

2004 Legislative Session

...From the Desk of the Executive Director

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Something for Everyone at 2004 Legislature

A plethora of issues abound at the state capitol. Many of them are important to families. Over 500 bills address the priorities you have heard about: **education, ice and prescription drugs**. Pray that out of these, a few balanced and effective bills will be passed and signed that will positively impact our ohanas, our neighbors and our islands. Through cooperation, open discussion, and debate, we hope our state's ills in these areas can begin to be eased. It will NOT be an easy task! **Everyone agrees** on some things already--that change is needed and people must get involved. That means you and I must participate with interest, encouragement, ideas and alternatives to make the process work.

There are other measures, equally important, but in smaller numbers. One bill that warrants our support is Hawaii's version of **Megan's Law**. Because the Hawaii Supreme Court ruled our former Megan's Law unconstitutional, based on the expanded concept of privacy in our state constitution, it will take a constitutional amendment to allow parents and neighbors to be notified when a convicted sexual predator moves into our neighborhood. If the "Megan's Amendment" bill as it is called, passes the legislature, a proposed constitutional amendment will appear on November's ballot.

Hawaii Family Forum will work to help everyone understand the language in Megan's and any other amendment in the months preceding the election. The good news is that any time a measure is on the ballot, it provides an opportunity for your voice to be clearly heard. A related bill, which HFF also supports, would add **convicted child pornographers to the list of sexual predators** among those required to register and be divulged when they move into an island community.

Through cooperation, open discussion, and debate, we hope our state's ills . . . can begin to be eased.

The **emergency contraceptive** bill is back and it looks no different from the bill that was vetoed last year because it still does not contain an exception for religious hospitals. **Physician-assisted suicide** bills also loom from last year. HFF and the coalition of physicians, nurses and disability-rights groups, with which we work, are supporting a bill for increased structure and education on **palliative (comfort) care**. Studies now show such palliative care can alleviate 99% of end-of-life pain. HFF strongly supports increasing available care options in this area.

There is a 76-page measure that claims the economic ills of Waikiki and Kapolei will all be resolved by **gaming** (aka gambling). NOT!! Numerous reports reveal that for every dollar the state collects from gambling,

three dollars are spent on additional community needs resulting from gaming such as increased police presence (due to rising crime) and drug recovering programs—Hawaii has enough challenges in these areas already.

A **safe haven bill** has been introduced in each house that would allow a mother to leave her healthy, unharmed newborn at a hospital within 72 hours of birth, with no threat of prosecution under the child abandonment laws. There are also a number of bills

aimed at improving **foster care** situations and **preventing child abuse and domestic violence**. Several child abuse bills would add **pastors/clergy to the list of mandated reporters**.

Other issues that might be of interest include **helmet laws, child safety, and medical and religious use of marijuana** (yes, you read that right).

If you have questions on ANY of these measures or want to be involved in solutions to the myriad of issues facing our state, please call (808) 230-2100 for information or visit our website at www.hawaiifamilyforum.org. Also, never underestimate the power of contacting your Senator and Representative directly (links on HFF site or at www.hawaii.gov.) Mahalo nui loa for your interest in keeping our government one of the people, by the people and for the

2004 Legislative Update on State and National Issues

■ CIVIL UNIONS (HB 1024)

This bill, if passed, would establish civil unions. It extends the same rights and obligations as spouses in a marital relationship to civil union partners and would force Hawaii to recognize same-sex marriages and civil unions from other states. This legislation repeals the current reciprocal beneficiary law. HFF **STRONGLY OPPOSES** this bill.

TAKE ACTION: By the time you receive this newsletter, the bill will already have been heard the House Judiciary Committee. If passed, it will move to the House Finance Committee where another hearing will be held. Go online to: <http://www.hawaiifamilyforum.org> to see current status of bill.

