



# HAWAI'I CIVIL RIGHTS COMMISSION

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

March 25, 2013  
Conference Room 016  
10:30 a.m.

To: The Honorable Clayton Hee, Chair  
Members of the Senate Committee on Judiciary and Labor

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai'i Civil Rights Commission

Re: S.R. No. 123, S.C.R. No. 166

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

The HCRC has does not oppose S.C.R. No. 123 and S.C.R. No. 166, which would establish a task force to study the social, economic, and religious impacts of enacting marriage equity in Hawaii. In one respect, the HCRC believes that such task force is not necessary because marriage equity for same sex couples is a constitutional and civil rights issue which should not be determined based on the economic, religious or social impacts on the state, and studies have already shown that civil union status is not equivalent to marriage. However, we understand that in the constitutional equal protection analysis of the impact of the Defense of Marriage Act (DOMA) now pending before the Supreme Court of the United States in *United States v. Windsor*, a critical factor is the economic impact on individuals who are denied the right to marry and/or have their marriages legally recognized. Despite Hawai'i's enactment of civil unions, same-



Committee: Committee on Judiciary and Labor  
Hearing Date/Time: March 25, 2013, 10:05 am  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawaii in Support of S.R. 123/S.C.R. 166

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of S.R. 123 and S.C.R. 166, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii. This task force will provide information that will allow the Legislature to perform a measured, balanced, and reflective analysis as to Hawaii’s laws on the topic of marriage equality.

This task force is especially important given that by the end of June – just after this year’s Legislative Session concludes – the United States Supreme Court will decide two landmark cases. The first, *United States v. Windsor*, challenges the constitutionality of the Defense of Marriage Act (DOMA). DOMA currently requires the federal government to discriminate against married same-sex couples by treating them as legal strangers for purposes of all federal statutes and programs, and by excluding them from over 1,100 federal benefits (ranging from eligibility for family medical leave, to social security survivor’s benefits, to access to health care for a spouse). The task force will be able to consider the legal, economic, social, and religious implications of this decision; for example, if the Supreme Court strikes down DOMA, as many experts predict, the task force will have an opportunity to consider the effect that decision would have on Hawaii’s civil union laws.

The second case, *Hollingsworth v. Perry*, concerns the constitutionality of California’s ballot initiative banning same-sex marriages known as Proposition 8. Again, the task force will be able to consider the legal, economic, social, and religious implications of the Court’s decision, and provide a detailed report to the Legislature on what the decision means for Hawaii’s families.

Today, there are approximately 120,000 married same-sex couples in the United States. Nine states (plus the District of Columbia) allow for same-sex marriage, and last week, Colorado became the ninth state to have civil unions. With these rapid changes in the legal and social landscape across the country, the task force proposed by this resolution gives the Legislature an opportunity to study the issue in depth; it also gives stakeholders from many different

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawai’i 96801  
T: 808-522-5900  
F: 808-522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

Chair Hee and Committee Members  
March 21, 2013  
Page 2 of 2

communities an opportunity to pause, to reflect upon Hawaii's history, economy, and diversity, and to consider carefully the ramifications of any possible change to Hawaii law.

Thank you for this opportunity to testify.

Sincerely,

Lois K. Perrin  
Legal Director  
ACLU of Hawaii

*The American Civil Liberties Union ("ACLU") is our nation's guardian of liberty working daily in courts, legislatures and communities to defend and preserve the individual rights and liberties that the Constitution and laws of the United States guarantee everyone in this country.*

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)

# HAWAII FAMILY ADVOCATES

**DATE:** March 22, 2013  
**TO:** Senate Committee on Judiciary and Labor  
Senator Clayton Hee, Chair  
Senator Maile S. L. Shimabukuro, Vice Chair  
**RE:** **Opposition/Comments on SR 123 and SCR166**  
Hearing Monday, 3/25/13, 10:30 am Rm. 016

My name is James Hochberg, and I have been a civil rights attorney in Honolulu since 1984. Currently I am also the president of Hawaii Family Advocates, a 501©(4) independent expenditure, non-candidate committee.

We are OPPOSED to SR 123 and SCR 166 which propose to convene a task force to study the social, economic, and religious impacts of enacting marriage equality in Hawaii. In our opinion, as elected officials, you should do the work of the task force and take responsibility for your decisions. You need to be accountable to the voters in this state and not push your responsibilities off on an unaccountable task force.

If, however, you decide to proceed any way, the task force envisioned in these resolutions appear designed to result in a process that is biased in favor of same-sex marriage.

In 1995, I served as one of the seven commissioners on the Governor's Commission on Sexual Orientation and the Law, which issued our report December 8, 1995. I wrote the Minority Report which is found here: <http://lrbhawaii.info/lrbrrpts/95/sexor.pdf> . From the first moment, that Commission was strongly biased in favor of same-sex marriage. The conduct of the proceedings sought to eliminate any discussion of any topic other than why Hawaii should permit same-sex marriage. I am concerned that this or any other Task Force not result in the same biased efforts that completely wasted time and resources in 1995.

My concerns arise because the resolution itself is clearly biased in favor of same-sex marriage. The use of the words "marriage equality" instead of "same-sex marriage" indicates this bias. In addition, the following facts that are cited in the resolution also evidence the bias because of facts that are not also stated:

1. "WHEREAS, many of Hawaii's residents continue to believe that civil unions do not ensure equal treatment for all of Hawaii's people" but leaving out the equally true facts that although many people oppose civil unions and still others are satisfied with civil unions; and

# HAWAII FAMILY ADVOCATES

2 “WHEREAS, same-sex partners in a civil union are excluded from the approximate 1,138 federal rights and benefits that are available to opposite-sex married couples” (this is misleading based on our prior task force work); and

3. “WHEREAS, the President of the United States, the Governor of Hawaii, Hawaii's entire Congressional Delegation, the Mayor of the City and County of Honolulu, and many members of the County Councils throughout Hawaii support marriage equality” but leaving out the fact that many residents and most legislators in Hawaii are opposed to same-sex marriage; these legislators actually have the responsibility for passing any same-sex marriage laws; and

