



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of HB1096 HD2  
RELATING TO PARENTAGE.**

SEN. JARETT KEOHOKALOOLE, CHAIR  
SENATE COMMITTEE ON HEALTH

Hearing Date: March 17, 2021

Room Number: N/A

1 **Department Testimony:** The Department of Health (DOH) supports convening a task force to  
2 recommend amendments that assure parity for all families, regardless of sex or gender  
3 identification, with regard to parental rights and responsibilities. However, as a practical matter  
4 and for the sake of simplicity, the department respectfully recommends a concurrent resolution  
5 rather than session law to authorize the working group.

6 The department's opposition to earlier drafts was not based on principle since this is a matter of  
7 fairness and equity, but on practical but unintended consequences to the long-standing legal  
8 concept of "paternity." Striking "paternity" from statute imperils decades of federal and state  
9 policies to assure child support enforcement is robust. It is very likely that comprehensive  
10 statutory reform with numerous conforming amendments will be required to achieve this policy  
11 goal, as opposed to striking "paternity" and amending with "parentage," in addition to other legal  
12 issues identified by the Department of the Attorney General.

13 The department looks forward to working with stakeholders and the Legislature to achieve a  
14 more fair system for all Hawaii's families. Thank you for the opportunity to testify.



Committee: Committee on Health  
Hearing Date/Time: Wednesday, March 17, 2021, 1:00 p.m.  
Place: Via videoconference  
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 1096, H.D.2, Relating to Parentage

Dear Chair Keohokalole, Vice Chair Baker, and Members of the Committee on Health:

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in support of H.B. 1096 in its original form**. While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.

Hawai'i law does not allow non-birthing partners to voluntarily establish parenthood at the time of their child's birth unless they identify as male. This means that while a male-identified, non-birthing parent who is not married to their birthing partner is able to voluntarily establish parentage and be included on their child's birth certificate, a non-birthing, non-male-identified parent is forced to obtain costly postpartum adoption decrees for legal recognition as their child's valid parent. Recognition of parentage on a child's birth certificate carries implications for school enrollment, authority to make health care decisions, and the ability to cross international borders. This insulting two-tiered system results in what is essentially a queer parent penalty, raises serious constitutional concerns, and is in direct conflict with Hawai'i's various nondiscrimination laws.

In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Mandy Fernandes".

Mandy Fernandes  
Policy Director  
ACLU of Hawai'i

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
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ACLU of Hawai'i testimony in support of H.B. 1096, H.D. 2  
March 17, 2021  
Page 2 of 2

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i 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 Hawai'i has been serving Hawai'i for over 50 years.*

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TO: Senate Committee on Health  
Senator Jarrett Keohokalole, Chair  
Senator Rosalyn H. Baker, Vice Chair

DATE: Wednesday, March 17, 2021

FROM: AF3IRM Hawai'i

RE: HB 1096 HD2- Relating to Parentage  
Position: SUPPORT with comments

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i **supports this measure in its original form** (HB 1096) and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i.

**While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under



our laws. The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Sincerely,**

**Sarah Michal Hamid**  
**AF3IRM Hawai'i Co-Coordinator**



# ASUH

Associated Students of the University of Hawai'i  
**YOUR STUDENT GOVERNMENT**

To: Senate Committee on Health  
Senator Jarrett Keohokalole, Chair  
Senator Rosalyn Baker, Vice-Chair

Date: Wednesday, March 17, 2021

Time: 1:00 PM

**Re: ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI'I AT MĀNOA (ASUH) - IN SUPPORT OF & COMMENTS ON HB1096 - HD 2: RELATING TO PARENTAGE**

Dear Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Donovan Kamakani Albano, and I am the President of the Associated Students of the University of Hawai'i at Mānoa, the undergraduate student government that represents over 10,000 full-time classified undergraduates. **ASUH Mānoa stands in support of HB1096, and we urge you to vote pass a measure that effectively eliminates discrimination against LGBTQIA+ parents.**

ASUH provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQIA+ people in the Uniform Parentage Act. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQIA+ families is urgently needed. Gender identity should not be a barrier to establishing parentage. The UPA's gendering of parentage and most notably §584-3.5 Expedited Process of Paternity exclusively allows cisgender men to voluntarily declare parentage in the form of paternity. This same right is not afforded to female, non-binary, queer, LGBTQIA+ partners. As a result of this restriction, the process of declaring parentage contributes significant financial and emotional burdens.

ASUH Mānoa unanimously passed Senate Resolution 03-21: In Support of the Amendment of the Uniform Parentage Act. We affirm that the Uniform Parentage Act (UPA) relies on cis-heteronormative terms such as 'paternity,' 'natural mother,' and 'natural father,' which explicitly exclude those who do not fit into a cis-heteronormative model. We view the UPA in its

current form as explicitly privileging cisgender heterosexual individuals and discriminating against the LGBTQIA+ community. We also view parentage and family as not being inherently biological or gendered, and view the right to parent as being inalienable. We support the inclusion of non-cisheteronormative gender-neutral language and non-cisgender male parents in the voluntary declaration of parentage in the UPA. ASUH also recognizes that the rejection of non-binarist cisheteronormative sex and gender is intrinsically tied to colonialism.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Absent these corrections to the UPA, LGBTQIA+ parents will continue to face barriers in parenting their children and laws like the UPA will continue to uphold those barriers and discrimination.

This measure should correct the legal discrimination that is currently leveled against children because of their parents' identities, a factor that children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

The ASUH urges the state legislature and respective committees to pass measures that eliminate discrimination against, and are inclusive of, LGBTQIA+ parents. Mahalo for your dedication to LGBTQIA+ rights in Hawai'i and the opportunity to testify on this measure.

Donavan Kamakani Albano  
President, Associated Students of the University of Hawai'i at Mānoa (ASUH)



March 16, 2021

Senator Jarrett Keohokolole, Chair  
Senate Committee on Health

**Re: H.B. 1096 H.D.2 , Relating to Parentage**

**Hearing: March 17, 2021, 1:00 pm, Via Videoconference**

Dear Chair Keohokolole and Members of the Committee on Health:

Hawaii Women Lawyers (“HWL”) submits testimony **supporting the intent** of H.B. 1096, H.D.2, which requires the department of health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

HWL supports the intent of S.B. 618 to create equality between the ability for biological parents and non-biological parents to establish parentage through a voluntary process, regardless of gender identity or gestational arrangements. For many families who do not currently have the ability to establish voluntary parentage (whether same or opposite sex, partnered or single), they may expend significant amounts of resources and face other barriers in growing their families. By allowing a process to establish parentage rights, all families will have more certainty at the time a child is born.

HWL believes that the task force should take a comprehensive look at the Uniform Parentage Act to make sure that any changes made are also inclusive of male same sex couples, or opposite sex couples who use a gestational carrier as a surrogate.

We would encourage that the task force look at other states like California where a parentage process allows for a pre-birth order to be obtained via a court procedure. This process would provide certainty for intended parents, gestational and non-gestational carriers, and create a path to put the names of the intended parents on the birth certificate before birth.

For the above reasons, we support the intent of H.B. 1096, H.D.2 and respectfully request that the Committee pass this measure to allow discussion on this important topic to continue.





March 13, 2021

Senate's Committee on Human Services  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

**RE: House Bill 1096 - RELATING TO PARENTAGE**

Aloha Chair Keohokalole, Vice Chair Baker and Committee Members,

I am writing in STRONG SUPPORT for House Bill 1096 HD 2 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization. HB 282 would require the department of health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights.

The LGBT Caucus is requesting the following amendments to Section 2 (c) on page starting with line 3:

- (3) A representative of AF3IRM Hawaii; and
- (4) A lesbian couple;
- (5) A gay-male couple;
- (6) A non-binary couple; and
- (47) Any other member as recommended by the task force.