■ SEX OFFENDOR

REGISTRATION (Megans Law) (HB 2367 HD1 / SB 2842)

This bill requires child pornographers to register as sex offenders. This registration was previously law in Hawaii but was struck down by the Hawaii State Supreme Court in a ruling that stated it violated the privacy rights of the sex offender. It is currently pending hearing by the

House Judiciary Committee. HFF **SUPPORTS** this legislation.

■ PAIN MANAGEMENT (HB 1839)

This bill gives rights to pain patients. If passed, this bill would authorize doctors to prescribe medically necessary dose of controlled substance to treat intractable pain. It would also protect a doctor from disciplinary action. It allows refusal to so prescribe but requires informing patient of other doctors who use opiates to treat chronic intractable pain. It was passed by a joint hearing by the House Health / Housing on February 14, 2004. It will now move to the House Committee on the Judiciary / Consumer Protection and Commerce. HFF **STRONGLY SUPPORTS** this legislation.

■ **SAFE HAVEN** (HB 1901) This bill provides immunity from prosecution for leaving an unharmed newborn at a hospital, fire station or police station within 72 hours of birth. Provides immunity from liability for hospitals, fire stations, and police stations and their personnel for receiving a newborn. This bill passed unamended in both the House Health and Housing and Human Services

Committees. It is now pending hearing by the House Judiciary Committee. HFF **SUPPORTS** this legislation.

■ SUPERBOWL HALF-TIME SHOW

The news continues to show fallout from the unacceptable halftime show during the Superbowl. If you were upset at the apparent lack of concern on the part of CBS, MTV, Viacom, or the NFL, take a moment to let them know your concerns.

TAKE ACTION: There are four ways you can make your voice heard on this issue:

1) Compose one e-mail message and send it directly to MTV Chairman Tom Freston, CBS President Leslie Moonves and Sumner Redstone — CEO of Viacom, which owns both CBS and MTV. Call each network executive directly.

Tom Freston, Chairman, MTV
212-258-8000

Leslie Moonves, President, CBS
323-575-2345

Sumner Redstone, CEO, Viacom
212-975-3247

3) Express your disgust to the NFL itself. To reach Joe Browne, the league's vice president of communications, call 212-450-2031; fax 212-681-7574.

4) Let all five FCC commissioners know that you've had enough — CBS must be punished for its raunchy Super Bowl halftime show. If you'd like to call, use the following numbers:

Chairman Michael Powell —
202-418-1000
Commissioners:

Michael Copps / 202-418-2000

Kathleen Abernathy / 202-418-2400

Kevin Martin / 202-418-2100

Jonathan Adelstein / 202-418-2300

(An easy to use e-mail form is located at: <http://www.family.org/cforum/extras/a0030487.cfm>)

For more information about any of these, or other, local and national issues, please call us at (808) 230-2100.

You may also e-mail inquiries to info@hawaiifamilyforum.org.

Become an HFF Volunteer

Aloha! I would like to introduce myself as Hawaii Family Forum's new volunteer coordinator. My name is Leslie Kahihikolo and I am excited to be a part of team that desires to effect legislation for the benefit of the family and to work with people who love the Lord.

Just a little background on myself, I am married with two kids (although my son tells me there is no "kid" in the word "fourteen!"), a 14-year old son and an 11-year old daughter. Our family attends Hope Chapel Kaneohe Bay. I work for an environmental consulting firm where my roles vary from geologist, to community involvement specialist, to project manager, to field grunt. I am passionate about people, meeting their needs through a ministry of hospitality.

I am a firm believer that Christians be involved in the government process and have taught Sunday School classes on the role of Christians in the community. I love the Lord with all my heart and seek to know Him more and more.

As volunteer coordinator, as you have probably already guessed, I am looking

for VOLUNTEERS. HFF has numerous volunteer opportunities such as:

- Praying
- Supporting breakfasts and luncheons for the Pastor Advisory Board, legislators, etc.
- Phone calling
- Staffing the HFF booth at events such as Hawaiian Island Ministries conference
- Researching issues of local importance and impact
- Numerous other EXCITING opportunities!