4. “WHEREAS, there is substantial evidence that enacting marriage equality would have a significant economic impact on Hawaii” does not address the fact that it could be a very negative economic impact if Hawaii's famous family-friendly brand is tarnished in the tourism industry;

The resolution then asks the Dean of the William S. Richardson School of Law at the University of Hawaii at Manoa to select the following members:

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

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

(3) One current or former clergy member, or the clergy member's designee;

(4) One member of a prominent community organization that advocates for marriage equality, or the member's designee; and

(5) One professor of economics from the University of Hawaii at Manoa who co-authored a study on the impact of same-sex marriage on Hawaii's economy and government, or the professor's designee;

This further insulates the elected officials from responsibility for the work of the task force. Why not require that one of the attorneys and one of the businessmen support and the other oppose same-sex marriage to assure balance? It is unconstitutional to use a religious test to serve on the commission so having a category of current or former clergy member can't stand. Why don't you have two of each category, with one supporting and the other

# HAWAII FAMILY ADVOCATES

opposing same sex marriage? Selecting the prominent community organization that advocates for marriage equality is also plainly biased. The professor of economics who co-authored a study on the impact of same-sex marriage on Hawaii's economy and government is Sumner Lacroix or his co-author. He testified shamefully at our 1995 commission and was soundly rebutted by Professor Moheb Ghali. How about a balanced task force?

If you decide to go forward with the Task Force, I suggest that you include the requirement that the proceedings be videotaped from the first moment until the last so there is an unambiguous record of the proceedings. That is the only way you can make sure the work that is done is honest, unbiased and therefore useful to the people of Hawaii.

Sincerely,

James Hochberg, Esq.  
President



## Report of the Commission

## On Sexual Orientation

## And the Law

Thomas P. Gill, Chair  
Morgan Britt  
L. Ku'umeaaloha Gomes  
Lloyd James Hochberg, Jr.  
Nanci Kreidman  
Marie A. "Toni" Sheldon  
Bob Stauffer

December 8, 1995  
ADVANCE COPY

## Chapter 5

### MINORITY OPINION

The irony of this "minority" opinion is that its conclusions actually reflect the view of a majority of Hawaii's residents.<sup>144</sup> According to the most recent poll taken by SMS Research, *The Honolulu Advertiser* and KHON July 19-29, 1994, more than two-thirds<sup>145</sup> of the respondents stated that Hawaii should not allow people of the same sex to marry. The public response to the Draft Final Report of this Commission confirms this as well. Of 1033 written comments received, 455 were in favor and 578 were opposed to homosexual marriage.<sup>146</sup> At the December 6, 1995, meeting, where public comment was received, of 103 who testified, 22 were in favor and 81<sup>147</sup> were opposed to homosexual marriage. In addition, the Legislative Reference Bureau (LRB) received so many telephone calls concerning the Draft Report that they could not record the messages because it would interfere too much in their ability to do their other work.

Opposition to changing the definition of marriage is also consistent with the policy in Hawaii prohibiting "common law marriage". The State of Hawaii has protected traditional marriage and has narrowly circumscribed marriage rights since 1920.

So zealously has this court guarded the state's role as the exclusive progenitor of the marital partnership that it declared, over seventy years ago, that 'common law marriages'--i.e., 'marital' unions existing in the absence of a state-issued license and not performed by a person or society possessing governmental authority to solemnize marriages--would no longer be recognized in the Territory of Hawaii.<sup>148</sup>

The irony of the Majority Response to Minority Opinion, is that the majority's rebuttal to the minority opinion validates the content of the minority opinion. In the Response, the majority excuses its conduct on its understanding that it had to address its efforts "with speed and decisiveness if it was to complete its work within the limited time allowed."<sup>149</sup> That force

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144. See "Five Hawaii Polls On Legalizing Same-Sex Marriages" attached as Appendix G.

145. *Id.*

146. These numbers represent comments from individuals and do not include the approximately 2000 signatures submitted in petitions opposing same-sex marriage from thirty different groups.

147. Several written testimonies, not presented orally, were received at the December 6, 1995, meeting. In addition, one of the members of the public who did testify presented 800 signatures on a petition opposed to homosexual marital rights.

148. *Baehr v. Lewin*, 74 Haw. 530, 559 (1993) quoting *Parke v. Parke*, 25 Haw. 397, 404-05 (1920).

149. See Section II.F. of Chapter 6 of this report.



and a disinterest in opinions opposed to homosexual marital rights drove what the minority describes as a railroad job in this minority opinion.

I. Introduction

A. Reason For Minority Opinion

Due to the five-member majority of Commission members who vigorously support homosexual rights, the debate needed for serious analysis did not occur. The Governor's Commission on Sexual Orientation and the Law failed in its effort to seriously analyze the issues presented. See letters to Chairman Gill dated October 10, 1995, from Commissioner Hochberg and October 11, 1995, from Commissioner Sheldon attached hereto as Appendix H.

This opinion of a minority of the Governor's Commission on Sexual Orientation and the Law is written because the two-member minority disagreed with the substance of the majority's analysis and because the process employed by the majority to reach their conclusions is faulty. Instead of looking to Act 5, 1995 Session Laws, for guidance, the majority of the Commission saw its role as validating favorable portions of the court opinion in *Baehr v. Lewin*,<sup>150</sup> even though in Act 217, 1994 Session Laws, the legislature roundly criticized the court opinion in *Baehr*. As a result, during the actual Commission meetings, the majority of Commissioners refused to examine the major legal and economic benefits reserved for married couples, but instead simply reached their conclusions. In addition, the majority refused to examine substantial public policy reasons not to extend these benefits in part or in whole to homosexual couples.<sup>151</sup> The overwhelming credible evidence available to the Commission requires that the State of Hawaii not recognize homosexual unions as equivalent to traditional, heterosexual marriage.