The reason the LGBT Caucus is asking for this amendment is to ensure that the LGBTQIA+ community's different voices are at the table and their experiences and needs are in the final product of this parentage task force.

The LGBT Caucus is willing to assist the Department of Health in identifying prospective couples to sit on this task force.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.  
Chair  
LGBT Caucus of the Democratic Party of Hawai'i

**HB-1096-HD-2**

Submitted on: 3/15/2021 4:01:00 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Valerie Clark	Testifying for Maui Equality Coalition	Support	No

Comments:

Testimony in Support of HB 1096, HD2 - Relating to Parentage

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i. The Maui Equality Coalition Supports this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Valerie Clark and I along with the members of the Maui Equality Coalition support this measure in its original form. I represent The Maui Equality Coalition and its members and urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish

parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. Every child deserves

the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

Valerie Clark

On behalf of The Maui Equality Coalition

**HB-1096-HD-2**

Submitted on: 3/14/2021 7:02:15 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Monique DeSimone	Individual	Support	No

Comments:

The Uniform Parentage Act as it currently stands discriminates against queer families and our ability to establish parental rights under law without unjust burden. I strongly urge you to pass this measure, and end the unconstitutional restriction on the equal rights of LGBTQ+ people and our paths to parenthood.

As a lesbian parent who recently welcomed my son, Teddy, last June, I speak firsthand to the hardship of pursuing a family as an LGBTQ+ couple. From locating a donor that ethnically represented our family and provided uncontested legal protection against paternity disputes, to finding medical providers who did not actively discriminate against us, on top of the costs of actual fertility procedures, there were countless hurdles we faced along the path to building our family, both emotionally and financially.

As the non-gestational parent to Teddy, there were many hours spent consulting with a lawyer regarding the security of my parental rights in various scenarios, as the non-biological parent. I am no less his mother than the woman that birthed him. Yet every step of the way, I am questioned; because I'm not a cis-hetero man. LGBTQ+ people already face tremendous obstacles on this parenthood journey. Forcing us to additionally spend upwards of \$20,000 to adopt our own children is discriminatory and cruel.

The state is failing their LGBTQ+ families. It is shameful that this law is outdated and that the State has allowed for this discrimination to continue. Biology, gender identity, and marriage should not be determinants of who is granted the opportunity of parenthood under law, nor are they markers of what makes a family legitimate. Queer people know better than anyone that family goes beyond biology. As you know, legal parenthood has a tremendous impact on a parent's ability to care for their child. It allows them to enroll in school, make medical decisions, and legally travel with the child. If male partners have the ability to volunteer parenthood, queer partners should be able to do the same. Mahalo for the opportunity to testify, and I strongly hope that the State can go beyond empty promises of LGBTQ+ equality by enacting HB1096.

**HB-1096-HD-2**

Submitted on: 3/15/2021 3:28:16 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Galacgac	Individual	Support	No

Comments:

Chair Keohokalole, Vice-Chair Baker, and members of the Senate Committee on Health,

My name is Ashley Galacgac and I strongly support HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill, in its original form. Hawai'i has many peoples whose cultures recognize the sacredness and beauty of LGBTQ+ people. I urge you to pass this measure that effectively eliminates discrimination against LGBTQ+ parents and honor the sacredness and beauty of their families.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB 1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender-inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

As a queer woman of the LGBTQ+ community, this bill directly impacts my life. My partner and I dream to raise our future children here in Hawai'i, in the place where we were both born and raised and where our families are. We are doing our due diligence with our family planning and anticipate tremendous hardship as a queer couple. It has been disheartening to listen to countless stories of friends and colleagues in our community jump through legal and financial hoops. This is on top of the struggle to even conceive children and then undergo a difficult process to gain full parental rights with adoption. These friends and colleagues serve as an inspiration for me to not only learn from the hardships of LGBTQ+ couples, but also fight against the systemic injustice they suffered so this injustice stops.

**HB 1096 codifies love, acceptance, and equal treatment of loving couples, like my partner and me. It ensures that discrimination will be addressed across the board in Hawai'i.** In some cases, partners are allowed to be on the birth certificate, while others are not. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **Female, non-binary, and queer partners are excluded from this same right.** As a result of this restriction, many LGBTQ+ parents

are subject to the “queer parent penalty” as LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.

**HB 1096 would update the law to give the legal rights, recognition, and protection LGBTQ+ families also deserve.** Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Without this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under the law.

**I urge you to pass this measure and affirm the rights of LGBTQ+ parents.** Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB 1096, HD 2.

Sincerely,

Ashley Galacgac

**HB-1096-HD-2**

Submitted on: 3/15/2021 5:35:14 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mihoko Ito	Individual	Support	No

Comments:

I support HB1096 HD2 Relating to Parentage, which assembles a task force to propose updates to Hawaii's Uniform Parentage Act. This task force would propose legislation that will recognize and allow all families to have available a simplified process to establish parentage.

My children were born via a surrogate due to personal health reasons when we started our family. I personally went through the struggles of being a non-gestational mother and understand the hardship being faced by families that go through this process.

Currently, Hawaii law is silent on non-gestational parents, so women and families who are considered to have "non-traditional" births because they are same sex couples, or have a child via a surrogate or gestational carrier must wait until after a baby is born to get an order from the court declaring them to be parents. In several other states, however, laws have been enacted that allow for intended parents to obtain a pre-birth order through a court procedure. This ensures that, when a baby is born using surrogacy, the baby is automatically deemed to be the child of the intended parents. It also allows for them to go through the birthing process with a court order that ensures their rights and reduces confusion within the health care system.

Families who go through a "non-traditional" birthing process that involves non-gestational parents have already invested so much emotionally and financially in the journey to parenthood.

I believe a task force will be a significant step in bringing parties together to agree on how to remove the barriers that exist in the current Uniform Parentage Act and will give all families assurance and legal certainty in their journeys to start families. I would also support expanding the participants in the task force so that all types of intended families are represented in the group.

Thank you for the opportunity to support this bill.

Mihoko Ito

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:03:50 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Balgos	Individual	Support	No

Comments:

**Testimony in Support of HB 1096 - Relating to Parentage**

Chair Keohokalole, Vice Chair Baker, and members of the committee:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Alexandra Balgos, and I strongly support this measure. I urge you to pass this measure to end discrimination against LGBTQ+ parents.

**HB 1096 amends the antiquated, unconstitutional restriction on the equal rights of LGBTQ+ people**, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender-neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

**As a queer, non-binary individual, I am pleased and relieved that this legislation is being heard. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.



Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Alexandra Balgos**

# **JAMES HOCHBERG**

## **ATTORNEY AT LAW, LLLC**

March 15, 2021

TESTIMONY IN **STRONG OPPOSITION** TO HB 1096 HD2  
**Hearing: Wednesday, March 17, 2021**

SENATE COMMITTEE ON HEALTH

Senator Jarrett Keohokalole, Chair

Senator Rosalyn H. Baker, Vice Chair

Senator Sharon Y. Moriwaki

Senator Kurt Fevella

Senator Joy A. San Buenaventura

Strong opposition to HB 1096 HD2

Dear Chairman, Vice Chairman and Committee Members,

My name is Jim Hochberg and I am a civil rights attorney seeking to protect First Amendment constitutional rights in the federal and state courts in the Hawaii. I have practiced law in Hawaii since 1984 (37 years).

I testify in strong opposition to HB 1096 HD2. Using a task force to do the legislature's own duty not only serves as a political prophylactic for those we elect to serve as law makers, but it completely and totally hides that work behind a cloak of secrecy created by an additional layer of opaque cover in the Department of Health, overseeing the actual work done by private individuals. The legislature needs to do this work in public. When the people demand government transparency, HB 1096 HD2 runs in the opposite direction on a very controversial subject. Clearly the text of the bill indicates the legislature has already made the policy decision in back room negotiations. The task force is not asked to look into whether the law should be changed, but to actually suggest the changes. Section 1 of the bill states that the purpose is to set up the private group to:

recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights.

