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Congress of the United States
House of Representatives
Washington, DC 20515-1102

COMMITTEE ON AGRICULTURE
SUBCOMMITTEE ON CONSERVATION, RESEARCH,
AND BIOTECHNOLOGY
SUBCOMMITTEE ON NUTRITION, FOREIGN
AGRICULTURE, AND HORTICULTURE
SUBCOMMITTEE ON LIVESTOCK, DAIRY,
AND POULTRY
COMMITTEE ON ARMED SERVICES
SUBCOMMITTEE ON MILITARY PERSONNEL
(VICE RANKING MEMBER)
SUBCOMMITTEE ON READINESS
SELECT SUBCOMMITTEE ON THE
CORONAVIRUS PANDEMIC

March 18, 2024

To: The Honorable Karl Rhoads, Chair
Senate Committee on Judiciary

From: Jill N. Tokuda
U.S. House of Representatives, Hawaii Congressional District 2

Hearing: Tuesday, March 19, 2024
10:10 AM
Conference Room 016 & Videoconference

Subject: House Bill No. 2802, Proposing an Amendment to Article 1, Section 23, of
the Hawaii Constitution Relating to Marriage

Chair Rhoads, Vice-Chair Gabbard, and Members of the Committee:

Mahalo for the opportunity to provide written testimony in **STRONG SUPPORT** of House Bill No. 2802, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

I was on the steps of the U.S. Supreme Court when news broke that the Court intended to reverse precedent that had stood for nearly half a century and eliminate a woman's constitutional right to reproductive freedoms. I've watched as this ultraconservative court has stripped away our right to make decisions about our own bodies, rolled back the clock on voting rights, affirmative action, and the ability of states to limit gun violence.

As someone who fought to establish and protect marriage equality in Hawaii for more than a quarter of a century, I refuse to stand by and watch this Court take a hatchet to rights won that had previously been denied. If this Court follows through on its threat to revisit *Obergefell*, we could easily see nationwide rights to same-sex marriage restricted again.

Speaking on the floor and voting for the passage of the Hawai'i Marriage Equality Act of 2013, which established same-sex marriage in Hawaii, was one of the defining

moments of my tenure in the Hawaii State Senate. Although this is still law in our state, Article I, Section 23 of the Hawaii State Constitution also grants our state legislature the power to limit who can marry. This discriminatory language cannot be allowed to stand. If *Obergefell* falls and a future legislature acts to limit marriage equality in Hawaii, the rights of same-sex couples in our state could once again face limitations.

We cannot stand by and hope the U.S. Supreme Court does nothing. The right to be who you are and love who you choose are at risk. We must take action to preserve the rights that so many LGBTQ people in Hawaii have fought for and rightfully deserve, now and in the future.

Thank you for the opportunity to testify.

MARK TAKANO
39TH DISTRICT, CALIFORNIA

COMMITTEE ON VETERANS' AFFAIRS
RANKING MEMBER

COMMITTEE ON EDUCATION & LABOR



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Congress of the United States
House of Representatives
Washington, DC 20515

March 19, 2024

The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
Senate Committee on Judiciary
State Capitol, Conference Room 016/Videoconference

RE: Testimony in Support of HB2802, Proposing an Amendment to Article 1, Section 23, of the Hawaii Constitution Relating to Marriage

Chair Rhoads, Vice Chair Gabbard, and Committee Members,

Thank you for allowing me to submit my testimony today in strong support of House Bill 2802, a measure to amend the Hawaii State Constitution by repealing Section 1, Article 23.

As the first openly gay person of color to serve in Congress, I know what it is to lose battles. The year after the Hawaii Supreme Court handed down its monumental decision in favor of same-sex marriage, I lost my election after being publicly outed by my opponent. I watched as the country underwent a nationwide backlash following that brave ruling by Hawaii's judicial branch, which had reverberated across the country and broken open a fierce debate over same-sex marriage. Rather than usher in an era of advancements as advocates had hoped, Hawaii's legislature was rocked by a conservative recoil that ousted pro-equality legislators, introduced new anti-LGBTQ bills, and passed a constitutional amendment in an effort to keep marriage strictly between a man and a woman. On the federal level, the U.S. Congress passed the Defense of Marriage Act in direct response to Hawaii's ruling. It felt like the movement for gay equality had taken one step forward and three steps back.

I retrace this history to underscore that, although we are in a different place with the societal acceptance of LGBTQ people, our arrival here was far from a linear path. In the decades since, we've fought and won a number of victories – the repeal of Don't Ask, Don't Tell, the recognition of same-sex marriage on a national scale, and the Respect for Marriage Act, for example. However, the loss of *Roe v. Wade*'s protections has thrown fundamental rights to privacy and bodily autonomy into question, and the case law that was built on that decision—including *Obergefell*—is at stake.

Now is the time for the states that pioneered these freedoms to lead the charge in protecting them. Following the enactment of the Respect for Marriage Act at the federal level, so-called

“haven” states like Hawaii have an even greater importance for LGBTQ individuals: under the law, a marriage performed in Hawaii is required to be recognized by all states in the union.

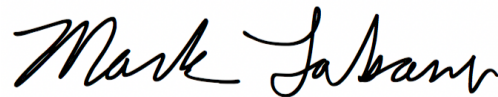
Marriage is not the key to total equality for all LGBTQ people, but it is a fundamental recognition of our personhood. Legal recognition of our families means that LGBTQ people can build homes, raise children, and participate in our communities more fully and with fewer barriers. We can create lives with the partners that we love and imagine futures as our authentic selves.

Although we are still fighting discrimination on many fronts and barriers to LGBTQ peoples’ full freedoms persist, I feel strongly that the most basic tenets of our own personal lives—love, family, and community—should be protected at every opportunity.

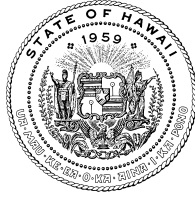
Democracy is a developing process. The framers of the Constitution wrote it into the document themselves—that we strive towards “a more perfect union.” Every generation uncovers and confronts the imperfections of our democracy, and what the legislature is doing here today is a testament to the clarity of the Hawaiian people. You are not only reconciling with the past, but making a bold statement for your future too.

Thank you for allowing me to submit my testimony, and I applaud Hawaii’s continued fight for our community.

Sincerely,

A handwritten signature in black ink that reads "Mark Takano". The signature is written in a cursive, flowing style.

MARK TAKANO
Member of Congress
California Congressional District 39



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

Senate Committee on Judiciary

Tuesday, March 19, 2024

10:10 a.m.

State Capitol, Conference Room 016 and Videoconference

In Support

**H.B. No. 2802, H.D. 1, Proposing an Amendment to Article I, Section 23, of the
Hawaii Constitution Relating to Marriage**

Chair Rhoads, Vice Chair Gabbard, and members of the Senate Committee on Judiciary:

Thank you for the opportunity to testify in support of H.B. No. 2802, H.D. 1, Proposing an Amendment to Article I, Section 23, of the Hawaii Constitution Relating to Marriage. This bill proposes a constitutional amendment to repeal the Legislature's authority to reserve marriage to opposite-sex couples.

It has been over 30 years since same-sex marriage has been legal in Hawaii. It has also been over 30 years since the Hawaii Supreme Court recognized the discrimination inherent in restricting marriage to opposite-sex couples.

In 2013, the Hawaii Marriage Equality Act of 2013 recognized marriages between individuals of the same sex in our State. Throughout this time, our State has stood as a champion of fairness, justice, and human equality by valuing and respecting the dignity and diversity of individuals and their rights.

This bill would propose a constitutional amendment to repeal Article I, Section 23, of the Hawaii State Constitution to repeal the Legislature's authority to reserve marriage to opposite-sex couples. The following constitutional question would be printed on the ballot for Hawaii voters to consider:

Shall the state constitution be amended to repeal the legislature's authority to reserve marriage to opposite-sex couples?

Testimony of the Office of the Governor
H.B. No. 2802, H.D. 1
March 19, 2024
Page 2

H.B. No. 2802, H.D. 1 is an essential step in enabling Hawaii voters to determine an inflexible provision of marriage in our State Constitution that is delegated to the Legislature. Three decades have passed since same-sex marriage has been legal in Hawaii. It is time to initiate change at the ballot through the proposed constitutional amendment in this measure and ensure that marriage equality is protected in our State.

Thank you for the opportunity to provide testimony on this measure.



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KĪWILA O HAWAI‘I

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

Tuesday, March 19, 2024

10:10am

Conference Room 016 & Videoconference
State Capitol, 415 South Beretania Street

To: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 2802 HD1

The Hawai‘i Civil Rights Commission (HCRC) supports H.B. 2802 HD1. This bill proposes a constitutional amendment to remove the legislature’s authority to limit marriage to opposite-sex couples by repealing Article I, section 23, of the Constitution of the State of Hawai‘i.

Hawai‘i has a long and unique history of enshrining equality for all people in the State of Hawai‘i in its constitution. The HCRC has enforcement jurisdiction over Hawai‘i laws prohibiting discrimination in Chapters 368, 378, 489, and 515, Hawai‘i Revised Statutes, and carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5 of Hawai‘i’s constitution reads:

No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex or ancestry.

Hawai‘i has historically sought to expand, not restrict, these rights and equal protection of its laws for all people in the state, as seen during the Constitutional Convention in 1978, which resulted in

expanded protections on the basis of sex, and where delegates were worried that the term “civil rights” could be too limiting. However, a step backwards in the expansion of rights occurred in the 1990s through a series of unfortunate legal events, and, in 1998, the Hawai’i Constitution was amended to grant the legislature the power to “reserve” or limit marriage to opposite sex couples, thus, denying same-sex couples the right to marry by statute.

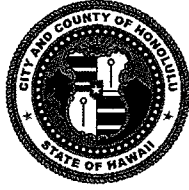
After many failed attempts in the legislature, Hawaii passed its Hawai’i Marriage Equality Act in 2013 and codified the right to marry for LGBTQ+ individuals. However, Article I, Section 23 of the Hawai’i constitution remains in the background as a reminder that the legislature can limit the rights for LGBTQ+ couples and create different marriage rights from opposite-sex couples through legislative action. This ability to discriminate is unjust and is not in line with the values of Hawai’i to expand protection of rights for all individuals.

H.B. 2802 HD1 repeals Article 1, Section 23 entirely and removes the legislature’s ability to restrict and deny the right to marry for LGBTQ+ couples. The HCRC supports this bill.

OFFICE OF THE MAYOR
KE KE'ENA O KA MEIA
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • WEBSITE: honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA



MICHAEL D. FORMBY
MANAGING DIRECTOR
PO'O HO'OKELE

KRISHNA F. JAYARAM
DEPUTY MANAGING DIRECTOR
HOPE PO'O HO'OKELE

March 15, 2024

The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
And Members of the Senate Committee on Judiciary
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

Re: Testimony in **Support** of House Bill 2802 HD1 (2024)

As the Managing Director of the City and County of Honolulu, I strongly support HB2802 HD1. On June 26, 2015, in the case of Obergefell v. Hodges, 576 U.S. 644 (2015), the U.S. Supreme Court held that state bans on same-sex marriage and on recognizing same-sex marriages duly performed in other jurisdictions are unconstitutional. As such, it is appropriate and right for the voters to have the opportunity to amend our state constitution to remove the legislature's authority to reserve marriage to opposite-sex couples and conform our state constitution with the law of the land.

Thank you for the opportunity to testify in support of this measure,

Sincerely,

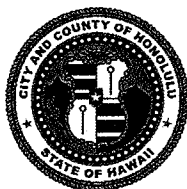
A handwritten signature in black ink, appearing to read "M. Formby", written over a horizontal line.

Michael D. Formby
Managing Director

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RICK BLANGIARDI
MAYOR
MEIA



MICHAEL D. FORMBY
MANAGING DIRECTOR
PO'O HO'OKELE

KRISHNA F. JAYARAM
DEPUTY MANAGING DIRECTOR
HOPE PO'O HO'OKELE

March 15, 2024

The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
And Members of the Senate Committee on Judiciary
State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

Re: Testimony in **Support** of House Bill 2802 HD1 (2024)

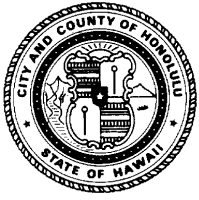
As the Mayor of the City and County of Honolulu, I strongly support HB2802 HD1. In 2015, the Supreme Court held that state bans on same-sex marriages and recognizing same-sex marriages duly performed in other jurisdictions are unconstitutional. In accordance with the Obergefell v. Hodges, 576 U.S. 644 (2015) decision, it is appropriate and right to conform our state constitution with the law of the land and allow voters the opportunity to amend our state constitution to remove the legislature's authority to reserve marriage to opposite-sex couples.

Thank you for the opportunity to testify in support of this measure.

Sincerely,

A handwritten signature in black ink that reads "Rick Blangiardi".

Rick Blangiardi
Mayor



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
530 S. KING ST. STE. 202, HONOLULU, HI 96813

MATT WEYER
HONOLULU CITY COUNCIL
DISTRICT II
TELEPHONE: (808) 768-5002
FAX: (808) 768-1222
EMAIL: mweyer@honolulu.gov

March 19, 2024

Senate Committee on Judiciary

Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

RE: HB2802, HD1, PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII CONSTITUTION RELATING TO MARRIAGE.

Chair Rhoads, Vice Chair Gabbard, and Committee Members,

Mahalo for the opportunity to testify in strong support of HB2802, HD1, which proposes a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples.

All of our local families deserve the right to live their life without the fear of government intrusion. The Hawai'i Marriage Equality Act of 2013 established marriage equality in Hawai'i, and since then many same-sex couples have married and started families. It is unnecessary to leave any ambiguity surrounding a right recognized under the law, and it would be unfair to maintain uncertainty about future protections by allowing the Legislature's ability to strip away rights currently protected under the law to continue.

Therefore, I stand in strong support of HB2802, HD1. Thank you for the opportunity to submit testimony on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Weyer", with a stylized flourish at the end.

Matt Weyer
Councilmember, District 2
Honolulu City Council

TESTIMONY IN SUPPORT OF HB 2802, HD 1

TO: Chair Rhoads, Vice Chair Gabbard, & JDC Committee Members

FROM: Nikos Leverenz
Grants & Advancement Manager

DATE: March 19, 2024 (10:10 AM)

Hawai'i Health & Harm Reduction Center (HHRC) **strongly supports** HB 2802, HD 1. This bill authorizes a constitutional amendment to be placed on the November ballot to eliminate Article I, Section 23, which currently empowers the legislature to limit marriage to opposite-sex couples.

Elimination of this provision removes a vestige of discrimination that has the potential to further harm should federal court precedent and law pivot toward diminishment and even exclusion of individual rights for sexual and gender minorities.

HHRC serves many members of our state's trans and LGBTQ communities, including the provision of medical case management services for people living with HIV, safer sex supplies, HIV testing and linkage to care, transgender services, services for unaccompanied youth experiencing homelessness, and smoking cessation services through "Hawaii's Last Drag."

We support measures that increase opportunities for our state's sexual and gender minorities to be free from discrimination and fully participate in civic and economic life. In this session, the legislature also has opportunities to expand access to gender-affirming care and preventative care services, including access to pre exposure prophylaxis to prevent the transmission of HIV, and funding for the state's LGBTQ+ Commission.

HHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals who are impacted by poverty, housing instability, and other social determinants of health.

Mahalo for the opportunity to testify on this measure.



March 15, 2024

Senate's Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813
Hearing: Wednesday, February 21, 2024 at 2:00 PM

RE: SUPPORT for House Bill 2802 HD 1

Aloha Chair Rhoads, Vice-Chair Gabbard, and fellow committee members,

I am writing in support of House Bill 2802 HD 1 on behalf of the Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i's oldest and largest policy and political LGBTQIA+/ MVPFAFF+ focused organization. HB 2802 HD 1 proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

This past December we celebrated the 10-year anniversary of Marriage Equality coming home to the Aloha State. We say home because it was in the Aloha State that we saw the first court victories in the United States and the world in the battle for Marriage Equality. While we led the way in this struggle we also paid the price for being pioneers and one of the many prices we paid was the constitutional amendment in 1998 that wrote discrimination and bigotry into our state's constitution for the first and hopefully last time, since the historic constitutional convention of 1978.

HB 2802 HD 1 looks to give Hawai'i's LGBTQIA+/ MVPFAFF+ community and our ever-growing number of allies the opportunity to undo some of the damage that was done in 1998 by removing the homophobic Section 23 from Article 1 of Hawai'i's State Constitution.

Why is this amendment so important and why now?

Well besides the fact that the current Section 23 flies in the face of [HRS §5-7.5 the "Aloha Spirit"](#) law and it is not a good look for our state; until 2023 the it had been five (5) years that not ONE anti-LGBTQIA+ bill had been introduced. Since then we have seen their introduction grow. While none of them have received hearings if the overturning of Roe v. Wade taught us anything is that we all need to do everything in our power to protect the advances we have made.

This is one of the many reasons why the Stonewall Caucus has been present at every hearing for every bill that directly impacts the LGBTQIA+/ MVPFAFF+ community since our founding in 2001.

The Stonewall Caucus does actually prefer the language in Senate Bill 2884, the constitutional amendment bill sponsored by the Equality Caucus, because it not only removes the bigoted language it replaces with an affirmation that states:

The right to marriage shall not be denied or abridged by the State on account of race or sex.