B. Recommendations

The minority of the Commission recommends that no action be taken to extend any legal or economic marital benefits to homosexual couples that they do not already enjoy. In addition, the minority finds that the majority's recommendation that the legislature embrace same-sex marriage will severely, negatively affect the Attorney General's ability to prevail in the pending *Baehr v. Miike* litigation. In light of this, the minority also strongly recommends that the legislature undertake to amend the Constitution of the State of Hawaii to reserve marriage and marital rights to unions between one man and one woman. If any marital rights are granted to homosexual couples, the minority vigorously recommends that the legislation

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150. See Preface to this report at item IA.

151. Laboring under the misapprehension that any opposition to homosexual marital rights is simply wrong, the majority rejects outright all opposition to homosexual marital rights without seeking to understand the reason for that judgment.

## MINORITY OPINION

contain a sweeping religious exemption. Finally, the minority recommends that the legislature consider reviewing Hawaii laws to determine whether it should enlarge the definition of "family" in some statutes in order to protect legitimate "family" needs for unmarried people. In evaluating which, if any, statutes should be changed in this regard, the minority also strongly recommends that the legislature evaluate the cost to the state from such change.

### C. Summary

This report presents information received from persons who testified before the Commission as well as material included in the Commission's bibliography. This modern literature concerns legal, economic and social policy analysis of marriage and marital rights, family and child rearing, the attributes of homosexuality and the effects of homosexuality on the community. Many people testified that they were opposed to homosexual marital rights on economic, religious, historical, medical and psychological grounds. Of critical importance to many people who testified was the protection of children. The majority report simply rejects all these bases of opposition to homosexual marital rights. The majority's argument relies on the tenuous assumption that the present legal status of gay marriages parallels the laws against interracial marriages in the 1960s. The minority opinion addresses some of the reasons why this is a false assumption. Race and gender are immutable characteristics. Clearly, sexual orientation is not in the same category--sexual orientation is known to change and is, to a large extent, behavioral. The argument that homosexuality is genetically determined and so in the same category as race or gender has not valid scientific support. There are many elements of behavior, such as the propensity to violence for which a genetic determinant has been found. This does not mean that such a behavior should be elevated to the status of the most favored in the State. Homosexual marital rights are simply not civil rights. As discussed in more detail below, homosexuality is not immutable but is caused by disturbed family environment and interaction between the parents and their children.

Regardless of any person's philosophy that homosexuality is either deviant or an acceptable alternative lifestyle, the issue of homosexual marital rights must be resolved on the basis of what is good for society. While the majority were not interested in discussion of reasons not to extend the benefits of marriage to homosexual couples, this minority opinion identifies the following major reasons why there should not be a drastic revision of the marriage law.

- The minority refutes the assumption that legalizing same-sex marriage will be of any benefit at all to Hawaii's economy. On the contrary, it is more likely that Hawaii's major industry, tourism, will be negatively affected, as the image of Hawaii deteriorates from the aloha state to the gay honeymoon and wedding destination of the world.
- The minority is seriously concerned about the adverse effect legalizing homosexual marriage will have on the social, sexual and psychological

REPORT OF THE COMMISSION ON SEXUAL ORIENTATION AND THE LAW

development of children. The majority did manage to find some "expert" to testify that being raised in a homosexual household had no detrimental effects on children, but the vast body of work done on the issue suggests the opposite.

- The minority believes that the ramifications on the education system would be far-reaching, touching all elements of the curriculum. Parents are protective and concerned about their children's education, as demonstrated by the outrage caused by the misguided Project 10 on the Big Island. The rights of parents must be favored over the rights of the homosexual community.

Every person's review of this report should focus on resolving the issue of homosexual marital rights in such a manner as to protect and preserve society, both in Hawaii and the United States. Clearly, this issue will affect everyone in the State. It will affect the entire country, since other states will be forced to deal with whether their states must accept any homosexual marital rights granted on a statewide basis in Hawaii. There is even a home page on the Internet where homosexual activists freely discuss this issue across the country.

The majority supports its position by arguing that withholding marital rights constitutes discrimination against homosexuals. However, even the Hawaii Supreme Court in *Baehr* held that there is no fundamental right to homosexual marriage:

Applying the foregoing standards to the present case, we do not believe that a right to same-sex marriage is so rooted in the traditions and collective conscience of our people that failure to recognize it would violate the fundamental principles of liberty and justice that lie at the base of all our civil and political institutions. Neither do we believe that a right to same-sex marriage is implicit in the concept of ordered liberty, such that neither liberty nor justice would exist if it were sacrificed. Accordingly, we hold that the applicant couples do not have a fundamental constitutional right to same-sex marriage arising out of the right to privacy or otherwise. (Emphasis added.)<sup>152</sup>

Therefore, the resolution of this issue cannot be analyzed solely on the basis of the value of autonomous freedom for homosexuals, or an assumption of improper discrimination. Permissible discrimination occurs in many ways on a daily basis.

Not all forms of discrimination are inappropriate, and one should not jump to the conclusion that opposition to endorsing homosexuality constitutes inappropriate discrimination.<sup>153</sup> Discrimination (approval or disapproval of a person or group) based on judgments in the absence of evidence is inappropriate. However, certain distinctions can reflect prudent judgment based on evidence.<sup>154</sup> Therefore, the Commission should have first

152. *Baehr*, 74 Haw. at 556, 557.

153. See Minutes of October 11, 1995, pgs. T-8 to T-13, for testimony of Dallas Willard, Ph.D.

154. Dinesh D'Souza, "Prudent Discrimination, Myth of the Racist Cabbie, *National Review*, October 9, 1995 pg. 36.

## MINORITY OPINION

examined the evidence of the attributes of homosexuality and the effects those attributes have on children, family and society. Although the majority of the Commission did not even consider such information important, only with that information can one take a rational position regarding the extent to which the State of Hawaii should endorse--and by its endorsement encourage--homosexual practices. The majority's recommendations actually constitute prejudiced discrimination against those whose prudent judgment, based on the evidence, does not equate homosexuality and heterosexuality.

