

# Singles Rights Advocate

*Newsletter of the Singles Rights Lobby for Unmarried Adults and Domestic Partners*

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## Our Civil Rights Agenda

### Ending Marital Status Discrimination in the New Millennium

According to the most recent data from the Census Bureau, about 80 million unmarried adults live in the United States. Some 25 million singles live alone, while the rest live with a roommate, a domestic partner, a parent, a child, or with other relatives.

Although we are 40% of all adults, are more than a third of all voters, hold jobs, and pay taxes, we do not get the respect we deserve.

Some 21 states violate the privacy rights of consenting adults with laws regulating our bedroom behavior. Ten states make it a crime for a man and woman to live together out of wedlock. Nine states criminalize sexual intercourse in private. In 17 states, oral sex is a crime, with four of these jurisdictions outlawing only same-sex activity. These laws must be repealed. The government should respect our privacy.

Although single people and unmarried couples face discrimination in housing, employment, business practices, and government policies, federal law does not outlaw marital status discrimination. Congress needs to be educated.

All states have civil rights laws prohibiting discrimination on the basis of race and religion. A large majority also prohibit sex discrimination. But among the 50 states, marital status discrimination is forbidden by only 19 states for employment and by 22 states for housing. Legislators in all 50 states should be made to understand that it is wrong for businesses to make decisions based on group stereotypes rather than individual merit.

Civil rights laws in every state should prohibit marital status discrimination by businesses or by the government in its policies and programs.

About 44 municipalities give domestic partner health benefits to local government employees. Ten of these employers only give the benefits to same-sex domestic partners. Opposite-sex couples are told they must marry in order to get equal benefits. Such marital status discrimination must end. *All* unmarried partners should be eligible for such health benefits.

Many judges show disrespect for unmarried couples. Some refer to our relationships as "meretricious," an old legal term that pertains to prostitution. Other call them "illicit relations." A few refer to a female partner as a "concubine." Judicial name calling must stop. Terms such as "life partner" or "unmarried couple" or "domestic partners" would do just fine.

Lawmakers and judges often stigmatize children born to unmarried parents. Statutes in 13 states refer to such children as "bastards" and several other states label them as "illegitimate children." In 37 states, it is the judges who call the children "illegitimate." "Children born to unmarried parents" is an appropriate phrase.

The agenda is broad but the message is simple. Single people have dignity and deserve respect. But little will change until unmarried adults get involved. Join AASP and support Singles Rights Lobby. We make marital status discrimination a top priority.

visit our website → [www.singlesrights.org](http://www.singlesrights.org)

## Whether State Civil Rights Laws Prohibit "Marital Status" Discrimination

State	Employment	Housing	Insurance	Credit	Other
Alabama	no	no	no	no	
Alaska	yes	yes	no	yes	
Arizona	no	no	mortgage only	no	violence shelters
Arkansas	no	no	no	yes	
California	yes	yes	some lines	yes	
Colorado	no	yes	no	yes	
Connecticut	yes	yes	no	yes	
Delaware	yes	yes	no	no	
Florida	yes	no	no	yes	club membership
Georgia	no	no	no	no	
Hawaii	yes	yes	no	yes	
Idaho	no	no	no	no	
Illinois	yes	yes	no	yes	
Indiana	teachers only	no	no	no	
Iowa	no	no	no	no	
Kansas	no	no	yes	no	
Kentucky	no	no	no	no	
Louisiana	no	no	no	yes	
Maine	no	no	no	yes	
Maryland	yes	yes	no	yes	
Massachusetts	no	yes	no	no	
Michigan	yes	yes	no	yes	
Minnesota	yes	yes	no	yes	
Mississippi	no	no	no	no	

