

2006 Legislative Session in Full Swing

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SPECIAL INSERT

Families for Waiting Keiki Project in Full Swing

National Speaker Father George Clements Visits Hawaii

Since the January 18, 2006, opening of the 2006 legislature, we (Hawaii Family Forum / Hawaii Catholic Conference) have testified on nearly 20 legislative proposals. To see all of the testimony submitted by HFF, please visit our website at: www.hawaiifamilyforum.org. Below is an overview of key issues.

ASSISTED SUICIDE

Quiet for Now

As we expected, three bills to legalize physician-assisted suicide were introduced early in the session. We sent out an alert and many of you took time out of your busy schedules to make a phone call. Because of your efforts now and in years past (and some behind the scenes discussions), it looks like we may be safe for this session. At this time, hearings are not planned in either the House or Senate Health Committees. We, of course, will remain vigilant until session ends. If the bills begin to move, we will immediately alert you. Mahalo for getting involved. It made a difference.

RELIGIOUS FREEDOM

As in prior years, a bill that would force St. Francis Hospital against its religious convictions to administer

emergency contraceptives that can cause early abortion to sex assault victims (HB 2059), was heard in the House Health Committee. This newest version of the bill did NOT include a religious exemption for St. Francis. We submitted testimony and participated in the committee discussion. Thankfully, the House Health Committee, under the leadership of Representative Dennis Arakaki of Kalihi, added a religious exemption back into the bill. We thank the members of the Health Committee for allowing St. Francis to continue to act in accordance with its religious tenets. Contrary to popular belief at the legislature, St. Francis hospital has NOT been sold and nothing is yet final with regards to the hospital's future.

PROTECTING UNBORN CHILDREN FROM 3RD PARTY PERPETRATORS

Laci/Conner/Scott Peterson Legislation

Many of you remember the recent Hawaii Supreme Court decision in the Aiwohi case where the Hawaii Supreme Court was forced to acknowledge the current Hawaii statutes do not protect unborn children as "persons" in our criminal code. SB 2767 and HB 2988 were introduced

by Hawaii's law enforcement coalition (police, prosecutors, and the Attorney General's office) to provide limited protection to viable unborn children who are injured or killed by third party perpetrators. It does not address abortion or the mother's conduct. While we would certainly prefer much broader protection for unborn children, this is a good measure. Without it, perpetrators, like Scott Peterson, will face NO accountability for injuring or killing an unborn child. This proposal faces an extremely uphill battle. Hawaii's so-called 'women's groups' have been on record opposing any and all separate protection for unborn children at any stage of their development.

PROTECTING MINORS FROM PREDATORS AND PORNOGRAPHY ON-LINE

■ ELECTRONIC ENTICEMENT

There has been significant national and local news coverage recently about otherwise perfectly normal seeming predators who lure minors for sex over the internet. In Hawaii, these predators have been receiving slaps on the wrists for their

(Continued on page 2)

Hawaii Facts...

"Without either SB 2767 or HB 2988, Hawaii perpetrators, like Scott Peterson, will face NO accountability for injuring or killing an unborn child."

*—Kelly Rosati
Testimony submitted to House Judiciary February 16, 2006*

2006 Legislative Session (continued)

(Continued from page 1)

very serious criminal conduct. Most of them have received probation and very little, if any, jail time. SB 2265 and HB 2302 adds electronic enticement of a child to the list of class C felonies and requires a minimum year in jail. Parents across the islands are rightly concerned about the very dangerous aspects of internet crimes against children. Law enforcement, schools, community groups, faith-based organizations and parent-teacher alliances warn parents about the dangers posed by perpetrators who use the internet to lure minor children into having sex with them. In fact, there is a whole task force within the Department of the Attorney General devoted to protecting children from internet predators. So far, the Senate version of the bill SB 2265 seems to be moving. The bill passed Senate Judiciary on 2/17 and moves to the full Senate, where it will likely pass and move to the House.

