach under those ingrained visceral responses and find the basic solid values we sought in our lives – love, satisfaction, security, family. Once we did that, the visceral reactions dissolved, and we found ourselves in the clear, sane space of plain old human love.

Not very long ago, most people in the U.S. had a similar visceral reaction against inter-racial marriages – at a gut level, these seemed wrong, disgusting, upsetting the normal order of things. Those were visceral reactions, but they were not morally mature judgments. If you have a visceral reaction against same-sex marriage, I urge you to ask yourself whether the judgments you've made based on those reactions are really morally mature. I think you'll find, once you break through those ingrained reactions, that those visceral feelings will melt away, just as they have for mature gay and lesbian people.

Finally, let me say something about religious differences. The right and wrongs of sexuality are, for many people, religious issues. That is true, but it's true on both sides. It's not just opponents of marriage equality, but *proponents* who have religious views – groups like the Interfaith Alliance, the Metropolitan Community Church, the United Church of Christ, Temple Emanu-el, and many others. Precisely because this issue is religious and/or moral, the state should not prefer one side over the other. Hawaii should simply create the legal environment in which people are free to live out their own conscientious beliefs as long as they do not harm others. Religious opponents of same sex marriage have a firm constitutional right to perform only heterosexual marriages; that is not endangered by civil unions or by same sex marriage and it never could be. But they

have no right to harm or penalize me as I live out my own deeply held values and my own cherished love relationship. This in no way requires that opponents “condone” or “celebrate” my relationship. In the United States, we don’t expect Mormons to “condone” Scientologists, or evangelical Christians to “celebrate” Islam. But neither are these groups allowed to deny each other health care, parental rights, bereavement leave or life insurance. Marriage equality requires no more than does equity among the many religious groups that already co-exist in our state. And it deserves no less.

Nicole Holler, MSW student at UH Manoa  
Comments directed to the Committee on Judiciary  
Thursday, February 05, 2009  
2:00 PM  
Bill No. HB 444  
1 copy via email

I strongly support this bill because partners in a civil union deserve the same legal security that couples in a marriage are entitled to. The legal security would be beneficial in the event of an emergency. For instance, if an unexpected death of a partner in a civil union occurs, then the partner would have legal ties to the property in their joint home. This would prevent other family members (who may be distant relatives) from claiming the couples' joint belongings.

In the event of an unexpected illness, a partner would be allowed access to medical information regarding their partner. They would also gain visitation rights in a medical setting.

These are all rights that couples in a marriage take for granted. But, if those couples were ever denied their rights in their time of grieving they would feel helpless. I feel very strongly that it is completely immoral to deny couples the legal security that would assist them during crucial times. I do hope that as our nation continues to grow, we keep moving in the right direction by redistributing power so that all US citizens can be recognized as equal.



## **karamatsu3-Leanne**

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**From:** Stephanie R. Tolentino [stolentino@hpu.edu]  
**Sent:** Tuesday, February 03, 2009 3:35 PM  
**To:** JUDtestimony  
**Subject:** House Bil 444 testimony

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Stephanie Tolentino and I want to thank you for giving me the opportunity to testify before the committee. I am in full support for House Bill 444 – Civil Unions as it stands by the rights of treating people equally as it states in the Constitution. This bill would give the same rights as those in a marriage of benefits, protections, and responsibilities of partners.

Although I do not currently have a partner I strongly support those that do and would want to have the same support if I was to ever have a partner. It is unfair for partners to not be able to have the same rights to benefits such as health insurance, taxes, and much more. It is important that in this changing world we create true equality among all people as it states in the Constitution. There is no reason to hide the idea of same sex marriage and to not allow them the same rights. In my eyes, love is love and that is all that matters. Whether it is between a woman and a man, an man and a man, or a woman and a woman its all the same. Denial of the ability to be classified as legal partners is unequal and would be going against the "all men (and women) are equal" statement in the Constitution.

Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. The issue of equal treatment for same-sex couples is the civil rights issue of this generation. Please support House Bill 444 as there is no reason not to. Thank you for your time and consideration on this monumental civil rights issue.

Thank you,

Stephanie Tolentino

3383 Loulu St Apt. A

Honolulu, HI 96822

Stephanie Tolentino  
Coordinator, Student Activities at Hawai'i Loa  
Hawai'i Pacific University  
45-045 Kamehameha Highway  
Kaneohe, HI 96744  
(808) 236-3567

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

We are Colleen Murphy and Monica Grant, Kaneohe residents and homeowners and a same-sex couple for the past eight years. I am a Realtor with RE/MAX Honolulu, and Monica is Vice President of Resource Development with the YMCA of Honolulu. We stand in strong support of HB 444. We are honored and moved to be a part of this important discussion, and sincerely thank you for hearing these testimonies today.

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.

Our experience has been that the citizens of Hawaii are welcoming and accepting of us and of our relationship. Therefore, we find it perplexing and difficult to accept that the government in this beautiful place would not want to offer us the same protection, freedoms, rights and responsibilities that it extends to all of its other citizens. This is inconsistent with the spirit and promise of Aloha.

The many same-sex couples we know personally here in Hawaii all struggle with this paradox; and yet, like ourselves, all they wish to do is thrive here and give this community all they have to offer in return. We - all of us - give of our time, our money, and our voices. We are business executives, Realtors, nonprofit managers, doctors, nurses, teachers and students. We are also donors, board members, community volunteers, and activists for social change for the good of all people. And we take our responsibilities seriously – we pay our taxes, and we show up at the polls and speak with our votes.

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. A “no” vote will conversely send a message that same-sex couples are not safe here, that those considering relocation or even visits to Hawaii should give pause, and that those of us who are here are not truly welcome. Again, we find it hard to accept that this message is the one that our legislators wish to send.

We ask for your support on HB 444; it is the right and just thing to do. Thank you for considering 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  
44-160 Kou Pl. #7  
Kaneohe, HI 96744  
(808) 218-0408  
(808) 554-4122  
[cmurphyrealtor@yahoo.com](mailto:cmurphyrealtor@yahoo.com)  
[grantmonica@yahoo.com](mailto:grantmonica@yahoo.com)

February 3, 2009

Testimony for HB 444 RE: Civil Unions  
Hawaii State House Judiciary Committee

Dear Chair Karamatsu, Vice Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Gene Corpuz, and I am supporting House Bill 444 regarding Civil Unions. I am currently employed as a Health Educator for HMSA (17 years) and am a member of Dignity USA, an organization for gay, lesbian, bisexual, and transgender Catholics, where I serve on the national board of directors. I am supporting this bill because I believe that all people in the State of Hawaii should be treated equally under the law and that would include same-gender couples who reside here. Although my preference would be for full marriage rights, HB 444 would extend the same rights, benefits, protections and responsibilities of spouses in marriage to partners in a civil union.

My partner and I have been together for 18 years and we became Reciprocal Beneficiaries in 1998 when that was the only option for acknowledgement of limited rights for same gender couples. Due that law, since my partner was employed by the State of Hawaii, I could have been added to his health plan. However, I could not offer the same benefits from my employer to him since our relationship is not recognized as a family unit. Just recently, my employer released information regarding the Family Leave Act, and how employees can take a leave of absence to care for a sick family member and be able to return to their job without loss of status and pay. Again, same gender couples are not specified as a family unit, and therefore not recognized for receiving this benefit.

I just highlighted a few ways in which same gender couples are discriminated that mixed-gender couples are not generally aware of when they apply for joint benefits. Since I'm Catholic, the church will oppose this bill on moral grounds. This bill is supported by Dignity USA & the local group Dignity Honolulu and many other groups because it is a basic civil rights issue. Several states already offer benefits to same gender couples either through civil unions or marriage, and I believe that equal treatment under the law should be the policy in the State of Hawaii. I again ask for your support of HB 444 and appreciate your careful consideration.

Sincerely,

Gene Corpuz  
1139 9<sup>th</sup> Ave., #1602  
Honolulu, HI 96816  
(808)734-7313

To: House Judiciary Committee  
Re: **Support for HB 444, relating to civil unions**

Aloha members of the Judiciary Committee:

I, Jacquelyn T. Esser, support HB 444 because I believe all couples should be treated equally under the law regardless of whether they are opposite-sex couples or same-sex couples. I also support this bill insofar as it provides critical rights, benefits, and obligations to members of our community who have entered into long-term, committed relationships and are raising families.

This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo,

Jacquelyn T. Esser  
3523B Maluhia Street  
Honolulu, HI 96816  
808.259.1476

## karamatsu3-Leanne

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**From:** Leilani Sim-Godbehere [simgod@hawaii.rr.com]  
**Sent:** Tuesday, February 03, 2009 5:58 PM  
**To:** JUDtestimony  
**Cc:** Rep. James Tokioka  
**Subject:** Civil Union Bill

**Subject:** Regarding the Civil Union Bill,  
Hearing date: Thursday, Feb 5,2009, 2pm  
HB 444

To the Committee on Judiciary,

I am opposed to persons of the same sex using the term MARRIED or MARRIAGE. Marriage is and should always remain the covenant between a man and a woman. Calling marriage anything else denigrates the sacred union between men and women. I am not opposed to homosexuals having some legal protection in the eyes of the law. So what I have a problem with is the semantics. Same sex couples who are committed to one another should be able to legally care for and make provisions for one another. Homosexual unions should utilize the term : CIVIL UNION rather than marriage. .

Mahalo,

Leilani Sim-Godbehere,DVM

6115 Waipouli Rd

Kapaa, HI 96746

808 822 4409 Hm

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**From:** hwsimons@aol.com  
**Sent:** Tuesday, February 03, 2009 6:10 PM  
**To:** Rep. Jon Karamatsu  
**Subject:** Testimony opposing Civil Union Bill

**Cover Page**

**To**

**Jon Karamatsu, Chair**

**House Judiciary Committee**

**i.e.**

**Civil Union Bill HB 444**

**Meeting in Hawaii State Capitol**

**Room 325 @ 2 p.m. on 2/5/09**

TESTIMONY AGAINST CIVIL UNIONS

2/3/09

I am against any form of “civil unions!” If the State of Hawaii enacts a law allowing “civil unions,” this will open the door for recognition of same sex couples partaking of the same rights and status as married heterosexual couples.

There have been letters to the editor in our local newspapers stating the need for civil unions as a civil matter, not a religious matter. While this may appear to be true, there is more involved than meets the eye. From the beginning of the human race, God ordained marriage. God created the man to produce sperm and the woman to produce eggs. The uniting of a sperm and an egg results in the birth of a human being.

At conception and then at birth, each person is revealed as a tiny, carbon copy of the human race, each with his own skin color, hair color, blood type, male/female sex organs, properly formed body with internal and external organs, arms with miniature hands with unique fingerprints and miniature legs with feet and unique footprints applicable to only that person, the color of his eyes with a retina scan applicable to only him, and DNA – life’s “blue print” signature unique to that person and that person ONLY! Each person is quite unique! “One of a kind in many.” In fact, there is no other person in the entire world who has had or ever will have the same fingerprints, footprints, retina scan, or DNA as another individual!

Reproductive scientists have concluded the average man continuously produces over one trillion sperm during his reproductive lifetime – from puberty to cessation of production, approximately some 60 years. The average woman is born with some 400,000 egg follicles that are reduced to 300 eggs that reach maturation at puberty, and then, she churns out one per month minus pregnancies until menopause (some 35 years) – all stored in her two ovaries.

Each and every sperm produced by a man is “different” from any other sperm continuously produced by him in his lifetime. Each and every egg that a woman is born with and stored in her ovaries is “different” one from another. This means that no two sperm or two eggs regardless of their endless combinations can produce identical children!

The reproductive system of a man is diametrically opposed to the reproductive system of a woman. The question that must be asked and answered is, “How do individual humans come into being at the right time and place in history using natural means – sexual intercourse – for sexual reproduction?” The “odds or chance of probability” are so great as to be beyond possibility.

There has to be an implemented “Intelligent Design” sometime, somewhere, someplace, and by Someone, who brought each individual into a particular time and place in history! God is directly involved in each and every act of human procreation using natural means.

The Bible states that God has written in His Book of Life some 20 things that He foreknew about every person that would be conceived by natural means from before time began – He loved you, He knew you by name, He saw your unformed substance, He numbered the hairs of your head, He assigned His angels to watch over you, He knew when, where, and to whom you would be born, He foreknew your entire genealogy, He had plans for your entire life, He numbered the days of your life, etc. In other words, God has His finger on every nanosecond of our lives whether we think so or whether we like it or not! The researching of Jesus Christ’s genealogy proves this fact for His life, and this principle applies to the lives of all humans who ever lived!

Can you see why God in His Word considers the homosexual lifestyle as an abomination to Him?

Sincerely,

Harry W. Simons – A pastor at House of Angels Ministry

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2/3/09

I am writing on behalf of my entire family-myself, my husband of 22 years and our 3 adult children and 2 minors. We STRONGLY support the legislation allowing for civil unions as proposed in HB 444 (and would also support marriage for all).

We are a normal, hardworking, fun-loving family who devote great efforts for and in our community. We are foster and adoptive parents. We have the wonderful mix of many local cultures in our `Ohana including Hawaiian, Caucasian, Chinese, Portuguese, Korean, and Native American. We respect and honor all cultures and spiritual beliefs that call for kindness, compassion and service to others. We belong to and attend a Lutheran church every week, and participate in church leadership as well. We have children who have been through both Public and Private Hawai`i schools. We teach our children from the time they are young through our words, actions, the values reinforced by our faith and church, that all people are equal, and that true love and commitment can be between opposite or same sex couples. We believe that all families matter and deserve equal rights .

Granting civil unions is about ensuring and protecting civil rights and respect for all people. We would be proud to be in a state where these values are honored and hope and pray that our elected officials will do the right thing. We encourage you to support HB 444. Mahalo.

Sincerely and with Aloha-

Mary Osorio, and family- Jonathan, Kane, Duncan, Jamaica, Hali`a and Lehuanani

2575 Jasmine St., Honolulu, HI 96816



## karamatsu3-Leanne

---

**From:** rick & judy armsby [rjarmsby@hawaiiantel.net]  
**Sent:** Tuesday, February 03, 2009 6:43 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

I am a heterosexual clinical psychologist who has worked for the State AMHD for 40 years. I am writing to you today to urge you to vote in favor of House Bill 444 - Civil Unions which extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. I firmly believe committed gay partners should not be denied any of the rights, benefits, and protections that my wife and I have enjoyed for the 41 years of our marriage. Furthermore, I remember how unfair and wrong it was for the male partner of my male graduate school roommate to be denied inheritance and other rights when my friend died recently from cancer. They had been living together in a loving productive relationship for even longer than my wife and I had been together and yet the surviving partner was treated as less than a spouse and suffered anguish and financial loss on top of grieving for his life partner. This happened in Illinois and I do not know the status of their laws regarding civil unions. Please support civil unions in Hawaii as a first and necessary step towards the ultimate goal of gay marriage.

Aloha, Rick Armsby Ph.D.

To: Representative Jon Riki Karamatsu, Chair, Judiciary Committee  
Representative Ken Ito, Vice Chair, Judiciary Committee  
Members, House Committee on Judiciary

Fr: Trisha Y. Nakamura, Esq.  
PO Box 61619  
Honolulu, Hawai'i 96839

Date: February 2, 2009  
Hrg: February 5, 2009 at 2:00 p.m.

Re: **Strong Support for HB 444**, Relating to Civil Unions

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Simply put, this is the right thing to do.

Please note my support of civil unions, and pass it out of committee.

## karamatsu3-Leanne

---

**From:** Rick Jackson [richardhale77@hawaii.rr.com]  
**Sent:** Tuesday, February 03, 2009 7:05 PM  
**To:** JUDtestimony  
**Subject:** CivilUnions020309

Please support human rights and civil rights for all people, including LGBT folks.

---

My name is Richard C. Jackson and I am a civil servant. I have been a member of a leading civil rights organization and a leading human rights organization for decades. However I speak only for myself and no other group, entity, or organization.

This testimony is directed to the Judiciary Committee of the Hawaii State Legislature. The hearing is scheduled for Thursday, February 5, 2009 at 2:00 p.m. The measure I support is HB 444.

I had a relationship with a college friend in the early 1970s and I was seriously harmed after I made it clear that I support civil unions and even marriage for LBGT people. I rented a room near the campus and I was slipped an illegal drug by another student. After the drug took affect a third student taunted me with a Nazi flag and shouted at me, "You support peace and love and freedom. What are you doing here!!?" It was made clear to me that there were a lot of illegal drugs in the house. At the same time a woman I had been getting to know told me that if I had the location of and information about the Irish Republican Army (IRA) and told the authorities, the IRA "would put a loaded shotgun behind" my "knee and pull the trigger." I was very frightened. I thought the drug and the threats were causing me heart failure, however, people just laughed at me. That's just one reason why I am against all kinds of illegal drugs. I ran to the University Health Center in panic. My tuition check was stolen and my family was called.

At the same University, I had been assigned a dorm room a few years later. I went to visit a friend and when I returned, all of my possessions – minus a few items -- had been dumped in the hallway and my dorm room lock changed. They said that they did that to me because I am gay.

My family felt appalled that I am gay and had me hospitalized for that reason. Until 1973, the American Psychiatric Association considered sexual orientation a mental health issue.

Also in the early 1970s, I remembered that my then-missing father had approached me previously and encouraged me to get a job with the Federal Bureau of Investigation. I called the FBI and was encouraged to gather information about organized crime “for \$400.00 a week.” I told the special agent that I needed to contact the Drug Enforcement Administration and he said that he could not legally allow me to do so. Later on he said that he couldn’t hire me, nor could he pay me, because of my sexual orientation.

Just after that, I was attacked at a hospital while trying to place a call to a human rights agency. I had been requested to call at a certain time. Another patient had been on the phone for 30 minutes and I assertively pointed out that the rules and a sign in plain sight said calls are strictly limited to ten minutes. The patient brutally attacked me and I still have Post Traumatic Stress Disorder from the incident.

I know I said some things I shouldn’t have said after I was illegally drugged and beaten. I don’t seek revenge, and I don’t wish to offend anyone; I just hope and pray the next generation of LGBT people will have a better quality of life than I had, and that all citizens can live in harmony.

If you have compassion for your fellow citizens, you will support the bill allowing civil unions. God’s commandment is to love your neighbor, not just your heterosexual

neighbor. Jesus Christ never said one word against LGBT people. People who are adamantly against sexual orientation rights are that way, the psychology books said, because they fear similar suppressed feelings in themselves, and so they think they have to repress it in society and our culture.

I have been beaten three times or so and I am permanently crippled. For the love of God, support human rights and civil rights for all people. I am proud to be an American.

Please support the Civil Unions House Bill 444.

Sincerely,

/S/

Richard C. Jackson  
Liliha District

## karamatsu3-Leanne

---

**From:** Fritz Fritschel [fritlang@msn.com]  
**Sent:** Tuesday, February 03, 2009 7:23 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444

Submitted Testimony to the Judiciary Committee re House Bill 444 Relating to Civil Unions  
February 5, 2009, 2:00 p.m.

My name is Fritz Fritschel, a retired Lutheran clergyman speaking in favor of House Bill 444. I want to thank the committee for considering this bill and for the many members of the house that have already indicated support for it.

I consider this bill a significant step forward in the extension of civil rights to an important population of our society. While we may quarrel about words at times, marriage and/or civil union, I believe the impact of this bill can recognize and support meaningful relationships and partnerships in our communities. That is something that should happen.

I might say that our own religious community has deliberately announced and officially adopted practice of inclusion of the LGBT [Lesbian, Gay, Bisexual, Transsexual] community as full participants in our congregational life. We passed that provision about 15 years ago. Since then, members of the LGBT group have been an invaluable asset to our life together, taking active roles with other members and families as they choose.

It is very moving when lesbian and/or gay partners express their gratitude for the acceptance that we are able to provide. The whole community should be able to do this officially, not just select churches. Their relationships are considered just as sacred as any heterosexual commitment, in my opinion.

To have a former member of our choir announce that he and his partner had been together for 50 years before the partner died indicates an enviable level of loyalty. Another gay couple recently reported they had been together for 42 years. Their vibrancy, liveliness and joy in each others life can be seen as a model for all relationships.

I urge your support for House Bill 444 Relating to Civil Unions.

Sincerely,

Fritz Fritschel  
1415 Victoria St. # 1101  
Honolulu, HI 96822

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## karamatsu3-Leanne

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**From:** kjdogpilot@aol.com  
**Sent:** Tuesday, February 03, 2009 7:36 PM  
**To:** JUDtestimony  
**Subject:** HB 444

From:  
Kevin Jones  
3538 McCorriston Street  
Honolulu, HI 96815

To:  
House Judiciary Committee

Re:  
HB 444  
Hearing February 5th, 2009 2pm

Aloha,

I am writing in support of same-sex civil unions in Hawaii. Thank you for considering my testimony as you deliberate HB 444.

I am an entertainment producer and musical performing artist born and raised in Hawaii, and I have lived most of my life here. I have always appreciated the encouragement and celebration of diversity by the people of Hawaii, as well as their intolerance of discrimination.

Unions between two willing persons who love one another, whether they are of the same sex or of opposite sexes, enrich the world around them and form part of the essential firmament upon which a successful society is built.

Defining and/or allowing marriage only as the union between a man and a woman excludes others of the same sex who seek to unite, build a life together for themselves and enrich the world. This narrow definition thus openly violates the civil rights and freedoms of a significant portion of our citizens, as outlined by the US and Hawaii Constitutions; it also challenges the separation of church and state outlined by the US Constitution by seeking to impose what could be called a "biblical" definition of marriage upon all citizens, regardless of their beliefs.

Allowing equal rights to same-sex couples does not negatively impact the rights of opposite-sex couples or religious groups in any way. All people and all faiths currently have and will retain the right to define marriage in their own way, without divisive legislation to narrow or strictly define marriage.

Further, allowing equal rights for same-sex couples only strengthens families and "family values," as families with legal definitions and rights are less likely to be a burden to society. While I am only a layman, I am aware of many statistics & studies that point to the utmost health & success of children (our most valuable asset as a society) within the framework of a two-parent family, regardless of the sexual orientation of those parents. I am also aware of, and have personally observed, the ever-rising divorce rates among opposite-sex couples, as well as many same-sex couples whom I have personally known to provide a family life environment by virtue of their commitment to one another that is just as stable, if not more stable, than the family life environment of opposite-sex couples.

If "family values" dictate that we must ultimately act to protect children, the best way to do so is to allow them to grow up with two parents who love the child and love each other, again regardless of the parents' sexual orientation.

Common sense, logic and empathy all dictate that same-sex couples deserve the full rights afforded to all citizens of Hawaii and the US, without exception or discrimination.

Once again, mahalo nui loa for considering my opinion in this very important matter.

Sincerely,  
Kevin Jones



**karamatsu3-Leanne**

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**From:** SkipperO@aol.com  
**Sent:** Tuesday, February 03, 2009 7:53 PM  
**To:** JUDtestimony  
**Subject:** HB 444

Hello from Thailand,

I am a Hawaii resident living in Thailand. For over a decade, I spent all my free time working on gaining partnership rights for same sex couples.

It makes me happy to see the work continues with the Family Equality Coalition of Hawaii, BUT it makes me sad that Hawaii has not yet accomplished this first step to making its lesbian and gay citizens more equal under the law.

I am sure that the time is right now to get this part of our relationship struggle finished and off the table.

I wish you courage and Godspeed .

Robert "Skip" Burns, Jr.  
CC Bloom's Hotel  
Phuket. Thailand



[www.ccbloomshotel.com](http://www.ccbloomshotel.com)

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# Elena Cabatu

15-1446 24<sup>th</sup> Avenue  
Keaa'u, Hawaii 96749

Mailing Address  
PO Box 7558  
Hilo, Hawaii 96720

Phone: (808) 333-7223  
Email: ecabatu@hotmail.com

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February 3, 2009

Representative Jon Riki Karamatsu  
Chair, House Judiciary Committee  
41st Representative District  
Hawaii State Capitol, Room 302  
415 South Beretania Street  
Honolulu, HI 96813

Dear Rep. Karamatsu,

I'm writing to thank you for HB 444, the Civil Union Bill, which extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union on the issues of civil unions and marriage equality in this year's legislative session. I urge you and the committee to advance HB 444 at the February 5, 2009 hearing in Capitol Room 325, taking place at 2:00 pm.

After ten years in Washington, DC and situating myself in my hometown of Hilo over the past three years, I now feel compelled to voice my support for equality for the gay and lesbian community. I am one of the "young ones" who have come home. I am the Community Relations Manager of the Hawaii Health Systems Corporation East Hawaii Region and Governor Linda Lingle appointee to the State Commission on the Status of Women representing Hawaii County. My passion for equality in this issue is personal. I believe the day for equality for us and other couples like us is on the horizon.

My hard-earned successes as a local Hilo girl did not come easy. I took every advantage of the great opportunity to be educated at Hawaii Preparatory Academy, an international boarding school, and then at Georgetown University. I have come out of those experiences empowered to fight for the uninsured, underserved, and women's equality in health and rights. Now it is time to fight for me. However successful I am professionally today as a young Hawaiian, I urge you to support HB 444 so I may stand tall as an equal person who lives in equality in my home state.

I would love to tell those who ask: "Aren't civil unions legal in Hawaii?" that indeed it is. The vote for civil unions did not pass in the 1990s, but please pause to think how much it would mean to my wife and me and others like us now in 2009. Your support for equal rights for gays and lesbians is very much needed.

Sincerely,  
Elena Cabatu

P.S. Inserted is a picture of my wife, Theresa Gennette, and me at our July 28, 2007 marriage at Kaimu, Kalapana. In attendance were my father, step-mother, mother, seven siblings and best friend. On this day, our love was recognized by our loved ones, but not by law. Please support HB 444.



**karamatsu3-Leanne**

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**From:** mak221@aol.com  
**Sent:** Tuesday, February 03, 2009 8:32 PM  
**To:** JUDtestimony  
**Subject:** Comments in favor of HB 444

Mark A. Koppel, Testifier

For the Judiciary Committee

Thursday, February 5, 2009

HB 444

17 Copies

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is **Mark A. Koppel** and I am here to express my support for House Bill 444 - Civil Unions.

My partner, Barry A. Brandes and I have live in Hakalau, on the Big Island, and have been together for over 36 years. We both feel that Hawai'i, more than most states, has always stood for diversity and tolerance. A Civil Unions bill is simply an extension of this spirit of aloha. I write not just for us, but for the many other Lesbian and Gay Big Island couples, who have asked us to testify for them.

I remember walking once in Waikiki and wondering why there were so many limousines on the streets. Then I realized that people come to Hawaii from all over the world to be married. Yet, my partner and I cannot have any legal recognition beyond an RBR. Why must one group of people be denied the rights allowed to all other groups?

Let me emphasize that this is not at all an attack on religion. No religious freedoms or practices would be change at all. No church would have to perform a Civil Union ceremony if it did not wish to. A few states have had Civil Unions for years, without any ill effects.

This bill is not an attack on marriage. Marriages in states that have Civil Unions have not suffered in any way.

What this bill will provide is a number of civil rights for Barry and me. As things stand now, everything from health benefits, power of attorney, health directives, taxes, inheritance and home ownership is affected. Barry and I cannot assume, the way other couples do, that everything is taken care of. Every one of the above items, and many more, must be written out by a lawyer, and may be subject to challenge.

Our fundamental right as a couple can be recognized only through a Civil Unions bill.

I urge you to pass this measure and provide equal right to all Hawaii citizens and voters.

P.S. When Civil Unions exist in Hawaii, we will be able to reap much needed tourist dollars as Mainlanders join us Hawaiians in these ceremonies.

Mahalo

Mark A. Koppel

31-392 Lepoloa Road  
Hakalau, HI 96710

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HB 444  
House Judiciary Committee  
Chair, Representative Jon Riki Karamatsu  
Co-chair, Representative Ken Ito

February 5th, 2009 2:00

Aloha Chair Karamatsu, Co-Chair Ito, and members of the committee,

Thank you for considering this bill. From my perspective the question before the committee is a simple matter of fairness and equal rights. Discrimination based on gender and ethnicity is no longer legal. Discrimination based on gender preference should be pitched onto the waste heap of history as well. We must leave legalized bigotry behind as we have discarded racial and gender bias.

All members of our society deserve the rights to hospital visitation, health insurance, and survivorship as a spouse when that is what they are. Providing same sex couples with the same rights as others in no way weakens families; it strengthens them. My family is not harmed by another family's access to equal rights and justice.

Thank you for considering this bill that will end legalized discrimination.

Mahalo,

Laurie Baron  
2143 Haena Dr.  
Honolulu, Hawaii 96822

## karamatsu3-Leanne

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**From:** Jon-Paul Bingham [jbingham@hawaii.edu]  
**Sent:** Tuesday, February 03, 2009 8:57 PM  
**To:** JUDtestimony  
**Subject:** HB 444-Civil Unions-SUPPORT, JUD Comm, Public Hearing, 2/5/09, 2:00 PM, Conference Room 325  
**Attachments:** Card for Jon-Paul Bingham <jbingham@hawaii.edu>.vcf

February 5, 2009

Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Dr. Jon-Paul Bingham, Professor of Biochemistry, at the University of Hawaii at Manoa, and I am here to support your decision in making a positive impact on the lives of many committed gay couples in the State of Hawaii. Your support of House Bill 444 "A Bill for an Act relating to Civil Unions" is a civic duty to help end unequal treatment of loving same-sex households and families in the eyes of our present state laws.

As a husband in a loving same-sex relationship, we've been married for 9.5 wonderful years now in which our love has not wavered. We have faced the same hurdles as any couple; yet it is our vowels to each other that keep us strong and in love. Our pursuit of happiness has lead us to enter a Civil Union in Vermont and legally marry in Canada – but on the shores of our home, Hawaii, our family is melted down to a patch-work of a few civic protections.

As we grow older, as we will do together as new homeowners in Kaneohe, we are both worried about how future unequal laws will effect us economically such as accessing retirement and health benefits, as well as the uncounted number of Hawaiian marriage-laws and statutes which provide uncertainty and complexity to our own Canadian marriage status. Unfortunately same-sex couples and families are faced with greater legal uncertainties; we are personally reminded daily of these inequalities.

This weekend we attended a wedding for two of our friends, oh what a joyous event – it took me back to when I said, "I do" nearly a decade ago. Our heterosexual friends expressed their love and commitment to each other, in sickness and in health, and witnessed by all who attended. Yet seeing this, both my husband and myself felt a difference, sadness sank in as we realized that what was conveyed in protections, obligations and rights under law by the State of Hawaii, we as a same-sex committed couple have no full equal access to.

Yes we are presently granted a second-class citizenship by the limited 'grey' areas of reciprocal beneficiaries, but this is very far from providing full coverage or equal access to the law. Should we not be afforded, as state taxpayers, equal representation under all state civil marriage laws?

Civil Unions will provide these much needed reassurances that we seek in gaining equal legal protection in Hawaii. As a same-sex committed couple we are prepared to accept the responsibilities as conveyed by Civil Unions, these being equal to those conveyed to heterosexual couples.

It is fair to be treated equally – this is what we seek, that is what we ask of you.

Sincerely,

Jon-Paul Bingham, Ph.D

46-369 Haiku Road, E-11

To the Judiciary Committee in regards to Bill HB 444 to be heard on February 5, 2009 at 2:00 p.m. in Conference Room 325 at the State Capital.

Testifier's name is Ms. Dianne Robinson

Dear Chair Karamatsu, Vice-Chair Ito, and members of the House Judiciary Committee:

My name is Dianne Robinson and I am here in support for House Bill 444-Civil Unions. As a citizen of the United States of America I believe that it is clearly stated in our constitution that "all people are created equal".

My partner of 3 years and I live a very quiet and quite traditional life with each other. I am retired and care for our home and my partner works full time at a company that does honor domestic partnerships. Because of this I am able to have insurance and share in other benefits but there are so many same sex couples that are not as fortunate. This is just one of the reasons that I support HB 444. Families with children would benefit directly from this bill by allowing couples to receive company offered health insurance that most opposite sex couples take for granted.

I would like to be able to have all the rights, benefits, protections and responsibilities that passage of this bill would provide for in a civil union. All I want is to be treated equally and fairly nothing more but nothing less. This is a civil rights issue that has nothing to do with religious beliefs or opinions. The passage of this bill would not change the way religious communities define marriage. This put very simply is a new beginning to provide all families legal protection under the law.

Thank you so much for the opportunity to express my views on this very important bill. Please support HB 444.

Very truly yours,

Dianne Robinson  
2149 Aha Niu Place  
Honolulu, Hawaii 96821

**karamatsu3-Leanne**

---

**From:** Lisa Peck [akemipeck@gmail.com]  
**Sent:** Tuesday, February 03, 2009 9:08 PM  
**To:** JUDtestimony  
**Subject:** Opposition to HB 444

I am writing to ask you to oppose the Civil Unions Bill (HB 444). I strongly disagree with this bill and do not support it at all. I do not think it will be beneficial to us as a state and feel we need to protect our keiki from bills such as these. Please vote against it.

Sincerely,  
Lisa Peck



**karamatsu3-Leanne**

---

**From:** Melissa Gosland [lisser@mcn.org]  
**Sent:** Tuesday, February 03, 2009 9:13 PM  
**To:** JUDtestimony  
**Subject:** HB 444, A Bill for an Act Relating to Civil Unions; hearing date 2/5/0o

Thank you, members of the Judiciary Committee, for hearing our stories and for your consideration of House Bill 444. My name is Melissa Gosland, and my family moved here in August of 2008 in order for me to accept a position as a physician with Hawaii Permanente Medical Group.

In moving here, however, we jeopardized many rights we had worked for during our ten year relationship. In California, we were domestic partnered once, married twice (once in a religious ceremony with family and friends, and once legally, 5 years later), and three times had to hire attorneys to ensure that our daughter would have the legal recognition of both of us as her parents if an emergency arose.

We have taken every step to ensure our family is safe and recognized here in Hawaii, but it has not been easy, and it has impacted our choice of employers, schools, and housing. The passage of HB 444 would mean a legal recognition of our relationship far beyond the current "reciprocal beneficiary" status. It would allow us to breathe easier, knowing that we and our daughter will not be "second class citizens" under the law anymore.

Thank you for your consideration of HB 444, I hope you will support us in this important step towards equality.

