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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE SOCIAL,  
ECONOMIC, AND RELIGIOUS IMPACTS OF ENACTING MARRIAGE  
EQUALITY IN HAWAII.

1           WHEREAS, twenty years ago, the Hawaii Supreme Court issued  
2 a landmark decision in *Baehr v. Miike*, which held that the State  
3 of Hawaii's refusal to grant marriage licenses to same-sex  
4 couples violated the Hawaii State Constitution's prohibition  
5 against sex discrimination; and

6  
7           WHEREAS, in 1998, Hawaii voters ratified a constitutional  
8 amendment to add Article I, section 23, to the Hawaii State  
9 Constitution, which grants the Legislature the power to reserve  
10 marriage to opposite-sex couples; and

11  
12           WHEREAS, section 572-1, Hawaii Revised Statutes, currently  
13 provides that a valid marriage contract exists only between a  
14 man and a woman; and

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16           WHEREAS, in 2011, the Legislature enacted Act 1, Session  
17 Laws of Hawaii 2011, establishing civil unions in Hawaii; and

18  
19           WHEREAS, many of Hawaii's residents continue to believe  
20 that civil unions do not ensure equal treatment for all of  
21 Hawaii's people; and

22  
23           WHEREAS, same-sex partners in a civil union are excluded  
24 from the approximate 1,138 federal rights and benefits that are  
25 available to opposite-sex married couples; and

26  
27           WHEREAS, the President of the United States, the Governor  
28 of Hawaii, Hawaii's entire Congressional Delegation, the Mayor  
29 of the City and County of Honolulu, and many members of the  
30 County Councils throughout Hawaii support marriage equality; and



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1           WHEREAS, there is substantial evidence that enacting  
2 marriage equality would have a significant economic impact on  
3 Hawaii; and  
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5           WHEREAS, the Legislature wishes to ensure that any state  
6 legislation on marriage equality ensures protections for clergy  
7 and religious institutions; now, therefore,  
8

9           BE IT RESOLVED by the House of Representatives of the  
10 Twenty-seventh Legislature of the State of Hawaii, Regular  
11 Session of 2013, the Senate concurring, that the Dean of the  
12 William S. Richardson School of Law at the University of Hawaii  
13 at Manoa is requested to convene a task force to study the  
14 social, economic, and religious impacts of enacting marriage  
15 equality in Hawaii; and  
16

17           BE IT FURTHER RESOLVED that the Dean of the William S.  
18 Richardson School of Law at the University of Hawaii at Manoa is  
19 requested to serve as the chair of the task force and to select  
20 the following members:  
21

- 22           (1) Two esteemed members of Hawaii's legal community,  
23               preferably including at least one attorney who has  
24               served the State or one of the State's counties, or  
25               their designees;  
26
- 27           (2) Two members of Hawaii's business community, including  
28               at least one member representing Hawaii's tourism  
29               industry, or their designees;  
30
- 31           (3) One current or former clergy member, or the clergy  
32               member's designee;  
33
- 34           (4) One member of a prominent community organization that  
35               advocates for marriage equality, or the member's  
36               designee; and  
37
- 38           (5) One professor of economics from the University of  
39               Hawaii at Manoa who co-authored a study on the impact  
40               of same-sex marriage on Hawaii's economy and  
41               government, or the professor's designee; and



1 BE IT FURTHER RESOLVED that the task force shall include  
2 two additional members, or their designees, as follows:

- 3  
4 (1) The Speaker of the House of Representatives; and  
5  
6 (2) The President of the Senate; and  
7

8 BE IT FURTHER RESOLVED that in studying the impacts of  
9 enacting marriage equality legislation, the task force is  
10 requested to, among other things:

- 11  
12 (1) Determine whether civil unions are sufficient to  
13 provide the rights, benefits, and dignity necessary to  
14 ensure strong, healthy families in Hawaii;  
15  
16 (2) Examine the impact of the forthcoming United States  
17 Supreme Court's decisions in *United States v. Windsor*,  
18 regarding the constitutionality of the Defense of  
19 Marriage Act, and *Hollingsworth v. Perry*, regarding  
20 the constitutionality of California's ballot  
21 initiative banning same-sex marriages known as  
22 Proposition 8, which are anticipated by summer of  
23 2013;  
24  
25 (3) Examine the economic impact of passing, or failing to  
26 pass, marriage equality legislation in Hawaii; and  
27  
28 (4) Review the effects of enacting marriage equality,  
29 through legislative action, judicial action, or ballot  
30 initiatives, in Connecticut, Iowa, Maine, Maryland,  
31 Massachusetts, New Hampshire, New York, Vermont,  
32 Washington, and the District of Columbia, to determine  
33 whether Hawaii should follow those jurisdictions, and  
34 to determine whether improvements could be made based  
35 on the experiences of those jurisdictions; and  
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37 BE IT FURTHER RESOLVED that the task force is requested to  
38 submit a report of its findings and recommendations, including  
39 any proposed legislation, to the Legislature no later than  
40 November 1, 2013; and



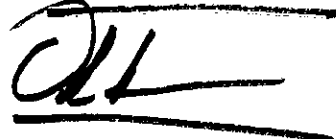


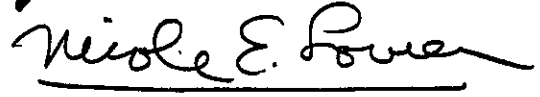




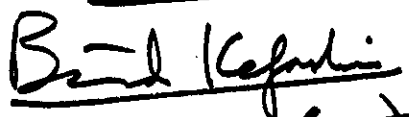





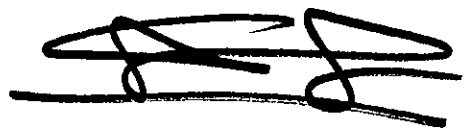


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1 BE IT FURTHER RESOLVED that certified copies of this  
 2 Concurrent Resolution be transmitted to the Dean of the William  
 3 S. Richardson School of Law at the University of Hawaii at  
 4 Manoa, Executive Director of the Hawaii Tourism Authority,  
 5 Executive Director of the Hawaii State Bar Association,  
 6 Executive Director of the Hawaii Business Roundtable, Chair of  
 7 the Department of Economics at the University of Hawaii at  
 8 Manoa, President of Interfaith Alliance Hawai'i, and President of  
 9 The Chamber of Commerce of Hawaii.

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OFFERED BY: 

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