

Why is the Governor Insisting on Domestic Partner Protections for Same-Sex Couples Only?

Gender-Neutral Domestic Partnership Legislation Is Supported by Religious Leaders, Labor Unions, Local Governments, Seniors' Groups, Women's Rights Advocates, Many Gay & Lesbian Groups, and a Majority of California Legislators

San Francisco was the first municipality in California to consider a bill to give legal protections and economic benefits to domestic partners. A domestic partner ordinance was passed by the Board of Supervisors in 1982.

It was vetoed by then-Mayor Diane Feinstein because no one had taken the time to study the potential fiscal effects of the bill.

The mayor then established a Mayor's Advisory Commission on Health Benefits. After several months of study, the commission issued a report to the mayor recommending that a law be passed to give domestic partner health benefits to same-sex couples only.

Feinstein rejected its proposal. The mayor said that she would not approve sexist domestic partnership legislation.

Berkeley was the first city in the state to grant domestic partner health benefits to city employees. In 1984, the city's Human Relations Commission and the City Council debated whether to limit benefits to same-sex partners or to pass a gender-neutral plan. They rejected sexism and voted to adopt a policy of inclusion.

In 1985, West Hollywood became the first city to establish a domestic partner registry. It was gender-neutral.

In the ensuing years, more than a dozen cities and counties have created registries and/or domestic partner benefits plans for municipal employees. All of these programs are gender-neutral.

A domestic partner bill was first introduced into the state Legislature in 1994. Since then, 12 bills have been debated by state legislators. All have been gender-neutral. Two of these bills passed both houses of the Legislature. They were vetoed by then-Governor Pete Wilson.

Gray Davis was Lt. Governor when Wilson vetoed AB 1059 in 1998. Davis issued a press release criticizing Wilson for the veto. AB 1059 was a gender-neutral bill supported by religious leaders from several denominations, including Catholic, Episcopal, Lutheran, Methodist, and Presbyterian.

All of the major seniors groups in California

have supported gender-neutral domestic partner bills. As their letters of support have pointed out, many older adults have good reasons for living together as domestic partners rather than marrying. Since the National Organization for Women opposes sexism, it is understandable why NOW favors gender-neutral domestic partner laws.

Many gay and lesbian rights leaders and groups have expressed support for inclusive domestic partner protections and opposition to sexist proposals that exclude opposite-sex couples.

Not one organization in the state has demanded that the Legislature limit domestic partner legislation to gay and lesbian couples. Many large businesses have adopted inclusive benefits programs and have found the added cost to be minimal.

With this strong support for gender-neutral domestic partner laws and with no one – other than Gray Davis – insisting that such laws be restricted to same-sex couples, one wonders why the Governor has suddenly decided that he will only sign a “special interest” bill rather than an inclusive one.

His solo position looks rather odd, especially considering that when he was running for Governor, Gray Davis specifically stated that he supported gender-neutral domestic partner laws and opposed any same-sex restriction in them.

Maybe if he were to reconsider the facts, the Governor might decide that discrimination on the basis of sex, marital status, and sexual orientation – which is what a same-sex only law perpetuates – is not the best policy for a diverse state as we enter the new millennium.

There are 10 million unmarried adults in California. Most of them are heterosexual.

If they are willing to assume the same family obligations as the Governor would have a same-sex couple do, then why should an opposite-sex couple not be protected by a domestic partner law? Or are the rights of single people – some 33% of the voters – not worthy of protection?

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