<b>State</b>	<b>Employment</b>	<b>Housing</b>	<b>Insurance</b>	<b>Credit</b>	<b>Other</b>
Missouri	no	no	yes	yes	
Montana	yes	yes	group plans	yes	
Nebraska	yes	yes	no	no	
Nevada	no	no	no	yes	
New Hampshire	yes	yes	some lines	no	
New Jersey	yes	yes	no	yes	
New Mexico	no	no	no	no	
New York	yes	yes	no	yes	
North Carolina	no	no	no	yes	
North Dakota	yes	yes	no	yes	
Ohio	no	no	no	yes	
Oklahoma	no	no	no	yes	
Oregon	yes	yes	no	no	
Pennsylvania	no	no	yes	no	
Rhode Island	no	yes	no	yes	
South Carolina	no	no	no	no	
South Dakota	no	no	no	no	
Tennessee	no	no	no	yes	
Texas	no	no	no	no	
Utah	no	no	no	no	
Vermont	no	yes	no	yes	
Virginia	no	no	no	yes	
Washington	yes	yes	some	no	
West Virginia	no	no	no	no	
Wisconsin	yes	yes	no	yes	
Wyoming	no	no	no	no	
<b>Total states with protections</b>	<b>19 yes, 1 teachers only</b>	<b>22 yes</b>	<b>3 yes, 5 some lines</b>	<b>27 yes</b>	<b>2 some areas</b>

## Most States Unjustly Stigmatize Children Born to Unmarried Parents

State	Statutes referring to such children as “bastards”	Statutes referring to such children as “illegitimate”	Judges referring to such children as “illegitimate”
Alabama	§ 26-11-1		1998 Ala. LEXIS 192
Arkansas	Const. amendment #67	§ 5-26-411	971 S.W.2d 263, 265
California			78 Cal.Rptr.2d 335, 347
Colorado			962 P.2d 339, 341
Connecticut			710 A.2d 1297, 1320
Delaware	10 Del. C. § 5117		
Florida			1999 Fla.App. LEXIS 10064
Georgia			510 S.E.2d 823
Illinois			701 N.E.2d 1147, 1150
Indiana			689 N.E.2d 1265, 1268
Iowa			591 N.W.2d 182, 188
Kansas			923 P.2d 1044
Kentucky			965 S.W.2d 836, 839
Louisiana	§ C. C. Art. 238		715 So.2d 483, 487
Maine	14 M.R.S. § 711		
Maryland			728 A.2d 743, 753
Massachusetts			711 N.E.2d 886, 890
Michigan			573 N.W.2d 291
Minnesota			1997 Min.App. LEXIS 1397
Mississippi	Chapter 9	§ 91-1-15	718 So.2d 1091
Missouri			959 S.W. 944
Montana			883 P.2d 1246, 1249, 1255
Nebraska			546 N.W.2d 61, 65-66
Nevada			889 P.2d 823, 828-829, 832
New Mexico			959 P.2d 540, 547

State	Statutes referring to such children as “bastards”	Statutes referring to such children as “illegitimate”	Judges referring to such children as “illegitimate”
New Jersey	Title 9, ch.17, art.2; 37:1-5	Title 9, subtitle 4	703 A.2d 901, 923-924
New York			692 N.Y.S.2d 569
North Carolina	Chapter 49	Chapter 49, Art. 1	505 S.E.2d 277
Ohio		§ 2919.21	1998 Ohio App. LEXIS 5044
Oklahoma	Title 21, § 53		942P.2d 235, 238
Rhode Island	§ 9-18-16		
South Carolina		§ 20-1-60	498 S.E.2d 885
South Dakota		§ 25-6-1	569 N.W.2d 29, 33
Tennessee	§ 8-21-701 / § 16-16-114		1998 Miss. LEXIS 460
Texas			1997 Tex.App. LEXIS 4654
Utah			945 P.2d 113, 117
Vermont	12 V.S.A. § 1695 & § 3482		
Virginia			1995 Va. App. LEXIS 560
Washington		§ 41.26.030	969 P.2d 113, 114-118
West Virginia	§ 42-1-5		511 S.E.2d 720, 797-800
Wyoming			923 P.2d 758, 763-765

## Some Relevant Quotes

**From the Pennsylvania Superior Ct. in *Miscovich v. Miscovich* (1997) 455 Pa. Super. 437, fn. 2:**

“Throughout history, illegitimate children were precluded from, among other legal rights, entering certain professions. The Book of Deuteronomy states: ‘A bastard shall not enter into the congregation of the Lord; even to this tenth generation shall he not enter into the congregation of the Lord.’ Duet. 23:2. At common law, a child born out of wedlock, referred to as a bastard, was considered a non-person and was not entitled to support from the father or inheritance from either parent. 1 W. Blackstone, Commentaries 459; *Davis v. Houston*, 2 Yeates 280 (1878).”