### II. Act 5, Session Laws of Hawaii 1995: The Legislative Charge

The Legislature charged this Commission to "examine the major legal and economic benefits extended to married opposite-sex couples, but not to same-sex couples; to examine the substantial public policy reasons to extend or not to extend such benefits in part or in total to same-sex couples; and to recommend appropriate action which may be taken by the legislature to extend such benefits to same-sex couples."<sup>155</sup> Act 5 repealed part of Act 217 from the 1994 legislature, and redefined the Commission's instructions. However, Act 5 did not repeal that portion of Act 217 which contained the Legislature's vigorous chastisement of the Hawaii Supreme Court's opinion in *Baehr v. Lewin*. Nonetheless, the majority of the Commissioners ignored the legislative intent contained in Acts 217 and 5, and instead addressed its analysis to validating parts of *Baehr v. Lewin* to scuttle the Attorney General's defense of the marriage laws in the *Baehr v. Miike* case pending before the court. Substantially all of the public policy discussion at the Commission dealt with invalidating the defense of the litigation, and very little of the Commission's efforts addressed any public policy reasons not to extend benefits to homosexual couples.<sup>156</sup>

The minority members of this Commission understood the legislative charge to be to examine the institution of marriage and family, including the major legal and economic benefits, and recommend to the legislature whether or not it is appropriate, based on substantial public policy reasons, to change the long-standing, zealously guarded definition of the marital partnership by opening that partnership to same-sex couples in whole or in part.

The minority members of this Commission understand that because there are good reasons to support the heterosexual norm, due to the fact that it has been developed with great difficulty and can be maintained only if it is cared for and supported, we cannot be indifferent to attacks upon it.

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155. Act 5, Session Laws of Hawaii 1995 (see Appendix A).

156. See Minutes of October 11, 1995 and Minutes of November 8, 1995.



**HAWAII CATHOLIC CONFERENCE**

6301 Pali Highway  
Kaneohe, HI 96744-5224

**SUBMITTED ONLINE**

Hearing on March 25, 2013 @ 10:30 a.m.  
Conference Room #016

**DATE:** March 23, 2013

**TO:** Committee on Judiciary and Labor  
Sen. Clayton Hee, Chair  
Sen. Maile Shimabukuro, Vice Chair

**FROM:** Walter Yoshimitsu, Executive Director

**RE:** **OPPOSITION** to SR 123 / SCR 166 REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE SOCIAL, ECONOMIC, AND RELIGIOUS IMPACT OF ENACTING MARRIAGE EQUALITY IN HAWAII

Mahalo for the opportunity to testify. I am Walter Yoshimitsu, representing the Hawaii Catholic Conference. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in the State of Hawaii under the leadership of Bishop Larry Silva. We strongly oppose this resolution establishing a task force to enact "marriage equality," because we believe it is biased in favor of same-sex marriage by the way it is worded.

The whole resolution is based on the faulty premise that same-sex marriage is a done deal. We strongly disagree. The Catholic Church teaches that marriage between one man and one woman is a sacrament. This is consistent with biology and natural law, and should be obvious to all, no matter what their religion or culture. Marriage between a man and a woman provides the most stable family foundation for children. This has been recognized consistently through the ages, as civil society has universally fostered and respected marriage between a man and a woman.

There is no compelling state interest in granting "marriage equality" to same-sex relationships, and this proposed resolution, we believe, will be stacked with individuals that will disagree. The simple fact that two people have a committed relationship is not a reason for the state to confer upon it the status of marriage. If affection and commitment were the only prerequisites for a marital relationship, then it is conceivable that any two or more individuals could claim the right to "marriage equality," no matter what their relationship.

Encouraging marriage between a man and a woman serves the state's best interest. Studies continue to show that children who live with both a mother and a father are much more likely to develop all the tools necessary to contribute to society. Deconstruction of the natural biological family structure will not be without profound and painful consequences. We do not believe that the proposed task force will take this into consideration as the goals included in this resolution are substantially biased in favor of same sex marriage already.

Finally, the question of alleged economic benefits should not be allowed to cloud the discussion because, in truth, the movement for "same-sex marriage" is less about such benefits as more about societal acceptance, approval and endorsement. We believe it is not the business of the state, via this task force recommendation, to attempt to legislate such approval.

We call on you to reject this blatant attempt to alter the sacred institution of marriage even if the promise of protection for churches is waived about as a conciliatory gesture. Mahalo for your kind consideration.

6301 Pali Highway • Kaneohe, HI 96744-5224 • Ph: 808-203-6735 • Fax: 808-261-7022  
E-mail: [wyooshimitsu@rcchawaii.org](mailto:wyooshimitsu@rcchawaii.org) | [hcc@rcchawaii.org](mailto:hcc@rcchawaii.org) | [www.catholicchawaii.org](http://www.catholicchawaii.org)



ONLINE SUBMITTAL

Hearing on: Monday, March 25, 2013 @ 10:30 a.m.  
Conference Room #016

**DATE:** March 21, 2013

**TO:** Senate Committee on Judiciary & Labor  
Sen. Clayton Hee, Chair  
Sen. Maile Shimabukuro, Vice Chair

**FROM:** Eva Andrade, Executive Director

**RE:** OPPOSITION TO SR 123 / SCR 166 REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE SOCIAL, ECONOMIC, AND RELIGIOUS IMPACTS OF ENACTING MARRIAGE EQUALITY IN HAWAII

Mahalo for the opportunity to testify. I am Eva Andrade, representing the Hawaii Family Forum. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of various Christian Churches and denominations. **We oppose these resolutions that propose to set up a task force to enact "marriage equality" because we believe it is set up to favor the legalization of same-sex "marriage" in Hawaii.**

We strongly believe that marriage should be between one man and one woman and will continue to oppose any attempts to redefine it. Passage of same-sex "marriage" is not inevitable. The disadvantages to its potential legalization should be considered as strongly as the supportive rhetoric being tossed about. Common sense and scientific studies continue to report that children show the most developmental benefit when raised by both a mother and father.