This language is inclusive and forward thinking. This is needed especially since certain members of the US Supreme Court have said that the court is open to overturning other precedent setting cases. Which means cases like Obergefell v. Hodges - 2015 (equal marriage rights for same-sex couples) and Loving v. Virginia - 1967 (legalizing interracial marriage) are not safe at the Federal level.

We are glad we are not alone in the belief that the time has come to rectify the homophobia of our past. The Stonewall Caucus passed the attached resolution by unanimous consent at our monthly November

2023 meeting and at the same time Pride at Work – Hawai'i had introduced a similar resolution for the 2023 Hawai'i State AFL-CIO to consider at their biennial convention at the end of November. When the Hawai'i State AFL-CIO passed their version of the resolution it became the largest union endorsement in our state's history in support of Marriage Equality.

Then in January of this year the State Central Committee (SCC), the governing body of the Democratic Party of Hawai'i, passed a similar resolution by unanimous consent. While the resolution passed by the SCC is not policy for the Party, unlike those resolutions passed at the Party's State Convention, it does dovetail nicely with the resolutions that the Party has passed over the years in support of Marriage Equality, like – [NAT 2012-02 Support for Marriage Equality](#) and [NAT 2016-01 Declaring June 26 as Equality Day](#).

The Stonewall Caucus does hope that the committee is inclined to amend HB 2802 to match the language found in SB 2884 as it will reflect the calls to action found in the three separate resolutions passed by three different bodies.

Either way we humbly ask for all members of this committee to support HB 2802 from this committee to hopeful final vote in the 2024 General Election.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr. (he/him)
Chair and SCC Representative
Stonewall Caucus for the DPH

Protecting Marriage Equality in the Aloha State

Whereas, People benefit by sharing their lives with and receiving support from their family, friends, and other people who are important to them; and

Whereas, A person's sexual orientation defines the universe of persons with whom they are likely to find the satisfying and fulfilling romantic and intimate relationships that, for many individuals, comprise an essential component of personal identity; and

Whereas, Homosexuality is a normal expression of human sexual orientation that poses no inherent obstacle to leading a happy, healthy, and productive life, including the capacity to form healthy and mutually satisfying intimate relationships with another person of the same sex and to raise healthy and well-adjusted children, as documented by the American Psychiatric Association in 1974; the American Psychological Association in 2004; and the National Association of Social Workers in 2003; and

Whereas, The consideration of policies to provide or deny same-sex couples full access to civil marriage and other legal forms of family formation in all branches of both the federal and state governments in the United States had frequently subjected the human rights of lesbian, gay, bisexual, and transgender people to public debate and resulted in wide variation among jurisdictions in access to these rights; and

Whereas, The denial to civil marriage, including the creation of legal statuses such as civil unions and domestic partnerships, stigmatized same-sex relationships, perpetuating the stigma historically attached to homosexuality, and reinforced prejudice against lesbian, gay, and bisexual people; and

Whereas, Married individuals generally receive social, economic, health, and psychological benefits from their marital status, including numerous rights and benefits provided by private employers and by state and federal governments; and

Whereas, Individuals with a homosexual or bisexual orientation are often subjected to minority stress, that is, additional stress beyond what is normally experienced by the heterosexual population, as a consequence of stigma, discrimination, and violence; and

Whereas, In 1993 the Hawai'i State Supreme Court ruled in *Baehr v. Miike* (originally *Baehr v. Lewin*) that the State of Hawai'i's refusal to grant same-sex couples marriage licenses was discriminatory, the first such ruling in the United States and the world, and in the plurality opinion, the court ruled that while the right to privacy in the Hawai'i Constitution does not include a fundamental right to same-sex marriage, denying marriage to same-sex couples constituted discrimination based on sex in violation of the right to equal protection guaranteed by the State Constitution and the court remanded the case to the trial court, instructing that "in accordance with the 'strict scrutiny' standard, the burden will rest on Lewin to overcome the presumption that HRS § 572-1 is unconstitutional by demonstrating that it furthers compelling state interests and is narrowly drawn to avoid unnecessary abridgments of constitutional rights."; and

Whereas, In 1996, Judge Kevin S.C. Chang ruled that the state did not meet its evidentiary burden and it did not prove that the state had a compelling interest in denying marriage licenses to same-sex couples and even assuming that it had it had not proven that HRS § 572-1 was narrowly tailored to avoid unnecessary abridgement of constitutional rights, and he enjoined the state from refusing to issue marriage licenses to otherwise-qualified same-sex couples and the following day, Judge Chang stayed his ruling, acknowledging the "legally untenable" position couples would be in should the Hawai'i Supreme Court reverse him on appeal; and

Whereas, The State of Hawai'i's constitution was amended in 1998 by adding Section 23 to Article I which allows the state Legislature to reserve marriage for opposite sex couples, which ended the *Baehr v. Miike* case; and

Whereas, Marriage Equality became the law of the land in the state of Hawai'i on December 2, 2013 after a historic special session that lasted from October 28 to November 12, 2013 when Senate Bill 1 passed the legislature and was signed into law on November 13, 2013 by Governor Neil Abercrombie; and

Whereas, According to the Vital Statistics Branch of the State of Hawaii's Department of Health as of September 2023 there have been 11,804 same-sex couples married in the state of Hawai'i since December 2, 2013, the day Marriage Equality became the law of the land in the Aloha State; and

Whereas, President Joe Biden signed the Respect for Marriage Act into law on December 13, 2022 which requires states to approve and acknowledge out-of-state marriage licenses, which was passed to protect same-sex and interracial couples should the Supreme Court overturn, Obergefell v. Hodges and/or Loving v. Virginia respectfully as they were both decided under the due process clause of the Fourteenth Amendment which was used to overturn Roe v. Wade in June 2022; now therefor be it

Resolved, That the Stonewall Caucus of the Democratic Party of Hawai'i supports full marriage equality for same-sex couples; and be it further

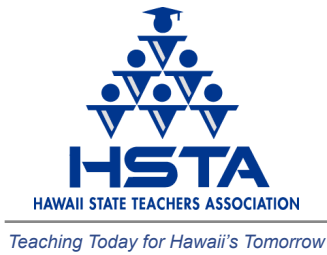
Resolved, That the Stonewall Caucus of the Democratic Party of Hawai'i supports all efforts to amend the Hawai'i State Constitution to remove Section 23 of Article I, the anti-marriage equality section that was added in 1998; and be it further

Resolved, That the Stonewall Caucus of the Democratic Party of Hawai'i supports amending the Hawai'i State Constitution to ensure all eligible opposite and same-sex couples' right to marry is protected; and be it further

Resolved, That the Stonewall Caucus of the Democratic Party of Hawai'i call upon the Democratic Party of Hawai'i's State Central Committee to pass a similar resolution; and be it

Ordered, That copies of this resolution be transmitted to all the members of the Hawai'i Congressional Delegation, to the Governor and Lt. Governor of the State of Hawai'i, all Democratic members of the Hawai'i State Legislature, and the members of the Democratic Party of Hawai'i's State Central Committee.

PASSED by the Stonewall Caucus on Saturday, November 19, 2023



1200 Ala Kapuna Street • Honolulu, Hawaii 96819
Tel: (808) 833-2711 • Fax: (808) 839-7106 • Web: www.hsta.org

Osa Tui, Jr.
President

Logan Okita
Vice President

Lisa Thompson
Secretary-Treasurer

Ann Mahi
Executive Director

TESTIMONY TO THE HAWAII SENATE COMMITTEE ON JUDICIARY

Item: **HB2802 HD1 - Proposing an amendment to Article 1, Section 23, of the Hawai'i Constitution relating to marriage**

Position: **Support**

Hearing: **March 19, 2024, 10:10 a.m., Conference Room 016**

Submitter: **Osa Tui, Jr. – President, Hawai'i State Teachers Association**

Chair Rhoads, Vice Chair Gabbard, and members of the committee,

The Hawai'i State Teachers Association **supports** HB2802 HD1 which proposes a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples.

As articulated in its mission statement, HSTA endeavors to “promote human and civil rights to support and nurture diversity in our multifaceted community.” Article I, Section 23 was placed in the Hawai'i State Constitution in 1998 through a voter-approved constitutional amendment that empowers the Legislature to limit marriage to opposite-sex couples. HSTA opposed the ballot measure in 1998 and was ultimately proven to be on the right side of history in that stance.

In 2015, the United States Supreme Court ruled in *Obergefell v. Hodges* that the fundamental right to marry is guaranteed to same-sex couples under the Due Process Clause and Equal Protection Clause of the Fourteenth Amendment. From that point, the cloud of uncertainty was lifted for an untold number of same-sex couples and families, including many of our members. Children of same-sex couples wishing to marry could finally see their parents rightfully married like opposite-sex couples could be. Likewise, students then who did not and students now who do not see themselves seeking an opposite-sex marriage later in life have the option to seek a legally recognized marriage when the time comes.

With rights in this country that we take for granted now under new threat, the Hawai'i State Teachers Association asks your committee to **support** putting this constitutional amendment on the ballot.

March 15, 2024

Dear Mr. Chairman and members of the Senate Judiciary Committee,

I submit this testimony in support of HB 2802, HD1, PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 23, OF THE HAWAII CONSTITUTION RELATING TO MARRIAGE.

Section 23, Article I of the Hawaii State Constitution is the only provision in our Bill of Rights adopted to take away rights rather than recognize or grant rights. It's the only provision in our state constitution designed and adopted to target and discriminate against a minority of our population, in this case, members of our LGBTQ community. And, it is directly contrary to the ruling of the United Supreme Court in *Obergefell v. Hodges*, 576 U.S. 644 (2015) that overturned state constitutional provisions and statutes that prohibited same-sex marriage as a violation of the equal protection clause of the Fourteenth Amendment to the United States Constitution, exactly what Section 23 was proposed and adopted to do, and did.

As you know, I was the attorney for the same-sex couples in *Baehr v. Lewin*, 74 Hawaii 530 (1993) where the Hawaii Supreme Court ruled it was sex discrimination under our state constitution bill of rights to deny same-sex couples marriage licenses unless the state could demonstrate a compelling state interest to justify its discrimination against the couples. I must admit that I was naïve not to have anticipated the backlash that followed the decision. It was severe, sustained and painful. Even after state circuit court Judge Kevin Chang's December 3, 1996, decision (following a two week trial with testimony from national and local experts in psychiatry, psychology, sociology and pediatrics) ruling the state failed to prove a compelling state interest to justify its sex discrimination in denying marriage licenses to same-sex couples, the backlash continued, resulting in Section 23, Article I.

Section 23 was proposed by the Legislature in its 1997 session despite the comprehensive findings of Judge Chang that the overwhelming evidence at trial in the case demonstrated that same-sex marriage would benefit the families of same-sex marriage and have no adverse impact on the families of opposite-sex marriages. Why did the Legislature do this in 1997 when it had previously declined to do so? Some of its members had been targeted and defeated in the 1996 primary and general elections for refusing to support a constitutional amendment banning same-sex marriage. Those that survived in 1996 were told they would be next in 1998 if they did not support the proposed amendment that polls showed was supported by a 2 to 1 margin of the voters. The cry of those opposing same-sex marriage was "Let the people vote!"

History has vindicated our Supreme Court and Judge Chang. Same-sex marriage exists in all fifty states and in over 30 countries with no adverse impact on opposite-sex marriages and families, and only positive impact on same-sex marriages and families. The United States Supreme Court has recognized this in *Obergefell* and the United States Congress and President have done so as well in enacting the Respect for Marriage Act in 2022 that requires federal, state and local governments to recognize and respect same-sex marriage.

The Hawaii legislature in 2013 finally enacted a law allowing same-sex couples to marry in Hawaii. Hawaii became the fifteenth state to do so. By this time, public opinion had changed from opposition to support of same-sex marriage, the United States Supreme Court had ruled in *United States v. Windsor*, 570 U.S. 744 (2013) that the federal 1996 Defense of Marriage Act rejecting same-sex marriage was unconstitutional (enacted in response to *Baehr v. Lewin*, passed and signed into law during Hawaii's September 1996 same-sex marriage trial before Judge Chang), and President Obama and Vice-President Biden had come out in support of same-sex marriage.

It is time for the legislature to finish the job. Remove this discriminatory and unconstitutional provision from our Bill of Rights. Pass HB 2802, HD1. Let the people vote once again. This time for civil rights, as I believe they will.

Respectfully submitted,

A handwritten signature in black ink that reads "Daniel R. Foley". The signature is written in a cursive, flowing style with a large, stylized "F" at the end.

Judge Daniel R. Foley (ret.)



TESTIMONY FROM THE DEMOCRATIC PARTY OF HAWAII
SENATE COMMITTEE ON THE JUDICIARY

March 19, 2024

HB2802 HD1 Proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

POSITION: STRONG SUPPORT

Aloha Chair Rhoads, Vice Chair Gabbard and esteemed Members of the Committee,

The Democratic Party of Hawai'i **strongly supports** HB 2802 HD1, with a request to amend the language to match the language found in HB 2080, which is the constitutional amendment bill sponsored by the Equality Caucus.

While the Party strongly supports the bill, we are asking for the above referenced language, because it replaces the current bigoted language with an affirmation that states:

“The right to marriage shall not be denied or abridged by the State on account of race or sex.”

This language is inclusive and forward thinking. This is needed especially since certain members of the US Supreme Court have said that the court is open to overturning other precedent setting cases. Which means cases like Obergefell v. Hodges - 2015 (equal marriage rights for same-sex couples) and Loving v. Virginia - 1967 (legalizing interracial marriage) are not safe at the Federal level.

Furthermore, **the Party has identified this Bill as a top Legislative Priority** for the current session, based on the SCC's approval of the Legislative Committee's top ten legislative priorities, unanimously approved in the January 13, 2024 regular SCC meeting.

Additionally, the SCC, in the same meeting, unanimously approved the attached resolution "**Protecting Marriage Equality in the Aloha State**".

We believe that the fundamental human right to marriage equality is under attack by far right MAGA politicians and their judiciary appointees across the continent. It is therefore our responsibility to defend human and civil rights in our island home from falling victim to politics of hate and division.

We humbly ask you for your support, and to stand with us and our LGBTQIA+ community. Together we can ensure that Hawai'i remains a beacon of hope and equality, leading the way by example.

Mahalo nui loa for your time and consideration.

Kris Coffield (he/him)
Co-Chair, Legislative Committee
(808) 679-7454
kriscoffield@gmail.com

Abby Simmons (she/her)
Co-Chair, Legislative Committee
(808) 352-6818
abbyalana808@gmail.com

Protecting Marriage Equality in the Aloha State

Whereas, People benefit by sharing their lives with and receiving support from their family, friends, and other people who are important to them; and

Whereas, A person's sexual orientation defines the universe of persons with whom they are likely to find the satisfying and fulfilling romantic and intimate relationships that, for many individuals, comprise an essential component of personal identity; and

Whereas, Homosexuality is a normal expression of human sexual orientation that poses no inherent obstacle to leading a happy, healthy, and productive life, including the capacity to form healthy and mutually satisfying intimate relationships with another person of the same sex and to raise healthy and well-adjusted children, as documented by the American Psychiatric Association in 1974; the American Psychological Association in 2004; and the National Association of Social Workers in 2003; and

Whereas, The consideration of policies to provide or deny same-sex couples full access to civil marriage and other legal forms of family formation in all branches of both the federal and state governments in the United States had frequently subjected the human rights of lesbian, gay, bisexual, and transgender people to public debate and resulted in wide variation among jurisdictions in access to these rights; and

Whereas, The denial to civil marriage, including the creation of legal statuses such as civil unions and domestic partnerships, stigmatized same-sex relationships, perpetuating the stigma historically attached to homosexuality, and reinforced prejudice against lesbian, gay, and bisexual people; and

Whereas, Married individuals generally receive social, economic, health, and psychological benefits from their marital status, including numerous rights and benefits provided by private employers and by state and federal governments; and

Whereas, Individuals with a homosexual or bisexual orientation are often subjected to minority stress, that is, additional stress beyond what is normally experienced by the heterosexual population, as a consequence of stigma, discrimination, and violence; and

Whereas, In 1993 the Hawai'i State Supreme Court ruled in *Baehr v. Miike* (originally *Baehr v. Lewin*) that the State of Hawai'i's refusal to grant same-sex couples marriage licenses was discriminatory, the first such ruling in the United

Protecting Marriage Equality in the Aloha State

States and the world, and in the plurality opinion, the court ruled that while the right to privacy in the Hawai'i Constitution does not include a fundamental right to same-sex marriage, denying marriage to same-sex couples constituted discrimination based on sex in violation of the right to equal protection guaranteed by the State Constitution and the court remanded the case to the trial court, instructing that "in accordance with the 'strict scrutiny' standard, the burden will rest on Lewin to overcome the presumption that HRS § 572-1 is unconstitutional by demonstrating that it furthers compelling state interests and is narrowly drawn to avoid unnecessary abridgments of constitutional rights."; and

Whereas, In 1996, Judge Kevin S.C. Chang ruled that the state did not meet its evidentiary burden and it did not prove that the state had a compelling interest in denying marriage licenses to same-sex couples and even assuming that it had it had not proven that HRS § 572-1 was narrowly tailored to avoid unnecessary abridgement of constitutional rights, and he enjoined the state from refusing to issue marriage licenses to otherwise-qualified same-sex couples and the following day, Judge Chang stayed his ruling, acknowledging the "legally untenable" position couples would be in should the Hawai'i Supreme Court reverse him on appeal; and

Whereas, The State of Hawai'i's constitution was amended in 1998 by adding Section 23 to Article I which allows the state Legislature to reserve marriage for opposite sex couples, which ended the Baehr v. Miike case; and

Whereas, Marriage Equality became the law of the land in the state of Hawai'i on December 2, 2013 after a historic special session that lasted from October 28 to November 12, 2013 when Senate Bill 1 passed the legislature and was signed into law on November 13, 2013 by Governor Neil Abercrombie; and

Whereas, According to the Vital Statistics Branch of the State of Hawaii's Department of Health as of September 2023 there have been 11,804 same-sex couples married in the state of Hawai'i since December 2, 2013, the day Marriage Equality became the law of the land in the Aloha State; and

Whereas, President Joe Biden signed the Respect for Marriage Act into law on December 13, 2022 which requires states to approve and acknowledge out-of-state marriage licenses, which was passed to protect same-sex and interracial couples should the Supreme Court overturn, Obergefell v. Hodges and/or Loving v. Virginia respectfully as they were both decided under the due process clause of the Fourteenth Amendment which was used to overturn Roe v. Wade in

Protecting Marriage Equality in the Aloha State

June 2022; now therefor be it

Resolved, That the State Central Committee of the Democratic Party of Hawai'i supports full marriage equality for same-sex couples; and be it further

Resolved, That the State Central Committee of the Democratic Party of Hawai'i supports all efforts to amend the Hawai'i State Constitution to remove Section 23 of Article I, the anti-marriage equality section that was added in 1998; and be it further

Resolved, That the State Central Committee of the Democratic Party of Hawai'i supports amending the Hawai'i State Constitution to ensure all eligible opposite and same-sex couples' right to marry is protected; and be it

Ordered, That copies of this resolution be transmitted to all the members of the Hawai'i Congressional Delegation, to the Governor and Lt. Governor of the State of Hawai'i, and all Democratic members of the Hawai'i State Legislature.