**From Louisiana’s Civil Code, Article. 238:**

“Illegitimate children generally speaking, belong to no family, and have no relations; accordingly they are not submitted to the paternal authority, even when they have been legally acknowledged.”

**From the Alaska Supreme Court in *B.E.B. v. B.E.B.* (1999) 979 P.2d 514, 517:**

“To be designated as an illegitimate child in preadolescence is an emotional trauma of lasting consequence.”

**From Wash. Supreme Court Judge Charles Smith in *Guard v. Beeston* (1997) 940 P.2d 642, 668:**

“I write . . . to express my concern over the perpetuation of the offensive term ‘illegitimate’ in referring to a child born to parents not married to each other. Certainly, ‘illegitimate’ is a better word than ‘bastard,’ a word common in earlier statutes and decisions. RCW 4.24.010, at issue in this case, uses the term ‘illegitimate child.’ An innocent child is still stigmatized by that reference. We have made great strides in amending statutes to remove age-old terms which are offensive in our present-day society. The legislative process can use words which convey the same meaning, but are less demeaning to children.”

## 21 States Violate the Privacy Rights of Consenting Adults

State	A crime for an unmarried man and woman to cohabit	A crime for an unmarried man and woman to have intercourse	A crime for same-sex couples to have oral or anal sex	A crime for an unmarried man and woman to have oral or anal sex	A crime for a married couple to have oral or anal sex
Alabama	no	no	yes	yes	no
Arizona	yes	no	yes	yes	yes
Arkansas	no	no	yes	no	no
Florida	yes	no	yes	yes	yes
Georgia	no	yes	no	no	no
Idaho	yes	yes	yes	yes	yes
Kansas	no	no	yes	no	no
Louisiana	no	no	yes	yes	yes
Massachusetts	no	yes	yes	yes	yes
Michigan	yes	no	yes	yes	yes
Minnesota	no	yes	yes	yes	yes
Mississippi	yes	no	yes	yes	yes
Missouri	no	no	yes	no	no
New Mexico	yes	no	no	no	no
North Carolina	yes	no	yes	yes	no
North Dakota	yes	no	yes	yes	no
Oklahoma	no	no	yes	no	no
South Carolina	no	yes	yes	yes	yes
Utah	no	yes	yes	yes	yes
Virginia	yes	yes	yes	yes	no
West Virginia	yes	yes	no	no	no
Washington DC	no	yes	no	no	no

# Letters We Have Received

## Michigan Legislature

"I would like to thank you for responding so quickly and effectively to oppose HB 4258, a repeal to civil rights protections for unmarried couples.

"As you know, HB 4258 would have legalized discrimination against any unmarried individual who is living with another unmarried person. HB 4258 would have allowed business owners to discriminate against such unmarried persons in employment, housing, public accommodations, education, and would have legalized such discrimination by government agencies as well.

"The written materials you provided . . . were extremely helpful. Your personal testimony at the committee hearing was also most enlightening. Your group played a pivotal role in defeating, at least temporarily, this draconian bill.

"On behalf of the millions of unmarried Michigan residents who would have been adversely affected by HB 4258, as well as married people who support equal rights for everyone regardless of marital status, I would like to express our gratitude to you for traveling to Michigan to help preserve the integrity of our Elliott-Larsen Civil Rights Act."

– Elizabeth S. Brater  
State Representative / 53<sup>rd</sup> District

## Equality Florida

"I am writing to thank you for your tremendous support in helping get a domestic partnership bill introduced in Florida. In particular, I want you to know how much I appreciate your expertise and willingness to communicate with Florida elected officials and media outlets. Senator Darryl Jones, the Senate sponsor of the bill was impressed by the information you supplied during our conference call and reporters have thanked me for directing them to you as a resource.