If you are interested in volunteering, please call me at 254-9357 or e-mail me at Lekali@hawaii.rr.com.

In the Lord's Service
Leslie Kahihikolo

QUOTE OF THE MONTH:

"That from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain, that this nation under God, and that government of the people by the people and for the people shall not perish from the earth."

—Abraham Lincoln at Gettysburg Pennsylvania

One Man, One Woman: A Citizen's guide to protecting marriage

BY MITT ROMNEY
Thursday, February 5, 2004

The Wall Street Journal

No matter how you feel about gay marriage, we should be able to agree that the citizens and their elected representatives must not be excluded from a decision as fundamental to society as the definition of marriage. There are lessons from my state's experience that may help other states preserve the rightful participation of their legislatures and citizens, and avoid the confusion now facing Massachusetts.

In a decision handed down in November, a divided Supreme Judicial Court of Massachusetts detected a previously unrecognized right in our 200-year-old state constitution that permits same-sex couples to wed. I believe that 4-3 decision was wrongly decided and is deeply mistaken.

Contrary to the court's opinion, marriage is not "an evolving paradigm." It is deeply rooted in the history, culture and tradition of civil society. It predates our Constitution and our nation by millennia. The institution of marriage was not created by government and it should not be redefined by government.

Marriage is a fundamental and universal social institution. It encompasses many obligations and benefits affecting husband and wife, father and mother, son and daughter. It is the foundation of a harmonious family life. It is the basic building block of society: The development, productivity and happiness of new generations are bound inextricably to the family unit. As a result, marriage bears a real relation to the well-being, health and enduring strength of society.

Because of marriage's pivotal role, nations and states have chosen to provide unique benefits and incentives to those who choose to be married. These benefits are not given to single citizens, groups of friends, or couples of the same sex. That benefits are given to married couples and not to singles or gay couples has nothing to do with discrimination; it has everything to do with building a stable new generation and nation.

It is important that the defense of marriage not become an attack on gays, on singles or on nontraditional couples. We must recognize the right of every citizen to live in the manner of his or her own choosing. In fact, it makes sense to ensure that essential civil rights, protection from violence and appropriate societal benefits are afforded to all citizens, be they single or combined in nontraditional relationships.

So, what to do?

- Act now to protect marriage in your state. Thirty-seven states--38 with recent actions by Ohio--have a Defense of Marriage Act. Twelve states, including Massachusetts, do not. I urge my fellow governors and all state legislators to review and, if necessary, strengthen the laws concerning marriage. Look to carefully delineate in the acts themselves the underlying, compelling state purposes. Explore, as well, amendments to the state constitution. In Massachusetts, gay rights advocates in years past successfully thwarted attempts to call a vote on a proposed constitutional amendment banning gay marriage. This cannot happen again. It is imperative that we proceed with the legitimate process of amending our state

constitution.

- Beware of activist judges. The Legislature is our lawmaking body, and it is the Legislature's job to pass laws. As governor, it is my job to carry out the laws. The Supreme Judicial Court decides cases where there is a dispute as to the meaning of the laws or the constitution. This is not simply a separation of the branches of government, it is also a balance of powers: One branch is not to do the work of the other. It is not the job of judges to make laws, the job of legislators to command the National Guard, or my job to resolve litigation between citizens. If the powers were not separated this way, an official could make the laws, enforce them, and stop court challenges to them. No one branch or person should have that kind of power. It is inconsistent with a constitutional democracy that guarantees to the people the ultimate power to control their government.

With the Dred Scott case, decided four years before he took office, President Lincoln faced a judicial decision that he believed was terribly wrong and badly misinterpreted the U.S. Constitution. Here is what Lincoln said: "If the policy of the government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions the people will have ceased to be their own rulers, having to that extent practically resigned their government into the hands of that eminent tribunal." By its decision, the Supreme Judicial

Court of Massachusetts circumvented the Legislature and the executive, and assumed to itself the power of legislating. That's wrong.