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Email: [Jim@JamesHochbergLaw.com](mailto:Jim@JamesHochbergLaw.com)

**JAMES HOCHBERG**  
ATTORNEY AT LAW, LLLC

SENATE COMMITTEE ON HEALTH

Senator Jarrett Keohokalole, Chair

Senator Rosalyn H. Baker, Vice Chair

Senator Sharon Y. Moriwaki

Senator Kurt Fevella

Senator Joy A. San Buenaventura

March 15, 2021

Page 2

Apparently the political decision to make the change from "cisheteronormative concepts of families" has been made. Hawaii will no longer have a cisheteronormative concepts of families. However, accomplishing that seeks text of the amendments from the task force. If the legislature actually thinks the laws of our state need to be changed in this regard, it should not pass off the responsibility to ideologues who agree with the premise absent the legislative hearing process that is intended to give the legislature the approval of the citizens to go forward with the policy change. Voters have elected a total of 76 legislators from various districts to come together and debate issues related to every change proposed to our laws. Please do your own work within the process you ask us to respect, and do not protect your next election with a process that gives you political protection of 'task force recommendations.'

I oppose all of the bills seeking to change "paternity" to "parentage" on birth certificates because birth certificates are intended to identify the biological contributors to the zygote which was born the child after nine months. Birth certificates have to do with biology, not awarding hereditary status to a person with no biological connection to the child. That is exactly what adoption and guardianship laws are and have always been for. If participation in some program (OHA, DAR, etc) is determined by bloodline linkage to the program's purpose, this bill will rob from every child the opportunities to which he and she should be entitled.. Replacing paternity with parentage in the law does violence to the family history of people when their birth certificate does not reflect the biological origins of that person. Birth records must reflect the paternity, not parentage, of the child.

More egregious than legislative dereliction of duty is the telling selection of one organization to participate. One of the identified participants in this task force would be "a representative of AF3IFM Hawaii". This group is a transnational organization not even authorized by the State of Hawaii to engage in business here. Why is the change championed by AF3IFM a bad idea for Hawaii? The webpage for AF3IFM indicates it is actually an international organization with a political agenda that includes changing birth record data on

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Address: 700 Bishop Street, Suite 2100, Honolulu, Hawaii 96813

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Telephone: 808-256-7382

Email: [Jim@JamesHochbergLaw.com](mailto:Jim@JamesHochbergLaw.com)

**JAMES HOCHBERG**  
ATTORNEY AT LAW, LLLC

SENATE COMMITTEE ON HEALTH  
Senator Jarrett Keohokalole, Chair  
Senator Rosalyn H. Baker, Vice Chair  
Senator Sharon Y. Moriwaki  
Senator Kurt Fevella  
Senator Joy A. San Buenaventura  
March 15, 2021  
Page 3

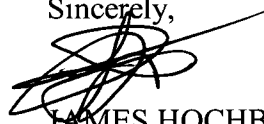
paternity to parentage data. The legislature should not appoint ideologues supporting this public policy change, but rather, neutral, honest and unbiased individuals. That is obviously not the case with respect to HB 1096 HD2.

I personally participated in one of the preordained-result-driven, legislatively created task forces in 1995 when I was Speaker Souki's representative to the Governor's Task Force on Sexual Orientation and the Law. Of seven members, five were in favor of advising the legislature to change the definition of marriage from the first minute the task force met (if not even sooner). The task force failed at every turn and opportunity to afford fair treatment to the two of us who did not enter the effort with the same goal. HB1096HD2 seeks to create another task force that will likely do the same. If the legislature already asks for recommendations to amend the law to accomplish the purpose, the legislature should do the work itself and also be prepared to have no task force to hide behind next election

For the foregoing reasons I oppose the bill and ask that you do not pass it out of the committee. However, the better course would be to make the political decision NOT to change the birth certificate designation from paternity to parentage – for the Keiki!

If you have any questions please feel free to call me.

Sincerely,



JAMES HOCHBERG

JH

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**HB-1096-HD-2**

Submitted on: 3/15/2021 1:47:08 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jamaica Osorio	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - **Relating to Parentage**

Thank you for the opportunity to present testimony on SB 618 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill.

My name is Dr. Jamaica Heolimeleikalani Osorio I am an Assistant Professor of Indigenous and Native Hawaiian Politics at the University of Hawai'i at Mānoa. My life and research is devoted to the politics of Hawaiian relationships, intimacy, and the violence of colonialism on our historic understanding of pilina and 'ohana. I am also a queer wahine who lives under the tyranny of the state of Hawai'i whose existence and prioritization of heteropatriarchal cultural values continues the colonial violence on my body and the bodies of every Kānaka in our Ikaika hui, on our ancestral 'Āina. Therefore, I feel uniquely positioned to offer testimony on HB 1096 for these reasons.

I strongly support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. Specifically, because this bill **amends the unconstitutional restriction on the equal rights of LGBTQ+ people**, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as "parentage" in place of "paternity," in recognition of the validity of all birthing people and families.

I encourage you to pass this bill for many reasons including that the passing this bill is an important step to eliminate discrimination against LGBTQ+ parents and queer families. But because I believe many folks will speak to the specifics of the impact of this bill on the LGBTQ+ community, I will focus on an aspect of this issue that many might may fail to consider. Simply put, passing this bill would not only eliminates discrimination against LGBTQ+ parents & families but also eliminates an important ongoing discrimination against Kanaka Maoli mākae (parents) and 'ohana.

My work has allowed me the unique opportunity to study the values and practices of our kāpuna around intimacy and the making of 'ohana. Esteemed scholars such as Lilikalani Kame'eleihiwa laid the groundwork for our understanding of the importance of punalua (two springs), po'olua (two heads) in the construction of the Kanaka Maoli 'ohana in which paternity was an entirely insufficient metric to rely on to organize and legitimize the Hawaiian 'ohana. In fact, the negotiation of parenthood, or to be a māka, has much more to do with the environment an 'ohana created to raise a child—rather than the biological circumstances that conceived that child. The true sanctity of 'ohana resides in the act of raising, feeding, and inspiring our keiki. There are many examples of this throughout our History: From Kamehameha Paiea to Lili'uokalani, and throughout our maka'ānana lineages our kupuna demonstrated how incomplete the laws and values of marriage and “birth” are to the ways we imagine and organize our 'ohana.

More recently scholars such as Noelani Goodyear-Ka'āpua, Nohelani Teves, Kehaulani Kauanui, Maile Arvin, and myself have pointed out the not so subtle violences of missionary introductions such as the institution of marriage has had on generations of Kanaka Maoli 'ohana. Historically the introduction of the institution of marriage and all of its including values are not in alignment with the values of my kāpuna Hawai'i. Who had a far more vast understating and practice of creating 'ohana. Suffice it to say that the existing laws around marriage and parentage in Hawai'i are a legacy of missionary colonization that is continuing to this day to exclude and violate the historic values of 'ohana that many of us māka are still striving to keep alive.

So today I ask you to pass this bill, not only because is the right thing to for our LGBTQ+ families, but because it would be an important step against the ongoing colonization of Hawai'i and the continued oppression of our peoples, histories, and values. This is not simply an issue to be relegated to our queer communities. But rather this is a specific issue of Kanaka Maoli self-determination. Therefore, this is a bill that all peoples who believe in the promise of Kanaka Maoli self-determination should support.

Self-determination over our 'ohana, our ability to appropriately name the māka of our children (without the interference of the state and foreign values) is a practice of sovereignty. This is work that is essential to the goals of anyone who wishes to honor the 'ike and values of our home in Hawai'i.

Opposition who would rather cling to stale notions of the sanctity of marriage and paternity over the rights of Kanaka Maoli practices of 'ohana to continue on our 'Ä• ina—can simply choose to live somewhere else. For where else should KÄ• naka Maoli turn to live as KÄ• naka if not on our own ancestral 'Ä• ina in Hawai'i?

