

**Commission on Sexual Orientation and the Law**  
**Legislative Reference Bureau**  
**State Capitol, Room 446**  
**Honolulu, HI 96813**

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*Thomas P. Gill, Chairperson*  
*Lloyd James Hochberg, Jr.*  
*Robert H. Stauffer*

*Morgan Britt*  
*Nanci Kreidman*

*L. Ku'umeaaloha Gomes*  
*Marie A. "Toni" Sheldon*

**MINUTES OF THE MEETING HELD ON**  
**WEDNESDAY, NOVEMBER 22, 1995**  
**(Which Continued to November 29, 1995,**  
**December 4, 1995 and December 6, 1995 and**  
**Approved at January 4, 1996 Meeting)**

**I. Call to Order**

The sixth meeting of the Commission on Sexual Orientation and the Law was called to order by Chairperson Thomas P. Gill at 9:15 a.m., at the State Capitol, Room 329. 415 S. Beretania Street, Honolulu. Members present were:

Thomas P. Gill, Chairperson  
Morgan Britt  
L. Ku'umeaaloha Gomes  
Lloyd James Hochberg, Jr.

Nanci Kreidman  
Marie A. "Toni" Sheldon  
Robert H. Stauffer

The materials that were handed out were as follows:

1. Draft final report dated November 22
2. Press release (Attached as Attachment 1.)
3. Library distribution list (Attached as Attachment 2.)

LRB staff also informed the Commission that the minutes have not been completely drafted. The Chair suggested that the minutes be put off until November 29, 1995. Mr. Britt moved to put off approval of the minutes to the end of the agenda. Ms. Kreidman seconded the motion.

Mr. Hochberg and Ms. Sheldon objected to moving the approval of the minutes because without them there is no record to base the report on.

The motion to put off the approval of the minutes passed with Mr. Britt, Ms. Gomes, Ms. Kreidman and Dr. Stauffer voting aye and Mr. Hochberg and Ms. Sheldon abstaining.

**II. Discuss Contents of Amended Draft Report, Including Proposals to Add or Delete Material in the Report**

The Commission took up the business of reviewing the draft final report dated November 22, 1995. LRB staff requested that all comments and adjustments to this draft

need to be faxed to LRB by Monday morning at 9:00 a.m in order to mail out the November 27, 1995 version on a timely basis for public review.

The Commission reviewed the draft. On page vi of the Summary, Mr. Hochberg and Ms. Sheldon expressed objections to the phrase "philosophic and religious" differences of the minority. Ms. Sheldon commented that the minority's personal philosophic and religious positions were not discussed. Ms. Sheldon stated that for the record her objections to extending any benefits to same-sex couples are related to medical and psychological issues. Mr. Britt, Ms. Gomes, Ms. Kreidman, and Dr. Stauffer agreed to remove the phrase "philosophic and religious" from the draft.

Mr. Hochberg asked how the Chairperson felt about the minority not including suggested legislation in this draft. The Chair replied that was up to the minority. Mr. Hochberg was surprised to hear that there is a rebuttal. Mr. Hochberg believes it is a bizarre thing to do. Dr. Stauffer pointed out that usually there is no minority opinion presented at all. Ms. Kreidman confirmed that not including a minority opinion in the Commission report was her experience as well.

Mr. Hochberg wants all the letters between Commissioners attached as an Appendix.

Ms. Gomes moved to accept the November 22, 1995 draft report with the noted modifications accepted for public review. Mr. Britt seconded.

The motion passed with the Chairperson, Mr. Britt, Ms. Gomes, Ms. Kreidman, *Mr. Hochberg* and Dr. Stauffer voting aye, and *Ms. Sheldon* abstaining.

LRB staff asked that all modifications to the draft be on the hard copy, and not on disk.

The Chair commented that he would entertain a motion to recess until November 29, 1995, Wednesday 9:00 a.m. Mr. Britt moved to recess until November 29, 1995 at 9:00 a.m. Mr. Britt withdrew the motion when the Chair realized that there were members of the public who wanted to speak.

Ms. Rachelle Sebela, testified before the Commission. Her testimony was that extending benefits to same-sex couples would be expanding equal rights and that it would be more accurate to classify the rights being asked for as "special rights". This type of action would encourage other groups, like alcoholics and child pornographers to ask for rights. She recognized that there are legal considerations which the Commission sounds like they have to deal with. Ms. Sebela's testimony was that homosexuals are susceptible to disease and 30% of the criminals of child molestation are by homosexuals. On the agenda for gay and lesbian rights held in March was an item to include lowering the age of consent for homosexual sex. Their goal was achieved by lowering the age of consent to age 15. Ms. Kreidman clarified that the age of consent in Hawaii is 14 between heterosexuals. Ms. Sebela closed by commenting that she would like to see equal time for heterosexuals to describe their beliefs.

Mr. Bill Woods, also spoke and thanked the Commission for their work.

Mr. Martin Rice, read from the bible, John 10:10-12 and Ezekiel 49-50 *which he interprets* that the Sodom and Gomorrah story relates to greed and hostility.

Italicized material was amended at 1/4/96 meeting.

Having no more comments from the public, Mr. Britt moved to recess until November 29, 1995, 9:00 a.m. Ms. Kreidman seconded the motion. The motion passed unanimously.

**November 29, 1995**

The meeting re-convened at 9:15 a.m., November 29, 1995, in Room 325, State Capitol Building, 415 South Beretania Street. Present at the continuation was:

Thomas P. Gill, Chairperson  
Morgan Britt  
L. Ku'umeaaloha Gomes  
Lloyd James Hochberg, Jr.

Nanci Kreidman  
Marie A. "Toni" Sheldon  
Robert H. Stauffer

The agenda item to be discussed is the review of minutes of the October 11, 1995, October 25, 1995, November 8, 1995, but the October 25, 1995 minutes are so voluminous the Commission members have not had an opportunity to really review them. The Commission explored continuation dates to handle all these minutes. It was decided, all Commission members could meet Monday December 4, 3:00 p.m. The minority graciously moved their scheduled December 4, 2:00 p.m. meeting to 9:00 on Tuesday, December 5.

There is a regularly scheduled meeting for December 6 where public testimony will be taken. We should reserve December 7, if the public testimony takes up all the time. Several Commission members commented that an extension to Friday, December 8, would be difficult. It was agreed to finish the report by the December 7.

Ms. Sheldon clarified that modifications will be allowed to the draft report that was distributed to the public. The Chair confirmed that written comments made up to December 6 will be compiled by Staff and distributed on December 7 to the Commission.

Mr. Hochberg asked to have the public testimony compiled as to for and against. He asked LRB staff if it is common to include this information. LRB staff could not comment as she had no personal knowledge of any other commissions.

The Commission then returned to the consideration of the minutes of October 11, 1995. Staff reviewed the Suggested Incorporation of Amendments to Dr. Ghali's testimony. The Chair asked how Mr. Hochberg wanted to deal with this. Would he like to consider the review by LRB after listening to the tape? Dr. Stauffer commented that Chapter 92 does not require this. The Commission can just put the material in the minutes and add that Commissioner Hochberg who is supported by Ms. Sheldon would like this information inserted into the minutes but it is not approved by the majority of the Commissioners.

Mr. Hochberg stated that he does not have the additional material to present today. Dr. Stauffer suggested the Commission defer this item again. Dr. Stauffer restated the issues. The Commission agreed to recess and reconvene on December 4, 1995, at 3:00 p.m. to consider the minutes of the October 11, 1995, October 25, 1995, and November 8, 1995. The Commission agrees to make any suggested changes or amendments to the minutes in writing by Monday, December 4 at 10:00 and deliver them to Staff so they can be compiled. Staff promised to provide the rest of the minutes by the end of November 30, 1995.

Dr. Stauffer moves to recess until December 4, 1995, at 3:00 p.m. to consider the minutes of the meetings of October 11, October 25, and November 8, 1995. Mr. Britt seconded. Unanimously approved.

**December 4, 1995**

The meeting convened at 3:00 p.m. in Room 309, State Capitol, 415 S. Beretania St., Honolulu. Present at the meeting were:

Thomas P. Gill, Chairperson	Nanci Kreidman
Morgan Britt	Marie A. "Toni" Sheldon
L. Ku'umeaaloha Gomes	Robert H. Stauffer
Lloyd James Hochberg, Jr.	

The materials handed out at the beginning of the meeting were:

1. Letter dated November 21, 1995 from Arthur S. Leonard, Professor of Law, The New York Law School, to Dr. Arthur Wagner, of Princeton, NJ, forwarded to the Commission from Tom Coleman in a memo to Pamela Martin dated November 29, 1995. (Attached as Attachment 5.)
2. Letter dated November 20, 1995, from Robert J. Bidwell, M.D. to the Commission. (Attached as Attachment 6.)
3. Notice for December 7, 1995 and Memorandum to Public from Pamela Martin dated December 1, 1995. (Attached as Attachment 7.)
4. A summary of public response to date. (Attached as Attachment 8.)

The November 22, 1995 Meeting reconvened at 3:00 p.m in Room 309 in the State Capitol, 415 S. Beretania St., Honolulu. This is a continued meeting of the meeting noticed for November 22, 1995, and continued to November 29, 1995 and now to December 4, 1995, to consider and decide on the minutes of October 11, 1995, October 25, 1995, and November 8, 1995.