- Act at the federal level. In 1996, President Clinton signed the Defense of Marriage Act. While the law protects states from being forced to recognize gay marriage, activist state courts could reach a different conclusion, just as ours did. It would be disruptive and confusing to have a patchwork of inconsistent marriage laws between states. Amending the Constitution may be the best and most reliable way to prevent such confusion and preserve the institution of marriage. Sometimes we forget that the ultimate power in our democracy is not in the Supreme Court but rather in the voice of the people. And the people have the exclusive right to protect their nation and constitution from judicial overreaching.

People of differing views must remember that real lives and real people are deeply affected by this issue: traditional couples, gay couples and children. We should conduct our discourse with decency and respect for those with different opinions. The definition of marriage is not a matter of semantics; it will have lasting impact on society however it is ultimately resolved. This issue was seized by a one-vote majority of the Massachusetts Supreme Judicial Court. We must now act to preserve the voice of the people and the representatives they elect.

Mr. Romney is governor of Massachusetts.

Funding Opportunities for HFF

Each month HFF provides various resource materials to the community. As you know, each and every item produced by our office takes funding.

Although we receive monthly donations from churches and friends, we need YOU!

Following are selected costs to produce HFF materials each month:

Newsletter (Monthly Cost)	<u>\$255.00</u>
Cost to Mail (Bulk mailing)	\$90.00
Administrative Cost (Labels, etc)	\$15.00
Xeroxing	\$150.00

HFF makes every attempt to save money and keep expenses down. However, we are making great strides at reaching the wider community and more and more requests are coming in for materials. This is where YOU come in...

Please consider giving \$25.00—\$50.00 monthly to help us reach the families of Hawaii.

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Fax: (808) 230-2102

Email: info@hawaiifamilyforum.org



Facing the issues that face Hawaii's families.

Looking Ahead...

RECOMMENDED CINEMA

February 25, 2004

The opening of Mel Gibson's, *The Passion of the Christ*. Opening at Victoria Ward Theatres, Pearlridge 4-Plex, Kahala Theatres, Dole 18, Kaahumanu, Ko'olau, Windward Stadium 10, and Kapolei.

February 26, 2004

"Life Over Death" video featuring Rep. David Pendleton, Kelly Rosati, Dr. Inam Rahman, Dr. James McKoy, Disability Advocate Dr. Richard Radtke, UH graduate student Chris Niemczyk who is an advocate for the rights of disabled. HFF director of communications Eva Andrade is the moderator.

FAMILY EVENTS

February 28, 2004

"To Have and to Hold: Building a Love That Will Last Forever"

Diamond Head Theatre Waterhouse Speaker Series Featuring Jim Burns. This seminar will cover romance, stress, issues facing parents, finances, and how to put that "spark" back into your marriage. Na Leo Pilimihana will be performing. The cost is \$10.00 and tickets will be available at Logos Bookstore at Ward Warehouse or at www.ticketweb.com. For more information contact (808) 732-5561 or online at waterhouselecture@hawaii.rr.com.

OTHER RESOURCES:

● "Why You Can't Stay Silent" A Biblical Mandate to Shape Our Culture. Written by Tom Minnery—Vice President of Focus on the Family.

● "Renewing the Soul of America" One Person at a Time Beginning with You. Written by Charles Crismier

Visit Hawaii Family Forum at www.hawaiifamilyforum.org to find out more about the issues facing Hawaii's families.

Please call us at (808) 230-2100 if you know of someone who would benefit from our monthly newsletter.

Important Prayer Reminders:

- For the people of Massachusetts as they fight for a constitutional amendment upholding marriage
- For Justices across the nation
- For the HIM 2004 Conference
- For the troops overseas and their families
- For the HFF Board & Staff
- For the members of the HFF Pastors' Advisory Board

HFF reminds you to set aside a prayer time each day to spend quality time with the Lord.

PASS THIS NEWSLETTER ON TO SOMEONE ELSE AND SPREAD THE KNOWLEDGE!