– Nadine Smith  
Executive Director / Equality Florida

## Los Angeles City Attorney

"Thank you for your March 27, 1999, letter regarding the County's Domestic Partnership Registration Ordinance.

"Your letter raised a number of important concerns which, through my staff, I conveyed to both the County Counsel handling this matter and attorneys with the Lambda Legal Defense and Education Fund who have been working closely with the County Counsel.

"As a result of your input, the domestic partnership registration form now includes a box for individuals to indicate their unmarried status.

Additionally, as you recommended, registrants will now be provided with a separate medical power of attorney form.

"I believe that the ordinance approved by the Board of Supervisors on April 6, 1999, represents an improved proposal and one which will assist domestic partners in obtaining workplace health and other benefits.

"I read with interest your article in the April 7<sup>th</sup> Daily Journal and commend you for your longstanding commitment and work on domestic partner issues."

– James K. Hahn  
Los Angeles City Attorney

## Cook County Board of Commissioners

"I would like to thank you for responding so quickly and effectively to my request for assistance.

"As you know, a 'same-sex only' domestic partner benefits proposal was placed on the agenda of the Human Rights Committee of the Cook County Board of Commissioners. I opposed the measure because I have insisted that such a benefits plan should be gender neutral and open to all employees with domestic partners regardless of whether they are same-sex or opposite-sex.

"When my staff called you for information, you provided us with a wealth of information to show that the cost of a gender-neutral plan would be minimal.

"I was pleasantly surprised that you took the time to fly to Chicago to personally testify before the committee. Your testimony was powerful and most enlightening. The other members of the committee obviously were impressed by your expertise on this issue, since their questions kept you at the witness microphone for nearly a half hour.

"Although a majority of the committee voted in favor of the same-sex only plan, several commissioners stressed that this was only a first step toward reform. These commissioners stated that they wanted to study the feasibility of eventually adopting a gender-neutral plan or even a super-inclusive plan such as that implemented by Bank of America which also includes benefits for some dependent blood relatives.

"I hope that you will hold these commissioners to their statements that this was only a first step. With follow-up communications, some commissioners might be willing to cosponsor a resolution calling for a formal study into the feasibility of expanding the new benefits plan into a gender-neutral or even broader plan so that all workers, whether married or unmarried, are treated equally when it comes to health and other benefits."

– William R. Moran  
Commissioner, 6<sup>th</sup> District  
County Board of Commissioners

# Support Singles Rights Lobby

Singles Rights Lobby is the legislative advocacy affiliate of the American Association for Single People. We are the only national organization representing the political interests of some 80 million adults in the United States who are unmarried.

We invite you to support Singles Rights Lobby and to become a member of the American Association for Single People. AASP and Singles Rights Lobby work together as a team.

AASP is a tax-exempt nonprofit which works through educational means to promote the well being and civil rights of unmarried adults and domestic partners. Donations to AASP are tax deductible.

You can become a member of AASP by making a donation of \$10 or more to AASP. Call AASP at (800) 993-AASP for a brochure and application, or you can obtain an application form on its website at [www.singlepeople.org](http://www.singlepeople.org).

Singles Rights Lobby works in the political arena, promoting and opposing legislation as well as prodding politicians and political parties to pay attention to the needs of unmarried Americans.

Although Singles Rights Lobby is a nonprofit corporation, donations to it are not tax deductible because of the political nature of our work. All participants in the organization are volunteers. We have no paid staff. Please make a donation to help defray our telephone, travel, postage, copying, and other expenses.

Please complete this form and return it with your check made payable to Singles Rights Lobby.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

My donation as indicated is enclosed:

\$10  \$25  \$50  \$100  \_\_\_\_\_

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[www.singlesrights.org](http://www.singlesrights.org)

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# Singles Rights Advocate

*Newsletter of the Singles Rights Lobby for Unmarried Adults, Couples, Parents, and Families*

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Dec. 1999 - Feb. 2000

## First in a Series on Political Parties

### "Marital Status Gap" Helps Democrats But Not Unmarried Voters

Exit polls and other sources confirm the existence of a major "marital status gap" in voting patterns over the last several national elections. As a group, married voters consistently favor Republican candidates while unmarried voters generally support Democrats.

