

STAND. COM. REP. NO.

2

Honolulu, Hawaii

JAN 26 2011

RE: S.B. No. 232

S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 232 entitled:

"A BILL FOR AN ACT RELATING TO CIVIL UNIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to extend the same rights, benefits, protections, and responsibilities of spouses in a marriage to partners in a civil union by recognizing the status of civil unions in Hawaii, without revising the definition or eligibility requirements of marriage under chapter 572, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from Governor Neil Abercrombie, Lieutenant Governor Brian Schatz, Board of Education member Kim Coco Iwamoto, Hawaii Civil Rights Commission Executive Director William Hoshijo, and a significant number of private organizations and concerned individuals. Your Committee received testimony in opposition to this measure from many private organizations and concerned individuals. Finally, your Committee received comments on this measure from several individuals.

Your Committee finds that the Legislature has considered the question of whether to recognize civil unions in our State several times over the last few years. In 2009, a bill substantially similar to the current measure, H.B. No. 444 (2009), was introduced in the House of Representatives. After lengthy public hearings and deep consideration, however, the measure foundered.

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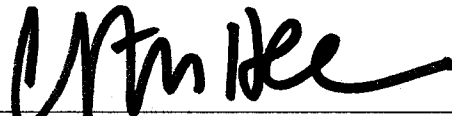
The following year, during the 2010 Regular Session, H.B. No. 444, S.D. 1 (2009) was resurrected and subsequently passed both houses of the Legislature before the bill was ultimately vetoed by the then-Governor. The issue is once again before the Legislature.

Your Committee recognizes that there are strong opinions and persuasive arguments on both sides of this controversial issue, as expressed ably by advocates and concerned citizens in committee hearings during the course of the last few years. These arguments involve civil rights, religion, equal protection of the laws, the education of our children, and the very core question of how our society should function. Your Committee believes that the Legislature represents a useful public forum to continue the discussion among members of our community regarding the impact of civil unions in these areas. As such, your Committee scheduled this measure for hearing early in this legislative session and recommends that the Senate pass the measure as amended in order to provide a forum for thorough dialogue on this issue.

Accordingly, your Committee has amended this measure by making technical, nonsubstantive changes for purposes of style and clarity.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 232, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 232, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,

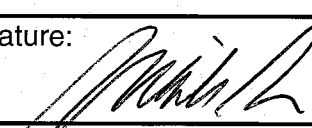


CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 232	JDL	1/25/11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike			✓	
IHARA, Jr., Les	✓			
SLOM, Sam			✓	
TOTAL	3	0	2	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes