

CALIFORNIA SENIORS

SUPPORT

DOMESTIC PARTNERSHIP

RIGHTS & BENEFITS

**FOR ALL COUPLES,
REGARDLESS OF GENDER**

**PROPOSED LEGISLATION,
LETTERS OF SUPPORT,
POLICY STUDIES**

1994 TO 1998

**SPECTRUM INSTITUTE
FAMILY DIVERSITY PROJECT
MARCH 1998**

**Copies of this booklet
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Family Diversity Project
Post Office Box 65756
Los Angeles, CA 90065
(213) 258-8955**

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Seniors Support Domestic Partnership Protections

The Public and Religious Leaders Agree

Legislative proposals to extend basic humanitarian protections and various employment benefits to domestic partners have been debated in Sacramento for the past several years. All major seniors' groups in California have strongly supported these bills.

With backing from AARP, Older Women's League, California Senior Legislature, Gray Panthers, and the Congress of California Seniors, and other seniors' organizations, many of these bills have been favorably approved by policy and fiscal committees, and one passed both houses of the Legislature.

Unfortunately, Governor Pete Wilson has a problem with granting inheritance protections, hospital visitation rights, and conservatorship priority to unmarried couples who are living together in a non-marital family unit as domestic partners. Wilson is not only out of line with what many seniors want, he is badly out of touch with the general public.

A recent California Poll shows that 67% of the public "would favor a law granting legal recognition to domestic partners living together in a loving relationship to have family rights, such as hospital visitation rights, medical power of attorney, and conservatorship." AARP, which represents some 3 million seniors in the Golden State, has lobbied consistently for passage of such a bill.

About 59% of the public favors legislation that "would grant financial dependent status to domestic partners, whereby partners would receive benefits such as pensions, health and dental care coverage, family leave, and death benefits." More than 1,200 employers in California currently offer some or all of these benefits to workers and/or retirees. The vast majority of these plans are open to all domestic partners regardless of the gender of the partners.

The National Organization for Women "supports fair domestic partnership laws that do not discriminate based on sex." The California Labor Commissioner has ruled that plans excluding opposite-sex partners are illegal as sexual orientation discrimination.

More than 30 municipalities and school districts in California now offer health benefits to domestic partners regardless of gender. However, two public

employers have stubbornly refused to be inclusive. The University of California regents and the Oakland city council seem to be unconcerned about the impact such discrimination has on retirees and workers who live with a member of the opposite-sex.

A recent study done by the national AARP of older adults living in nontraditional households reports more than 3 million unmarried-partner households among adults of all ages in the United States. Of these, 95% are opposite-sex partner households.

The AARP study estimates more than 1.6 million older adults live either with a partner or a roommate. Among the older adults who said they are "unmarried partners," 93% are in a male-female relationships. A majority of those having a "roommate" live with a member of the opposite sex.

"Same-sex only" programs exclude the majority of domestic partners and hurt many older adults in the process. Unless seniors groups make sure their voices are heard, letting politicians know that they are a major part of the domestic partner benefits coalition, other employers may use cost as a false excuse to exclude opposite-sex partners.

Studies show that fiscal impact is minimal even when opposites-sex and same-sex partners are covered. On average, costs increase by about two percent.

Many religious leaders support the extension of benefits to domestic partners regardless of gender. The national Episcopal Church now gives such benefits to its workers. The Catholic Archbishop of San Francisco approved benefits for any member of an employee's household, whether a spouse, domestic partner, or blood relative. And 11 ministers of various faiths in Sacramento support a bill making health benefits more available to domestic partners.

With backing from most of the public, many religious leaders, and all major seniors' groups, domestic partnership protections will be available someday to all nonmarital households in California, regardless of the gender of the partners. That's how it should be.

-- Thomas F. Coleman
Spectrum Institute

“Your organization is the only one we found that has extensively documented the treatment of nontraditional families under public policy. We found the studies in which Spectrum Institute participated to be well-researched and well-written, and we relied on several of them in our research report. Please keep up the fine work you do to document and advocate for diversity in family and living arrangements.”

Letter from Deborah Chalfie

Women's Initiative

A.A.R.P. National Headquarters

March 14, 1995

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**SENIORS' GROUPS SUPPORTING
DOMESTIC PARTNERSHIP LEGISLATION**

American Association of Retired Persons
(1994: AB 2810 / 1997-98: AB 54)

Area Agency on Aging
(1997-98: AB 54)

California Commission on Aging
(1994: AB 2810 / 1995: AB 647 / 1997-98: AB 54)

California Senior Legislature
(1994: AB 2810 / 1995: AB 647 / 1997-98: AB 54)

Coalition of California Seniors
(1994: SB 2061, AB 2810)

Congress of California Seniors
(1994: AB 2810 / 1995: AB 647 / 1997-98: AB 427, AB 54, AB 1059)

Gray Panthers
(1994: AB 2810 / 1995: AB 647)

Triple-A Council of California
(1994: AB 2810 / 1995: AB 647 / 1997-98: AB 54)

Older Women's League
(1994: AB 2810 / 1995: AB 647 / 1996: AB 3332 / 1997-98: AB 54, AB 1059)

What Seniors' Groups Have Said About Domestic Partnership Proposals

American Association of Retired Persons

“The AARP State Legislative Committee, representing over 3 million members in California, voted to support AB 54 (Murray), as introduced December 2, 1996; an act relating to domestic partnership; registration and termination. . . .

“This is an issue of importance to the senior community due to the large number of senior citizens who gain companionship, security, and independence by living with a partner, but choose not to marry due to laws and regulations governing Social Security benefits, pensions, and family obligations.”

Older Women's League of California

“The Older Women's League is pleased to be able to respond to your request for support for AB 54 . . . [M]any seniors find a domestic partnership the only alternative to deal with establishing a permanent relationship with another senior. Some seniors are widowed and their social security would be cut if they remarried . . . We also have women who find joining with another woman preferable to living alone for both social and economic reasons.

. . .

“We are concerned with older men and women who need a close support system to take care of such matters as hospital visitation and conservatorships. We believe that a domestic partnership would be a great advantage to such people.”

California Commission on Aging

“Over 145,000 older and disabled persons in California are living together and are unmarried (1994 - California Department of Finance). . . . Creating a statewide registry for domestic partners will provide enhanced emotional and economic security for many of California's seniors. Registration will also provide for hospital visitation rights when a partner becomes ill, conservatorship rights if a partner becomes incapacitated, and the transfer of property to the surviving partner.” “[AB 54] is an important bill to seniors.”

Area Agency on Aging

“[AB 54] regards the rights of domestic partners. Older persons are clearly one of the prime beneficiaries of this bill. As you may know, some older persons live together to avoid financial penalties imposed by retirement pensions for married couples. This in no way decreases their commitment to each other but does simplify their lives.

“We believe that this bill presents a realistic view of today’s family and indeed promotes the value of family. It would also give domestic partners conservatorship rights and a domestic partner option on the official State Will form.”

California Senior Legislature

“The California Senior Legislature (CSL) supports AB 2810 . . . relating to domestic partnerships. Recognizing domestic partnerships and providing various benefits for those partners, acknowledges what many older people have already discovered. Senior citizens have long been aware of the benefits of cohabitation and mutual dependence (whether financial,, emotional, physical or otherwise) in order to improve the quality of their lives.”