Our opposition begins with the usage of the term "marriage equality" in the very title. "Marriage equality" is a slippery slope because by its own terminology, it will ultimately include anyone and his or her personal definition of love and the government will then be forced to license it. The resolution goes on to state that Hawaii's residents "continue to believe that civil unions do not ensure equal treatment." Prominent government officials are then named as supporters of "marriage equality" and the promise of "substantial" economic benefits are touted. Finally, for good measure, religious protections are thrown in. The proposed task force is then asked to prove these assertions.

These obviously slanted resolutions are simply a way of trying to change the conversation to create the false impression that the debate over the legalization of same-sex "marriage" is over. 41 states still affirm marriage between one man and one woman. Advocates should not be allowed to subvert the political process to accomplish their political agenda by hiding behind a report that we believe will ultimately state that same-sex "marriage" needs to be allowed in Hawaii.

The only way a task force recommendation would be unbiased, would be to ensure that it is balanced with individuals and experts from both sides of the debate. The 1995 Commission on Sexual Orientation and the Law is a true example of what will happen when the discussion is tipped too much in favor of one side of the argument.

For the reasons we have stated above, we ask that you kill these resolutions. At the very least, this legislature should be promoting resolutions and studies that accurately reflect the positions of both sides. This simply cannot be done with the way this resolution is worded. Mahalo for the opportunity to testify.



**First Unitarian Church of Honolulu**

A Unitarian Universalist Welcoming Congregation  
2500 Pali Highway, Honolulu, Hawaii 96817  
Tel: 808-595-4047

Rev. Dr. Jonipher Kwong  
Minister

Carla Allison  
President, Board of Directors

March 22, 2013

Committee: Committee on Judiciary and Labor  
Hearing Date/Time: March 25, 2013, 10:30 am  
Place: Conference Room 016

Re: Testimony of First Unitarian Church of Honolulu in Support of S.C.R. 166 and S.R.123

Aloha e Chair Hee and Members of the Committee on Judiciary and Labor:

On behalf of the First Unitarian Church of Honolulu, I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic, and religious impacts of enacting marriage equality in Hawai'i.

Over the past two decades, there has been a sea change in public attitudes towards support for marriage equality, including in the religious community. In fact, equal treatment of gays and lesbians has become the mainstream theological perspective, while those holding anti-marriage equality views are seen in a similar light as those who oppose interracial marriages or other discriminatory practices. In Hawai'i and nationwide, the majority of the population support the freedom to marry. Politicians including all our congressional delegation, our Governor, and our President (who went to Sunday School at our church) support marriage equality. We know it is the moral and ethical thing to do and it is in the best interest of all of Hawaii's citizens.

The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawai'i. The task force is quite timely given the anticipated U.S. Supreme Court decisions in *United States v. Windsor* (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and *Hollingsworth v. Perry* (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawai'i for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings.

We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality.

Aloha no

The Rev. Dr. Jonipher Kūpono Kwong  
Minister

c.c. Steve Lohse, Chair, Social Justice Council

MCCORRISTON MILLER MUKAI MACKINNON LLP

ATTORNEYS AT LAW

March 22, 2013

Honorable Clayton Hee, Chair  
Honorable Maile S. L. Shimabukuro, Vice-Chair  
Committee on Judiciary and Labor  
The Senate  
415 South Beretania Street  
Honolulu, Hawai'i 96813

RE: GM No. 648 Submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, Gubernatorial Nominee, LANI EWART, for a term to expire 6-30-2017

Dear Chair Hee, Vice-Chair Shimabukuro and Committee Members:

I would like to express my strong support for the nomination of LANI EWART, GM No. 648, to continue to serve as a member of the State of Hawai'i Commission to Promote Uniform Legislation ("Commission").

I have served with Commissioner Ewart on the Commission since 2005 and had the opportunity to observe her strong commitment to representing the State of Hawai'i as the Chair of the Hawai'i Commission. Chair Ewart has been actively involved at the national level, previously serving on the Executive Committee of the Uniform Law Commission, as well as a Division Chair and as a member of numerous drafting committees. In addition, Chair Ewart has been actively engaged during consideration of uniform laws by the Hawai'i Legislature, and in providing leadership to the Hawai'i Commission.

For the foregoing reasons, I hope that you will favorably consider Chair Ewart's nomination for reappointment to the Commission.

Very truly yours,



Peter J. Hamasaki



LEE M. YARBROUGH  
ATTORNEY AT LAW & CERTIFIED PUBLIC ACCOUNTANT  
1607 QUINCY PLACE  
HONOLULU, HI 96816-2019

Committee: Committee on Judiciary and Labor

Hearing Date/Time: March 25, 2013, 10:30 am

Place: Conference Room 016

Re: Testimony of Lee Yarbrough in Support of S.C.R. 166 and S.R. 123

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

My name is Lee Yarbrough and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii.

Over the past twenty years, Hawaii – and the entire nation – has seen a shift in public attitudes towards support for our gay and lesbian friends and family members. Many Hawaii residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States announced his support for marriage equality before being elected to a second term.

The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawaii. The task force is quite timely given the anticipated U.S. Supreme Court decisions in *United States v. Windsor* (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and *Hollingsworth v. Perry* (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawaii for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings.

We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality.

Please pass this resolution to establish the task force!

Mahalo!