LRB Staff explained to the Commission that she had missed the deadline for filing the official notice of the meeting the Commission had scheduled for December 6, 1995. She has already filed a notice for a meeting December 7, 1995. The Attorney General's Office has advised her that no meeting can take place unless 2/3 of the Commission amend the agenda to continue this November 22, 1995 meeting to December 6, 1995 to accept public testimony. Dr. Stauffer moved to amend the agenda to allow for additional public comment on the draft final report on December 6, 1995 at 9:00 a.m. Ms. Sheldon seconded the motion.

The discussion on the motion included projections by several Commission members that there may be many members of the public in attendance to testify before the Commission. The schedule for any written final amendments to the report will be due that same day was reiterated.

The motion to amend the agenda of the November 22, 1995 meeting to allow for additional public comment at the continuation of this meeting on December 6, 1995, passed unanimously.

The Minutes of the October 11, 1995 Meeting will be reviewed and finalized to confirm that Mr. Hochberg's reservations have been addressed.

Mr. Hochberg had the following amendments:

On page 1, after "testimony of" add a colon to designate a list and add the credentials of Dan Kehoe, as clinical psychologist. Also add after "retired Professor..." current chancellor for graduate research at Western Washington University. The Commission had no objections to these changes.

On page 2, in the second paragraph delete "after" and change tense of "reviewing" to "having reviewed the tape;". This change applies throughout the minutes. The Commission had no objection to these changes.

Mr. Hochberg had no changes on page 3, page 4, and page 5.

On page 6, in Steve Michaels testimony, in the fourth paragraph down that starts. "Assuming all things are equal." Have it read ...single home.... ...variations: (colon) taking out "recognizing that there is". The Commission had no objection to these changes.

On page 7, at the last paragraph. Add the phrase "by the Attorney General" to the sentence that reads: Arguments are termed "by the Attorney General" to be homophobic. The Commission had no objections to these changes.

On page 8, where it states "Mr. Hochberg paraphrased the holding of the court when it relied on ... to "uphold" (instead of reject). The Commission had no objections to these changes.

In Dan Foley's testimony, add a sentence after " ideology" that reads: "Mr. Hochberg attributed Mr. Foley's contemporaneously taken message to mean that Dan Foley supported a religious exemption." It was agreed by the Commission to add "Dan Foley made it clear that no church or pastor would be required to perform a same-sex marriage."

Mr. Hochberg moved to add at the beginning of the paragraph starting "Dr. Kehoe stated..." "As a psychologist, Dr. Kehoe," There were objections and vote on the change did not pass with Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Mr. Britt, Ms. Gomes, and the Chairperson voting nay, Ms. Kreidman abstained.

Mr. Hochberg moved to add the citations of Dr. Kehoe's testimony. He then read a portion of the testimony citing studies, and a quote from the written testimony. "Social science data has shown.... to ten years of data" Ms. Sheldon seconded the motion. The Commission agreed that minutes could cite to the specific page in the testimony, as such: " Dr. Kehoe testified about the social science research of detrimental effects of homosexual parenting on children, see page T-25." The Commission had no objections to this later addition.

Ms. Gomes was excused at 4:15 p.m.

On pages 8-9, in the last paragraph. After "\$127 million, annually." Mr. Hochberg moved to add "Several years are needed to study the issue." Ms. Sheldon seconded the motion. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

At the top of page 9, at the end of the paragraph. Mr. Hochberg moved to add to Dr. La Croix's testimony that "He could not state what the costs might total." Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

Also on page 9, at the paragraph starting "The issue of "tipping"..." add the quoted phrase so the end of the sentence reads: causes others to leave or not appear is "difficult to gauge but seems unlikely to be" insignificant. Ms. Sheldon seconded the motion. Ms. Kreidman pointed out that the modification completely says the opposite of the statement as currently written. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

The Chair asked Mr. Hochberg how much more amendments he had and how much more time needed to be allotted to this task.? Mr. Hochberg replied by stating that he wants to move to add that Dr. La Croix said there are no studies regarding "tipping." Ms. Sheldon seconded. Dr. Stauffer spoke against putting words in Dr. La Croix's mouth and the written testimony of Dr. La Croix and Dr. Mak is attached. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

In between the third and fourth full paragraphs Mr. Hochberg moved to add " Dr. La Croix could not say that same-sex marriage in Hawaii would result in a net increase in tourism or revenue." Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

Mr. Hochberg said he would also like to add in front of the fourth full paragraph: "Dr. La Croix admitted that his numbers were unreliable." Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

On pages 9 and 10 is the issue of Dr. Ghali's testimony. The Chairperson reviewed the documents the Commission members should have with regard to this testimony. Mr. Hochberg presented a three page "Partial List of Requested Changes to Minutes of October 11, 1995 Commission Meeting" (Attached as Attachment 3 to the minutes of this meeting.) and LRB staff prepared a six page "Suggested Incorporation of Amendment to Dr. Ghali's Testimony." (*Attached as Attachment 4 to these minutes.*)

Dr. Stauffer moved to adopt the version of Dr. Ghali's testimony as rewritten by LRB Ms. Kreidman seconded the motion.

Mr. Hochberg moved to amend the LRB draft in the last paragraph's second sentence to change "did" not to "could" not. Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

Mr. Hochberg also moved to amend the LRB draft to change in the middle of the paragraph the words "may be" to "are" in the sentence "He stated the numbers may be unreliable..." Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

*Italicized material was amended at 1/4/96 meeting.*



Mr. Hochberg moved to add to the end of the final paragraph: "Mr. Hochberg asked Dr. La Croix if it was true that Dr. La Croix could not opine that Hawaii would benefit from same-sex marriage tourism because Dr. La Croix did not know what the net effect of same-sex marriage would have on our overall tourism. Dr. La Croix stated "My figures are unreliable."" Ms. Sheldon seconded the motion. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and The Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

A vote taken to accept LRB draft of Dr. Ghali's testimony does not pass with Mr. Britt, Dr. Stauffer and the Chairperson voting aye, Ms. Sheldon voting nay and Ms. Kreidman and Mr. Hochberg abstaining.

LRB explained this vote does not pass because a majority of four is needed to pass a motion. Another vote was taken and the motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon, Dr. Stauffer and the Chairperson voting aye. Ms. Kreidman abstained.

On page 10, Mr. Hochberg pointed to the paragraph that starts "Robert Aitken..." and moved to add "Mr. Aitken stated that he has never been asked to perform a same-sex marriage." Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and the Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

Ms. Sheldon asked the Commission members who voted against the motion why they would vote against it if they knew that he said it. Mr. Britt responded that it's a distortion of the truth, and Dr. Stauffer added that he believes Mr. Aitken said he would perform a marriage to any two loving people, but had not been asked by any gay or lesbian couples. Ms. Kreidman clarified that they are not voting against what he said just that it's irrelevant to include in the minutes. Mr. Hochberg stated that the state law requires that if something occurs and it's proposed to be in the minutes then it's supposed to be in the minutes. LRB disagreed with this interpretation.

Mr. Britt moved to amend the minutes to spell Mr. Aitken's name correctly, with a "t" and "Sangha" not "sengha." The Commission did not object to this amendment.

Mr. Britt moved to amend, the Diana Pau U paragraph to change "homosexual" to "gay and lesbian" and change "heterosexual" to "opposite-sex marriages." Mr. Hochberg spoke against the motion because they are neutral scientific terms. Mr. Britt disagreed, stating that "homosexual" is a clinical term, and "gay and lesbian" are the social words to use. LRB stated that Mr. Aitken had used the term "gay and lesbian." The motion passed with Mr. Britt, Dr. Stauffer and the Chairperson voting aye and Mr. Hochberg, Ms. Sheldon voting nay. Ms. Kreidman abstained.

Mr. Britt moved to capitalize title of Sister Chatfield at the bottom of page 10. No objection by the Commission.

On page 11, at the paragraph starting Reverend Joris Watland, add "a" in front of "director of the local ACLU" in the first sentence. There were no objections.

On page 12, Mr. Hochberg asked to add to the first sentence of the paragraph starting "Bishop Richard Lipka..." "and a licensed clinical social worker in Maryland" and also add at the end of the paragraph "He agreed with Dr. Kehoe's testimony and incorporated it by reference into his own." Ms. Sheldon seconded. The motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Ms. Kreidman abstaining.

The last paragraph on page 12, on the second line insert after (2) "According to the traditional Christian interpretation of scripture, yesterday's modern politically correct interpretations are incorrect and therefore" Ms. Sheldon seconded. The motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Ms. Kreidman abstaining.

Mr. Hochberg then moved to add just before (2) on the second to last line on page 12, "There is no accepted scientific study saying that homosexuality is biological and no serious scientist suggests a genetic basis for homosexuality." Ms. Sheldon seconded the motion. The motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Ms. Kreidman abstaining.

Mr. Hochberg moved to have faulty assumption (2) amended to read: "(2) Homosexuals cannot change. After 16 years of personal counseling experience in hundreds of people's ability to change and cited a 1985 APA meeting report citing religious motivated change from homosexuality." The motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Ms. Kreidman abstaining.

Mr. Hochberg also wanted to amend the third faulty assumption by adding "Love is not the same as kindness, addicts are not the subject of the addiction." Ms. Sheldon seconded the motion. The motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Ms. Kreidman abstaining.

Mr. Britt clarified that his agreement is based on moving the meeting along. Dr. Stauffer clarified that his agreement on the testimony of Bishop Lipka is based on the fact that there is no written testimony.