Sincerely,  
Melissa Gosland  
Honolulu HI

**karamatsu3-Leanne**

---

**From:** judith anderson [gr80lbroad@hotmail.com]  
**Sent:** Tuesday, February 03, 2009 9:36 PM  
**To:** JUDtestimony  
**Subject:** Testimony on HB 444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Judith Anderson, and I wish to testify on HB 444 when it is considered February 5 at 2 p.m. I have a number of gay friends who are in long-term relationships, yet who do not enjoy any of the rights accorded a heterosexual couple married 5 minutes. They cannot file joint tax returns, cannot inherit from one another without specific bequests in a will, cannot be assured of access to an ill loved one in a hospital, cannot assume their partner will be recognized legally and socially as a wife or husband is automatically.

They have done nothing to incur this discrimination except to be born with a sexual orientation different from that of the majority. They injure no one by their relationship. They rob no one of anything by their relationship. Yet they must daily deal with discrimination by their government, by many in our society, by their employers, by total strangers who know nothing about them, simply because of who they are. We outlawed such discrimination on the basis of sex, race, religion long ago, but allow it to continue on the basis of sexual orientation. This bill is a giant step toward true equality, a basis on which, so our Declaration of Independence says, this country was founded.

I ask that you support HB 444 and that equality on Thursday. Thank you for your consideration.

*Judith Anderson*  
2421 Ala Wai Blvd  
Honolulu HI 96815

House Judiciary Committee  
Thursday 2/5/09 • 2 pm  
Conference Room 325

Re: House Bill 444

From Nancy Aleck: in support

Aloha Chair Karamatsu, Vice Chair Ito and members of the Judiciary Committee,

I am Nancy Aleck, Executive Director of Hawai'i People's Fund. I speak as a community member and long-time activist for justice and equity. At one time, Hawaii was in the forefront of establishing progressive policies and laws around such issues. Our reputation has not held up recently, but we have the chance to pass this very important Civil Unions Bill, HB 444.

This measure creates a critical level of equality for same-sex couples who have a committed relationship. It does not diminish the rights of anyone. It does not infringe on anyone's religious beliefs. It DOES provide rights and benefits that are basic to the quality of life as a couple.

Civil unions will provide a critical level of security for families and dignity for individuals and those who love them. Passage of this bill is a matter of justice, civil rights and equality.

I know a lot of straight people who have not plans to be married. But they can, if they want to. I know a lot of gay people. Many of them have no desire to form a legal union. But they should have the RIGHT to do so, should they choose.

This is the year! Please pass HB 444 and see the Civil Unions measure all the way through to passage by both houses.

Thank you!

Nancy Aleck  
PO Box 61212  
Honolulu 96839

House Judiciary Committee Hearing  
February 5, 2009, 2 pm  
Room 325  
Re: House Bill 444

Aloha Chair Representative Karamatsu, Vice Chair Representative Ito and members of the House Judiciary Committee.

Mahalo for hearing House Bill 444 today. My testimony is in support of this Bill. House Bill 444 seeks to equally balance the rights and responsibilities that our community offers opposite gender couples in marriage by granting the same rights and responsibilities to same gender couples in civil unions. House Bill 444 is about equality, fairness and justice for same gender couples. Hawai'i has about 1.3 million residents. A conservative estimate provides that the gay and lesbian community is about 10% of the population. That means that there are at least 130,000 gay and lesbian residents in Hawai'i. The legislature represents the rights of all citizens, not just heterosexual citizens. The gay and lesbian community is part of our Hawai'i society. We all are the same community and should share in the same rights and responsibilities that are offered. Government recognizing the legal union of couples is good for society because it strengthens our community. Civil Unions for gay and lesbian couples will provide economic and emotional stability for these families and thus benefits our society. Gay and lesbian people are our family members, friends, neighbors and coworkers. They work, pay taxes, engage in commerce, take care of their families, vote and positively contribute to our community. Allowing gay and lesbian couples to have the same rights as married heterosexual couples will only benefit Hawai'i, because it benefits all of our families. Besides, promoting equality, fairness and justice is the right thing to do. Please pass House Bill 444.

Aloha, Keola Akana

**karamatsu3-Leanne**

---

**From:** hokudi@aol.com  
**Sent:** Tuesday, February 03, 2009 10:21 PM  
**To:** JUDtestimony  
**Subject:** HB 444

Thursday, February 5  
House Judiciary Committee  
2 p.m. Conference Room 325  
State Capitol

Testimony in full support of HB 444

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:  
House Bill 444 - Civil Unions is a clear step toward equal protection under the law, a requirement of the US constitution.

HB 444 would serve to extend the same rights, benefits and responsibilities of a marriage contract to committed partners in a civil union. This is a right that should be extended to everyone, regardless of sexual orientation.

Marriage is a contract between two people that is licensed and recognized by the state. Cohabiting adults including lesbian and gay couples have a right to the same protections offered by that contract.

We all have a right to equal protection under the law. Passing this bill would help eliminate a serious injustice.

Please vote in favor of HB 444 and help to further civil rights for consenting adults as well as gay and lesbian people in Hawai'i

Mahalo,

Diana Duff  
Captain Cook, HI

---

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To: House Judiciary Committee  
Re: **Support for HB 444, relating to civil unions**

Aloha members of the Judiciary Committee:

I, Joseph W. Esser, support HB 444 because I believe all couples should be treated equally under the law regardless of whether they are opposite-sex couples or same-sex couples. I also support this bill insofar as it provides critical rights, benefits, and obligations to members of our community who have entered into long-term, committed relationships and are raising families.

This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo,

Joseph W. Esser  
3523B Maluhia Street  
Honolulu, HI 96816  
808.259.1475

To: Representative Jon Riki Karamatsu, Chair, Judiciary Committee  
Representative Ken Ito, Vice Chair, Judiciary Committee  
Members, House Committee on Judiciary  
Fr: Justin D. Levinson, Esq.  
Kaneohe, Hawai'i 96744  
Date: February 3, 2009  
Hrg: February 5, 2009 at 2:00 p.m.  
Re: **Strong Support for HB 444**, Relating to Civil Unions

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I strongly support HB 444. Fairness and decency require it.  
I am sad that this day has not come yet, but excited that we have a chance to pursue justice for everyone. Thank you for the opportunity to voice my support for this bill.

Please note my support of civil unions, and pass it out of committee.

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**From:** William Neal [neal.william@gmail.com]  
**Sent:** Tuesday, February 03, 2009 10:50 PM  
**To:** Rep. Jon Karamatsu; Rep. Ken Ito; Rep. Della Belatti; Rep. Rida Cabanilla; Rep. Mele Carroll; Rep. Robert Herkes; Rep. Sylvia Luke; Rep. Angus McKelvey; Rep. John Mizuno; Rep. Hermina Morita; Rep. Blake Oshiro; Rep. Joseph Souki; Rep. Glenn Wakai; Rep. Clifton K. Tsuji; Rep. Barbara Marumoto; Rep. Cynthia Thielen  
**Subject:** Strong Opposition to HB444 (Relating to Civil Unions)

I appreciate this opportunity to testify in opposition HB 444.

The civil unions bill states, "Partners to a civil union ... shall have all of the same rights, benefits, protections, and responsibilities under law ... as are granted to spouses in a marriage ..." It also states, "A civil union, domestic partnership, or marriage of two persons of the same sex ... shall be recognized as a civil union in this State ..."

History from other states shows that civil unions are almost always unacceptable to those who demand them and that the existence of civil unions has twice led to the imposition of same-sex "marriage." Through the passage of a civil unions bill, the Hawai'i legislature is setting the stage for the extension of "marriage" to same-sex couples. The history of this process in other states should not be ignored, unless the people of Hawai'i want to be caught off guard. And the defeat of the previous gay-marriage amendment clearly demonstrates the preference of Hawai'i. In expressing my opposition, I do not consider this a political issue but a moral issue.

For these reasons, we respectfully request that you oppose H.B. 444.

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**Dr. William G. Neal**  
**293-1048**



## karamatsu3-Leanne

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**From:** Winston Welch [winstonwelch@yahoo.com]  
**Sent:** Tuesday, February 03, 2009 10:54 PM  
**To:** JUDtestimony  
**Cc:** Rep. Jon Karamatsu; Rep. Della Belatti; Rep. Mele Carroll; Rep. Robert Herkes; Rep. Sylvia Luke; Rep. Hermina Morita; Rep. Cynthia Thielen; Rep. Clifton K. Tsuji; Rep. Glenn Wakai; Rep. Ken Ito; Rep. Rida Cabanilla; Rep. Angus McKelvey; Rep. John Mizuno; Rep. Joseph Souki; Rep. Barbara Marumoto  
**Subject:** Please support Bill 444 and end this shameful discrimination against fellow Hawaiians and Americans

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Winston Welch and I am writing to express my support for House Bill 444 - Civil Unions. All people should be treated equally under the law and this is something required by our Constitution. As you know, HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. HB 444 is merely a step in the right direction--we will look back on this period in American history like we do with slavery or with Japanese internment in World War II--with a mix of shame and knowing that silently or actively allowing discrimination is wrong. We know it is wrong because it demeans and degrades human beings and deprives them legally of rights granted others for utterly absurd reasons.

I'm TIRED of being an officially second-class citizen in my own country and state, deprived of the rights my sisters, neighbors, coworkers and friends enjoy. It is simply wrong to allow this to continue, and I know each of you knows this in your heart. Please do the right thing and support not only Bill 444, but also any bill which ends unequal and unjust treatment of PEOPLE in this state based on illogical, insane, and hurtful nonsense. Full marriage equality is coming because it is the right thing to do and the issue of equal treatment for same-sex couples is the civil rights issue of this generation. History will judge you for what you do now--which side of this history do you want to be remembered on?

Remember, these are real people's lives with real impacts. MY LIFE and impacts on MY LIFE, and I'm tired of silently suffering with the direct complicity of my government in promoting and enshrining into law that suffering. Discrimination against me and people like me needs to END NOW.

Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. I ask that you DO THE RIGHT THING and support HB 444.

Mahalo for your kokua,

Winston Welch

Honolulu, Hawaii

## karamatsu3-Leanne

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**From:** danettekong@hawaii.rr.com  
**Sent:** Tuesday, February 03, 2009 11:28 PM  
**To:** JUDtestimony  
**Subject:** HB 444 - Civil Unions, to be heard 2/5/09 at 2 pm.

Danette Kong Poole  
1258 Koko Head Avenue  
Honolulu, HI 96816  
ph: (808) 497-3644

February 3, 2009

RE: House Bill 444, A Bill For An Act Relating to Civil Unions, to be heard by the House Judiciary Committee on Thursday, 2/5/09, at 2 p.m. in Conference Room 325 at the State Capitol

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before your committee.

I am Danette Kong Poole, an ordained Southern Baptist minister born and reared here in the Islands, and an active member of a local Baptist church. I share this testimony in full support of House Bill 444 - Civil Unions.

While I have great belief in the Constitutional rights of all our American citizens to be treated equally under the law, I also believe theologically that we are instructed to treat others as we would want to be treated - a perspective which we consider the Golden Rule.

As a hospital chaplain in the 1980s and 1990s, I worked with many gay AIDS patients and their surviving partners. I had the privilege of witnessing the shared bond between these partners, which oftentimes surpassed the commitment between heterosexual couples. Through the years I have come to know many gay partners who exhibit model relationships and parenting skills. They contribute much to our society and community.

Recently, as my brother-in-law lay near death at the Queen's Medical Center, I sat with his partner of 10 years in the ICU. His devotion and attentiveness to my brother-in-law were heroic and inspiring. Their relationship has not put any mean dents into the institution of marriage, nor has it negatively affected the fabric of our society. It is high time that our Aloha State recognize the validity of their relationship and provide them with the benefits they deserve.

I also have a lesbian sister who chooses not to legalize a union with her partner. That is her preference - but I ask you to allow her decision to be one of personal choice, and not legal dictate. Please allow her to be treated fairly in her pursuit of life, liberty, and the pursuit of happiness, and vote in favor of House Bill 444.

Mahalo for your consideration.

Danette Kong Poole  
1258 Koko Head Avenue  
Honolulu, HI 96816

February 3, 2009

Testimony for HB 444 RE: Civil Unions  
Hawaii State House Judiciary Committee

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the 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 House Bill 444 - Civil Unions. I believe in equal rights for all.

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 that conclusion civil unions are not equal to marriage after an extensive study.

Civil Unions would help and strengthen GLBT families by giving rights and responsibilities. This is a social justice issue and a civil rights issue. Denying rights hurts all families.

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.

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.

Times have not stood still. Civil unions are now supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. President Obama's support of civil unions is stated on the White House Web site. 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. It is time for Civil Unions.

I ask that you support HB 444 and appreciate your careful consideration.

Mahalo,  
Ken Plonsky  
1778 Ala Moana Blvd apt 2208  
Honolulu, Hi 96815  
808-227-5120  
Kenplonsky@aol.com

3032 Alencastre Place  
Honolulu, HI 96816  
February 3, 2009

Re: House Bill 444 - Civil Unions

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. **I wish to express my strong support for House Bill 444 - Civil Unions** because I believe that all people should be treated equally under the law. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union. This would have several extremely important implications for my partner and I, who have been in a stable, loving relationship for seven years.

Despite our registration as Reciprocal Beneficiaries, significant problems currently arise with a seemingly endless number of matters that are routine for opposite-sex married couples, such as:

- Financial and medical decision-making when a spouse is incapacitated
- Retirement benefits
- Consideration of partners as "immediate family" by banks, credit unions, etc.
- Spousal coverage on liability and other types of insurance
- Access to safe-deposit boxes

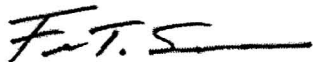
As noted by the Hawaii Commission on Sexual Orientation and the Law, out of the approximately 300 marriage-based protections identified by the commission, only about 50 have been extended to Reciprocal Beneficiaries. This is clearly unequal treatment under the law.

It is also important to note the tremendous swing in public opinion in the past few years. The majority of the public supports civil unions, as does President Obama. According to 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."** This strong, unambiguous opinion of our native-son president is a clear reflection of how mainstream Hawaii citizens view this issue.

Equal treatment for same-sex couples is the civil rights issue of this generation. In a state where minority rights are so highly guarded, this is a major deficiency in our legal protections of Hawaii citizens. I ask that you support HB 444.

Many thanks for your careful consideration of this important issue.

Aloha,



Frank Sansone

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Bridget Murphy and I am a graduate student in the school of social work at the University of Hawai'i. I am here today to support HB 444 for civil unions. No person should be denied access to the basic rights given to spouses through the act of marriage. HB 444 would allow the same benefits, equal rights, and protections in a civil union.

Same-sex partners deserve the same equality, protection, and rights as opposite-sex partners to ensure the overall well-being of all family members and individuals. Same-sex couples are people who love one another in committed relationships, have families, and have the same goals and desires for their future together as married couples except for the difference of gender.

If you look back fifty years ago, interracial marriage was illegal in several states. At that time it was an issue of regulating ethnicity, today it is a debate on regulating genders.

Same sex couples must have the same rights as those who are allowed to marry. It is inhumane to deny these people the rights to the same protections such as insurance benefits, joint accounts, financial stability, and rights to visit loved ones in the hospital.

I am in a committed relationship with my partner of several years. We may one day decide to have children; however, without the benefits made available by civil unions my children would be made to suffer by not having a complete financially stable family.

Why are so many committed loving couples made to suffer?

There are already several states that have legalized civil unions starting with Vermont in 2000, followed by Connecticut, Oregon, Washington, and finally New Hampshire.

Even President Obama "supports full civil unions that give same-sex couples legal rights and privileges equal to those of married couples."

What example will Hawai'i set for the rest of the nation? Will it follow in the footsteps of honoring equality for all?

Please support HB 444

Mahalo,

Bridget Murphy

1002A Prospect St.

Honolulu HI, 96822

## karamatsu3-Leanne

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**From:** Suzanne King [sking@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 12:06 AM  
**To:** JUDtestimony  
**Cc:** suzannek@cbpacific.com; tambry@hawaii.rr.com  
**Subject:** HB 444 - Testimony in SUPPORT of Civil Unions

February 3, 2009

**To:** Representative Jon Riki Karamatsu, Chair - Judiciary Committee  
Representative Ken Ito, Vice Chair - Judiciary Committee  
Members of the Judiciary Committee

**From:** Tambry R. Young, Native Hawaiian  
Small Business Owner, Tidy Up Gang, LLC  
Current President, Na 'Ohana O Na Hui Wa'a (Canoe Paddling Association)  
Head Coach, Maryknoll High School Varsity Paddling Team

**Re:** HB 444 - Testimony in SUPPORT of Civil Unions  
Thursday, February 5, 2009 at 2:00 p.m., Conf Rm 325

**VIA:** Email to [JUDtestimony@capitol.hawaii.gov](mailto:JUDtestimony@capitol.hawaii.gov)

I would like to thank the Chair, Vice Chair, sponsor, and all co-sponsors of this Civil Unions legislation. 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 HB 444.

My name is Tambry Young and my partner of 27 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 9 year old daughter, own a home in the neighborhood I grew up in, run a small business with 6 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.

HB 444 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 HB 444.

*Tambry*

Tambry R. Young

2343 Kula Kolea Drive, Honolulu, HI 96819

Email: [tambry@hawaii.rr.com](mailto:tambry@hawaii.rr.com)

## karamatsu3-Leanne

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**From:** Isabel Yang [icy\_hi@yahoo.com]  
**Sent:** Wednesday, February 04, 2009 12:11 AM  
**To:** JUDtestimony  
**Subject:** My support for House Bill 444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to send in testimony to this committee. My name is Isabel Yang and I am writing this email to express my support for House Bill 444 - Civil Unions. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

My partner and I have been together for 15 years. Well, actually she is more than just my “partner” ... she is, in fact, my “spouse” – recognized legally in Canada as we were married in Vancouver in September 1996. The words “partner” and “spouse” do not always convey what I feel that we truly are – life partners, soul mates, best friends. She is my beloved, as I am hers. I feel so blessed to be sharing our wonderful life together. Our Canadian marriage commissioner aptly described our feelings during our wedding:

We have yet to discover a better way of life than sharing it together in a lasting and responsible way. This meets our deepest human need for love and companionship, for someone with whom we can share, in an intimate and trusting way all of the hopes and joys and dreams of life. This love brings with it caring as much about the welfare and happiness of another person as about our own. It is not total absorption into each other, it is looking outward in the same direction together. Love makes burdens lighter because they are divided. It makes joys more intense because they are shared. It makes us stronger, so we can be involved with life in ways we would not risk alone.

One of the ways to care for each other is to ensure that we both have health insurance. We are fortunate that we each have individual health insurance from our respective employers (I am currently employed at HawaiiUSA Federal Credit Union and my wife/partner works at Pearl Harbor). However, as a result of us not having legal recognition as a couple, if I needed to use my employer sponsored health insurance for my partner, I would have to pay additional tax since those benefits are considered imputed income. Basically, we are paying more for the same health insurance benefits than an opposite sex married couple pays. Additionally, I believe we pay considerably more in taxes every year both to the State of Hawaii and the US Federal Government because we are unable to file taxes jointly.

This inequality of benefits and inability to file joint taxes is unfair and unjust. At this time, it is not “equal pay/benefits for equal work.” I am hopeful that soon, certainly within our lifetime, if not within the next few years, marriage equality will be reality in our country. Civil unions are a good step towards that reality. Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. I ask that you support HB 444 and appreciate your careful consideration.

With sincere thanks for your kind attention,

Isabel Yang  
3318-C Hinano St.  
Honolulu, HI 96815

## karamatsu3-Leanne

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**From:** Suzanne King [sking@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 2:00 AM  
**To:** JUDtestimony  
**Cc:** suzannek@cbpacific.com  
**Subject:** HB 444 - Testimony in SUPPORT of Civil Unions

February 3, 2009

**To:** Representative Jon Riki Karamatsu, Chair - Judiciary Committee  
Representative Ken Ito, Vice Chair - Judiciary Committee  
Members of the Judiciary Committee

**From:** Suzanne Kalikolehua King  
Treasurer, Na 'Ohana O Na Hui Wa'a (Canoe Paddling Association)

**Re:** HB 444 - Testimony in SUPPORT of Civil Unions

**To Be Heard:** Thursday, February 5, 2009 at 2:00 p.m., Conf Rm 325

**VIA:** Email to [JUDtestimony@capitol.hawaii.gov](mailto:JUDtestimony@capitol.hawaii.gov)

Good afternoon Chair Karamatsu, Vice Chair Ito and Members of the House Judiciary Committee. Thank you for allowing me this opportunity to come before you to testify in support of HB 444.

My name is Suzanne Kalikolehua King. I was born and raised here in Hawaii and am a member of a well established local family. I graduated from Punahou School just one year before our current President of the United States. And I am a very proud citizen of Hawaii who has been inspired by President Obama, or Barry as I knew him, to become involved in shaping the future of my community and our country.

While I have voted in every election since I turned 18, I have never considered myself active in politics or have ever testified in support of legislation. The most I have ever done is sign wave back in the '80's. But I am here today because HB 444 is important legislation that impacts me personally and my family.

You see, I'm gay. And I'm proud to say that in just one month, my partner, Tambry Young, and I will have been together for 28 years and we have a beautiful 9 year old daughter, Shylar. Here's one reason why it's important to me that you pass HB 444.

We all know how critical it is to have health insurance. Well just this year, I was able to add Tambry, a small business owner, to my company's group health plan. We save about \$150 per month and the benefits provided are significantly better than the individual plan that Tambry was previously on. But it wasn't easy for me to get this coverage. First I had to get the courage to approach my employer and ask if they would allow it. While I feel strongly that we should have these rights afforded to us, you see I tried asking before with another employer back in the 90's and was told, "we probably could do it but, you know, it's going to affect everyone else's rates if we do that, is that what you want?" Well I am not one to impose my lifestyle on others so needless to say, I backed off. But times are different now and every penny matters so that's why I took a chance and asked again. And I am so grateful that my company said yes this time!

I guess my point to all of you is, why did I have to ask? And more importantly, what if they, too, said no? We need HB 444 so that basic rights, like access to our partner's health care, are a given and not something that we have to take a chance on getting.

Earlier I had mentioned that I come from a well established local family. Well we are also a very private family so coming here before you today and sharing my story is not easy to do. But I realize *it's time* that I start standing up for myself and my family; that it's *okay* that I do that; and that it's the *right thing* to do.

As my classmate, Barack Obama, our 44<sup>th</sup> President, has said, "at its core, this issue is about who we are as Americans. It's about whether this nation is going to live up to its founding promise of equality by treating all its citizens with dignity and respect."<sup>1</sup>

I humbly ask that you pass HB 444 so that all of our same-sex families in Hawaii can begin to achieve the dignity and respect that we deserve.

*Suzanne*

Suzanne K. King

2343 Kula Kolea Drive, Honolulu, HI 96819

Email: [sking@hawaii.rr.com](mailto:sking@hawaii.rr.com)

<sup>1</sup> [http://www.whitehouse.gov/agenda/civil\\_rights/](http://www.whitehouse.gov/agenda/civil_rights/). Support for the LGBT Community, *Barack Obama, June 1, 2007*

## **karamatsu3-Leanne**

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**From:** Kent Hirata [khirata2@hawaiiantel.net]  
**Sent:** Wednesday, February 04, 2009 3:46 AM  
**To:** JUDtestimony  
**Subject:** HB444 (Civil Unions) -- House Judiciary Committee hearing on February 5, 2009, 2:00 p.m., State Capitol, Conference Room 325

Dear Chair Karamatsu, Vice-Chair Ito, and members of the House Judiciary Committee:

As a private citizen, I very much appreciate this opportunity to express my support for House Bill 444 regarding the establishment of civil unions.

This is an idea whose time has come. Indeed, it is long overdue as a means to extend fairness and equal justice under law to same-sex couples.

There are those who argue that civil unions should not be established because at least a decade ago, the people of Hawaii ratified a constitutional amendment to disallow same-sex marriages, and that civil unions are nothing more than same-sex marriages under a different name. However, this argument is fundamentally flawed.

The traditional-marriage amendment to the Hawaii Constitution merely empowered the Legislature to restrict marriage to opposite-sex couples, at its discretion. It did not create a permanent, unalterable ban on legal recognition for same-sex relationships.

Furthermore, civil unions are clearly not the full legal and social equivalent of marriage. They are not transportable from state to state, they are not accorded the same social status as marriages, and participants in civil unions are denied access to more than one thousand federal benefits that are freely available to married opposite-sex couples.

Nevertheless, the establishment of civil unions would be a substantial step forward in putting into practice our nation's commitment to liberty and justice, not merely for the heterosexual majority, but for all. We simply cannot continue to shield our eyes from palpable inequities which have negatively affected same-sex couples and which cry out for timely correction.

As Thomas Jefferson so eloquently stated, "The foundation on which all our constitutions are built is the natural equality of man." He also stated that "**laws and institutions must go hand in hand with the progress of the human mind**. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times. **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.**" (Emphasis added.)

Thank you very much for this opportunity to testify in support of HB444. I hope you will give it your most thoughtful consideration.

Kent Hirata  
1666-A Lusitana Street  
Honolulu, HI 96813-1690

## Testimony

Testifying: Nancy Moser

To: House Judiciary Committee

Hearing Date: February 5, 2009 at 2 pm Conference Room 325

Bill: Supporting HB 444

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Chair Karamatsu, Vice-Chair Ito, and members of the Judiciary Committee:

I am Nancy Moser, a straight woman, and I fully support House Bill 444 to establish civil unions.

Respect for the dignity of every person calls upon us as a state to support equal rights among those who establish loving relationships, and to abolish discrimination based on the gender of loving partners.

Thank you for this opportunity to testify in support of House Bill 444.

Nancy Moser  
3931 Pili Place  
Honolulu, HI 96816

**karamatsu3-Leanne**

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**From:** Jonathan Gillentine [jmgillentine@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 6:06 AM  
**To:** JUDtestimony  
**Subject:** HB444  
**Attachments:** "AVG certification"

Chair Karamatsu, Vice-Chair Ito and Members of the Judiciary Committee:

I am a long-time resident of Hawai'i and have taught here for 28 years. As a member of a faith community that seeks social justice for all, I am testifying in favor of HB444. The intent of this bill is to give rights, not take rights away. In no way does it affect married couples or those whose faith does not accept same gender couples. This bill will give needed rights to families who have been disenfranchised for so long. Please take a step to support their needs.

Aloha,

Jonathan Gillentine  
Kaneohe

**karamatsu3-Leanne**

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**From:** jeannecarole@aol.com  
**Sent:** Wednesday, February 04, 2009 6:37 AM  
**To:** JUDtestimony  
**Subject:** support of HB 444

Thursday, February 5  
House Judiciary Committee  
2 p.m. Conference Room 325  
State Capitol

Testimony in full support of HB 444

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:  
House Bill 444 - Civil Unions is a clear step toward equal protection under the law, a requirement of the US constitution.

HB 444 would serve to extend the same rights, benefits and responsibilities of a marriage contract to committed partners in a civil union. This is a right that should be extended to everyone, regardless of sexual orientation.

Marriage is a contract between two people that is licensed and recognized by the state. Cohabiting adults including lesbian and gay couples have a right to the same protections offered by that contract.

We all have a right to equal protection under the law. Passing this bill would help eliminate a serious injustice.

Please vote in favor of HB 444 and help to further civil rights for consenting adults as well as gay and lesbian people in Hawai'i

Mahalo,

jeanne c. booth

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Carnations mean admiration, Tulips mean love - what do Roses mean? [Find out now!](#)

**karamatsu3-Leanne**

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**From:** Cynthia Kubas [cmk19@cornell.edu]  
**Sent:** Wednesday, February 04, 2009 6:49 AM  
**To:** JUDtestimony  
**Cc:** DBME@aol.com  
**Subject:** House Bill 444, A Bill For An Act Relating to Civil Unions Hearing Thursday, 2/5/09, at 2 p.m. in Conference Room 325

To the Judiciary Committee:

I am Cynthia Kubas, and work for Bristol-Myers Squibb Oncology here in Hawaii, although I speak only for myself, and not my company in this email.

I firmly believe that granting equal rights to same-sex couples is the right thing to do here in Hawaii, and everywhere. Doing so in no way impacts the rights of opposite sex couples or religious communities. Religious communities will always be free to define marriage according to their specific traditions. Granting same-sex couples equal rights strengthens families. Families with legal protections are less likely to be a burden on society. Children of same sex couples are currently without the same family protections and benefits that are provided to children of opposite sex couples. We need to value all families and all children.

As part of the Hawaii Ohana, I urge you to vote Yes on House Bill 444, A Bill For An Act Relating to Civil Unions.

As we protect the rights of others, we protect our own precious rights.

Mahalo!

Cynthia Kubas  
114 Opihikao Way  
Honolulu, HI 96825



**karamatsu3-Leanne**

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**From:** Bill Potter [bill.potter808@gmail.com]  
**Sent:** Wednesday, February 04, 2009 7:30 AM  
**To:** JUDtestimony  
**Subject:** Testimony in support of HB 444

I would like to submit the following testimony in support of HB 444

----Begin testimony----

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Bill Potter, and I write to express my support for House Bill 444—Civil Unions. I support this legislation because of my conviction that all people should be treated equally under the law, as required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

Some will think that as a single person, I am not qualified to say much about marriage or civil unions. But my experience growing up as the children of loving parents who were together for more than 60 years before my father died, supplemented by years of observing all manner of couples, have taught me something about this institution.

Many of the couples I know best are my fellow members of the Lutheran Church of Honolulu, a diverse congregation that for the last twenty years or so has welcomed people of all sexual orientations and many different family types. We are proud of the same-gender couples in our congregation who have raised children and supported each other "in sickness and in health." We value the contributions these couples and families make to our *'ohana* and the larger community.

I am pained that some of my church friends can be prevented from taking responsibility for their partners in health situations, are taxed differently, have to go to extraordinary lengths to share their finances, and in short, miss out on all the benefits that flow from marriage.

Equality is a simple concept that has been a major theme in the history of our country and our state. The unequal treatment that same-gender couples and families experiences is unfair and unjust. Fortunately, things are changing and civil unions are supported by the majority of the public, President Obama, and even the majority of the Hawai'i House of Representatives.

I ask that you support HB 444 and appreciate your careful consideration.

Mahalo,  
J. William Potter, Jr.  
1556 Pi'ikoi St., #1407  
Honolulu, HI 96822

Kat Brady  
76 North King Street  
Honolulu, HI 96817

**COMMITTEE ON THE JUDICIARY**

Rep. Jon Riki Karamatsu, Chair

Rep. Ken Ito, Vice Chair

Thursday, February 5, 2009

2:00 PM

Room 325

**STRONG SUPPORT of HB 444 – Civil Unions**

**JUDTestimony@capitol.hawaii.gov**

Aloha Chair Karamatsu, Vice Chair Ito and Members of the Committee:

My name is Kat Brady and I am a social justice advocate. I am testifying tonight in support of HB 908 – civil unions. Hawai'i's unique history – the overthrow of the Hawaiian Kingdom, the arrest and incarceration of our people based solely on their Japanese ancestry, and the imposition of martial law in World War II - has informed our strong commitment to civil rights. It is imperative that Hawai'i continue to embrace equality and comply with the provisions outlined in our Constitution:

**Article I  
RIGHTS OF INDIVIDUALS**

**Section 2.** All persons are free by nature and are equal in their inherent and inalienable rights. Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property. These rights cannot endure unless the people recognize their corresponding obligations and responsibilities.

How can we say that we comply with this provision when we are creating a separate class of people and basically, legislating who one can love and choose as a life mate? How do we comply with – liberty and pursuit of happiness – in this section when equality has not been achieved for all of our citizens?

**EQUALITY OF RIGHTS**

**Section 3.** Equality of rights under the law shall not be denied or abridged by the State on account of sex. The legislature shall have the power to enforce, by appropriate legislation, the provisions of this section.

HB 908 is the first step in achieving equality, but please understand that we are not there yet.

**DUE PROCESS AND EQUAL PROTECTION**

**Section 5.** No person shall be deprived of live, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

Civil Unions would provide some legal status for the families of our people who have not been permitted to marry or choose not to marry. Recognition and legal protection of same sex or unmarried families provides their children the security they deserve. These children should not be penalized because their parents are either not married or are not permitted to marry.

According to the study by the Commission on Sexual Orientation, unmarried couples in lifelong relationships pay higher taxes and are denied basic protections under the law. They must pay state income taxes on their employer's contributions toward their domestic partner's health insurance. They also may pay significant penalties when they inherit from their partner.

I urge you to pass HB 444. Mahalo for this opportunity to testify.

## karamatsu3-Leanne

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**From:** brad lum [hawaiianbl@yahoo.com]  
**Sent:** Wednesday, February 04, 2009 7:16 AM  
**To:** JUDtestimony  
**Cc:** lynette cruz  
**Subject:** \*\*\*\*\*SPAM\*\*\*\*\* testimony from Brad ka'iwi Lum/HB-444

Dear, Chairman Karamatsu, Vice Chairman Ito and the members of the House Judicial Committee. I want to thank you from the bottom of my heart for the opportunity to testify before this committee and for the opportunity to testify the history Civil Unions that will protect all people in Hawaii including Native Hawaiian people families and to make us feel that we can be a stronger community with change. My name is Bradford Ka'iwi Lum a local boy who grew up in Hawaii and a person that left Hawaii and came back in 1995 to take care of my parents Mr. and Mrs Charles Lum. My father passed away in 1996 and my mother passed away just this passed year. I don't have my family support anymore so I have to look at my future with my partner as my only family that I have at this time. I have to look at my future so my partner and I can have the same legal rights and protections under the law. That is why this bill is very important to me and I have to look at my future to build a strong foundation and commitment with my partner. I believe that all people should be treated equally under the law and this is required by our constitution of the United States of American and Hawaii. HB-444 extends the same rights, benefits, protections and Kuleana, (responsibility) of spouses in a marriage to partners in a Civil Union.

I would like to quote from Mary Kawena Pukui from the book Olelo No'eau Hawaiian Proverbs and Political sayings:

"He Aikane, He Puana Na ke Oanona"

"Aikane is a nest of fragrance"

"sweet indeed is a good friend"

Civil Unions are pressing in both local and national agendas into this climate a debate has arrived some recent historical research from me as I'm a Native Hawaiian Studies Teacher, of history, hula, chant and culture showing that Homosexuality was apparently widely accepted in old Hawaii and also shaped some of Hawaii's most significant historical events.