Congress of California Seniors

“The legislative committee of the Congress of California Seniors unanimously adopted a support position on AB 2810. . . This bill would allow rights given to other relationships to be extended to domestic partners. This legislation is right and is long overdue.”

Gray Panthers

“We are writing in support of your Assembly Bills, AB 2810 and AB 2811. The provisions in these bills recognize changing lifestyles and a sensitivity to those changes. Too frequently, we have found, that when a significant other is hospitalized, it is not possible to be there to comfort. Your measure would assure that other than blood relatives have a right to be at the bedside of a sick or dying friend.

“Although some of the issues are marred by unfeeling and intolerant persons, we believe that it is time to acknowledge alternatives in living. Civilized society must advance and throw off prejudices which are unfitting in the modern world.”

Excerpts from
FIELD POLL
Done in February 1997
asking 1,045 California adults
questions about domestic partnership rights

- Two thirds (67%) of the public would favor a law granting legal recognition to domestic partners living together in a loving relationship to have such family rights, such as hospital visitation rights, medical power of attorney and conservatorship.
- Almost six in ten (59%) would grant financial dependence status to domestic partners, whereby partners would receive benefits such as pensions, health and dental care coverage, family leave and death benefits.
- However, only a 38% minority would approve of a law that would permit homosexuals to marry members of their own sex and to have regular marriage laws apply to them. A majority (56%) disapproves of such a law and 6% have no opinion.
- The public is almost evenly divided (49% in favor and 43% opposed) on the question of whether there should be legislation which would mandate that California not recognize same-sex marriages performed legally in other states.



Table 1

Grant Legal Recognition to Domestic Partners in Areas of Family Rights, Such as Hospital Visitation Rights, Medical Power of Attorney and Conservatorship?

	Favor	Oppose	No Opinion
STATEWIDE	67%	24	9
PARTY IDENTIFICATION			
Democrats	72%	19	9
Republicans	64%	29	7
Other	61%	24	15
GENDER			
Men	67%	25	8
Women	68%	22	10
RELIGION			
Protestant/Christian	65%	28	7
Roman Catholic	62%	23	15
Other Religions	80%	14	6
No Religious Preference	81%	16	3

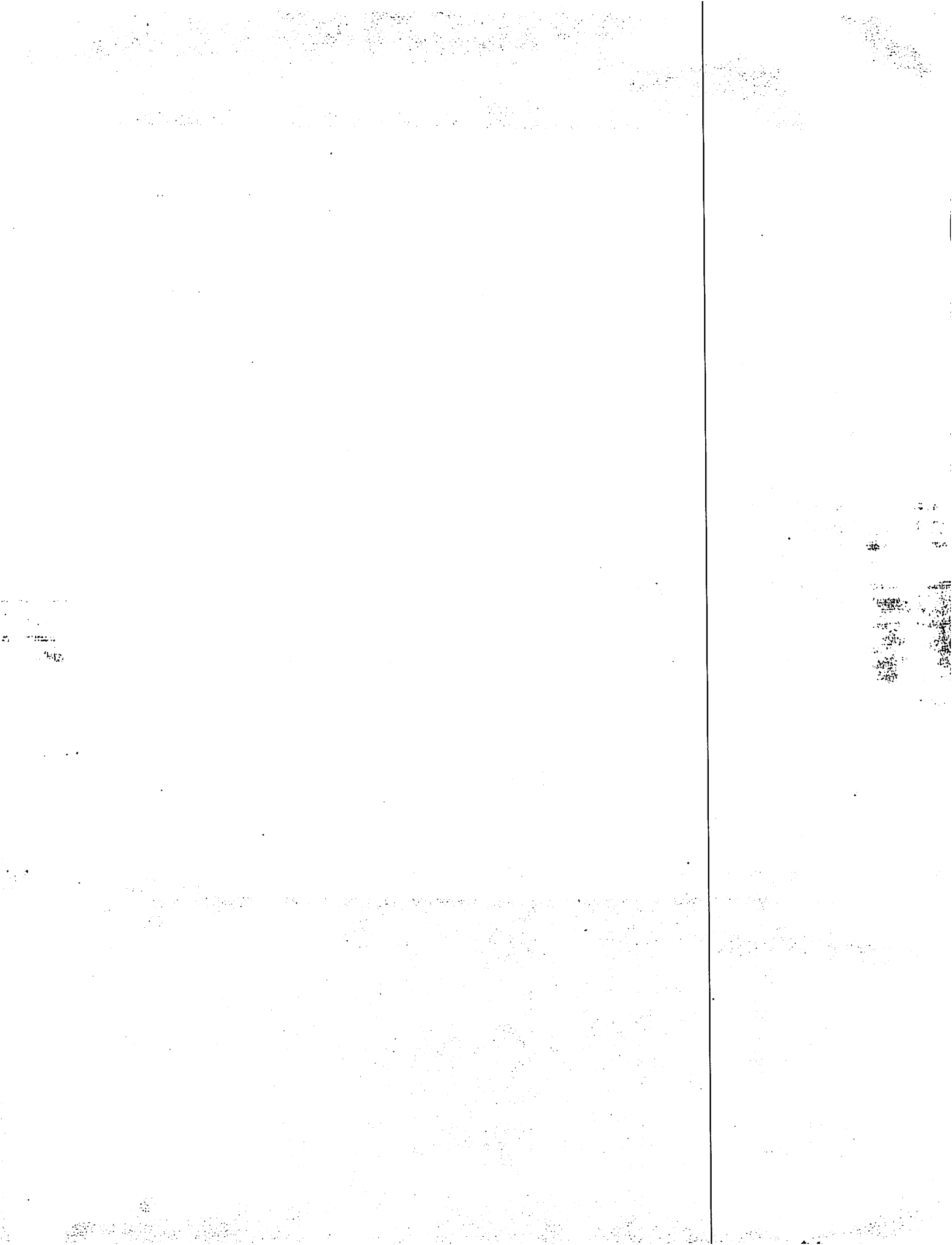


Table 2

Grant Financial Dependence Status to Domestic Partners to Receive Benefits Such as Pensions, Health, and Dental Care Coverage, Family leave and Death Benefits

	Favor	Oppose	No Opinion
STATEWIDE	59%	35	6
PARTY IDENTIFICATION			
Democrat	68%	27	5
Republicans	47%	48	5
Other	58%	29	13
GENDER			
Men	53%	41	6
Women	64%	30	6
RELIGION			
Protestant/Christian	50%	46	4
Roman Catholic	65%	28	7
Other Religions	67%	28	5
No Religious Preference	67%	24	9





TRINITY CATHEDRAL CHURCH

2620 CAPITOL AVENUE • SACRAMENTO, CALIFORNIA 95816
(916) 446-2513 • FAX/TTY (916) 446-2589 • WEB: <http://www.trinitycathedral.org>

THE RIGHT REVEREND JERRY A. LAMB, BISHOP OF NORTHERN CALIFORNIA
THE VERY REVEREND DONALD G. BROWN, DEAN

April 10, 1997

Assembly Member Carole Migden
State Capitol
Sacramento, CA 95814
Fax: 916-324-2936

Re: AB 1059 - Support

Dear Assembly Member Migden,

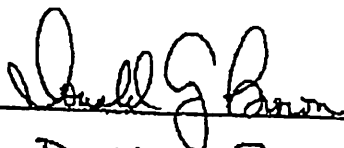
We write as members of the religious community in support of AB 1059 - Health Benefits for Domestic Partners.