Mr. Hochberg then moved on to the paragraph starting "Mike Gabbard..." Mr. Hochberg moved to add to the end of the paragraph: "Mr. Gabbard cited from homosexuality activist Dennis Altman's instruction to shift the debate from behavior to identity." Ms. Sheldon seconded the motion. The motion does not pass with Mr. Hochberg and Ms. Sheldon voting aye and Mr. Britt, Dr. Stauffer and the Chair voting nay and Ms. Kreidman abstaining.

Mr. Hochberg moved to amend the last sentence of the paragraph starting "Examining the ..." to read: "This would increase health care costs fifteen to twenty percent." Ms. Sheldon seconded. The motion passed with Mr. Britt, Mr. Hochberg, Ms. Sheldon and Dr. Stauffer voting aye and Ms. Kreidman abstaining.

Mr. Hochberg would like to add a sentence on page 13, between "Examining..." and "Mike Gabbard suggests..." that reads: "Domestic partnership if not limited to just homosexuals couples the cost would be astronomical. All college students and state workers could be become domestic partners." Ms. Sheldon seconded. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and the Chairperson, Mr. Britt, and Dr. Stauffer voting nay, Ms. Kreidman abstained.

The word "marriage" needs to be inserted in the same paragraph after "evidenced by the fact that common law "marriage"..." No objection by the Commission was made to this amendment.

A discussion on the terminology used regarding the term "homosexual" in Mr. Gabbard's testimony included the LRB staff commenting that the minutes tried to reflect the terms the testifier used. Mr. Britt clarified that to have a homosexual couple is impossible



because homosexual is a clinical term used to describe a behavior and the term gay and lesbian couple refers to the social condition that this Commission is discussing.

Mr. Hochberg addressed Reverend Boaz's testimony. He moved to have the number of members of Evangelicals across the country amended from 15 million to 50 million. All the other commissioners disagreed, they heard and had 15 million in their notes. Mr. Hochberg withdrew the motion.

On page 14, add to Mary Woodard's testimony that her organization has "6 chapters on Oahu" There were no objections to this amendment.

On page 15, Mr. Hochberg stated that he would like to have the fact that Ms. Johnson's testimony was interrupted by adding "After Ms. Johnson read the word "feces" in her testimony, Mr. Britt interrupted Ms. Johnson to express that in his opinion her testimony was not germane to the topic and she had gone beyond the time limit. The Chair asked Ms. Johnson to summarize and she did." Everyone agreed to this amendment.

In the third full paragraph, on page 15, the correct spelling of the name is Paul Kamanu not Kamaro. Mr. Hochberg also wanted to add "He invited the Commissioners to discuss the topic on his radio station." There was no objection.

Mr. Hochberg requested adding "retired teacher" to Ms. Whiteman's credentials, after expert taxpayer. There was no objection.

Mr. Hochberg stated that after the recess on page 16, he renewed his motion to define major legal and economic benefit. This needs to be added to the minutes. The following paragraph will be added:

"Mr. Hochberg renewed his motion to define major legal and economic benefit. Ms. Sheldon seconded the motion. During discussion of this motion three definitions were identified. Dr. Stauffer stated there was a definition in his memos, the Act 217 Commission had adopted a definition and Mr. Hochberg was suggesting a third definition. Mr. Hochberg urged the Commission to adopt at least one of the definitions and so all the Commissioners could go about preparing for the next meeting with the same definition. The motion failed to pass with Mr. Hochberg, Ms. Sheldon, voting aye, and, Mr. Britt, Ms. Gomes, and Dr. Stauffer voting nay."

No other amendments or changes to the Minutes of the October 11, 1995 Meeting were heard and as such are adopted as amended.

At 5:32 the Chair reviewed the schedule. Subcommittee meetings will happen on December 5, and then on December 6, there will be the last opportunity to hear public testimony. Public testimony on December 6 will be handled on a first-come first-serve basis.

A discussion concerning the length of the minority portion of the report and changes that could be made ensued. Mr. Chair asked what was the purpose of distributing the report to the public if it were to be changed, it was not the Commission's intent to fool the public. Mr. Hochberg stated that nobody had the authority to limit the minority report.

A motion to recess until December 6, 1995, was seconded and unanimously passed.

December 6, 1995

A continuation of November 22, 1995 by motion made at December 4, 1995 to hear public testimony on the draft report released November 27, 1995.

Members present at the meeting:

Thomas P. Gill, Chair  
Morgan Britt  
Ku'umeaaloha Gomes  
Lloyd James Hochberg

Nanci Kreidman  
Marie "Toni" Sheldon  
Robert H. Stauffer

The meeting was reconvened at 9:15 a.m. in Room 312, State Capitol, 415 S. Beretania St., Honolulu.

Bananas were provided as refreshments.

Public testimony was on a first come, first serve basis. Due to the numbers waiting testimony was limited to two minutes. The Chair reminded the public to be polite as there are people in this room that do not agree with each other. Ms. Gomes acted as the timer and called the testifiers as they signed up. The Chair asked the public to address their comments and considerations to the draft report.

The following people addressed the Commission. Each testimony was recorded with regard to whether it supported the Commission findings or opposed the Commission's findings and if written testimony was included.

Amy Agbayani, Chairperson, Civil Rights Commission, supports the Commission's work, submitted written testimony; Donna Bryant, Steering Committee member of the Hawaii Equal Rights Marriage Project, supports the Commission's work, submitted written testimony by fax earlier; Tracey Bennett, supports the Commission's work, submitted written testimony by fax earlier; Sue Reardon, Co-director of the Hawaii Equal Rights Marriage Project supports the Commission's work, submitted written testimony by fax earlier see Donna Bryant above; Tom Ramsey, supports the Commission's work, submitted written testimony by mail; Barbara Chung, voter, consumer, and homeless due to cuts in human services objects to the Commission's work, submitted written testimony.

Mr. Britt reminded everyone of the time limits, as Ms. Chung ran over.

Public testimony continued with: Julian Johnson, objects to the Commission's work, submitted written testimony previously by mail; Rose Gibril Pires, objects to the Commission's work; Charles Woodard, Evangelist, objects to the Commission's work, submitted written testimony; David Bittner, objects to the Commission's work; Rick Nelson, born and raised in Utah, but represents only himself, objects to the Commission's work; Linda Borgia, objects to the Commission's work, submitted written testimony; Johnathan Borgia, 14 years old, objects to the Commission's work, submitted written testimony; Vanessa Y. Chong, Coalition for Equality and Diversity, through the American Civil Liberties Union executive director, supports the Commission's work, submitted written testimony by fax and at the meeting;

Ms. Sheldon noted that Thomas P. Gill listed as a director of ACLU is the same as the Chair. The Chair confirmed the same.

Public testimony continued with Lisa Poulos, citizen, objects to the Commission's work, submitted written testimony by fax and at the meeting; Charles McCrone, objects the Commission's work, submitted written testimony; Enric Ortiz, was called but did not respond; June Shimokawa, American Friends Service Committee, supports the Commission's work, submitted written testimony.

Nanci Kreidman was excused at 9:52 a.m.

Public testimony continued with Claudio Borge, Jr., parent, grandfather, took off from work, represents the King, Jesus Christ, objects to the Commission's work; Ron Arnold, objects to the Commission's work, submitted written testimony by fax earlier; Bill Woods, GLEA Foundation and Gay Marriage Project, supports the Commission's work, submitted his written notes at meeting.

Nanci Kreidman returned at 10:00 a.m.

Public testimony continued with Calvin N. Takara, objects to the Commission's work, submitted written testimony at the meeting; Tom Conlon, objects to the Commission's work, submitted written testimony; Martin Rice, resident of Kauai, supports the Commission's work, submitted written testimony by fax previously; Lora Burbage, life-long resident, mother of four and hairdresser, objects to the Commission's work, submitted written testimony; David Mitchell, objects to the Commission's work, submitted written testimony earlier by fax; Dawn V. Underwood, a Christian, mother and a resident objects to the Commission's work, submitted written testimony at the meeting; Reverend Father Norman T. Wesley, and his congregation and 300 churches of the Episcopal/Angelical Church objects to the Commission's work, submitted written testimony; Marc Breida, born gay, University employee, supports the Commission's work submitted written testimony by mail; Jeff Cadavona, a local born Waipahu, Damien graduate, disabled veteran, supports the Commission's work, submitted written testimony earlier by fax/mail; Robert Gibson, represents himself, his wife, kids and grandchildren, objects to the Commission's work, submitted written testimony earlier by mail or fax; James Staskhoosa was called and did not answer; Wayne Akana, supports the Commission's work, submitted written testimony at the meeting; James F. Cartwright, born a Latter-day Saint (five generations), supports the Commission's work, submitted written testimony by mail; Ms. Napoleon was called and did not answer; Susan Brown, teacher of 5th grade class, objects the Commission's work, submitted written testimony by fax earlier; Reverend Mike Young, minister of the First Unitarian Church in Honolulu who has been marrying gay and lesbian couples for twenty years, supports the Commission's work, submitted written testimony earlier by fax/mail; John A. Hoag, resident of 30 years, parent and grandparent, recent Chair of Salary Commission objects to the Commission's work, submitted written testimony at the meeting; Ken Gibson, objects the Commission's work, will submit written testimony soon by fax; Isaah Lumboa, representing Gospel Temple, objects to the Commission's work; Elizabeth Lover, objects to the Commission's work; Reverend Tony Bacungua, Full Gospel Temple, objects to the Commission's work, submitted written testimony; Joe Ahuna, born and raised in Hawaii, opposes the Commission's work, will submit written testimony soon by fax; Sam Langi, objects to the Commission's work, submitted written testimony at the meeting; Leon Siu, State Director of Christian Voice of Hawaii, objects to the Commission's work, submitted written testimony at meeting; Jeff Grey, from Maui, objects to the Commission's work, submitted written testimony at the meeting;

Nanci Kreidman was excused at 10:55 a.m.