Hula and chant continues to be the focal point for the Hawaiian Gay Community and continues to be a forefront to this day. Traditional use of love stories in hula and chants, most significant of those is the epic chants and dances through the pele series, known as the History of Gay Romance behind hula chants.

To reconstruct the "Hawaiian History, The term "Aikane", which in post missionary times was redefined to mean platonic friend. I want to break down the word "Aikane" for you. "Ai", meaning to have sex or to be correct and "kane" meaning man or male. "Aikane"

is a very special word to all Native Hawaiians and it would be a terrible loss if we forget its true meaning and ancient pass and to discount that it ever happened. Activist and University of Hawaii Hawaiian Studies Director, Lilikala Kame'eleihiwa says's that her research of "Aikane" stretched from Kamehameha the first through the fifth. Usually most of the chiefs were bi-sexual and most of them had wives as well. She then points out that women were bisexual as well, but there is little evidence of that and that is all we know about it. King Kamehameha the second (Liholiho) had a group called Hulumanu a group noted for his favorite "Aikane". Kamehameha the third, fourth and fifth liked men and women as well. It was the Hawaiian way of thinking, living and culturally excepted through out Hawaii. It was a way to survive, to live fully with pride and honor. The wide acceptance of "Aikane" was rigidly ruled by blood lines, Mana-power and Pono-moral uprightness and property. If a handsome man would be talented he would be considered as "Aikane". After living in court at the time he might get lucky and be taken as a lover by an Ali'i (chief). The God "Lono" was a patron of those arts that celebrated human sexuality and these were included in is path to "Mana". (power). As Native Hawaiian traditions sees it, Hawaiian Society, Homosexual men and women are still family, still one. still

ohana. As a small island let us remember that we as a people cannot ostracize those who are different. Civil Unions is about "kuleana"(responsibility),It is about "Malama" ( taking care of each other ) and "Ho'omalu "(protection)

Protecting for the good of all people from Hawaii.

Mahalo and thank you very much for taking time to hear my testimony and "E Malama Ke Akua",may God be with you always.

Bill Waring

House Judiciary Committee

Hearing: February 5, 2009, 2:00 PM

## **Testimony Supporting HB 444**

Aloha,

My name is Bill Waring and I would urge you to vote in favor of House Bill 444 that grants same-sex couples equal civil rights through the Civil Unions Bill.

As the co-head of our household with my partner William and our two teenage children, we deal every day with the same issues as our heterosexual friends. We have a mortgage and struggle to pay tuition bills for our kids. We participate in community service activities, work hard to do our jobs ethically, vote, do our best to keep our family healthy and even treat ourselves to a movie now and then. And yes, we pay our taxes as responsible citizens. In other words, we are no different than you. And like you, I didn't "choose" my sexual orientation. It is as natural to me as my brown eyes and my rapidly graying hair. Unfortunately, we have to do all of this under a different set of rules. The State of Hawaii allows heterosexual individuals to form legal, civil partnerships with the person they love and confers rights to that couple that are not available to my partner and I and our family. These are basic protections for our family that are recognized by a growing number of fair-minded states and countries. We are not asking for special rights, we are just asking that you codify equal rights for all families under Hawaii law.

I understand that many people have religious issues and find it difficult to support same-sex marriage, but Civil Unions have nothing to do with forcing any religious entity into condoning my family. I would not want anybody dictating to my church how to define marriage in our faith, and I would not be so presumptuous as to expect I have a right to force that on someone else's church either. But I would also remind you that in our country, and in our state, we are not supposed to be subjected to the religious beliefs of any one group at the expense of our civil liberties. Civil Unions are recognition of the inherent equality of our relationship and family in the eyes of civil law and should not be based on religious doctrine.

There are faiths that celebrate our family and we feel welcomed by them. I wish for the day when all religions recognize that my relationship has no bearing on someone else's marriage. As you are deciding how to cast your vote, I would encourage you to ask yourself the question: "How does recognizing Bill and William's lifetime commitment to each other and their family threaten **YOUR** marriage, or anybody else's marriage?" I believe you will come to the conclusion that it is the moral, fair thing to do and I encourage you to support the bill.

In conclusion, I would respectfully remind you that Civil Unions are supported by our President and Vice-President and more and more of our elected officials nationwide. Recent polls also indicate overall support across the country and here in our home state. Hawaii, as a land of tolerance and diversity, should be leading on this issue. I have faith that you will do the right thing by casting your votes in favor of House Bill 444 here in Committee and again when it gets to the floor of the Legislature. I believe that you know in your hearts it is the right thing to do.

Mahalo for your time, your consideration and your vote.

Bill Waring  
1212 Nuuanu Avenue, #1108  
Honolulu, HI 96817  
Phone: 927-9241  
Email: alohabillw@aol.com

**From:** Chris Metcalf [metcalf@hawaiiink.net]  
**Sent:** Wednesday, February 04, 2009 8:08 AM  
**To:** JUDtestimony  
**Subject:** testimony for HB444

I would like to submit testimony from the Alabama Constitution to be considered in our drafting of HB444. We, as the State of Hawaii, need to uphold the traditional view of marriage. I strongly support marriage between one man and one woman. We will not enjoy the results of caving to this slippery slope of the deterioration of society. Many mainlanders, as well as locals consider Hawaii to be paradise and not doing the right thing in regards to traditional marriage would erode the romance of Hawaii.. Please do what is right and not what is political. You are to represent the majority of your districts and the evidence is overwhelming in support of traditional marriage. Mahalo for your time and attention to this very important matter.

The **Alabama Sanctity of Marriage Amendment** of 2006, also known as **Amendment 774**, is a "defense of marriage amendment" that amended the Alabama Constitution to make it unconstitutional for the state to recognize or perform same-sex marriages or civil unions. The referendum was approved by 81% of the voters.<sup>[1]</sup>

The text of the amendment states:

- (a) This amendment shall be known and may be cited as the Sanctity of Marriage Amendment.
- (b) Marriage is inherently a unique relationship between a man and a woman. As a matter of public policy, this state has a special interest in encouraging, supporting, and protecting this unique relationship in order to promote, among other goals, the stability and welfare of society and its children. A marriage contracted between individuals of the same sex is invalid in this state.
- (c) Marriage is a sacred covenant, solemnized between a man and a woman, which, when the legal capacity and consent of both parties is present, establishes their relationship as husband and wife, and which is recognized by the state as a civil contract.
- (d) No marriage license shall be issued in the State of Alabama to parties of the same sex.
- (e) The State of Alabama shall not recognize as valid any marriage of parties of the same sex that occurred or was alleged to have occurred as a result of the law of any jurisdiction regardless of whether a marriage license was issued.
- (f) The State of Alabama shall not recognize as valid any common law marriage of parties of the same sex.
- (g) A union replicating marriage of or between persons of the same sex in the State of Alabama or in any other jurisdiction shall be considered and treated in all respects as having no legal force or effect in this state and shall not be recognized by this state as a marriage or other union replicating marriage.<sup>[2]</sup>

**Chris Metcalf,**  
**3223 Elua Street**  
**Lihu'e, Hawaii. 96766**  
**808-245-4160**  
**(metcalf@hawaiiink.net)**



**karamatsu3-Leanne**

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**From:** Karen Anderson [123karen@earthlink.net]  
**Sent:** Wednesday, February 04, 2009 8:27 AM  
**To:** JUDtestimony  
**Subject:** HB 44

Aloha Chair Karamatsu, Vice-Chair Ito, and Members of the Judiciary Committee:  
House Bill 444,

Extending equal protection to same-sex couple in a civil union is something that should be "a given" in our democracy. Passing this bill would help eliminate a serious injustice. It's time for our legislature to support House Bill 444.



## karamatsu3-Leanne

---

**From:** lamBugBug@aol.com  
**Sent:** Wednesday, February 04, 2009 8:34 AM  
**To:** JUDtestimony  
**Subject:** Civil unions

Aloha,

I am writing on behalf of civil unions. I am a straight female but feel that it is very important that everyone is treated with dignity and respect. There should not be any question as to whether gays or straights, blacks or whites, young or old are allowed to marry and obtain the same rights as another. We live in America a country that was founded on people trying to get away from the people forcing them to be something they were not. Does it not seem like we are behaving in a way that conflicts with the entire reason our country was founded? People from all over the world come to America for one thing that stands out from all the other reasons FREEDOM...if a person can not come over here and have the freedom to choose who they love that is just insanity for a lack of a better word. We can not regulate who a person loves therefore we should not regulate if they can spend the rest of their lives together getting the same benefits as someone else who fell in love with someone of the opposite sex opposed to someone of the same sex. There is no reason that gays and lesbians should not have the same right as straight people. The people who are against it are just scared. Just look at what would of happened if we had not integrated in the 1960's, we would not be in a great country that now has a great president. One day color, sexual preference, and any other difference will not matter to anyone. One day regardless if its sooner or later we will have complete Freedom and complete equality.

Please let there be Civil Unions!!

Thank You  
Erin Aalseth

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House Judiciary Committee Hearing  
February 5, 2009, 2 pm  
Room 325  
Re: House Bill 444

Aloha Chair Representative Karamatsu, Vice Chair Representative Ito and members of the House Judiciary Committee.

Mahalo for hearing House Bill 444 today. My testimony is in support of this Bill. House Bill 444 while it deals with issues of equality and fairness also deals with the pressing issue of economics. Families that are together with combined incomes and households do have more disposable income as well as spend more on domestic goods and services. Also being in a family, one can rely on each other instead of trying to find government services that would drain the states funds faster. The economic reasons alone should be considered greatly in your decision. Please pass House Bill 444.

Thank you, Ethan Wung

## karamatsu3-Leanne

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**From:** Joe O'Brien [obrienhawaiian@yahoo.com]  
**Sent:** Wednesday, February 04, 2009 9:05 AM  
**To:** JUDtestimony  
**Subject:** HB 444 Relating to Civil Unions

From: Joseph O'Brien  
Honolulu Hawaii

To: All Members of the House Judiciary Committee  
Hearing at 2 PM on Thursday February 5, 2009

Re: HB 444

Relating to Civil Unions

Dear Representaives:

My name is Joseph O'Brien and I have been a resident of Hawaii for most of my life. I intend to be a resident for the remainder of my life. We here in Hawaii now have a historic opportunity to show the rest of the country what we are made of, regarding the quest for a more fair society. There are thousands of gay couples living together, sharing responsibilities, sharing their living quarters, housing expenses and child rearing responsibilities and much more. We deal with health issues, partners with health issues, parents with health issues, unemployment issues, the unfairness of a tax system which does not treat gay families with the same respect as other families. It hurts deeply to hear some people talk about being opposed to civil unions because it's perceived as being not having "family values".

I took care of my elderly mother for several years after she had a stroke and she needed a lot of assistance. I cooked for her, did her laundry, took her to doctor's appointments, kept her company and much more. Yes, she loved her gay son just as much as her straight children. Anyone who implies that gay people somehow don't have good "family values" is likely somebody who hasn't had much experience knowing gay people.

I ask you to never forget that gay people have families too. My mother and siblings love me and care about equal treatment for me. They know that allowing gay couples civil unions or marriage will not hurt their families. They know that denying gay members of the family the equality they deserve is what actually *will* hurt the family.

*There is no evidence that, in the states or the countries where gay couples have been given marriage rights or civil unions rights that it has ever hurt the institution of marriage in those societies in any way at all. Absolutely none.*

Please understand that our relationships are just as important to us as your own relationships are to you.

We are not seeking the right to have a religious ceremony, although some of us might choose that. We are seeking the right to a civil marriage because it involves our civil rights as citizens. Denying us that right amounts to second class citizenship, at least regarding marriage rights.

Please do the fair thing and support House Bill 444.

Thank you for your time and consideration.

Joseph O'Brien  
Honolulu Hawaii

To: House Judiciary Committee  
Re: **Support for HB 444, relating to civil unions**

Aloha members of the Judiciary Committee:

I, Kelli Bullock, support HB 444 because I believe all couples should be treated equally under the law regardless of whether they are opposite-sex couples or same-sex couples. I also support this bill insofar as it provides critical rights, benefits, and obligations to members of our community who have entered into long-term, committed relationships and are raising families.

This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo,

Kelli Bullock  
1024A Kinau St  
Honolulu HI 96814  
808.387.5224

**karamatsu3-Leanne**

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**From:** GParola@aol.com  
**Sent:** Wednesday, February 04, 2009 9:31 AM  
**To:** JUDtestimony  
**Subject:** HB444

House Judiciary Committee hearing, Feb. 5, 2009

Aloha and greetings to members of the committee:

My name is Gene J. Parola, I reside in Manoa and am a retired Professor of Cultural History.

I represent no organization, but feel that I must support HB444 simply because I wish to be a good citizen. I'm a 'depression kid.' I have lived many years in America and have witnessed this nation's continuing attempts to live up to its ideals. We are in an era in which that struggle has hopes of being more fully realized.

The language of the Declaration of Independence clearly states that all men are created equal, and we have come to interpret that to mean women as well. The symbolic meaning is clear. We are *all* equal under the law.

In some respects laws like HB444 are not necessary because the Constitution goes on to say that no laws should be made to curb those 'unalienable rights'. So a repeal of repressive laws seem more appropriate. And certainly no law should be necessary to simply preserve a right that already exists.

I would beg the Committee to carefully examine the personal and financial burdens that laws preventing civil unions place upon that segment of our society. No one of us would want to be deprived of the visit, or participate in the treatment of, an ill spouse in the hospital. Nor would we want a spouse to be deprived of rights relative to inheritance issues.

It needs to be remembered that such rights for 'gay' people would in no way prevent the rest of the community from enjoying their rights.

It is often stated that the true definition of a Democracy is one in which the majority protects the rights of its minorities. We have long thought our country to be a model democracy. Let's burnish that reputation by reaffirming that we do indeed 'walk-the-walk,' not simply 'talk-the-talk.'

Mahalo for your attention.

Malama pono,  
Gene J. Parola, Ph.D.

\*\*\*\*\*

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**karamatsu3-Leanne**

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**From:** XYZ Gay Straight Alliance at UH [xyz@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 9:53 AM  
**To:** JUDtestimony  
**Subject:** House Bill 444, A Bill For An Act Relating to Civil Unions

Dear Chair Karamatsu and Members of the House Judiciary Committee:

Thank you for the opportunity to speak before the committee. My name is Reid Uratani, president of the University of Hawaii's queer student union, and I am here to fervently support House Bill 444. I cannot provide the astute knowledge of national jurisprudence and legislation on matters of same-sex unions that I know others in support of House Bill 444 are capable of speaking to. Instead I can speak of the hope that the bill engenders.

As a 23-year-old resident of Hawaii, my formative years were shaded by the specter of the 1998 vote on civil unions. I was 13-years-old at the time and understood that a normative aspect of American civil participation had been foreclosed from my horizon of possibilities. The prospect of civil unions for same-sex couples is a testament to the hope of civil equity for thousands of people in Hawaii; for many in the present but for countless more who will understand their lives as unbarred from a crucial aspect of community recognition and belonging.

In your vote, please consider carefully the tenuous hope that is now beginning to form within Hawaii communities. Please do not foreclose another decade of imagination among the residents of our state, especially those young people who look to this bill and its symbolic gravity as an indicator of the future viability of living here in Hawaii. Please allow the future citizens of Hawaii to come to maturity in a landscape of expansive intimate possibilities. I ask that you support House Bill 444 and thank you again for your consideration.

Sincerely,

Reid Uratani  
1658 Liholiho Street #305  
Honolulu, HI 96822

February 4, 2008

Representative Jon Riki Karamatsu, Chair  
Representative Ken Ito, Vice-chair  
Judiciary Committee

Re: Support of HB 444, Relating to Civil Unions

Mahalo for drafting a “civil unions” bill that is very clear and easy to understand. I urge you to approve this bill without amendments.

Law, like science, is for the sinners. Let me explore an analogy with the laws of gravity. Most of us (and our automobiles) obey the laws of gravity. Scientists and engineers design bridges and airplanes with that in mind. In religious literature you find references to people who can levitate. My favorite example of this is St. Joseph of Cupertino, a Roman Catholic saint who levitated in public while thinking about the Blessed Sacrament (the Holy Communion). This was witnessed (allegedly) by many people, include foreign ambassadors. Does this human/natural/godly possibility change the way bridges and airplanes are designed? Does the fact that some people at some time can levitate, obviate the need for special ramps to allow handicapped persons to access public buildings? Science and engineering are profoundly worldly, not sacred, and part of the basis of governance.

The American art of government is getting general good from individual variation. America is based on greed, and the harnessing of greed to serve social goods. Every religion in the world condemns greed (some more than others!). Should we outlaw greed, and strive mightily to stamp it out like Chairman Mao tried in China or Lenin in Russia? Mao and Lenin produced greater evils, and even greater suffering by their people, including the outright starvation of millions of persons. So, American society makes its uneasy peace with greed---distasteful, even disgusting, yet tolerated and hopefully managed (some Presidents are better at greed management than other Presidents).

Thank you for your wisdom in practicing the “American art of government” for yet another realm of individual variation.

Tom Ramsey



## karamatsu3-Leanne

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**From:** lkuhner@aol.com  
**Sent:** Wednesday, February 04, 2009 10:00 AM  
**To:** JUDtestimony  
**Cc:** donalde12@aol.com  
**Subject:** HOUSE BILL 444

Aloha,

These comments are for the hearing on House Bill 444, February 5th at 2:00pm.

My name is Larry Kuhner. I am a Retail Manager for the United States Marine Corps at Kaneohe Bay.

I am a gay man. My partner and I have just celebrated our 27th year together on 1/21//09. All without the benefit of marriage or civil union. We have raised two fine sons who are both straight, happily married, and love us dearly.

At age 64 & 68, we are both worried about end of life issues. We need to be able to make decisions on each other's medical problems, not to mention the financial and real estate decisions that will have to be made. We've seen men & women refused from seeing their partner in cases that ended in death because the parents of the dying refused to let them into the hospital room or contribute in any way in the funeral process. We have seen parents, siblings, and even Ex's challenge wills and insurance payments, up money for the person left behind; some succeeded in obtaining the funds, and some didn't. Either way it was a sorry state of affairs.

In this new dawn of time, I urge you to pass this bill and give all gay couples in Hawaii the chance to enjoy this basic human right of being recognized for what we are: loyal, hard working, tax paying men and women who call Hawaii home.

Sincerely,

Larry Kuhner  
2047 Nuuanu Avenue  
Honolulu, HI 96817  
[LKuhner@aol.com](mailto:LKuhner@aol.com)

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## karamatsu3-Leanne

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**From:** Nancy Aleck [NAleck@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 10:10 AM  
**To:** JUDtestimony  
**Subject:** Testimony for 2/5

*Sending on behalf of:*

Annie Worth <[a-b-worth@hawaii.rr.com](mailto:a-b-worth@hawaii.rr.com)>

**HB444**

February 4, 2009

Jon Riki Karatasu, Chariman  
Ken Ito, Vic Chairman  
Judiciary Committee

Annie Worth  
Thursday, Feb. 5, 2009 @2 pm Conference Room 325

Support of HB444, Domestic Partnership: My compelling reasons for supporting this bill are for fairness and for equality. This bill is pono!

Aloha,  
Annie Worth

February 3, 2009

Re: House Bill 444 - Civil Unions

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

I appreciate your taking the time to enable the public to testify before this committee on HB 444 – Civil Unions.

**I wish to express my strong support for House Bill 444 - Civil Unions** because I believe that all people should be treated equally under the law. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

I have had two long-term relationships in my time. My first was for 21 years. I lived with a man who was ill much of the time, and there were times I needed to take off work to care for him. Since our relationship was “not recognized,” I lost time from work, missed income, and worried that if he fell into a coma, I would not be able to be by his side should his family take over.

I have been in a relationship with my second partner for seven years now. We have had a Reciprocal Beneficiaries agreement for several years, but I feel that it’s simply not enough. The language in it is too vague, and I feel uncomfortable depending on it. Civil Unions as they exist in Connecticut grant the following rights to same-sex couples:

- Financial and medical decision-making when a spouse is incapacitated
- Retirement benefits
- Consideration of partners as “immediate family” by banks, credit unions, etc.
- Spousal coverage on liability and other types of insurance
- Access to safe-deposit boxes

As noted by the Hawaii Commission on Sexual Orientation and the Law, out of the approximately 300 marriage-based protections identified by the commission, only about 50 have been extended to Reciprocal Beneficiaries. This is clearly unequal treatment under the law.

Public opinion has changed since 1996 when this issue was first brought before the people of Hawaii. Many people across the United States now support civil unions, as does President Obama. In fact, **President Obama "supports full civil unions that give same-sex couples legal rights and privileges equal to those of married couples."**

Let’s show the world the unique meaning and sense of *aloha* by extending Civil Unions to same-sex couples!

I ask that you support HB 444.

Many thanks, and Aloha!

Kevin M. Roddy  
3032 Alencastre Place  
Honolulu, HI 96816  
808 735-2372

Honorable Representative Jon Riki Karamatsu, Chair  
Honorable Representative Ken Ito, Vice-Chair  
Honorable Members of the House Judiciary Committee

### **HB444, Relating to Civil Unions**

Public Testimony for  
House Judiciary Committee Hearing  
Thursday, February 5, 2009  
2:00 PM  
Conference Room #325

### **SUPPORT**

Herewith, I respectfully present testimony in support of *House Bill 444, Relating to Civil Unions - Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.*

Members of the Committee will no doubt hear vigorous and emotional testimony from both proponents and opponents of civil union. I offer my personal testimony to give voice to those who support this measure but will not come forward because they justly fear disclosure may put them in harm's way. Despite our nation's best effort to protect and preserve justice and liberty for all, racism, class bias, sex discrimination, hate crimes, and ridicule directed at same-gender orientation are still prevalent in these United States.

That which follows is the premise upon which the United States of America was born:

*"When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.*

***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.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness..."*** (The Declaration of Independence, In Congress, July 4, 1776)

As a free people, we have made significant strides in enacting laws that hold firm to that *voice of justice* which gave rise to our declaration of independence from tyranny. History tells us, when leaders govern with fairness and justice for all over self-interest and

prejudice there is peace and harmony in the land. It took our nation more than two hundred years to elect a black president and when we did the world celebrated with us.

As a state and as a nation we are not without failings but in every case of strife and conflict we rise from the ashes with our aim on even greater heights for humanity. Hawaii's native culture was nearly lost due to prejudices and the ethnocentrism of a dominant group who was set on imposing their values onto all others. It took a civil war to stop slavery in America. Interracial marriage was, at one time, looked upon with disdain and shame but in Hawaii today we enjoy the mix of cultures and ethnicities.

For what purpose do we build institutions of higher learning and confer degrees of academic achievement or give status to expertise in a given discipline if not for the betterment of society and community. We aggregate and organize information into useful form; and, we establish professional organizations and associations to help us make sense of it all. Should we not seek the knowledge and judgment of our scholars and the learned, and consider their opinions when instituting public policy. America is still a very young country in comparison to other nations but the world looks to us for leadership because we represent and strive for the highest of ideals for civilization.

*The American Psychological Association (APA), "has long-established policy dating back to 1975 that deplors all public and private discrimination against gay men and lesbians and urges enactment of civil rights legislation at the local and state and federal level that would offer [gay men and lesbian] citizens the same protections now guaranteed to others... Psychologists do not consider sexual orientation to be a conscious choice that can be voluntarily changed. Human beings cannot choose to be either gay or straight. Sexual orientation emerges for most people in early adolescence prior to any sexual experience... Psychological research (which forms the basis of APA policy) provides no evidence to justify discrimination against same-sex couples and families." (APA Briefing Sheet: June 2006)*

Additionally, the APA policy statement on Sexual Orientation & Marriage (adopted by the APA Council of Representatives July 28 & 30, 2004) states: "Psychological and psychiatric experts have agreed since 1975 that homosexuality is neither a form of mental illness nor a symptom of mental illness."

The American Psychiatric Association is explicit in their support of "civil" marriage. As written in the Association's position statement on this matter: "... *Civil marriage is associated with a unique set of benefits that provide legal and economic protections to adults in committed relationships and to their children. Equal access to the institution of civil marriage is consistent with the American Psychiatric Association's opposition to discrimination based on sexual orientation. Therefore, be it resolved that: In the interest of maintaining and promoting mental health, the American Psychiatric Association supports the legal recognition of same-sex civil marriage with all rights, benefits, and responsibilities conferred by civil marriage, and opposes restrictions to those same rights, benefits, and responsibilities.*" (Support of Legal Recognition of Same-Sex Civil Marriage, position statement approved by the Board of Trustees, July 2005)

The American Academy of Child & Adolescent Psychiatry (AACAP) is composed of over 7,500 child and adolescent psychiatrists and other interested physicians. *Its members actively research, evaluate, diagnose, and treat psychiatric disorders and pride themselves on giving direction to and responding quickly to new developments in addressing the health care needs of children and their families.* The AACAP states: *"Parents need to clearly understand that sexual orientation is not a mental disorder. The cause(s) of homosexuality or bisexuality are not fully understood. However, a person's sexual orientation is not a matter of choice. In other words, individuals have no more choice about being homosexual or bisexual than heterosexual. All teenagers do have a choice about their expression of sexual behaviors and lifestyle regardless of their sexual orientation... Gay, lesbian and bisexual teens can become socially isolated, withdraw from activities and friends, have trouble concentrating, and develop low self-esteem. Some may develop depression and think about suicide or attempt it. Parents and others need to be alert to these signs of distress because recent studies show that gay, lesbian and bisexual youth account for a significant number of deaths by suicide during adolescence... It is important for parents to understand their teen's sexual orientation and to provide emotional support. Parents may have difficulty accepting their teen's sexuality for some of the same reasons that the youngster wants to keep it a secret... Therapy directed specifically at changing sexual orientation is not recommended and may be harmful for an unwilling teen."* (Facts for Families, No. 63, Updated January 2006)

The AACAP further states: *"There is no evidence to suggest or support that parents with gay, lesbian, or bisexual orientation are per se different from or deficient in parenting skills, child-centered concerns and parent-child attachments, when compared to parents with a heterosexual orientation. It has long been established that a homosexual orientation is not related to psychopathology, and there is no basis on which to assume that parental homosexual orientation will increase likelihood of or induce a homosexual orientation in the child."* (Gay, Lesbian and Bisexual Parents Policy Statement, June 1999, Policy Statement of the AACAP)

In closing, while I would prefer enactment of same-sex civil marriage which would give same-sex couples all the rights and privileges, and the more than 1,049 Federal benefits and responsibilities, enjoyed by heterosexual married couples, passage of HB444 will help to curb the social stigma associated with same-gender sexual orientation and this, for many, is as important an issue as access to benefits and privileges.

I respectfully ask for your support in passing HB444.

Sincerely,

L.P.  
Hilo, Hawaii

Relating to HB 444  
Testifying in Support  
On Behalf of  
Myself

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee,

My name is Erick Peter Ehrhorn and I support this bill. While I really favor gay marriage I view this bill as a first step towards full equality aka gay marriage. Thank you for considering this bill and I hope you pass it.

This bill will basically allow gay couples to enter into a commitment similar to marriage. This does not mean that everyone has to enter into same sex relationships. It only applies to those gay couples who have a strong commitment. Heterosexual couples would not be affected. Churches need not be affected if they don't want to acknowledge the gays in their church. Some of the opponents of this measure seem to believe that it would apply to everyone and everyone has to become gay.

From the early nineties I have been in favor of gays forming a committed relationship. I felt that this would reduce the spread of aids and it would allow loving same sex couples to run normal lives. Without such a union, parents could prevent a lover from visiting their mate in a hospital or attending a funeral.

My mother used to be a member of the NAACP because she felt that no one should be denied freedom and the pursuit of happiness just because of their color. If she could speak today I know she would approve of this bill as equality and fairness were at the center of her soul. Since she can't I will. This country has trampled on civil rights during the past 20 years and this has to stop.

Hawaii used to be in the forefront of individual liberty. We were among the first to pass the ERA and to allow a woman's right to choose. Hawaii has one of the most liberal state constitution which I think is partly due to how the Japanese were treated during WWII. We should not make the same mistake in this new century by denying a group of people equal rights.

Again thank you for considering this bill and please support this bill so that Hawaii will truly be known as the Aloha state.

Best Regards,

Erick Peter Ehrhorn  
254 Kaha St.  
Kailua Hawaii, 96734

To: House Judiciary Committee  
Re: **Support for HB 444, relating to civil unions**

Aloha members of the Judiciary Committee:

I, Deborah Miller, support HB 444 because I believe all couples should be treated equally under the law regardless of whether they are opposite-sex couples or same-sex couples. I also support this bill insofar as it provides critical rights, benefits, and obligations to members of our community who have entered into long-term, committed relationships and are raising families.

This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo,

Deborah Miller



## karamatsu3-Leanne

---

**From:** Maria Chomyszak [m\_chomyszak@hotmail.com]  
**Sent:** Wednesday, February 04, 2009 10:13 AM  
**To:** JUDtestimony  
**Subject:** Testimony in full support of HB 444

Thursday, February 5  
House Judiciary Committee  
2 p.m. Conference Room 325  
State Capitol

### Testimony in full support of HB 444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Maria Chomyszak and I would like to express my support for House Bill 444 - Civil Unions. I believe that all people regardless of their ethnicity, gender or sexual orientation should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

My partner and I have been together for almost 9 years - we were married in Canada in 2004. While we live together as a married couple, our own government does not treat us as such.

The unequal treatment that we experience as a same-sex couple is unfair and unjust. How would you feel if you or one of your family members was treated in this manner?

Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. I ask that you support HB 444 and appreciate your careful consideration.

Mahalo,

Maria Chomyszak  
94-1185 Meleinoa Place, #B  
Waipahu, HI 96797

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## karamatsu3-Leanne

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**From:** Makekau, Rahira [makekaur@polynesia.com]  
**Sent:** Wednesday, February 04, 2009 10:12 AM  
**To:** JUDtestimony  
**Subject:** OPPOSITION TO HB 444 , Relating to Civil Unions

To whom it may concern

I too add my voice to those who oppose this bill.

Hawaii already has an acceptable reciprocal beneficiary law. Given the circumstances, it is an acceptable law.

We all know that HB444 is just another attempt to legalize gay marriage. This is unacceptable. Law makers have no right to pass a Bill to satisfy the noisy minority when the voices of the majority have spoken.

Nobody has the right to make a mockery of the sanctity of marriage, and that's exactly what civil unions do. This is a moral issue that has no right being debated behind the closed doors of any Government Building, because it's just plain wrong and should never have been brought up in the first place. Marriage *is* what it is, a union between a man and a woman that has been ordained of God .... It's simple and should not be complicated by politics.

The moral decay of the Nation is a huge price to pay if we do not stand up for what we know to be right.

Listen to your conscience. Do not mock marriage. Do not pass this bill.

The repercussions will be dire.

Regards

Overly concerned

Testimony for HB 444; Relating to Civil Unions

House Committee on Judiciary

February 5, 2009-2:00pm-Room 325

Hello Chair Jon Riki Karamatsu and members of the House Judiciary Committee,

My name is Dina Brooks and I am a graduate student at the school of Social Work at UH Manoa. I am here today to **strongly** support House Bill 444, relating to civil unions. I decided to attend graduate school for Social Work because I have a deep passion within me to extend and fight for equal rights for everyone. As a member of the human race, that is the only way that I can relate daily through the essential notion of equality and justice. I feel that gay rights are something that we as a society overlooked during the Civil Rights Movement in the sixties. Now, over forty years later, we are still tackling the same basic human rights issues as back then. Many members of society take it upon themselves to impose their personal judgments and values on others through law, condemning the judged to a second-class citizen lifestyle, not quite living up to par with those whom are living the "correct" lifestyle.

Granting civil union status in Hawaii to same-sex partners will not take away anyone else's freedoms and choices. At the very least, it will represent progress, empathy, and human decency to our contributing community members. Put Hawaii on the map as a forward thinking state that genuinely cares for **ALL** of their citizens' rights. Who are we as a society, as a government, as a community to withhold basic rights from others? Certain equality is the ultimate goal that Hawaii, and all of the United States, should strive to consistently maintain. These are the values that everyone should be concerned with. Thank you very much for letting me testify in support of House bill 444 on civil unions. I appreciate your time.

Sincerely,

Dina Brooks

UH Manoa MSW student

808-679-6199/ dina.brooks@gmail.com

**karamatsu3-Leanne**

---

**From:** nandini.bhattacharjee@gmail.com  
**Sent:** Wednesday, February 04, 2009 10:35 AM  
**To:** JUDtestimony  
**Subject:** Yes, on Civil Unions

I am writing today to encourage you to please vote YES on civil unions. Civil rights are fundamental rights, not to be restricted to those in the majority.

Please send my testimony to House Judiciary Committee on Thursday, 2/5/09, at 2 p.m. in Conference Room 325 at the State Capitol (415 South Beretania Street, Honolulu).

Thank you kindly,  
Nandini Bhattacharjee  
2364 Jasmine Street  
Honolulu, HI 96816

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Tara O'Neill and I am here to express my strong support for House Bill 444 - Civil Unions. 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. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

For the past ten years, I served as a public school 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 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 my 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, and the majority of the Hawaii House of Representatives support civil unions. 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. I ask that you support HB 444 and send a clear message to my kind, 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 couples.

I appreciate your thoughtful and careful consideration.

Mahalo,

Tara O'Neill, PhD  
Assistant Professor  
College of Education, University of Hawaii at Manoa

Home Address:  
3111 Pualei Circle  
Apt. 203  
Honolulu HI 96815

## karamatsu3-Leanne

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**From:** Elizabeth Grossman [eliz@ergrossman.com]  
**Sent:** Wednesday, February 04, 2009 10:39 AM  
**To:** JUDtestimony  
**Subject:** HB444 Testimony

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Elizabeth Rice Grossman and I live in Kailua. I am writing in support of House Bill 444, A Bill for An Act Relating to Civil Unions.

I am married to Dr. A. Richard Grossman. I attend church regularly and I support equal rights for all people. Civil Unions afford same sex couples and their families' equal legal rights and we believe that it may be **THE** civil rights issue of this generation. I cannot imagine anyone opposing these basic human rights. Commitment to family and community is productive, and I encourage your support.