Lee M. Yarbrough  
1607 Quincy Place  
Honolulu, HI 96816

**From:** Dr. John Heidel [jheidel@hawaii.rr.com]  
**Sent:** Saturday, March 23, 2013 4:25 PM  
**To:** JDCTestimony  
**Subject:** Testimony in support of S.C.R. 166 and S.R. 123

**Committee:** Committee on Judiciary and Labor  
**Hearing Date/Time:** March 25, 2013, 10:30 am  
**Place:** Conference Room 016  
**Re:** Testimony of Rev. Dr. John R. Heidel in Support of S.C.R. 166 and S.R. 123

As a minister of the United Church of Christ (UCC) here in Hawaii since 1962, I offer this testimony in support of SCR 166 and SR 123; Minister of Youth at Central Union Church in Honolulu for 5 years and Chaplain of Punahou School for 32 years. Retiring in 2001, I served as President of The Interfaith Alliance from 2004-2012, as a volunteer with Family Promise from 2004-present and several other community groups. I'm an active member at Christ Church, Uniting Disciples and Presbyterians in Kailua.

The majority of Americans support marriage equality and virtually all of the Democratic leadership from Hawaii are in support. In addition, denial of marriage equality is unconstitutional and the granting of this basic civil right is our responsibility. Please support this effort to more fully explore this issue.

Mahalo.

Committee: Committee on Judiciary and Labor  
Hearing Date/Time: March 25, 2013, 10:30 am  
Place: Conference Room 016  
Re: Testimony of Thomas Karol  
in Support of S.C.R. 166 and S.R.123

Dear Chair Hee and Members of the Committee on Judiciary and Labor,

Our business participates in tourist accommodations as well as Kona Coffee sales to tourists. Marriage/honeymoon tourism is a vital economic asset to the state of Hawaii. I bring it to your attention that essential all Hawaii accommodations business are typically labeled as "gay friendly" already (reference any "gay guide" such as "Damron"). It has been a "long time" business practice non to discriminate based on sexual orientation here in Hawaii. Since Hawaii is already known as a marriage or honeymoon destination, it makes sound economical sense to open this new marriage/honeymoon market for Hawaii. We have been searching for ways to boost the state economy and it would be negligent not to consider how beneficial recognizing gay marriage would be not only to our economy but to our belief in non discrimination.

Our US Declaration of Independence belief 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". Is not marrying the one you love the pursuit of Happiness? Christians are suppose to emulate Christ. Christ believe that love conquers all. He only taught love. Therefore, our business supports Gay Marriage for both economic, moral, religious, and patriotic reasons.

We predict that Gay marriage is inevitable as civil rights were in our past. Looking back, those people who support discrimination and apartheid are seen today as "being on the wrong side". I Strongly urge the committee members to be on the right side of history. Take a solid stand supporting gay marriage, expand our tourism. Your consideration could mean Hawaii is looked back as a state that didn't waiver in it duty to the Aloha Spirit and equality.

Aloha;

*Thomas Karol*

President

KonaLani Inc.

KonaLani Inn and Coffee Plantation, KonaLani Consulting, KonaLani Coffee

[www.konalani.com](http://www.konalani.com)

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, March 23, 2013 8:43 PM  
**To:** JDLTestimony  
**Cc:** genotamayo@yahoo.com  
**Subject:** \*Submitted testimony for SR123 on Mar 25, 2013 10:30AM\*

**SR123**

Submitted on: 3/23/2013

Testimony for JDL on Mar 25, 2013 10:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Geno Tamayo	Individual	Support	Yes

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, March 23, 2013 9:01 PM  
**To:** JDLTestimony  
**Cc:** jrurbaniak@gmail.com  
**Subject:** Submitted testimony for SR123 on Mar 25, 2013 10:30AM

**SR123**

Submitted on: 3/23/2013

Testimony for JDL on Mar 25, 2013 10:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
James Urbaniak	Individual	Support	No

Comments: Committee: Committee on Judiciary and Labor Hearing Date: March 25, 2013 Place: Conference Room 016 Re: Testimony of James Urbaniak in Support of S.C.R. 166 and S.R.123 Dear Chair Hee and Members of the Committee on Judiciary and Labor: My name is James Urbaniak and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii. Over the past twenty years, Hawaii – and the entire nation – has seen a shift in public attitudes towards support for our gay and lesbian friends and family members. Many Hawaii residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States announced his support for marriage equality before being elected to a second term. The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawaii. The task force is quite timely given the anticipated U.S. Supreme Court decisions in United States v. Windsor (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and Hollingsworth v. Perry (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawaii for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings. We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality. Sincerely, James Urbaniak

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## hee2 - Kathleen

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, March 23, 2013 9:03 PM  
**To:** JDLEstimony  
**Cc:** brianlynchjr@gmail.com  
**Subject:** Submitted testimony for SR123 on Mar 25, 2013 10:30AM

### **SR123**

Submitted on: 3/23/2013

Testimony for JDL on Mar 25, 2013 10:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Lynch	Individual	Support	No

Comments: Committee: Committee on Judiciary and Labor Hearing Date: March 25, 2013 Place: Conference Room 016 Re: Testimony of Brian Lynch in Support of S.C.R. 166 and S.R.123 Dear Chair Hee and Members of the Committee on Judiciary and Labor: My name is Brian Lynch and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii. Over the past twenty years, Hawaii – and the entire nation – has seen a shift in public attitudes towards support for our gay and lesbian friends and family members. Many Hawaii residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States announced his support for marriage equality before being elected to a second term. The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawaii. The task force is quite timely given the anticipated U.S. Supreme Court decisions in United States v. Windsor (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and Hollingsworth v. Perry (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawaii for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings. We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality. Sincerely, Brian Lynch

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**From:** Harrison White [harrison@bookkeepervirtual.com]  
**Sent:** Saturday, March 23, 2013 8:37 AM  
**To:** JDLTestimony  
**Subject:** Marriage Equality

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

My name is Harrison White, owner of BookkeeperVirtual.com, and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii.

Over the past twenty years, Hawaii – and the entire nation – has seen a shift in public attitudes towards support for our gay and lesbian friends and family members. Many Hawaii residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States announced his support for marriage equality before being elected to a second term.