Me ke 'Oia'i'o,

Jamaica Heoliemeleikalani Osorio

**HB-1096-HD-2**

Submitted on: 3/16/2021 11:21:52 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
?Ihilani Lasconia	Individual	Support	No

Comments:

Testimony in Support of HB 1096 - Relating to Parentage

Chair Keohokalole, Vice Chair Baker, and esteemed members of the Senate Committee on Health,

My name is 'Ihilani Lasconia and I strongly support HB 1096.

HB 1096 amends the unconstitutional restriction on the equal rights of LGBTQ+ people, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child through the creation of the proposed task force within this bill.

The settler state has already made strides for gender-inclusive language in several policies. HB 1096 would not only allow for our verbiage to change but allow for a task force that would advocate for tangible solutions to come to fruition as well. One of the greatest ways this will happen is through the elimination of the egregious costs for the non-gestational parent to adopt their child. Not only is this process extremely extortionate but the system in which these parents must go through is absurdly protracted and traumatizing. LGBTQ+ parents should not have to pay a ransom, wether it be time or money, to validate a relationship that only we should have jurisdiction over in the first place.

Furthermore, lgbtq+ families are not afforded the many privileges that heteronormative families receive. One of these privileges, not ever being questioned about whom the non-gestational parent is. Imagine how absurd it would be to make every assumed biological father in a heteronormative relationship take a paternity test prior to being listed on a child's birth certificate. The process in which LGBTQ+ parents must go through today, is far more ignominious than that. The creation of a task force through HB 1096 would greatly reduce this harm by being the institution that addresses these problems collectively so that individual families do not have to do it alone.

The precedent set by HB1096 would not be one of LGBTQ+ parents getting more, contrary to that assumption, which is rooted in queerphobia. Similar to the legalization of LGBTQ+ marriage, it has never been about more. The precedent is equality extended to not just LGBTQ couples, but the families we create. We are asking to be equal. We are



asking to be seen. We are asking to be recognized in spaces that have rendered us invisible through policies that reward heteronormativity and punish anyone who exists outside of it.

Queer families have existed for centuries, we always will. Now, we are asking for this existence to be reaffirmed and for families to be protected. Parentage is sacred, LGBTQ+ parents are not a threat to this sanctity. The trivializing and belittlement of LGBTQ+ families and their right to establish parentage is. Which is why I strongly encourage your support for HB 1096.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on this matter.

'Ihilani Lasconia

University of Hawai'i

**Individual Testimony of Carol E. Lockwood**

To the Senate Committee on Health

In Support of HB 1096 Relating to Parentage

Wednesday, March 17, 2021, 1:00 p.m.

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Aloha, Committee on Health Members:

My name is Carol E. Lockwood. I am a family law attorney in private practice and a Fellow with the American Academy of Assisted Reproductive Technology Attorneys and the American Academy of Adoption Attorneys. I have practiced Assisted Reproductive Technology (“ART”) law for more than a decade, assisting Hawaii families (predominantly, but not exclusively, LGBTQ+) pursuing parenthood through sperm donation, ova donation, embryo donation, reciprocal IVF/co-maternity, gestational surrogacy and other ART processes. I write today in strong support of HB 1096, but also to urge that the mandate of the proposed task force include a comprehensive review of the Uniform Parentage Act (HRS Ch. 584, “UPA”) as relates to the interests of all Hawaii families using ART procedures (which include not only LGBTQ+ families, but also heteronormative families struggling with infertility). A comprehensive update of the UPA to accommodate developments in procreative technology over recent decades (such as ova retrieval, in vitro fertilization, embryo transfers and the use of gestational surrogates) and recognize the many different ways Hawaii families are created would alleviate many of the inequities experienced by LGBTQ+ families (and also by heteronormative families dealing with infertility). Moreover, there are ongoing efforts to develop a comprehensive amendment to the UPA that may be of assistance to the task force in this regard.

With so much at stake, it is critical that Hawaii approach the process of enacting surrogacy legislation in a measured, comprehensive way, with a detailed understanding of the needs and concerns of the various constituencies involved, including not only gestational carriers and intended parents, but also fertility clinics, surrogacy agencies and the community at large.

**HB-1096-HD-2**

Submitted on: 3/15/2021 6:59:58 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for AAUW of Hawaii	Support	No

Comments:

The members of AAUW of Hawaii want to thank you for this opportunity to testify in support of HB1096 HD2 which would convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.

The American Association of University Women (AAUW) of Hawaii is a state-wide organization made up of six branches (Hilo, Honolulu, Kauai, Kona, Maui, and Windward Oahu), and over 3800 members and supporters statewide. As advocates for gender equity, AAUW of Hawaii promotes the economic, social, and physical well-being of all persons.

Younghee Overly, Public Policy Chair, AAUW of Hawaii



## Hawaii Women's Coalition

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TO: Senate Committee on Health  
Senator Jarrett Keohokalole, Chair  
Senator Rosalyn H. Baker, Vice Chair

DATE: Wednesday, March 17, 2021

FROM: Hawai'i Women's Coalition

RE: HB 1096 HD2- Relating to Parentage

Position: SUPPORT with comments

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. The Hawai'i Women's Coalition **supports this measure in its original form** (HB 1096) and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i.

**While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws. The original bill also corrects the legal discrimination that is currently leveled against



## Hawaii Women's Coalition

children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**HB-1096-HD-2**

Submitted on: 3/16/2021 7:07:15 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nikki-Ann Yee	Testifying for Ma'i Movement Hawai'i	Support	No

Comments:

**Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Ma'i Movement Hawai'i supports this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.**

**HB-1096-HD-2**

Submitted on: 3/13/2021 12:36:26 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Laurie Field	Testifying for Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Planned Parenthood Votes Northwest and Hawaii supports HB 1096, HD2. Thank you!

**HB-1096-HD-2**

Submitted on: 3/12/2021 11:27:17 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Yulia Muzychenko	Individual	Oppose	No

Comments:

I oppose this measure. Conservative does not mean outdated. This bill will bring more harm than good.



**HB-1096-HD-2**

Submitted on: 3/13/2021 7:16:43 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melanie Lander	Individual	Support	No

Comments:

The most incredible gift a child can receive is being guided through the world by a loving parent or parents. In the last year I have had the amazing opportunity to get to know my friends in this new light. It breaks my heart to know that they are unable to establish something as simple as mutual legal parentage of their child. Parents should be defined by the love and dedication they have for their children, not their gestational status. Please support this bill to recognize all who voluntarily wish to establish the legal parentage of their children. Sincerely, Melanie Lander - Makiki

**HB-1096-HD-2**

Submitted on: 3/14/2021 1:02:01 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen Young	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to offer testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i supports this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Kristen and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

I know families with two mothers and other families with two fathers. Their children are being raised by loving parents. My sister and her girlfriend talk about having children and growing their own family someday. They deserve the right to be parents just like everyone else. Much of the reasoning behind discrimination against LGBTQ+ parents that I've heard is out of concern for the children. The best thing we can do for children is to support their parents, their caregivers.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Kristen  
(she/her/hers)  
Honolulu, HI

**HB-1096-HD-2**

Submitted on: 3/14/2021 9:14:47 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Piper Kublick	Individual	Support	No

Comments:

Aloha Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

My name is Piper Kublick, I am a MSW student at UH MÄ• noa and as a member of the LGBTQ+ community I thank you for the opportunity to give testimony today. I am in support of HB 1096 in its original form as it will aid in the eradicate of discrimination LGBTQ+ parents and their children face, including the unconstitutional restriction on our equal rights as U.S. citizens. In its original form, the bill opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. It also adopted gender inclusive language, such as “paternity” in addition to “parentage,” in recognition of the validity of all families and birthing people.