Respectfully submitted,

Elizabeth Rice Grossman

Kailua, HI

808-388-3978

Elizabeth Rice Grossman  
808.388.3978

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## karamatsu3-Leanne

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**From:** godlygay@hawaii.rr.com  
**Sent:** Wednesday, February 04, 2009 10:42 AM  
**To:** JUDtestimony  
**Subject:** House Bill 444

Cover letter: Timothy D. Earhart, President Dignity Honolulu, to Judiciary committee, for hearing 2/05/09, 2 PM, conference room 325 at state capitol, (415 S. Beretania Street, Honolulu) Dear Chair Karamatsu, Vice Chair Ito, and members of the House Judiciary Committee: Thank you for previewing this letter as my testimony in support of House Bill 444- Civil Unions. My name is Timothy Earhart and I am President of a local chapter of Dignity USA, Dignity Honolulu. We are made up of gasy Catholics who support the LGBTQ communities. I support civil unions, as they already exist in the form of same gender couples, but without legal sanction.. All of my life (I am currently 62 years of age) I have observed and admired the stalwart character of those same sex couples. They have modeled for their families, their colleagues, gay singles and society at large, fidelity, vision, and the validity of their love.

Is it not time to ratify an institution that already exists in the blessed State of Hawaii. In California prior to Proposition 8 and the courts support of same sex marriage, there was a window of opportunity. This window was filled with 20,000 plus same gender souples :tieing the knot." I cried as I was touched by stories of couples ratifying their love and family by legal protection.

It hass been said that all is fair in love and war. We know that thwese opposites are also expressions of human nature. And, that when left uncontrolled, uncivilized, much harm to nations, cultures, societies and individual persons is caused.

War is waged to protect and restore established peace. Love is "waged" to permit the human for belonging and sexual expression to be actualized. And, so, civil unions would go far in reconciling what already exists with justice.

Therefore, I urge you, I emlore you to support HB 444. Thank you for the opportunity to encourage your support for justice.

Mahalo, Timothy D. Earhart, 2041 Puowaina Drive, Honolulu, Hawaii 96813 (tel 537-1488)



## karamatsu3-Leanne

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**From:** Deadschmitz@aol.com  
**Sent:** Wednesday, February 04, 2009 11:05 AM  
**To:** JUDtestimony  
**Subject:** Civil Unions

I'm writing to say that I am in favor of the Civil Unions bill. I am a Catholic in good standing and I don't agree with the political opposition to this bill. I believe it's important to support monogamous relationships among same-sex couples. I have seen too many times where the lack of social support has caused homosexual persons to try to hide from others and/or themselves their true sexual orientation. The results have been disastrous for them and their marriages. I believe that the Civil Unions bill will actually help support marriage and the family.

Sincerely,

Dennis Schmitz  
Kaimuki

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## karamatsu3-Leanne

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**From:** UHH Women's Center [uhhwomen@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 11:32 AM  
**To:** JUDtestimony  
**Subject:** testimony

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,

Rachel Erdman  
Student

---

Women's Center  
University of Hawai'i at Hilo  
200 W. Kawili St.  
Hilo HI 96720  
Ph: (808) 974-7306

**karamatsu3-Leanne**

---

**From:** Rheannon B Thompson [rheannon@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 11:46 AM  
**To:** JUDtestimony  
**Subject:** TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS

To: JUD Chair, Jon Riki Karamatsu

JUD Vice-Chair, Rep. Ken Ito

Judiciary Committee Clerk

From: Rheannon Thompson, University of Hawaii at Hilo student

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights for ALL citizens of Hawaii.

Mahalo,

Rheannon Thompson  
61 B Chong Street  
Hilo, HI 96720

808-989-1459

House Judiciary Committee  
Representative Jon Riki Karamatsu, Chair

Chairman Karamatsu and Members of the Judiciary Committee:

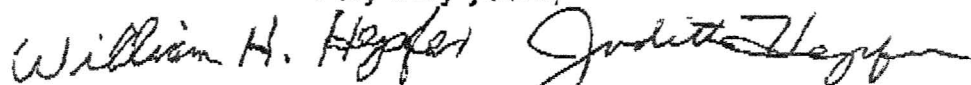
My husband and I urge you to support HB 444. We are not gay. Our children are not gay. As people of faith we believe in working towards a society that is fair for everyone. We are all one human family.

1. **Society is strengthened** when 2 people are committed to caring for each other. We are happy when our sons and daughters "find someone and settle down". We recognize this as a positive thing and we reward this behavior by sanctioning it into law. We understand that these bonds of commitment weave together a society that is stronger than if we do not have them. Therefore it is in society's best interest to extend Civil-Union legislation to all citizens regardless of gender.

2. A Civil-Union is a **civil contract**. It is not marriage. It is a way of providing equal rights for same gender couples. It leaves the religious issue out of it. Churches are still free to marry or not marry people. We think this bill is a **good compromise position** for those opposed to marriage, but who still want to extend equal rights to same gender couples.

3. This is a Civil-Rights issue. All Americans are entitled to equal rights. It is unfair to deny benefits to same-gender couples. Historically we have denied rights to blacks and to women. It is embarrassing now to look back at how our treatment of them. But over time we recognized our prejudice and unfair treatment and **we changed the law to reflect our new understanding**. Now is another such time. By enacting this law, you can help move us forward in the long human struggle for liberty and justice for all.

Very truly yours,



Dr. William and Mrs. Judith Hepfer

## TESTIMONY TO THE HOUSE COMMITTEE ON JUDICIARY

## HIB 444 RELATING TO CIVIL UNIONS

EXTENDS THE SAME RIGHTS BENEFITS, PROTECTIONS, AND RESPONSIBILITIES OF A SPOUSES IN A MARRIAGE TO PARTNERS IN A CIVIL UNION.

5 February 2009

2:00 PM

House Conference Room 325

Submitted by: Mary Smart

Chairman Jon Riki Karamatsu and members of the House Committee on JUD

I am testifying strongly AGAINST HB444.

This Bill refers to "Civil Union," section 9 and 10 (1) of HIB 444 but states that they will be treated as marriage. The people of Hawaii do not want to recognize same sex relationships as mandated in Section 10 of the Bill. The residents of Hawaii think this issue was resolved defining marriage as only the union of one man and one woman. Most Hawaii residents don't know that there are activists constantly working to overturn their decision. This Bill treats Hawaii voters with contempt and puts children at risk. There are numerous studies that show children do better in families comprised of one man and one woman. It is irresponsible to ignore these findings. Psychologist Trayce Hansen has written extensively on the negative implications of legislation like this.

Although Section - 4b states "...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" -- it is only a matter of time before there will be a law suit to remove this protection of religiously faithful ministers and priests. Catholic Charities cannot perform adoption services in Massachusetts because they don't put children into the sub-optimum situation of homosexual couples/families. Doctors in California are being sued because they won't inseminate homosexual couples. A Catholic hospital in California was sued by a man who wanted to have them surgically mutilate his body by placing women's breasts on his body. Even when these suits fail, they cost financially to be involved. When they succeed, they deny a Constitutional right, freedom of religion.

Hawaii already has a compassionate accommodation for people who love each other and want to share obligations and responsibilities. It is called Reciprocal Beneficiary and is

not discriminatory against any group based on familial relationship or sexual practices. Reciprocal Beneficiary bestows benefits without anyone having to advertise activities of their private life. Their private life remains private. There is no reason to give one group eligible for this alternative more benefits than any other group but that is what SB458 attempts to do. All loving relationships other than marriage between one man and one woman can be accommodated under this provision. SB 458 discriminates against other non-marriage relationships.

Another reason to oppose this Bill is the excess workload this accommodation will impose on the State of Hawaii. February 4, 2009, it was announced that the first same sex couple (lesbian) who married in Massachusetts in 2004, filed for divorce. The article indicated that they announced they were separating in 2006. A study by an AIDS researchers, published in 2003 in the journal AIDS, reported that the average duration of committed relationships among gay steady partners was 1.5 years. These relationships are not long lasting. There is no reason to create a new accommodations. It is my understanding that Reciprocal Beneficiary provisions are rarely requested therefore, it is unreasonable to create new subsets of relationships.

Someday people will classify those OPPOSED to HB 444 as practicing "LOVE SPEECH" because they cared enough about their fellow man to speak the truth, not what was politically expedient or politically correct. Homosexual activities are risky and should be discouraged. The most unethical thing Hawaii legislators could do is pass a Bill like HB 444 and give the impression that homosexual activity is a healthy option that should be given special status. Evidence of the risks are documented. For example, a January 14, 2009 article in the Los Angeles Times reported: "In 2000, public health officials believed that syphilis was close to being eliminated, but a dramatic jump in infections among gay and bisexual men reversed the downward trend. Men who engaged in homosexual sex made up 65% of the 11,466 cases reported in 2007, roughly the same as in 2006." In a Centers for Disease Control and Prevention report titled HIV/AIDS among Men Who Have Sex with Men, revised in June 2007, stated "In the United States, HIV infection and AIDS have had a tremendous effect on men who have sex with men (MSM). MSM accounted for 71% of all HIV infections among male adults and adolescents in 2005 (based on data from 33 states with long-term, confidential name-based HIV reporting), even though only about 5% to 7% of male adults and adolescents in the United States identify themselves as MSM [1, 2]. Reference: <http://www.cdc.gov/hiv/topics/msm/resources/factsheets/msm.htm>.

Please do the right thing and vote NO on HB 444.

Thank you for considering my comments.

Mary Smart  
94-210 Kakaili Pl  
Mililani, HI 96789  
(808) 627-1220

**karamatsu3-Leanne**

---

**From:** Ramón Manuel Figueroa-Centeno [ramon.figueroa@gmail.com]  
**Sent:** Wednesday, February 04, 2009 12:00 PM  
**To:** JUDtestimony  
**Subject:** Testimony Regarding HB 444 Relating To Civil Unions

Testimony Regarding HB 444 Relating To Civil Unions

To: JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

From: Ramón M. Figueroa-Centeno, Professor

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the  
JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT  
of HB 444 Relating to Civil Unions. I believe that it is the  
best  
interest of the State of Hawai'i to pass HB 444, which would  
allow  
members of the same sex the ability to extend legal rights and  
benefits  
to their domestic partners outside of the domain of "marriage."  
Please  
support this bill, as it is a matter of championing civil  
rights.

Mahalo,

Ramón M. Figueroa-Centeno, Ph.D.  
Associate Professor

Mathematics Department  
University of Hawaii at Hilo  
College Hall 4-A  
200 W. Kawili St.  
Hilo, HI 96720-4091

(808) 974-7387 (office)

(808) 933-3473 (fax)

<http://www2.hawaii.edu/~ramonf/>



Relating to HB 444

**Testifying in Support**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Cheryl Embry and I am here to express my support for House Bill 444 - Civil Unions. **I believe that all people should be treated equally under the law and this is something required by our Constitution.** HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

The majority of the public, President Obama and the majority of the Hawaii House of Representatives support civil unions. 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. I ask that you support HB 444 and appreciate your careful consideration.

Mahalo,

Cheryl L.Embry

724C 8<sup>th</sup> Ave

Honolulu, HI 96816

## karamatsu3-Leanne

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**From:** Tracey Bennett [tracey567surfs@gmail.com]  
**Sent:** Wednesday, February 04, 2009 12:04 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444, A Bill For An Act Relating to Civil Unions

House Bill 444, A Bill For An Act Relating to Civil Unions  
House Judiciary Committee on Thursday, 2/5/09, at 2 p.m.  
From Tracey Bennett, Hawaii Kai

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for letting me testify. My name is Tracey Bennett, and I am here in support of House Bill 444 - Civil Unions.

My question is this: What's holding you back? These rights should have been given to same-sex couples years ago. In 1996, we had a two-week trial about whether the state had the right to deny marriage to couples. I gotta tell you, for the most part, it was a boring trial.

But the decision was not boring. Based on the state's evidence, Judge Kevin Chang had to rule that gays are entitled to the rights and benefits—yes, and obligations, too—of marriage.

You know what happened then. A lot of people were upset.

The legislators struck a deal: Give the gay people (and a few others) a reciprocal beneficiary bill with about 50 benefits and "let the people decide." Out of the whole supermarket of rights and benefits, we got 50 pounds of rice.

Our civil rights were put up for a vote. Some call it a constitutional amendment. I call it by its real name: discrimination. It was a tyranny of the majority. You have no idea how much that vote hurt. That November election day was my birthday, and a lousy present that vote was.

The opposition stirred up a lot of baseless fear. They made it sound like Hawaii would sink...or be sunk by God. When Massachusetts became the first state to legalize same-sex marriage, it did not suffer plague and pestilence. Seven countries have same-sex marriage. And they have not been smited. Spain did not fall into the ocean. These are healthy societies who do not discriminate against their gay brothers and sisters.

Don't let anybody tell you that civil union is marriage by another

name. If they're married, I invite them to swap their marriage license for a civil union bill and see how it fits.

Please give us the rights and benefits that Judge Chang said we're entitled to. This bill is way overdue. Passing it will take courage because a few of your constituents will complain. Loudly. But most of your constituents quietly support civil unions for gay people.

Even President Obama supports civil unions. I hope you do too.

**karamatsu3-Leanne**

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**From:** Cynthia L Phillips [cynthiap@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 12:07 PM  
**To:** JUDtestimony  
**Subject:** TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,

Cynthia Phillips  
Project Manager  
Keaholoa STEM Program/Shipman GIS/RELATE Project  
University of Hawai'i at Hilo  
200 W. Kawili Street  
Hilo, HI 96720  
(808) 933-3409

## karamatsu3-Leanne

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**From:** Yoshie Tanabe [yojimbo@hawaiiantel.net]  
**Sent:** Wednesday, February 04, 2009 12:18 PM  
**To:** JUDtestimony  
**Subject:** HB444: Civil Union Bill

Dear Chairperson, Rep. Jon Riki Karamatsu and members of the House Judiciary Committee:

We, James and Yoshie Tanabe, stand in full support of HB 444. We are not gays but we are equal Americans with gays and therefore believe our rights should totally be their rights and their rights totally our rights.

Sincerely,  
James and Yoshie Tanabe  
1149 Namahealani Place  
Honolulu, HI 96825  
394-1908

**karamatsu3-Leanne**

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**From:** JoAnn Rhodehouse [rhode@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 12:22 PM  
**To:** JUDtestimony  
**Subject:** Oppose HB444

I am a voting resident of Laie who appreciates this opportunity to express my strong opposition to Bill HB444.

Thank you,

Reatha Jo Ann Rhodehouse  
55-484 Iosepa Street  
Laie, HI 96762

To: Representative Jon Riki Karamatsu, Chair, Judiciary Committee  
Representative Ken Ito, Vice Chair, Judiciary Committee  
Members, House Committee on Judiciary

Fr: Rae N. Watanabe  
PO Box 160916  
Honolulu, Hawai'i 96816

Date: February 4, 2009  
Hrg: February 5, 2009 at 2:00 p.m.

Re: **Strong Support for HB 444**, Relating to Civil Unions

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This is a civil rights issue, not a religious one. The government takes the taxes of homosexuals; it should grant them the same rights, regardless of what those in government hold as their private religious beliefs.

Please pass it out of committee.

E-mail: [testimony@capitol.hawaii.gov](mailto:testimony@capitol.hawaii.gov) and by FAX (586-8494)

To: House Judiciary Committee

Representative Jon Riki Karamatsu, Chair

**For Public Testimony Hearing on Thursday, 2/05/09 at 2 PM**

**Chairman Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:**

Thank you for this opportunity to offer testimony. My name is **Paul Gracie** and I coordinate the **Ohana O Ke Anuenu**, the parenting group that was organized here in the late 1990s for lesbian and gay parents and their children. I am in full **support of HB444** and speak from my personal perspective, as a gay parent, and on behalf of the many other families like mine, some of which are headed by parents young enough to be our kids, and especially on behalf of my twins Esther and Oscar and their other father, Keo.

I believe that it is time to focus on what is in the best interest of children, ensuring that every child has a permanent, loving home and family. Although the Ohana is intended mainly for families with lesbian or gay parents, it is in all other ways very representative of the ethnic, religious and cultural diversity of families in Hawai'i.

We personally, are an older, well established couple with our own business. We actually waited until we had been together for 23 years before becoming parents. However, this is not at all common. Without the civil union legislation before you today, most lesbian and gay couples are very vulnerable and forced to piece together a patchwork of legal documents, health coverage and legal statuses that still don't provide them with the security and protections that their families need, especially now in these 'up-in-the-air' 'all bets are off' economic times.

Passing HB 444 will show some much overdue aloha and respect to all of the families headed by lesbians and gays, but is especially important to younger families with children. This is a fair and necessary piece of legislation. Ua mau ke ea o ka aina i ka pono? Please support this bill.

Thanks again,

Paul Gracie

2028 Kuhio Avenue, Honolulu, Hawai'i 96815



**karamatsu3-Leanne**

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**From:** Sharon Ziegler-Chong [ziegler@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 12:38 PM  
**To:** JUDtestimony

**To:** JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

**From:** Sharon Ziegler-Chong, Staff

**RE:** TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,

Sharon Ziegler-Chong  
UH-Hilo Staff

\*\*\*\*\*

Sharon Ziegler-Chong  
Associate Director and HCSU Unit Leader  
Pacific Aquaculture and Coastal Resources Center (PACRC) University of Hawaii at Hilo 200 W.  
Kawili St.  
Hilo, Hawaii 96720

Phone: 808-933-0759  
General Office: 808-933-0706  
Fax: 808-933-0704  
Email: [ziegler@hawaii.edu](mailto:ziegler@hawaii.edu)

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## karamatsu3-Leanne

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**From:** Hector Wong [hector@hawaiistationery.com]  
**Sent:** Wednesday, February 04, 2009 12:41 PM  
**To:** JUDtestimony  
**Subject:** Civil Unions Public Hearing, my Testimony

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Hector Wong, and I support House Bill 444 – Civil Unions.

I want this discussion to end because it is a basic right and not a topic or business for politicians. It goes on and on, year after year, especially during elections time. Please approve it, and don't waste any more time making this basic right a bigger issue than what it is.

Civil Unions is allowed on many countries, and it isn't a big deal, nor a topic for politicians to spend time and money discussing.

I believe I am a good citizen, a good person, and a good tax payer. I believe I contribute to society and the world thru my talents and businesses. I am the owner of THE YELLOW KITCHEN, LLC dba LILIHA Flowers, registered with the DCA in Hawaii. I also work for Hawaii Stationery. My contact information is listed below, or thru [www.hectorwong.com](http://www.hectorwong.com). I am a frequent writer featured at [www.realbakingwithrose.com](http://www.realbakingwithrose.com)

Thank you. /H

Hector Wong . [hector@hawaiistationery.com](mailto:hector@hawaiistationery.com) . Information Technology Manager . Hawaii Stationery . 99-1418 Koaha Place . Aiea, Hawaii 96701 . 808-748-7227 phone . 808-748-7283 fax. The information transmitted is intended only for the addressee(s) and may contain confidential or privileged material, or both. Any review, receipt, dissemination or other use of this information by non-addressees is prohibited. If you received this in error or are a non-addressee, please contact the sender and delete the transmitted information. If you wish to no longer receive emails from this sender, please contact the sender immediately.

## karamatsu3-Leanne

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**From:** Jessie Faige [jfaige8@juno.com]  
**Sent:** Wednesday, February 04, 2009 12:44 PM  
**To:** JUDtestimony  
**Subject:** testimony for HB 444

Please direct the testimony below to the House Judiciary Committee.

**Re:** House Bill 444, relating to Civil Unions, scheduled for hearing on Thursday February 5, 2009 at 2 p.m.

**Date:** February 4, 2009 at 12:430 p.m.

**From:** Jessica A. Faige, resident and registered voter  
3111 Pualei Circle #203, Honolulu, HI 96815  
808-954-1685  
jfaige8@juno.com

Dear Members of the Judiciary Committee:

It is with a mix of frustration and restrained happiness that I submit this letter in support of House Bill 444. For four and a half years, I have been in a committed relationship with my same-sex partner. As you well know, the current safeguards under Hawaii law are insufficient to properly protect same-sex relationships. Though we have registered as reciprocal beneficiaries with the State of Hawaii, we have faced higher costs for health care coverage (after going through numerous extra steps not required of married couples in order to convince my partner's employer that I should be recognized as a dependent) and the inability to file state taxes jointly, as well as the corresponding prejudices that accompany state-sanctioned discrimination, such as queries by hotel staff when, on vacation, we checked into a room with only bed. When deciding that we wanted to affirm our relationship in front of family and friends, we did not have the option of civil recognition of the life-long commitment we were making to each other.

Fairness and equality are not novel concepts for Hawaii. There is significant public support for granting same-sex couples legal rights and privileges that are equal to those of married heterosexual couples. We would be thrilled if this law passes and look forward to a time when we can celebrate and protect all relationships.

Thank you for your consideration.

With warm regards,  
Jessica A. Faige

**karamatsu3-Leanne**

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**From:** Stephanie Whitehorse [slw@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 12:49 PM  
**To:** JUDtestimony  
**Cc:** slw@hawaii.edu

**To:** JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

**From:** Edward M. Johns, Student

**RE:** TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo  
S. L. Whitehorse

To: Chairman Karamatsu,  
Vice Chairman Ito and  
Members of the Judiciary Committee

From: Debi Hartmann

RE: Support for HB 444, Civil Unions

I speak in favor of HB 444. As one of the old war horses of the 1996, 1998 marriage battle, I have never fully left the topic of same-sex marriage, civil union, domestic partnership, or reciprocal beneficiary. I have studied it as an undergraduate, and as a master's thesis and doctoral dissertation.

In 2006 I took the time to analyze the HRS §572-C Reciprocal Beneficiary Statute and was more than disconcerted. I discovered that it did not cover many areas of law that I had thought to be included. I retrieved from my files a copy of HB118HD1SD1 and review the bill to determine what had happened. To my shock and subsequent regret I discovered that out of the 146 laws of protection and rights only 83 or 56% were actually included in the final statute. And of those 83, 11 were removed by court decision so the final tally is 49% of the initial HB118HD1SD1 RB Bill became HRS §572-C. This information caused me to undertake a more extensive review of the laws of Hawaii and discovered the following:

Reciprocal Beneficiary	83	Statutes
Marriage	191	Statutes
Spouse	505	Statutes
Children	633	Statutes
Family	452	Statutes

I discovered that upon marriage the 191 marriage laws, 505 spousal laws, 633 children's laws, the 452 family laws apply as they are all connected due to statutory language. That is a total of 1781 laws that protect, support, and privilege legalized relationships that are committed to one another. BUT, when you write a letter to enter into a RB you get the 83 RB laws and a few spousal laws, a compliment of children's laws that totals 177 laws. The male and female who have the right to a legal marriage are in pursuit of happiness to better their lives, their families and the lives of their neighbors and community. These two people have the full backing of the state and so do their children. The children are an area of my greatest concern for me.

I have been an advocate for children in Hawaii for some 25 years; as legislative vice president of the state PTSA to Chair of the State Board of Education. Today I hope to continue that effort by speaking in support of this bill.

In Section 3 you reference that "marriage" shall equally apply to civil unions and that and in (1) you include references to "married" will apply equally to partners in a civil union. In (2) you likewise reference "husband", "wife" shall apply equally to a partner in a civil union. What I do not see clearly and am seeking reassurance on is that all references to "children" and "family" that are statutorily connected to marriage will also equally apply to civil union. As it is not clearly articulated and my research has shown words matter I am concerned that these connections maybe overlooked as the bill moves through the process. Too many of Hawaii's children have been without protections, supports, and fundamental basic rights in their family life. The statutory responsibility is to value our families, all our families and all our children; I thank you for making that change now.

## karamatsu3-Leanne

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**From:** Toleafoa, Atamamao Mrs CTR USA IMCOM [Atamamao.Toleafoa@us.army.mil]  
**Sent:** Wednesday, February 04, 2009 12:54 PM  
**To:** JUDtestimony  
**Subject:** testing (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

My name is Atamamao N. Toleafoa. A member of the Moanalua 2nd Ward, Honolulu Hawaii West Stake, of 'The Church of Jesus Christ of Latter Day Saints'. I am writing regarding the so-called hearing of civic unions in extending the same rights of marriage to gay people, supposedly to take place on 5 February 2009.

I am totally against this. Please, let this Nation and these precious islands be governed by God or else we will all be condemned by His mighty power. His whole purpose is for the marriage to be between a man and a woman. No child can be conceived by two people of the same sex. Please look to our children with mercy. What will happen to them if you guys allow this to be legal? I know for sure this island will go down to hell if you allow this to happen. It is an evil practice and it is morally wrong. Please keep the traditional way of marriage alive and do not extend the same rights to the people who seek of it. It is just evil. Just think of you guys who have power and authority to legalize acts. Do you think you would have been born if your mother married another woman? Or your father with another man?

Please let us fear God and His judgments. He will surely curse these islands if we don't keep His commandments and laws. And one of those commandments and laws is the "traditional marriage" of a man and a woman. Children have to be born under that kind of marriages. Please keep the traditional ways of families alive. It will always bring us joy because children are our priceless pearls.

Respectfully,

Atamamao N. Toleafoa  
(mother of 4 God-fearing children)  
Classification: UNCLASSIFIED  
Caveats: NONE

**karamatsu3-Leanne**

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**From:** Kaulana Dameg [kaulana@leoki.uhh.hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 1:04 PM  
**To:** JUDtestimony  
**Subject:** TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS

\*TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS\*

\* \*

**To:** JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

**From:** Kaulana Dameg

**RE:** TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,  
Kaulana Dameg

## karamatsu3-Leanne

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**From:** Larry Litser [litsterl@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 1:18 PM  
**To:** JUDtestimony  
**Subject:** Civil liberties bill

Aloha to our honorable ladies and gentlemen who represent us in the government. As you are about to consider a civil unions bill (HB444), I am taking this opportunity to share my views on civil unions in general and relationships seeking to receive the benefits of marriage in specific.

In my mind, a civil union is a relationship between two or more parties for the purpose of some civil benefit. Civil has to do with citizens, and to matters of, relating to, or based on civil law, according to Webster's Collegiate Dictionary, 10<sup>th</sup> Edition. So, what benefits should the government be extending to groups and why? Obviously there are duties of the government to the citizens of the state, such as protection and enforcement of laws and regulations. Other legal benefits are less obvious, and many have arisen when government officials attempt to correct some social injustice or provide a more equitable playing field for all. Marriage rights were introduced as government recognized the role of families in teaching not only legal but moral values to children, who then adopted those values as they grew to adulthood. Government officials wanted to strengthen that institution, and help ensure its continued viability as a primary vehicle for establishing and re-enforcing the social and legal values of the people.

Over time, the values have shifted, and we have seen a significant move by government officials to re-define those social values, and they have not always tried to protect those values held by the majority of citizens. Rather, vocal minorities and special interest groups have effectively purchased decisions and policies and laws which serve their special interests. As a result, our nation has seen our primary core values eroded and perverted to the point that we no longer recognize many of our original driving values. For example, we currently support tolerance over fidelity and a woman's right to do what she wants with her body (and anything that might be growing on or in that body) over an unborn child's right to live, to be born and to enjoy the right to life, liberty and the pursuit of happiness.

I consider the current effort to build a legally recognized and protected "civil union" relationship as an attempt to further redefine our moral definition of good and bad as related to sexual preference. A person's right to choose with whom and in what way they can enjoy sexual experiences is now being held up as more important than the long-demonstrated process of bearing and nurturing children, including instilling in them a love of country and those things for which it stands.

While I don't want to harm anyone in the pursuit of happiness in their lives, I do believe that society, and the government that protects that society, need to do value those things which will strengthen and preserve the core values of the society. I believe that sexual pleasure should be limited to the safe and proven bounds of a legal marriage between a man and a woman, and that government should not legally recognize a person's right to choose otherwise, since this will not strengthen the culture in the long run, but confuse it. Civil unions may have their place, as government seeks to support and encourage activities and relationships which are positive, and healthy. But government officials need to be very careful not to be misled by arguments that miss the main point and lead to distractions.

Thanks for letting me share my viewpoint. I will be happy to discuss this further if you would like to.

Larry E. Litster, CIA, CFE, MBA



February 5, 2009 TESTIMONY OF  
Malia Blumhardt  
Graduate Student  
University of Hawaii at Manoa

CONCERNING CIVIL UNION

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

I want to thank you for this opportunity to address House Bill 444. I urge you to pass this important legislation. By recognizing civil unions, Hawaii can remain a model for the rest of this nation in terms of our tolerance and acceptance of diversity. This issue provokes heated debate because it is a change from the status quo. The fact that our legislature is considering this bill makes me proud and gives me hope that this form of discrimination will come to an end. As a nation and a State, we have more pressing problems than to deny couples the right to marry. Please be mindful of the joy you will bring to the lives of same-sex couples as you pass this bill.


Thank you for your time and your attention.

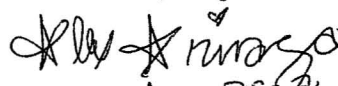
February 5, 2009

To the Honorable Members of the House Judiciary Committee,

We the undersigned, wish to submit testimony in support of House Bill 444. We believe that the banning of same-sex marriage constitutes discrimination on the basis of sexual orientation, and that it unjustly deprives homosexuals of equal rights guaranteed by the due process clause of the Fifteenth Amendment. While we would prefer to see the legalization of same-sex marriage as would happen under House Bill 878, we are also willing to accept the passage of House Bill 444. (Our primary concern against House Bill 444 is that the creation of civil unions allows a "separate but equal" category of marriage that may lead to future discrimination.) We have approved of the example set by states such as Massachusetts, Vermont, and New Jersey. We have frowned at failures in others, such as the recent example of California. We believe that the State of Hawaii was right in becoming one of the first states to grant domestic partnership rights, but simultaneously failed in that it came at the expense of allowing full marriage rights. We ask for your support of House Bill 444 so that Hawaii can begin to repair the damage done in 1998.

Yours Truly, (Trevor Nagamine)

  
Trevor Nagamine

  
Alex Arinaga



Alex Rasmussen-Silverstein

William Ouellette  
House Judiciary Committee  
Hearing: February 5, 2009, 2:00 PM  
**Testimony Supporting HB 444**

You are being asked to vote on House Bill 444 to allow civil unions in the state of Hawaii. I am writing today to ask for your affirmative vote.

Opponents of civil unions might argue, quite persuasively, that same sex unions must not be sanctioned by the state. The assumptions that inform this position are several and often rooted in religious doctrine that places a high value on the heterosexual couple that procreates. Of course, not all heterosexual unions result in children—because of biology or by choice. However, any heterosexual couple of consenting age may marry, even if they just met, even if they don't love each other. They simply have to pay the fee and prove that they're not related. And they may marry, within reason, where they wish, in a church or elsewhere. And that union may be blessed in a religious context or it may simply be legally sanctioned. And that couple may say, regardless of where and under what circumstances their union becomes officially recognized, that they have married. And that couple may continue to call their relationship a marriage as long as they two shall live. My partner, Bill, and I may not marry; nor, under current law, may we enjoy the legal benefits of a sanctioned union.

Perhaps opponents of civil unions might reconsider their position if they knew Bill and me. The issue might no longer represent such an abstraction. Bill and I have been together for six years. We met at a going away party for a mutual friend. After some scheming, other friends put us together and we had a first date. A month or two later I caught the flu and Bill left work early to bring me cold medicines, popsicles and chicken soup. Except for business trips we haven't been apart since. I have children from an earlier marriage, and Bill has lovingly welcomed them into his life as his step-children. Both of our employers recognize us as a committed couple. He is uncle to my nieces and nephews, and I for his. My siblings are ready to embrace him as brother-in-law when, this summer, we fly to Boston to marry each other in one of only two states where that is legally allowed--regrettably, that ceremony will be, in the eyes of the federal government and, more notably, here in Hawaii, merely symbolic. Bill's family has been scraping together money to travel from the west coast to witness our commitment ceremony; they, too, have lovingly welcomed me and my children into their family.

What's remarkable about our story is that it is essentially like so many other peoples' stories. Like other people in committed relationships, I can't imagine my life without my partner, and I know he feels the same. We are lovers, companions, friends, and we are each other's husband, or at least we think of each other that way.

What we lack is not just a certificate, though. I dare say that those of you who are married regard your bond as deeply as Bill and I regard ours. Those of you who are waiting to marry understand, as we do, the commitment that the marriage certificate implies.

Lawfully recognized or not, Bill and I will remain together, and should one of us require hospitalization, the other should be able, if required, to make end of life decisions for the other. Our fortunes should be combined. All the benefits that one spouse may share with the other should be ours, too. Lacking the legal acknowledgement of our union, we must rely on the good and reasonable discretion of hospital administrators, employers, family members and judges.

Bill and I know that we have loving, accepting and supportive families and friends whom we trust to do well by us. We also know other same sex couples who don't enjoy the kind of support we do. Please, vote for all our civil rights.

Respectfully yours,

William Ouellette  
1212 Nuuanu Ave. #1108  
Honolulu, HI 96817  
348-3119  
billat40@yahoo.com

REPRESENTATIVE JON RIKI KARAMATSU  
HOUSE OF REPRESENTATIVES COMMITTEE ON JUDICIARY  
Dr. Rebecca L. Stotzer  
University of Hawaii Myron B. Thompson School of Social Work  
Henke Hall, 1800 East West Road, Honolulu, HI 96822, [rstotzer@hawaii.edu](mailto:rstotzer@hawaii.edu), (808) 956-6121  
February 5, 2009, 2:00p.m.

### **Support for HB444, Relating to Civil Unions**

Rep. J. R. Karamatsu and the Committee on Judiciary:

I am Dr. Rebecca Stotzer, an Assistant Professor of Social Work at the University of Hawaii Myron B. Thompson School of Social Work. I am submitting this testimony to express my support of HB444 which proposes to legalize civil unions for same-sex couples. According to the American Community Survey of the U.S. Bureau of the Census, there are 1,418 gay male couples and 1,427 lesbian couples currently residing in Hawaii who are being denied the right to marry or enter into civil unions. Many people claim that enacting legislation that legitimizes gay marriage and civil unions only benefits the gay community, there is increasing evidence that this type of legislation benefits the entire community. Although our parents have always told us that “doing the right thing” is rewarding in-and-of itself, there is also social science research that supports this fact in a more concrete way.