But the back scratching is not always mutual. Although the Republican Party tends to support policies favoring married couples, the Democratic Party largely ignores unmarried voters as a specific constituency.

#### Unmarried Voters Tend to Support Democrats

MSNBC reported the results of a national exit poll conducted during the 1998 national elections. Some 67% of voters who were surveyed said they were currently married. A slight majority of them (51%) voted for a Republican congressional candidate, while 46% voted for a Democrat. Of the 33% who were unmarried, a large majority (62%) voted for a Democrat, while only 35% voted for a Republican.

The American Enterprise Institute for Public Policy Research said there has been a decrease in the so-called "gender gap" in Congressional elections, with a decline from 16 points in 1994 to 12 points in 1998. In contrast, however, the organization emphasized that "the marriage gap widened."

The group's analysis of exit poll data found that "[u]nmarried voters in 1998 preferred

Democrats to Republicans by a ratio of 60 to 38, while married voters preferred Democrats by 53 to 45."

Americans for Tax Reform also noted a shrinking "gender gap" and a widening "marriage gap," stating that "[w]hile there isn't a Republican gender gap, there is a marriage gap. Married voters vote 55-44 Republican over Democrat and unmarried voters vote 61-36 Democrat over Republican."

Other studies confirm that marital status plays an important role in voting patterns. A Los Angeles Times review of exit polls conducted during the 1996 presidential election showed that unmarried voters supported the Democratic candidate in a big way. Some 56% of unmarried voters went for Clinton, compared with 33% for Dole and 9% for Perot. A small plurality of married voters supported the Republican candidate, with 47% voting for Dole, compared with 44% for Clinton and 8% for Perot.

When the New York Times analyzed Congressional races over a 16 year period, the result was the same. Unmarried voters generally supported Democratic candidates by a wide margin.

For example, in 1998 there was a gap of 10 points in the voting patterns of unmarried men, with 55% casting ballots for Democratic candidates. Unmarried women had an even larger split, with 64% voting for Democrats and 36% for Republicans.

*(continued on page 2)*

The significance of the marital status gap in 1998 is apparent when one contrasts it with general voting patterns. That year, 51% of all voters (regardless of marital status) voted for Republicans with 49% casting ballots for Democrats in House races.

While the disparity has varied in House races from election to election over the past 16 years, the New York Times study showed rather consistently that unmarried voters tend to support Democrat candidates by a significant margin. In some elections the gap was dramatic. In 1982, for example, unmarried men favored Democrats by a 22 point spread as did unmarried women with a disparity of 30 points.

A *Global Watch Bulletin* published after the 1998 general elections by Truth in Media concluded that “[a] trend toward greater polarization of America is also evidence when it comes to voter’s marital status.” Based on voting patterns in House races over the past 18 years, the group observed that “[m]arried Americans have always preferred the GOP, but never more so than in 1998. Conversely, unmarried Americans swung further to the left.”

Family Research Council, a conservative group based in Washington, D.C. published a report in 1996 in which it claimed that “the most significant fault line in American politics may be between marrieds and unmarrieds rather than between men and women.”

A national survey conducted by the Christian Science Monitor in 1998 found that among women, “there is an enormous gap by marital status; married women narrowly favor Democratic policies (33%-31%), while unmarried women express confidence in the Democrats by an expansive 50%-22% margin.”

### **Unmarried Adults are 80 Million Strong**

Census figures show that more than 80 million unmarried adults live in the United States. Some 10 million reside in California.

In all but 10 states, more than 40% of the adult population is not married. In some states, such as Massachusetts, New York, Illinois, and

Louisiana, the *majority* of adult women are not married.

In most major cities, the *majority* of the entire adult population is unmarried.

The group of “unmarrieds” includes people who have never married, as well as those who are divorced or widowed. The family and household arrangements of this population are quite diverse.