We recognize that there are some individuals and groups in the community of faith who would deny health benefits to domestic partners on moral grounds. However, we represent a large number of Christians who hold another point of view on this matter.

The biblical concept of family is a much broader vision than the modern family which is characterized as husband, wife and a couple of children. The biblical concept centers around the obligation one had to one's "household." A "household" included those who were related by marriage, genetics, or through affiliation with the household (for example Genesis 36:6, "then Esau took his wives, his sons, his daughters, and all the members of his household....and moved to a land some distance from his brother Jacob.") There are close to thirty different icons of what constitutes family presented in the Hebrew and Christian Testaments.

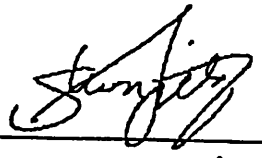
Those who are living together in domestic partnerships are certainly one icon of what it means to be a family. On these grounds, as well as on the basis of the fact that it is just and right for all in our society to have access to health insurance, we the undersigned clergy of Sacramento support AB 1059.

Sincerely,



Donald G. Brown
(Ordained)

Trinity Episcopal Cathedral
(Ordained)



Steven Fietz
(Ordained)

First Christian Church
(Ordained)

Page 2 of 2: Re: AB 1059 - Support

John P. Bingham
(Print name)
JOHN P. BINGHAM

Seminaria Community Center
(Congregation)

Carol M. Carter
(Print name)
CAROL M. CARTER
Wesley United Methodist
First United Methodist
(Congregation)

Barry F. Cavaghan
(Print name)
BARRY F. CAVAGHAN

United Campus Ministry
(Congregation)

Vincent Brady
(Print name)
VINCENT BRADY

Cathedral of the Blessed Sacrament
(Congregation)

George E. Herbert
(Print name)
GEORGE E. HERBERT

WESTMINSTER PRESBYTERIAN
(Congregation)

Jay K. Pierce
(Print name)
JAY K. PIERCE

CENTRAL United Methodist Church
(Congregation)

Catherine M. Campbell
(Print name)
Catherine M. Campbell
Hispanic Office, Episcopal Div. of No CA
La Misión Hispana el Divino Salvador
(Congregation)

George K. Meier
(Print name)
GEORGE K. MEIER

Pioneer Congregational Church
(Congregation)

Carlos Schneider
(Print name)
CARLOS SCHNEIDER

ST. JOHN'S LUTHERAN CHURCH
(Congregation)



Bishops approve benefits for partners

The House of Bishops agreed by a three-vote margin Friday afternoon to approve medical insurance for "domestic partners."

Resolution C024 authorizes the Episcopal Church Clergy and Employees' Medical Trust to include domestic partners in health-insurance plans, if a diocese so desires.

The vote followed an unsuccessful attempt by Bishop Gordon Charlton to postpone further discussion of such insurance until General Convention agrees on a definition of domestic partners.

Charlton argued that not even corporate America has yet agreed on the phrase. Lotus, for example, defines domestic partners as people who would get married if allowed to do so by law, such as homosexual couples. Meanwhile, Apple defines partners as two people sharing assets.

"All I'm asking is that we have a definition that we have agreed upon before we begin making commitments," Charlton said.

"This is not about definitions," responded Bishop Richard Shimpfky of El Camino Real. "This is about medical coverage for households that are not in full accord with marriage....I must, with apologies sir, stand in opposition."

Charlton's substitute motion failed 88-97.

The vote on C024 took three efforts. Bishop Arthur Williams, vice president of the House, first ruled that the "nays" had won a voice vote. Then the bishops stood and Williams again said the nays had won.

Bishops called for a third vote, counted by tellers, and the resolution passed 93-90.

--DLL

City and County of San Francisco

Human Rights Commission

Contract Compliance
Dispute Resolution/Fair Housing
Minority/Women/Local Business Enterprise
Lesbian Gay Bisexual Transgender & HIV Discrimination



Willie Lewis Brown, Jr.
Mayor

Marivic S. Bamba
Executive Director

Tom Coleman
P.O. Box 65756
Los Angeles, CA 90065

Dear Mr. ^{Tom} Coleman:

This letter is in response to your request for information about domestic partner benefits in San Francisco.

In the case of United Airlines, United was seeking to renew their airport lease for a 25 year period. This renewal was to occur before June 1, 1997 when the nondiscrimination in benefits portions of San Francisco Administrative Code 12B go into effect. The Board of Supervisors passed a resolution requiring any City contracts or leases signed before June 1, 1997 for a term of more than 2 years to include equal benefits for domestic partners provisions. The Board then reached an agreement with United which provided a 2 year lease without domestic equal benefits. However, when that lease expires, United will be required to have these benefits in place in order to renew their lease again. I have enclosed copies of Section 12B and of the resolution.

In the Catholic Charities case, a verbal agreement has been reached between some members of the Board of Supervisors, Mayor Brown, and Archbishop Levada. The Archbishop has agreed that Catholic Charities and other City contractors associated with the Archdiocese will allow an employee to pick any member of their household to receive benefits. There is no written agreement at this time and the Human Rights Commission has not yet approved the arrangement. However, when these contracts come up for renewal, the Commission will review them for compliance with the equal benefits provision.

I hope that this information is helpful. Copies of the Ordinances, the resolution, and other information about domestic partners is available on our web site at www.sfhumanrights.org. If I can answer any other questions, please feel free to write or call me (415-252-2510).

Sincerely,

Larry Brinkin
Coordinator

LB:LSS:lss





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Detailing domestic partner benefits

Rachel Gordon
OF THE EXAMINER STAFF

March 1, 1997

San Francisco Examiner
EXAMINER SECTIONS

Officials work out wrinkles before law takes effect

With three months left before San Francisco's domestic-partners benefits law kicks in, city officials are scrambling to fill in the blanks on just what the legislation means and how it will be implemented.

"There are a lot of questions that still need to be answered," said the Human Rights Commission's Cynthia Goldstein, who is drafting the law's implementation guidelines.

The ground-breaking law, adopted last year and set to take effect June 1, requires companies and agencies doing business with The City to provide the same benefits to workers with registered domestic partners as they do to married employees.

It requires contractors to take "reasonable" measures to assure equitable health benefits for workers with domestic partners.

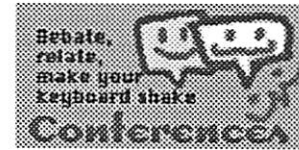
But what is reasonable? That's one question that a working group of city bureaucrats, elected officials and community leaders who pushed for the law is trying to answer.

For example, how many insurance carriers would an employer have to contact to show that it had made a reasonable attempt to secure coverage?