The benefits of having less discrimination based on sexual orientation reverberate throughout a society at all levels. For example:

- Legalizing gay marriages in many states have resulted in a significant economic boon. As reported in the Star Bulletin, the Williams Institute at the UCLA School of law has estimated that Hawaii stands to make over \$200 million over the next three years if same-sex weddings were legalized. Although states that have civil unions do not see the same economic benefits as those who legalize same-sex marriages, even a portion of that **\$200 million would be an important contribution to the struggling economy in Hawaii.**
- Dr. Richard Florida has discussed the phenomenon of “brain drain”, where communities that are seen as more discriminatory or unsupportive of gay people and culture often see their “best and brightest” residents (both gay and straight) leave for more accepting and open communities. He argues that this brain drain is also closely linked to the valuing of the gay community and culture – that locations that have a thriving gay community often have the other qualities that attract high levels of social capital and fiscal resources of the best and brightest, including technology related companies and other business opportunities. **Thus, passing HB444 is a positive step toward retaining locals who excel in their fields, as well as attracting new entrepreneurs and resourced individuals to invest in Hawaii.**
- An article by Dr. Perry Silverchanz found that students who report that their campus has fewer incidences of derogatory name calling and violence based on sexual orientation have more academic and psychological well-being. This effect was true for both gay and straight students, that a discriminatory environment compromised the academic success and well-being of ALL students. Thus, **ensuring a more just environment has the potential to benefit all of our keiki and college students and their academic success and psychological well-being.**

Besides the moral imperative to create a just state that honors diversity and values equality, there is evidence of significant gains to be made by the state overall, including improving schools, attracting and retaining more business, and in dollars spent on civil union ceremonies for both resident and tourist same-sex couples. These are just a few of the benefits identified by researchers, and it does not require an expensive social program or enactment process, it simply removing and barrier and righting a wrong. This research also suggests that this issue is not just a “gay issue”, but an issue that concerns us all. Thus, I support House Bill 444 Relating to Civil Unions for same-sex couples, both to support the human rights of all couples regardless of their sexual orientation, but also because of the benefits the entire state and its people would receive for having a more stable economy and more just society. Thank you for this opportunity to testify.

Dr. Rebecca Stotzer

**To:** House Judiciary Committee  
Representative Tommy Waters, Chair

**Hearing Date:** February 5, 2009  
**Hearing Time:** 2 PM

**Bill:** HB 444 (A Bill for an Act Relating to Civil Unions)

**From:** Sumner La Croix  
Professor, Department of Economics, University of Hawaii  
E-mail: [lacroix@hawaii.edu](mailto:lacroix@hawaii.edu)

### **The Impact of Civil Unions on Hawaii's Economy and Government**

#### **Testimony Summary**

How would passage of HB 444 (civil unions) affect 1) tourism arrivals to Hawaii; 2) state government revenues; 3) state government spending; and 4) health insurance coverage and employer spending on employee health insurance plans by private firms and government agencies? After examining the experience of five other states with civil unions, I conclude that civil unions in Hawaii are likely to generate small positive impacts on tourism arrivals to Hawaii and government revenues. Civil unions are unlikely to have a major impact on government spending, the workload of critical state government agencies, health insurance coverage, or employer spending on employee health insurance plans.

#### **Background**

Five states (Vermont, New Hampshire, New Jersey, Oregon, and California) have enacted legislation providing for civil unions that are equivalent to marriage. I use Vermont's experience with civil unions as a benchmark for understanding the impact of civil union legislation in Hawaii. Vermont's experience provides a good benchmark for Hawaii, as there are many similarities between the two states (and obviously some big differences). Vermont is a small, rural state, with 638,000 people. Like Hawaii, Vermont has a state income tax, a state sales tax, a large tourism industry, an agricultural sector in transition, and great natural beauty. <sup>1</sup>In April 2000, the Governor of Vermont signed legislation authorizing civil unions, effective 1 July 2000. The Vermont Secretary of State reports that between July 2000 and August 2006, the Secretary of State's office registered 1,286 civil unions of Vermont same-sex couples and 8,058 civil unions of out-of-state same-sex couples. The 2,572 Vermont residents who entered into civil unions during the relationship contract's first six years represented just 6/10<sup>th</sup> of 1 percent of the state's 2005 population between the ages of 18 and 65.

Does Vermont's experience with civil unions provide a reasonable prediction of the propensity for Hawaii residents to enter into civil unions? If Hawaii residents have the same propensity to enter into civil unions as Vermont residents, then the Department of

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<sup>1</sup> Unlike Hawaii, Vermont has a large (declining) manufacturing sector and its population is overwhelmingly Caucasian.

Health would register 2,292 civil unions of Hawaii same-sex couples between July 2009 and August 2015. This would translate to 382 civil unions per year, with more civil unions occurring towards the beginning of the period. A cross-check of this estimate comes from U.S. Census data which indicate that 3,262 self-declared same-sex couples resided in Hawaii in 2005 (SOURCE). If 50 percent of the 3,262 same-sex couples entered into civil unions between July 2009 and July 2015, this would amount to 1,631 same-sex civil unions. If, however, legalization of civil unions causes more same-sex couples to become more public about their relationship, then the estimate derived from the Vermont experience may have some plausibility. For the rest of this testimony, I use an average of the two estimates for the number of civil unions (1,962).

### **Impact of Civil Unions on Tourism Arrivals to Vermont and Hawaii**

Legalization of civil unions by the State of Hawaii could affect visitor flows to Hawaii in two main ways.

**First**, tourism flows could be affected by the change in the character of the destination, e.g., that it has become more supportive of same-sex couples and gay, lesbian, and bisexual residents. However, the passage of civil rights legislation for gays and lesbians in such cities as Los Angeles, Seattle, San Francisco, Boston, and New York City has not been associated with declines in visitor arrivals or the growth rate of visitor arrivals in these cities. The rise of a more visible gay community in Singapore has also not been associated with declines in visitor arrivals or the growth rate of visitor arrivals. The absence of bad news associated with gay and lesbian civil rights legislation is significant, as each of these cities hosts over ten million tourists annually.

To date, there is also no evidence that the recognition of same-sex marriages by Connecticut, Rhode Island, Massachusetts, New York, and (temporarily) California and the recognition of civil unions by New Hampshire, Vermont, Oregon, California, or New Jersey has adversely affected tourism arrivals to any of these states.

**Second**, the legal recognition of civil unions in Hawaii will motivate some same-sex couples residing in other states that recognize civil unions or their equivalent (Vermont, New Jersey, Oregon, New Hampshire, and California) to visit Hawaii for their civil union or domestic partner commitment ceremonies rather than to have them in the dreary Oregon rain or New Hampshire sleet. Many will be accompanied by relatives and friends. Similarly, some civil unions ceremonies for resident same-sex couples will induce off-island relatives and friends to visit Hawaii for the ceremony and to expend resources here.

How many more visitors should Hawaii expect if it legalizes same-sex civil unions?<sup>2</sup> In 2007, the number of visitor days from visitors coming to Hawaii to get married totaled 1.17 million. In 2007, the number of visitor days from visitors coming to Hawaii for a honeymoon totaled 3.82 million. Over 43% of the visitors coming to Hawaii to get married and over 49 percent of the visitors coming to Hawaii for honeymoons were from

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<sup>2</sup> All visitor data are from the *2007 Annual Visitor Research Report*, DBEDT, State of Hawaii. Population data are from the U.S. Census.



the United States. Consider that civil unions are currently legal in states with 16.7 percent of the U.S. population. If Hawaii received 3% more visitors from these states consisting of same-sex couples coming to Hawaii for a civil union or a honeymoon, then 11,969 additional visitor days would be generated. If Hawaii receives 5% more visitors, then an additional 19,948 visitor days would be generated. Assuming that each visitor spends \$174 per day, this would generate \$2.1 million and \$3.5 million, respectively. Multiplier effects would lead to additional income gains.

#### **Impact of Civil Union on Hawaii State Government Revenues**

Public finance economists have convincingly demonstrated that a progressive income tax—such as the Hawaii personal income tax—cannot ensure that couples with equal incomes pay equal taxes AND that a couple's tax bill will not rise solely as a consequence of their marriage, civil union, or domestic partnership. If HB 444 were to be enacted, then Hawaii's personal income tax code would treat parties to civil unions like married couples. Married and civil union couples are more likely to pay a "civil union" penalty in Hawaii when both parties are working, their incomes are similar, and they both earn incomes that are taxed at less than the maximum marginal tax rate, i.e., the couple's joint tax bill increases due to their status as a civil union couple. Alternatively, if only one party is working, the couple's incomes are very different, and one partner is already being taxed at the highest marginal tax rate, then the civil union couple typically receives a marriage subsidy, i.e., the couple's joint tax bill falls due to their status as a civil union couple. A marriage tax is more likely than a marriage subsidy due to the high percentage of individuals in same-sex couples who are employed (77%) compared to individuals in married couples (60%). My conclusion is that estimates of changes in tax revenue to the State of Hawaii from Hawaii's personal income tax are likely to be positive and small—less than \$1 million—and are too speculative to discuss at length.

Civil unions will, however, generate additional revenue from the issuance of civil union licenses. At \$60 per license (the cost of a marriage license), an estimated 1,962 civil unions for Hawaii residents will generate \$117,720 between 2009 and 2015 and an estimated 4,000 to 8,000 civil unions for out-of-state visitors will generate \$240,000 to \$480,000 over the same six-year period.

Civil unions will, also generate additional excise tax revenue from the additional spending on civil union ceremonies and celebrations by resident and visiting same-sex couples. Depending on the multipliers used, civil unions would likely generate additional visitor spending of roughly \$2-5 million annually. Using a gross excise tax rate of 4.35%, this would generate excise tax revenues of \$87,000 to \$217,500 annually. These estimates do not take into account additional spending by in-state couples on civil union ceremonies or honeymoons or additional visitor spending per day by couples getting married or on a honeymoon.

#### **Impact on Hawaii State Government Agencies**

Two states—Vermont and New Jersey—have issued reports on the implementation of civil unions in these states. The Vermont Commission issued its second and final report, *Report of the Vermont Civil Union Review Commission*, in January 2002. The *Report*

concluded that “Act 91 (Civil Unions) has had minimal impact on state government operations,” a “negligible impact on state courts”, and that “Act 91 is working as intended.” In particular, the Commission observed that five important agencies had “reported minimal impact [on their operations]: the Department of Health, the Office of the Secretary of State, the Department of Banking, Insurance, Securities, and Health Care Administration, the Department of Personnel, and the Department of Taxes.

The Final Report of the New Jersey Civil Union Review Commission, *The Legal, Medical, Economic & Social Consequences of New Jersey’s Civil Union Law*, was issued in December 2008. “The State Departments testifying before the Commission unanimously confirmed that the implementation of the [NJ] Civil Union Act has resulted in minimal costs to the State” (p. 27). Administrators of these departments found that the transition was “seamless” and “smooth”.

The main costs to Hawaii’s government would result from changes in forms, reprogramming, and training sessions for employees at the Dept. of Taxation and Dept. of Health. There is no reason to believe that government agencies in Hawaii would bear higher costs than Vermont’s agencies to implement relevant provisions of HB 908. In fact, there are a number of reasons why Hawaii state and local officials and agencies should have lower adjustment costs to civil unions: They can learn from vital statistics forms, tax forms, real estate forms, etc. as guides for revision of a myriad of Hawaii government forms; and they can consult with Vermont and Connecticut officials who have extensive and recent experience in resolving problems with implementation of civil union legislation.

#### **Impact on Healthcare Insurance Coverage**

Enactment of civil union legislation in Hawaii is unlikely to lead to substantial increases in the percentage of Hawaii’s population covered by healthcare insurance due to (1) the small number of same-sex couples in Hawaii, (2) the high percentage of Hawaii’s population already covered either by government or private health insurance plans, and (3) the small percentage of employees with same-sex partners who sign up their partners for health insurance when it is offered by their employer.

Suppose that 50 percent of Hawaii’s same-sex couples (1,962) decide to enter into civil unions. How many of the couples are already covered by health insurance? The U.S. Census Bureau estimated that during 2006-2007 around 91.5 percent of the population was covered by public or private health insurance (Table 8, Current Population Reports P60-235, August 2008). This means that the percentage of same-sex couples in which both parties have health insurance has a potential range of 83.7 percent (1,642 couples) to 91.5 percent (1,795 couples). The estimated number of same-sex couples in which only one party of the two parties has health insurance is 166 couples.<sup>3</sup>

Suppose that all employers offering health insurance to one of the partners of these 166 same-sex couples offers it to spouses and civil union partners. How many of the civil union partners will accept the health coverage? Studies of the experience with civil

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<sup>3</sup> The potential range is 0 couples to 266 couples.

unions and same-sex marriage in other states show that few parties to civil unions or same-sex spouses adjust their health insurance coverage after they marry or enter into civil unions. The primary reason is that federal tax law imposes huge burdens on such choices, as the lack of federal recognition for civil unions and same-sex marriages imposes taxes on otherwise untaxed premiums paid by employers for non-spouse partners who are added to a worker's healthcare plan. Lee Badgett, Research Director at the Williams Institute, UCLA School of Law and Associate Professor of Economics at the University of Massachusetts, and Mercer Human Resources Consulting have both independently found "that less than 1% of employees with a same-sex partner sign up for domestic partner benefits when a company offers them." If we apply the Massachusetts experience to the 166 same-sex couples in which one party has health insurance and the other does not, we would expect that two couples would accept coverage from a partner. While this estimate is surely too low, it indicates that passage of civil unions in Hawaii would not substantially increase the percentage of the population covered by health insurance or substantially increase expenditures on public and private insurance.

### **Conclusions**

- A reasonable expectation from the experience of other states enacting civil unions is that the State of Hawaii's adjustment to the passage of civil union legislation will be smooth and will cost little.
- There is potential for a small but significant increase in visitor arrivals and spending by same-sex couples from other states recognizing civil unions who travel to Hawaii to enter into civil unions.
- Passage of civil union legislation is unlikely to lead to substantial increases in the percentage of the state's population covered by public and private health insurance or health care expenditures by public and private employers.
- Passage of civil union legislation is unlikely to result in substantial changes in revenues from the state income tax but will produce additional revenues from marriage registration fees and the state's gross excise tax.

FROM: D.Q. JACKSON RN, M.S.  
3721 LOHE RD  
KALAHEO, KAUAI, HI 96741  
808-634-2771  
dqj@hawaii.rr.com

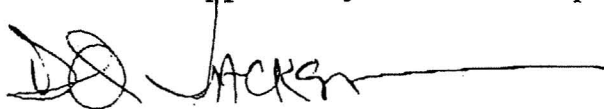
TO: CHAIR KARAMATSU, VICE CHAIR ITO AND MEMBERS

IN RE: SUPPORT FOR HOUSE BILL 444, A BILL FOR AN ACT  
RELATING TO CIVIL UNIONS

For the thirty five years my partner and I have spent together we have needed to be very careful to use all legal means available to us to ensure that our finances and obligations to each other were clearly arranged so as to mimic the rights and obligations of marriage. This was expensive and at times complicated. We needed the services of attorneys to arrange that which was automatically granted to opposite sex couples. While we were lucky to have had good education to assist us in the process, many people we know did not have either the money or the knowledge to wade through the process. Equality of access should be available to all Hawaii residents.

In my thirty year career in critical care/emergency nursing on Kauai I witnessed several instances in the death situation or extreme trauma where the meticulous plans of committed same sex couples were disregarded and disrespected by family members. Hospital staff usually bowed to the loudest voice in the room. Without clear legal protections and expectations the remaining partner was denied what everyone else takes for granted.

Whether in opposite or same sex relationships, all citizens wishing to establish stable and committed unions should receive equal respect and be afforded the opportunity to shoulder equal responsibilities.

A handwritten signature in black ink, appearing to read "D.Q. Jackson", followed by a long horizontal line extending to the right.

## karamatsu3-Leanne

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**From:** hdoug@mac.com  
**Sent:** Wednesday, February 04, 2009 1:44 PM  
**To:** JUDtestimony  
**Subject:** Testimony in favor of HB 444 A Bill For An Act Relating to Civil Unions

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Hiroshi Douglas Matsuoka and I am a straight, 57 year old, lifelong resident of Hawaii. I've been married once and have been in a couple of subsequent marriage-like situations although I wasn't legally married. By the way, I'm still good friends with my ex-wife and ex-girlfriends. And I'm still heterosexual.

I think much of the controversy surrounding civil unions has to do with the issues regarding heterosexuality and homosexuality.

Although the tradition of marriage has to do with the production of offspring and assumed the union of heterosexual couples, there is no statute requiring that married couples be heterosexual. Otherwise, more than a blood test would be required. People marry for a variety of reasons, and people can also engage in sexual activity without being married to one another. These facts find accommodation under current statutes.

Marriage is about two adults who consciously enter into an exclusive mutual agreement regarding rights and obligations and declare that agreement to the civil authorities under the laws of the land. As I grow older the importance of forming such a mutual arrangement becomes more important as matters of sexual orientation becomes less important. Why should I or anyone else be limited to someone of a particular gender to fulfill this important role?

HB444 takes no position on sexual orientation, is consistent with the current marriage laws, and would benefit the community as a whole.

Thank you for your time.

Hiroshi Douglas Matsuoka  
1560 Thurston Ave  
Apt 1101  
Honolulu HI 96822

February 4, 2009

Dear Chair Karamatsu and Vice-Chair Ito:

My name is Kyla Ozoa and I am a Catholic Filipino-Chinese girl born and raised here in Hawaii, particularly in Kalihi. I am also currently an undergraduate student and the University of Hawaii at Manoa. I would like to thank Chair Karamatsu and Vice Chair Ito for the opportunity to testify and for hearing this bill. I am testifying in strong support of house bill 444.

As a female a part of the LGBTI community and someone that knows others a part of this community, the passing of this bill would play an important role to my life and to those I care about. My family has also been extremely supportive of me and has made it clear to me that they love me no matter my sexual preference. I feel that this bill is a step towards equality and happiness, which is what our country prides itself in being about, along with our state.

For me this is personal because I feel I should be able to be with whom I want to be with, not because of their gender/sex, but because that is the person I have fallen in love with. This bill will allow me, no matter the gender/sex, to spend my life with exactly who I find myself in love with and find I want to dedicate my life to. I want to be able to visit the one I'm with if ever they're in the hospital, to start a family with the one I choose, and not have to worry about whether or not they are a man or a woman. It hurts me to know that I may not be able to get these privileges, especially as I see my sister is gaining all the rights and "equal" opportunities with her soon to be husband.

Another reason is because I do have other family members and friends that are a part of this community. It hurts me to hear them talk about not being able to legally be with the one they love, or not being able to start a family, just because of the current inequality going on. As any other loving person, I want nothing other than to see those I care about happy and content with their lives. Currently, this is what causes the most concern, especially around this age, because we dream of being able to spend our lives with our "true love". I don't find it fair or right that we reserve this for those only of heterosexual orientation.

I can't help but think that this is like any other oppression that society has put upon other minority groups. For example, the oppression of women, blacks and immigrants, all underwent inequality struggles at different times. Society at that time also found it okay to oppress these people, and I feel like this time is no different the LGBTI community. We are being oppressed because we are seen as different and people fear different. But times are changing and I feel that our country prides itself in moving forward, and that's exactly what I feel the passing of this bill will be. It would be fighting inequality, just like all the other movements. I was taught we are all equal and deserve to be happy, but with this all going on I can't help but feel that this is only for those of heterosexual orientation. As long as this type of inequality amongst homosexual and heterosexual couples go on, I can't help but think that our society is finding it okay to oppress other people, take away the happiness, and actually dehumanize regular human beings, just because of sexual preference.

I want to be happy; I want to see my friends and family share in that same happiness as everyone else. This bill is one I am fighting for and will always stand in strong support of. To me, this personally determines whether or not I am living in an

equal or unequal society. I am hoping that you want to live in as much as an equal society as much as I do, and find it in your heart that this really is a matter of allowing two people that are in love each other, to share the same legal rights as every other heterosexual couple.

Mahalo and God Bless,  
Kyla Ozoa



## karamatsu3-Leanne

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**From:** Kevin Salts [Kevin.Salts@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 1:46 PM  
**To:** JUDtestimony  
**Subject:** Strongly Opposing HB444 (Relating to Civil Unions)

My name is Roy Kevin Salts,

I direct my comments to all who will listen and especially the House Judiciary Committee Members, and the Senate Judiciary Committee Members listed at the end of my testimony.

I wish to voice my opposition to HB444 (Relating to Civil Unions). Legalizing same sex relationships is not in the best interest of our society. Legalizing same sex relationships sends the message to our children that such relationships are normal and good, when in fact they are not normal, natural, nor good for society. Society benefits most when children are raised in loving homes where there is a Father and Mother who loves and provides for their spiritual, emotional, physical needs. Many of our society's problems can be traced back to the diminishing of the importance of the family. President Obama in his inaugural address stated that we as a nation need to "strengthen the family". Legalizing same sex unions will have the opposite effect on society. We have a great institution already in place, **Marriage**. Don't mess with **Marriage**. Marriage was instituted to provide a framework where children are protected from desertion of their parents, so that children will have parents to love and care for them. Same Sex unions do not naturally result in children. They cannot naturally result in children and thus do not require the same benefits (to both the couple and society) as Married Couples do. A very small percentage of Same Sex unions have children as most prefer not to have children. Same sex unions are such a small minority less than 1% of households in our society. Let us find ways to strengthen families where mother and father are laying the foundation for our children to live productive lives with honesty and integrity, and spirituality are ingrained in to their character. This will most likely be achieved in a traditional family's home. Please do not take a chance on the social experiment of allowing Civil Unions in the state of Hawaii. Do we as a society yet know what the consequences of Same Sex Unions on society will be? Have we studied this thoroughly first? Society is too fragile to be used as a test bed for this type of experiment. It may take years for the effects to become apparent and then it may be too late or impossible to reverse the course. When the Hawaii Superferry wanted to get in to Kauai Harbor the people said " Not until a thorough EIS (Environmental Impact Study) has been completed. I say the same thing for Civil Unions. Let's not change the intuitions of family and marriage until we have done a thorough EIS first.

Thanks for your hearing my concerns and my opposition to HP444.

Aloha,

Kevin Salts  
808-234-8150  
Hauula, Hawaii 96717

### House Judiciary Committee Members

Rep. John Riki Karamatsu (Chair) 586-8490 [repkaramatsu@capitol.hawaii.gov](mailto:repkaramatsu@capitol.hawaii.gov)  
Rep. Ken Ito (Vice Chair) 586-8470 [repito@capitol.hawaii.gov](mailto:repito@capitol.hawaii.gov)  
Rep. Della Au Belatti 586-9425 [repbelatti@capitol.hawaii.gov](mailto:repbelatti@capitol.hawaii.gov)  
Rep. Rida Cabanilla 586-6080 [repcabanilla@capitol.hawaii.gov](mailto:repcabanilla@capitol.hawaii.gov)  
Rep. Mele Carrol 586-6790 [repcarrol@capitol.hawaii.gov](mailto:repcarrol@capitol.hawaii.gov)  
Rep. Robert Herkes 586-8400 [repherkes@capitol.hawaii.gov](mailto:repherkes@capitol.hawaii.gov)  
Rep. Sylvia Luke 586-8530 [repluke@capitol.hawaii.gov](mailto:repluke@capitol.hawaii.gov)  
Rep. Angus McKelvey 586-6160 [repmckelvey@capitol.hawaii.gov](mailto:repmckelvey@capitol.hawaii.gov)



**karamatsu3-Leanne**

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**From:** Suzanne Stover [sstover@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 1:55 PM  
**To:** JUDtestimony  
**Subject:** Bill HB 444

I vote "yes" to offering Civil Unions in Hawaii. Suzanne Cameron Stover

**karamatsu3-Leanne**

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**From:** Ward Stewart [wardstewart@mac.com]  
**Sent:** Wednesday, February 04, 2009 1:55 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444 -- Testimony before the House Judiciary Committee - for 1/5/09 at 2PM

Aloha Chairman Karamatsu and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. Our names are George Vye and Ward Stewart and we are here to express our support for House Bill 444.

We have been together now for 54 years of peaceful and loving partnership.

For what seem to us to be frivolous irrelevance we are denied that equal protection under the law that is not denied to heterosexual unions. We are quite unable to comprehend how our joyous association can pose a "threat" to traditional marriage or to our moral standing in the world. As for the world's view of our domesticities we ARE married in Canada but here in the land to which we pledge allegiance we are NOT.

The founding documents of our wondrous republic lay emphasis on EQUAL standing for all the citizens and in the declaration of independence we are commanded to seek "Life Liberty and the pursuit of Happiness." for ALL the citizens. It is time to make good on these promises.

Mahalo,

Ward and George  
54 Years together,  
And yet  
Strangers before the law.

"The freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men."

Chief Justice of the SCOTUS, Earl Warren ---

Loving v. Virginia, 388 U.S. 1 (1967)

Ward Stewart and George Vye  
2085 Ala Wai Blvd.  
Honolulu, Hawaii  
96815

**karamatsu3-Leanne**

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**From:** John Caldwell [airspeed669@hotmail.com]  
**Sent:** Wednesday, February 04, 2009 1:53 PM  
**To:** JUDtestimony  
**Cc:** Family Equality Coalition  
**Subject:** HB 444 (civil Unions), Support, JUD Comm. Public Hearing, 2/5/09, 2:00 PM

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

As a member of Honolulu's professional community, I am here today to express my strong support for House Bill 444 and to sincerely request your support as well. Although I may not derive any direct personal benefit from the passage of this bill, I feel that any legislation that places fairness and human dignity above the prejudice that sometimes is fostered by those who claim to be working for the good of their fellow citizens is a great step towards social progress in general. Whether the focus is race, religion, gender, or in this case, sexual orientation, equal treatment for all of Hawaii's people is the truest expression of the aloha spirit which is at the heart of this great state. The courage and integrity you show by supporting House Bill 444 are truly appreciated, and you can be assured that you will forever have the gratitude of gay people like me, the whole of Hawaii's diverse gay and lesbian community and all of those who actively support it, as well as the thanks of all of the people here in Hawaii and everywhere who stand in favor of equal rights for every American. Thank you again. Much aloha to you and your staff!

Dr. John A. Caldwell  
700 Richards St., No. 902  
Honolulu, HI 96813

**karamatsu3-Leanne**

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**From:** Ron Stover [ron-stover@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 1:57 PM  
**To:** JUDtestimony  
**Subject:** HB444

I vote "yes"....in favor of "Civil Unions" in Hawaii. Ron Stover

**From:** Bart Dame [dameb001@hawaii.rr.com]  
**Sent:** Wednesday, February 04, 2009 1:58 PM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of HB444, JUD Hearing Thursday, 2pm

**COMMITTEE ON JUDICIARY**

Rep. Jon Riki Karamatsu, Chair

Rep. Ken Ito, Vice Chair

TESTIMONY in **SUPPORT of HB444**, RELATING TO CIVIL UNIONS

Bart Dame

Thursday, February 5,

Conference Room 325, Hawaii State Capitol

Aloha Chairman Karamatsu, Vice Chair Ito, and Members of the Judiciary Committee. Thank you for hearing this bill.

My name is Bart Dame. I am testifying today as an individual in strong support of HB444.

Like many others, I have watched as this issue has been debated—and avoided—over the years. I have watched as tempers have flared. And as hearts have been broken. In the current social climate, I think most people of good will are able to have a reasonable discussion of the issues without getting all “hot and bothered.”

I support full equality of marriage rights for gay and lesbian couples. I think most people’s attitudes towards gays has evolved and become more accepting over the years, but I recognize a significant portion of the public draws the line at calling longterm, committed same-sex relationships “marriage.” So many times I have heard the statement, “I am not opposed to them having equal rights, but why do they insist upon calling it ‘marriage’? Let ‘em call it ‘civil unions’ or something else. Anything they want, but don’t call it ‘marriage.’”

I believe we have only gotten to this point because of the struggle for full marriage rights. So the compromise position is to allow for civil unions, with equal rights to opposite sex “marriage.”

We are at a point where the key activists in the gay and lesbian community appear to recognize civil unions as a significant step forward towards full marriage equality. I suspect civil unions will lead to increased acceptance of gay relationships as longterm fears continue to subside and we come to realize our gay friends, neighbors, co-workers and family members are full, loving—and lovable—human beings, deserving of complete civil equality. I believe passage of this bill is a MAJOR step forward towards a more just, more accepting society. For the benefit of all of us.

Thank you for this opportunity to testify on this important matter.

Bart Dame  
710 West Hind Drive  
Honolulu, HI 96821  
808-373-2771

## karamatsu3-Leanne

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**From:** Gina Cardazone [ginamaria@gmail.com]  
**Sent:** Wednesday, February 04, 2009 1:59 PM  
**To:** JUDtestimony  
**Subject:** Testimony in support of HB 444

House Bill 444, A Bill For An Act Relating to Civil Unions House Judiciary Committee on Thursday, 2/5/09, 2 p.m.

To the members of the Judiciary Committee,

My name is Gina Cardazone, and I am a graduate student and Teaching Assistant at the University of Hawaii, Manoa. I am also an active member of Dignity Honolulu, a Catholic group dedicated to equality for LGBT people. I am writing in strong support of HB 444, a bill for an act relating to civil unions.

It is heartbreaking to realize how many families have been torn apart because of prejudice against LGBT people. Those who argue that there is a religious rationale for such prejudice are often acting against the most basic values of love and compassion that are shared by many faiths.

Such prejudice is not unique to LGBT people, and it may behoove legislators to note that religious reasons formed the basis for many arguments against the legality of interracial marriage in many U.S.

states just a few decades ago. We can easily look back at such laws and see their injustice. In future decades, others will look back at us and judge us as well. I would like for people to be able to look back and say that the people of Hawaii were in favor of love, equality, and ohana in all of its forms.

Thank you for your time,  
Gina Cardazone  
2330 Campus Rd.  
Honolulu HI 96822

## Testimony in Strong Support of HB 444

House Judiciary Committee  
February 5, 2009, 2 p.m.  
Hawai'i State Legislature  
Conference Room 325

Measure Title:  
RELATING TO CIVIL UNIONS

Description:  
Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

To: Honorable Jon Riki Karamatsu, Chair  
Honorable Ken Ito, Vice-Chair  
Honorable House Judiciary Committee Members:  
Rep. Della Au Belatti, Rep. Rida T.R. Cabanilla,  
Rep. Mele Carroll, Rep. Robert N. Herkes,  
Rep. Sylvia Luke, Rep. Barbara Marumoto,  
Rep. Angus L.K. McKelvey, Rep. John M. Mizuno,  
Rep. Hermina M. Morita, Rep. Blake K. Oshiro,  
Rep. Joseph M. Souki, Rep. Cynthia Thielen,  
Rep. Cliff Tsuji, Rep. Glenn Wakai

From: Helena Manzano, Private Citizen  
2631 Namauu Drive  
Honolulu, HI 96817

My name is Helena Manzano. I have worked as a social worker for systems changes to ensure civil rights protections for underserved populations for nearly 20 years in California and Hawai'i. I submit this testimony to strongly support this bill.

We are fortunate that President Barack Obama is in support of full civil unions that give same-sex couples legal rights and privileges equal to those of married couples.

I hope that Hawai'i's lawmakers will see the wisdom and jurisprudence in protecting the civil rights of all people.

Very Sincerely,

Helena Manzano, MSW  
Private Citizen



## **Testimony in Strong Support of HB 444**

House Judiciary Committee

February 5, 2009, 2 p.m.

Hawai'i State Legislature

Conference Room 325

Measure Title: RELATING TO CIVIL UNIONS

Description: Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

To: Honorable Jon Riki Karamatsu, Chair  
Honorable Ken Ito, Vice-Chair  
Honorable House Judiciary Committee Members:  
Rep. Della Au Belatti, Rep. Rida T.R. Cabanilla, Rep. Mele Carroll,  
Rep. Robert N. Herkes, Rep. Sylvia Luke, Rep. Barbara Marumoto,  
Rep. Angus L.K. McKelvey, Rep. John M. Mizuno, Rep. Hermina M. Morita,  
Rep. Blake K. Oshiro, Rep. Joseph M. Souki, Rep. Cynthia Thielen,  
Rep. Cliff Tsuji, Rep. Glenn Wakai

From: Charlene Cuaresma, Private Citizen  
728 Nunu St.  
Kailua, HI 96734

My name is Charlene Cuaresma. I submit this testimony to strongly support this bill. With the privileges that come with being a heterosexual woman, married to a heterosexual man, I am dismayed that my other family members, friends, and others in our Aloha State are being denied their civil rights, legal rights, and privileges that are unjustly conferred only to those of married couples like me.

Thank you for the opportunity to support this bill. I encourage you to please use your legislative powers to protect all people, not just a few.

Very Sincerely,

Charlene Cuaresma  
Private Citizen

## **Testimony in Strong Support of HB 444**

House Judiciary Committee  
February 5, 2009, 2 p.m.  
Hawai'i State Legislature  
Conference Room 325

Measure Title:

**RELATING TO CIVIL UNIONS**

Description:

Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

To:           Honorable Jon Riki Karamatsu, Chair  
                Honorable Ken Ito, Vice-Chair  
                Honorable House Judiciary Committee Members:  
                Rep. Della Au Belatti, Rep. Rida T.R. Cabanilla,  
                Rep. Mele Carroll, Rep. Robert N. Herkes,  
                Rep. Sylvia Luke, Rep. Barbara Marumoto,  
                Rep. Angus L.K. McKelvey, Rep. John M. Mizuno,  
                Rep. Hermina M. Morita, Rep. Blake K. Oshiro,  
                Rep. Joseph M. Souki, Rep. Cynthia Thielen,  
                Rep. Cliff Tsuji, Rep. Glenn Wakai

From:         Nicki Garces, Private Citizen  
                2027 Wilcox Ln. #105, Honolulu, HI 96819

My name is Nicki Garces. I submit this testimony to strongly support this bill. I work in the legal department of a local union, and have a masters degree in political science. While I understand and respect various views of religious institutions on this issue, granting equal rights through civil unions in no way impacts marriage. The U.S. Constitution protects the freedom of religious communities to define marriage according to their respective belief systems. However, I ask lawmakers to please be clear in separating Church and State when deliberating equal protections under the law.