Adopted by the State Central Committee on Saturday, January 13, 2024



Hawai'i

Committee: Judiciary
Hearing Date/Time: Tuesday, March 19, 2024, at 10:10am
Place: Conference Room 016 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of HB2802 HD1 Proposing an Amendment to Article 1, Section 23, of the Hawai'i Constitution Relating to Marriage**

Dear Chair Rhoads, Vice Chair Elefante, and Members of the Committee:

The ACLU of Hawai'i **SUPPORTS H.B. 2802 H.D. 1**, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

In 1993, the Hawai'i State Supreme Court held in *Baehr v. Lewin* that it was sex discrimination under the Hawai'i Constitution to deny same-sex couples marriage licenses unless the state could demonstrate a compelling state interest in doing so. The court did not however immediately order the state to begin issuing marriage licenses to same-sex couples; rather, it remanded the case to the trial court and ordered the state to justify its position.

After the trial court judge rejected the state's justifications for limiting marriage to opposite-sex couples in 1996, the Hawai'i State Legislature passed a proposed constitutional amendment during the 1997 session that would overrule the court's ruling and allow the Legislature the authority to ban same-sex marriage. This constitutional amendment appeared on the 1998 general election ballot as Constitutional Amendment 2.

On November 3, 1998, Hawai'i voters approved the amendment by a vote of 69.2– 28.6%, and the state legislature exercised its power to ban same-sex marriage.

The ACLU of Hawai'i opposed that Constitutional Amendment which would become Article I, Section 23 of the Hawai'i State Constitution. Then as now, we believe the language is discriminatory and places limits on the commitment between two loving adults.

While the Hawai'i Marriage Equality Act of 2013 made possible marriage for same-sex couples 15 years later, the vestigial and discriminatory language remains in Hawai'i's foundational governing document.

Given the U.S. Supreme Court's roll-back of abortion protections and broader civil rights and liberties, and dicta suggesting the potential over-turning of *Obergefell v. Hodges*, we believe Hawai'i must take proactive steps to defend the right to marry for same-sex couples.

Chair Rhoads and Members of the Judiciary Committee

March 19, 2024

Page 2 of 2

Same-sex couples in Hawai'i deserve full dignity and respect and the certainty that no matter what happens in the future, whether at the U.S. Supreme Court or in our legislature, their marriages and families are protected.

It's always the right time to fight against bigotry. The repeal of Article I, Section 23 is a prime opportunity for the people of Hawai'i to do what is right.

Please pass H.B. 2802 H.D. 1 so we can undo a wrong done 26 years ago and ensure that marriage equality is protected in Hawai'i.

Mahalo for the opportunity to testify.

Sincerely,

Josh Frost

Josh Frost

Policy Assistant

ACLU of Hawai'i

jfrost@acluhawaii.org

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.

American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522.5900
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Papa Ola Lokahi
Nana I Ka Pono Na Ma

894 Queen Street
Honolulu, Hawaii 96813
Phone: 808.597.6550
www.papaolalokahi.org

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair

Tuesday, March 19, 2024, 10:10 AM, Conference Room 016 & Videoconference

**RE: HB 2802 HD 1 – PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23,
OF THE HAWAII CONSTITUTION RELATING TO MARRIAGE.**

Position: SUPPORT

Dear Chair Rhoads, Vice Chair Gabbard, and Members of the Committee,

Papa Ola Lokahi testifies **in support** of HB 2802 HD 1, which proposes to remove the legislature's authority to limit marriage to opposite-sex couples as a ballot question. Papa Ola Lokahi is currently serving on the Change 23 Coalition, an effort to remove this limit to civil rights from the State Constitution.

It's time for Hawai'i to repeal the constitutional amendment restricting marriage rights for same-sex couples. This bill supports many Hawaii families who could see their marriages delegitimized. Same-sex couples in Hawaii deserve full dignity and respect in our state and the certainty that no matter what happens in the future, whether at the U.S. Supreme Court or in our legislature, marriages and families are equally protected. In today's legal system, marriage provides a slew of rights, benefits, and protections from tax benefits to Medicare eligibility and health insurance. Sexual orientation cannot threaten an individual's ability to care for their spouse.

Prior listening sessions around the State of Hawai'i held by Papa Ola Lokahi found that respondents shared many social determinants as integral to the health and well-being of Native Hawaiians. These sessions also demonstrated views on gender, sex, partnership, and family that welcome relationships beyond the cisgender, heteronormative Western concepts typically protected in the current legal system.

Our ability to uplift Native Hawaiian health and self-determination includes our support of this State Constitutional amendment proposal not only from the perspective of cultural acceptance, but also as a part of civil rights for same-sex spouses. Under the current State Constitution, marriage limitation is based on sexual orientation, as Section 1, Article 23 makes no mention of opposite-sex marriages. Even if the Legislature does not choose to exercise its ability to limit marriage, as explained in [Attorney General Opinion 13-1](#), the letter of the law means that same-sex couples currently live with a lesser right than opposite-sex couples.

Many efforts in the State of Hawai'i today choose to center and claim Native Hawaiian values, promote Native Hawaiian practices, and draw upon Native Hawaiian wisdom. Though not all individuals or families of Native Hawaiian descent may agree today, tolerance and acceptance of

same-sex relationships are concordant with our people and history. This was recorded from early records of Western settlers and can also be seen in the hua 'ōlelo Hawai'i that reflect our pre-contact cultural heritage, norms, and practices.

Thank you for the opportunity to testify in **SUPPORT** of this critical legislation.

Committee: Senate Committee on the Judiciary
Hearing Date/Time: Tuesday, March 19, 2024 at 10:10am
Place: Conference Room 016 & Via Videoconference
Re: Testimony of the Change 23 Coalition in SUPPORT of HB2802 HD1 Proposing an Amendment to Article 1, Section 23, of the Hawai'i Constitution Relating to Marriage

Aloha Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

The Change 23 Coalition **SUPPORTS HB2802 HD1**, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Change 23 Coalition is a collection of civic organizations with a shared goal of restoring the broad marriage equality protections of the pre-1998 Hawai'i State Constitution. The founding members of the coalition include:

- [ACLU of Hawai'i](#)
- [Council for Native Hawaiian Advancement](#)
- [Hawai'i Health and Harm Reduction Center](#)
- [Hawai'i LGBT Legacy Foundation](#)
- [Papa Ola Lōkahi](#)

Each of the organizations supports this bill from their own unique perspective and testimony.

It was over 30 years ago in 1993 that three members of our legal community challenged the nation in stating what is now obvious; withholding the right of same-sex couples to marry is discrimination. The 2023 Hawai'i LGBT Legacy Foundation Gala honored a judicial boomer trio of Justice Steve Levinson, Judge Dan Foley, and Judge Kevin Chang with their "Visionary Award". Their pioneering efforts in the *Baehr* decision affirmed the right to same-sex marriage in the Hawai'i State Constitution. In 1998 the foundations of this freedom would be shaken by the successful constitutional amendment that added Article 1, Section 23 to the Bill of Rights that invested the legislature the authority to grant marriages.

"The legislature shall have the power to reserve marriage to opposite-sex couples."

My name is Jeff Hong, I am the Chair of the Change 23 Coalition. The 1998 fight opposing Section 23 was a personal one. I had recently returned to Hawai'i to open Microsoft's office. I was also serving part time as a Major in the Hawai'i Army National Guard. In the era of "Don't Ask, Don't Tell" openly discussing the right to marry would be self-incriminating evidence at a court martial.

I reached out to "Save Our Constitution", the organization opposing the constitutional amendment, to offer my discreet technical support. The staff was grateful for the assistance and wanted to introduce me to their executive director. Unknown to me their



executive director was former State Representative Jackie Young. I was still semi-closeted and meeting Representative Young was a surprise. She was long-time friend of my family in the Korean community and a fierce civil rights advocate. She lost voter support in her district as the cost paid as one of six representatives voting against the constitutional amendment in the legislature. I was inspired that she was leading the fight for our civil

rights while also battling cancer.

Jackie won her battle with cancer, but we lost the amendment vote by 2 to 1. The people of Hawai'i were not yet ready to accept marriage equality and voted with the weight of historical prejudice. Constituents punished their legislators who had earlier opposed the amendment. Their votes had serious political costs; many faced tight elections, hateful vocal opposition, and ultimately, some lost their seats. We are grateful to those who chose to remain or return to public office and support civil rights.

It would be a 15-year continuous battle before marriage would be legal in Hawai'i. Thankfully, time has changed hearts and minds. In 1998, the majority in my large fifth-generation family had frustratingly voted for Section 23. This changed in 2013 when my family and the community rallied at the legislature for statutory marriage equality. My Australian partner of 10 years, Jason Alcock and I rushed a first-day-of-legal wedding to start the immigration process. We had the honor of Justice Levinson officiating. The best man at my father's wedding, the former Adjutant General of the



Hawai'i National Guard, would have adjudicated my court martial in 1998. He celebrated our wedding with his wife as witnesses. Our reception seven months later had hundreds of friends and family celebrating. The discrimination fever of the past had broken, and the world was changing. Acceptance and love were returning. Hawai'i was returning to its Aloha state.

It is a measure of success that after 10 plus years of marriages, Gen Z is unaware marriage equality issues exist. Many people are surprised to discover the poisonous language of Section 23 remains in our constitution, suppressed by statute and a 5-4 Supreme Court decision. Unfortunately, these people were horrified to discover a Supreme Court decision like *Dobbs* could change 50 years of bodily autonomy rights overnight. Suppressed poisonous language can be resurrected. We must learn from this recent lesson of the past.

Military servicemembers are now free to choose who they marry, but we see a backlash hidden with discrimination to the trans community. I feel obligated to use the voice denied to me 25 years ago, liberated by the work of others, to advocate for change. I am encouraged to be working with a new generation of civil rights advocates to remove this historical stain. We urge your support of this amendment. The people of Hawai'i are ready to restore our constitution and finish the work started by a judicial boomer trio over 30 years ago.

Mahalo for your consideration.

Jeffrey Hong
jeff@change23.org
Coalition Chair
<https://change23.org>

CHANGE23
marriage equality for everyone



HAWAII STATE - COMMISSION ON FATHERHOOD (HS-COF)

*The Hawaii State Commission on Fatherhood (HS-COF) serves
In an advisory capacity to state agencies and makes
recommendations on programs, services, contracts,
policies and laws relating to children and families.
fatherhoodcommission.hi@gmail.com*



Date: March 19, 2024

To: Chair Rhoads & Judiciary Committee Members:

From: Hawaii State Commission on Fatherhood (HS-COF)

Subject: HB2802 HD1

Commission's Position: HS-COF supports HB2802 HD1, a bill Proposing an Amendment to Article 1, Section 23, of the Hawaii Constitution Relating to Marriage

The Hawaii State Commission on Fatherhood supports HB2802 HD1.

HS-COF believes that children of all married couples in Hawai'i should have the confidence that their parents' marriage will not be threatened by the legislature's right to define marriage to opposite-sex couples only, should Federal law change and the legislature should have this opportunity.

As the Commission on Fatherhood, our focus is on the implications for children. This bill would remove discriminatory language to ensure fairness for children of all married couples. It would also instill confidence for the children of those married couples whose families could potentially be legally broken up by such discrimination that their families do not have a lower legal status.



To: Senate Committee on Judiciary
Hearing Date/Time: Tuesday March 19, 2024 10:10AM
Place: Hawaii State Capitol, Room 016
Re: Testimony in STRONG SUPPORT of HB2802 HD1

Dear Chair Rhoads, Vice Chair Gabbard, and the Members of Committee,

Members of AAUW of Hawaii thank you for this opportunity to testify in strong support of HB2802 HD1 which proposes a constitutional amendment to repeal the legislature's authority to limit marriage to opposite-sex couples.

Hawai'i 's Constitution, in Article I Section 23, still reads "The legislature shall have the power to reserve marriage to opposite-sex couples." This has no place in our state constitution. Same sex marriage has been legal in Hawai'i since the Hawaii Marriage Equality Act of 2013 bringing dignity to the same sex couples.

Please pass this measure.

Sincerely,
Younghee Overly
Public Policy Committee, AAUW of Hawaii
publicpolicy-hi@aauw.net

The American Association of University Women (AAUW) of Hawaii is an all volunteer, statewide chapter of a national organization and is made up of six branches: Hilo, Honolulu, Kaula'i, Kona, Maui, and Windward Oahu. AAUW's mission is to advance gender equity for equal opportunities in education, at workplace and for economic security, and in leadership. Our vision is equity for all.



Randy Perreira
President

HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

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The Thirty-Second Legislature
The Senate
Committee on Judiciary

Testimony by
Hawaii State AFL-CIO

March 19, 2024

TESTIMONY ON HB2802 HD1 – PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE
HAWAII CONSTITUTION RELATING TO MARRIAGE

Chair Rhoads, Vice Chair Gabbard, and members of the committee:

The Hawaii State AFL-CIO is a federation of 74 affiliate labor organizations that represent over 68,000 union members in the State of Hawaii. The AFL-CIO serves its affiliates by advocating for workers and their families before the state legislature and other branches of state and county government.

The Hawaii State AFL-CIO **supports** HB2802 HD1, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. Marriage is a fundamental institution that should be accessible to all loving couples. By removing the legislature's authority to limit marriage to opposite-sex couples, this bill takes a significant step toward ensuring equal treatment under the law for all Hawaii residents.

It's imperative to recognize that denying marriage equality not only perpetuates discrimination but also undermines the principles of justice and fairness that our society should uphold. Everyone deserves the right to marry the person they love, free from discrimination or prejudice.

As a labor organization, we understand the importance of fighting for the rights of marginalized communities. This bill represents progress toward a more just and inclusive society where everyone is treated with dignity and respect.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira".

Randy Perreira
President

**Hawaii
Legislative
Council
Members**

Joell Edwards
Wainiha Country
Market
Hanalei

Russell Ruderman
Island Naturals
Hilo/Kona

Dr. Andrew Johnson
Niko Niko Family
Dentistry
Honolulu

Robert H. Pahia
Hawaii Taro Farm
Wailuku

Maile Meyer
Na Mea Hawaii
Honolulu

Tina Wildberger
Kihei Ice
Kihei

L. Malu Shizue Miki
Abundant Life
Natural Foods
Hilo

Kim Coco Iwamoto
Enlightened Energy
Honolulu

Chamber of
Sustainable
Commerce
P.O. Box 22394
Honolulu, HI
96823



Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary

Tuesday, March 19, 2024
10:10 AM, Room 016

RE: **HB2802 HD1** Proposing ConAm to Remove Discrimination - **Support**

Dear Chair Rhoads, Vice-Chair Gabbard and Committee Members,

The Chamber of Sustainable Commerce represents over 100 small businesses across the State that strive for a triple bottom line: people, planet and prosperity; we know Hawaii can strengthen its economy without hurting workers, consumers, communities or the environment.

For this reason, we support HB2802, that proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. People in same-gender relationships own businesses, they and their families are consumers, active participants in our communities and protective stewards of our environment; they deserve the same protections, benefits and responsibilities that opposite-gender couples have in ALL interactions with the State.

Targeted, unconstitutional discrimination on the basis of sex should never have been enshrined in the Hawaii Constitution in 1998. More than a quarter of a century later, it is time to remove the hatchet of bigotry from the heart of a document that was intended to protect rights and liberties.

HB-2802-HD-1

Submitted on: 3/17/2024 7:46:00 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Gibson	Testifying for Indivisible Hawaii	Support	Written Testimony Only

Comments:

STONG SUPPORT

Same sex marriage has been legal for years. We now have family members, friends, neighbors, and co-workers in same sex marriages. The language in Sec. 23 has no place in our state constitution. Please support this bill to remove this language.

HB-2802-HD-1

Submitted on: 3/16/2024 8:23:50 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch	Testifying for Rainbow Family 808	Support	Written Testimony Only

Comments:

Rainbow Family 808 supports HB2802. Please pass the bill.

Mike Golojuch, Sr., Secretary/Board Member

HB-2802-HD-1

Submitted on: 3/16/2024 8:27:20 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
The Rt. Rev. Robert L. Fitzpatrick	Testifying for The Episcopal Diocese of Hawai'i	Support	Written Testimony Only

Comments:

The proposed amendment to Article 1, Section 23, of the Hawai'i Constitution relating to marriage is fully in keeping with the teaching and practice of the Episcopal Church. As the Bishop of the Episcopal Diocese of Hawai'i, I have the pastoral care for families that include same-sex couple. Episcopalians fully support marriage equality. The removal of the archaic language from the Constitution is an important recognition of our lives in the Islands today. The Episcopal Diocese of Hawai'i fully supports the proposed amendment.

Respectfully submitted.

The Right Reverend Robert L. Fitzpatrick, Bishop

The Episcopal Diocese of Hawai'i
229 Queen Emma Square
Honolulu, HI 96813-2304

HB-2802-HD-1

Submitted on: 3/17/2024 2:38:26 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
robert baldwin	Testifying for Scarlet Honolulu	Support	Written Testimony Only

Comments:

Scarlet Honolulu is in strong support of HB2808, which proposes a constitutional amendment to remove the legislature’s authority to limit marriage to opposite-sex couples. The Hawai‘i Marriage Equality Act of 2013 codified in Hawai‘i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court’s roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai‘i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai‘i State Constitution should reflect the best of Hawaii’s values. Please support HB2808.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/17/2024 3:11:49 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
kelly sanders	Testifying for Highgate Hotels	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

March 17, 2024

Aloha mai kākou,

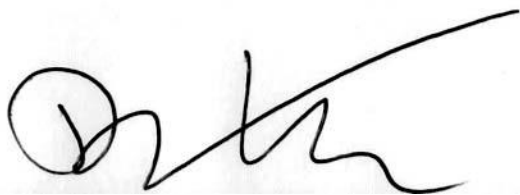
I am writing in strong support of HB2802. It is important both to protect the civil rights of individuals such as myself who are fortunate to be in a loving same-sex relationship, and collectively to continue Hawaii's long history as a diverse and inclusive society.

As a person who had to travel out of my own country to be married in 2004, and who could not share their federal employee benefits with their spouse until 2013, it would be extraordinarily painful to lose the fundamental dignity and respect conferred by marriage due to a flaw in our state constitution. It might seem unlikely that Hawai'i would ever put Section 23 into effect, but as we have learned over the past 8 years, **you never can tell**. Remember, in 1963, our legislature and governor passed an "Intent to Deceive" act that required mahu showgirls to wear an "I Am a Boy Button."

From the Kanaka embrace of same-sex intimacy and gender duality to the LGBTQ nurses and physicians who fought HIV/AIDS with evidence-based public health campaigns, from the brave mahu plantation workers who refused to hide their identity in the early 1900s to the advocates and jurists who rocked the world by demanding marriage equality in a world that had yet to imagine it – these are just a sampling of the extraordinary stories that have made Hawaii a place of true aloha: love, honor, and respect for all.

Let's make sure that tradition continues.

Mahalo nui for your consideration,

A handwritten signature in black ink, appearing to be 'D. Hamer', written over a light blue circular stamp.

Dean Hamer, PhD
Haleiwa, Hawai'i
Director, Qwaves Kanaka Pakipika

HB-2802-HD-1

Submitted on: 3/17/2024 7:57:38 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Darlene	Testifying for Indivisible Hawaii Healthcare Team	Support	Written Testimony Only

Comments:

I support this bill! Please do not injure the mental health of the LGBTQ+ community any further than the previous presidential administration already did. It's time to heal, not to continue wounding. Mahalo.

HB-2802-HD-1

Submitted on: 3/18/2024 5:27:45 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Haylin	Testifying for Spill The Tea Cafe	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples, potentially leaving the door open to discrimination should there be a change in federal court precedent and legislation.

I also ask that you pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

I support marriage equality because my own child and 350+ kids at Spill The Tea Cafe are part of the LGBTQIA+ community and they deserve the same rights as cisgendered /straight people.

Thank you for the opportunity to provide testimony.

Mahalo,

Haylin Dennison, LCSW

Executive Director, Spill The Tea Cafe

HB-2802-HD-1

Submitted on: 3/18/2024 8:33:42 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Colton Neves	Testifying for Love Sandwich, LLC	Support	Written Testimony Only

Comments:

Aloha -

My name is Colton Kekoa Neves and am from Hawaii and a business owner in the islands. I am also gay. It is important the modernize our laws to reflect how we respect and cherish the diversity in this wonderful place. I married the love of my life here and how could we keep such a law that might tear that apart.

Please make this change for those in Hawaii who only want to be equal in love.

-Colton



HawaiianEthos

Date: March 18, 2024

To: Senator Karl Rhoads, Chair of the Senate Judiciary Committee
Senator Mike Gabbard, Vice Chair of the Senate Judiciary Committee

Fr: Noah Phillips - Hawaiian Ethos

Re: Testimony **In Support of House Bill (HB) 2802**

PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII CONSTITUTION RELATING TO MARRIAGE. Proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

Dear Chair, Vice-Chair, and Members of the committee:

Hawaiian Ethos **supports HB2802** which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. Hawaiian Ethos is a vertically integrated licensed dispensary operating in the State of Hawai'i since 2018, with three retail locations in the Hilo, Kona, and Waimea areas providing completely solventless medical cannabis products on the Island of Hawai'i. As a provider of medical cannabis in Hawaii, we see first-hand the rich fabric of diversity that comprise our patients and island home. Our industry and patients have faced unnecessarily similar challenges of discrimination and degradation against the similar backdrop of evolving national opinions. While the Hawai'i Marriage Equality Act of 2013 made possible marriage for same-sex couples 11 years ago, the discriminatory language of Section 23 remains in Hawaii's foundational governing document.

We urge the legislature to pass HB2802 and restore the honor and respect that our island home have traditionally bestowed on its LGBTQ peoples.

Thank you for the opportunity to testify.

Noah Phillips, on Behalf of Hawaiian Ethos



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OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO, CLC



Thirty-Second Legislature, State of Hawai'i
Regular Session of 2024
Senate Committee on Judiciary

Testimony by IATSE 665
March 19th, 2024

**H.B. 2802 HD 1 - PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF
THE HAWAII CONSTITUTION RELATING TO MARRIAGE**

Aloha Chair Rhoads, Vice Chair Gabbard, and members of the Senate committee,

My name is Tuia'ana Scanlan, International Trustee and president of IATSE Local 665, the union representing technicians and artisans in the entertainment industry in Hawai'i. **Local 665 strongly supports HB 2802 HD 1**, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

Marriage is a fundamental institution that should be accessible to all loving couples. By removing the legislature's authority to limit marriage to opposite-sex couples, this bill takes a significant step toward ensuring equal treatment under the law for all Hawaii residents. It's imperative to recognize that denying marriage equality not only perpetuates discrimination but also undermines the principles of justice and fairness that our society should uphold. Everyone deserves the right to marry the person they love, free from discrimination or prejudice.

As a labor organization, we understand the importance of fighting for the rights of marginalized communities. This bill represents progress toward a more just and inclusive society where everyone is treated with dignity and respect.

IATSE 665 strongly supports HB 2802 HD1. We hope your committee will do the same. Thank you for the opportunity to testify.

In Solidarity,

A handwritten signature in blue ink, appearing to read 'Tuia'ana Scanlan'.

Tuia'ana Scanlan
International Trustee, President, IATSE 665 (he/him/his)



IATSE Local 665 HAWAII'S TECHNICIANS



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Since 1937

**INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES, MOVING PICTURE TECHNICIANS, ARTISTS AND ALLIED CRAFTS
OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO, CLC**

March 19, 2024

The Thirty-Second Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Judiciary (JDC)

HEARING DATE, TIME AND ROOM: Tue., 03/19/24 at 1010AM – ROOM 016

**RE: HB2802, HD 1 – Proposing an Amendment to Article 1, Section 23, of the Hawai'i Constitution
Relating to Marriage**

Aloha, Chair Rhoads, Vice Chair Gabbard and Committee Members:

MAHALO for allowing us to provide testimony in **SUPPORT** of **HB2802, HD 1**. The IATSE is the largest entertainment union in the world, and Local 665 is its Hawai'i Chapter, representing nearly 800 members and 700 future members across all Hawaiian Islands.

HB2802, HD 1 proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. Marriage is a fundamental institution that should be accessible to all loving couples. By removing the legislature's authority to limit marriage to opposite-sex couples, this bill takes a significant step toward ensuring equal treatment under the law for all Hawai'i residents.

It is imperative that we uphold every citizen's right to marry the person they love, free from discrimination and prejudice. By denying marriage, we reverse all of the forward progress we have made as a society to accept and thrive on our diversity.

Hawai'i has always been a welcoming place where we accept one another for who we are. Now more than ever, we must care for one another and continue to show ALOHA and respect to all of Hawai'i residents.

Please **pass HB2802 HD 1** to keep loving couples and families together.

Respectfully submitted,

A handwritten signature in black ink that reads "Irish Barber".

Irish Barber
Business Representative
Mobile (808) 479-1770
alohairish@iatse665.org

HB-2802-HD-1

Submitted on: 3/18/2024 1:28:30 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Tuiolosega Silva	Testifying for Kumukahi Health + Wellness	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Peter T. Silva

CEO

Kumukahi Health + Wellness

101 Aupuni St., Hilo HI 96720



JAPANESE AMERICAN CITIZENS LEAGUE
HONOLULU CHAPTER
P.O. BOX 1291, HONOLULU, HAWAI'I 96807
EMAIL: jaclhon@gmail.com WEBSITE: www.jaclhonolulu.org
INSTAGRAM: @jaclhonolulu

March 18, 2024

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William Kaneko

Colbert Matsumoto

Alan Murakami

To: Chair Karl Rhoads and Members of the Senate Committee on Judiciary

From: Minda Yamaga, President, Japanese American Citizens League, Honolulu Chapter

Re: **SUPPORT OF H.B. 2802, PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAI'I CONSTITUTION TO MARRIAGE**

Chair Rhoads and Members of the Committee:

The Japanese American Citizens League (JACL) is the oldest Asian civil rights organization in our country, and we seek to protect and defend the rights of all persons.

HB 2802 proposes a constitutional amendment which removes the legislature's authority to reserve marriage to opposite-sex couples. We are deeply troubled by the discriminatory language contained in Section 23 that has been in our state's Constitution for 26 years. Even though the Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, Section 23 would allow a future legislature to undo that progress.

Our concerns are not hyperbolic as we have seen national attacks on the LGBTQ community through the passage of discriminatory laws across our country. Moreover, the U.S. Supreme Court's recent rulings threaten to overturn *Obergefell v. Hodges* which would obliterate the judicial precedent finding that the right to marry is a fundamental liberty.

Hawai'i must stand against bigotry, and we believe passing HB 2802 is critically necessary given the perils we currently face. This first step will allow the voters to right our prior wrongs and ensure that Hawai'i's Constitution is inclusive, fair, and just.

Minda K. Yamaga
President
JACL Honolulu Chapter

HB-2802-HD-1

Submitted on: 3/18/2024 2:12:32 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mika Mulkey	Testifying for Kumukahi Health + Wellness	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.



HAWAII PORTS MARITIME COUNCIL

affiliated with

Maritime Trades Department

AMERICAN FEDERATION OF LABOR and CONGRESS OF INDUSTRIAL ORGANIZATION

606 Kalih Street Honolulu, Hawaii 96819

TELEPHONE: (808) 845-5222

FAX: (808) 841-1191

Member Unions:

March 18, 2024

American Federation Of
Government Employees

Hawaii Government
Employees Association,
AFSCME Local 152

Hawaii Pilots Association,
MM&P Pilots Division

Inlandboatmen's Union
of the Pacific

International Brotherhood of
Boilermakers, Iron Ship
Builders, Blacksmiths,
Forgers and Helpers
Lodge 627

International Brotherhood of
Electrical Workers Local 1186

International Brotherhood of
Electrical Workers Local 1260

International Longshore and
Warehouse Union Local 142

International Union of
Elevator Constructors
Local 126

Ironworkers Union
Stabilization Fund
Local 625

Laborers' International Union
of North America Local 368

Marine Engineers'
Beneficial Association

Marine Firemen,
Watertenders, Oilers & Wipers

Masters, Mates and Pilots,
Offshore Division

Sailors' Union of the Pacific

Seafarers International Union

Sheet Metal Workers Local 293

United Food and Commercial
Workers International Union
Local 480

Senate Committee on Judiciary
Honorable Karl Rhoads, Chair
Honorable Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary

RE: H.B. 2802 PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII CONSTITUTION RELATING TO MARRIAGE.

The Hawaii Ports Maritime Council strongly supports H.B. 2802 in support to remove the legislature's authority to limit marriage to opposite-sex couples. We appreciate your consideration and strongly urge passage of H.B. 2802.

Respectfully,

Randy Swindell
President

HB-2802-HD-1

Submitted on: 3/15/2024 2:07:27 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Godbey Carson	Individual	Support	Written Testimony Only

Comments:

Please support this bill to enshrine our right of equal marriage into our constitution. It's the right thing to do, and will protect from future changes in political factions that could seek to deprive our residents of this right, as is occurring on the Continent. All persons deserve the right to be able to marry the person they love.

Thank you for consideration of my testimony.

Ellen Carson, Honolulu, Hawaii

HB-2802-HD-1

Submitted on: 3/15/2024 2:47:57 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lyle Roe	Individual	Support	Written Testimony Only

Comments:

Strongly in support.

HB-2802-HD-1

Submitted on: 3/15/2024 3:35:25 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan R. Spector	Individual	Support	Written Testimony Only

Comments:

I am writing in support of HB2802. It is time to rid the Hawaii Constitution of discriminatory language against same-sex couples.

Alan R. Spector, Kaneohe

HB-2802-HD-1

Submitted on: 3/15/2024 4:34:06 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Laurel Johnston	Individual	Support	Written Testimony Only

Comments:

I am strongly in support of this measure. It is time to align Hawaii state law to assure equality in civil rights offered through marriage to citizens previously denied such.

Mahalo nui for your consideration and support of this measure.

Tuesday, March 19, 2024
Conference Room 016 & Videoconference

To: The Honorable Karl Rhoads, Chair
The Honorable Mike Gabbard, Vice Chair
Members of the Senate Committee on Judiciary

From: Bill Hoshijo

Re: H.B. No. 2802, H.D.1

For 26 years, until my retirement in March 2023, I had the honor of serving as the Executive Director of the Hawai'i Civil Rights Commission (HCRC). *This information is provided for identification purposes only. **As an individual, I join with other civil rights advocates to support H.B. No. 2802, H.D.1.**

The purpose of H.B. 2802, H.D.1, is to repeal article 1, section 23, of the Constitution of the State of Hawai'i, which authorizes the legislature to restrict marriage to opposite-sex couples. Article 1, section 23, is a reminder of the time in our recent past when our state legislature enacted and voters ratified a constitutional amendment to diminish and extinguish the equal protection rights of a distinct minority, as recognized by the Hawai'i Supreme Court in *Baehr v. Lewin*. A generation later, those rights to equal protection and same-sex marriage are the law of the land, and it is time to repeal this vestigial stain on our constitution, so we can heal and reaffirm our commitment to civil and constitutional rights.

Support for this bill is rooted in the context of a frontal assault on constitutional and civil rights at the federal level and in many states. A U.S. Supreme Court conservative super-majority appears poised to eviscerate hard-won constitutional rights jurisprudence. The Court has turned the clock back on abortion and reproductive rights. Constitutional protections that are in jeopardy

include unenumerated privacy protections (including right to contraception and in vitro fertilization, protection against state law criminalization of same-sex relationships, and even the Court-affirmed right to marriage equality). In this context, it is prudent for Hawai‘i to renew its state commitment to hard-won rights as a “backstop” against the onslaught on fundamental rights.

Historically, the State of Hawai‘i has had a strong commitment to the protection of civil rights, found in Art. I § 5 of the State Constitution which states that “[n]o person . . . shall be denied the enjoyment of the person’s civil rights or be discriminated against in the exercise thereof because of race, religion, sex, or ancestry.” This provision grants our citizens the fundamental right to be free from race, religion, sex or ancestry discrimination, and was first adopted by the Constitutional Convention of 1950 (ratified as Article I, §4), prior to Hawai‘i becoming a state. Const. Conv. of 1950, v. 1. There is no counterpart civil rights clause in the United States Constitution.

Hawai‘i has a proud civil rights history. We were the first state to ratify the Equal Rights Amendment, and we have an ERA in our State Constitution Bill of Rights. Article I, §3. And, we have an express right to privacy in our State Constitution as well. Article I, §6. We were the first state to recognize women’s right to choose and, to our credit, the first to address the issue of same-sex marriage seriously. Each generation has a responsibility to protect and defend these state constitutional and civil rights. This bill and constitutional amendment provide us a redemptive opportunity to reaffirm our commitment to civil and constitutional rights and make things right and pono.

Please support H.B. No. 2802, H.D.1.

HB-2802-HD-1

Submitted on: 3/15/2024 7:51:06 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Gregory K. Wickstrom	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples, potentially leaving the door open to discrimination should there be a change in federal court precedent and legislation.