Public testimony continued with Amanda Dupont, mother, grandmother, and resident, objects to the Commission's work, will submit written testimony after the meeting; Elizabeth Vellalos, objects to the Commission's work, submitted written testimony at the meeting; Tiger Mosier, objects to the Commission's work, will submit written testimony at a later time; Diane Mosier, objects to the Commission's work, submit written testimony in the future.

Nanci Kreidman returned at 11:05 a.m.

Public testimony continued David Smith, Kamehameha graduate and victim of child abuse objects to the Commission's work, will submit written testimony in the future;

Nanci Kreidman was excused at 11:10 a.m.

Public testimony continued with Karen Smith, wife of David, mother of four natural children and other foster children, and Christian objects to the Commission's work; Don Fernandes, objects to the Commission's work, submitted written testimony by fax earlier and at meeting; Nancy Greenwood, objects to the Commission's work, submitted written testimony by fax earlier; Alan Jones was called but did not answer; Melodie Ascentia and her teacher from Aiea High School, objects to the Commission's work, will submit written testimony later; Sarah Banks, daughter of Julie and Paul Banks, and a director of Gay Marriage Project, she read her parents testimony and supports the Commission's work; Skip Burns, from the Big Island, supports to the Commission's work, submitted written testimony previous to the meeting; Troy Freitas, born and raised in Hawaii, Kalaheo graduate, and teacher on the windward side, objects to the Commission's work. His class 12% are for marriage, 11% don't care and 76% are against his class; Peggy Y. Yorita supports the Commission's work, submitted written testimony at the meeting; Rasika Gleason, 19 years old, volunteer Common Sense Now, objects to the Commission's work, submitted written testimony at the meeting;

Morgan Britt was excused at 11:25 a.m.

Public testimony continued with Delpia Akiu, mother, grandmother, resident and concerned citizen, objects to the Commission's work;

Morgan Britt returned at 11:30 a.m.

Public testimony continued and Ken Burbert was called but did not answer; Mike Gabbard, President of Stop Promoting Homosexuality America, objects to the Commission's work, submitted testimony in writing at the meeting;

Nanci Kreidman returned at 11:35 a.m.

Public testimony continued with Dan Ditto, parent of six children, objects to the Commission's work; Harvey Alisa, born and raised, objects to the Commission's work; Dave Centofanti was called and did not answer; Don Harriman, objects to the Commission's work; Philip Smith, Ph.D. in Sociology, studies in social institutions, from Stanford, objects to the Commission's work; Dale Hammond, 30-year resident of Hawaii, objects to the Commission's work; Don Baldwin, Jr., born in Maui, Oahu resident, objects to the Commission's work;

Ku'umeaaloha Gomes was excused at 11:50 a.m.

Public testimony continued with Dora Baldwin, Oahu resident, objects to the Commission's work;

Ku'umeaaloha Gomes returned at 11:53 am.

Public testimony continued with Gracie Hemenway, a Hawaiian, objects to the Commission's work; Dennis Mau, former teacher, objects to the Commission's work; Matte Teo, objects to the Commission's work, submitted written testimony at the meeting; Shane Cullen, objects to the Commission's work.

The Commission took a recess at 12:05 they reconvened at 12:15

Daryl Gerloff objects to the Commission's work, submitted written testimony at meeting; Bette Gerloff objects to the Commission's work, submitted written testimony at meeting.

The Chair polled the Commission to see if the Commission should take a break, or keep going. Ms. Sheldon, Mr. Hochberg, Mr. Britt, Mr. Stauffer and Ms. Gomes agreed to keep going.

Public testimony continued with Michelle Umaki, First Assembly of God, over 800 signatures, objects to the Commission's work; Ward Stewart, supports the Commission's work, and has submitted written testimony earlier by mail and handed in his statement today; Bonnie Warring, objects to the Commission's work; Mr. Hirato was called and did not answer; Skip McQueen, objects to the Commission's work; Rose Freitas was called and did not answer; R.K. Lau, objects to the Commission's work; Margaret Talamantes, as a dancer, objects to the Commission's work; Earl Higa was called and did not respond; Cherry Patterson, objects to the Commission's work submitted written testimony; Lori DeLuca, objects to the Commission's work.

Dr. Stauffer was excused at 12:35 a.m.

Mr. Britt asked Ms. DeLuca to wrap it up.

Public testimony continued with Carl Vannoh, Jr., pastor, teacher, missionary evangelist, husband, objects to the Commission's work; Jan Judd was called and did not respond; Pumehana Cobb-Adams objects to the Commission's work; April English, raised in Ohio, born again Christian 3 years ago, objects to the Commission's work; Patrick Battista, and his partner who is a State analyst, supports the Commission's work, submitted his testimony previously by fax/mail; Rodney Aiu, born and raised in Hawaii, objects to the Commission's work; Mike Stengle was called and did not respond; Kathleen Home Smith was called and did not respond;

Nanci Kreidman was excused at 12:55 a.m.

Public testimony continued with Chuck Brocka, Baptist pastor with lesbian niece, objects to the Commission's work; Indish Schnieder was called and did not respond (he submitted written testimony, see below); Rori Fujimoto was called and did not respond; Lori Fujimoto was called and did not respond; Vernon Taa, father, husband, and grandfather, objects to the Commission's work submitted his testimony earlier by fax/mail; John Kinyon, Protestant minister and former attorney, objects to the Commission's work, submitted written testimony; Scott VanInwagen, objects to the Commission's work submitted a copy of his faxed testimony; Kalei Puha, supports the Commission's work; Noela Napoleon, supports the Commission's work.

Ms. Napoleon said upon her inquiry the Sergeant of Arms said that the room assigned to the Commission today is room LRB ordered and they were trying to relocate us.

Public testimony continued with Navahine Dudoitt, a lesbian mother, supports the Commission's work; Stratton Goodhugh, objects to the Commission's work; Debbi Hartman, former chair of the Board of Education, objects to the Commission's work both the majority and the minority, submitted written testimony at the meeting; Enric Ortiz, objects to the Commission's work;

Ms. Sheldon wanted to registered that she did not approve of The Chair's behavior and considered it rude.

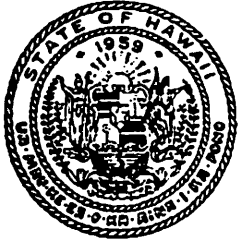
Public testimony continued with Lori K. Fujimoto, objects to the Commission's work, she submitted written testimony.

No other members of the public wished to speak, although the following written testimony was submitted on December 6, in lieu of oral testimony, received from: 102 people on petitions from Kauai submitted and dated December 4, 1995, in opposition to the Commission's work; Maryann and Simi Mapu object to the Commission's work; Mitzi and Gordon Ledingham, support the Commission's work; Barbara Ruth Bishop, objects to the Commission's work; Bradley Scully, resident objects to the Commission's work; Terry Nakamura objects to the Commission's work; L.M. Indy Schneider, L. Ac. objects to the Commission's work.

### **III. Adjournment**

Having no other business a motion was made, seconded and unanimously passed to adjourn. The meeting was adjourned 1:30 p.m.





**THE COMMISSION ON  
SEXUAL ORIENTATION AND THE LAW**

c/o Legislative Reference Bureau  
State Capitol, Room 446  
Honolulu, Hawaii 96813  
Telephone: 587-0666  
Facsimile: 587-0681

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**NEWS RELEASE**

Contact: Pamela Martin  
Phone: 587-0666

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Thursday, November 27, 1995

**The Commission on Sexual Orientation and the Law releases a draft of their final report for public review and comment and will be available at selected libraries throughout the State.**

The Commission on Sexual Orientation and the Law has released a draft of their final report to the Legislature. The report will be available for review at the Hawaii Documents Section at selected public libraries across the State. The Commission invites members of the public to review and comment on the draft. Any written testimony can be mailed to the Commission c/o the Legislative Reference Bureau, State Capitol, Room 446, Honolulu, Hawaii 96813, or received by fax to 587-0681. A meeting of the Commission will be held on Wednesday, December 6, 1995, at 9:00 a.m. to consider comments and make final adjustments to the draft. Members of the public may appear in person to give oral testimony at the December 6, 1995 meeting.

The draft report will be available at the following public libraries:

On Oahu at the Main Library, King Street, Honolulu; Aiea Public Library; Wahiawa Public Library; Waianae Public Library; Hawaii Kai Public Library. On Maui in the Wailuku Public Library, Kihei Public Library and Hana Public & School Library. On Kauai at the Lihue Public Library and Kapaa Public Library. On the Big Island at the Hilo Public Library, Kailua-Kona Public Library, and the Pahoa Public & School Library. The draft will also be available for review at the Molokai Public Library and Lanai Public Library..