Thank you for having the political courage to hear this bill. All citizens of Hawai'i depend on your vigilance toward civil rights to pass this landmark legislation.

Very Sincerely,

Nicki Garces  
Private Citizen

**RAMONA HUSSEY, P.O. Box 394, Laupahoehoe, Hawai'i 96764  
808-962-6920 ramona@lava.net**

February 4, 2009

Via email: JUDtestimony@capitol.hawaii.gov

Representative Jon Riki Karamatsu  
House Judiciary Committee  
Hawai'i State Legislature  
Honolulu, HI 96813

Re: H.B. 444 Relating to Civil Unions  
Hearing on February 5, 2009 at 2:00pm

Dear Rep. Karamatsu:

My name is Ramona Hussey, and I am a resident of Laupahoehoe on the Big Island of Hawai'i. I strongly support H.B. 444 which would allow same sex couples the same rights and responsibilities as married couples.

I ask for your support for the above bill which would place those who choose commitment in a same-sex relationship on an equal footing as those choosing marriage in a heterosexual relationship. I believe the need for this has been demonstrated in many ways and in many places. Committed partners in Hawaii currently are unable to marry each other legally. This leaves them in a precarious position financially and legally.

For me, this is a matter of simple justice. Why shouldn't all families have access to and protection from situations that face all families?

I believe the change anticipated by H.B. 444 would benefit many residents of our State. I urge your support of House Bill 985.

Thank you for your consideration of this important bill for families in the islands.

Sincerely,

Ramona Hussey

**karamatsu3-Leanne**

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**From:** Monique Ortiz [hohokimal@gmail.com]  
**Sent:** Wednesday, February 04, 2009 2:03 PM  
**To:** JUDtestimony  
**Subject:** RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

To: JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

From: Monique Ortiz, Student

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights, and proof that we are moving forward as a community to amend the right for *life, liberty, and the pursuit of happiness*.

Most appreciative,

Monique Ortiz

Student

February 4, 2009

Hon. Jon Riki Karamatsu, Chair and Members (VIA FAX: 586-8494)  
House Judiciary Committee, Room 325

February 5, 2009, 2 pm

Re: House Bill 444: Relating to Civil Unions

(Also Emailed)

Dear Chair Karamatsu and members of the Committee:

I respectfully submit this testimony in strong support of HB 444. I am an attorney licensed in Hawai'i and New York. The experience which informs my support of this bill includes the following:

I have worked as clerk of the health committee in the State Senate; for the Queen Liliuokalani Children's Center; the Hawai'i and New York Legal Aid Societies; the Hawai'i Auditor's Office; 7 years as the director of the affirmative action program/assistant professor of law at the William S. Richardson School of Law; and 11 years at the Hawai'i Civil Rights Commission. I testify as an individual only and not as a representative of any of the foregoing entities.

My experience has taught me that the civil liberties guaranteed in both the Federal and State Constitutions, and in case law, must encompass the right of persons, irrespective of sexual orientation, to join in a civil union with full rights and duties of marriage. I will not give a lengthy legal justification for this conclusion; I leave that to law scholars.

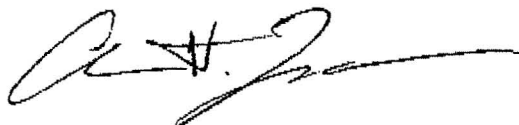
However, I think it is telling, indeed, that civil unions and domestic partnership laws in the United States are now recognized in at least 8 states, (including the District of Columbia): Vermont, Connecticut, New Jersey, New Hampshire, Maine, Washington, Oregon, and the District of Columbia. Further, another (Massachusetts) legally permits same-sex marriage. Same sex unions are now being seriously considered in another 7 states: Illinois, Maryland, New Mexico, New York, Rhode Island, California, and Hawai'i. Accordingly, 16 states, including the District of Columbia, have already adopted or are close to adopting legislation or court vindication, similar to HB 444.

The trend for civil unions is both national and global. Among the more prominent nations that recognize civil unions and related laws are: Belgium, Canada, Denmark, Finland, France, Germany, Israel, Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom.

Hawai'i must join in with all these States and nations, as granting simple justice to all who wish to join in civil unions. As the very phrase, "Aloha State", implies, this State stands for tolerance and acceptance. Those principles underlie the heart of this bill.

Respectfully submitted,

Al H. Lynde (91-940 Pailani Street, Ewa Beach, HI 96706)



## karamatsu3-Leanne

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**From:** Sharain Naylor [sharain@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 2:08 PM  
**To:** JUDtestimony  
**Subject:** HB444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Sharain Sasheir Naylor and I am here to express my support for House Bill 444 - Civil Unions. I support HB444 with an Amendment to include different-sexed, as well as same-sex couples. I am a member of the Family Equality Coalition. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

My husband and I are military service members. I am a reservist, while he is an active duty member. We have both witnessed first hand how difficult it is for service members who have families that go unrecognized and supported because of discrimination. They suffer financially and psychologically. And their friends suffer, too. My husband and I support Hawaii's efforts to recognize that families exist in many ways and each and every family needs legal recognition in order to gain equal access to rights and privileges meant for everyone.

And while my husband and I recognize that this bill will not presently affect same-sexed military couples, it will do much for their family members who are directly affected.

This unequal treatment that my family and friends experience is unfair and unjust. Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. In the Navy, my husband and I learned to serve with Honor, Courage and Commitment. I ask that you consider these core values act Honorably to support a measure that is about equality for all, have the courage to stand up to others who would convince you to do otherwise, and finally, have the commitment to see this through. Please support HB 444. My husband and I do appreciate your careful consideration.

Very respectfully,

Sharain S Naylor

## karamatsu3-Leanne

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**From:** M Chew [marynelle@hotmail.com]  
**Sent:** Wednesday, February 04, 2009 2:19 PM  
**To:** JUDtestimony; M Chew  
**Subject:** Committee on Judiciary hearing on HB 444, 5 Feb 09, at 2:00pm

To: Rep. Jon Riki Karamatsu and the Committee on the Judiciary  
RE: HB 444 Hearing, February 5, 2009, 2:00 p.m., Conference Room 325

The voters spoke in November 1998. We said no to same-sex marriage. HB 444 would institute same-sex marriage with another name, but no essential difference. Why are you disregarding the will of the people of Hawaii?

The HB 444 as written says:

**"§ -9 Same benefits, protections, and responsibilities as 8 marriage.** Partners to a civil union lawfully entered into 9 pursuant to this chapter shall have all the same rights, 10 benefits, protections, and responsibilities under law, whether 11 derived from statutes, administrative rules, court decisions, 12 the common law, or any other source of civil law, as are granted 13 to spouses in a marriage validly entered into pursuant to 14 chapter 572."

How then is this proposed civil union any different from marriage? There is no difference according to HB 444. Same-sex civil unions will have de facto marital status.

Democracy means that every citizen has a right to an opinion and a right to vote (unless you're in jail), but democracy does not mean that everyone is entitled to get things their way. When everyone gets everything their way, that's anarchy. When the will of a few overrides the will of the many, that's oligarchy.

You were elected by the voters to represent their will in a democracy. We the voters of Hawaii have already said no to this. I strongly urge you to vote against moving this bill forward.

Marynelle Chew  
Hawaii Resident since 1982

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## karamatsu3-Leanne

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**From:** Mark Levin [mlevin5@juris.hokudai.ac.jp]  
**Sent:** Wednesday, February 04, 2009 1:20 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444, A Bill For An Act Relating to Civil Unions, House Judiciary Committee  
Thursday, 2/5/09, 2 p.m. Conference Room 325

Representative Jon Riki Karamatsu, Chair Representative Ken Ito, Vice-chair House Judiciary Committee

Mark A. Levin  
Identifying information below

Hearing, Thursday, February 5, 2009 2:00p.m., Conference Room 325

Strong Support of HB 444, Relating to Civil Unions

Aloha Chair Karamatsu and members of the Judiciary Committee:

My name is Mark Levin. I teach at the William S. Richardson School of Law where I also serve as a faculty advisor to our Lambda Law Student Organization of gay, lesbian, bisexual, and transgender law students and allies.

I strongly support HB 444.

Same-sex couples in "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.

One of my students recently shared with me from personal experience:

"I pay more in taxes, I can't get coverage under my partner's medical insurance plan, and I even pay more to go to law school than I would if I were 'married.'"

As Dr. King said so eloquently in his Letter from Birmingham Jail:

"injustice anywhere is a threat to justice everywhere." Perhaps that is why this bill has such strong public support.

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.



February 4, 2009

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for coming together and hearing House Bill 444: Relating to Civil Unions, and thank you for allowing me to testify. My name is Matt Prellberg, I am an undergraduate student at the University of Hawaii at Manoa studying political science and religion, and I stand in strong support of HB 444.

On July 4<sup>th</sup>, 1776, the founding fathers of this nation declared that all men are created equal and that all have the inalienable rights to life, liberty, and the pursuit of happiness. A yes vote from you on HB 444 could help a countless number of Hawaii residents in their quest for equality and in turn verify their inalienable right for their lives, civil liberties, and most importantly, their pursuit of happiness.

I moved to Hawaii in 2005 from an area in the continental US widely renowned for its exclusive nature in manners relating minorities. I had been told by friends who grew up here that Hawaii was a paradise where anyone could find a home and have a life. I knew that when I chose the University of Hawaii, I was setting myself up for a more diverse and inclusive atmosphere. The moment I stepped off the plane, I felt an immediate sensation of welcome and love. This is the feeling we have all come to know as Aloha. Nearly every aspect of Hawaii has found a place deep within my heart. It is only in Hawaii where one can be encouraged and invited to taste a wide array of foods, learn the music and dancing of cultures from all over the world, and be taught to say hello in over twenty languages.

Not only had I fallen in love with my new home, I fell in love with someone. Having been together for three years now, my partner and I are beginning to plan our lives together. Sharing a life with someone from Kona has opened my eyes to an immense display of cultures and ways to love. As we look to the future, we both would like to stay in Hawaii, and reciprocate the love that has been given to us. With my future in practicing law, and my partner's in education, we feel that we can truly make a difference for those in the islands. Yet because we do not have the equal rights and protections granted to those other couples, we are worried we may have to leave the land we both call home, just so we can love each other without having to worry about potential harmful legalities dealing with insurance, taxes, inheritance, or raising a family.

Hawaii is known all over the planet for being the Aloha State. An area where anyone is supposed to be able to find love, life and pursue happiness, and in return, give love, life and happiness to our family, friends and neighbors. My little brother recently asked me why I couldn't have the same happiness and rights equal to what he had, and I had no answer for him.

I am humbly asking the members of this committee to give me and countless others the inalienable rights we deserve by simply voting yes on House Bill 444. Thank you for the opportunity to testify.

Sincerely,

Matt Prellberg  
2585 Dole St.  
Honolulu, HI 96822

## karamatsu3-Leanne

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**From:** mmolling@gmail.com on behalf of Mitchell Molling [mmolling@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 2:36 PM  
**To:** JUDtestimony  
**Subject:** Strongly Opposing HB444 (Relating to Civil Unions)

Aloha Committee Members reviewing bill HB444 (Relating to Civil Unions),

Would you please copy this email 21 time and deliver it to the names of the Committee members listed as the end of this email.

My name is Mitchell A. Molling, I am a full time student and part-time employee with Brigham Young University of Hawaii. A hearing on a "civil unions" bill (HB444) is scheduled for this Thursday afternoon, February 5, 2009. Many people believe that civil unions are an attempt to legitimize gay marriage by using another title. When governments offer sex-partner benefits similar to traditional marriage, they send a message of government sanction of such relationships, moving society one short step away from legalizing gay "marriage". Marriage is not an issue regarding rights of a citizen, but rather a moral issue on how our upcoming generations will conduct society.

I believe that a marriage is to between only a man and a woman. No matter what it is called or if a different phrase is created this is what I believe is what a civil union, marriage, joining together, or any other term means and should only mean. The formation of families is central to our society's peace and prosperity. Our children are entitled to be born, adopted, raised within this bonds of a man and women marriage/civil union, which is the only type of "civil union" (between and man and a women) that I, my friends and family members condone.

We strongly encourage you as a government leaders to become involved in helping civic matters as this one be denied permanently, particularly where moral issues are at stake. We therefore urge you, as government officers that we have elected, help make our voice heard to Hawaii state legislators who are hearing the civil unions bill.

We have read the bill and full heartily disagree with it and its wrong moral values would be the downfall of our society. Thank you for your time. We want our voice to make a difference towards strongly opposing HB444. Please contact me if you have any questions, or if their is something else we need to do to have our voice heard.

Mahalo,

Mitchell A. Molling

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### House Judiciary Committee Members

Rep. John Riki Karamatsu (Chair) 586-8490 [repkaramatsu@capitol.hawaii.gov](mailto:repkaramatsu@capitol.hawaii.gov)

Rep. Ken Ito (Vice Chair) 586-8470 [repito@capitol.hawaii.gov](mailto:repito@capitol.hawaii.gov)

Rep. Della Au Belatti 586-9425 [repbelatti@capitol.hawaii.gov](mailto:repbelatti@capitol.hawaii.gov)

Rep. Rida Cabanilla 586-6080 [repcabanilla@capitol.hawaii.gov](mailto:repcabanilla@capitol.hawaii.gov)

Rep. Mele Carrol 586-6790 [repcarrol@capitol.hawaii.gov](mailto:repcarrol@capitol.hawaii.gov)

Rep. Robert Herkes 586-8400 [repherkes@capitol.hawaii.gov](mailto:repherkes@capitol.hawaii.gov)

Rep. Sylvia Luke 586-8530 [repluke@capitol.hawaii.gov](mailto:repluke@capitol.hawaii.gov)  
Rep. Angus McKelvey 586-6160 [repmckelvey@capitol.hawaii.gov](mailto:repmckelvey@capitol.hawaii.gov)  
Rep. John Mizuno 586-6050 [repmizuno@capitol.hawaii.gov](mailto:repmizuno@capitol.hawaii.gov)  
Rep. Hermina Morita 586-8435 [repmorita@capitol.hawaii.gov](mailto:repmorita@capitol.hawaii.gov)  
Rep. Blake Oshiro 586-6340 [repboshiro@capitol.hawaii.gov](mailto:repboshiro@capitol.hawaii.gov)  
Rep. Joe Souki 586-9444 [repsouki@capitol.hawaii.gov](mailto:repsouki@capitol.hawaii.gov)  
Rep. Clifton Tsuji 586-8480 [reptsuji@capitol.hawaii.gov](mailto:reptsuji@capitol.hawaii.gov)  
Rep. Glenn Wakai 586-6220 [repwakai@capitol.hawaii.gov](mailto:repwakai@capitol.hawaii.gov)  
Rep. Barbara Marumoto 586-6310 [repmarumoto@capitol.hawaii.gov](mailto:repmarumoto@capitol.hawaii.gov)  
Rep. Cynthia Thielen 586-6480 [repthielen@capitol.hawaii.gov](mailto:repthielen@capitol.hawaii.gov)

Senate Judiciary Committee Members

Sen. Brian Taniguchi (Chair) 586-6460 [sentaniguchi@capitol.hawaii.gov](mailto:sentaniguchi@capitol.hawaii.gov)  
Sen. Dwight Takamine (Vice Chair) 586-7335 [sentakamine@capitol.hawaii.gov](mailto:sentakamine@capitol.hawaii.gov)  
Sen. Robert Bunda 586-6090 [senbunda@capitol.hawaii.gov](mailto:senbunda@capitol.hawaii.gov)  
Sen. Mike Gabbard 586-6830 [sengabbard@capitol.hawaii.gov](mailto:sengabbard@capitol.hawaii.gov)  
Sen. Clarence Nishihara 586-6970 [sennishihara@capitol.hawaii.gov](mailto:sennishihara@capitol.hawaii.gov)  
Sen. Sam Slom 586-8420 [senslom@capitol.hawaii.gov](mailto:senslom@capitol.hawaii.gov)

## karamatsu3-Leanne

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**From:** Ethan Yorgason [yorgasoe@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 2:38 PM  
**To:** JUDtestimony  
**Subject:** Testimony on HB444

I realize this is being written after the 2 pm deadline for submission of testimony on HB444.

Just prior to 11:30 am today (Feb 4), a University bulletin was circulated at Brigham Young University Hawaii under the subject "Strongly Opposing HB444." Reasoning from the teachings of BYUH's sponsoring church, the Church of Jesus Christ of Latter-day Saints, it asked those receiving the email to oppose HB444. Although the message correctly acknowledged that the church had not actually taken a position on the issue and that any action should be taken as individuals rather than church members, the message (at least from my point of view) misrepresented the church's position on civil rights for gay and lesbian individuals/couples generally (which is that the church has no opposition to such rights as long as marriage itself is defined as between a man and a woman). The email bulletin message did not identify who was asking the campus community to oppose HB444.

At 1:56 pm., a bulletin was sent around clarifying that "We were asked by lobbyists to share the included information for those interested in providing testimony. The language of the original e-mail was modified and the intent was to provide information for those that wanted to participate or provide testimony" -- again without an identification of who "we" was (whether university administration or email bulletin administrators, for example).

In any event, though regret that I saw the emails too late to make the 2 pm deadline, I simply want to register my SUPPORT FOR HB444 as a resident of Hawaii, Laie, and the BYUH community.

Mahalo,  
Ethan Yorgason

## karamatsu3-Leanne

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**From:** Virginia St. Claire [inheaven1@me.com]  
**Sent:** Wednesday, February 04, 2009 2:48 PM  
**To:** JUDtestimony  
**Subject:** testing

Regarding the Civil Unions legislation:

Respectfully submitted to our esteemed Hawaii State Legislature, I request with all my heart that you honor the commitments of same sex couples by passing this landmark legislation.

Humbly and sincerely,

Virginia St. Claire, Master of Divinity, Jesuit School of Theology Berkeley, 1976  
Counselor and Wedding Celebrant

Virginia St. Claire  
Candace Freeland  
[www.InHeavenWeddings.com](http://www.InHeavenWeddings.com)  
[www.BluePearlImages.com](http://www.BluePearlImages.com)  
[www.CandaceFreeland.com](http://www.CandaceFreeland.com)  
808-823-8820  
[inheaven1@mac.com](mailto:inheaven1@mac.com)

## karamatsu3-Leanne

---

**From:** bgbaysjr@commspeed.net  
**Sent:** Wednesday, February 04, 2009 2:49 PM  
**To:** JUDtestimony  
**Cc:** bgbaysjr@commspeed.net  
**Subject:** In support of House Bill 444 (Civil Unions)

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

My name is Brooks G. Bays, Jr. I am a resident of Honolulu, and would like to express my support for House Bill 444 (Civil Unions).

My life partner, James R Ness, died five years ago from complications of lupus and cerebral vasculitis. It was not unexpected, which did not make it less crushing. Although we were together richer and poorer; in sickness and in health; loving, honoring, and cherishing each other; and forsaking all others until death did us part, in the eyes of the law we were nothing more than friends or business partners. Although we had jumped through all the legal hoops we could, setting up powers of attorney and joint accounts and living wills and other legal documents, they still provided only a fraction of the legal protections our married brothers and sisters take for granted. The process was burdensome and stressful, and was still incomplete when he died. If we could have had a civil union that provided those protections all at once, it would have been a great help and comfort.

We were considered "lucky" that his doctors treated me as a member of his family, allowing me to participate in his care more completely, which reduced his stress and helped me to help him. I was considered "lucky" when, on the night he died, the emergency medical team treated me with respect and sympathy - as more than just a housemate. I was "lucky" that because his family respected our relationship, they did not try to challenge his will, or try to turn me out of the house we built - out of the home we made. Despite all that "luck" I was still unable to get answers from the coroner's office because I was "not a family member" and so had to rely on his parents for information.

I do not pretend that civil unions are marriage, and I respect that there are those who wish to reserve the word "marriage" for mixed-sex couples. I do believe, however, that our relationship was as deserving of protection and support as are our brothers' and sisters' mixed-sex relationships.

Supporting couples who love and care for each other strengthens the family, and strengthens society as a whole.

I appreciate your time in considering my comments, and I appreciate the great honor in being able to participate in this process.

With much aloha,

Brooks G. Bays, Jr  
1673 B Paula Drive  
Honolulu, HI 96816

[bgbaysjr@commspeed.net](mailto:bgbaysjr@commspeed.net)

808-352-4809

**karamatsu3-Leanne**

---

**From:** Ammon Padeken [ammonk@hotmail.com]  
**Sent:** Wednesday, February 04, 2009 2:51 PM  
**To:** JUDtestimony  
**Subject:** HB No.444 Testimony letter

Dear House Judiciary Committee Members and Senate Judiciary Committee Members

My name is Ammon Padeken and I am in opposition to HB444 (related to Civil Unions) scheduled hearing Feb 5th 2009.

I am opposed to HB444 regarding civil union because of its implications toward the redefinition of marriage between a man and a woman. My reasoning is based in belief.

I believe that God has ordained marriage, as defined above, to be the most important and unifying of human relationships in society. I wish to voice my opinion that legalized civil union defined in any other way will eventually lead to the redefinition of marriage and ultimately the weakening of our democratic society here in Hawaii and the U.S.

I ask that my voice be taken into consideration along with all others who wish to make a statement about this bill.

Thank you for your service

Ammon Padeken

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## karamatsu3-Leanne

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**From:** Lurline Nunu [nunul@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 2:53 PM  
**To:** JUDtestimony  
**Subject:** HB444 (Relating to Civil Unions)

### Testimony in opposition to HB444 (Relating to Civil Unions)

**Name:** Lurline Nunu  
**Title:** Travel Manager  
**Organization:** Brigham Young University Hawaii

To the House of Judiciary Committee Members and Senate Judiciary Committee Members:

***My testimony is in opposition to HB444 (Relating to Civil Unions).*** I ask that you oppose this bill.

"**THE FAMILY: A Proclamation to the World**", a document written by the First Presidency and the Council of the Twelve Apostles of The Church of Jesus Christ of Latter-Day Saints, gives the following counsel:

***" ... we warn that the disintegration of the family will bring upon individuals, communities, and nations the calamities foretold by ancient and modern prophets.***

***We call upon responsible citizens and officers of government everywhere to promote those measures designed to maintain and strengthen the family as the fundamental unit of society."***

I believe the traditional family unit to be the main fabric that holds society and this nation together. The Constitution of the United States allows us all specific freedoms and rights. The amendment has been changed from time to time to accommodate specific and significant changes in our society both on a National and State level. This is not one of those changes that should be sought after.

I ask that you uphold the sanctity of marriage as it was made long before our time and by our forefathers who were wise, that marriage should be recognized between a man and a woman. Those who believe different or choose otherwise as in the Civil Union issue is by choice. We will not infringe upon their freedoms or beliefs however they should not be allowed the same privileges and/or benefits as marriages between a man and woman.

I strongly believe that a marriage between a man and woman is the fundamental unit of society that will keep this Nation and State strong. Take that away, what have you then?

Thank you for your time and consideration. Again, I ask that you oppose HB444 (Relating to Civil Unions)



## **karamatsu3-Leanne**

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**From:** Virginia St. Claire [inheaven1@me.com]  
**Sent:** Wednesday, February 04, 2009 2:59 PM  
**To:** JUDtestimony  
**Subject:** Civil Unions legislation

Dear Legislators,

I am writing regarding the civil unions legislation.

I am a wedding photographer living on the island of Kauai.

I strongly urge you to pass legislation which will support civil unions in our beloved Aloha state. This sends a message to the world and to our own residents that Hawaii is a place of safety, tolerance, acceptance, inclusion and open heartedness. All people have the right to life, liberty and the pursuit of happiness.

I and my partner, who is a state licensed wedding officiant, have done hundreds of weddings in Hawaii over the last ten years, about 10% of them have been ceremonies of commitment between couples of the same gender and they have all been lovely, gracious, kind people who have been deeply touched and grateful for the respectful ceremony honoring their love for each other. To allow civil unions legally in Hawaii will open the door to more goodwill, more tourism, more business and more aloha for all concerned.

Thank you for taking a leadership role in passing this positive piece of legislation which will be an inspiring step forward for us all.

Respectfully submitted,

Candace Freeland

Virginia St. Claire  
Candace Freeland  
[www.InHeavenWeddings.com](http://www.InHeavenWeddings.com)  
[www.BluePearlImages.com](http://www.BluePearlImages.com)  
[www.CandaceFreeland.com](http://www.CandaceFreeland.com)  
808-823-8820  
[inheaven1@mac.com](mailto:inheaven1@mac.com)

## karamatsu3-Leanne

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**From:** dbentz@hawaii.rr.com  
**Sent:** Wednesday, February 04, 2009 3:01 PM  
**To:** JUDtestimony  
**Subject:** Support Of HB444: Civil Unions

To The Honorable Karamatsu, House Judiciary Committee:

My name is Donald Bentz and I am writing in support of HB444 (Civil Unions).

First, I would like to thank the 32 visionaries who have stepped forward in the name of equality and fairness to sponsor this overdue piece of legislation.

For my entire adult life, I have watched while families that do not fit into "traditional" definitions are degraded, discriminated against and devalued. I personally watched as friends have been denied access to their life partners while in the hospital, stripped of death benefits after decades in a relationship and removed from their home of years simply because "the state" did not recognize the relationship. Or worse, the admitting room clerk did not comprehend what a "reciprocal beneficiary" or other legal documents were.

During this process, you will hear a lot of reasons why our state should discriminate in the name of God. This "cafeteria plan" of picking which passages from Leviticus they wish to still follow is laughable. The same book also states we must punish with death adulterers, those who curse their parent and psychics. Other sins include holding wages overnight, wearing clothes of two fabrics, tattoos and clipping beards.

A direct descendant of William the Conqueror, I have traced my family tree back to the 640 AD. Although an exhilarating experience, this journey was repeatedly marked with constant reminders of why no religion should become law. This family history is marked with horrors committed "in the name of God" as Catholics burned Lutherans, Lutherans tortured Jews, and vice versa, all depending upon who had the crown. This great nation was founded on the principles that everyone should be free to worship as they wish and any attempt to legislate one group's faith into law tramples this noble vision.

You may also hear threats of re-election and the magical "70 percent of the population spoke." That was more than a decade ago. Across the country, no legislator has yet to lose their seat for supporting equality. Voters are more intelligent than this bill's opposition gives credit and will judge you on your record as a whole, not one issue.

In closing, I would like to remind this body that the most revered leaders of this world were those that - in the face of vocal opposition - stood up for what was right. It is now time for Hawaii's legislators to decide if they wish to be remembered along with JFK, LeRoy Collins and Abraham Lincoln or George Wallace and Jim Crow.

Sincerely,  
Donald L. Bentz  
87-1962J Pakeke Street  
Waianae, HI 96792

## karamatsu3-Leanne

---

**From:** Rachel S. Orange [info@pd-hawaii.com]  
**Sent:** Wednesday, February 04, 2009 3:24 PM  
**To:** JUDtestimony  
**Subject:** Testimony in support of HB444

The message didn't seem to go through before, so I am attempting to send it again. Please excuse any duplication.

Mahalo,  
Rachel Orange

House Sergeant at Arms  
House Judiciary Committee

For: Public Testimony Hearing on Thursday, 2/05/09, 2 pm Room 325  
Re: Testimony in Strong Support for HB 444 - relating to Civil Unions  
From: Rachel S. Orange

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for the opportunity to testify before this committee. I strongly support HB 444 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 a hearing on this topic two years ago 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 get our collective heads out of the sand and 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 HB 444. It is simply the right thing to do.

Respectfully submitted,

Rachel S. Orange  
2457 Lamaku Pl  
Honolulu, HI 96816  
[rachel@pd-hawaii.com](mailto:rachel@pd-hawaii.com)  
265-1334

Relating to HB 444; February 5<sup>th</sup>, 2009 2 pm

Testifying in Support

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Nicole Silver and I am writing to express my support for House Bill 444 - Civil Unions. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

I still remember the summer of 1994 when my dad, sister and I drove seven hours from Delaware to Boston to witness my uncle and his partner bound together in a church ceremony. My uncle's church was actually the first non-gay church in Boston to officiate a gay wedding. The wedding may not have been legal at the time but it was one of the happiest moments in my uncle's life. My father still tears up when he thinks back to how excited and proud his brother was on that day. Although there was some debate about whether to hold the ceremony among the church members, most of them attended the ceremony to show their support for their union. My uncle was an active and appreciated member in the church as their treasurer and youth educational director.

Unfortunately, not every day in my uncle's life was as happy as that one. After receiving his masters of education he went to teach high school in Bennington, VT. When a parent found out he was gay, he wasn't directly fired but his life was made quite uncomfortable by his employers and co-workers and he felt he had to leave VT. He moved to Boston because he felt it was a more open-minded community and there met the man he would eventually wed. One of his regrets in life was being unable to adopt a child with his partner, but it wasn't even an option they could consider at that time because of public opinion.

Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. I ask that you support HB 444 and appreciate your careful consideration.

Mahalo,

Nicole E. Silver

2760 Kahoaloha Lane #2  
Honolulu, Hawaii 96826

**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](mailto:rkmbengoshi@hawaii.rr.com)

No. of pages including this page: 4

DATE: February 4, 2008

TO: Rep. Blake Oshiro  
Chair, House Judiciary Committee  
Date and Time of Hearing: Feb. 5, 2009 @ 2:00 p.m.  
House Conference Room 325

FACSIMILE NO. 586-6501

RE: Testimony on HB 444, Relating to Civil Union  
Date & Time of Hearing: 2/5/09 @ 2:00 p.m.  
Conference Room 325

Dear Rep. Oshiro and Members of the Judiciary Committee:

I urge you to vote NO on HB 444 and NOT to pass the said Bill out of this Committee.

No matter how the relationship is couched in HB 444, THE SAID BILL IS SIMPLY A "MARRIAGE" between to 2 persons no less. The effect of HB 444 is 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 HB 444 will encourage other relationships to the detriment of traditional marriage, i.e. between a man and a woman.

The passage of HB 444 flies in the face of the voters of Hawaii who just recently voted 70 to 30 to preserve marriage between a man and a woman. The changing of the wording of marriage to "civil unions" insults the will of the people of Hawaii.

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 HB 444,

"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 HB 444 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.
2. It will discriminate against and violate the religious beliefs and freedom of conscience of many Christians, Jews, and Muslims, and others who believe marriage to be the union of opposite sex couples, and no other relationship should supplant or supplement that ideology.
3. It will leave children vulnerable to the whims of adults who cannot provide, generally speaking, a stable environment which a traditional married couple can.

4. It will encourage persons to push for other relationships, such as polygamous marriages, because the very definition of "marriage" takes on a different meaning.

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 HB 908, the seeds of destruction of society will have been sown.

A recent U.S. District Court ruling (February 23, 2007) in Lexington, Massachusetts, if left standing, will have profound effect elsewhere where civil unions or same sex marriage 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.'" "It is reasonable for public educators to teach elementary school students about individuals with different sexual orientations and about various forms of families, including those with same-sex parents, in an effort to eradicate the effects of past discrimination, to reduce the risk of future discrimination and, in the process, to reaffirm

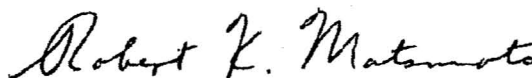
our nation's constitutional commitment to promoting mutual respect among members of our diverse society.”

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 HB 444 out of committee, and if HB 444 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.

Once again, I urge you to vote NO on HB 444, and not pass the said Bill out of committee.

Very truly yours,



Robert K. Matsumoto

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**karamatsu3-Leanne**

---

**From:** Barbara L. Franklin [barbara.franklin@hawaiiantel.net]  
**Sent:** Wednesday, February 04, 2009 3:51 PM  
**To:** JUDtestimony  
**Subject:** HB 444 on 2-4-09

VIA EMAIL: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

**Committee:** Committee on Judiciary  
**Hearing Date/Time:** Thursday, February 5, 2009, 2:00 p.m.  
**Place:** State Capitol, Conference Room 325  
**Re:** Testimony of Barbara L. Franklin, Esq., in Support of H.B. 444, Relating to Civil Unions

Dear Chair Karamatsu and members of the Committee on Judiciary:

I write in support of H.B. 444, Relating to Civil Unions because it represents a substantial step forward toward ensuring that gay and lesbian couples are afforded equal treatment under the law.

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

I commend those members of the House who, by sponsoring or supporting this bill, have recognized that it is just and appropriate to extend more protections to lesbian and gay couples than those currently provided under Hawaii law. H.B. 444 will further extend rights to gay and lesbian 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. Additionally, the law does not require that private employers offer health benefits to same-sex couples. The law further fails to protect members of a same-sex couple in the event the couples chooses to separate — there are no provisions in the law for judicial dissolution of the relationship or for spousal support.

I strongly support the current bill; however, I want to be clear that our ultimate goal is to obtain full marriage equality for lesbian and gay 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 lesbian and gay couples. As history has taught us, separate is never truly equal. I will continue to press the Legislature for full marriage equality in the future.

Thank you for this opportunity to testify.

Sincerely,  
Barbara L. Franklin  
Barbara L. Franklin, Esq.  
Attorney at Law  
45-3438 Mamane St., Building 2  
Honokaa, HI 96727

February 4, 2009

The Honorable John Riki Karamatsu

House Judiciary Committee

RE: Opposition to Bill HB444 (Relating to Civil Unions)

Mr. John Riki Karamatsu and Members of the Committee:

I would first like to thank you all for the beautiful service you have and seek to take upon yourself for the benefit and well-being of the people of Hawaii. Without leaders, no society could flourish and there would be no sense of order and dignity. However, thanks to your love for us, we can all work together as an ohana in building a nation of prosperity and in battling and overcoming trials that often come our way. I know that perfection can never be reached, but that is not important. What's within our power is how we think with our minds and how much effort we put in accomplishing our dreams in ensuring a more healthy and happy environment and sense of ethics for our future generations.

There is a topic on which I would like to have my voice heard. It is the issue of homosexuality. I choose to be straightforward in this matter, and will write with simplicity. Granting marriage rights to couples within a civil union doesn't seem like a bad idea in temporary terms, but what will happen in the long run? For every given choice, there will be eternal consequences but unfortunately, the most convenient and short-term satisfaction is the base of most choices made. I hope that you will expand your vision to the horizons and envision the future of the simple decisions you make now.