The draft rules also propose allowing delays for contractors to secure the benefits. City contractors could have three months to put the benefits in place, and more time could be granted by the Human Rights Commission.

ON THE GATE

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In addition, companies involved in collective bargaining would be allowed to start providing domestic partners benefits once their labor agreements expire if the unions don't sign off on them first.

The draft guidelines are intended to provide contractors with everything they need to know about the law: who it applies to, what they must do to comply, what exemptions exist, and other procedures that will help transform the law from the stage of politics to one of bureaucracy.

Once the inner circle reviews the proposed guidelines - which already are available to the public through the Human Rights Commission - another draft will be more widely distributed for additional comment. The Human Rights Commission is expected to hold a public hearing on the final proposal in April and consider it for adoption.

Despite its June 1 initiation date, the city ordinance already has ignited sparks. The Board of Supervisors recently held up a 25-year lease for United Airlines at San Francisco International Airport until the company agreed to show a good-faith effort to adopt domestic partners benefits within two years.

And Archbishop William Levada, head of the Roman Catholic Church in San Francisco, went back and forth with city officials about how Catholic-affiliated contract agencies could enact the legislation while keeping with church doctrine, which opposes even the concept of domestic partners.

In the end, the two sides struck an agreement that would allow contractors to offer workers the opportunity to designate someone in their household as a benefits recipient, whether that person be a spouse, an unmarried lover, a sibling or someone else with a bond to the employee.

The Real Golden Girls:

The Prevalence and Policy Treatment of Midlife and Older People Living in Nontraditional Households

By

Deborah Chalfie

A publication of the
Women's Initiative

Office of Special Activities
American Association of Retired Persons
601 E Street, NW • Washington, DC 20049

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3. Roommates and Unmarried Partners

According to published reports about the decennial census, there were a total of 3,187,772 unmarried partner households in the U.S. in 1990.⁶⁵ Of these, 95 percent (3,042,642) were opposite-sex partner households and 5 percent were same-sex partner households (145,130), of which 56 percent were all-male and 44 percent all-female.⁶⁶ Unfortunately, these figures are not broken out by age, and there are no figures reported for housemates/roommates, even though these data were collected.

Published reports of more recent data from the Current Population Survey are broken out by age. But because partners and roommates are combined into one response category in that survey, CPS researchers can only estimate the number of cohabiting couples, which they have chosen to do by deeming as "partners" any household consisting of two unrelated adults (with or without children), even though many of them may in fact be roommates, boarders, or live-in employees. Using this method, the 1993 CPS found an estimated total of 5,019,000 unmarried partner households of all ages.⁶⁷ In 14 percent (702,000) of these partner households,

⁶⁵ U.S. Bureau of the Census, 1990 Census of Population, 1990 CP-2-1, *Social and Economic Characteristics: United States*, Table 16, p. 16 (November 1993).

⁶⁶ *Id.*

⁶⁷ Arlene Saluter, U.S. Bureau of the Census, Current Population Reports, Series P20-478, *Marital Status and Living Arrangements: March 1993*, Table 8, p. 71 (May 1994).

the householder was between 45 and 64 years old, and in 5 percent (254,000) the householder was 65 or older.⁶⁸

CPS researchers believe that this "proxy" method has provided reasonably accurate estimates, at least of opposite-sex partner households.⁶⁹ Published CPS reports estimated there were 3,510,00 (70 percent) opposite-sex partner households in 1993⁷⁰ (a seven-fold increase since 1970⁷¹), a number close to the 3,042,642 opposite-sex partner households found in the 1990 Census. It should be noted, however, that by using this method, the CPS finds substantially more same-sex partner households than the Census did. The 1993 CPS reports there are 1,509,000 same-sex partner households,⁷² whereas the 1990 Census found only 145,130 same-sex partner households. It is likely that the 1990 Census undercounts gay and lesbian partner households. It is also likely that the CPS's "proxy" method exaggerates them, and that the real number is somewhere in between.

NUMBER OF ROOMMATES AND UNMARRIED PARTNERS

Consistent with the findings reported for the other types of nontraditional households, the following statistical estimates of midlife and older partners and roommates are based on the unpublished 1992 CPS data. As noted earlier in the discussion of methodology, however, the CPS does not differentiate between partners and roommates; they are combined into one response category. Separate partner and roommate estimates were obtained, therefore, by applying differentiated percentages found in the 1990 Census to the total number of midlife and older partner/roommates found in the CPS.

Accordingly, over a million and a half (1,609,589) midlife and older persons live in 969,786 partner/roommate households. This number represents about 17 percent of all midlife and older persons who live in nontraditional households, but only 2 percent of all midlife and older persons as a group. An estimated 55 percent (885,274) live with a partner (in 543,080 households), 44 percent (708,219) live with roommates (in 417,008 households), and one percent (16,096) live with both partners and roommates. (See Table 6.) Most (72 percent, or 702,224) midlife and older partner/roommate households contain only two persons.

⁶⁸ *Id.*

⁶⁹ *See, id.*, pp. vii-viii.

⁷⁰ *Id.*, Table 8, p. 71.

⁷¹ *Id.*, Table D, p. ix.

⁷² *Id.*, Table 8, p. 71.

Table 6
Estimate of Midlife and Older (45+)
Partners and Roommates

(N=1,609,589 persons)

Percentages	
Partners	55%
Same-sex	7
Women	52
Men	48
Opposite-sex	93
Roommate	
Same-sex	49
Women	56
Men	44
Opposite-sex	51
Both	
	1%

Source: Unpublished data, 1992 Current Population Survey

Of those midlife and older people who live with roommates, roughly half (51 percent, or 361,192) have roommates of the opposite sex and half (49 percent, or 347,027) have roommates of the same sex. Of the latter, an estimated 193,151 are midlife and older women living with women roommates, like the *Golden Girls* on television.

Partner households are overwhelmingly composed of opposite-sex partners. Of those midlife and older people who live with partners, 93 percent (823,305) live with partners of the opposite sex and 7 percent (61,969) live with partners of the same sex. Of the midlife and older persons with same-sex partners, a little more than half (52 percent, or 32,192) are women with women partners and 48 percent (29,777) are men with men partners.

AGE

The vast majority of midlife and older persons living in partner/roommate households are midlife aged. (See Table 7.) More than half (54 percent, or 864,011) are age 45-54 and another 25 percent (405,415) are age 55-64; the rest, 21 percent (340,163) are 65 or older. The average age of midlife and older persons in partner/roommate households is 56 (the median age is 53), making them the youngest household type among midlife and older nontraditional households.

Table 7
Demographic Characteristics of Midlife and Older (45+)
Partners/Roommates
(N=1,609,589 persons)

Characteristic	Percentage
Sex	
Women	42%
Men	58
Age	
45-64	79
45-54	54
55-64	25
65+	21
Mean Age	56
Marital Status	
Married	4
Separated	7
Divorced	51
Widowed	15
Never married	23
Race/Ethnicity	
White	78
Black	19
Asian/Pacific Islander	2
American Indian	1
Hispanic*	7
Education	
Less than high school	26
High school diploma	36
Some college	18
College degree+	20
Poverty Status	
Below poverty level	20
Near-poor (100-149% of poverty level)	13
At or above 150% of poverty level	68
Median household income	\$38,099

* People of Hispanic origin can be of any race, therefore percentages do not total 100%.