The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawaii. The task force is quite timely given the anticipated U.S. Supreme Court decisions in *United States v. Windsor* (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and *Hollingsworth v. Perry* (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawaii for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings.

We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality.

Mahalo  
Aloha  
Harrison White  
BookkeeperVirtual.com  
425 Ena Rd., 508C  
Honolulu, HI 96815  
email: [harrison@bookkeepervirtual.com](mailto:harrison@bookkeepervirtual.com)  
Web: [www.BookeeperVirtual.com](http://www.BookeeperVirtual.com)  
Cell: 808-206-2060  
Fax: 866-438-6087

Committee: Committee on Judiciary and Labor

Hearing Date/Time: March 25, 2013, 10:05 am

Place: Conference Room \_016\_

Re: *Testimony of Chuck Spence in Support of S.C.R. 166 and S.R.123*

To the Honorable Chair Hee and Members of the Committee on Judiciary and Labor; My name is Chuck Spence and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii.

I am the owner of the Maui Sunseeker LGBT Resort located in Kihei, HI, where I also reside. I have owned this business since 2008. The Maui Sunseeker has welcomed the LGBT community for many decades before I owned it with roots back to the 1980's. As an expert on LGBT tourism, I would like to submit facts and testimony about the economic impact of LGBT tourism with a special focus on marriage equality for all. I believe that these facts are so compelling, it clearly defines why the task force and ultimate passage of full marriage equality is vital to this Great State.

On December 31, 2012, I was contacted by Rick Daysog, a reporter from Hawaii News Now, for an interview on the topic of the effect of the Civil Unions law on tourism in Hawaii. Here is a link to the resulting story that ran on Hawaii News Now on January 1<sup>st</sup>, in case you missed it:

<http://www.hawaiinewsnow.com/category/240193/new-video-landing-page?clipId=8120327&autostart=true>

The main fact I would like to extract from this video, that even surprised me, is that out of 700 civil unions performed in the entire state of Hawaii in 2012, my small resort with only 26 guest rooms was accountable for 52 of those civil unions. How can such a small property have arranged 7.5% of all Civil Unions in Hawaii last year, you may wonder? It's because we welcomed those couples with open arms. Those couples spent money on the wedding coordinators, bought champagne and special meals, bought expensive leis made by our local Maui lei-maker and hired our local photographers and limo drivers. The couples and their guests paid for hotel rooms that generated large amounts of GET and TAT tax revenue for the state. Then the couples and their guests rented cars and toured our beautiful and welcoming island and took snorkel tours and biked down Haleakala with LGBT friendly activity providers. We sent their bed sheets and towels to Ali'i Linen, where dozens of people are employed to wash and iron and fold them and deliver them back to us. And 7 full time employees were paid by the Maui Sunseeker with full benefits.

If 700 couples were unionized, that accounts for 1400 tourists we would not have had last year. But these couples did not travel alone. Some took over our entire hotel with guests and some came with just each other. Our civil union couples brought with them an average of 4 other guests. That's another 2800 tourists and still doesn't count the number of LGBT tourists that came because they felt the civil union law told them Hawaii was gay-friendly. Unquestionably, the legalization of Civil Unions in Hawaii has dramatically contributed to the economic well-being of this state. As a sidenote, about 15% of our 2012 civil union couples came from outside the USA.



**From:** June Dillinger [junedillinger@gmail.com]  
**Sent:** Friday, March 22, 2013 5:41 PM  
**To:** JDLTestimony  
**Subject:** Testimony

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

My name is June Dillinger and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii. Over the past twenty years, Hawaii – and the entire nation – has seen a shift in public attitudes towards support for our gay and lesbian friends and family members. Many Hawaii residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States announced his support for marriage equality before being elected to a second term.

The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawaii. The task force is quite timely given the anticipated U.S. Supreme Court decisions in *United States v. Windsor* (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and *Hollingsworth v. Perry* (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawaii for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings.

We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality. As a local business owner who supports this endeavor, I am happy to share whatever means of information I can, in order to bring equality to our islands.

With Sincere Aloha,  
 June Dillinger

Dillinger Arts LLC  
 I DO HAWAIIAN WEDDINGS.com & CIVIL UNION CEREMONIES.com  
 GAY MARRIAGE IN PARADISE.com & CIVIL UNIONS HONOLULU.com  
 Cell (808) 330.5555  
<http://idohawaiianweddings.com/>

June Dillinger  
 (808) 330-5555  
[idohawaiianweddings.com](http://idohawaiianweddings.com) & [civilunionceremonyhawaii.com](http://civilunionceremonyhawaii.com)  
 Facebook: I DO HAWAIIAN WEDDINGS  
 "It is the way you serve others, that your greatness will be felt."

✕

**From:** Steven Bielinski [steven.bielinski@gmail.com]  
**Sent:** Friday, March 22, 2013 4:51 PM  
**To:** JDLTestimony  
**Subject:** Hearing on Resolution to Study Marriage in Hawaii (Unable to attend in person)

Committee: Committee on Judiciary and Labor

Hearing Date/Time: March 25, 2013, 10:30 am

Place: Conference Room 016

Re: *Testimony of Steven Paul Bielinski in Support of S.C.R. 166 and S.R. 123*

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

My name is Steven Paul Bielinski and I am writing in support of S.C.R. 166 and S.R. 123, which seek to convene a task force to study the social, economic and religious impacts of enacting marriage equality in Hawaii.

Over the past twenty years, Hawaii – and the entire nation – has seen a shift in public attitudes towards support for our gay and lesbian friends and family members. Many Hawaii residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States announced his support for marriage equality before being elected to a second term.

The requested task force represents a diverse group of interests and legal scholars, and requires them to study the effects of enacting marriage equality in Hawaii. The task force is quite timely given the anticipated U.S. Supreme Court decisions in *United States v. Windsor* (regarding the constitutionality of the Defense of Marriage Act (DOMA)), and *Hollingsworth v. Perry* (regarding the constitutionality of California's ballot initiative banning same-sex marriages known as Proposition 8). It is in the best interest of all residents of Hawaii for the legislature to be prepared to address the legal realities for same-sex couples here after the U.S. Supreme Court issues its rulings.