**LIBRARY DISTRIBUTION LIST**  
**DRAFT REPORT OF THE COMMISSION ON SEXUAL ORIENTATION AND THE LAW**  
**TO BE MAILED ON NOVEMBER 27, 1995**

**1. Hawaii State Public Library**

Mr. Patrick McNally  
Librarian-Hawaii Documents Center Unit  
478 South King Street  
Honolulu, Hawaii 96813

**East Oahu Library District:**

**2. Hawaii Kai Public Library**

249 Lunalilo Home Road  
Honolulu, Hawaii 96825

**2a. Kailua Public Library**

239 Kuulei Rd  
Kailua, HI 96731

**3. Kaneohe Public Library**

45-829 Kamehameha Hwy.  
Kaneohe, HI 96744

**West Oahu Library District:**

**4. Aiea Public Library**

99-143 Moanalua Rd.  
Aiea, Hawaii 96701

**5. Wahiawa Public Library**

820 Californai Ave.  
Wahiawa, Hawaii 96786

**6. Waianae Public Library**

85-625 Farrington Highway  
Waianae, HI 96792

**6a. Waialua Public Library**

67-068 Kealohanui St.  
Waialua, HI 96791

**Big Island Library District:**

**7. Hilo Public Library**

300 Waianuenue Ave.  
Hilo, HI 96720

**8. Kailua-Kona Public Library**

75-138 Hualalai Road.  
Kailua-Kona, HI 96740

**9. Pahoia Public & School Library**

P.O. Box 16  
Pahoia, HI 96778

**9a. Honokaa Public Library**

P.O. Box 236  
Honokaa, HI 96727

**Kauai Library District:**

**10. Lihue Public Library**

4344 Hardy Street  
Lihue, HI 96766

**11. Kapaa Public Library**

1464 Kuhio Highway  
Kapaa, HI 96746

**Maui Library District:**

**12. Wailuku Public Library**

251 High Street  
Wailuku, HI 96793

**13. Hana Public & School Library**

P.O. Box 490  
Hana, HI 96713

**14. Kihei Public Library**

131 South Kihei Road  
Kihei, HI 96753

**15. Molokai Public Library**

P.O. Box 395  
Molokai, HI 96748

**16. Lanai Public & School Library**

P.O. Box A-149  
Lanai City, HI 96763

**20. Kahului Public Library**

90 School Street  
Kahului, HI 96753

Partial List of Requested Changes to Minutes  
of October 11, 1995 Commission Meeting

Moheb Ghali, one of the economists who testified before the Commission, explained that to determine the economic value of any particular benefit, one must first determine the "Expected Value" and then discount that value by the probability of someone taking advantage of the benefit under consideration. Where an expected value of some benefit might be worth \$500 to a person who actually takes advantage of the benefit, if the probability of someone taking advantage of the benefit is say 1 in a 1000 chance, the expected value of that benefit is only \$0.50 ( $\$500 \times .001$ ). The probability of use of a particular benefit is further reduced where the benefit requires special status before it becomes available to the general public. For instance, where a benefit derives from status as a professor at the University of Hawaii, then the likelihood of someone taking advantage of that benefit is equal to the ratio of the number of U.H. professors to the population at large.

Dr. Ghali also explained that most of the benefits addressed by Dr. La Croix, the other economist who testified at the commission, concern estate planning techniques or contract rights available to married people by virtue of their status as husband and wife. However, all of those benefits, with the exception of the marital deduction and marital elective share, are available to non married people from the use of inexpensive simple will forms available in stationary stores, trusts, durable powers of attorney, living wills and other contracts are the remedies available to all unmarried people without regard to their sexual orientation. In Dr. Ghali's opinion, the data or measurement of the value of these small benefits (saving the cost of these widely used remedial measures) is not warranted in light of the cost to do the research.

Dr. Ghali also clarified that the Employee Retirement System permits every member to designate anyone as the beneficiary: a spouse, domestic partner or anyone else. Thus by and large, there are not additional benefits to be realized in the ERS pension plan. The exception is an in-service death benefit in noncontributory plans which Dr. Ghali also as discussed.

Of the benefits listed in the LRB 15 page summary, Dr. La Croix identified only nine "[b]enefits from Marriage with a Significant Expected Value." Of those, Dr. Ghali testified that:

"Because, many of the benefits listed by Professor La Croix under his heading have very small probabilities of being used, as he correctly points out, the expected value of each benefit is small, and the sum of the discounted expected values of this group of benefits is likely to be small. While it is possible to collect data to measure the

discounted expected values of these benefits, I do not believe the magnitude of the benefits is sufficient to justify the cost of the data acquisition." (see page 2 of Dr. Ghali's testimony entitled "Discussion of Some Benefits Which May Accrue to Individuals From Extending Marital Benefits to Domestic Partners".

However, Dr. Ghali agrees that three benefits addressed by Dr. La Croix merit investing the resources to research the economic value. Those benefits were: Retirement Health Insurance Benefits, Non Retirement Health Insurance, ERS Death Benefits, and Hawaiian Home Lands Leases. Dr. Ghali opined that none of the other benefits can possibly be large enough to bear the cost of the analysis needed to determine the economic value, and therefor do not constitute major legal or economic benefits.

Concerning the retirement health insurance benefits, Dr. Ghali suggested that data be collected and analyzed to determine the economic value of the benefit. The data needed should concern the average annual cost of spousal medical coverage and the estimate of the number of domestic partners expected to benefit. This information will reveal the estimated fiscal impact on the ERS and the Health Fund, and whether a general increase in employee contributions or in State tax revenues will be required to cover the additional cost.

Concerning the non retirement health insurance benefits, Dr. Ghali suggested that data be collected and analyzed concerning the average annual cost of spousal medical coverage and the estimate of the number of domestic partners expected to benefit from non retirement health insurance. This information will reveal the magnitude of the subsidy. In addition, he suggested that the Commission analyze alternative ways of funding the health insurance coverage.

Concerning the ERS Death Benefits, Dr. Ghali discussed Mr. Shimabukuro's testimony that the benefits payable upon the death in-service of an employee are only available to the surviving spouse (until remarried) and the dependent children (until 18 years old) if the employee was under the non contributory plan. The only benefit exclusive to spouses under the contributory plan is an additional pension. Dr. Ghali explained how to measure the economic value of this benefit:

Data on the number of cases of in-service death as a percent of the total active membership over the past five years would give a reasonable estimate of the probability of the death benefits. The average payment per case of in service death over the past five years would be a reasonable estimate of the benefit value. Both of these data should be easily available from ERS. The benefit value multiplied by the probability would yield the expected value of the death benefits. This figure, the expected value of death benefits to survivors of non-contributory members is needed to

measure both the potential benefits and costs of any policy change.

Similarly, the expected value of the exclusive spouse pension under the contributory plan can be calculated to evaluate the potential benefit and cost of the policy change.

Concerning the Hawaiian Home Lands Lease issue, Dr. Ghali opined that the cost to extending this benefit must be evaluated in light of the shortage of hawaiian home sites. To the extent that the Hawaiian family on the waiting list pays a rent higher than the Hawaiian homes lease rent, there is an inefficiency in the allocation of resources. He stated that data on the excess demand for Hawaiian Home Lands parcels be analyzed. The value of the Hawaiian Homes Land lease cannot be said to be a major benefit. Dr. Ghali suggested that:

To evaluate this potential benefit, one needs to know the frequency of domestic partnerships that occupy Hawaiian Homes Lands properties at this time. An opinion survey of Hawaiian community attitude towards granting the rights to domestic partners of Hawaiians in preference to there Hawaiian families would be helpful, as it will ultimately be the Hawaiian Home Lands that will make the decision regarding the extension of this benefit to domestic partners.

Dr. Ghali agreed with the prior testimony of Dr. La Croix and Professor Roth that the tax code both benefits and burdens married and unmarried couples depending on the taxable income rather than the marital status. Dr. Ghali also agreed that neither this commission nor the state legislature can modify the U.S. Internal Revenue Code. Therefore, there is no economic benefit to be gained from the IRC by creation of domestic partnerships which is not synonymous with marriage under the Code. Were domestic partners to actually marry, whether they benefit or are burdened depends on their relative incomes. Unless data show that most or all same-sex couples have greatly unequal income, Dr. Ghali agreed with Professor Roth and Dr. La Croix that there is no reason to assume a general tax benefit from marriage.

SUGGESTED INCORPORATION OF AMENDMENT TO DR. GHALI'S TESTIMONY

Key: **Bold**=original draft

Underline = LRB Staff additions

Regular type = Suggested additions by Mr. Hochberg

[ ] = LRB Staff suggesting be deleted.

Dr. Mohab Ghali, a retired professor of economics at the University of Hawaii who has studied the economy of Hawaii presented written credentials. He lives in Seattle and came to address both: (1) the major legal and economic benefits extended to married couples and not to same-sex couples; and (2) the substantial public policy to extend in part or total such benefits to same-sex couples.

Dr. Ghali contributed his book Tourism and Regional Growth (1977) to the Commission's library.

Dr. Ghali explained that he has reviewed the list of benefits submitted by Dr. La Croix and the testimony of Mr. Shimabukuro, of the Employment Retirement System. His testimony will assist the Commission by focusing on the benefits identified in those testimonies that should be pursued by the Commission. He believes only those benefits of value should be analyzed further because it costs time and money to do proper analysis.

Dr. Ghali stated that there is no such thing as just a free benefit to society. A benefit to one group, means a cost to others. As an economist his duty is to examine if the cost to society exceeds the benefit to society. In his analysis Dr. Ghali asks us to disregard all benefits with a "small expected value." It is important to determine the "expected value" of a benefit. The expected value then has to be discounted by the probability of someone taking advantage of the benefit. For example, small benefits like a tuition waiver to U.H. for my spouse has a probability of 1 in 1000 people taking advantage of it which would have an expected value of \$1.50 and discounted five years down the line would have a value of 96 cents. These type of benefits should be disregarded and are not considered in my analysis.