About 25% of the nation’s households consist of single people living alone. Another 10% involve single parent families.

More than six million adults live with a roommate or domestic partner and many of them are raising children. Millions of other single adults live with a parent or with other relatives.

### **Marital Status Discrimination is Widespread**

Some 21 states violate the privacy rights of unmarried adults with laws regulating their bedroom behavior. Ten states make it a crime for a man and woman to live together out of wedlock. Nine states criminalize consensual sexual intercourse in private. Oral sex between consenting adults is a crime in 17 states.

Although government studies have documented widespread discrimination against single people and unmarried couples in housing, employment, business practices, child custody and visitation, and government policies, federal law does not outlaw marital status discrimination.

All states have civil rights laws prohibiting discrimination on the basis of race and religion. A large majority also prohibit sex discrimination. But among the 50 states, marital status discrimination is forbidden by only 19 states for employment and by 22 states for housing. Because of this gap in the law, most businesses are allowed to make decisions based on group stereotypes rather than individual merit.

Many judges show disrespect for unmarried couples. Some refer to these relationships as “meretricious,” an old legal term that pertains to prostitution. Other call them “illicit relations.” A few refer to a female domestic partner as a “concubine.”

*(continued on page 7)*

(For use by unmarried voters / Send to the candidates in your area)

## Congressional Candidate Survey on Family Diversity, Domestic Partnership, and Marital Status Discrimination

Name of Candidate \_\_\_\_\_ Party Affiliation \_\_\_\_\_

Address \_\_\_\_\_ Telephone \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

E-mail address \_\_\_\_\_ Congressional District \_\_\_\_\_

### Question about Family Diversity:

1. In a national survey done by Massachusetts Mutual Life Insurance Co., 1,200 adults were asked to select a **definition of family**. A minority (22%) selected a restrictive definition: "a group of people related by blood, marriage, or adoption." The majority (74%) selected an inclusive definition: "a group of people who love and care for each other."

Which of these definitions would you select? Please note, this question is limited to the definition of "family" and has nothing to do with changing the definition of "marriage."

A "family" is a group of people related by blood, marriage, or adoption, and I would limit benefits and protections in federal law to persons so related.

A "family" is a group of people who love and care for each other, and I would use an inclusive definition of family in federal legislation so that benefits and protections would apply to household members who function as a family unit even if they are not related by blood, marriage, or adoption.

Both of the above.

### Questions on Marital Status Discrimination:

2. There are more than 80 million unmarried adults in the United States, which means that single people are one of the largest groups in the nation. Currently, more than 40% of all adults in the United States are not married. Despite their large numbers, widespread marital status discrimination has been documented by state and local government study commissions. Please answer the following questions about your position on marital status discrimination. (Select only one answer for each category.)

#### 2(a). General Philosophy

I believe that married people deserve more rights than single people.

I believe in equal rights for all people, regardless of their marital status.

## 2(b). Housing Discrimination

Civil rights statutes in 23 states prohibit marital status discrimination in housing. The federal civil rights act, however, does not include the term "marital status" in the list of prohibited forms of discrimination.

I believe that the federal fair housing law should be amended so that "marital status" discrimination by a for-profit landlord is illegal under federal law.

I believe that "marital status" should not be added to the federal fair housing law.

## 2(c). Religious Liberties Protection Act

A few years ago, Congress passed a Religious Freedom Restoration Act. The United States Supreme Court declared that statute unconstitutional as a violation of the doctrine of separation of powers because the court concluded that Congress was trying to regulate constitutional protections which only the court can do. A new bill has been introduced, called the Religious Liberties Protection Act. Many civil liberties groups are now opposing the new bill unless it is amended so that it does not override state and local nondiscrimination laws which forbid discrimination on the basis of marital status, sexual orientation, and other areas from which "religious" for-profit business owners might seek to be exempted.

I believe that for-profit business owners should not be allowed to discriminate against tenants, employees, or consumers in the name of religion. I therefore believe that the Religious Liberties Protection Act should be amended so that it does not create an exemption from civil rights laws that regulate businesses.