Source: Unpublished data, 1992 Current Population Survey

Midlife and older partner/roommate households are the least likely type of nontraditional household to contain children under age 18, yet 15 percent (146,853) of them do.

SEX

Few midlife and older women (2 percent) and men (3 percent) live with a partner or roommates. Fifty-eight percent (936,972) of the 45+ persons in partner/roommate households are men and 42 percent (672,618) are women. Moreover, three-fourths of all midlife and older partner/roommate households are mixed-sex households, 11 percent (110,461) are all-female, and 14 percent (131,594) are all-male.

MARITAL STATUS

The vast majority of midlife and older persons living in partner/roommate households are either divorced (51 percent) or never married (23 percent). Fifteen percent are widowed. Further, divorced and widowed men 45 and older are far more likely than divorced and widowed women this age to live with a partner or roommate. Sixteen percent (492,703) of all divorced men 45 and older live in a partner/roommate household, compared to only 7 percent (323,148) of all divorced midlife and older women. Similarly, 4 percent of all widowed men 45+ and one percent of all widowed women 45+ live with a partner or roommate. Eleven percent (232,602) of all midlife and older never-married men and 7 percent (135,051) of all midlife and older never-married women live with a partner or roommate.

RACE AND ETHNICITY

Midlife and older partner/roommate households are most likely to be white: 78 percent of these households are all-white, 15 percent are all-black, and 5 percent contain a mix of races; 5 percent are all-Hispanic. Of those midlife and older persons who live in nontraditional households, equal proportions (about 18 percent) of whites, blacks, and American Indians live with a partner or roommate. Persons of Hispanic and Asian descent, on the other hand, are noticeably less likely to live with a partner or roommate.

EDUCATION

Midlife and older persons in partner/roommate households are the best-educated of all types of nontraditional households studied, and they are as well-educated as their counterparts in traditional households. Twenty percent (325,501) of

midlife and older partners/roommates have a college degree or higher and another 18 percent (291,266) have at least some college. Only 26 percent (418,436) did not finish high school.

INCOME

Consistent with their higher levels of education, partner/roommate households are fairly well-off financially. Their income distribution approximates that of midlife and older traditional households; only extended family households appear better off. Midlife and older partner/roommates have a median household income of more than \$38,000. Still, one-fifth (20 percent, or 315,035) of midlife and older partner/roommates are poor, and another 13 percent (202,931) are near-poor.

PLACE OF RESIDENCE

Compared to traditional households, midlife and older partner/roommate households are significantly more likely to be located in the West and significantly less likely to be located in the South or Midwest. For instance, 29 percent of midlife and older partner/roommate households are in the West, compared to only 20 percent of traditional households. In addition, midlife and older partner/roommate households are significantly less likely than other kinds of nontraditional households to be found in small towns. Only 18 percent of all midlife and older partner/roommate households are located in areas with populations under 100,000.



National Organization for Women, Inc.

1000 16th Street, NW, Suite 700, Washington, DC 20036-5705 (202) 331-0066 FAX (202) 785-8576

September 17, 1997

Mr. Lloyd Rigler
Lawrence E. Deutsch Foundation
P.O. Box 828
Burbank, CA 91503-0828

SEP 25 1997

Dear Mr. Rigler:

Thank you for your letter regarding domestic partnership. Let me assure you that NOW supports fair domestic partnership laws that do not discriminate based on sex. Our very successful Women-Friendly Workplace campaign includes a call for employers to eliminate all discrimination in the workplace -- including discrimination based on marital or family status.

Thank you very much for the Spectrum Institute materials. Please have Mr. Coleman call the NOW office so that we can make time to meet with him. He also should feel free to forward any additional materials to my office.

For your information, I have enclosed some information on NOW's Women-Friendly Workplace campaign. Please help us further our work on these important employment issues by signing the pledge and joining the campaign. I have also enclosed a membership application so that you might join NOW. (If you are already a member, please pass it on to a supportive friend.)

Again, thank you for the materials and your letter. Thanks also for your ongoing support of NOW and the feminist movement.

Yours for NOW,

Patricia Ireland
President

Enclosures



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Money

ONE COUPLE'S FINANCES: WHY SENIORS DON'T MARRY

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An estimated 370,000 men and women over 65 live together. one reason so many stay single is that marriage can erode the financial security that seniors like Hilde Waring, 74, and Marvin Goldman, 72, depend on in retirement. The Bronx couple (below), both widowed, file separate returns and keep more after tax than if they combined their incomes. "Some years ago I might have gotten married," Waring says, "but certain things have changed my mind, mainly Social Security and taxes." Details:

-- SOCIAL SECURITY. Two singles living together can each have an income of \$25,000 before their benefits are subject to tax. A married couple filing jointly is limited to \$32,000. Social Security pays Goldman about \$6,000 a year, whereas Waring receives a larger amount, plus income from a trust set up by her late husband. Marriage would result in more of their benefits being taxed.

-- PENSIONS. Remarriage can mean you forfeit your deceased spouse's benefits. Unmarried partners receive no survivor benefits, but the retiree can take a lump-sum distribution and buy an annuity with a survivor benefit for the partner.

-- HOME OWNERSHIP. Homeowners over 55 have a one-time capital-gains exclusion up to \$125,000 on the profit from a house sale. But marry someone who has already taken it, and you'll forgo yours unless you divorce or become widowed.

-- MEDICAID. Though eligibility rules vary by state, a married couple may have to deplete a significant portion of their jointly owned assets before Medicaid will pay for long-term nursing-home care for the sick spouse. The assets of the healthy partner of an unmarried couple are not counted in the eligibility criteria. The only exception is property you transfer to your partner in the three-year period prior to applying for Medicaid and after entering a nursing home.

For more information about the finances of unmarried couples of any age and sex, check out The Living Together Kit (Nolo, \$24.95).

--Roberta Kirwan

ROBERTA KIRWAN, ONE COUPLE'S FINANCES: WHY SENIORS DON'T MARRY., Money, 07-01-1995, pp 100.

High Cost of Living Is Pushing Florida Seniors to Share a Roof

By Jonathan P. Decker

In a tiny one-bedroom apartment just a block away from the beach, octogenarians Martin Silverman and Paula Clark plan to live their remaining years together.

He does the food shopping and runs the errands. She does the cooking and cleans their rooms crammed with momentos from previous lives in the Northeast.

The couple met four years ago at a Miami Beach senior center and soon decided to share a roof.

"It wasn't love or anything like that," says Mrs. Clark, a widow who was married more than 50 years to the same man. "Our relationship is strictly platonic. We moved in out of simple economics: It's cheaper to live with a roommate."

The phenomenon of seniors living together may conjure up images of the "Golden Girls," the popular 1980s television sit-com. But it's not just women or couples sharing quarters. Half of all couples living together are "golden guys," according to one study.

Unmarried couples older than 45 are the fastest growing type of household both in Florida and across the nation, says a new report from the US Census Bureau. If Medicare reforms boost premiums, tighter personal finances may accelerate the trend of seniors sharing quarters, notes one researcher.