Commissioner Hochberg requested the following excerpt from Mr. Ghali's testimony be included in the minutes:

"Because, many of the benefits listed by Professor La Croix under his heading have very small probabilities of being used, as he correctly points out, the expected value of each benefit is small, and the sum of the discounted expected values of this group of benefits is likely to be small. While it is possible to collect data to measure the discounted expected value of these



benefits, I do not believe the magnitude of the benefits is sufficient to justify the cost of the data acquisition." (See page T-31, or page 2 of Dr. Ghali's testimony entitled "Discussion of Some Benefits Which May Accrue to Individuals From Extending Marital Benefits to Domestic Partners").

With regard to one-time benefits of marriage, he clarified that he addresses these benefits to the extent he understands these laws, stating that he is not a lawyer, he is an economist. He stated that the only area where the state favors a spouse in this area is in the case where a spouse dies without a will. Benefits in the areas of wills were not considered in his testimony either as they are only benefits if a person dies without a will.

The employees retirement system (ERS) is not a large benefit except for the contributory system and the health benefits associated with it. He commented that the health insurance impact would cost \$2,000 per new eligible person. He summarized by saying that in the two classes of retirees, some of them do not confer any official benefits. The language uses designated beneficiary except for widows of the contributory system. But the contributory system ended in 1984 and now only a small group of people can participate in that system and therefore is of little value. Dr. Ghali also clarified that the Employee Retirement System permits every member to designate anyone as the beneficiary: a spouse, domestic partner or anyone else. Thus by and large, there are not additional benefits to be realized in the ERS pension plan. The exception is an in-service death benefit in non-contributory plans which Dr. Ghali also discussed. Mr. Hochberg requested the following excerpt on this point from the Dr. Ghali's written testimony (see page T-33 & 34) be included in the minutes:

Data on the number of cases of in-service death as a percent of the total active membership over the past five years would give a reasonable estimate of the probability of the death benefits. The average payment per case of in service death over the past five years would be a reasonable estimate of the benefit value. Both of these data should be easily available from ERS. The benefit value multiplied by the probability would yield the expected value of the death benefits. This figure, the expected value of death benefits to survivors of non-contributory members is needed to measure both the potential benefits and costs of any policy change.

Similarly, the unexpected value of the exclusive spouse pension under the contributory plan can be calculated to evaluate the potential benefit and cost of the policy change.

Dr. Ghali focused on health coverage as a serious issue in the "economies of family". From an economist's point of view families make divisions of work that are economically advantageous to them. One may stay at home to work inside the home if the family economy will allow it. The family health care advantage is a subsidy. A subsidy to one group is not good, extending a subsidy to two groups is not better, it is worse. If benefits are extended to domestic partners someone has to pay for both current family health subsidies and domestic partner health [those] subsidies. Concerning the [retirement] health insurance benefits, Dr. Ghali suggested that data be collected and analyzed to determine the economic value of the benefit.

Dr. Ghali agreed with the prior testimony of Dr. La Croix and Professor Roth that the tax code both benefits and burdens married and unmarried couples depending on the taxable income rather than the marital status. Dr. Ghali also agreed that neither this commission nor the state legislature can modify the U.S. Internal Revenue Code. Therefore, he would not spend money or effort in the study of the Social Security Administration and Tax Code. [there is no economic benefit to be gained from the IRC by creation of domestic partnerships which is not synonymous with marriage under the Code.] Were domestic partners to actually marry, whether they benefit or are burdened depends on their relative incomes. Unless data show that most or all same-sex couples have greatly unequal income, Dr. Ghali agreed with Professor Roth and Dr. La Croix that there is no reason to assume a general tax benefit from marriage.

Hawaiian Home Lands leases are the last category of benefits addressed by Dr. Ghali. Concerning the Hawaiian Home Lands Lease issue, Dr. Ghali opined that the cost to extending this benefit must be evaluated in the light of the shortage of hawaiian home sites. To the extent that the Hawaiian family on the waiting list pays a rent higher than the Hawaiian homes lease rent, there is an inefficiency in the allocation of resources. He stated that data on the excess of demand for Hawaiian Homes Lands parcels be analyzed. The value of the Hawaiian Homes Land Lease cannot be said to be a major benefit. Dr. Ghali [suggested] stated in his written testimony (see page T-34) that:

To evaluate this potential benefit, one needs to know the frequency of domestic partnerships that occupy Hawaiian Homes Lands properties at this time. An opinion survey of Hawaiian community attitude towards

granting the rights to domestic partners of Hawaiians in preference to other Hawaiian families would be helpful, as it will ultimately be the Hawaiian Homes Lands that will make the decision regarding the extension of this benefit to domestic partners.

Dr. Ghali then addressed the economic effect on tourism. He agreed with Dr. La Croix with regard to his statement that Jennifer Brown's figures in the Southern California Law Review article were unreliable, but he did not agree with Dr. La Croix's analysis either. He stated that Dr. La Croix's figures were as simple as Ms. Brown's. He submitted a diagram to the Commission that illustrated steps in a distribution model. The diagram highlighted the path taken by the Brown article, jumping from a starting point to a place in the middle of the diagram that indicated Ms. Brown had failed to complete the entire analysis as outlined in the diagram. The diagram considered such factors as tourist expenses, migration and state expenditures.

Dr. Ghali submitted written testimony on the major legal and economic benefits, a written commentary on the Brown article, and written testimony on the economic effects of same-sex marriage on tourism in Hawaii.

Mr. Hochberg asked Dr. La Croix if he could estimate a range of the upper and lower estimate numbers he spoke of in his testimony. Dr. La Croix did not. Mr. Hochberg tried to clarify if the overall net income to the economy is \$127 million. Dr. La Croix explained that the \$127 million is not a net figure, it does not include crowding out and other items. He stated the numbers may be unreliable because the State does not have an econometric model, but it is the conclusion of Dr. Mak and Dr. La Croix that "yes, there are net benefits to the Hawaii economy." Dr. Ghali did not agree there is a net benefit, stating that without the econometric model he could not say.

REMAINDER OF THE THE ORIGINAL PARTIAL LIST OF REQUESTED CHANGES TO MINUTES OF OCTOBER 11, 1995 COMMISSION MEETING that found either redundant or could find no reference either on tape or in the written testimony.

[Moheb Ghali, one of the economists who testified before the Commission, explained that to determine the economic value of any particular benefit, one must first determine the "Expected Value" and then discount that value by the probability of someone taking advantage of the benefit under consideration. Where an expected value of some benefit might be worth \$500 to a person who actually takes advantage of the benefit is say 1 in a 1000 chance, the expected value of that benefit is only \$.50 ( $\$500 \times .001$ ). The probability of use of a particular benefit is further reduced where the benefit requires special status before it becomes available to the general public. For instance, where a benefit derives from status as a professor at the University of Hawaii, then the likelihood of someone taking advantage of that benefit is equal to the ratio of the number of U.H. professors to the population at large.

Dr. Ghali also explained that most of the benefits addressed by Dr. La Croix, the other economist that testified at the commission, concern estate planning techniques or contract rights available to married people by virtue of their status as husband and wife. However, all of those benefits, with the exception of the marital deduction and marital elective share are available to non married people from the use of inexpensive simple will forms available in stationary stores, trusts, durable powers of attorney, living wills and other contracts are the remedies available to all unmarried people without regard to their sexual orientation. In Dr. Ghali's opinion, the data or measurement of the value of these small benefits (saving the cost of these widely used remedial measures) is not warranted in light of the cost to do the research.

[NOTE: MATERIAL WAS REMOVED AND INSERTED IN THE MINUTES]

Of the benefits listed in the LRB 15 page summary, Dr. La Croix identified only nine "benefits from Marriage with a Significant Expected Value." Of those, Dr. Ghali testified that:

[NOTE: MATERIAL WAS REMOVED AND INSERTED IN THE MINUTES]

However, Dr. Ghali agrees that three benefits addressed by Dr. La Croix merit investing the resources to research the economic value. Those benefits were: Retirement Health Insurance Benefits, Non Retirement Health Insurance, ERS Death Benefits, and Hawaiian Home Lands Leases. Dr. Ghali opined that none of

the other benefits can possibly be large enough to bear the cost of the analysis needed to determine the economic value, and therefore do not constitute major legal or economic benefits.

[NOTE: MATERIAL WAS REMOVED AND INSERTED ABOVE] The data needed should concern the average annual cost of spousal medical coverage and the estimate of the number of domestic partners expected to benefit. This information will reveal the estimated fiscal impact on the ERS and the Health Fund, and whether a general increase in employee contributions or in State tax revenues will be required to cover the additional cost.

Concerning the non retirement health insurance benefits, Dr. Ghali suggested that data be collected and analyzed concerning the average annual cost of spousal medical coverage and the estimate of the number of domestic partners expected to benefit from non retirement health insurance. This information will reveal the magnitude of the subsidy. In addition, he suggested that the Commission analyze alternative ways of funding the health insurance coverage.

Concerning the ERS Death Benefits, Dr. Ghali discussed Mr. Shimabukuro's testimony that the benefits payable upon the death-in-service of an employee are only available to the surviving spouse (until remarried) and the dependent children (until 18 years old) if the employee was under the non contributory plan. The only benefit exclusive to the spouses under the contributory plan is an additional pension. Dr. Ghali explained how to measure the economic value of this benefit:

[NOTE: MATERIAL HAS BEEN REMOVED AND INSERTED IN THE MINUTES]

TO: Pam Martin  
FROM: Tom Coleman  
DATE: November 29, 1995

*3 pages*

I am enclosing a letter written by Professor Art Leonard in reaction to the written memo I submitted to the Commission. Tom Gill, or other members of the Commission, may be interested in seeing this.