We believe that the information from the task force will provide the background information needed to educate the Legislature on marriage equality.

Sincerely,

Steven Paul Bielinski

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 22, 2013 2:12 PM  
**To:** JDLTestimony  
**Cc:** estherjoeyismom@gmail.com  
**Subject:** Submitted testimony for SR123 on Mar 25, 2013 10:30AM

**SR123**

Submitted on: 3/22/2013

Testimony for JDL on Mar 25, 2013 10:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Esther Gefroh	Individual	Oppose	No

Comments: Aloha, There are certain individuals who are really pushing same-sex marriage on the State of Hawaii. The majority of residents are against it. Please stop wasting our time and money on continued efforts calling for the dissolution of traditional marriage. Mahalo

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**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 22, 2013 6:03 PM  
**To:** JDLTestimony  
**Cc:** deaconandy@hawaii.rr.com  
**Subject:** Submitted testimony for SR123 on Mar 25, 2013 10:30AM

**SR123**

Submitted on: 3/22/2013

Testimony for JDL on Mar 25, 2013 10:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrew J. Gerakas	Individual	Oppose	No

Comments: As a card carrying Democrat I am in opposition to same-sex marriage. If the task force is convened, and I am afraid it will be stacked, I will be against same-sex marriage. Andrew J. Gerakas

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TESTIMONY to the Senate Judicial Committee

S.R. 123

Requesting the Convening of a Task Force to Study the Social, Economic, and Religious impacts of Enacting Marriage Equality in Hawaii

Monday, March 25, 2013  
10:30 AM -- Conference Room 16

Submitted in **OPPOSITION** by Mary Smart, Mililani, HI

Chairman Hee, Vice-Chair Shimabukuro and Committee Members

1. Hawai'i marriage laws constitute marriage equality. Any other configuration is unequal. Two men does not equal two women, does not equal one man and one woman. Words have meaning. Marriage is the relationship between a man and a woman for life and from that relationship, children may result. Marriage is intended to be a union through good times and bad. People who enter marriage commit to having an exclusive intimate relationship. Frequently, same sex relationships don't have the same exclusive and long term commitment expectation since children can't be conceived ( a difference - not equal), although exclusiveness and long term commitments exist in some cases.
2. A task force does not represent the people of Hawai'i. Their opinion isn't more important than anyone else's. The people of Hawai'i have made it clear that they want to keep the definition of marriage as it has been defined for thousands of years. A task force can be established with an intended outcome. It is a farce. Government must not be run by task force. Government officials get one vote, just like everyone else. That's equality.
3. Testimony regarding marriage has been submitted multiple times in Hawai'i and throughout the nation. This issue is being discussed at the U.S. Supreme Court. If members of the legislature need more information, they should use personal funds or staff to understand the issue. Don't waste tax dollars. Citizens know the impacts. Listen to us.
4. Our government is protected by the U.S. and Hawai'i state constitution. According to our founder, John Adams, "We have no government armed with power capable of contending with human passions unbridled by morality and religion...Our Constitution was made only for a moral and religious people." As marriage is continually attacked in the legislature, so too our freedom is under assault. Envy of what other people have is a vice, not a virtue. The Constitution doesn't require equal treatment of people. Changing the definition of marriage because there is a desire for benefits or status makes as much sense as deciding that Senators and Representatives should be called "President" and have all the trappings of a President because it isn't fair that he/she gets all those perks and respect and they don't. Senators/Representatives accept they aren't the President and can't have Presidential benefits. Adults must accept differences in many aspects of their lives. Same sex unions should not expect to be called or treated as something they aren't.

**From:** Edward Asato [eddie.asato@gmail.com]  
**Sent:** Saturday, March 23, 2013 7:29 AM  
**To:** JDLTestimony  
**Subject:** SR 123 / SCR 166

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

"Marriage Equality" is language used instead of "Same-Sex Marriage" with the hopes of making an anti-traditional marriage movement acceptable to our society.

Making this acceptable will only have a greater negative impact on families already having difficulties due to struggle they face because of current economic and other cultural pressures.

I am against Same-Sex Marriage and will express it in testimony if a task force is convened.

Eddie Asato, Wailuku, Hawaii

Dear members of the Hawaii State Senate:

I am opposed to same-sex marriage. Traditional marriage between one man and one woman has passed the test of time from the beginning of time. All institutions are based on this basic, fundamental union between a man and a woman. Studies have shown that children thrive and have a healthy outlook on life when they have as parents a man and a woman in their life. Romans 1:26,27 in the Bible, clearly states that there are dire consequences when “men burn in their desire for one another”, as well as “women exchanging the natural function for that which is unnatural.” AIDS has proven to also be a consequence of these unnatural unions. Please spare our State from this “blight” that have brought down Rome and so many once great civilizations.

-Stan Aoki  
109 Terrace Dr.  
Hilo, HI. 96720  
e-mail: [stanaoki@hotmail.com](mailto:stanaoki@hotmail.com)

**hee2 - Kathleen**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, March 23, 2013 4:43 PM  
**To:** JDLTestimony  
**Cc:** daveraatz@gmail.com  
**Subject:** Submitted testimony for SR123 on Mar 25, 2013 10:30AM

**SR123**

Submitted on: 3/23/2013

Testimony for JDL on Mar 25, 2013 10:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Ratz	Individual	Comments Only	No

Comments: Please vote yes on S.R. 123. Most Hawai'i residents support marriage equality. Our entire Congressional Delegation supports marriage equality. Our Governor supports marriage equality. And the President of the United States supports marriage equality. The requested task force represents a diverse group of interests and legal scholars. Information from the task force will provide the background information needed to educate the Legislature on marriage equality.

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