Already, their numbers have quadrupled since 1980 to 1.2 million people nationwide.

In Florida, where nearly 1 in 4 people is over age 60, about 50,000 seniors have chosen to spend their golden years together. "It's a major cultural phenomenon, and it could drastically transform elderly care in the future," says Larry Polivka, director of the Florida Policy Center on Aging at the University of South Florida in Tampa.

"As more older people live together and care for one another, it may even reduce the need for nursing homes."

Nationally, most seniors sharing quarters live in the South. And south Florida, in particular, with its large elderly population, has become a proving ground for this type of living arrangement.

Some seniors do it to save money. Others do it for platonic companionship. Still others give the same reason that some of their children and grandchildren use: They love each other, but are not quite ready for marriage.

But even those who want a legal union often say they can't afford it.

Glenn Daniels and Lynn Martell have lived together in Hallandale for the past three years. They have wrestled with the moral challenges of what they call "living in sin."

(continued on next page)

Each divorced, the two have considered marriage, but so far have discarded the option. It's not for a lack of commitment, but rather a reduction in income.

"We live mostly on welfare and disability payments," says Mr. Daniels, who used to own an appliance-repair business in the Midwest. "Under the federal guidelines, if we were to get married, our payments would be reduced."

"Marriage, no matter how much I believe in it as an institution, is just not economically feasible."

But even those who choose to live together and remain unmarried often face legal and financial challenges.

While many insurance companies and employers have begun to make their plans available to same-sex couples, no plans exist for the "elderly senior roommate" demographic group.

Couples like Daniels and Mrs. Martell also don't have the right to decide medical treatment for each other at most hospitals because of the lack of a lineal or matrimonial relationship. For that same reason, they are often denied medical visitation rights in some circumstances.

"It's also not clear whether federal housing and discrimination laws cover them," says Joyce Winslow, a spokeswoman for the American Association of Retired Persons (AARP) in Washington. Elderly couples who want to purchase a home together, for example, often run into obstacles.

"Mortgage lenders tend to shun group homes, and there's very little that can be done about it legally," says Ms. Winslow at the AARP.

With unmarried elderly couples growing in numbers daily and with baby boomers fast approaching their golden years, the AARP has taken up their cause.

A study on the subject was recently completed for the national elderly group, and its findings have been made available to federal, state, and local governments.

One of the AARP findings is that while many people may think of a couple like Daniels and Martell when discussing elderly roommates, "golden guys" actually make up 50 percent of these nontraditional households.

"For elderly males living as roommates, the medical care problems are magnified," Winslow says. "Very few hospitals will allow one best friend to make an important medical decision for another friend."

While the government, insurance companies, and hospitals decide what legal status should be given to unmarried couples older than 45, this fast growing demographic group shows no signs of slowing down. In fact, the pace may quicken.

"In Florida, where the proposed changes to Medicare would affect nearly 1 of 5 residents, more seniors will be forced to live together out of economic necessity," says Mr. Polivka. "The higher premiums and deductibles for recipients that are envisioned by Congress may make living alone a hardship for many retirees."

* * *



Why Get Married?

More couples find "living in sin" a good family value

About 3.5 million unmarried opposite-sex couples are living together in the United States today, up from 2 million a decade ago. If you think this is merely an explosion of passionate anti-authoritarianism, guess again: Many of the couples who are joining the boom may simply be making a sound fiscal decision.

Some observers link the widespread acceptance of cohabitation with recognition that the economics of marriage are often unfavorable. To begin with, there's a 50 percent chance that a marriage will fail, and divorce is expensive. Beyond that, tax laws and other government policies -- in a country that says it wants strong families -- may actually be discouraging marriage.

It's well known that the poor are often victims of tax and government-benefit marriage penalties. When marriage reduces welfare eligibility, many decide against it. In addition, as Joseph Spiers notes in *Fortune* (July 11, 1994), married low-wage workers may be at an income-tax disadvantage. For example, the standard deduction and Earned Income Tax Credit are often lower for working couples than for two singles. Spiers concludes that "the task of welfare reform might get easier if government first removes this disincentive to build stable families."

The problem persists higher up on the economic ladder, too. In *Forbes* (May 22, 1995), Janet Novack describes tax penalties that affect well-to-do couples, including income taxes higher than singles pay and business expense ceilings that don't double for marrieds. "[Had] Congress set about to create a tax code to encourage people to avoid marriage, it could scarcely have done a better job," says Novack. She concludes: "We hate to say it, but if you are a prosperous person contemplating marriage with a well-heeled partner, maybe you should forget the ceremony and just move in together."

Middle-aged couples of more modest means face another hurdle if either partner is divorced or widowed and has college-age children. Colleges routinely include stepparents' income in calculating whether a student will receive financial aid and, if so, how much. This forces potential stepparents to take on burdensome responsibilities for children who are not their own, and it may result in the denial of aid. Divorced parents have to decide between remarriage and their children's education.

In the American Association of Retired Persons magazine *Modern Maturity* (May/June 1995), Linda Stern describes the various marriage and remarriage penalties that threaten older people: Social Security earnings limits, capital gains exclusions on home sales, and Medicaid eligibility limits, for example. As a result, unmarried couples quietly move in together and enjoy companionship, while long-married couples sometimes divorce in order to avoid financial disaster.

Are these penalties causing cohabitation? It's impossible to say for sure, but the fact that older

couples are an important part of the boom suggests a connection. "The Census Bureau estimates that the percentage of cohabiting unmarried couples has doubled since 1980, and older couples are keeping pace," writes Stern. "In 1993 some 416,000 couples reported that they were unmarried, living together, and over 45. That compares with 228,000 who fit the description in 1980." And in the *New York Times* (July 6, 1995), Jennifer Steinhauer reports on the research of Professor Larry Bumpass of the University of Wisconsin, who found that the biggest increase in couples choosing to live together was not among twentysomethings, but among people over 35. Bumpass found that 49 percent of his subjects between 35 and 39 are living with someone, up from 34 percent in the late 1980s. Among people 50 to 54, the practice has doubled. Using data from his survey, Bumpass showed that only a small segment of people disapprove of cohabitation and sex outside marriage. He concluded that "the trends we have been observing are very likely to continue, with a declining emphasis on marriage."

Of course, marriage still has its advantages, beyond obvious ones like greater emotional security and social and religious approval. It can be a social welfare system, providing health insurance and retirement security to a spouse who otherwise would have none. For couples in which one person earns most of the family income, tax laws are favorable to marriage.

But overall, official economic policy makes marriage a bad option for too many people. Those who determine our income taxes, government benefits, and institutional practices must remember that marriage is an economic as well as a social arrangement. In a society in which many marriages have failed, financial security is tenuous, and living together is acceptable, we can no longer assume that the institution of marriage will survive the burdens it has carried in the past. Moving toward marriage-neutral tax and benefit policies would, in the long run, lay a better foundation for true family values.

-- Andrea Martin



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Love and Money, Senior Style

By Melynda Dovel Wilcox

For many in the social security set, matrimony is out, pragmatism is in.