If we were to grant more rights to homosexual couples, why not give them all of it? Why not grant them the right to be married? This bill relating to Civil Unions is a small but vital step towards that state. For those of you who would even consider sanctioning marriage between two men or two women, I would like to ask you to think of your children. Think of your grandchildren and those of your future descendants that will continue to flourish in this world. Regardless of your religious beliefs, I know that we share a common ground in the importance and bonds of families. There is nothing so beautiful as a newborn babe, held in the hands of both an anticipating father and mother. This is what I desire in the future and in the future of my children. This is why I'm thankful everyday to be living a life through with family, despite the obstacles that have come our way.

To instill in our society that it is okay to indulge in homosexual acts and feelings is to give in to true happiness of life. Why can't we just focus our efforts in prevention and broader solutions rather than gradually fall into temporal ease?

I expect that you as a leader will take into consideration what I have written, as you do represent I and everyone else here in this state. I humbly ask that you recognize the impact of your final decision on this topic, and for every choice you will continue to make on behalf of our state of Hawaii and for our beautiful country of the United States of America.

Mahalo

Etita Lee Timon  
Student

VIA EMAIL: [JUDtestimony@Capitol.hawaii.gov](mailto:JUDtestimony@Capitol.hawaii.gov)

Committee: Committee on Judiciary  
Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.  
Place: State Capitol, Conference Room 325  
Re: *Testimony of Laurie Temple in Support of H.B. 444,  
Relating to Civil Unions*

Dear Chair Karamatsu and members of the Committee on Judiciary:

I write in support of H.B. 444, Relating to Civil Unions because it represents a substantial step forward toward ensuring that gay and lesbian couples are afforded equal treatment under the law.

I commend those members of the House who, by sponsoring or supporting this bill, have recognized that it is just and appropriate to extend more protections to lesbian and gay couples than those currently provided under Hawaii law. H.B. 444 will further extend rights to gay and lesbian 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. Additionally, the law does not require that private employers offer health benefits to same-sex couples. The law further fails to protect members of a same-sex couple in the event the couples chooses to separate — there are no provisions in the law for judicial dissolution of the relationship or for spousal support.

I strongly support the current bill; however, my ultimate goal is to obtain full marriage equality for lesbian and gay 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 lesbian and gay couples. As history has taught us, separate is never truly equal. I will continue to press the Legislature for full marriage equality in the future.

Thank you for this opportunity to testify.

Sincerely,  
Laurie A. Temple  
1040 Kainui Drive  
Kailua, HI 96734

## 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 4, 2009

Rep. John Riki Karamatsu (Chair)	586-8490	repkaramatsu@capitol.hawaii.gov
Rep. Ken Ito (Vice Chair)	586-8470	repito@capitol.hawaii.gov
Rep. Della Au Belatti	586-9425	repbelatti@capitol.hawaii.gov
Rep. Rida Cabanilla	586-6080	repcabanilla@capitol.hawaii.gov
Rep. Mele Carrol	586-6790	repcarrol@capitol.hawaii.gov
Rep. Robert Herkes	586-8400	repherkes@capitol.hawaii.gov
Rep. Sylvia Luke	586-8530	repluke@capitol.hawaii.gov
Rep. Angus McKelvey	586-6160	repmckelvey@capitol.hawaii.gov
Rep. John Mizuno	586-6050	repmizuno@capitol.hawaii.gov
Rep. Hermina Morita	586-8435	repmorita@capitol.hawaii.gov
Rep. Blake Oshiro	586-6340	repboshiro@capitol.hawaii.gov
Rep. Joe Souki	586-9444	repsouki@capitol.hawaii.gov
Rep. Clifton Tsuji	586-8480	reptsuji@capitol.hawaii.gov
Rep. Glenn Wakai	586-6220	repwakai@capitol.hawaii.gov
Rep. Barbara Marumoto	586-6310	repmarumoto@capitol.hawaii.gov
Rep. Cynthia Thielen		

Re: Opposition to HB 444 Civil Union  
 Hearing: Thursday, February 5, 2009 @ 2:00 p.m.

Dear Representatives of the Judiciary Committee:

I am strongly opposed to the proposed Civil Union HB 444 for the following reasons.

As an attorney who believes in democracy and a government for the people and by the people, I was disappointed to see that so many legislators in the House have ignored the will of the people and have co-sponsored a discriminatory bill, particularly one that contains many legal defects. Over a decade ago, we, the people of Hawaii, voted by an overwhelming seventy percent against allowing a plurality of the justices on the Hawai'i Supreme Court in *Baehr vs. Lewin* to determine that same-sex marriage would be the law of the land. We trusted you and the democratic process over the Court and voted to give you, the Legislature, the authority to define marriage.

Civil Union Bill  
February 4, 2009  
Page Two

Consistent with the will of the people, you passed legislation that defined marriage as the union of one man and one woman. You also passed legislation to give reciprocal beneficiary rights to unmarried persons.

Unlike the Civil Union bill before this legislature, the Reciprocal Beneficiaries law is non-discriminatory because it gives benefits to unmarried persons, including relatives and same-sex couples. While the benefits under the Reciprocal Beneficiaries bill may be less than those given to married couples, the answer is not to pass a discriminatory bill, like the Civil Union bill, but to enact laws which expand the benefits given to reciprocal beneficiaries. Unlike the Civil Union bill, the Reciprocal Beneficiaries law is morally neutral; it does not judge or favor one type of relationship/behavior over another. Why should the Legislature enact discriminatory and morally controversial laws, like the Civil Union bill, when improving the non-discriminatory, morally neutral Reciprocal Beneficiaries law would achieve the same just outcome for all unmarried couples?

Once again, we ask that you heed the voice of the people of this state and to vote against same-sex marriage. In my view, because the civil union bill mirrors the marriage laws of this state, a civil union is same-sex marriage — it simply has a different name.

Credible research confirms that children do best with two opposite-sex parents, and that the absence of a father or a mother can make a lasting difference in a child's development. Children of a same-sex relationship could be permanently deprived of a legal mother or a legal father and an opposite sex role model.

Furthermore, as a family law attorney, I was surprised at the number of legal defects in this poorly drafted bill. For example, the Civil Union bill appears to allow Civil Unions between a great grandparent and a great grandchild, although such relationships are not allowed between parent and child, or between grandparents and grandchild. And the list of defects go on and on.

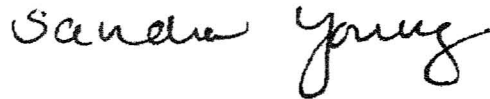
According to the Department of Health, since 1997, there have been approximately 1,577 reciprocal-beneficiary relationships, or about 131 per year. Is there a pressing need to pass a legally flawed bill?

Civil Union Bill  
February 4, 2009  
Page Three

Our state and country are facing an economic crisis of epic proportions. We should focus on solving our pressing economic problems rather than using our limited resources to redefine marriage contrary to the express will of the people.

For the foregoing reasons, I ask that you oppose the Civil Union bill (HB 444). Mahalo nui loa for your attention and for your service to the State of Hawaii.

Very truly yours,

A handwritten signature in cursive script that reads "Sandra Young". The signature is written in black ink and is positioned above the typed name.

SANDRA YOUNG

## karamatsu3-Leanne

---

**From:** Ongoongotau, Mele [OngoongM@polynesia.com]  
**Sent:** Wednesday, February 04, 2009 4:52 PM  
**To:** JUDtestimony  
**Subject:** OPPOSITION TO HB 444 , Relating to Civil Unions

I strongly oppose the Civil Unions Bill HB444. We live in a society where civil marriage is a legal union between a man and a woman. We need to teach our children right principle not an interest of only special groups. Hope the legislator of Hawaii will support the right issue not a politic opinion.

What's wrong with the Constitution?

Sincerely,

Mele Nunia Ongoongotau  
Resident of Kahuku.



**karamatsu3-Leanne**

---

**From:** Farina McCarthy-Stonex [mccarthf@byuh.edu]  
**Sent:** Wednesday, February 04, 2009 5:00 PM  
**To:** JUDtestimony  
**Subject:** testing

I do not support the legalization of gay "marriage." For the state of Hawaii and strongly oppose any changes to the BILL which is before the house for amendment.

## karamatsu3-Leanne

---

**From:** Steve Hoag [HoagS@hawaiireserves.com]  
**Sent:** Wednesday, February 04, 2009 5:02 PM  
**To:** JUDtestimony  
**Cc:** Rep. Jon Karamatsu; Rep. Ken Ito; Rep. Della Belatti; Rep. Rida Cabanilla; Rep. Mele Carroll; Rep. Robert Herkes; Rep. Sylvia Luke; Rep. Angus McKelvey; Rep. John Mizuno; Rep. Hermina Morita; Rep. Blake Oshiro; Rep. Joseph Souki; Rep. Glenn Wakai; Rep. Clifton K. Tsuji; Rep. Barbara Marumoto; Rep. Cynthia Thielen; Rep. Jessica Wooley; Rep. Michael Magaoay  
**Subject:** OPPOSITION TO HB 444 , Relating to Civil Unions  
**Importance:** High

**Aloha!** Thank you for the opportunity to testify in opposition to H.B. 444 relating to civil unions. I speak as a father and husband on behalf of my family. We oppose this bill for a number of reasons, including:

**Hawaii's people have already spoken.** In 1998, the people of Hawaii sent a clear message that marriage in Hawaii must remain between one man and one woman. *My wife and I voted along with the other 70% of voters that year to amend the state's constitution to protect traditional marriage.* Civil unions appear to be an attempt to thwart the will of the people and create same-sex "marriage" by another name.

**The reciprocal beneficiary law is a better vehicle to provide benefits.** The people have also spoken through their representatives in reaching the artful compromise that established Hawaii's reciprocal beneficiary law. The law achieved the goal of providing benefits – without basing those benefits on the ill-advised sex partner status test. The people of Hawaii have put these issues behind them; it would be best to refrain from re-opening divisive, controversial battles that have already been settled by the people.

For these reasons and others we respectfully urge you to hold H.B. 444.

Mahalo,

Steve & Heather Hoag

**karamatsu3-Leanne**

---

**From:** Nathan Alexander [natealex@gmail.com]  
**Sent:** Wednesday, February 04, 2009 5:16 PM  
**To:** JUDtestimony  
**Subject:** Measure number: HB444 (Relating to Civil Unions)

RE: Measure number: HB444 (Relating to Civil Unions)

The date and time of the hearing: February 5, 2009

It's my understanding that the hearing on a "civil unions" bill (HB444) is scheduled for this Thursday afternoon, February 5, 2009. Many people, including myself, believe that civil unions are an attempt to legitimize gay marriage by using another title. When governments offer same sex-partner benefits similar to traditional marriage, they send a message of government sanction of such relationships, moving society one short step away from legalizing gay "marriage".

**My position on marriage is unequivocal: marriage between a man and a woman is ordained of God, the formation of families is central to the Creator's plan for His children, and children are entitled to be born within this bond of marriage.**

**I therefore am strongly opposed to measure number HB444 (Relating to Civil Unions).**

Sincerely,

Nathan W. Alexander, Community Member

**Jonathon Berliner**  
**1561 Kanunu Street - APT 1507**  
**Honolulu, HI 96814**  
**(808) 946-0767**

**DATE: Thursday, February 05, 2009**

**TIME: 2:00p.m.**

**PLACE: Conference Room 325**

**House Bill 444**

**RELATING TO CIVIL UNIONS.**

**Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.**

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to provide testimony before this committee. My name is Jonathon Berliner and am providing this testimony on my behalf, as a community member, who is also in a committed same gender relationship for over 8 years.

I am pleased to have the opportunity to express my **support for House Bill 444 – Relating to Civil Unions.** I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

It is personally demeaning and demoralizing to me to be a part of the one group who has little rights afforded them in their relationships. We are deserving of the same equal rights the opposite sex couples in marriage enjoy.

The current unequal treatment that a large population experiences is unfair and unjust, when compared to opposite sex couples who enjoy many additional rights with marriage. Civil Unions are supported by the majority of the public. 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. I respectfully ask that you support HB 444 and appreciate your careful consideration of this important issue.

Mahalo and Aloha,  
Jonathon Berliner

**karamatsu3-Leanne**

---

**From:** Beth and Lee Garrow [b.andl.garrow@gmail.com]  
**Sent:** Wednesday, February 04, 2009 5:30 PM  
**To:** JUDtestimony  
**Subject:** Fwd: House Bill 444

----- Forwarded message -----

**From:** **Beth and Lee Garrow** <b.andl.garrow@gmail.com>  
**Date:** Mon, Feb 2, 2009 at 6:59 PM  
**Subject:** House Bill 444  
**To:** JUDtestimony@capitol.hawaii.goc

**Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:**

**Thank you for this opportunity to testify to this committee via this email.**

**My name is Lee Garrow and I wish to express my support for the House Bill 444- Civil Unions. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.**

**I am a 54 year-old gay man. I graduated from college in 1976 with a B.S. Degree, and have been a gainfully employed, tax-paying citizen since that time. I've also been continuously involved with non-profit community organizations throughout all those years by donating both my time and my money. I feel that having been such a productive citizen for over 30 years, I certainly deserve this chance to request my equal rights.**

**The legal rights being offered to me (and the entire Gay Community of the State of Hawaii) through House Bill 444 are actually a long over-due fair deal. These rights are handed out to opposite-sex married couples everyday in this country. These rights should and MUST be extended to same-sex partnerships also.**

**It is sad that so many respectable, productive, citizens of this country still have to live without their EQUAL rights simply because they are a member of a minority (the gay minority). Passing HB 444 through legislation can be Hawaii's way of telling the entire United States that we're moving in the right direction. Hawaii will no longer accept the current unfair treatment of the Gay Community in this country!**

**The current unequal treatment that Gay Families experience is unfair and unjust. How would you feel if you or one of your family members was treated in this manner? Civil unions are supported by the majority of the public, President Obama, and the majority of the Hawaii House of Representatives. 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. I ask that you support HB 444. I appreciate your care and consideration regarding this whole issue.**

**Thank you,**

**Lee Garrow  
110 Kaanapali Shores Pl  
#212  
Lahaina, HI 96761**

**karamatsu3-Leanne**

---

**From:** Jeannette Hereniko [jjphmovies@gmail.com]  
**Sent:** Wednesday, February 04, 2009 5:42 PM  
**To:** JUDtestimony  
**Subject:** Testimony in support for House Bill 444 - Civil Unions

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to offer our testimony.

Our names are Jeannette Paulson Hereniko and Vilsoni Hereniko, and we wish to express our support for House Bill 444 - Civil Unions.

We have been married for twelve years, and enjoy the legal rights and privileges of living as a married couple.

It is beyond our imagination to think that we could not enjoy these legal rights in Hawaii because we are of different ethnic backgrounds.

It is beyond our imagination to believe that in Hawaii we could not enjoy these rights because there is a decade difference in our age.

It is equally beyond our imagination to believe that in Hawaii others could not enjoy these same rights because they are of the same sex.

Fortunately the majority of people in Hawaii believe like we do.

Fortunately, so does President Obama, and the majority of the Hawaii House of Representatives.

The issue of equal treatment for same-sex couples is the civil rights issue of this generation.

For this reason we ask that you support HB 444.

Mahalo for your careful consideration.

Jeannette Paulson Hereniko and Vilsoni Tausie Hereniko

6105 A Summer Street

Honolulu, Hawaii 96821

# John S. Carroll

Attorney-at-law

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**Honolulu Office**

345 Queen Street, Suite 607  
607

Honolulu, HI 96813  
Phone: 808-526-9111  
Fax: 808-545-3800

**Ahualoa Office**

c/o 345 Queen St., Ste.

Honolulu, HI 96813  
Phone: 808-526-9111  
Fax: 808-545-3800

*email: johncarro001@hawaii.rr.com*

---

No. of pages including this page:

4

DATE: February 4, 2008

TO: Rep. Jon Riki Karamatsu  
Chair, House Judiciary Committee  
Date and Time of Hearing: Feb. 5, 2009 @ 2:00 p.m.  
House Conference Room 325

FACSIMILE NO. 586-8494

RE: Testimony on HB 444, Relating to Civil Union  
Date & Time of Hearing: 2/5/09 @ 2:00 p.m.  
Conference Room 325

Dear Rep. Karamatsu and Members of the Judiciary Committee:

As a former member of this State House of Representatives, I urge you to vote NO on HB 444 and NOT to pass the said Bill out of this Committee.

This is a thinly veiled attempt to do an end run around the resounding defeat of the "Same Sex Marriage Bill" that was the subject of anguish some nine years ago. No matter how the relationship is couched in HB 444, THE SAID BILL IS SIMPLY A "MARRIAGE" between to 2 persons no less. The effect of HB 444



is 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 HB 444 will encourage other relationships to the detriment of traditional marriage, i.e. between a man and a woman.

The passage of HB 444 flies in the face of the voters of Hawaii who just recently voted 70 to 30 to preserve marriage between a man and a woman. The changing of the wording of marriage to "civil unions" insults the will of the people of Hawaii.

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 HB 444,

"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 HB 444 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.

2. It will discriminate against and violate the religious beliefs and freedom of conscience of many Christians, Jews, and Muslims, and others who believe marriage to be the union of opposite sex couples, and no other relationship should supplant or supplement that ideology.

3. It will leave children vulnerable to the whims of adults who cannot provide, generally speaking, a stable environment which a traditional married couple can.

4. It will encourage persons to push for other relationships, such as polygamous marriages, because the very definition of "marriage" takes on a different meaning.

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 HB 908, the seeds of destruction of society will have been sown.

A recent U.S. District Court ruling (February 23, 2007) in Lexington, Massachusetts, if left standing, will have profound effect elsewhere where civil unions or same sex marriage 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.'" "It is reasonable for public educators to teach elementary school students about individuals with different sexual orientations and about various forms of families, including those with same-sex parents, in an effort to eradicate the effects of past discrimination, to reduce the risk of future discrimination and, in the process, to reaffirm our nation's constitutional commitment to promoting mutual respect among members of our diverse society."


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 HB 444 out of committee, and if HB 444 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.

Once again, I urge you to vote NO on HB 444, and not pass the said Bill out of committee.

Very truly yours,

  
John S. Carroll

**This communication contains confidential and privileged information. It is exempt from disclosure under applicable law. If you receive it in error, please notify the sender immediately by telephone or fax and return the original by mail.**

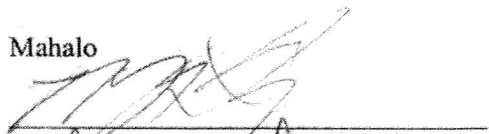




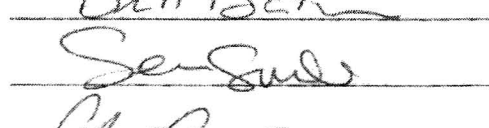


To: House Judiciary Committee  
Re: **Support for HB 444, relating to civil unions**

Aloha members of the Judiciary Committee:

We, the undersigned students, faculty, and staff of the William S. Richardson School of Law, support HB 444 because we believe all couples should be treated equally under the law regardless of whether they are opposite-sex couples or same-sex couples. We also support this bill insofar as it provides critical rights, benefits, and obligations to members of our community who have entered into long-term, committed relationships and are raising families.

This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo

H. Maxwell Kopper  
Jonathan Devers  
David-Keith Kopper  
Wilson Duggan  
EVAN SILBERSTEIN  
ANDREW G. ODELL  
MARIA CARMICHAEL  
Sherylyn TAVAKS  
ELIZABETH BRITT BAILEY  
Sean Smith  
CAROLYN AGUILAR  
Kyle Meisner  
MARK LEVIN  
Elisabeth Steele Hutchison

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Mahalo

<u>HAARTE KAHOLA</u>	<u>[Signature]</u>
<u>Amanda Jensen</u>	<u>[Signature]</u>
<u>Samuel August</u>	<u>[Signature]</u>
<u>Christine Ifuku</u>	<u>[Signature]</u>
<u>Jodi Higuchi</u>	<u>[Signature]</u>
<u>Angela Tokuda</u>	<u>[Signature]</u>
<u>Erlene A. Greer</u>	<u>[Signature]</u>
<u>Jacy Youn</u>	<u>[Signature]</u>
<u>SARAH JAGELS</u>	<u>[Signature]</u>
<u>Terrence Mardorai Thornburg</u>	<u>[Signature]</u>
<u>Shimpei Oki</u>	<u>[Signature]</u>
<u>BRANDON KIMURA</u>	<u>[Signature]</u>
<u>Ken Miller</u>	<u>[Signature]</u>
<u>Kim Vossman</u>	<u>[Signature]</u>

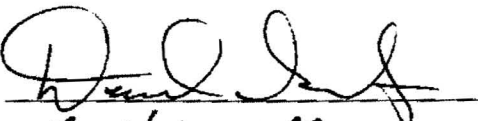
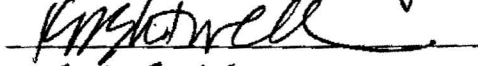

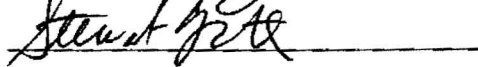
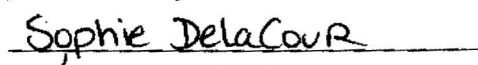
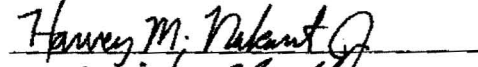
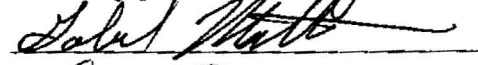

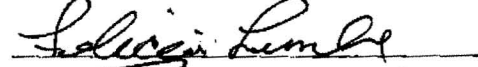
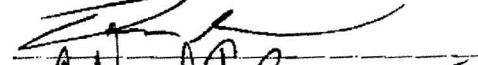

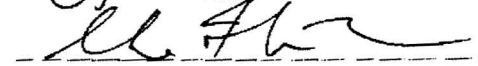



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This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo

Daniel Seltzer	
Kristin Shotwell	
Chad Kumagai	
Stewart Yerton	
Sophie Delacour	
HARVEY M. NAKAMOTO JR	
Gabriel Mattice	
Adam Robinson	
Felicia Lumbe	
Dane Anderson	
CHRISTOPHER M. SARDW	
Utilisone Tui	
Scott Black	
Andrew R. Carl	
Sylvia Wan	

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Mahalo

Chris Santos

Mark Kaetsu

Jessica Domingo

Page Kraker

Brianna Tsukamoto

Kekoa Keiley

Lianne Aoki

Natalie Barach

Elena Bryant

Acei Yum

Judith Harris


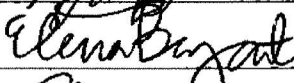
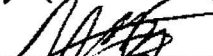

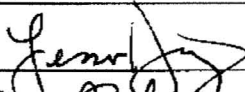
Malina Iida

Rebekah McKeldin

JUSTIN LEVINKO

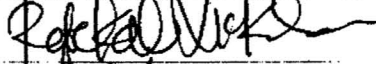


Mark Kaetsu



JUDITH HARRIS

Malina Iida





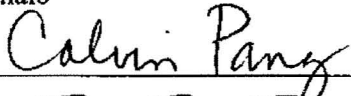
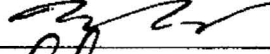
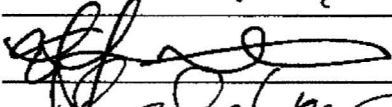
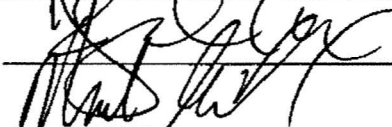
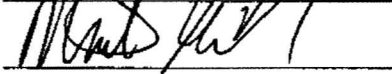
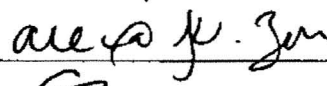
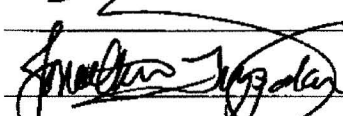
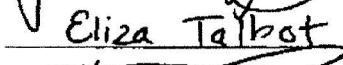

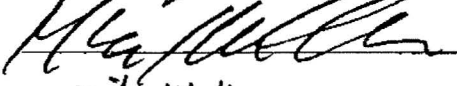
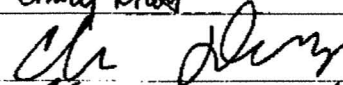
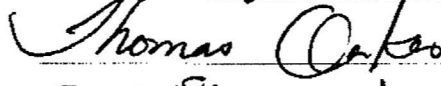

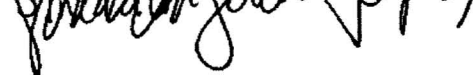
To: House Judiciary Committee  
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This bill is an important step toward establishing equality and supporting Hawaii's families. Please pass this bill.

Mahalo

	Calvin Pang
	<del>Reed</del> Madeline Reed
	E. Kau'i Yamane
	Jade Wang
	Noah Gibson
	Alexa Zen
	Samantha Herring
	Jonathan Tungpalan
	Eliza Talbot
	Emily Klatt
	Chris Delaunay
	Thomas Oakes
	Erin K. Shimoda
	Sinclair Salas-Ferguson

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Mahalo

*My Campbell*  
*Am M Li*  
*Am Jm O*  
*Tracey Kubota*

Kee Campbell  
Amanda M. Willis  
Erica chee  
Tracey L. Kubota

## karamatsu3-Leanne

---

**From:** eileen mckee [meileen@yahoo.com]  
**Sent:** Wednesday, February 04, 2009 5:58 PM  
**To:** JUDtestimony  
**Subject:** In Support of HB 444

SUBJECT: In Support of HB 444  
DATE: Thursday, February 05, 2009  
TIME: 2:00 p.m.  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

Please make and distribute 16 copies.

Dear Chair Karamatsu, Vice Chair Ito, and Members of the House Judiciary Committee:

Thank you for allowing me to submit this testimony rather than appear in person before your committee. I live on the neighbor island of Maui, and will be attending class that day at Maui Community College. My testimony is in support of House Bill 444 - Relating to Civil Unions.

My reciprocal beneficiary (what a mouthful!) and I have been together for almost 17 years. We have already experienced the pain and humiliation of not being allowed access to each other during emergency hospital situations. Not only was this shocking and hurtful, it was also at the expense of my partner's health as I had the knowledge and ability to inform emergency personnel of the different medications she was being administered at that time. When I mentioned this to hospital staff, I was told that I would be allowed to inform her family, whenever they were able to arrive from the East Coast, and they in turn would apprise the medical staff. Fortunately for us, my partner regained consciousness, heard my pleas to staff and requested that they allow me access to her emergency room. Score 1 for having a loud voice.

So often, I read and hear people say, "You don't need special rights; you can just visit with an attorney and draw up all of the necessary paperwork to protect one another." Oh, if it was only that easy and believe me, there's nothing special about what we are trying to attain. In the aforementioned scenario, would I have even had access to (think safety deposit box) or the wherewithal to grab the necessary paperwork prior to rushing to the hospital? What about during vacations? Do you travel with all of your important paperwork?

There is also a HUGE amount of financial costs associated with us not being equal to our heterosexual counterparts. There is, of course, the inability to file joint taxes, but that is merely the tip of the iceberg. Unless President Obama is planning on saving social security by using all gay and lesbian contributions towards the general populace, I find it quite unfair that neither one of us can receive each other's social security benefits upon the death of the other.

Here's another example: My partner has approximately \$50K in a pension from a former employer. Were she to pass on tomorrow, that money, then destined for a spouse only, would return to the pension fund.

In addition, under the State of Hawaii's current reciprocal benefits program, I am now covered under her health plan, but if she were to lose her job, I will not have access to

COBRA. What ever will I do if this occurs? With the economy being in the state it currently is, believe me when I say I am losing sleep over this. Just yesterday I read about the possibility of COBRA being expanded under the new federal stimulus package. I marvel at what great news that is for some, but unfortunately, not all of our peoples. And I am tired of not being part of that inclusive 'all.'

I could go on and on about the inequality and unfairness that is currently accepted by our society in this regard. Suffice it to say that this is the civil rights issue of our generation. Personally, I believe Hawaii will return to the forefront on this issue, just as it was back in 1993.

Please, follow your conscience and include ALL of us in our diverse society. I respectfully ask that you support HB 444.

Mahalo,

Eileen McKee  
279 Alaume Street  
Kihei, HI 96753

**karamatsu3-Leanne**

---

**From:** Ted Shaneyfelt [ted@ace.utsa.edu]  
**Sent:** Wednesday, February 04, 2009 6:35 PM  
**To:** JUDtestimony  
**Subject:** HB 444

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify **STRONGLY AGAINST** HB 444 Relating to Civil Unions. **PLEASE OPPOSE** it. **PLEASE DEFEAT** it.

From experience, I have found that that bills such as HB 444 which attempt to infringe on the special rights reserved for true families united marriage have a very real negative effect on real families.

**SHORT CASE STUDY:** In past generations, it was typical for professors' children and spouses to receive tuition-free education as a benefit to the family. Today, due to limited resources, instead of children and spouses, that benefit has been given over to homosexual partners. In fact, I had to pay tuition for my own daughter whom I taught at the University while homosexuals were allowed to send their partners to school tuition-free. That was just the beginning of what happened.

**When "family tuition waivers" were recently reinstated, the limited resources have been diluted and children have been robbed by the same groups who now wish to further usurp family rights and privileges.**

This bill is NOT the best interest of the State of Hawaii. **It undermines real families.**

Please defeat this bill, as it is a matter of championing family values, which were overwhelmingly supported by Hawaii's people in past elections.

**REAL MARRIAGE** between MAN AND WOMAN, **DISTINCT** from ALL OTHER UNIONS is what is in the **BEST INTEREST** of the STATE

**FOR GOOD REASON:**

- **A natural result of the closest intimate contact between a MAN and a WOMAN in love is a high probability of childbearing.**
- **Marriage is an act of RESPONSIBILITY for future probable and indefinitely high costs that SHIELDS the STATE from many BURDENS of supporting those children.**
- **Married couples COMMIT IN ADVANCE to accept the risk of alleviating the state of numerous unknown future costs that will almost certainly arise.**
- **Therefore it is in the interest of the state to RECOGNIZE and support the UNIQUE relationship of marriage DISTINCT from any other.**

Mahalo,

\_Ted Shaneyfelt

P.S. I just received a **disturbing mass emailing** from a homosexual activist addressed to all faculty and staff here. I hope that you discount the inflated response that he may generate. **Instead**, I offer **my own testimony**.

## karamatsu3-Leanne

---

**From:** drikeda@hawaii.rr.com  
**Sent:** Wednesday, February 04, 2009 6:52 PM  
**To:** JUDtestimony

Chairman Karamatsu and Members of the Judiciary Committee:

I would like to add my support for HB 444 Relating Civil Unions. I believe that it is a matter of choice which does not infringe on the religious beliefs of others. I urge you to vote in favor of this measure.

Sincerely,  
Donna Ikeda  
Former State Senator

**karamatsu3-Leanne**

---

**From:** jorywatland@att.net  
**Sent:** Wednesday, February 04, 2009 7:01 PM  
**To:** JUDtestimony  
**Subject:** Support testimony for HB444

JORY WATLAND

*3030 HOLEUA PLACE*

*HONOLULU, HAWAII 96819*

*808 847-2301*

Testimony

February 5, 2009

HB444

Committee on Judiciary

Chair Karamatsu and members of the committee:

I urge your support for HB444. The discrimination that clearly persists in Hawaii, because we do not yet treat all adults equally, is embarrassing and should not continue.

Thank you for the opportunity to testify.



Rev. Jory Watland,

Lutheran Pastor

**karamatsu3-Leanne**

---

**From:** Allison Aosved [allisoncara@care2.com]  
**Sent:** Wednesday, February 04, 2009 7:00 PM  
**To:** JUDtestimony  
**Subject:** HB 444 for 2/5/09 at 2:00pm in Support

Allison C. Aosved, PhD

41-521 Inoaole Street

Waimanalo, HI 96795

Attention: Judiciary Committee

For Thursday, February 5, 2009 hearing at 2:00pm

Regarding HB 444

4 February 2009

I am writing in strong support of HB 444. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

It is time that the people of Hawaii recognize that all people in our community deserve to be treated with dignity, respect and equality. Doing what is right is not always easy and that is exactly what I am asking from my elected leaders. I understand that there are many who may oppose this hearing and I am asking you to do what is right – to stand up for all of the people of Hawaii.

Please support HB 444. Now is the time.

Sincerely,

Allison C. Aosved, PhD

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<http://www.Care2.com> Green Living, Human Rights and more - 8 million members!

## karamatsu3-Leanne

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**From:** Doug Mikkelson [dougmik@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 7:08 PM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of Passage of HB444 Unamended

TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS\*

>>  
>> \*\*  
>>  
>> To: JUD Chair, Jon  
> Riki Karamatsu  
>>  
>> JUD Vice-Chair, Rep. Ken Ito  
>>  
>> Judiciary Committee Clerk  
>>  
>>  
>>  
>> From: Douglas K. Mikkelson  
>>  
>>  
>>  
>> RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED  
>>  
>>  
>>  
>> Honorable Chair Karamatsu, Vice Chair Ito, and Members of the  
> JUD  
>> Committee,  
>>  
>> Thank you for the opportunity to testify IN STRONG SUPPORT  
>> of HB 444 Relating to Civil Unions. I believe that it is  
> the best  
>> interest of the State of Hawai'i to pass HB 444, which would  
> allow  
>> members of the same sex the ability to extend legal rights and  
>> benefits to their domestic partners outside of the domain of  
>> "marriage." Please support this bill, as it is a matter  
> of  
>> championing civil rights.  
>>  
>>  
>>  
>> Mahalo,  
>>  
>>  
>> Douglas K. Mikkelson

**karamatsu3-Leanne**

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**From:** Justin Avery [justinavery@gmail.com]  
**Sent:** Wednesday, February 04, 2009 7:15 PM  
**To:** JUDtestimony  
**Subject:** \*TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS\*

\*TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS\*

\* \*

To: JUD Chair, Jon Riki Karamatsu

JUD Vice-Chair, Rep. Ken Ito

Judiciary Committee Clerk

From: Justin Avery

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,

Justin Avery

**karamatsu3-Leanne**

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**From:** Kim Max [zeiimax@gmail.com]  
**Sent:** Wednesday, February 04, 2009 8:00 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444: Relating to Civil Unions

Thank you for taking the time to read my written testimony regarding House Bill 444 Relating to Civil Unions. I am a Makiki voter, and I represent the youth vote. I support House Bill 444 because it will finally guarantee the same rights that married couples enjoy to every voter (and their children) in Hawaii. This Country was built on principles of equality, liberty, and freedom. Domestic Partnerships as they are, betray these principles by denying those who enter into them the rights that are automatically built into marriage and Civil Unions. We have come way too far as a society to deny people anything, let alone crucial elements of their daily lives, because of their sexual orientation! Not guaranteeing every citizen the same rights in their union with their loved one, regardless of how you term that union or their "loved one", is discrimination. Your decision on whether or not to foster that discrimination will influence my vote.