Currently, only male partners of those giving birth are allowed to volunteer themselves as the other legal parent to establish parenthood on a birth certificate. This current restriction creates additional barriers for LGBTQ+ parents who have already climbed several mountains to get to where they are today. In order for a female, non-binary, and queer partner to establish legal parenthood they must then undertake the extra financial and emotional burden of the adoption process.

Along with the parents, restrictions like this also negatively impact the children and families. Without having legal parentage, a LGBTQ+ parent legally cannot make healthcare decisions for, enroll their child in school, and participate in other important parenting choices. All children deserve the opportunity for their loving family to be legally recognized, validated, and protected. The passing of this bill is pertinent to the preservation of LGBTQ+ parent’s human rights as well as the health and wellbeing of our children, families, and community as a whole.

Thank you for your time and continued dedication to equal rights for all parents and their children.

Na'u me ke mahalo,  
na Piper Kublick

**HB-1096-HD-2**

Submitted on: 3/14/2021 12:26:13 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nadine NEWLIGHT	Individual	Support	No

Comments:

**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

Chair Keohokalole, Vice-Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Nai`a Newlight, and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender-inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Nai`a NEWLIGHT**

**HB-1096-HD-2**

Submitted on: 3/14/2021 12:45:11 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Eileen McKee	Individual	Support	No

Comments:

I support HB1096.

Mahalo for considering my testimony.

Eileen McKee

Kihei



**HB-1096-HD-2**

Submitted on: 3/14/2021 2:41:18 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Michal Hamid	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Sarah Michal Hamid and I **strongly support** this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, **I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

As a lesbian woman, I know the intimate realities of discrimination that LGBTQ+ people face in Hawai‘i, and knowing that our families are not even regarded as valid increases the daily anxieties I have as a queer person. I fear that when I choose to start a family I will have to pay thousands of dollars and undergo an extremely emotional process, all while healing from childbirth. Our families and communities deserve better, and this bill provides a tangible way to support and affirm that LGBTQ+ parents are valid and should be treated as such.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sincerely,

Sarah Michal Hamid

**HB-1096-HD-2**

Submitted on: 3/14/2021 2:42:47 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joe Wilson	Individual	Support	No

Comments:

Aloha Committee Members,

I'm writing in STRONG SUPPORT of HB1096, HD2 and urge urgency in all efforts to eliminate discrimination and ensure that any and all legal frameworks in Hawaii are just and inclusive for LGBTQ+ individuals and families.

While disappointed that this legislation only seeks to convene a task force to recommend amendments, rather than make the needed legal updates now, it is better than nothing.

Thanks for your attention and consideration,

Joe Wilson

North Shore O'ahu

House District 47 / Senate District 23

**HB-1096-HD-2**

Submitted on: 3/14/2021 3:58:51 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marjorie Ino	Individual	Support	No

Comments:

Testimony in Support of HB 1096, HD2 - Relating to Parentage

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage. My name is Marjorie Ino and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Marjorie Ino

**HB-1096-HD-2**

Submitted on: 3/14/2021 4:31:22 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cedar Wilson	Individual	Support	No

Comments:

Chair Keohokalole, Vice-Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Cedar Wilson and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender-inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

I would personally love to have the right to claim parentage to my future children (alongside my potential future partner) without so many barriers. I'm kanaka maoli and a member of the LGBTQ+ community and one day I'm going to be a parent to kanaka maoli in Hawai'i. My gender and sexuality has been used against me in so many ways. Having this bill would protect some of my natural rights as a human who hopes to one day have a family.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Cedar Wilson

**HB-1096-HD-2**

Submitted on: 3/14/2021 6:32:02 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anna Mackey	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Anna Mackey and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I also ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

I personally have not had the easiest journey to parenthood. However I have been afforded support as a cis gender white female who could easily marry my husband. The privileges afforded to me should be afforded to all citizens regardless of gender. I want to live in a state where that is reality for all people.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to



appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Anna Mackey

Resident of Big Island

**HB-1096-HD-2**

Submitted on: 3/14/2021 7:28:47 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kaleigh DeSimone	Individual	Support	No

Comments:

Testimony in Support of HB 1096, HD 1 - Relating to Parentage

Chair Luke, Vice Chair Cullen, and members of the House Committee on Finance,

Thank you for the opportunity to present testimony on HB 1096, HD 1- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Kaleigh DeSimone and I SUPPORT this measure.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Resolving the barriers non-male parents face in establishing parentage will also correct the legal discrimination currently leveled against children because of their parents’ identities, a factor that children do not have control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB 1096, HD1.

Kaleigh DeSimone

**HB-1096-HD-2**

Submitted on: 3/14/2021 7:33:19 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Thaddeus Pham	Individual	Support	No

Comments:

Aloha HTH Committee Members:

As a concerned community citizen and public health professional, I am writing in **STRONG SUPPORT for HB1096 HD2** which would allow for ALL parents (including non-binary, trans, and queer parents) who do not identify as male to finally be able to establish their parental rights in a manner that honors their gender identity as a parent without calling their bodies into question.

It has been well established that the health of children is strongly influenced by having stable, loving, and dedicated parents, regardless of sexuality and/or gender status (<https://pediatrics.aappublications.org/content/131/4/e1374>). To ensure the health of our local children and the future workforce of Hawai'i, I urge you to pass measure HB1096.

With aloha,

Thaddeus Pham (he/him)

**HB-1096-HD-2**

Submitted on: 3/14/2021 7:35:52 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mykie E. Menor Ozoa-Aglugub	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. **I support this measure in its original form. I respectfully urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.**

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Mykie E. Menor Ozoa-Aglugub, J.D.

**HB-1096-HD-2**

Submitted on: 3/15/2021 8:10:44 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tami Whitney	Individual	Support	No

Comments:

Chair Keohokalole, Vice-Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i **supports this measure in its original form** and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i.

As a parent and public health professional, I wholeheartedly support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence

of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Thank you so much for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Tamara Whitney

**HB-1096-HD-2**

Submitted on: 3/15/2021 8:14:45 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jacob B Shearer	Individual	Support	No

Comments:

Aloha,

As a member of Hawai'i's LGBTQ+ community, I hope to see our families grow and flourish in the coming generations. The current law places a burden on LGBTQ families as they start out, forcing them to pay and jump through hoops to recognize parentage. To change this would be another step in the direction of full equality for queer families, and reduce the heteronormative preference currently implicit in the system. Please support this bill.



**HB-1096-HD-2**

Submitted on: 3/15/2021 10:13:56 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rebecca M Goldschmidt	Individual	Support	No

Comments:

My name is Rebecca Maria Goldschmidt and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQI+ Parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQI+ people.

As a niece of a lesbian family, friend and ally to many Queer families, I have grown up with the caring love and support of non-traditional family structures. As a queer person myself who has made Hawai'i home, I hope that Hawai'i will continue to be on the forefront of securing the rights of **all** families, regardless of their identity or sexual orientation.

A measure to resolve the discrimination against LGBTQI+ families is urgently needed. Gender identity should not be a barrier for a non-binary or fmeal partner to establish parentage. Parents of any gender identity should be able to establish their valid and legal right to parent their children.

Mahalo for your dedication to LGBTQI+ rights in Hawai'i and the opportunity to testify on HB 1096.

Rebecca Maria Goldschmidt

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:24:44 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalai Joy	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Mahalo for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Kala'i Joy and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Kala'i Joy

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:24:44 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kalai Joy	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Mahalo for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Kala'i Joy and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Kala'i Joy

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:35:01 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patricia Bilyk	Individual	Support	No

Comments:

TO: Senator Keohokalole, Chair and Members of the Senate Health Committee

RE: HB 1096 HD2 Relating to Parentage

I support this bill in it's original form.

Please reinstate in the bill the following:

1. A broader definition of parenthood to include all partners of the birthing persons regardless of their gender identity or biological contribution to the child.
2. Adopt the gender inclusive language "parentage" in addition to paternity.