I support the Religious Liberties Protection Act without any amendments.

## Questions about Domestic Partnership:

3. Some state governments, dozens of municipalities, and hundreds of private employers now provide **health, dental, and leave benefits to the domestic partners** of their employees. The term "domestic partnership" has customarily been defined as: (1) two unmarried adults; (2) living together as a family unit; (3) sharing the common necessities of life; and (4) assuming responsibility for the general welfare of each other. Some government and private employers restrict domestic partnership benefits to same-sex couples. Most allow all unmarried couples, regardless of gender, to apply for domestic partnership benefits. Groups such as the National Organization for Women, Congress of California Seniors, National Gay and Lesbian Task Force, and American Federation of Government Employees, support gender-neutral domestic partner benefits plans.

I support the extension of employment benefits to domestic partners of federal employees, but I believe that such benefits should be *limited* to same-sex couples, as a bill introduced by Senator Paul Wellstone would do if passed.

I support domestic partner benefits for federal workers, but I oppose the "same-sex only" limitation. I believe that all domestic partners should be eligible for benefits, *regardless of their gender*, as a bill introduced by Congressman Barney Frank would do if passed.

I oppose all domestic partner benefits programs.

4. Federal law discriminates against domestic partners in various ways. The following is a list of some legislative changes which could remedy this so that marital status discrimination against domestic partners would be eliminated. (Select one answer for each.)

**A. Unmarried Penalty in Taxation of Workplace Benefits as Income.**

If a worker receives health, dental, and other benefits for a spouse or child, federal law does not treat the benefits compensation as income and therefore no tax is withheld from the worker's paycheck for these benefits. However, in most cases the same benefits given to a domestic partner are treated as taxable income with tax withheld from the paycheck.

I would support legislation to make domestic partner benefits non-taxable, just as benefits for other family dependents are not taxable as income.

I agree with the current system which taxes domestic partner benefits.

**B. Unmarried Penalty in Joint Income Tax Returns.**

A married couple has the option of filing a joint income tax return if the couple so chooses. This can result in a decrease in income taxes if one spouse is a high wage earner while the other spouse has no wage income at all or has a lower wage income. Domestic partners do not currently have the option of filing a joint tax return, as each must file a separate return, therefore depriving the couple of an opportunity to reduce their tax burden by equally sharing the income as a married couple can.

I would support legislation to allow unmarried couples to file a joint federal income tax return if they were registered as domestic partners under state or local law.

I agree with the current system which treats each member of a domestic partnership as an individual and therefore does not allow them to file a joint return.

**C. Unmarried Penalty in Estate tax.**

Federal law generally does not impose an estate tax when one spouse dies and leaves his or her estate to the surviving spouse. However, if a domestic partner dies and leaves assets over \$650,000 to the surviving partner, a substantial federal estate tax is imposed and taken from the assets prior to their transfer.

I would support legislation to exempt from federal estate tax the transfer of assets to a domestic partner if the decedent and his or her partner were registered as domestic partners under a state or local domestic partnership law.

I agree with the current system which treats each member of a domestic partnership as strangers rather than family members and therefore imposes federal estate taxes when assets are transferred after a domestic partner dies.

I would abolish federal estate tax entirely so that married and unmarried people are treated alike with respect to the transfer of assets upon their death.

## **5. Local option on domestic partner benefits and protections.**

### **A. District of Columbia**

In 1993, the city council of the District of Columbia voted to establish a local registry for domestic partners. The council also voted to extend health and other employment benefits to the domestic partners of local government employees. Each year since then, Congress has used its supervisory powers over the district and has voted to prohibit the district from implementing these programs.

\_\_\_ I support local option on domestic partnership benefits and protections and believe that Congress should not intervene to prohibit such local programs.

\_\_\_ I disapprove of domestic partner programs and I believe that it is proper for Congress to prohibit the District of Columbia from implementing such a program.