I also ask that you pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

I support marriage equality because justice is not only the right of every American citizen, but every person, full stop. There can be no justice if outdated laws that hold on to past prejudices and fear are allowed to take away those inherent rights every single individual is privy to.

I implore you to see fair treatment of every individual as the opportunity to uphold the ideals our great country were founded upon. The right to life, liberty, and the pursuit of happiness.

Thank you for the opportunity to provide testimony.

Mahalo,

Gregory K. Wickstrom

HB-2802-HD-1

Submitted on: 3/15/2024 10:50:37 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Sara Harris	Individual	Support	Written Testimony Only

Comments:

I am in strong support of this bill.

HB-2802-HD-1

Submitted on: 3/15/2024 11:18:16 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Patti Cook	Individual	Support	Written Testimony Only

Comments:

STRONGLY SUPPORT. Please pass this measure to initiate a Constitutional Amendment to let the people of Hawai'i have their voices heard supporting LGBTQIA+ rights. MAHALO.

Chair Karl Rhoads
Vice Chair Mike Gabbard

Senate Committee on Judiciary

Tuesday, March 19, 2024
10:10 AM

**TESTIMONY IN STRONG SUPPORT OF HOUSE BILL 2802 HD1 PROPOSING AN
AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII CONSTITUTION
RELATING TO MARRIAGE**

Aloha Chair Rhoads, Vice Chair Gabbard, Members of the Senate Committee on Judiciary,

My name is Jun Shin. I am a union service worker as well as a labor and social justice activist, testifying as an individual in **STRONG SUPPORT** of **HB2802 HD1**, Proposing an Amendment to Article 1, Section 23, of the Hawaii Constitution Relating to Marriage.

After years of advocacy and organizing, same-sex marriage was legalized in Hawai'i under the 2013 Marriage Equality Act, beating *Obergefell v. Hodges* by 2 years. This improved the lives of same-sex couples as the rights, benefits, and protections that already existed for straight couples now applied to them as well. Marriage equality also helped in building greater acceptance in society because as expected, the world didn't crumble when LGBTQIA+ individuals were finally allowed to officially get married. Unfortunately, till this day, the Hawai'i State Constitution still gives the legislature the authority to limit marriage to opposite-sex couples under Article I, Section 23.

We must always remain vigilant because there will always be attempts to derail the progress that we make as a society, especially when we don't finish the job. Hawai'i for all our progressive victories cannot rest on our laurels. We saw this clearly when *Roe v. Wade* was overturned after decades of being attacked, with Congress not having codified abortion rights into law. There have also been rumblings that *Obergefell v. Hodges* is on the chopping block, which is being matched with rising attacks on the LGBTQIA+ community. While Congress must be pressured to codify same-sex marriage protections for the whole country, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQIA+ couples by asking voters to remove Article I, Section 23 from our constitution.

Please **PASS House Bill 2802 HD1** out of your committee.

Mahalo for the opportunity to testify,

Jun Shin,
State House District 23 | State Senate District 12
Cell: 808-255-6663
Email: junshinbusiness729@gmail.com

HB-2802-HD-1

Submitted on: 3/16/2024 8:41:15 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
R.C.	Individual	Support	Written Testimony Only

Comments:

Hello,

I'm writing in support of HB2802 as current Supreme Court members (Roberts, Alito and Thomas) have already threatened to rescind the 2015 Obergerell v. Hodges ruling. Please find it in your heart to support this very essential measure to ensure that LGBT+ Hawai'i residents can feel safe knowing that the right to marry the person they love is not in jeopardy.

Thanks,

R.C.

Committee: Senate Committee on Judiciary
Bill Number: HB 2802 HD1
Hearing Date/Time: March 19, 2024, 10:10 a.m
Subject: Testimony in **STRONG SUPPORT of HB 2802 HD1**, PROPOSING AN
AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII
CONSTITUTION RELATING TO MARRIAGE

Aloha Chair Rhoads, Vice Chair Gabbard, and Committee Members:

Thank you all for allowing the opportunity to provide testimony on HB 2802 HD1. My name is Sarah Simmons of Volcano and I am writing today in strong support of HB 2802 HD1 to remove the constitution language to prohibit marriage between same sex couples.

At least one member of the Supreme Court of the United States has indicated they would be open to revisit the protections on marriage by race and sex at the Federal level. Please pass this bill and allow for our State constitution to uphold our commitments to equality in Hawai'i and protect and show support for our local families.

Mahalo for you time and consideration,

Sarah Simmons
Volcano, HI

HB-2802-HD-1

Submitted on: 3/16/2024 5:55:11 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I fully support marriage between two consenting adults. That's it. No need discuss gender or sexual preference. That is no one's business except the two people getting married. Marriage is between two people who love each other, simple. Please do everything in your power to honor and protect THAT for everyone.

Mahalo,

Shannon Matson

Happily Married Hawai'i Island Resident

HB-2802-HD-1

Submitted on: 3/16/2024 6:12:00 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lois Langham	Individual	Support	Written Testimony Only

Comments:

I support this bill.

Hawai'i State Legislature
Senate Committee on Judiciary
March 19, 2024

Aloha Committee Members,

I write in Strong Support of HB2802 HD1 to amend Section 23 of the Hawai'i State Bill of Rights to repeal the legislature's authority to limit marriage to opposite-sex couples.

As a Hawai'i resident and gay man who came of age in the early 1980s, when expression of same-sex love was considered a criminal act and the LGBT community faced severe prejudice and persecution amidst the hysteria of the emerging HIV/AIDS crisis, I understand all too well how easily policies and laws can be used to target, exclude, and discriminate against members of vulnerable minority communities. In fact, as recently as 2004, before marriage equality was legalized in the U.S., I had to leave my own country in order to marry the man I love.

It is long past time that Hawai'i, the birthplace of the modern marriage equality movement, ensure that such a fundamental civil and human right is not undone and that it serve as a beacon of dignity, respect, and inclusion for all, particularly for residents of other states facing a rising tide of anti-LGBTQ forces.

Thank you for your consideration,



HB-2802-HD-1

Submitted on: 3/16/2024 10:26:32 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Maki Morinoue	Individual	Support	Written Testimony Only

Comments:

Aloha

I support this bill. Growing up during the aides epidemic, we found many long-term gay relationships lacking the decent rights married couples had in emergency healthcare and financial care. Our friends were forbidden to remain bedside while their partner was on their deathbed. They were kicked out of hospitals, forced to leave their dying lifelong partners' side, and treated like monsters for loving someone of the same sex. Since then, we have come a long way, yet we need to solidify this into law so it can't be changed under hateful leadership. It is a human right to love someone and to take a marital oath as anyone else does without the threat it could be taken away from any particular demographic, in this case, our LGBTQ.

Now is the time to make a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples.

Thank you,

Maki Morinoue
Holualoa, Hawai'i Island
96725

HB-2802-HD-1

Submitted on: 3/16/2024 11:12:45 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrea Nandoskar	Individual	Support	Written Testimony Only

Comments:

Support!

HB-2802-HD-1

Submitted on: 3/17/2024 8:34:53 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Chuck Taylor	Individual	Support	Written Testimony Only

Comments:

LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

HB-2802-HD-1

Submitted on: 3/17/2024 8:11:13 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Brian Huffman	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Hard work has been done to preserve the sanctity of marriage for all individuals in the state. This would assure that work remains done and the guaranteed protection provided to all citizens of the state remains safe.

HB-2802-HD-1

Submitted on: 3/17/2024 9:01:48 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Matthew J. Wolf	Individual	Support	Written Testimony Only

Comments:

I support gay marriage. I am a longtime resident on Oahu. I do not want our government legislating my personal life.

HB-2802-HD-1

Submitted on: 3/17/2024 8:44:52 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark A. Koppel	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members:

WRITING IN STRONG SUPPORT OF HB2802

Mark Koppel

P O Box 283

Hakalau

Even though Hawaii is a leader in pressive legislation, its Constitution still does not guarantee the right of same-sex couples to marry.

HB2802 HD1 would remedy that.

Mahalo for your support.

HB-2802-HD-1

Submitted on: 3/17/2024 9:04:57 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Willingham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/17/2024 9:17:08 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Dan Gardner	Individual	Support	Written Testimony Only

Comments:

I and my wife Deborah both support this bill. Thank you.

Dan Gardner,

Honolulu HI,

daniel.dano.gardner@gmail.com

HB-2802-HD-1

Submitted on: 3/17/2024 9:41:38 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Balutski	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/17/2024 9:44:27 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Rick Ramirez	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in strong support of this bill. The provision of marriage goes beyond the legal aspect that many consider and goes into the dealing of medical and long-term care regulations for patients. All patients should have the right to make medical decisions or have medical decisions made for them by their spouse, no matter what gender their spouse may be from them. It also goes into insurance coverage, medication pickup, funeral arrangements. The list goes on. In no way should anyone be denied that right based on the way the law is written now. By amending the law to allow people to marry whoever they would like prevents long-term medical consequences and issues with power of attorney. Please allow this bill a hearing and to pass into law so that all people can be protected.

Thanks,

Rick Ramirez, DNP, APRN, AG-ACNP-BC, FNP-BC, ENP-C

HB-2802-HD-1

Submitted on: 3/17/2024 10:09:23 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Kimberly Dark	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/17/2024 10:27:08 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Martha Nakajima	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. Thank you. Martha Nakajima, Honolulu

HB-2802-HD-1

Submitted on: 3/17/2024 10:47:38 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Hannah Hartmann	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair and Committee Members,

I am writing in SUPPORT for HB2802, a constitutional amendment that would delete discriminatory language relating to same-sex couples.

As a woman happily married to my wife, it's crucial we protect our LGBTQIA+ and QTBIPOC community members throughout Pae 'Āina o Hawai'i. This bill does a great job of moving in that direction.

Mahalo for your time,

Hannah Hartmann

Pāpa'ikou, Hawai'i Island

96781

HB-2802-HD-1

Submitted on: 3/17/2024 11:05:15 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lori Kizer	Individual	Support	Written Testimony Only

Comments:

I support removing the outdated language in Sec. 23, it has no place in our state constitution. Please get it removed. Love is Love. Mahalo

Lori Kizer, Kapaa Kauai

HB-2802-HD-1

Submitted on: 3/17/2024 11:45:24 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Beth Anderson	Individual	Support	Written Testimony Only

Comments:

Please support equality for all citizens in Hawaii and support this bill. Our state constitution should not include language that discriminates against anyone especially forbidding the bond of marriage between two adult people who love each other. A society that forbids a bond of love between two people is dystopic.

Thank you for supporting this bill and a foundation of our democracy that embraces the belief that all men/women are created equally.

Respectfully submitted,

Beth Anderson

Kailua, Hawaii

HB-2802-HD-1

Submitted on: 3/17/2024 11:45:36 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Deb Nehmad	Individual	Support	Written Testimony Only

Comments:

I STRONGLY SUPPORT THIS BILL!

SO SHOULD THE COMMITTEE

mahalo

deborah nehmad

HB-2802-HD-1

Submitted on: 3/17/2024 11:46:56 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Allen Hanaike	Individual	Support	Written Testimony Only

Comments:

SUPPORT: Let's put a bow on this and repeal the Legislature's authority to limit marriage to opposite-sex couples.

HB-2802-HD-1

Submitted on: 3/17/2024 11:51:13 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

*Andrew Isoda
Lahaina, Mau'i*

HB-2802-HD-1

Submitted on: 3/17/2024 1:39:55 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Antonio M Davila jr	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/17/2024 2:09:37 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Randy Gonce	Individual	Support	Written Testimony Only

Comments:

Aloha JDC chair, Vice Chair, and members of the committee,
I am writing in **STRONG SUPPORT** of this bill. We live in uncertain times with the current US Supreme Court taking on cases and making rulings on longstanding civil rights and human rights issues. This bill is important to ensure the residents of Hawaii get a chance to take matters into their own hands and are provided an opportunity to vote on solidifying the support for same-sex marriages in perpetuity. Please pass this measure.

-Randy Gonce

HB-2802-HD-1

Submitted on: 3/17/2024 2:30:52 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lance Uyeda	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Mahalo,

Lance Uyeda

HB-2802-HD-1

Submitted on: 3/17/2024 2:33:20 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Charles David fillmore	Individual	Support	Written Testimony Only

Comments:

I, Charles David Fillmore, a married man to a same sex spouse, and a full-time, tax paying resident of Hawaii, support the proposed amendment to Article 1 Section 23 of the Hawaii constitution, to repeal the Legislator's authority to limit marriage to opposite sex couples.

Respectfully submitted.

HB-2802-HD-1

Submitted on: 3/17/2024 3:03:14 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
David Heath	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is David Heath and I live in Elon, Nc. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

David Heath

HB-2802-HD-1

Submitted on: 3/17/2024 3:22:29 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Tamiko Hobin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is Tamiko Hobin and I live in Maili. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/17/2024 3:27:33 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Sydney Warren	Individual	Support	Written Testimony Only

Comments:

Testimony in Support of HB 2802

Name: Sydney Warren

Written Testimony Only

Occupation: Graduate Student of Public Health at the University of Hawai'i at Manoa

Date: March 17, 2024

Aloha nui e Chair Rhoads and the Members of the Senate Committee on Judiciary,

I am writing this testimony in strong support of HB 2802. Unfortunately, as a resident of Ewa Beach, I do not have a representative on your committee. I ask that you, the Honored Members of the Senate Committee on Judiciary, give a voice to myself and the other constituents within our local communities that either lack representation on this matter or that have representatives they politically disagree with.

As you know, the Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ+ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given increasing number of national policies proposed against the LGBTQ+ community, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ+ couples.

As a graduate student studying public health, I have a different perception of the LGBTQ+ than most. In addition to this being a human rights issue, it is a health concern. The members of the LGBTQ+ community already experience significant health disparities compared to their

cisgendered, heterosexual counterparts. If the rights and identities of the LGBTQ+ community are suppressed, as Section 23 would allow, this would further exasperate those disparities and result in widespread physical and mental health deterioration throughout the community. To risk the right of marriage being taken away from the LGBTQ+ community is to risk a substance abuse and suicide epidemic. Please take this into consideration when you are voting.

Mahalo nui.

HB-2802-HD-1

Submitted on: 3/17/2024 3:27:53 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard S Velasquez	Individual	Support	Written Testimony Only

Comments:

Please support and pass this important safeguard to insure our rights as full citizens

mahalo nui for your consideration

HB-2802-HD-1

Submitted on: 3/17/2024 3:41:36 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
William Yeh	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members-

My name is Will Yeh and I live in Honolulu. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration!

HB-2802-HD-1

Submitted on: 3/17/2024 3:42:12 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/17/2024 4:08:37 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
DALE RUTLEDGE	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is Dale Rutledge and I live in beautiful Waikiki. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/17/2024 4:09:59 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Tadia Rice	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

TO : HOUSE COMMITTEE ON JUDICIARY

FROM: Eldon L. Wegner, Ph.D.
Board, Hawaii Family Caregiver Coalition

SUBJECT: HB 2802 HD 1 PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII CONSTITUTION RELATING TO MARRIAGE. Proposes a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples. (HD1)

HEARING: Tuesday March 19, 2024, 10:10 am
Conference Room 016, Hawaii State Capitol

POSITION: Strongly support

RATIONALE:

This proposal eliminates the right of the state to regulate same-sex relationships and brings our Hawaii law in line with national rulings on this issue. By eliminating the right of the state to regulate LGBT relationships, we extend the democratic rights of LGBT couples to decide their own relationships.

Sincerely,
Eldon L. Wegner, Ph.D
Professor Emeritus in Sociology
University of Hawaii at Manoa

HB-2802-HD-1

Submitted on: 3/17/2024 4:36:20 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jim Cooper	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Mahalo,

Jim Cooper

HB-2802-HD-1

Submitted on: 3/17/2024 5:54:55 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Nelson	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. Please pass it. Thank you.

Liz Nelson

Kaneohe

HB-2802-HD-1

Submitted on: 3/17/2024 7:05:36 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Diana L. Van De Car	Individual	Support	Written Testimony Only

Comments:

I strongly support this measure. Same sex marriage has now been legal for years. Many of our members, neighbors, friends and coworkers are happily in same sex marriages. It would work an extremely painful and disruptive upheaval were Hawaii's legislature to now declare same sex marriage illegal. Deleting this section 23 from Hawaii's constitution will hopefully keep that from happening. Please pass this bill and let our citizens vote to remove this language from our constitution. Mahalo.!

HB-2802-HD-1

Submitted on: 3/17/2024 7:21:24 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard L Lawyer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected. Families of all types are integral to the health of the State, and to local communities, such as diversity is critical to our State and our Nation.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Thank you for your time and consideration.

Respectfully,

Richard Lawyer

Waikoloa, Hawaii

HB-2802-HD-1

Submitted on: 3/17/2024 7:45:07 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Christina Pagano	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is Christina Pagano and I live in Honolulu. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/17/2024 7:45:40 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Wayne Akana	Individual	Support	Written Testimony Only

Comments:

Aloha Senate Judiciary Committee Chair Rhoads and Committee Members. Mahalo for considering HB2802, HD1. I am in full support of passing this legislation. Hawai`i has blessed same gender marriage for several years now. My husband and I were married in our Hawai`i Episcopal Church a dozen years ago before 150 of our family, friends and colleagues. Our wedding was a wonderful day to share with the people we love and care about and who love and care about us. Our Hawai`i State Constitution ought to reflect that love and care that marriage offers to all of Hawai`i's citizens. Please pass HB2802, HD1 without any changes. Mahalo, again,

Keola Akana

HB-2802-HD-1

Submitted on: 3/17/2024 7:46:08 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Robert Oyadomari III	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is Robert Oyadomari III and I live in Kailua, on Oahu. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

Robert Oyadomari, III

HB-2802-HD-1

Submitted on: 3/17/2024 7:57:26 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Ramona Hussey	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

I support this Bill which would prevent the Legislature from making same sex marriage illegal. Hawai'i has finally come to terms with the rights of LGBT couples, and we should not allow the possibility of taking away those rights to remain in our State Constitution.