Thank you very much,

Kim Max  
1036 Green St.  
Honolulu, HI

**karamatsu3-Leanne**

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**From:** Drew Kapp [dkapp@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 8:26 PM  
**To:** JUDtestimony  
**Subject:** Testimony in Support of Passage of HB 444 Unamended

To: JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

From: Drew E. Kapp, Resident of Volcano, and Lecturer at UH-Hilo and HawCC

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Mahalo for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights. It is also a meaningful piece of legislation to my partner and me.

Mahalo,  
Drew Kapp  
PO Box 1192  
Volcano, Hawai'i 96785]  
11-2745 Kokokahi Road

Drew Eric Kapp  
Lecturer in Geography & Environmental Studies  
University of Hawai'i at Hilo, NHERC, and  
Hawai'i Community College  
200 W Kawili Street  
Hilo, Hawai'i 96720  
(808) 933-3495  
[dkapp@hawaii.edu](mailto:dkapp@hawaii.edu)  
[www2.hawaii.edu/~dkapp](http://www2.hawaii.edu/~dkapp)

Kelsi Ju  
Frear Hall  
2569 Dole St. Rm 625A  
Honolulu HI 96822

Dear Chair Karamatsu, Vice Chair Ito, and Members of the House Judiciary,

Thank you for the opportunity to testify on the House Bill 444 regarding civil unions in the state of Hawai'i. I believe approving civil unions in Hawai'i would aid the political progression and cohesive community of this amazing state. As a full time undergraduate student at the University Hawai'i at Manoa, I have learned to appreciate and embrace the uniquely hospitable and inclusive culture Hawai'i has to offer. I feel that denying civil unions would unjustly dismiss the Aloha and Ohana sentiment of this uniquely diverse melting pot of people. Civil unions would be advantageous to all Hawai'i residents by extending common legal benefits that would add to Hawai'i's extensive Ohana and insure the protection and rights of all individuals involved.

Growing up part time here in Honolulu and San Francisco, I was fortunate enough to be raised by an extensive network of family. I am Chinese, Okinawan, and Ainu, and in all three cultures family is the backbone of a person's character. My parents, cousins, aunties, uncles and calabash family made me the person I am today. Approving civil unions would legitimize and grants benefits to two people joined on paper also known as another form of family. In order to have a family certain arrangements would have to be made in order to maintain a caring family environment, such as adoption and hospital visitation rights. If two people are willing to put the blood, sweat and tears into coming together in civil union with the same intentions of creating a family just like any other couple, I see no reason to deny them. I also believe every single person deserves to feel the love of Ohana which would be insured by the approval of civil unions in the state of Hawai'i. Thank you again for your time, understanding and the ability to testify.

Sincerely,

Kelsi Ju



## karamatsu3-Leanne

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**From:** Erin Terranova [erinmt@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 9:48 PM  
**To:** JUDtestimony  
**Subject:** House Bill 444

To Whom it May Concern,

My name is Erin Terranova and I am a student at the University of Hawaii at Manoa majoring in physics. I want every person, whether they be homosexual, bisexual, transsexual, transgender, or transvestite, to have the same right as I do to marriage privileges. I whole-heartedly support house bill 444 as it upholds the constitutional law of separation of church and state. But also allows others to show their love for one another as their own personal pursuit of happiness as our fore fathers saw fit to bestow upon all citizens of this great nation; and furthermore, allows neighbors to show their love and respect for each as we should all do as Martin Luther King Jr. once said, "Hatred paralyzes life; love releases it. Hatred confuses life; love harmonizes it. Hatred darkens life; love illuminates it." Please chose love and not hate.

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

I would like to sincerely thank you for this opportunity to testify before the committee. My Name is Tommy Takahata, and I am a full-time undergraduate student at the University of Hawaii at Manoa. I firmly support the passage of House Bill 444 in regards to Civil Unions because they serve a greater benefit than simply granting political rights. Granted, these political rights and privileges are extremely important in defining financial and legal responsibilities, but there is so much more to it. The ability to have a recognized form of Union grants people a sense of validation that only the state can grant. Same sex couples have had long and loving relationships even without Civil Unions, but without legal recognition they often had to fight tooth and nail for others to recognize those wonderful relationships.

I come from a very diverse heritage, maybe not as varied as others but unique nonetheless. I am of Japanese, German, Korean, and Hawaiian ancestry; I have lived in a variety of places in the country, being born on the east coast and raised on the west. Through this variety of experiences, I have gained quite a diverse view of life and culture. In all of my travels, I have never truly seen a place with the warmth and respect I have encountered in these beautiful islands. As such, I feel that allowing couples of the same-sex to engage in Civil Unions will help preserve this wonderful atmosphere of the Hawaiian Islands.

As a Native Hawaiian and graduate of Kamehameha Schools, I have learned the importance of preservation. For large period of time, Hawaiian culture was suppressed due to a ban forced on Hawaiians prohibiting its practice and its propagation. Today Hawaiians do not face the same suppression of their identity, but that does not mend the damages that have been done. Hawaiians preserve what remains of their culture not out of a need to validate themselves but to build a foundation for their children. With this bill, the State of Hawaii can do the same for its citizens, insuring a sense of equality and freedom for the next generation. As such I ask you for your support and consideration of House bill 444, not only for those of us in the present time, but also for future generations.

Thank you once again for this opportunity to testify.

Sincerely,

Tommy Takahata

94-147 Kuahelani Ave. #147

Mililani, HI 96789

**karamatsu3-Leanne**

---

**From:** Eri K Oura [eoura@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 10:21 PM  
**To:** JUDtestimony  
**Subject:** HB 444 Testimony

Aloha Member of the House,

I am writing to ask you to support the HB 444, the Civil Unions Bill. I feel strongly that passing this Bill is only the beginning of the many wonderful things Hawai'i is capable of doing! I believe that people, regardless of gender and sexuality, should be given equal rights as everyone else. It is constitutionally, ethically, and morally wrong to deny someone rights because they do not qualify based on their gender. It is not fair to deny someone benefits of their loved one because they are the wrong sexuality. Who are we to make those judgments and take those actions to discriminate?

I hope to see more progress for the people I support from the government I support. Please pass HB 444.

Mahalo,  
Eri Oura

## karamatsu3-Leanne

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**From:** Phallon Debose [pdebose@hawaii.edu]  
**Sent:** Wednesday, February 04, 2009 10:26 PM  
**To:** JUDtestimony  
**Attachments:** bill 444.wps

First of all I would like to say thank you to Chair Karamatsu and Vice Chair Ipo for giving me the opportunity to have my testimony heard by you all, I am so grateful to be here today.

My name is Phallon Debose, and I am a freshman at the University of Hawaii at Manoa, and I support Bill 444 for civil union in the state of Hawaii. I am a Catholic, multiracial, women, I come from a single parent home, and am the 3rd of 7 children, I moved to Hawaii from Chicago about a year ago, with the pursuit of bettering myself., and to serve as a role model to my younger brothers and sisters.

I grew up in a town called Cicero, a sub region in the city of Chicago. Growing up ive witness many things, but the most prominent that sticks out in my mind is a hate crime that I will never forget. A gay couple lived down the street from us. Some of the best people you will ever meet, they volunteered at our local community center, went to church, had good paying jobs, and worked hard for everything they attained in their lives. They did not live a flamboyant lifestyle, walking down the street, you would never be able to tell that they were life partners. A couple of months they had moved in, they decided that they were going to hold a commitment ceremony to in so many way consummate the value of their love for one another. Though they only invited a few close friends, some how news of the event leaked out, and an out raged member of the neighborhood, shot and killed them in their home. It never made the news, but instead a small article on the last page of the Chicago Times.

I believe in equality for all ppl, not just one select group, and I believe that we as people deserve the same rights as every body else. Allowing us to participate in civil union would pave the way for love to prevail in a world where there are not so many things to be happy and grateful for. We breathe the same air as you, we bleed the same blood as you, we feel the same as you, we shop at the same grocery stores, eat the same food. We teach your children, we are your children, and all were asking is to have the same rights as you. To love the same as you do, and be free in the same way you are. So I ask you today to recognize us a people and allow us to have the same rights as you, and vote yes on Bill 444.

Thank You,  
Phallon DeBose

Phallon DeBose  
6786 B 109th st Ewa Beach, HI 96706  
Phone: 708-248-3031

**karamatsu3-Leanne**

---

**From:** tanya tavares [tanyatavares@yahoo.com]  
**Sent:** Wednesday, February 04, 2009 10:21 PM  
**To:** JUDtestimony  
**Subject:** \*TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS\*

\*TESTIMONY REGARDING HB 444 RELATING TO CIVIL UNIONS\*

\* \*

To: JUD Chair, Jon Riki Karamatsu  
JUD Vice-Chair, Rep. Ken Ito  
Judiciary Committee Clerk

From: Tanya Tavares, Student

RE: TESTIMONY IN SUPPORT OF PASSAGE OF HB 444 UNAMENDED

Honorable Chair Karamatsu, Vice Chair Ito, and Members of the JUD Committee,

Thank you for the opportunity to testify IN STRONG SUPPORT of HB 444 Relating to Civil Unions. I believe that it is the best interest of the State of Hawai'i to pass HB 444, which would allow members of the same sex the ability to extend legal rights and benefits to their domestic partners outside of the domain of "marriage." Please support this bill, as it is a matter of championing civil rights.

Mahalo,

Tanya Tavares  
Student

Via E-mail: JUDtestimony@Capitol.hawaii.gov  
Committee: Committee on Judiciary  
Hearing Date/Time: Thursday, February 5, 2009, 2:00 p.m.  
Place: Room 325  
Re: Testimony of Deborah Zysman and Daniel Gluck Supporting HB 444, Relating to Civil Unions

Dear Chair Karamatsu and Members of the Committee on Judiciary:

We write in strong support of HB 444, Relating to Civil Unions.

Although we believe the Legislature should allow same-sex couples the right to marry, we believe that HB 444 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,

Deborah Zysman  
Daniel Gluck  
Residents of House District 30

## karamatsu3-Leanne

---

**From:** Clelie Taylor [clelietaylor@hotmail.com]  
**Sent:** Thursday, February 05, 2009 12:38 AM  
**To:** JUDtestimony  
**Subject:** Testimony for HB 444

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

I thank you for the opportunity to testify before this committee. My name is Clelie Taylor, and I am an undergraduate student at the University of Hawaii. I am writing to express my support for House Bill 444 - Civil Unions. I believe that this bill will help to empower families who currently face unnecessary hardships.

I am often asked what I would like to do after I graduate. While career plans may change, one thing I have always known for certain is that I want to be a mother. However, in the pursuit of this dream I am faced with unique worries. I worry that I will not be able to adopt a child if my partner and I have no legal relationship, and no way of forming one. I worry that if I choose to have children myself, that my partner will not be able to act as their guardian. I want to start a family someday, yet I feel daunted by the obstacles set in my way.

I believe it is unfair that I should have these worries because my partner is of the same sex. All citizens deserve the same opportunities for happiness, regardless of race, sex, religion, or sexual orientation. I believe that providing legal benefits for committed same-sex couples will help to achieve this. I ask for you to support equal rights for families by supporting House Bill 444.

Thank you for your consideration,  
Clelie Taylor  
2569 Dole Street  
Frear Hall 1201D  
Honolulu, HI  
96822

---

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February 4, 2009

IN SUPPORT OF MARRIAGE EQUALITY

I am a Hawaii citizen and public high school teacher of 18 years, living in Maui. My grandfather, a Pearl Harbor submarine gunner, fought in WWII to defend Hawaii while under attack. My father and uncle witnessed the attack, and they with my grandmother were evacuated from the islands during the war. In defending our nation, my grandfather fulfilled his duty, believing in the righteousness of our country's systems. He would have hoped that his own grandson would inherit our constitution's guarantee of equal protection under the laws.

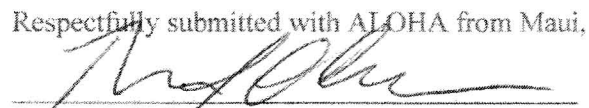
In 1998, Hawaii's Judge Chang ruled that I had the right to marry my loved-one. Then the clerks were prevented from issuing licenses until our Hawaii constitution was amended through political opposition. Through this amendment, majority of voters took away my rights. This mean-spirited action, which catered largely to views supported by religious preferences, ought to have been disallowed for constitutional reasons. Minority rights ought to have been protected and preserved as the courts attempted to do, as Judge Chang ruled correctly. The politicians understood that, but quietly ignored acknowledging it. This experience was hurtful and very upsetting. Most people never even fully understood the actual argument- that it involved discrimination on the basis of sex. -that a woman is equally qualified as a man to fulfill the role of spouse to a woman.


In 2004 I flew to San Francisco and married my love-one there at City Hall on a Tuesday morning. I shared my happiness afterward with my family as well as with my students and friends at school. Six months later my marriage was forcibly annulled by the California courts. That was very humiliating and depressing.

In 2008, the California Supreme Court approved same-sex marriage. Although the voters there later amended their constitution, as was done here in Hawaii, that action is being challenged in their courts right now. - Why? - BECAUSE A MAJORITY OF VOTERS IS NOT ALLOWED TO REMOVE CIVIL RIGHTS FROM A MINORITY GROUP, AND IN CALIFORNIA, THEY WILL NOT GET AWAY WITH IT. The truth will prevail eventually in California, and everywhere else, and then Hawaii will have to face up to the mistake made 10 years ago.

You can begin correcting the wrongful practices of Hawaii's past right now. Please restore my right to equal protection, so that I can finally live in peace and pridefully live up to the promise of America that my grandfather fought to preserve forever.

Respectfully submitted with ALOHA from Maui,

  
Robert J. O'Connor  
576 Kuikahi Drive  
Wailuku, Hawaii 96793

  
February 4, 2009



February 5, 2009

Dear Chair Karamatsu, Vice-Chair Ito, and Members of the House Judiciary Committee:

Thank you for this opportunity to testify before this committee. My name is Paul Harper and I am writing to express my support for House Bill 444 - Civil Unions. I believe that all people should be treated equally under the law and this is something required by our Constitution. HB 444 extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.

My partner and I have been together for since 1989 and have raised our 22 year-old foster son here in the islands. I have been a civil servant in Hawaii since 1993, when I graduated from Maui Community College. My partner is a high school teacher.

We lived through the affirming of the right for same gender couples to marry in Hawaii during the early 1990s and then the public amendment of state constitution to prevent us by being legally joined.

Times have changed and I strongly urge you to allow passage of HB 444 as a step in the right direction for the 21<sup>st</sup> century Hawaii.

Mahalo.

Respectfully submitted,

A handwritten signature in black ink that reads "Paul Harper". The signature is written in a cursive, flowing style.

Paul Harper

576 Kuikahi Drive

Wailuku, Hawaii 96793

808-250-2922 (voice)

Michele M. Golojuch  
92-954 Makakilo Dr. #71  
Kapolei, HI 96707  
672-9050

February 4, 2009

TO: House Judiciary Chair Karamatsu and members

RE: HB 444 - Civil Rights - Support  
Thursday, February 05, 2009 - Hawaii State Capitol  
Conference Room 325

Dear Rep. Karamatsu and members,

In January 1996, I wrote my very first testimony for capitol business ever. I was asking for the House's support of a bill that would support my brother, Michael's civil rights to that he could have the equal marriage rights. It is unbelievable that after all these years, I'm still writing testimony asking for support for my brother's equal Civil Rights Union.

I believe in the US Constitution that states we all have equal rights. My brother and my other GLBTIQ friends deserve the same rights I have to love the person I choose to marry. Anything less is discrimination.

Let's get the records and laws in line with the US Constitution and pass HB 444 so that at least my brother will have the same rights, benefits and responsibilities that I have because I'm an US citizen.

Sorry I can't afford to take the day off to present my message in person.

Sincerely,

Michele M. Golojuch

**NOLAN K. YOGI, ESQ.**  
**Law Office of Nolan Yogi**  
**P.O. Box 700964**  
**Kapolei, Hawaii 96709-0964**  
**Tel./Fax No. (808) 672-0105**

February 4, 2009

Chairman John R. Karamatsu  
The Judiciary Committee  
House of Representatives  
415 South Beretania Street  
Honolulu, Hawaii 96813

**RE: OPPOSITION TO HOUSE BILL 444 CIVIL UNION**  
**Hearing: Thursday, February 5, 2009**

Dear Chairman Karamatsu:

I am opposed to the proposed House of Representative Bill No. 444 regarding civil unions. This bill "mirrors" our current marriage law. It is simply an attempt by some to pass same- sex marriage legislation under another name.

Seventy percent (70%) of Hawaii's voters along with myself voted against allowing same sex-marriage to be recognized in Hawaii. That vote was in response to the ruling by the Hawaii Supreme Court in *Baehr v. Lewin*, which was found unacceptable to the majority of the voters. This was a clear mandate to the Legislature to limit marriage to the union between a man and woman.

The Legislature, in order to protect rights of all unmarried persons regardless of their sexual orientation, enacted the Reciprocal Beneficiaries law. This law was non-discriminatory and morally not controversial. If there are deficiencies in Reciprocal Beneficiaries law, as some supporters of Civil Union bill HB 444 claim, correct the law. Don't enact new legislation that will be in opposition to the will of a majority of the people of Hawaii.

Very truly yours,

NOLAN K. YOGI, ESQ.

NKY/ims:

February 3, 2009

House Judiciary Committee, (808)-586-8494  
Testimony in Opposition to HB 444  
February 5, 2009 Hearing

House Judiciary Committee,

I wanted to take this moment to write a letter sharing my opposition to HBB 444, regarding Civil Union for the following reasons:

**The people have spoken.** In 1998, the people of Hawaii sent a clear message that marriage in Hawaii must remain between one man and one woman.

**Hawaii already has a reciprocal beneficiary law.** In 1997 the Reciprocal Beneficiary Act HRS §572C (RBA) became law. This law allows two persons who are legally prohibited from marrying one another under state law to register their reciprocal beneficiary relationship by filing a notarized declaration with the state director of health.

**Those who would redefine marriage often insist that the only necessary qualification for marriage is "love."** Yet if one accepts that rationale, then there can logically be no boundaries as to what constitutes marriage; any combination or number of consenting individuals must ultimately gain the same legal and societal sanction as traditional marriage. While love is vital, it is not the definitional element of marriage. We love many people we do not marry.

**Traditional marriage and family should not be undermined.** The data is clear and irrefutable - children do best in stable, healthy homes with both a mom and dad. Hawaii's children must have healthy examples. Today, with 25 million children fatherless, it is callous to the extreme to be rewriting our most basic marriage laws to suit the desires of adults.

Aloha,



James Stone  
356 Lunalilo Home Road  
Honolulu, Hawaii 96825

**Wayne Yagi**

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**From:** Lora Burbage [lburbage@yahoo.com]  
**Sent:** Thursday, February 05, 2009 1:26 AM  
**To:** Rep. Jon Karamatsu  
**Subject:** HB 444 - Civil Unions

Feb. 4, 2009

To: House Judiciary Committee  
Re: HB 444 - Relating to Civil Unions  
Time: 2:00 pm Rm 325

Aloha,

**I'm asking that you oppose this bill.**

The people of Hawaii spoke loudly and clearly by their VOTE in 1998, that they did not want same sex marriages in our state. We voted for a Constitutional amendment to limit marriage to one man and one woman. This amendment, which reflects the will of the people, is in the Bill of Rights of our State Constitution, the highest law of our land.

How much clearer could the VOICE of Hawaii's people possibly be on this issue?

If a Constitutional amendment can be so easily wiped away by one bill using different words to define marriage, then we, the people of Hawaii, have lost all protection.

Sadly, the highest law of our land seems powerless. The will of the people is being crushed.

Sincerely,  
Lora Burbage

## karamatsu3-Leanne

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**From:** ahogge2@byuh.edu  
**Sent:** Thursday, February 05, 2009 9:13 AM  
**To:** JUDtestimony  
**Subject:** Opposing HB444 Marriage is only between a man and a woman.

FROM: Annene Hogge

TO:  
House Judiciary Committee Members  
Rep. John Riki Karamatsu (Chair) 586-8490 [repkaramatsu@capitol.hawaii.gov](mailto:repkaramatsu@capitol.hawaii.gov) Rep. Ken Ito (Vice Chair) 586-8470 [repito@capitol.hawaii.gov](mailto:repito@capitol.hawaii.gov) Rep. Della Au Belatti 586-9425 [repbelatti@capitol.hawaii.gov](mailto:repbelatti@capitol.hawaii.gov) Rep. Rida Cabanilla 586-6080 [repcabanilla@capitol.hawaii.gov](mailto:repcabanilla@capitol.hawaii.gov) Rep. Mele Carrol 586-6790 [repcarrol@capitol.hawaii.gov](mailto:repcarrol@capitol.hawaii.gov) Rep. Robert Herkes 586-8400 [repherkes@capitol.hawaii.gov](mailto:repherkes@capitol.hawaii.gov) Rep. Sylvia Luke 586-8530 [repluke@capitol.hawaii.gov](mailto:repluke@capitol.hawaii.gov) Rep. Angus McKelvey 586-6160 [repmckelvey@capitol.hawaii.gov](mailto:repmckelvey@capitol.hawaii.gov) Rep. John Mizuno 586-6050 [repmizuno@capitol.hawaii.gov](mailto:repmizuno@capitol.hawaii.gov) Rep. Hermina Morita 586-8435 [repmorita@capitol.hawaii.gov](mailto:repmorita@capitol.hawaii.gov) Rep. Blake Oshiro 586-6340 [repboshiro@capitol.hawaii.gov](mailto:repboshiro@capitol.hawaii.gov) Rep. Joe Souki 586-9444 [repsouki@capitol.hawaii.gov](mailto:repsouki@capitol.hawaii.gov) Rep. Clifton Tsuji 586-8480 [reptsuji@capitol.hawaii.gov](mailto:reptsuji@capitol.hawaii.gov) Rep. Glenn Wakai 586-6220 [repwakai@capitol.hawaii.gov](mailto:repwakai@capitol.hawaii.gov) Rep. Barbara Marumoto 586-6310 [repmarumoto@capitol.hawaii.gov](mailto:repmarumoto@capitol.hawaii.gov) Rep. Cynthia Thielen 586-6480 [repthielen@capitol.hawaii.gov](mailto:repthielen@capitol.hawaii.gov)

Senate Judiciary Committee Members

Sen. Brian Taniguchi (Chair) 586-6460 [sentaniguchi@capitol.hawaii.gov](mailto:sentaniguchi@capitol.hawaii.gov) Sen. Dwight Takamine (Vice Chair) 586-7335 [sentakamine@capitol.hawaii.gov](mailto:sentakamine@capitol.hawaii.gov)  
Sen. Robert Bunda 586-6090 [senbunda@capitol.hawaii.gov](mailto:senbunda@capitol.hawaii.gov) Sen. Mike Gabbard 586-6830 [sengabbard@capitol.hawaii.gov](mailto:sengabbard@capitol.hawaii.gov) Sen. Clarence Nishihara 586-6970 [sennishihara@capitol.hawaii.gov](mailto:sennishihara@capitol.hawaii.gov) Sen. Sam Slom 586-8420 [senslom@capitol.hawaii.gov](mailto:senslom@capitol.hawaii.gov)

Date of Hearing: February 5, 2009

Measure Number: HB44(Relating to Civil Unions)

I am opposed to Measure number HB444(Relating to Civil Unions)Marriage between a man and a woman and the formation of families is essential to our society. Children are entitled to be born withing the bonds of a marriage between a man and a woman only.

**karamatsu3-Leanne**

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**From:** Yolanda Young [youngy@hawaii.rr.com]  
**Sent:** Thursday, February 05, 2009 10:11 AM  
**To:** JUDtestimony  
**Subject:** OPPOSITION TO HB 444 , Relating to Civil Unions

I oppose this bill.

## karamatsu3-Leanne

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**From:** Keith Gleason [keithjg@hawaii.edu]  
**Sent:** Thursday, February 05, 2009 10:33 AM  
**To:** JUDtestimony  
**Subject:** House Bill 444

Dear Chair Karamatsu and Vice-Chair Ito:

Thank you Chair Karamatsu, Vice-Chair Ito and members of the Committee for taking time out of your day to hear from the youth of Hawai'i. Your valued time is greatly appreciated. My name is Keith Gleason and I am a student at the University of Hawai'i at Manoa. I stand in strong support of House Bill 444.

Years before my time, two young men left this world on different days in different places in the US. The voices of these boys were silenced forever by intolerance and inequality. Their names were Matthew Sheperd and Bobby Griffith and their loss was significant to many. I would like to stand here today and speak on behalf of those who cannot. I implore you to see reason and pass House Bill 444. This will only aide in making America into the place of tolerance and equal rights we hear so much about.

A great women once said "before you 'echo' Amen in your homes and place of worship, think and remember, a child is listening" in the present situation, I would like to change that just a little bit, so before you tap your gavel and close the door to the hopes and dreams on the youth of Hawai'i that sit before you, think and remember, that same child is listening, and he or she is sitting before you.

Please support HB 444. Thank you for providing me the oppotunity to testify.

Keith Gleason

2579 Dole Street Apt 1056A, Honolulu HI 96822



## **The Honorable Jon Riki Karamatsu**

### **Civil Unions Bill (HB 444)**

Honorable Representatives Comprising the Judiciary Committee,

Each one of us from early childhood has a sense of right and wrong, good and evil. Similarly we also may learn at early ages, with our perceptions of self-interest, how to influence those in authority whose wisdom has provided boundaries within which we may mature in an environment of safety, security and stability. Whether we choose to acknowledge the legitimate jurisdiction of those in authority over us, we are subject to the rules and principles that have been established. We may choose to disregard universal principles, but the consequences of disobeying those rules will come into play at some point in our lives. The perniciousness of evil is that consequences do not always occur immediately. The lack of an immediate consequence may give us a false sense of security or a sense that our defiance has gone unnoticed and, therefore, is permitted. Depending on the benefit that we have derived from our offense, we may break a rule again ... and again ... and again, even believing that the rule no longer applies to our situations. The choice to believe that a union only between one man and one woman is right or wrong carries consequences, regardless of what we believe concerning the authority who originally ordained that union. The moral fiber, solidity and stability of our nation depend upon the strength of a family that is birthed in the union of one man and one woman. Each of you has made a vow, the principle of which, is to work for the good of the whole community, not for personal interests nor to be persuaded by a clamorous minority who would choose to undermine those laws that have been established for the common good. Therefore, I urge you to uphold the constitutionally-protected sanctity of marriage between one man and one woman by voting against House Bill 444. Thank you.

February 03, 2009

## **COMMENTS TO HB444 and SB458 OF THE HAWAII STATE LEGISLATURE 2009 REGULAR SESSION RELATING TO CIVIL UNIONS**

**Description: Extends the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union.**

Civil Liberty is grounded in biblical teaching that all persons have integrity and worth before God and governments are established to maintain order in society. The same Spirit of God who provides liberty from sin and from enslavement also provides the power and wisdom by which all may live under civil authority.

We are enjoined to lead quiet lives and be good citizens. Both Jesus and Paul called for the voluntary subordination of personal liberty for the sake of others. By doing so, we all, including Christians, are able to live freely yet responsibly in a pluralistic society.

The sexual relations between people of the same sex the biblical emphasis is on behavior, and the verdict is always that it is sinful. God created mankind as male and female to procreate within the context of marriage.

Society in Hawaii and in the U.S. has been changing and acceptance of things in our life which was not accepted in past years have been constantly changing with more liberal thinking and laws passed by local and national politicians that in effect lowers some of our moral standards, etc. which affects our citizens and children who are still growing up.

However, ungodly and undeserving of heaven any violation of sexual acts according to the scriptures of the Bible might be there is the opportunity to be forgiven, changed, and declared righteous through Jesus Christ. The apostle Paul says in 1 Corinthians 6:11 to say "Some of you were like this." The individual(s) who believes or learns to believe in the Bible and is born-again and repents receives the same cleaning, sanctification, and justification as every other believer who turns from sin to Christ.

Mahalo to all with blessings,



Wendell Lum (member, Calvary Chapel Kaneohe)

**karamatsu3-Leanne**

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**From:** Chris Metcalf [metcalf@hawaiiink.net]  
**Sent:** Thursday, February 05, 2009 11:17 AM  
**To:** 'Chris Metcalf'; JUDtestimony  
**Subject:** RE: testimony for HB444

"Please oppose House Bill 444. Marriage between one man and one woman is a foundation of our civilization. Altering this time-honored institution undermines the family and attacks parental rights. Simply calling it a civil union for individuals of the same sex doesn't change that this is same-sex marriage."

If the House Judiciary Committee Member is also a sponsor of the bill, please ask them to withdraw their sponsorship of this bill. You do not need to identify yourself as a homeschooler; instead you can identify yourself as a concerned citizen and taxpayer.

**Chris & Michelle Metcalf,**  
3223 Elua Street  
Lihue, Hawaii, 96766  
808-245-4160  
([metcalf@hawaiiink.net](mailto:metcalf@hawaiiink.net))

## karamatsu3-Leanne

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**From:** Eric Marler [MarlerE@hawaiireserves.com]  
**Sent:** Thursday, February 05, 2009 11:33 AM  
**To:** JUDtestimony@Capitol.hawaii.gov  
**Cc:** Rep. Jon Karamatsu; Rep. Ken Ito; Rep. Della Belatti; Rep. Rida Cabanilla; Rep. Mele Carroll; Rep. Robert Herkes; Rep. Sylvia Luke; Rep. Angus McKelvey; Rep. John Mizuno; Rep. Hermina Morita; Rep. Blake Oshiro; Rep. Joseph Souki; Rep. Glenn Wakai; Rep. Clifton K. Tsuji; Rep. Barbara Marumoto; Rep. Cynthia Thielen; repwooley@capitol.hawaii.gov; repmagaoay@Capitol.hawaii.gov  
**Subject:** H.B. 444 (relating to Civil Unions) being heard by the House Judiciary Committee on Thursday, February 5, 2009 at 2 p.m.  
**Importance:** High

**Aloha!** Thank you for the opportunity to testify in opposition to H.B. 444 relating to civil unions. I speak as a father and husband on behalf of my family. We oppose this bill for a number of reasons, including:

**Hawaii's people have already spoken.** In 1998, the people of Hawaii sent a clear message that marriage in Hawaii must remain between one man and one woman. *My wife and I voted along with the other 70% of voters that year to amend the state's constitution to protect traditional marriage.* Civil unions appear to be an attempt to thwart the will of the people and create same-sex "marriage" by another name.

**The reciprocal beneficiary law is a better vehicle to provide benefits.** The people have also spoken through their representatives in reaching the artful compromise that established Hawaii's reciprocal beneficiary law. The law achieved the goal of providing benefits – without basing those benefits on the ill-advised sex partner status test. The people of Hawaii have put these issues behind them; it would be best to refrain from re-opening divisive, controversial battles that have already been settled by the people.

For these reasons and others we respectfully urge you to hold H.B. 444.

Mahalo,

Eric and Shellie Marler

**HEARING TESTIMONY EMAIL:**  
**FEBRUARY 5, 2009**  
**MEASURE NUMBER HB 444**

Aloha,

My name is **Joseph Nathan Perez Monderen**, I am writing this testimony by email in support of civil unions and measure HB 444. I regret that I am unable to attend the hearing for HB 444 at the Hawaii state capitol, but greatly appreciate the opportunity to express my feelings and thoughts through this email as a testimony. I thank the judiciary committee for the time and consideration given to this very critical and fundamental civil rights issue.

LOVE! LOVE! LOVE!... Faith, hope, and love, but the greatest of these is LOVE. This is the universal language that everyone can feel and express. Love is being able to commit to another with great joy and trust. Love is being understanding of others and supporting the pursuit of happiness. I grew up on the island of Molokai'i where a great love and understanding of ohana were nurtured and developed in me. I learned that love has no boundary and that recognizing, legitimizing, and appreciating the expression of love can consolidate, solidify, and unify. I hope the judiciary committee with its wisdom and compassion will make their decision to support civil unions using the measures of understanding and love. I ask the judiciary committee and its members to commit to the support of measure HB 444 and extend the equal right exclusively recognized in civil unions.

With GREAT LOVE,

Joseph Nathan Perez Monderen  
1750 Kalakaua Avenue Apt 1110  
Honolulu, HI 96826-3734  
Phone: 808-599-0807

## karamatsu3-Leanne

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**From:** Timothy Vandever [tvandever76@hotmail.com]  
**Sent:** Thursday, February 05, 2009 11:48 AM  
**To:** JUDtestimony  
**Subject:** Judiciary Committee - Civil Unions Bill HB 444

Aloha-

I write you today in favor of HB 444 the Civil Unions Bill currently being heard before the Judiciary Committee. As a resident of the North Shore and member of Unite Here Local 5, I am aware that some of my friends and neighbors who vote in every election and work hard every day are not granted the same civil rights as me. It is time that the state of Hawai'i recognize that this bill will grant fundamental human rights to a segment of the population that has long struggled to participate fully in our democracy. Please pass HB 444 out of your committee and give it your full support.

Mahalo-

Tim Vandever  
59-080 Kam. Hwy. Unit #B  
Haleiwa, HI 96712  
808-388-0660

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Testimony: House Judiciary Committee  
Stand: Against HB444 – Civil Unions  
Submitted by: Mary Tom  
Date: 2/5/2009

I strongly oppose HB444 which specifically provides rights and benefits to same sex couples.

Benefits and recognition like hospital visitation and designated beneficiaries and health insurance coverage are already provided for in existing laws. There is no need for this additional bill. It would only cause confusion about the State of Hawaii's definition of marriage which is between heterosexual couples.

Thank you,  
Mary Tom  
Honolulu