Thank you for recognizing the validity of and importance of the passage of this Bill ,including the 2 points above,to birthing people and families.

Patricia L Bilyk, RN, MPH, MSN

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:45:12 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jo-Ann M Adams	Individual	Support	No

Comments:

I support the amendments proposed by the LGBT Caucus of the Democratic Party of Hawaii.

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:49:43 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Olan Leimomi Fisher	Individual	Support	No

Comments:

**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Mahalo for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Personally, I **support** this measure in its original form and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to **pass** this measure in its original form, to effectively eliminate discrimination against LGBTQ+ parents.

Being currently pregnant and expecting my first child, I can't imagine not having the same rights as anyone else regarding being a parent, regardless of my sexual orientation or gender identity. **LGBTQ+ people are just as equally deserving of the right to be parents as anyone else, and these laws need to be updated to reflect the true nature of our society and people. Especially here in Hawai'i where we pride ourselves on our diversity and inclusivity, and with there being SO MANY keiki in need of loving and caring homes, ALL willing and able parents are NEEDED, and this bill is necessary!**

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. **In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child.** The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. **Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to



the “queer parent penalty” - **LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent. This is simply NOT RIGHT.**

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. **Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.**

Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB1096. Please **PASS** this measure, **in its original form.**

Mahalo nui,

Olan Leimomi Fisher (lifelong resident of Mililani, O’ahu)

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:51:28 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Keli'i Fisher	Individual	Support	No

Comments:

**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Mahalo for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Personally, I **support** this measure in its original form and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to **pass** this measure in its original form, to effectively eliminate discrimination against LGBTQ+ parents.

Currently expecting my first child with my wife, I can't imagine not having the same rights as anyone else regarding being a parent, regardless of my sexual orientation or gender identity. **LGBTQ+ people are just as equally deserving of the right to be parents as anyone else, and these laws need to be updated to reflect the true nature of our society and people. Especially here in Hawai'i where we pride ourselves on our diversity and inclusivity, and with there being SO MANY keiki in need of loving and caring homes, ALL willing and able parents are NEEDED, and this bill is necessary!**

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. **In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child.** The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. **Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to

the “queer parent penalty” - **LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent. This is simply NOT RIGHT.**

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. **Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.**

Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB1096. Please **PASS** this measure, **in its original form.**

Mahalo nui,

Scott Keli’i Fisher (lifelong resident of Mililani, O’ahu)

**HB-1096-HD-2**

Submitted on: 3/15/2021 10:54:59 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alani Bagcal	Individual	Support	No

Comments:

**Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,**

**Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Alani Bagcal and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.**

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.**

**Thank you for the opportunity to testify,**

**Alani Bagcal**

**96815**

**HB-1096-HD-2**

Submitted on: 3/15/2021 11:23:36 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Annie Do	Individual	Support	No

Comments:

As a long time Hawaii resident, working citizen, and public health professional I support this bill to create a task force to update parentage laws that are inclusive for our non-cisheteronormative families.

With aloha,  
Annie

**HB-1096-HD-2**

Submitted on: 3/15/2021 12:44:00 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
cheryl Burghardt	Individual	Support	No

Comments:

Strong support

**HB-1096-HD-2**

Submitted on: 3/15/2021 4:20:06 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cu Ri Lee	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I support this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.



**HB-1096-HD-2**

Submitted on: 3/15/2021 5:16:22 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
melissa tomlinson	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i and myself support this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I ask you to pass this measure that will effectively eliminate discrimination against LGBTQ+ parents. I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

If I were to persue parenting this would be a plight I would have to under go under current circumstances in the state of Hawai'i and elsewhere. I have wanted children, a family most of my life, but because of such restrictions at 40 now it seems as though I may not have the privilege some others are so easily afforded. I still carry hope and perhaps Hawai'i could be a place where parenting is diverse and accepting. I will always support anyone trying to bring inclusivity in this way into social constructs, as my life has been shaped in ways that it has not been for others and I hope the children of today can be free from such influences when it is there time to raise the next

generations. There are policies against discrimination in employment, there should be anti discrimination policies in parenting.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

I have previously submitted testimony where I discuss ways in which I feel legislation ought not have true claims over land etc.

Please understand that though I strongly feel America needs to cease its illegal occupation and will reflect that in my testimony, until that time comes, I ask those who regard themselves in position of power to do right by the people. These issues need to be addressed now and the oppression and violence against people who identify as LGBTQ+ must end.

Best Regards,

Melissa Tomlinson

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is **Valéry Atkinson** and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.**

In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

**While I do not have the capacity to have children, as a queer person, I understand that having a child is already subject to unique financial burdens for LGBTQ+ families. It is astonishing that after going through an already emotionally and financially trying process, a family has to face another obstacle. Unlike the other barriers these individuals face, this one comes at a time when most families are celebrating the arrival of new life. Subjecting these families to a penalty simply for being female, non-binary, or queer is discriminatory, harmful, and dangerous to both the parents and the children. As someone who is active in the queer community, I have heard countless stories about families who have overcome one barrier just to be faced with another. This measure would remove one such hurdle, eliminating yet another senseless discriminatory practice that only seeks to harm an already marginalized community.**

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. Every child deserves

the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Valéry Atkinson

**HB-1096-HD-2**

Submitted on: 3/15/2021 7:05:29 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nanea Lo	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i supports this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. Individuals testifying in support: My name is Nanea Lo and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent

this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Thank you for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

me ke aloha 'Ä• ina,

Nanea Lo

**HB-1096-HD-2**

Submitted on: 3/15/2021 9:20:26 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rozlyn Calderon	Individual	Support	No

Comments:

**Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,**

**Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I support this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Rozlyn Calderon and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.**

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.**

**The time to make these important changes is now. Inclusivity is vital for the future of our society. I am asking you to take this important step and validate all queer families. They are here, present throughout our communities and deserve equality.**

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.**

**Rozlyn Calderon**



**HB-1096-HD-2**

Submitted on: 3/15/2021 9:43:12 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jen Jenkins	Individual	Support	No

Comments:

Please pass HB1096 HD2.

**HB-1096-HD-2**

Submitted on: 3/16/2021 2:11:14 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
maria kalai denzer	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i supports this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Maria kalai Denzer and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While we [I] support the intent of a task force, we [I] ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Maria kalai Denzer

**HB-1096-HD-2**

Submitted on: 3/16/2021 9:14:27 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shandhini Raidoo	Individual	Support	No

Comments:

Aloha,

I am writing this testimony in strong support of HB1096. As an obstetrician-gynecologist, I care for many different types of families during their pregnancy and childbirth process. Every family in Hawaii deserves the same rights to establish parentage at birth and to build their families the way that they choose, regardless of gender identity. The Uniform Parentage Act should include all people in Hawaii who undertake the journey of parenting and family-building.

Thank you for your support of HB1096,

Shandhini Raidoo, MD, MPH

## Testimony in Support of HB 1096, HD2 - Relating to Parentage

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Chauncey HH and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. Task forces, committees, findings reports, etc. are vital bureaucratic outlets for community progress. Marginalized families, partnerships, and communities articulate their concerns and a great many solutions already. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

As a queer cis gendered woman, this bill directly effects my partnerships, future family planning, and those close to me. I would ask that this committee adopt a version of this bill that moves deliberately and with urgency; no need for another task force even if it’s well intended when proposed legislations has already been created

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed.** Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws. The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB 1096.

Chauncey HH

**HB-1096-HD-2**

Submitted on: 3/16/2021 11:53:35 AM

Testimony for HTH on 3/17/2021 1:00:00 PM

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

Comments:

**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

Aloha Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Mahalo for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. **Aloha Maui Pride supports this measure in its original form** and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i.

My name is James Doran and as President of Aloha Maui Pride organization, we also urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**James Doran**

**On behalf of Aloha Maui Pride**

**HB-1096-HD-2**

Submitted on: 3/16/2021 12:03:51 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jade Chihara	Individual	Support	No

Comments:

Testimony in Support of HB 1096, HD2 - Relating to Parentage

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Jade Chihara and I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.



Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Jade Chihara

**HB-1096-HD-2**

Submitted on: 3/16/2021 12:05:38 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Maile Wong	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Maile Wong and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

As a gay woman who would one day like to be a mother, I am frustrated and terrified that in the state of Hawai‘i LGBTQ+ families and children are not included, protected, and empowered in policy. The stigma and fear of the LGBTQ+ community that exists still is amplified and reflected in the lengthy and expensive process required to establish my parental rights. In Hawai‘i, the family is critical; it is central to culture and identity. I am appalled that the state does not extend the same right for heterosexual couples as they do for queer and LGBTQ+ families. Hawai‘i has thousands of LGBTQ+ residents and our representatives have a duty to show us that we are valid and equal.

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Maile Wong**

## Testimony in Support of HB 1096, HD2 - Relating to Parentage

Chair Keohokalole, Vice-Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Krystle Richman and I support this measure in its original form and provide the following comments to highlight the significant impact this bill will have on my family and other families across Hawai'i. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people like me.** In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender-inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

Biology is not the only thing that makes a family. The central issue is: in determining the legitimacy of a family and specifically parentage, whether the government should be concerned with whether an individual is a gestational carrier or whether an individual is acting in alignment with the shared responsibilities and values of growing a family and raising a child?

Currently, my wife and I are planning to select a sperm donor to help us grow our family. Like many people who seek assisted reproductive technology, we had no idea how challenging it would be to find the perfect sperm donor, let alone one who presents similar ideals and values as us. Across the four years that we've browsed sperm banks together, we face limitations that push families like ours, who desire to create a family from a place of love, into a place of chaos, uncertainty, and worry. In an ideal world, we would use the same donor to conceive children. My wife would be the biological mother of one prospective child and using the same donor, I would be the biological mother of another prospective child. If the proposed children were raised in a household under the same conditions, what would be the implications for our future family? How would raising two children as siblings in the same household affect their identity, relationships, and whether they have access to benefits? Who gets to decide? What defines or constitutes a family? What defines or constitutes us as legitimate parents? Would we be able to establish parentage at the birth of both of our prospective children, regardless of who was the gestational carrier or who contributed biologically? As a parent with no biological connection to our child(ren), what might happen should one of us pass away? Would our child(ren) be taken from us? These are the relevant questions we must ask ourselves as we pursue the process of growing our family, especially during the time of the COVID-19 pandemic.

**A measure to resolve the discrimination against LGBTQ+ families like mine is urgently needed. My identity should not be a barrier for me as a female partner to establish parentage to my future children.** Currently, Hawai'i has a process for heterosexual couples to establish parentage at a child's birth, but it does not clearly lay out one for gay couples like mine. More specifically, under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this

restriction, my wife and I, like many LGBTQ+ parents, are subject to the “queer parent penalty” - we and other LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition and acceptance as our child’s valid parent in a likely long, drawn-out court process.

We recognize our privilege too. Assisted reproductive technology is expensive, time-consuming, and emotionally burdensome. There is no access to sperm banks in the state of Hawai‘i which means that we must invest in sperm banks on the mainland. With registration fees, the purchase of sperm vials, the need for storage, and the cost of the procedure, we easily will spend \$6,000+ in our initial attempts to become parents. And that’s just with a minimal procedure of artificial insemination -- not IVF. Additionally, if our family growing process is successful, we recognize that my wife and I are lucky to have advanced titles after our names and salaried employment that could, if needed, take us to court to pursue an adoption decree. We have the ability to afford a lawyer and to ask the right questions to gain legal security for our family and children. Our social capital and financial standing give us the advantage to navigate these unfair, biased systems. We understand that others are not as lucky and are restricted from access to assisted reproductive technology and the pursuit of adoption decrees even before they begin.

We need to update these current parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. We need to update our laws to accurately reflect the realities of same-sex marriage and the growth and development of modern families in Hawai‘i.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

We’ve also learned from others that the completion of the birth certificate is subjective from one hospital institution to the next. For example, one hospital may honor our request for the non-biological parent to be included and identified as the second parent on the birth certificate, which would immediately establish both my wife and me as the child’s legal parents at birth. However, another hospital may choose not to honor our request, and instead ask us: “who is the father?” Without clear legal guidelines and requirements, the decision in Hawai‘i is left to the hospital.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents. There is no doubt that our children will be wanted and loved. The love my wife and I can give our children is no different whether the child is biologically connected to us or not. We would like our love and parentage to be legally recognized and respected in the same way that every other family is recognized and respected. We need HB 1096 now.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

Krystle C. Richman, MEd  
J.D. Candidate  
William S. Richardson School of Law  
University of Hawai'i at Mānoa

**HB-1096-HD-2**

Submitted on: 3/16/2021 12:52:01 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

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

Comments:

Aloha,

I am a cis-hetero resident of Kaimuki writing to you today in full support of HB 1096 relating to parentage. This bill will ammend the unconstitutional restriction on the equal rights of LGBTQ+ people in our community. Currently, the law dictates that only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is NOT afforded to female, non-binary and/or queer partners. The systems that force such financial and emotional burden upon these people in order to obtain an adoption decree for legal recognition as their child's valid parent are not only wrong, but they are extremely antiquated and not a reflection of the aloha we strive to show and share with our LGBTQ+ community members.

Queer families are beautiful and valid and our state's systems need to reflect and support that fact by removing the barriers they face when establishing parenthood.

Thank you for your dedication to LGBTQ+ rights in Hawaii and the opportunity to testify on HB 1096.

**HB-1096-HD-2**

Submitted on: 3/16/2021 12:57:43 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jenna Manglallan	Individual	Support	No

Comments:

My name is Jenna Manglallan and I support this measure in its original form;

While supporting the task force, I would ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

Thanks to recent advances of equality for same-sex marriages, my LGBTQIA+ partnership is recognized under the law. Similarly, I would hope that my partner and I have that same opportunity when preparing to start a family; HB1096 and establishment of parentage will greatly determine my future.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over.



Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawaii.

Jenna M. Manglallan  
Wahiawa, HI

**HB-1096-HD-2**

Submitted on: 3/16/2021 12:59:29 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Hannah Malia May Ling Rossetti	Individual	Support	No

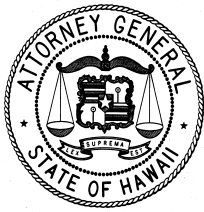
Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Mahalo for the opportunity to submit testimony on HBB 1096, HD 2.

I support the intent of a task force, and I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.

The 'ohana and especially the keiki of Hawai'i deserve to have access to pathways that ensure them the same rights as nuclear, heteronormative families. There is so much aloha in these islands that the number of keiki in foster care does not make sense. Preventing capable, loving, and wanting 'ohana from having keiki is 'a'ole pono.



**WRITTEN TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2021**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 1096, H.D. 2, RELATING TO PARENTAGE.

**LATE**

**BEFORE THE:**

SENATE COMMITTEE ON HEALTH

**DATE:** Wednesday, March 17, 2021      **TIME:** 1:00 p.m.

**LOCATION:** State Capitol, Via Videoconference

**TESTIFIER(S):**      **WRITTEN TESTIMONY ONLY.**

(For more information, contact Brandon K. Flores,  
Deputy Attorney General,  
at Child Support Enforcement Agency at 208-0877)

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Chair Keohokalole and Members of the Committee:

The Department of the Attorney General (Department) appreciates the intent of the bill and provides the following comments.

The purpose of this bill is to require the department of health to convene a task force to recommend amendments to the Hawaii Revised Statutes (HRS) to update existing parentage laws. The original draft of this bill sought to amend the Uniform Parentage Act (UPA), codified as chapter 584, HRS, to allow non-gestational partners of any gender identity to voluntarily establish parentage at the time of a child's birth. The original draft expanded the class of people who may establish parentage through the voluntary establishment of paternity process.