I urge your support of House Bill 2802 HD1.

HB-2802-HD-1

Submitted on: 3/17/2024 8:00:45 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Soon	Individual	Support	Written Testimony Only

Comments:

Aloha nui e Chair Rhoads, Vice Chair Gabbard, Members of the Senate Committee on the Judiciary:

I am writing in **strong support** of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

The people of Hawai‘i have demonstrated their support of the individual right to marry regardless of gender. Section 23 is out of alignment with the current law and creates confusion in the law that could leave the door open to discrimination should there be a change in federal court precedent and legislation.

I encourage that this bill is ready to move forward, unamended.

Mahalo for your leadership in ensuring the protection of the civil rights of all Hawai‘i's people.

Aloha, Rebecca Soon

Senate District 13

March 17, 2024

To: the Hawai'i Senate Judiciary and Hawaiian Affairs Committee

Dear Chairman Tarnas, Vice-chairman Takeyama, and JHC committee members,

I am testifying in favor of HB2802 HD1. I am a gay man; I married my male partner on March 18 of 2014. As you may have noticed, I will be celebrating the 10th anniversary of our marriage on Monday, the day before your public hearing. My partner and I have been a couple since November of 1997, a bit over 27 years. Our status as legally married has the greatest importance to us, both practically and emotionally. I deeply appreciate and applaud your efforts to strengthen the constitutional protections that bolster my marriage.

Today a right-wing extremist majority on the United States Supreme Court, themselves bolstered by the numerous Republican judges appointed in recent year to other parts of the judiciary, has amply demonstrated a radical, activist agenda to reverse prior decisions. To put it bluntly, no one's civil rights are safe from the current United States Supreme Court. The United States Supreme Court's recent decision to reverse the Dobb's decision has allowed legislatures to ban abortion and severely limit abortion access. Reversing the Dobb's decision has allowed the Alabama Supreme Court to ban in-vitro fertilization (IVF), based on a fundamentally religious belief that fertilization defines a human being. Legislatures are trying to limit access to the "morning after pill" and other forms of contraception. To sum up, we CANNOT trust the United States Supreme Court to protect fundamental personal rights.

I take the threat to my marriage very seriously. On a national level, I have joined the citizens who make monthly donations to the campaign to re-elect Joseph Biden as President. I am following closely the support advice suggested by political strategist Simon Rosenberg. I am happy to say that in January I supported Democrat Tom Suozzi to replace to replace the disgraced Republican George Santos in the United States Congress. In February I contributed to the campaign of Democrat Ruben Gallegos who seeks to replace Sinema as one of Arizona's U. S. Senators. I will be doing more!

With gratitude and respect,

Laurence Thomas (Tom) Ramsey

HB-2802-HD-1

Submitted on: 3/17/2024 8:10:02 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Neil Bartlett	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is Neil and I live in Waikele, Oahu. I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/17/2024 8:45:52 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Winternitz	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Mahalo,

Elizabeth Winternitz

HB-2802-HD-1

Submitted on: 3/17/2024 8:55:27 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Seikai Darcy	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am in strong support of bill HB2802 HD1 and watching who supports this and who does not.

Mahalo,

Lisa Darcy

Kula, Maui, HI

HB-2802-HD-1

Submitted on: 3/17/2024 9:02:11 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Alan Katz	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples, potentially leaving the door open to discrimination should there be a change in federal court precedent and legislation.

Elimination of this provision removes a vestige of discrimination that has the potential to further harm should federal court precedent and law pivot toward diminishment and even exclusion of individual rights for sexual and gender minorities.

The State of Hawaii has a national reputation for being progressive and protecting the civil liberties of its citizens.

I support measures that increase opportunities for our state's sexual and gender minorities to be free from discrimination and fully participate in civic and economic life.

Thank you for the opportunity to testify on this measure.

Alan R. Katz, MD, MPH

HB-2802-HD-1

Submitted on: 3/17/2024 9:27:59 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Pete Doktor	Individual	Support	Written Testimony Only

Comments:

Aloha e Chair Rhoads & Judiciary Committee Members,

I am writing in strong support of HB 2802, HD 1, to place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. This encroaching theocracy poses an existential threat to a multicultural democracy where a religious minority (or majority) can impose their religious beliefs upon the rest of society as policy. Moreover, LGBTQAI+ `ohana in Hawai'i deserve dignity and respect – and the certainty that no matter what regressive insanity happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected from an American Taliban and their morality police state.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for your public service and protection of persecuted minorities from mainstream tyranny. The missionaries caused generations of cultural genocide through their religious fanaticism that entailed imposing and proslytyzing the rest of civil society. It is important you personally stop enacting this historical vicious cycle of religious extremism. I request governmental representation not as someone hostile to faith or atheist, but on the contrary a religious practitioner of another minority faith that I have no desire to impose upon others, unlike the right-wing white Christian nationalism that is behind such efforts to define social policies by their narrow interpretations.

Mahalo nui loa for representing the public, and not a special interest faith group.

HB-2802-HD-1

Submitted on: 3/17/2024 9:29:21 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Aaron Ruddick	Individual	Support	Written Testimony Only

Comments:

I Support HB2802.

HB-2802-HD-1

Submitted on: 3/17/2024 9:35:50 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Monique Weisman	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/17/2024 10:21:24 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Brad Fieldson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

I'm writing in strong support of HB2802, HD1 which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. To me, it's very simple. Love is Love, taking a comment from a previous governor. I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Hawaii is known world wide for be a non-discriminating state that welcomes all to live here visit here. Tourist world wide also pay attention to state's positions on LGBTQ+ matters when deciding where to travel and spend their travel budgets. Please support HB280. Thank you for yoiur consideration.

HB-2802-HD-1

Submitted on: 3/18/2024 12:50:29 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Robin Wurtzel	Individual	Support	Written Testimony Only

Comments:

To: Chair Rhoads & Judiciary Committee Members:

I am writing as an individual in strong support of H.B. 2802, H.D. 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

The constitutional endment in question is, in my opinion, morally wrong and an embarassment to the State of Hawaii. I hope it does not reflect our State's opinion. It deserves a general vote.

Thank you for your consideration and support.

Please pass H.B. 2802, H.D. 1.

HB-2802-HD-1

Submitted on: 3/18/2024 6:08:57 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Greg Puppione	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 6:45:19 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Suzanne Young	Individual	Support	Written Testimony Only

Comments:

Tambry and Suzanne Young are in full support.

HB-2802-HD-1

Submitted on: 3/18/2024 7:49:26 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Erika K Aresta	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members My name is Erika Aresta and I live in Honolulu . I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.
Erika Aresta

HB-2802-HD-1

Submitted on: 3/18/2024 7:58:35 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jerry Ferguson	Individual	Support	Written Testimony Only

Comments:

I Jerry Ferguson support HB280

HB-2802-HD-1

Submitted on: 3/18/2024 8:22:16 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Carla Allison	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Vice Chair Gabbard, and JDC Committee Members. My name is Carla Allison and I live in Honolulu. I'm writing in strong support of HB2802 and ask that you support this bill proposing a constitutional amendment to remove our legislature's authority to limit marriage to opposite-sex couples.

It is imperative that we ensure marriage equality in Hawaii by eliminating the possibility that our Legislature could undo the progress we made in 2013 via Hawaii's Marriage Equality Act. With the trends we are seeing across our country, we need to protect marriage equality from a roll back like we've experienced in the U.S. Supreme Court's roll-back of abortion protection.

Please take the proactive step to defend the right to marry for LGBTQ couples. by supporting HB 2802.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/18/2024 8:41:26 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Rebecca Hartman	Individual	Support	Written Testimony Only

Comments:

I support marriage equality, because I have not yet met the person I want to marry. I hope for a future where I can have the same hopes and dreams, the same family structure, and engage equally within the community, regardless of who I fall in love with.

Rebecca Hartman, Licensed Mental Health Counselor

HB-2802-HD-1

Submitted on: 3/18/2024 8:42:27 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
laurie boyle	Individual	Support	Written Testimony Only

Comments:

Aloha,

Please consider and pass HB2802 HD1.

i support this bill for the simple reason that marriage in our state is legal for any adult couple, no matter the sex.

We should not reserve marriage definitions and the ability to strike down our open marriage laws on z political whim. This protection for non heterosexual married couples should not be threatened in the future, and requires this legislative protection.

Mahalo for your time



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March 18, 2024

SENATE COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair, Senator Mike Gabbard, Vice Chair

HEARING DATE: Tuesday, March 19, 2024
TIME: 2:00 PM
PLACE: Conference Room 016

Re: TESTIMONY IN STRONG SUPPORT OF HOUSE BILL NO. 2802 HD1;

Dear Chair Rhoads, Vice Chair Gabbard and Members:

I write as an individual in strong support of HB 2802 HD1. There are moments in our lives, in the lives of nations and states, when history is made and things change for the better. Hawai'i had one of those moments in 2013. HB 2802 HD1 presents another of those moments for our State.

I am the former Attorney General of the State of Hawaii, having served under Governor Neil Abercrombie from 2011 through 2014. I had the privilege and honor of working with Governor Abercrombie and the legislature to pass the Hawai'i Marriage Equality Act of 2013, which codified in Hawai'i law the right to marry for LGBTQ couples.

HB 2802 HD1 proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but Section 23 of the Hawai'i Constitution allows the legislature to undo that progress in the future.

Today a large majority of Americans and people in Hawai'i agree that all people should have the right to be married and to live with the person they love, regardless of sexual orientation. Section 23 of the Hawai'i Constitution was passed decades ago as part of a national hysteria against marriage by LGBTQ couples. But that hysteria passed, and Section 23 is an unnecessary remnant of those days. It should be removed.

Chair Rhoads, Vice Chair Gabbard and Members
March 18, 2024
Page 2

As it stands, HB 2802 HD1 has remedied any possible drafting issues and would allow this matter to be placed before the voting public as a Constitutional Amendment. Since this bill has passed the House, if the Senate agrees to the House version as is, the bill would not need to go to conference. Due to the importance of this issue, I strongly recommend that the Senate pass the bill as is. Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'David M. Louie', with a stylized flourish at the end.

DAVID M. LOUIE

for

KOBAYASHI, SUGITA & GODA, LLP

HB-2802-HD-1

Submitted on: 3/18/2024 9:07:49 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Loren Bullard	Individual	Oppose	Written Testimony Only

Comments:

Honorable Members of the Legislature,

I, Loren Bullard, write to express my strong opposition to the proposed bill aimed at repealing article I, section 23, of the Constitution of the State of Hawaii, effectively stripping the legislature's authority to reserve marriage to opposite-sex couples.

Marriage is a fundamental institution that should be open and inclusive to all consenting adults, regardless of their sexual orientation. The right to marry the person one loves is a basic human right that should not be denied based on arbitrary criteria such as gender.

By repealing this section of the Constitution, we risk regressing into discrimination and inequality. Denying same-sex couples the right to marry not only violates their constitutional rights but also perpetuates social stigma and marginalization.

Furthermore, this proposed bill undermines the progress made towards equality and inclusivity in our society. It sends a message of exclusion and intolerance, which contradicts the principles of fairness and justice upon which our legal system is founded.

It is imperative that we uphold the principles of equality and nondiscrimination by rejecting this regressive and discriminatory proposal. I urge you to consider the detrimental impact that this bill would have on the lives of countless individuals and families and to stand on the right side of history by opposing its passage.

Thank you for considering my testimony.

Sincerely,

Loren Bullard

HB-2802-HD-1

Submitted on: 3/18/2024 9:38:21 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Martin	Individual	Support	Written Testimony Only

Comments:

Please protect all Hawaiian citizens with peace of mind in our hearts. We are asking to be recognized as everyone else. Vote for taking care of us and confirming equity. - thank you

HB-2802-HD-1

Submitted on: 3/18/2024 9:44:43 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Yukie Shiroma	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 9:49:00 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

I appreciate the opportunity to testify in strong support of HB2802 by Speaker Saki, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples.

My wife and I have been in a same sex relationship for 46 years. We got married in California in 2008. We love each other and have built a life together just as any other married couple. It is disheartening to live in fear that elected officials might dissolve our legal relationship. We lived through years of being unable to cover each other on our insurance. We had to get at least fifteen different legal documents to cover our rights to make health care decisions for each other, to have powers of attorney, and even to get access to each other's body for burial should one of us die. Please pass this constitutional amendment so that we are protected from having to yet again fight for the rights that we have so recently gained.

Mahalo,

Renee Rabb

Hawaiian Paradise Park

Keauu, HI 96749:

HB-2802-HD-1

Submitted on: 3/18/2024 9:53:58 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Loren Ng	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples, potentially leaving the door open to discrimination should there be a change in federal court precedent and legislation.

I also ask that you pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

I support marriage equality because everyone deserves a chance to create a family with someone they care about, regardless of gender.

Thank you for the opportunity to provide testimony.

Mahalo,

Loren Ng

HB-2802-HD-1

Submitted on: 3/18/2024 9:58:17 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Nathan Leo Braulick	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Nathan Leo Braulick

Honolulu, HI 96826

HB-2802-HD-1

Submitted on: 3/18/2024 9:59:19 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Ken plonsky	Individual	Support	Written Testimony Only

Comments:

Marriage between same sex successGUI and needed It The came is time to delete the option
TO delete same sex marriage

I have been a dtrong supporter to same sex marriage fpr maqny years

thank you gor your condideration

HB-2802-HD-1

Submitted on: 3/18/2024 10:02:40 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Bonnie Tokita	Individual	Support	Written Testimony Only

Comments:

Same sex marriage has been legal for years in Hawaii. We now have family members, friends, neighbors, and co-workers in same sex marriages. The legislature should not have the power to take that away from us. The language in Sec. 23 has no place in our state constitution.

STARN • O'TOOLE • MARCUS & FISHER

A LAW CORPORATION

March 18, 2023

The Honorable Karl Rhoads
Chair, Senate Committee on Judiciary
The Honorable Mike Gabbard
Vice Chair, Senate Committee on Judiciary
Hawai'i State Capitol
415 South Beretania Street
Honolulu, Hawai'i 96813

Re: HB 2802 (2024) Testimony in Support of Constitutional Amendment to Article 1, Section 23

Aloha, Chair Rhoads, Vice Chair Gabbard, and Senators Awa, Elefante, and San Buenaventura:

I respectfully submit individual testimony in strong support of HB 2802, proposing an amendment to Article 1, Section 23 of the Hawaii Constitution Relating to Marriage. I am grateful to the Committee on Judiciary for scheduling and hearing this important measure.

I can understand how within the context of 27 years ago in 1998, in response to significant societal reforms and pending litigation, the Legislature at the time proposed and voters adopted Article 1, Section 23. Times have changed. Today, Article 1, Section 23 in its plain language empowers the Legislature to reserve marriage to opposite-sex couples, which in the converse, allows the Legislature to exercise the prerogative to deny same-sex couples' access to marriage. Article 1, Section 23 should now be repealed.

As the former Hawai'i Attorney General, having served under Governor David Ige from 2015-2018, I had the honor and privilege of defending legal challenges to the Hawai'i Marriage Equality Act of 2013 and being co-author of an amicus brief to the U.S. Supreme Court on behalf of 26 states in the *Masterpiece Cake Shop* case. In my view, Hawai'i has historically embraced and fought for the civil rights and recognition of all people including the LGBTQ community. Leaving Article 1, Section 23 in the Constitution does not reflect today's values, is confusing to an entire generation of residents, and, if there ever is a darker future chapter, could inflict harm.

You all have my greatest respect and thanks for your dedication to public service.

Sincerely,



Doug Chin

To: Hawaii State Senate Committee on Judiciary
Hearing Date/Time: Tuesday, March 19, 2024, 10:10am
Place: Hawaii State Capitol, CR 016 & Videoconference
Re: Judith Ann Armstrong supports HB2802 Relating to Marriage

Dear Chair Senator Karl Rhoads, Vice Chair Senator Mike Gabbard and members of the Committee on Judiciary

I, Judith Ann Armstrong, strongly support s HB2802 HD1 Relating to Marriage, which proposes a constitutional amendment to remove the legislature’s authority to limit marriage to opposite-sex couples.

The Hawai’i Marriage Equality Act of 2013 codified in Hawaii law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court’s roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai’i must take proactive steps to defend the right to marry for LGBTQ couples.

The Hawai’i State Constitution should reflect the best of Hawaii’s values, please support HB 2808. Mahalo for your time and consideration.

With your help, we can right this wrong and ensure people have the freedom to marry the person they love.

Thank you for this opportunity to testify in support of HB2802 HD1.