More and more older couples are finding a way to have their cake and eat it too--as long as it's not wedding cake. They are widows and widowers living lives that many people of their generation might once have condemned: **living with a partner of the opposite sex** before marriage and, in fact, with no intention of ever tying the knot.

If the thought of your father or your grandmother cohabiting confounds you, consider this: Nearly 900,000 midlife and older people are doing it, according to the American Association of Retired Persons.

These couples are not thumbing their noses at long-established customs or trying to aggravate their kids in an act of revenge. By striking a compromise between love and money, they're able to hang on to survivor benefits, pay less in taxes and protect themselves against long-term-care expenses.

When both seniors bring substantial sums of money to the partnership, cohabitation also sidesteps issues of commingling assets that could muddle plans to pass on an estate to children from a previous marriage. Such problems can be avoided by older couples who remarry, of course, perhaps with a prenuptial agreement. "But some couples may not want a prenuptial agreement because they don't want to reveal to each other what they're worth," says Martha Priddy Patterson, author of *The Working Woman's Guide to Retirement Planning* (Prentice Hall) and director of employee-benefits policy and analysis at KPMG Peat Marwick.

Beyond possible financial disincentives to matrimony, there's also less stigma attached to living together than there used to be. "Mature adults are highly practical," says Helen Dennis, a lecturer at the Andrus Gerontology Center at the University of Southern California. "They're less concerned about what the neighbors think."

Holding on to survivor benefits

Ironically, some couples who would prefer to be married rule out a trip down the aisle because they mistakenly think it would cost them social security or pension benefits. The notion that older people who remarry will lose social security benefits that are based on a deceased spouse's work record is "one of those myths that never die," says Tom Margenau, a spokesman for the Social Security Administration.

Widows and widowers age 60 and older may remarry and still collect benefits on their deceased spouse's record. In many cases, a widow's survivor benefit (equal to her deceased husband's full benefit) is higher than a spousal benefit (50% of the new husband's amount) or payments based on her own work record.

Survivor benefits don't start until you're 60, unless you're disabled. And if you remarry before that age, you can't collect based on your late spouse's record. But if your second spouse dies, you can claim benefits based on the first spouse's work record if the checks would be bigger.

You needn't worry that checks from a private pension will be endangered, either. Federal law does not permit a plan to cut off a surviving spouse's benefit because he or she remarries. Nor is a former employer allowed to yank away your pension if it discovers you're living with someone, as many older couples fear. "The law doesn't allow 'bad boy' clauses," says Patterson.

Company 401(k) and other retirement plans are also safe if you remarry. If your first spouse named you as beneficiary, then you'll receive the plan balance regardless of whether you remarry.

The threat of losing retirement benefits *can* be a roadblock to marriage for widows and widowers whose spouses worked for the government or the military. Federal and military plans suspend pension benefits if surviving spouses remarry before age 55. After that age, your benefits are safe. Some police and firefighters' plans, however, cut off benefits if a survivor remarries at any age.

The health care conundrum

While survivor benefits are usually safe, saying "I do" can be very costly if it means the end of retiree medical benefits that surviving spouses often receive. In fact, remarriage could result in a double whammy--not only would you lose the benefit, but also you might be shut out of coverage elsewhere, especially if you have one or more of those notorious "preexisting conditions."

"I get medical, dental, eyeglass and prescription coverage for life if I don't remarry," says a widow in upstate New York who lives with a widower and asked not to be identified. Because she's not old enough to qualify for medicare, such comprehensive medical coverage "is a big-ticket item," she says. "You can't put a monetary value on that."

Unlike pension plans, employers can change the provisions of retiree medical plans any time they want to, and it's not illegal for them to deny benefits to a survivor who remarries.

One California couple was so torn between the practical advantages of living together and the desire to make their union legal that they told friends and family they had eloped, when they really hadn't. The woman has a heart condition requiring \$3,000 worth of medication a year--a bill paid by a medical plan that would end if she remarried.

That may work in California, which, like most states, does not recognize common-law marriages. But 14 states--Alabama, Colorado, Georgia, Idaho, Iowa, Kansas, Montana, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas and Utah--as well as the District of Columbia consider you to be married, even in the absence of a license or ceremony, if your intent is to be treated as a married couple and you hold yourselves out to the community as married.

If you live in one of those states, you may want to draw up a document that states clearly that you do not want to be considered married. You should also be careful not to introduce yourselves publicly as husband and wife or do other things that could show intent, such as signing a hotel register as "Mr. and Mrs."

Paying for long-term care

Ira Wiesner of Sarasota, Fla., a lawyer who specializes in elder law, says that the specter of catastrophic health care costs is the number-one reason more older couples are avoiding marriage these days. In a marriage, both individuals' assets could be devoured by nursing-home or other long-term-care costs before the federal medicaid program would kick in. But unmarried, the healthy partner's assets can remain untouched while the other partner's resources are depleted.

"Because assets of one spouse are assumed to be at the disposal of the other, nontraditional households are treated more favorably when it comes to medicaid," says Deborah Chalfie, senior program specialist for AARP's Women's Initiative Program.

For older couples who want to marry and still protect their assets, Wiesner recommends a premarital agreement that requires each spouse to purchase long-term-care insurance. "If you're concerned about long-term-care needs," he says, "you should ask the other partner to buy insurance so that your assets and income won't be jeopardized."

A health-related disadvantage for unmarried partners is that they may have no voice in deciding what kind of care their partner receives and under what circumstances. If you don't formally appoint--in writing--your companion as your health care agent or proxy, medical professionals will consult your next of kin, even if they live far away.

Estate plans that stay in place

Don't be shocked if your children or grandchildren are supportive of your plan to live with someone without benefit of clergy. In her research of older couples who live together, Rebecca Gronvold Hatch, a demographer and gerontologist with Kaiser Permanente in California, has found that "adult children would rather have their parent cohabit than remarry, to preserve the inheritance they feel is rightfully theirs."

A carefully drawn will or living trust can ensure that assets go to the children of a first marriage rather than to a new spouse. But many older couples elect to live together rather than go to the trouble and expense of drawing up new estate plans as a married couple.

But choosing to live together doesn't get you off the hook for estate planning. If you haven't done the proper planning, your estate could be entangled in a dispute between a longtime companion and your children or other relatives, warns lawyer Geraldine Champion of San Luis Obispo, Cal. The surest solution is to make it absolutely clear, in writing, in a will or prenuptial agreement what your children and your live-in partner will receive when you die.

Often one partner comes to the relationship with significantly more assets and wants to take care of the other partner. That's fine, but again be sure to put everything in writing. "The longer you wait and the older you are when you put your intentions in writing, the more your attorney needs to put in safeguards to prevent lawsuits," adds Champion, who serves on the board of the National Academy of Elder Law Attorneys.

For example, when Champion is working with an older client who has a new spouse or a live-in partner and children from a previous marriage, she has two doctors certify that her client is mentally

competent to sign the documents.

Uncle Sam says stay single

The same "marriage-tax penalty" that strikes younger couples also comes into play for older couples, particularly if their incomes are roughly the same. For example, two taxpayers with \$24,000 each of taxable income will pay about \$1,000 more in federal income tax if they are married and file a joint return than if they remain single.