■ ANTI-SPAM REGISTRY

Our organization has a keen interest in the most innovative ways to protect Hawaii's children from unwanted yet nearly ubiquitous internet pornography. Because of our concern for Hawaii's keiki, we supported SB 2200, a bill that would provide a registry where parents and schools can remove e-mail addresses from pornographers spam list. Because internet pornographers are among the most sophisticated technological experts, pornographers use tactics to reach our keiki: pornography-on-demand,

expanding its reach to cell phones, i-pods and other hand held technologies. The bill was passed by the Senate Media, Arts, and Technology Committee and is now on its way to the Senate Judiciary Committee. We are working closely with the Office of the Attorney General and a key technology provider to settle many of the legal and technical concerns with the first draft of the bill. Two other states have passed this measure (Michigan and Utah) and Georgia is on its way. We thank Senator Willie Espero of Ewa Beach for his leadership on this issue.

HOUSING & HOMELESSNESS

We have supported several bills to aid the housing and homeless crisis in Hawaii and are thankful for our partners at Catholic Charities for their leadership on these issues.

We also want to thank the Lingle Administration as well as House and Senate leaders including Rep. Mike Kahikina and Sen. Ron Menor for prioritizing the needs of Hawaii's homeless families. HB 2176 appropriates funds for homeless and transitional housing programs. The bill as written also appropriates funds to repair vacant public housing units and adjusts allocation of conveyance tax revenues. HB 2176 also allows state-owned parcels to be leased for the development of self-help housing and amends the state low-income housing tax credit to be used for construction and rehabilitation of existing affordable housing units.

Because we believe that creating affordable housing is a critical, ongoing issue for our State, we supported the portion of HB 2355 that would authorize special revenue bonds for affordable rentals. The goal is faster production of units due to our housing crisis.

Along with Catholic Charities, we also supported HB 2357 and SB 2320 which removes the statutory limitation on the subsidy amount and changes the income limits. We support this bill to give flexibility to the Rent Supplement Program. The \$160/month maximum subsidy is currently not sufficient to make rentals affordable to many very low income families. By removing the dollar amount of the subsidy from the law, the Housing and Community Development Corporation of Hawaii would set the amount via administrative rules, thus responding more quickly to community housing needs.

SAFE HAVEN

HB 3130, relating to child protection, may very well save the lives of precious, helpless, defenseless newborns. By allowing birthmothers a 'safe haven' opportunity to lovingly ensure the safety and well being of their babies, we discourage the horror stories we too often read about in the news. If the life of even one newborn is saved because a birthmother is able to safely leave her baby at a hospital instead of abandoning him or her in a life-threatening situation, this Legislature will have helped save a life. Since 1999, 46 states have enacted this type of child protection law. Hawaii should join this majority.

The bill passed the House Human Services and Health Committees and is currently awaiting hearing by the House Judiciary.

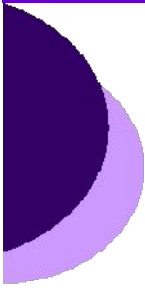
PARENTAL RIGHTS

We support the INTENT of two bills designed to provide street youth with access to primary medical services (HB 2076 HD1 and SB 2166) The problem is the bills were drafted to instead treat all "mature" 14 year olds (as determined by the physician) as adults for all medical purposes. **We oppose this errant drafting** and will continue to advocate for a bill that actually does what it says it was intended to do. We will alert you if public input becomes necessary to stop the errant language of this proposal, which would insert the government squarely between all Hawaii's parents and their teenage children. Mahalo to all of you who take the time to advocate for Hawaii's families.

FAMILY

Family advocate Leon Siu's proposal to establish the year of the family celebration 2008 and commission is moving. We wholeheartedly agree with the bills (HB 2965 and SB 3007) as they state in the first paragraph "that the success of a society depends largely upon the strength and vitality of its families. In all cultures, and in all ages, a strong family unit has been the foundation of great societies. Family is especially important in Hawaii, because of the richly diverse ethnic and cultural backgrounds of its people."

Reciprocal Beneficiaries / Same-Sex Marriage Debate Grows Nationally



As some of you may have heard, Focus on the Family and Dr. Dobson have come under attack recently from extreme conservative groups/individuals regarding their support of reciprocal beneficiaries legislation in Colorado.

Hawaii was the first state to pass reciprocal beneficiaries in 1997 and doing so enabled Hawaii to save traditional marriage and provide some benefits to those in need - without regard to sex partner status.