I respect Professor Leonard very much. He has written a book on sexual orientation and the law, teaches classes on the subject, and has published many law review articles. For the past several years, he has been editor and publisher of the Lesbian and Gay Law Notes, a monthly newsletter that summarizes and analyzes legal and political developments (nationally and internationally) on gay rights and aids-related issues.

In any event, I look forward to seeing the draft of the Commission's report that is being circulated for public comment.



*Attachment 5*





The New York Law School 57 Worth Street, New York, New York 10013-2960

Arthur S. Leonard, Professor of Law  
212.431.2186 Fax: 212.431.1804

November 21, 1995

Dr. Arthur Warner  
18 Ober Road  
Princeton, NJ 08540

Dear Arthur,

Thank-you for sending me a copy of Tom Coleman's article, accompanying his testimony to the Hawaii commission. He makes a very persuasive argument that I think the Hawaii Supreme Court would have to consider carefully.

The issue, of course, is whether the remaining differences between marriage and "comprehensive" domestic partnership (i.e., that d.p. would only confer rights for purposes of state law while marriage would presumably purport to confer rights also with respect to federal law and the law of other jurisdictions, whether states or foreign countries) would be outweighed by the drawbacks for the state that he describes. One must remember the other significant ruling by the Hawaii Supreme Court in Baehr v. Lewin: that because the Hawaii constitution specifies "sex" in its equal protection provision, sex is a "suspect" classification. This means the state's reason for using a sex classification in defining eligibility for marriage must be "narrowly tailored to meet a compelling interest" of the state. The question is whether the state has a compelling interest in avoiding conflict with the federal government and other states over the recognition of Hawaii same-sex marriages for purposes of federal law or the law of other states, and whether this interest could only be achieved by excluding same-sex couples from marriage. Tom is correct in observing that the Hawaii court rejected the argument that same-sex marriage could be a fundamental right, but then held that this is still a "strict scrutiny" case because of the use of a sex-based classification.

I tend to agree with Tom that comprehensive domestic partnership (i.e., domestic partnerships that carries all the rights of marriage for purposes of state law) would really give the state supreme court pause in its equal protection decision, precisely because there is serious question whether any particular state should be attempting to affect national policies through its domestic relations laws. I also tend to agree with his implicit conclusion that a court victory for the same-sex marriage forces in Hawaii would be short-lived at best; the impetus to amend the Hawaii constitution to overrule the court would be great, the reaction in Congress would likely be immediate, and I think that those who think there will be many other states that will recognize Hawaii same-sex marriages are probably living in a fantasy world.

Back in the late 1980s, I was one of the vocal advocates within Lambda's civil rights roundtable for bringing marriage litigation. Now I am much less ardent on this score, since I am convinced that the marriage issue (like, probably, the military issue) can only be resolved in the realm of politics, not adjudication. Tom's article is very convincing on the equal protection issue, giving quite a bit of food for thought, particularly on the potential litigation into which the state of Hawaii may be drawn if same-sex marriage eventuates.

Thanks for sharing this with me.

Yours,



Arthur S. Leonard



# University of Hawai'i at Mānoa

John A. Burns School of Medicine  
Department of Pediatrics  
Kapiolani Medical Center for Women and Children  
1319 Punahou Street • Honolulu, Hawai'i 96826

November 20, 1995

Thomas P. Gill, Chairperson  
Commission on Sexual Orientation  
and the Law  
Legislative Reference Bureau  
State Capitol, Room 446  
Honolulu, HI 96813

Dear Mr. Chairperson:

I would like to briefly address the two matters that were raised during my testimony to the Commission on November 8, 1995 on the impact of same-sex parents on the development of children.

Ms. Sheldon had asked for information regarding what key words were used in the literature search conducted through Kapiolani Medical Center's library. I spoke with our librarian, Pam Shigezawa, who initiated the search and she said that for the "MedLine" search she used the keywords, "homosexuality" and "gay" cross-referenced with "parent/parenting" and "family". For the PsychLit" search she used the key word "homosexual parents". Pam said she would be happy to speak to any Commission members if they have further questions about the search.

Secondly, I asked to comment on the article "Homosexuality" by R. Friedman and J. Downey which appeared in the New England Journal of Medicine (Oct. 6, 1994). I consider it an accurate statement of what is now known about the nature and origins of sexual orientation and the experience of lesbian and gay individuals and families. It also demonstrates the appropriate role of advocacy within the medical profession and the scientific literature. I have used this article frequently in the past year in my teaching of medical students and pediatric residents at the University of Hawaii, John A. Burns School of Medicine. The New England Journal of Medicine is one of the most respected journals in the medical profession. I believe the article reflects mainstream thought within the medical profession on the issue of homosexuality.

*Attachment 6*

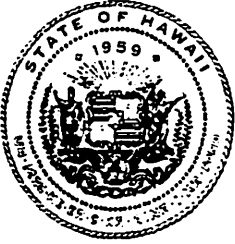
Thank you for the opportunity to address these two issues. Please let me know if you have any further matters you would like me to comment upon or help research for you.

Respectfully yours,

A handwritten signature in black ink that reads "Robert J. Bidwell, M.D." The signature is written in a cursive style with a large, stylized initial 'R'.

Robert J. Bidwell, M.D.  
Associate Professor of Pediatrics  
Director of Adolescent Medicine  
University of Hawaii  
John A. Burns School of Medicine

RJB:clr



**Commission on Sexual Orientation and the Law**  
**Legislative Reference Bureau**  
**State Capitol, Room 446**  
**Honolulu, HI 96813**

**Phone: (808) 587-0666      Facsimile: (808) 587-0681**

---

*Thomas P. Gill, Chairperson*  
*Lloyd James Hochberg, Jr.*  
*Robert H. Stauffer*

*Morgan Britt*  
*Nanci Kreidman*

*L. Ku'umeaaloha Gomes*  
*Marie A. "Toni" Sheldon*

December 1, 1995

**MEMORANDUM**

**TO:**            Members of the Public

**FROM:**        Pamela Martin  
                  Staff to Commission on Sexual Orientation and the Law

**SUBJECT:**    Untimely Filing of Notice of December 6, 1995 Meeting

Please find attached the official notice of a meeting for the Commission on Sexual Orientation and the Law. You will notice the meeting date is for December 7, 1995.

**Please be aware there will be a meeting of the Commission on Sexual Orientation and the Law on December 6, 1995, at 9:00 a.m in Room 312, State Capitol, 415 S. Beretania Street.**

The Commission will hear comments from the public relating to the Draft Final Report at the December 6, 1995 meeting.

The Sunshine Law of Hawaii (Chapter 92, Hawaii Revised Statutes) requires the filing of a notice in the Lieutenant Governor's Office at least six days before the meeting. The Legislative Reference Bureau failed to file that notice for the Commission. Fortunately, the Commission is in recess of the November 22, 1995, meeting. The November 22, 1995, meeting will reconvene on December 4, 1995, at 3:00 p.m., for the approval of minutes. The Sunshine Law allows the Commissioners to amend the agenda if two-thirds of the Commissioners agree (see §92-7, Hawaii Revised Statutes). The Commissioners feel that the media has given actual notice to the public about the December 6 meeting so can take steps to rectify the untimely notice to the Lieutenant Governor's office. In compliance with the Sunshine Law, the Commission has the opportunity to recess and reconvene on December 6, 1995, at 9:00 a.m., State Capitol, Room 312. **Therefore, the meeting that was scheduled for December 6, 1995, to hear public comments on the draft will be held as scheduled.** The meeting scheduled for December 7, 1995, in the notice attached will be to vote and finalize the draft.

*A Attachment 7*

**SUMMARY OF PUBLIC RESPONSES**

**as of 12/3/95**

**Letters Supporting the Commission's Recommendations:**

**From Organizations: 6**

**From Petitions: 26 names from 1 groups**

**From Individuals: 136**

**Letters Not Supporting the Commission's Recommendations:**

**From Organizations: 6**

**From Petitions: 1379 names from 4 groups**

**From Individuals: 61**

*Attachment 8*

FOR

**Organizations**

1st Church of Religious Science, Keaau, 96749  
\*ACLU, Honolulu 96801  
First Unitarian Church of Honolulu, 96817  
\*GLEA Foundation, Honolulu 96837  
Governor's Committee on AIDS, Honolulu 96801  
United Church of Christ

**Petitions**

Peoples Petition (Martin Rice-Kauai)  
26 names

**Individuals**

Unreadable, Honolulu 96816  
Scott Adams, Honolulu 96813  
Timothy G. Agar, Kailua 96734  
Robert Aitken, Honolulu 96816  
Wayne K. Akana, Honolulu 96825  
Alexander Aki, Hilo 96720  
Robert M.W.Y. Aki, Hilo 96720  
Sue L. Aki, Ph.D., Hilo 96720-4091  
Antarais, Kapaa 96746  
Bob Applewhite, Honolulu 96818-2798  
Angie Baker, Kurtistown, 96760  
Ruth Baldino, 524-5559  
Gary Bardsall, Honolulu 96815  
Lance Bateman, Honolulu 96822  
Tracey Bennett, Honolulu 96817  
Karen Blue, Kurtistown 96760  
Patrick W. Border, Honolulu 96817-4764  
Lynne Boyer, Honolulu 96822  
Stan Burdua, Eleele 96705  
Robert "Skip" Burns, Jr., Captain Cook 96704  
Lori A. Campbell, Mililani 96789