Convening a task force would help prevent the possible unintended effects resulting from the original draft. First, the original draft defines "[g]estational parent" as "the partner, of any gender identity, in a married or unmarried relationship who gives birth to the child." Under this definition, male same-sex couples could be precluded from establishing parentage at the time of birth. Second, the original draft defines "[n]on-gestational parent" as "the partner, of any gender identity, in a married or unmarried relationship with the gestational parent . . . provided that neither partner is legally married to another person at the time of the child's birth. This would end the

current practice of allowing the biological father who is legally married to someone else to sign a voluntary acknowledgment of parentage form.

Convening a task force to study proposed changes to chapter 584, HRS, would help avoid creating inconsistencies within chapter 584. For example, section 584-4 presumes that a man who signs a voluntary acknowledgment of paternity is the natural father of the child; section 584-6 states that a man may bring an action for the purpose of declaring the existence of a father and child relationship; and section 584-17 allows for the enforcement of the judgment or order against a father. It is not clear whether these same rights and responsibilities would apply to non-gestational partners of a gender identity that is not male. A task force could help determine whether it is necessary to amend the entire UPA to consistently use gender-neutral terminology throughout so that non-gestational partners of any gender identity receive the same recognition, rights, and responsibilities currently provided to fathers.

Further, the amendments to section 584-3.5, HRS, in the original bill appear to be internally inconsistent. Subsection (a) states that this process should be provided to unwed parents. However, the definitions of "gestational parent" and "non-gestational parent" allow either to be in a married relationship, provided that a non-gestational parent may not establish co-parentage unless neither partner is legally married to another person at the time of the child's birth. Finally, the word "paternity" in subsection (g) was not changed to "parentage". A task force could review all of these inconsistencies and make recommendations that are internally consistent.

Because of the complexity of the bill, the Department would welcome the opportunity to work with the task force that would be established under House Draft No. 2 of this bill.

Thank you for the opportunity to provide testimony.



healthymothers  
healthybabies  
COALITION OF HAWAII

**LATE**

### **Testimony in Support of HB 1096 - Relating to Parentage**

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096 HD2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Healthy Mothers Healthy Babies Coalition of Hawaii **strongly supports** this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai‘i.

Healthy Mothers Healthy Babies is a local nonprofit agency that is part of a network of organizations and individuals committed to improving Hawaii's maternal, child and family health through collaborative efforts in programs, public education, advocacy and partner development. We support all parents and their right to do so. LGBTQ+ parents deserve the right to establish parentage without hindrance, obstruction or discrimination.

**HB 1096 HD2 amends the unconstitutional restriction on the equal rights of LGBTQ+ people**, and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

**Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Sunny Chen**

**Healthy Mothers Healthy Babies Coalition of Hawaii**

**LATE**

**HB-1096-HD-2**

Submitted on: 3/16/2021 2:12:19 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
J. Jungha Kim	Testifying for LGBTQ+ Rainbow Alliance	Support	No

Comments:

**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

**Chair Keohokalole, Vice-Chair Baker, and members of the Senate Committee on Health,**

**Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. LGBTQ+ Rainbow Alliance supports this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. We urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.**

**While we support the intent of a task force, we ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender-inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.**

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many**

**LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.**

**J. Jungha Kim**

**On behalf of LGBTQ+ Rainbow Alliance**



**LATE**

**HB-1096-HD-2**

Submitted on: 3/16/2021 10:24:24 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	No

Comments:

Rainbow Family definitely supports HB1096. Since we believe inclusion is a vital part of any task force, we want to be sure that LGBTQ+ parents are included as part of the task force. Please pass this bill.

Mike Golojuch, Sr., Secretary, Rainbow Family 808

**LATE**

**HB-1096-HD-2**

Submitted on: 3/16/2021 3:03:01 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jasmine Pontillas Davé	Individual	Support	No

Comments:

**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

**Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,**

**Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Jasmine Pontillas Davé and I strongly support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.**

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.**

**I have friends and family who could benefit from this bill immediately. This bill would even make it possible for some families who are considering right now whether or not to have children to make that decision and start family planning, because the process of establishing parentage would be so much easier, more accessible, and less costly than it is now.**

**A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**The original bill also corrects the legal discrimination that is currently leveled against children because of their parents’ identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.**

**Jasmine Pontillas Davé, Esq.**

**LATE**

**HB-1096-HD-2**

Submitted on: 3/16/2021 5:45:15 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Troy Ballard	Individual	Support	No

Comments:

Dear Chair Keohokalole, Vice Chair Baker and members of the Senate Committee on Health,

I **STRONGLY SUPPORT** HB1096 in its original form as it effectively eliminates discrimination against LBTQ+ parents. The original bill corrects the injustice of legal discrimination that is leveled against children because of their parents' identities -- a factor that children have no control over.

Thank you for your dedication to LGBTQ+ rights in Hawai'i and the opportunity on HB1096.

Mahalo,

Troy Wallace Ballard

**HB-1096-HD-2**

Submitted on: 3/16/2021 6:26:45 PM

Testimony for HTH on 3/17/2021 1:00:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Teatuahere Teiti-Gierlach	Individual	Support	No

Comments:

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM - Hawai'i  
I support this measure in its original form and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. My name is Teatuahere and I support this measure in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people. In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families.

A measure to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent

this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The original bill also corrects the legal discrimination that is currently leveled against children because of their parents' identities, a factor children have no control over. Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Teatua here Teiti-Gierlach

To: Senator Keohokalole, Chair, Health Committee  
Senator Baker, Vice- Chair, Health Committee



**Testimony in Support of HB 1096, HD2 - Relating to Parentage**

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Tanya Smith-Johnson, I support this bill in its original form. I urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**While I support the intent of a task force, I ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people.**

In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender inclusive language, such as “parentage” in addition to “paternity,” in recognition of the validity of all birthing people and families.

**HB 1096 HD2 amends the unconstitutional restriction on the equal rights of LGBTQ+ people,** and opens the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopts gender neutral language, such as “parentage” in place of “paternity,” in recognition of the validity of all birthing people and families.

As a heteronormative, cis gender mother who has birthed 6x, I know the privilege that it is to be able to automatically know my partner will be named on the birth certificate without question or push back. I know the privilege in being able to have the system acknowledge and work for me in ways it doesn’t for others. I couldnt imagine being denied the right to establish parenthood of my children, It is hard for me to conceptualize the obstacles laid in the path of non-binary, queer and female partners of birthing people.

**Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096 HD2.

**Tanya Smith-Johnson, MS, CPM**  
tanyasj@hmhb-hawaii.org



**LATE**

**HB-1096-HD-2**

Submitted on: 3/16/2021 7:04:46 PM  
Testimony for HTH on 3/17/2021 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Individual	Support	No

Comments:

Aloha Chair Keohokalole, Vice Chair Baker and members.

Strong support for this bill. Our current law is antiquated and will do lasting damage to the "modern family" which includes gay married couples and unmarried couples across a spectrum. In Hawaii we have the beautiful concept of a much larger family: Ohana. So for the sakes of all our Ohana, please pass this bill.

Ann S. Freed, Mililani, HI

**HB-1096-HD-2**

Submitted on: 3/16/2021 9:34:50 PM

Testimony for HTH on 3/17/2021 1:00:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sandra Young	Individual	Comments	No

Comments:

As a family law attorney, I have handled many adoption cases over the years. The natural and/or legal parent is entitled to notice if his parental rights are to be terminated. To terminate his rights without notice is an unconstitutional violation of his due process rights and his parental rights. If the mother doesn't know who the father is, the matter is published in the newspaper four times to give notice the father.

If a husband and wife divorce, and the wife gives birth to a child within 300 days of the divorce, the ex-husband is the presumed father of the child. How will the issue of paternity/parentage be handled/resolved?

And the legal concerns go on.