HFF's own Kelly Rosati was mentioned recently on a broadcast with Dr. Dobson discussing the current national situation. The following was written to bring clarity to the national discussion.

FEBRUARY 16, 2006
Kelly M. Rosati, JD

Hawaii has no same sex marriage, civil unions, or domestic partnerships 15 years after the first same sex couples applied for a marriage license at Hawaii's Department of Health.

Why? Many reasons, but chief among them is because as part of a compromise to secure traditional marriage for Hawaii's future generations, the Legislature passed a reciprocal beneficiaries measure. Reciprocal beneficiaries provided an opportunity to extend benefits to those in need -- in a way

that was not based on sex partner status.

If you're inclined to criticize government policies that help people access health insurance, you might think RBs sound silly, but they sure are not immoral.

Passage of RB legislation unquestionably helped save traditional marriage in Hawaii and, at the time, across the country.

What was at stake? In May of 1993, the Hawaii Supreme Court stunned the national legal community by declaring traditional marriage an unconstitutional violation of Hawaii's State Constitution. Therefore, unless the state could demonstrate to a lower court that it had a compelling state interest in reserving marriage to opposite sex couples, traditional marriage would be redefined for the first time history.

Sadly, in December 1996, the lower court found the state had failed to demonstrate a compelling state interest. The one-man one-woman marriage law was declared unconstitutional and the judge ordered the Department of Health to stop denying marriage licenses because applicants were of the same sex. The state appealed to the Hawaii Supreme Court. A constitutional amendment was the only hope.

High stakes. Unless the State Constitution was amended, Hawaii was headed to become the first state in America to redefine the sacred institution of marriage.

The Solution –
Constitutional Amendment &

Reciprocal Beneficiaries. After an unbelievable amount of negotiating, rallying, lobbying, calling and praying, the Legislature passed a bill allowing the people of Hawaii to vote to give the Legislature the right to define traditional marriage. It also granted some economic benefits to reciprocal beneficiaries, including hospital visitation, insurance benefits and property and inheritance rights.

Benefits integral to marriage such parental rights, adoption and tax benefits were not included because this was not about marriage substitutes. It was about saving traditional marriage while still providing access to economic benefits. Reciprocal beneficiaries are not based on sex partner status but include any two people legally prohibited from marrying, like an aunt and a niece.

Because of the compromise, marriage was eventually saved by a 70% vote of the people of Hawaii * in November of 1998.

Contrary to the predications of the nay-sayers at the time, RB's have NOT led to domestic partners, civil unions or same sex marriage. In fact, their presence has been one of the key reasons we have been able to hold off those attacks on marriage. The day after the people voted to save traditional marriage, the Governor of Hawaii declared his intent to push civil unions through the Legislature. It didn't happen and it hasn't happened – because of the RB compromise. The people had spoken. The Legislature listened. We finished the

discussion.

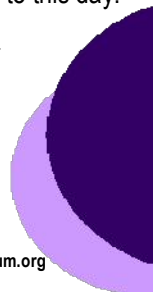
Other evidence RBs are a winner:

- Same sex marriage proponents don't like them and have been entirely unsatisfied with them, lobbying instead for civil unions.
- Further, one of the RB provisions to provide private health coverage was drafted improperly. Same sex marriage proponents have never tried to fix it, to actually provide access to the health coverage. Why? Because the real purpose of SSM, CUs and DPs isn't the benefits, it's the status. It's the government stamp of approval on their relationships as the equivalent of marriage. RBs don't give them that. They don't like it.
- In 2006, if you asked most people in Hawaii about reciprocal beneficiaries, their response would be 'reciprocal who'?

Hawaii provides solid evidence that RBs are hardly a sell-out policy, which undermines the sacred institution of marriage.

To the contrary, RBs were instrumental in saving traditional marriage for Hawaii's children and its future – in 1997 and still to this day.

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Important Prayer Reminders

- **For our troops overseas and their families**
- **For the President of the United States and our congressional officials**
- **For the Governor and Lt. Governor and for the State House and Senate Members**
- **For the members of the HFF Board, the HFF Pastors' Advisory Board and the staff of Hawaii Family Forum**
- **For orphans around the world**