James F. Cartwright, Honolulu 96826  
Chanel Channing, Kanehohe 96744  
Rene M. Chinen, Mililani  
Gail Chun, Honolulu 96821  
Catherine Copeland, Pahoa 96778  
Gloria Crawford, Kaimuki 96816  
Brian R. Curll, Honolulu 96822  
Eric Dela Cruz, Waipahu 96797  
Patrick di Battista, Honolulu 96822  
Reka Domokos, Honolulu 96822  
Terri J. Echebarger, Honolulu, 96826  
H.L. Esselstyn, Kailua 96734  
Michael G. Esch, Honolulu 96819  
Todd Y. Fukuda, DMD, Honolulu 96816  
Alana Gay, Hilo 96720  
Don Gershberg, Kapaa 96746  
Jose Alfredo Gomez, Honolulu 96822  
Leslie Graham, Honolulu 96826  
Amy C. Gregg, Pepeeko 96783  
Alex Habib, Honolulu 96826  
Karla A. Henry, Kapaa 96746  
Thomas Lee Hilgers, Honolulu 96822  
Steven Ho, Kaneohe 96744  
Tom Hoffart, Honolulu 96817  
Robert John Holloway, Honolulu 96812-4202  
Jean and Grant Howard, Honolulu 96822-2850  
Milo D. Huempfer, RN, MS Nanakuli, 96792  
Tom Humphreys, Ph.D., Honolulu 96822  
Morris B. Husted, Kea'au 96749  
Adolfo Jaquez, 96815  
Terry L. Johnson, Honolulu 96826  
Nahekeapono Ka'iuwailani, Esq., Hilo 96720  
\*Nancy S. Kern, Honolulu 96821  
Len King, (see Garry Bardsall)  
Robert King (see Stan Burdua)  
Lawrence H. Klebes, Waipahu 96797  
Noa Kristi, Hilo 96720

\* indicates they plan to testify on December 6, 1995.

Barbara Lass, Hilo 96720  
Annelle Lee, Honolulu 96819  
Bryan D. Loetz, Honolulu 96816-1812  
Reno M. Long, Honolulu 96816  
Gayle F. R. Lovinger, Kailua 96734 (See. H.L. Esselstyn)  
Noland C. Lucas, Honolulu 96815  
Chuck R. Lyden, Honolulu 96815  
Kathy MacIntyre, MSW, Kaneohe 96744  
Eberhard Mann, M.D., Honolulu 96814  
Nathan Martelle, Honolulu 96822  
Jason Masagatani, Kapaa 96746  
Anthony B. Mathis, Hakalau 96720  
Lee McCaslin, Honolulu 96816  
Robin M. McInstosh, Honolulu 96819  
Jim McNaly, Kapaa 96746  
Jim Mellon, Hilo 96720  
Douglas K. Mickelson, Pepeekeo 96783  
Louis Mintag (?) no address  
Dr. Sherryl Mleynek, Hilo 96720  
Buddy Montgomery, Honolulu 96815  
Michael Molloy, Honolulu 96825  
Keiich R. Morita, Honolulu 96825  
Robert J. Morris, Esq., Honolulu 96813  
Robert B. Neale, Honolulu 96815  
Margaret Nielsen, Honolulu 96817  
Noriko Ohashi, Honolulu 96814  
Patricia O'Neill, Hilo 96720  
Bruce Oxford, Honolulu 96825  
Teresa Parsons, Kailua 96734  
J. William Potter, Honolulu, 96822  
Fred Rainville, Kapa'a 96746  
Tom Ramsey, Honolulu 96822  
Julie Rawlins, Honolulu 96815  
Susan T. Reardon, Kailua 96734  
Alison Regan, Ph.D., Honolulu 96822  
Martin Rice, (See Fred Rainville)  
Kevin M. Roddy, Kea'au 96749  
Scott Roman, Honolulu 96816  
Linda S. Rosenberg, Kailua 96734  
Rhonda Rosenberg, Kailua 96734  
Patricia A. Ross, Honolulu 96839  
Greg M. Sato, Honolulu 96813

Daron Scarborough, Honolulu 96815  
John P. Schamber, Kailua 96734  
Sharon J. Schamber, Kailua 96734  
Richard Schmidt, Honolulu 96825  
Kate Schuerch, Kurtistown 96720  
Guy B. Shepard, V, Honolulu 96816  
Joseph K. Shorba, Honolulu 96817  
Jim Slagel, Kane'ohe 96744  
Kimlynn Lee Slagel, Kane'ohe 96744  
Dale W. Spalding, Honolulu 96816-2432  
C.K. Smith, Honolulu 96813  
Andrew Thomas, Honolulu 96815-2127  
Sali Toda, Honolulu 96818  
Don Toschi, Kapaa 96746  
Michael Towler, Honolulu 96822  
Matt A. Tsukazaki, Honolulu 96813  
Michael Tucker, Honolulu 96816  
Debi Urwiler, Lihue 96766  
Milton Valmoja, Honolulu 96826  
Gordon N. Van Brunt, Kapaa 96746-9516  
Lexi Van Ells, Honolulu 96817  
Anne C. Virnig, M.D., Honolulu 96822  
George Vye, Honolulu 96815  
Allan Wang, M.D., Honolulu 96822  
Richard Wheatley, Honolulu 96813  
Laura Whitcomb, Pepeekeo 96783  
Kelly Wilson, Honolulu 96728  
Lynn Wilson, Ph.D., Honolulu 96839  
Art Wong, Honolulu 96816  
Constance T. Worland, Hilo 96720  
Ruth M. Yoshigai, Honolulu 96822-1121  
John S. Yoshigai, Honolulu 96822-1121  
Wayne S. Yoshigai, Kailua 96734



## AGAINST

### Organizations

Christian Ministry, Kahului 96732  
Church of God of Prophecy, Kaneohe 96744  
Church of the Nazarene, Ewa Beach 96706  
Matsuyama Construction Co, Kailua-Kona 96745-4181  
Stermann Realty, Haleiwa 96712  
Windward Worship Center, Kaneohe 96744

### Petitions

Karen Arincorayan, 696-4512  
20 names (11/6)  
29 names (11/7)  
First Southern Baptist Church of Pearl Harbor 96818  
24 names  
Good Shepard Lutheran Church, Honolulu 96817  
22 names (10/25)  
Great Commission Fellowship International  
22 names (8/12)  
12 names (9/13)  
50 names (9/14)  
25 names (9/15)  
50 names (9/18)  
50 names (9/21)  
67 names (9/24)  
17 names (10/5)  
18 names (10/11)  
14 names (no date)  
17 names (no date)  
25 names (no date)  
99 names (10/24)  
175 names (11/2)  
229 names (11/8)  
122 names (11/15)  
62 names (11/20) Kauai  
12 names (11/20) Oahu  
26 names (11/24)  
137 names (12/1)  
Haili Church - 54 names, Hilo 96720

### Individuals

Anonymous  
Anonymous  
John ?, 236-2931  
Unreadable signature, Kona 96740  
Alicia K. Akau, Keal. 96750  
Marilee Baumgartner 96816  
Thomas G. Bowlin, Pastor, Kaneohe 96744  
John L. Burke, Honolulu 96815  
Tina L. Cavataio, Kailua-Kona 96740  
James C.K. Chun, Honolulu 96813  
Walter Chun, Honolulu 96814-1106  
Tracey M. Cooma-Cawallio, Kailua-Kona 96745  
Concern (sic) Citizen  
Concerned Citizen  
Concerned Citizen  
R.S. Dick, Honolulu 96815  
Lori Ann Dorsey, Waipahu 96797  
Tom and Liz Dunn, New Jersey 08016  
Scott Folsum, Kailua 96734  
Howard D. Francis, Honolulu 96814-5010  
Dr. and Mrs. Alton Fujii, Honolulu 96822  
Gary M. Hanada, Kapaa 96746  
Jim Hedemark, 523-6160  
Fr. Joseph Hendricks, Makawao 96768  
Roy T. Ishizaki, Honolulu 96817  
Julian C. Johnson, Jr., Col. USAF (Ret.) 96826  
David Kawate, Lawai 96765  
Keith Kokos, Haiku 96708  
Michael Lee, Honolulu 96816  
Neil Loyola, Kailua-Kona 96740  
Patrick R& Laurie N Lucas, Kailua-Kona 96745  
Marie Lum, No address  
E.Lum, No address  
E. Lum, No address  
Mr & Mrs Willis Maeda, Honolulu 96813-1543  
G.T. Makelona, No address  
Dwight Matusyama, Kailua-Kona 96745

Tommy L. Moore, Kapolei 96707  
Maureen Monroe, Kapaa 96746  
Sally Ann M. Mow, Honolulu 96822  
Clytie Nishihara, Wailuku 96793  
S. Nishimura, Honolulu 96822  
Don Ostrem, Kihei 96753  
Susan Phillips, Kailua 96734  
Ted L. Pond, Waianae 96792  
Sheryl Robertson, Kailua 96734  
Charles E. Roseberry-Matsuzawa, Hon. 96816  
Asako Saito, No address  
Herbert C. Sharp, Honolulu 96813  
Anna Belle Smith, Kailua 96734  
Maria Smith, Kekaha 96752  
\*Pastor Mike Stangel, Haleiwa 96712  
Larry Stewart, Kapaa 96746  
Nancy Stewart, Kapaa 96746  
Mark Turansky, Waipahu 96797  
James A. Tweedie, Pastor, Mililani 96789  
\*Charles and Mary Woodard, Honolulu 96822