The marriage penalty is more pronounced at higher income levels. But if your incomes are widely disparate, marriage can often produce a smaller tax bill.

Seniors face an extra marriage-tax penalty when it comes to figuring out how much of their social security benefits is taxable. Two single people can each have up to \$25,000 in *provisional income* (that's adjusted gross income plus tax-exempt interest plus 50% of social security benefits) before any benefits are taxed. A married couple can have a combined income of only \$32,000 before a portion of their social security benefits is taxed.

And there's a tax incentive for older homeowners to stay single: If you marry someone who has already taken advantage of the break that lets you escape the tax on the first \$125,000 of profit from the sale of a home, you forfeit the opportunity to use the tax break yourself.

The joys of not owning a home

If you've sold your home, the drawbacks of buying property together as an unmarried couple can make renting look pretty attractive.

You could choose to hold property together as *joint tenants*, so the surviving co-owner automatically inherits the property when the other owner dies. The other option is *tenancy in common*, which offers no right of survivorship. In the first case, you could not leave your share of the house to your children. In the second, if you left your share to your kids, they'd wind up being co-owners with your partner. Is that what you want?

For the upstate New York couple, the best arrangement was for him to move into her house. They agreed on an amount that he would pay each month to share household expenses. Some couples split expenses in proportion to their income.

Whether you buy, rent or merely move in, you should have a durable power of attorney giving someone close to you authority to handle your financial affairs (such as selling property) if you become incapacitated.

For more information about buying or renting a home and other legal aspects of living together, consult *The Living Together Kit* (Nolo Press, \$24.95; 800-992-6656).

Reporter: Stacy Stover

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MAR 20 1997

Bringing lifetimes of experience and leadership to serve all generations.

March 18, 1997

CALIFORNIA STATE OFFICE
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Hon. Martha M. Escutia, Chair
Assembly Judiciary Committee
State Capitol Building, Room 3146
Sacramento, CA 95814

STATE LEGISLATIVE
COMMITTEE

Re: AB 54 (Murray)

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Ernest Ayala, Vice Chair
Jean Richardson, Secretary
Karen Raasch, Coordinator,
Capital City Task Force
Mary Tucker, Past Chair
Malcolm Tucker, State Coordinator
AARP/VOTE, ex officio

Dear Assemblymember Escutia:

The AARP State Legislative Committee, representing over 3 million members in California, voted to support AB 54 (Murray), as introduced December 2, 1996; an act relating to domestic partnership: registration and termination.

Members
Jean Carpenter
Walter Coombs
Al Gross
Margaret Helton
Clyde Hosteter
Ewalker James
Raymond Kaldenbach
James Knowles
Julia Lee
Zos Ann Murray
Rose Oliver
Lloyd Poff
Eleanor Patton
Mary Roberts
Dwain Treadwell
Cliff Wanamaker

This bill would aid, strengthen, protect, and promote committed family relationships by extending, to unmarried couples, a limited number of rights and privileges enjoyed by married couples. We stress and support the bill's limitations which require applicants for domestic partnership registration to comply with a strict set of qualifications and provides registered domestic partners with a list of rights, specifically the right for hospital visitation, the right to be appointed a conservator for their partner, and probate-related rights. The bill provides for the registry to be fee driven, thereby adding no costs to the state or taxpayers.

This is an issue of importance to the senior community due to the large number of senior citizens who gain companionship, security, and independence by living with a partner, but choose not to marry due to laws and regulations governing Social Security benefits, pensions, and family obligations.

Should you have any questions or wish further details on our position, please contact Dwain Treadwell, AARP State Legislative Committee member at (916) 823-1146; or Helen Savage, AARP Legislative Representative, at the AARP California State Office (916) 446-2277.

Capital City Task Force
Eddi Benjamins
Rita Brandeis
Gene Cartwright
Charlene Drennon
Gerald McDaniel
William Powers
Everett Roasch
Bill Wiedner
Eva Williams

Sincerely,

Jack Philp, Chair
AARP California State Legislative Committee

Staff
Helen Savage
Ralph Clouse

cc: Members, Assembly Judiciary Committee
Dwain Treadwell, Member, State Legislative Committee
Helen Savage, State Legislative Representative



WL - CA

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Corrine Reiter

Carmel

February 28, 1997

The Honorable Kevin Murray
State Capitol
Sacramento, CA 95814

Dear Assembly Member Murray:

The Older Women's League is pleased to be able to respond to your request for support for AB 54. We supported Assembly Member Katz domestic partnership bill in 1994 because many seniors find a domestic partnership the only alternative to deal with establishing a permanent relationship with another senior. Some seniors are widowed and their social security would be cut if they remarried, that social security which is often providing a minimum income. We also have women who find joining households with another woman preferable to living alone for both social and economic reasons.

There is also the matter of two heterosexual adults who do not want to be encumbered by the legalities of marriage for purely economic reasons. Each party may wish to have his/her money left to their respective children in the event of death and not be involved in the financial obligations of marriage.

We realize this issue is often equated with sexual relationships and we do not want to be the judge on such matters. We are concerned with older men and women who need a close support system to take care of such matters as hospital visitation and conservatorships. We believe that a domestic partnership would be a great advantage to such people. We are grateful that you have taken up the issue which Assembly Member Katz worked so hard to complete.

Yours truly,

Betty Perry
Betty Perry

Research and Education Coordinator
Older Women's League of California

COMMISSION ON AGING

1020 9TH STREET, ROOM 260
 SACRAMENTO, CA 95814
 (916) 322-5630
 FAX (916) 327-1859



MAR 11 1997

March 10, 1997

The Honorable Kevin Murray
 Member of the Assembly
 State Capitol, Room 4126
 Sacramento, California 95814

Dear Assemblyman Murray:

The California Commission on Aging (CCoA), the California Senior Legislature (CSL), and the Triple-A Council of California (TACC) are pleased to lend their continued support for the Domestic Partnership Act, as introduced by you in AB 54.

This is an important bill to seniors. The bill would extend various rights and privileges enjoyed by married couples to unmarried couples. A large number of senior citizens gain companionship, security, and independence by living with a partner, but cannot afford to marry due to laws and regulations governing social security and pensions.

Over 145,000 older and disabled persons in California are living together and are unmarried (1994 - California Department of Finance). For older or disabled persons receiving Social Security, the Social Security Administration (SSA) rule is to reduce by 50% one recipient's allocation if they marry. This is the primary reason why many older persons refrain from re-marrying. It is difficult enough to make ends meet on a senior citizens' fixed retirement income without incurring additional financial burdens imposed by the SSA's income restrictions.

Creating a statewide registry for domestic partners will provide enhanced emotional and economic security for many of California's seniors. Registration will also provide for hospital visitation rights when a partner becomes ill, conservatorship rights if a partner becomes incapacitated, and the transfer of property to the surviving partner.

If you have any questions, please contact John T. Kehoe, Executive Director, or Peggy H. Shuchter, Government Affairs Coordinator, at (916) 322-5630.

Sincerely,

John McCune, Chair
 California Commission on Aging

John Kumbera, Chair
 Joint Rules Committee
 California Senior Legislature

Brenda B. Ross, Ed.D
 President
 Triple-A Council of California