Sincerely,

Judith Ann Armstrong

HB-2802-HD-1

Submitted on: 3/18/2024 10:39:54 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Matt Matsunaga and Avery Chumbley	Individual	Support	Written Testimony Only

Comments:

We strongly support HB2802 HD1, which would amend the State Constitution to remove the legislature's authority to limit marriage to opposite-sex couples. In 1997, as Co-Chairs of the Senate Judiciary Committee, we guided the passage of the Constitutional Amendment that gave the legislature the authority to limit marriage to opposite-sex couples (the “1997 Amendment”), while simultaneously passing a reciprocal beneficiary bill that gave historic rights and benefits to non-traditional couples. The 1997 Amendment was passed with reluctance in the face of great public pressure to overrule a Hawaii Supreme Court case that gave same-sex couples the right to marry. We crafted the 1997 Amendment with the hope that public opinion would change, and the legislature would eventually permit same-sex couples to marry. Our hopes were realized in 2013 with the passage of the Hawaii Marriage Equality Act. Now that public opinion has evolved with no foreseeable regression in sight, there is no need for the 1997 Amendment. We therefore strongly support the repeal of the 1997 Amendment via the passage of HB2802 HD1.

HB-2802-HD-1

Submitted on: 3/18/2024 10:46:17 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Kasey Nahlovsky	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples, potentially leaving the door open to discrimination should there be a change in federal court precedent and legislation.

I also ask that you pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

I support marriage equality because freedom is not defined by one's gender or sexuality. It is defined by one's existence. Regardless of someone's sexual orientation or gender expression, they deserve marriage equality simply because they exist. Please recognize everyone as valid with this simple amendment.

Thank you for the opportunity to provide testimony.

Mahalo,

Kasey Nahlovsky

HB-2802-HD-1

Submitted on: 3/18/2024 10:53:42 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Aimee E McCullough	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2802 to remove language from the constitution that defines marriage as only between opposite sexes, and instead bring the constitution's language in alignment with state law and SCOTUS ruling on same sex marriage. Thank you.

HB-2802-HD-1

Submitted on: 3/18/2024 10:57:32 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Franklin Lee	Individual	Support	Written Testimony Only

Comments:

I support 2802 HD1 as stand.

HB-2802-HD-1

Submitted on: 3/18/2024 11:09:31 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
B. Lani Prunés	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

As someone getting married this year to the woman of my dreams, protecting marriage equality is not only personal, it is a vital civil right worry defending.

Mahalo for the opportunity to provide testimony.

CLIFFORD CHANG, MPH

RESIDENCE

4924 Wa'a Street
Honolulu, HI 96821-1446
Telephone: (808) 373-3654

BUSINESS

Principal
Clifford Chang Consulting
4924 Wa'a Street
Honolulu, HI 96821-1446
Cell phone: (808) 347-8035
Email: <cliffordchangconsulting@yahoo.com>

Date: March 18, 2024
To: Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Members of the Committee on Judiciary
Re: Strong support for HB2802 HD1 Proposing An Amendment To Article 1, Section 23, Of The Hawaii Constitution Relating To Marriage

My name is Clifford Chang, testifying today as a Board member of the Hawai'i Health and Harm Reduction Center (HHHRC), and as a private individual with over 40 years of public health experience, including professional and voluntary involvement in HIV, STD and AIDS prevention, tobacco prevention and cessation, and primary health care services.

I am testifying in **strong support, for HD2802 HD1**, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples. I believe this section needs to be repealed as I do not believe this is an authority that should be given to the State Legislature to restrict marriage to only opposite sex couples which is discriminatory. Elimination of this provision removes a vestige of discrimination that has the potential to further harm should federal court precedent and law pivot toward diminishment and even exclusion of individual rights for sexual and gender minorities.

The HHHRC supports measures that increase opportunities for our state's sexual and gender minorities to be free from discrimination and fully participate in civic and economic life. In this session, the legislature also has opportunities to expand access to gender-affirming care and preventative care services, including access to pre exposure prophylaxis to prevent the transmission of HIV, and funding for the state's LGBTQ+ Commission.

I ask and urge you to support and pass HD2802 HD1 out of Committee, with the request it be passed out unamended so as to assist its progress toward a floor vote by the Senate in the near future.

Thank you for the opportunity to testify.

Aloha,



Clifford Chang

HB-2802-HD-1

Submitted on: 3/18/2024 11:26:30 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Betsy Scolnik	Individual	Support	Written Testimony Only

Comments:

THE SPIRIT OF ALOHA MEANS WE ACCEPT EVERYONE NO MATTER WHO THEY LOVE!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

WHY WOULD WE VOTE FOR PEOPLE WHO DO NOT STAND FOR EVERYONE'S RIGHTS??

HB-2802-HD-1

Submitted on: 3/18/2024 11:33:08 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Isaac DeMello	Individual	Support	Written Testimony Only

Comments:

Dear Members of the Legislature,

As a resident of Hawaii and a believer in equal rights for all individuals, I am writing to express my strong support for H.B. NO. 2802, which proposes an amendment to Article 1, Section 23, of the Hawaii Constitution relating to marriage.

The current provision in Section 23 of Article 1 restricts marriage to opposite-sex couples, giving the legislature the authority to reserve marriage solely for them. This restriction not only contradicts the principles of equality and fairness but also perpetuates discrimination against same-sex couples in our state.

By supporting H.B. NO. 2802 and repealing Section 23, we have the opportunity to rectify this injustice and move towards a more inclusive society. All individuals, regardless of sexual orientation, deserve the right to marry the person they love and to have their relationships recognized and respected under the law.

Mahalo,
Isaac DeMello

HB-2802-HD-1

Submitted on: 3/18/2024 11:38:49 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacqueline Wah	Individual	Support	Written Testimony Only

Comments:

I STRONGLY SUPPORT HB 2802, HD1.

All marriages and families in Hawai‘i deserve our full respect, support, and protection from anything that threatens the rights and freedoms for all, without exceptions.

Please pass this bill without amendments.

Thank you!

HB-2802-HD-1

Submitted on: 3/18/2024 11:55:51 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Tracy Behler	Individual	Support	Written Testimony Only

Comments:

My name is Tracy Behler and I am from Honolulu, Hawaii. I'm writing in strong support of HB2802, HD1 which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. This is an important step for equality and to solidify same sex marriage in our state. We cannot afford to risk this human right.

Thank you for this opportunity to express my support for HB2802.

Mahalo, Tracy Behler

HB-2802-HD-1

Submitted on: 3/18/2024 12:38:32 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Isabella Hughes	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Hawai'i spearheaded the conversation on marriage equality by a judge ruling in favor of same-sex couples being able to marry – and it's also one of the first states to pass a constitutional amendment restricting marriage rights. This was more than 20 years ago. And it's been 10 years since the Hawai'i legislature did the right thing by establishing the freedom to marry for all.

Mahalo,

Isabella Hughes

HB-2802-HD-1

Submitted on: 3/18/2024 12:52:35 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob McPherson	Individual	Support	Written Testimony Only

Comments:

I am writing in strong support of HB2802 HD1. I believe we need a constitutional amendment question placed on the November ballot to allow dignity for my family and my LGBTQ friends' families.

HB-2802-HD-1

Submitted on: 3/18/2024 12:57:21 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
William Cunningham	Individual	Support	Written Testimony Only

Comments:

I fully support HB 2802 HD1

HB-2802-HD-1

Submitted on: 3/18/2024 1:00:23 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Marie Mull	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Marie Mull

HB-2802-HD-1

Submitted on: 3/18/2024 1:05:26 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Anthone Sanchez	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads and Judiciary Committee Members,

I wholeheartedly support **HB 2802, HD 1**, which aims to propose a constitutional amendment for the November ballot. This amendment would expressly **repeal Article 1, Section 23** of the Hawaii Constitution.

LGBT families in Hawai'i deserve **dignity, respect, and certainty**. Regardless of future developments, whether in the U.S. Supreme Court or our legislature, they should have the assurance that their marriages and families are **protected**.

I urge the House to pass this bill unamended, facilitating its progress toward a floor vote.

HB-2802-HD-1

Submitted on: 3/18/2024 1:07:11 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mina Khoii	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 1:08:13 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Anthony Powers	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Sincerely,

Pamela Wilson-Albino
95=1005 Ahulili Street
Mililani, HI 96789

808 258-2530

HB-2802-HD-1

Submitted on: 3/18/2024 1:12:47 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Leanne Kirk	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Leanne Kirk

HB-2802-HD-1

Submitted on: 3/18/2024 1:13:57 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Kerestin Walker	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 1:15:28 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lisa Eschweiler	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members,

I am writing to support HB 2802, HD 1. LGBTQ families deserve the same respect and security afforded to couples of opposite sexes. Please assist our local LGBTQ families in Hawai'i by passing this bill unamended so that it may reach the Senate floor for vote as soon as possible.

Thank you for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 1:16:19 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Sonja Monteiro	Individual	Support	Written Testimony Only

Comments:

Aloha Hawaii Lawmakers,

My partner and I have been married for almost 10 years and together for 14. She works in the medical field, saving lives and battling against cancer every single day. I'm a data analyst for ABC stores. We follow the law. We pay our taxes. We struggle with rising costs of living. We babysit our friends' children. We actively live and practice aloha. We have dogs. We have dreams. And we love our life minding our own business. Extending the benefit of marriage to us, in no way harms or challenges anyone's way of life or ability to pursue happiness. Only small minded people need to cage and label others to feel comfortable. I ask you to consider what it would feel like if your marriage was not legal. If you were banned from a sacred cow to the person you love. Blocked from having the ceremony and celebration with family and friends that validated and announced your commitment to each other. Marriage is sacred, and that is why I am testifying, because my marriage is sacred to me. You will need to pry my marriage certificate from my cold dead hands as I will never surrender this right that has been fought for and won over generations of my people. We ask you and God, hear our prayer.

HB-2802-HD-1

Submitted on: 3/18/2024 1:17:46 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Theodore Faigle	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i, including my own deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

*Theodore Faigle
Kalaheo, Hawaii*

HB-2802-HD-1

Submitted on: 3/18/2024 1:19:50 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Knocton	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony

HB-2802-HD-1

Submitted on: 3/18/2024 1:23:34 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jason Blake	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

I am in a gay marriage and will consider moving out of Hawaii if marriage equality were to be repealed. That would mean no tax income from me as an individual or my business.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Jason Blake

HB-2802-HD-1

Submitted on: 3/18/2024 1:28:57 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Kevin Kekoa Dolan-Ma	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families, including Mahu, in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 1:42:28 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Livit Callentine	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 1:44:30 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Shanda Lewis	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Shanda Lewis, APRN

HB-2802-HD-1

Submitted on: 3/18/2024 1:59:22 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Casper Harrington	Individual	Support	Written Testimony Only

Comments:

In 2014 my husband and I were married in Maui. As a young adult growing up in the great state of Hawaii, I never thought this would be possible for me.

But today more and more legislation is being introduced by conservatives to strip away the few laws that protect the LGBTQ+ community. I cannot accept this. I stand in support of HB2802 to amend the Hawaii constitution relating to marriage.

HB-2802-HD-1

Submitted on: 3/18/2024 2:00:57 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Richard Koob	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

HB-2802-HD-1

Submitted on: 3/18/2024 2:03:30 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Juvana Soliven	Individual	Support	Written Testimony Only

Comments:

I am writing in SUPPORT of the amendment that repeals Section 23 that reserves marriage for opposite sex couples.

Marriage is a union of love that should be extended to every consenting human adult, regardless of sexual orientation and gender identity. Marriage is a right.

HB-2802-HD-1

Submitted on: 3/18/2024 2:10:33 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Feliciano A Vea	Individual	Support	Written Testimony Only

Comments:

March 18, 2024

Feliciano A Vea, Ph.D.
P.O. Box 75640
Kapolei, Hawaii 96707-0640

Dear Chair Rhoads and Members of the Judiciary Committee,

I hope this message finds you well. Today, I express my unwavering support for HB 2802, HD 1. This significant legislation proposes a constitutional amendment to be placed on the November ballot, aiming to repeal Article I, Section 23, of the Hawai'i Constitution.

The essence of this amendment speaks directly to the heart of equality, dignity, and respect for LGBTQ families across Hawai'i. It's about ensuring that these families are afforded the same rights and protections as any other, solidifying the foundation for their lives and relationships. This measure is crucial, especially considering the uncertain times we live in, where the future actions of the U.S. Supreme Court or legislative changes could potentially threaten the sanctity of marriages and family structures within the LGBTQ community.

Please consider the passage of this bill without any amendments. Doing so will expedite its journey towards a Senate floor vote, marking a pivotal step forward in our collective pursuit of equality and justice.

Thank you for allowing me to share my thoughts and support for this bill. I greatly appreciate your efforts in facilitating these discussions and considerations.

Warmest regards,

Feliciano A Vea

HB-2802-HD-1

Submitted on: 3/18/2024 2:16:06 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Gail Morrison	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-2802-HD-1

Submitted on: 3/18/2024 2:26:51 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Dallas Diyaljee	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads and JDC Members,

My name is Dallas Diyaljee and I reside in Mililani. I am writing once again in strong support of HB2802 and respectfully ask that you support this bill proposing a constitutional amendment to remove our legislature's authority to limit marriage to opposite-sex couples.

It is imperative that we ensure marriage equality in Hawaii by eliminating the possibility that our Legislature could undo the progress we made in 2013 via Hawaii's Marriage Equality Act. With the trends we are seeing across our country, we must endeavor to protect marriage equality from a regression such as was seen in the U.S. Supreme Court's removal of abortion protection.

Please take the proactive step to defend the right to marry for LGBTQ couples by supporting HB2802.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/18/2024 2:51:11 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mary Mitsuda	Individual	Support	Written Testimony Only

Comments:

I wholeheartedly support of HB 2802, HD 1.

LGBTQ families deserve equality and respect.

Aloha,

Mary Mitsuda

2448 Halelaau Pl

Honolulu, HI 96816

contact@marymitsuda.com

HB-2802-HD-1

Submitted on: 3/18/2024 3:07:31 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Individual	Support	Written Testimony Only

Comments:

I strongly support HB2802 HD1

Doris Segal Matsunaga

Waimea, Hawai'i

HB-2802-HD-1

Submitted on: 3/18/2024 3:09:31 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
lisa lee	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Lisa Lee

HB-2802-HD-1

Submitted on: 3/18/2024 3:12:47 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Chuck Spence	Individual	Support	Written Testimony Only

Comments:

I am in **STRONG SUPPORT** of HB2802 proposing a constitutional amendment for this November's election to repeal the Legislature's authority to limit marriage to opposite sex couples.

I am a gay man who married my husband in 2016 and fear what is happening nationally in this country with the movement to go back in time by repealing LGBTQ+ laws. We may think this could not happen here in our Aloha State but we can see anything is possible, as proven in the effort to take away individual rights on the mainland.

Please do the right thing to protect all people's rights to marry by allowing a vote on this issue.

HB-2802-HD-1

Submitted on: 3/18/2024 3:12:47 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Chuck Spence	Individual	Support	Written Testimony Only

Comments:

I am in **STRONG SUPPORT** of HB2802 proposing a constitutional amendment for this November's election to repeal the Legislature's authority to limit marriage to opposite sex couples.

I am a gay man who married my husband in 2016 and fear what is happening nationally in this country with the movement to go back in time by repealing LGBTQ+ laws. We may think this could not happen here in our Aloha State but we can see anything is possible, as proven in the effort to take away individual rights on the mainland.

Please do the right thing to protect all people's rights to marry by allowing a vote on this issue.

HB-2802-HD-1

Submitted on: 3/18/2024 3:22:58 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Micaela Hines	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 3:39:24 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Chelsea Rorer	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members,

I am writing to express my strong support for HB 2802, HD 1, which proposes a constitutional amendment to repeal Article I, Section 23, of the Hawai'i Constitution.

LGBTQIA+ families in Hawai'i deserve dignity, respect, and the assurance that their marriages and families will be protected, regardless of future legal or legislative developments. As a member of the LGBTQIA+ community, my marriage to my wife is not only deeply meaningful but also a fundamental aspect of my identity. The prospect of losing legal recognition of our marriage is not only devastating but also threatens to diminish our sense of personhood.

Passing HB 2802, HD 1, without amendments is critical to advancing the protection of LGBTQIA+ families in our state. By placing this constitutional amendment on the November ballot, we have the opportunity to affirm the rights and equality of all Hawai'i residents, ensuring that love and commitment are honored and legally recognized.

I urge you to support HB 2802, HD 1, and facilitate its swift progress toward a floor vote by the Senate. Your leadership in championing this legislation is crucial in upholding the values of inclusivity and equality that define our diverse and vibrant community.

Mahalo for your attention to this important matter and the opportunity to provide testimony.

Sincerely,

Chelsea Rorer

HB-2802-HD-1

Submitted on: 3/18/2024 3:44:00 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
MELANIE MARQUEZ	Individual	Support	Written Testimony Only

Comments:

As a resident of Hawai‘i, I've experienced firsthand the transformative impact of marriage equality, especially as someone who has been married to my spouse for nine years since its legalization in 2013.

In our journey together, we've raised a child (15 years old) who excels in school and sports. We've witnessed our love being recognized and celebrated under the law, reflecting the spirit of aloha that defines our beautiful islands. Being able to openly and proudly declare our commitment to each other has been a profound affirmation of our relationship, strengthening our bond and deepening our sense of belonging in our community.

