

Governor Lingle's HB444 Statement

After months of listening to Hawaii's citizens express to me in writing and in person their deeply held beliefs and heartfelt reasons for supporting or opposing the Civil Unions Bill, I have made the decision to veto HB 444.

I have been open and consistent in my opposition to same gender marriage and find that HB 444 is essentially marriage by another name.

However, I want to be clear that my personal opinion is not the basis for my decision against allowing this legislation to become law. Neither is my veto based on my religious beliefs or on the political impact it might have on me or anyone else of either political party in some future election.

I am vetoing this bill because I have become convinced that this issue is of such significant societal importance that it deserves to be decided directly by all the people of Hawaii.

The subject of this legislation has touched the hearts and minds of our citizens as no other social issue of our day. It would be a mistake to allow a decision of this magnitude to be made by one individual or a small group of elected officials.

And while ours is a system of representative government it also is one that recognizes that, from time to time, there are issues that require the reflection, collective wisdom and consent of the people and reserves to them the right to directly decide those matters. This is one such issue.

The legislative maneuvering that brought HB 444 to an 11th hour vote, on the final day of the session, via a suspension of the rules, after legislators lead the public to believe that the bill was dead, was wrong and unfair to the public they represent. After eight years of observing members of the Majority Party manipulate the legislative process when it suits them, I initially accepted their actions as business as usual. That was wrong too.

There has not been a bill I have contemplated more or an issue I have thought more deeply about during my nearly eight years as governor than HB 444 and the institution of marriage.

After listening to those both for and against HB 444 I have gained a new appreciation for just how deeply people of all ages and backgrounds feel on this matter, and how significantly they believe the issue will affect their lives.

Few could be unmoved by the poignant story told to me in my office by a young, Big Island man who recounted the journey he had taken to bring himself to tell his very traditional parents that he was gay. I was similarly touched by the mother who in the same office expressed anguish at the prospect of the public schools teaching her children that a same gender marriage was equivalent to their mother and father's marriage.

In addition to meeting in person with citizens of differing opinions, I have read legal memos on both sides of the issue, some urging me to veto the bill because of unintended consequences and guaranteed years of court battles while others urged support for what they consider a legally sound bill that grants long overdue civil rights.

But in the end, it wasn't the persuasiveness of public debates, the soundness of legal arguments, or the volume of letters and emails that convinced me to reach this decision. It was the depth of emotion felt by those on both sides of the issue that revealed to me how fundamental the institution of marriage is to our community. It is as fundamental to those who support marriage between two people of the same gender as it is to those who support marriage only between one man and one woman.

This is a decision that should not be made by one person sitting in her office or by members of the Majority Party behind closed doors in a legislative caucus, but by all the people of Hawaii behind the curtain of the voting booth.

As difficult as the past few weeks have been, I am comfortable with my decision while knowing full well that many will be disappointed by it.

And while some will disagree with my decision to veto this bill, I hope most will agree that the flawed process legislators used does not reflect the dignity this issue deserves, and that a vote by all the people of Hawaii is the best and fairest way to address an issue that elicits such deeply felt emotion by those both for and against.

I have done my very best to reach a reasoned decision in a manner that brings honor to the political process and that I hope a majority of people believe reflects the values of Hawaii.