Our marriage stands as a testament to the progress we've made towards equality and inclusion in Hawai‘i, where every couple, regardless of sexual orientation or gender identity, can find love and acceptance. As we reflect on our journey and look towards the future, we are grateful for the strides we've made towards a more just and compassionate society, where love truly knows no bounds.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 3:50:24 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Fernando De Hoyos	Individual	Comments	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Much Aloha,

Fernando De Hoyos

(808) 375-7967

HB-2802-HD-1

Submitted on: 3/18/2024 3:52:28 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Cynthia Texeira	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads and Esteemed Members of the Senate Judiciary Committee,

I am writing to express my unwavering support for HB2802, HD 1, which presents a crucial opportunity to advance equality and safeguard the rights of LGBTQ families in Hawai‘i. This bill aims to place a constitutional amendment on the November ballot, explicitly repealing Article I, Section 23, of the Hawai‘i Constitution.

It is imperative that we recognize and affirm the dignity and respect owed to LGBTQ individuals and families in our state. Despite significant progress in recent years, there remains a lingering uncertainty surrounding the legal protections afforded to LGBTQ marriages and families. By enshrining this repeal in our constitution, we can provide LGBTQ families with the assurance that their relationships are valued and their rights are protected, regardless of any changes at the federal or state level.

At its core, this legislation is about upholding the principles of equality and fairness that lie at the heart of our democracy. No individual or family should have to live with the fear that their rights could be stripped away or invalidated. HB2802, HD 1, represents a crucial step forward in ensuring that all Hawai‘i residents, regardless of sexual orientation or gender identity, are treated with the dignity, respect, and equality they deserve under the law.

I urge you to support HB2802, HD 1, without amendments, and to advance its progress towards a floor vote by the Senate. By doing so, you will send a powerful message that Hawai‘i stands firmly on the side of justice and equality for all its residents.

Mahalo for considering my testimony and for your dedication to advancing the rights of LGBTQ individuals and families in our state.

Sincerely,

Cynthia Texeira

HB-2802-HD-1

Submitted on: 3/18/2024 3:58:53 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Sarah Delgadillo	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Sarah Delgadillo 520 Lunalilo Home Rd Unit 248, Honolulu, HI 96825

HB-2802-HD-1

Submitted on: 3/18/2024 4:01:34 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
James Batchelder	Individual	Support	Written Testimony Only

Comments:

I am in STRONG SUPPORT of HB2802 proposing a constitutional amendment for this November's election to repeal the Legislature's authority to limit marriage to opposite sex couples.

HB-2802-HD-1

Submitted on: 3/18/2024 4:08:31 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Maddalynn Seseapasara	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the state constitution.

Section 23 provides the legislature with the authority to limit marriage to opposite-sex couples, potentially leaving the door open to discrimination should there be a change in federal court precedent and legislation.

I also ask that you pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

I support marriage equality because it is our right and we should be able to marry who we love regardless of gender; love has no gender.

Thank you for the opportunity to provide testimony.

Mahalo,

Maddalynn Seseapasara

HB-2802-HD-1

Submitted on: 3/18/2024 4:53:51 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Luan B Doster	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 4:57:47 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Brianna Hong	Individual	Support	Written Testimony Only

Comments:

*My name is Brianna Hong and I live in Honolulu. I'm writing in **strong support of HB2802**. This amendment is about affirming the diversity of families in Hawaii. Please remove this discrimination from the past. Mahalo for your consideration.*

HB-2802-HD-1

Submitted on: 3/18/2024 5:10:09 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jingwoan Chang	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong **support** of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 5:31:08 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Support	Written Testimony Only

Comments:

I SUPPORT HB 2802 HD1 which proposes a constitutional amendment to repeal the Legislature's authority to limit marriage to opposite-sex couples. IT is an important step in the protection of All people's rights.

HB-2802-HD-1

Submitted on: 3/18/2024 5:35:21 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Michelle Carlson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

I am a teacher at Daniel K. Inouye Elementary School where over 90% of our students are military. Over the years, I have had many students with two dads, or two moms, who are members of the United States Army, working in service to our country. I want these students & their families to be respected as families during their tour of duty in Hawaii. Please protect same sex marriage.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Michelle Carlson

HB-2802-HD-1

Submitted on: 3/18/2024 6:14:45 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Justin Miller	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Justin Miller

HB-2802-HD-1

Submitted on: 3/18/2024 6:24:04 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Christopher Naylor	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution.

LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 6:47:06 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jasmind	Individual	Support	Written Testimony Only

Comments:

Please pass this amendment to Article 1 Section 23 of Hawaii's state constitution relating to marriage.

Enshrine the right for couples to be recognized under the law & protected in the state. Let Hawaii continue to be beacon of progress, welcoming the diversity & differences of its native people as well as those who have chosen to reside here. Do not let the coercion and manipulation of a conservative minority tear apart families and ruin lives by forcing antiquated, patriarchal, man-made restrictions designed to enforce a suppressive imbalance of power on the entire populace.

Let the choice of marriage be open & available to all individuals who want it. Let children see their families reflected in the state that they live in. Do not enshrine a secondary citizenry into law. Please pass this amendment and let Hawai'i continue to be a teacher of compassion, acceptance, equity & equality to other states.

Thank You.

HB-2802-HD-1

Submitted on: 3/18/2024 6:52:33 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Jen Wilbur	Testifying for Planned Parenthood Alliance Advocates	Support	Written Testimony Only

Comments:

Planned Parenthood Alliance Advocates is in strong support of this measure and encourages the committee to move it forward.

HB-2802-HD-1

Submitted on: 3/18/2024 7:07:47 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Chee	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Elizabeth Chee

HB-2802-HD-1

Submitted on: 3/18/2024 7:12:13 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Lauralee Dice	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected. I got married to my wife on 1/11/2023 and to think that my marriage is not protected for the future makes me feel uneasy as a born, voting citizen of a nation founded on freedom and opportunity.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony

HB-2802-HD-1

Submitted on: 3/18/2024 7:58:20 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Emily Sarasa	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members,

I am writing in **strong support** of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Emily Sarasa

HB-2802-HD-1

Submitted on: 3/18/2024 9:05:50 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Frances Rainin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 9:14:09 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 9:15:01 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 9:26:34 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Mark Chuakay	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Mark Chuakay

HB-2802-HD-1

Submitted on: 3/18/2024 9:23:01 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Valerie Wayne	Individual	Support	Written Testimony Only

Comments:

I ask for your strong support of HB 2802 HD 1 to ensure that no matter how the U.S. Supreme Court defines marriage, the residents of Hawaii -- including our LGBTQ families -- will be protected. We need a constitutional amendment to repeal Article 1, Section 23 of the Hawaii Constitution.

Please pass this bill unamended. Mahalo for giving me the opportunity to testify.

Valerie Wayne, Professor Emerita, U of Hawaii at Manoa

HB-2802-HD-1

Submitted on: 3/18/2024 10:10:28 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Ryan K. Hew	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I write in strong support of HB2802, HD1.

I believe it is crucial to update the Hawai'i Constitution by removing language that engenders certain people to the misguided belief that they can enshrine bigotry and attack people's right to liberty and the pursuit of happiness.

This debate is over. We have seen repeatedly that the attempt to mask supposed rational policymaking and laws by creating a better "safe" and "moral" society by allowing the legislature to dictate who can get married is in reality perpetuated by a narrow group of religious fundamentalist groups.

The Hawai'i Constitution serves as a foundational legal document. It is what serves us as a guiding document for the rule of law in a civil, just, and diverse society. Sections 2, 3, and 4 make clear that people are free by nature, they have rights to enjoy their pursuit of happiness, that their equality of rights should not be denied on the account of sex, and that there should be no laws respecting an establishment of religion. It cannot stand to reason to allow the legislature to define marriage between man and woman based on their religious belief.

It has been nearly a decade since *Obergefell v. Hodges* and it will be a decade since the Hawai'i Marriage Equality Act of 2013. Same-sex marriages have had their time to shine. They have shown that loving same-sex couples contribute to society and that their relationships build families. They have demonstrated that civil society has not fallen down on a slippery slope into chaos and anarchy.

If anything, the behavior of those that would support eliminating same-sex marriage have shown they are the ones unable to have civil discourse, govern the country, and act in basic decency for the integrity of the rule of law. They would rather overturn decades of precedence just purely on the grounds of religious belief.

Please do the right thing and remove this discriminatory language from Hawai'i's Constitution. It is offensive to the law, the state's identity, and people's natural rights. Please pass HB 2802, HD1.

Thank You,

Ryan K. Hew, attorney, business owner, and resident of 'Aiea

HB-2802-HD-1

Submitted on: 3/18/2024 10:49:09 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Emily Gordon	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/18/2024 11:28:34 PM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruby Delgadillo	Individual	Support	Written Testimony Only

Comments:

Hello,

I am a lesbian - identifying resident of Hawaii, and I believe that Article I, section 23 should be repealed. This kind of closed-minded thinking does not and should not represent Hawaii. I hope that the bill be passed unammended. Thank you.

Testimony on House Bill No. 2802 HD1
PROPOSING AN AMENDMENT TO ARTICLE 1, SECTION 23, OF THE HAWAII
CONSTITUTION RELATING TO MARRIAGE

Tuesday, March 19, 2024 at 10:10 am
Conference Room 016 & Videoconference

State Capitol

415 South Beretania Street

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

My name is Shayna Kawamura, and I am a student at the University of Hawai'i at Mānoa. I am submitting testimony in strong support of HB 2802, HD1. The bill proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB 2802 HD1. Thank you for the opportunity to provide testimony.

Shayna Kawamura
Honolulu, Hawai'i

HB-2802-HD-1

Submitted on: 3/19/2024 12:22:08 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Barbara Shimei	Individual	Support	Written Testimony Only

Comments:

IN SUPPORT

HB-2802-HD-1

Submitted on: 3/19/2024 5:18:14 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Gannaway	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

As a queer woman about to marry the love of my life, I especially believe that LGBTQ families in Hawai‘i deserve dignity, respect, and to have their marriages and families valued and protected now and in the future.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/19/2024 6:32:39 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Roger Branon Rodriguez	Individual	Support	Written Testimony Only

Comments:

I met my husband 15 years ago. We come from very different backgrounds. I was raised here in Hawaii and he was raised on a farm in Upstate Vermont. He grew up milking cows. The first time I saw a cow was on a field trip to Meadow Gold's North Shore dairy farm to meet Lani Moo, the Meadow Gold mascot.

Although we have many lovely things in common (we both love dogs and would love to retire and run a dog sanctuary, we both love David Bowie and will probably name all those dogs after David Bowie songs and characters) we also have some unfortunate things in common. We were both bullied in school for being gay; and we both never dreamed that one day, like our parents, we would get to marry the person we love and raise a family.

Well, here we are now, happily married for nine years, with three dogs: Ziggy, Bowie, and Samson.

There is one small thing about our marriage: we're 17 years apart. And while that isn't much of a deal right now, it is very likely that, all things being equal, my time will end before his, that his scruffy red beard will be the last thing I ever see. Or will it?

State laws governing medical decision-making are often based on biological and marital relationships, and due to marriage inequality in most of the country, do not protect LGBTQ+ people and their families. Without concrete protections, our right to see one another, or make decisions regarding one another's care can be taken away.

Please enshrine these protections in Hawaii. Let our state lead with love and aloha. Mahalo.

HB-2802-HD-1

Submitted on: 3/19/2024 6:51:06 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
TY Cheng	Testifying for Aloha Green Apothecary	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/19/2024 6:58:30 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Danae Marin	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Tarnas and JHA Committee Members,

My name is Danae Marin and have resided on Maui and Oahu the majority of my adult life. I have also been in support of equality for all people since I could vote in 1998.

I'm writing in strong support of HB2808, which proposes a constitutional amendment to remove the legislature's authority to limit marriage to opposite-sex couples. The Hawai'i Marriage Equality Act of 2013 codified in Hawai'i law the right to marry for LGBTQ couples, but the remaining Section 23 allows the Legislature to undo that progress. Given national trends against the LGBTQ community, the U.S. Supreme Court's roll-back of abortion protections, and their potential over-turning of Obergefell v. Hodges, I believe Hawai'i must take proactive steps to defend the right to marry for LGBTQ couples. The Hawai'i State Constitution should reflect the best of Hawaii's values. Please support HB2808.

Mahalo for your time and consideration.

HB-2802-HD-1

Submitted on: 3/19/2024 7:04:50 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Colleen Rost-Banik	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

My name is Colleen Rost-Banik and I am a resident of Honolulu. I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai'i Constitution. LGBTQ families in Hawai'i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future. Mahalo for the opportunity to provide testimony.

Mahalo,
Colleen Rost-Banik

HB-2802-HD-1

Submitted on: 3/19/2024 7:37:48 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Puakea Nogelmeier	Individual	Support	Written Testimony Only

Comments:

The Honorable David A. Tarnas, Chair The Honorable Gregg Takayama, Vice Chair And Members of the House Committee on Judiciary and Hawaiian Affairs State Capitol 415 South Beretania Street Honolulu, Hawaii 96813 Dear Chair Tarnas, Vice Chair Takayama, and Committee Members: Re: Testimony in Support of House Bill 2802 (2024)

Aloha nō,

I strongly support House Bill 2802 to amend the state constitution to reflect the progress of the last few decades. Mahalo, Puakea Nogelmeier

HB-2802-HD-1

Submitted on: 3/19/2024 7:45:12 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Congressman Mark Takano	Individual	Support	Written Testimony Only

Comments:

Congressman Mark Takano strongly supports HB2802 and applauds the efforts in the Hawaii legislature to roll back discrimination. With the United States Supreme Court striking down civil rights, we must strengthen our state constitutions. The people of Hawaii can join California this November to vote and restore marriage equality for all.

HB-2802-HD-1

Submitted on: 3/19/2024 8:09:46 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Paul Gracie	Testifying for The Interfaith Alliance Hawai'i	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads and Judiciary Committee Members,

The Interfaith Alliance Hawai'i is in strong support of HB2802 HD1, Which will protect the Hawai'i families, both present and future, who are headed by same sex couples.

The Public Religion Research Institute (PRRI) in thier 2023 American Values Atlas, showed that for the first time in decades, in all 50 states, backing for same sex marriage has fallen, and that younger Americans are trending downwards in their support, with a cratering of support among young Republican Americans aged 18 to 29. We now have a conservative majority in the supreme court and we need to insure marriage equality continues in Hawai'i Nei.

In peace and in gratitude for you and your work,

Paul Gracie,

President, The Interfaith Alliance Hawai'i

HB-2802-HD-1

Submitted on: 3/19/2024 8:51:23 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Carolyn Eaton	Individual	Support	Written Testimony Only

Comments:

Aloha, Chair Rhoads, Vice Chair Gabbard and members of the Committee,

My name is Carolyn Eaton and I'm a resident of Honolulu. I strongly support this measure to put to a vote on a general election ballot this opportunity to repeal Article I, Section 23, of the Hawaii Constitution. Marriage equality is a very important aspect of life in our communities, and with this measure we might secure it, come what may at the U. S. Supreme Court.

Mahalo for your hard work and acknowledgement of the pride a majority of us feel in "marriage equality."

HB-2802-HD-1

Submitted on: 3/19/2024 9:15:16 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Julia Marrack	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

Julia Marrack

HB-2802-HD-1

Submitted on: 3/19/2024 9:17:26 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Madison Masek	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads & Judiciary Committee Members:

I am writing in strong support of HB 2802, HD 1, which would place a constitutional amendment on the November ballot to expressly repeal Article I, Section 23, of the Hawai‘i Constitution.

LGBTQ families in Hawai‘i deserve dignity and respect – and the certainty that no matter what happens in the future, whether in the U.S. Supreme Court or in our legislature, their marriages and families are protected.

Please pass this bill unamended to assist its progress toward a floor vote by the Senate in the near future.

Mahalo for the opportunity to provide testimony.

HB-2802-HD-1

Submitted on: 3/19/2024 9:27:41 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Pride at Work - Hawaii	Testifying for Pride at Work – Hawai‘i	Support	In Person

Comments:

Aloha Senators,

Pride at Work – Hawai‘i is an official chapter of Pride at Work which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. P@W-HI fully supports HB 2802 HD 1.

We ask that you support this needed piece of legislation.

Mahalo,

Pride at Work – Hawai‘i

HB-2802-HD-1

Submitted on: 3/19/2024 10:09:21 AM

Testimony for JDC on 3/19/2024 10:10:00 AM

Submitted By	Organization	Testifier Position	Testify
Haaheo Zablan	Individual	Support	In Person

Comments:

Chair Rhoads, Vice Chair Gabbard, & JDC Committee Members

My name is Ha‘aheo Zablan from Papakōlea, O‘ahu. I proudly identify as kanaka and māhū. I am a son, a brother, a partner, a friend, and a community advocate, and I am wholeheartedly in support of HB 2802, HD 1, which aims to authorize a constitutional amendment to remove Article I, Section 23. This specific article currently permits the legislature to limit marriage to opposite-sex couples only.

By eliminating this discriminatory provision, we can uproot a remnant of prejudice that could potentially lead to further harm if federal court decisions and laws move towards diminishing or excluding the rights of sexual and gender minorities.

In my roles as the General Manager of Kaimana Beach Hotel, Board President at Hawai‘i Health & Harm Reduction Center, and Board Chair for Hawai‘i LGBT Legacy Foundation, I am dedicated to advancing initiatives that expand opportunities for sexual and gender minorities in Hawai‘i to live without discrimination and actively participate in all facets of our society and economy.

I am thankful for the opportunity to advocate for this measure and appreciate your consideration of my testimony.

I hold my kuleana in high regard, recognizing that my work is not just a responsibility to the various communities I serve but also a privilege. I am grateful for the chance to advocate for this measure and value your consideration of my testimony.

Mahalo