### **B. San Francisco**

In 1997, the City of San Francisco amended its city contractor nondiscrimination law so that city would not do business with a company if the company discriminates against domestic partners, for example, if the company were to give benefits to employees with spouses but not to employees with domestic partners. That law has been upheld by a federal court, except for airline companies which the court exempted due to federal preemption principles. Congressman Riggs, however, introduced a bill to cut off federal housing money to San Francisco or any other city that would pass such local protections for domestic partners.

\_\_\_ I believe that in a federalism such as ours, a city should have the right to impose restrictions prohibiting the use of local taxpayer money being given to businesses which the city believes is unfairly discriminating against local citizens. I therefore believe that it is inappropriate for Congress to use the power of the "purse string" to penalize cities which may pass a city contractor nondiscrimination law prohibiting discrimination against domestic partners.

\_\_\_ I would support a measure, such as the Riggs bill, to cut off various forms of federal funding to any state or municipal government which passes a civil rights law to prohibit businesses from discriminating against local domestic partners.

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### **EXPLANATIONS:**

Please use another sheet of paper and return it to us along with this questionnaire if you would like to explain any of the answers to your questions.

Singles Rights Lobby does not endorse or oppose candidates. The results of this survey will be made available to the public so that voters are aware of the positions of candidates on these issues.

### **RETURN COMPLETED QUESTIONNAIRE TO:**

Singles Rights Lobby  
P.O. Box 65756, Los Angeles, CA 90065  
(323) 257-2277 / fax (323) 258-8099  
unmarried@earthlink.net  
www.singlesrights.org

---

Lawmakers and judges often stigmatize children born to unmarried parents. Statutes in 13 states refer to such children as “bastards” and several other states label them as “illegitimate children.” In 37 states, it is the judges who call the children “illegitimate.”

### **Democratic Party Ignores Unmarried Voters**

Politics generally involve a system in which partisan loyalty is rewarded. “Vote for me and I will help you” is the norm.

Gays and lesbians as a voting block are a classic example of how this system works. Gay voters tend to support Democrats by a wide margin and, in return, the Democratic Party pays close attention to the concerns of this constituency.

About 4% of voters surveyed in exit polls during the 1998 general elections reported they were gay, lesbian, or bisexual. While self-identified heterosexual voters were nearly evenly split (50%-49%) between Democratic and Republican candidates, gay and lesbian voters heavily favored Democrats by a margin of 64% to 35%.

Although the gay and lesbian voting block is rather small, the Democratic Party has used a variety of methods to repay this group for its loyalty.

Sexual orientation discrimination is mentioned in the national party platform and in the by-laws of the Democratic National Committee. The DNC has a specific staff member assigned to “Gay and Lesbian Outreach.” The DNC also gives domestic partner benefits to employees with same-sex partners. This year, the party is requiring that 10% of the delegates to its national convention must be reserved for openly gay or lesbian Democrats.

The way the Democratic Party treats unmarried voters – some 33% of all voters nationally – is very different. While a word search of the DNC website showed 9 hits for “sexual orientation,” the term “marital status” is not used even once on its website. Nowhere are unmarried voters mentioned as a group. No percentage of

convention delegates are being reserved for unmarried Democrats.

The Democratic Party platform does not call for an end to marital status discrimination. This omission is consistent with the employee benefits policies of the DNC which itself engages in marital status discrimination. Unmarried heterosexual employees of the DNC are required to marry in order to obtain health benefits for their partners. The party does not allow unmarried heterosexuals to participate in its domestic partner benefits program.

### **Conclusion**

The Democratic Party can continue to ignore unmarried voters as a class. The DNC can continue to exclude unmarried heterosexual employees from its domestic partner benefits program. The party platform can remain silent on the issue of marital status discrimination. But a policy of silence on the rights of unmarried Americans may backfire.

Voters often become angry when they feel betrayed by politicians they have supported. This may trigger a search for alternatives. The election of Jesse Ventura as the Governor of Minnesota is the most recent example of this dynamic in action.

Voters also can become apathetic when they feel the political system is unresponsive to their needs. Apathy may cause people to stay at home rather than go to the voting booth on election day.

As the nation gears up for the 2000 elections, it would be logical for Democrats to pay attention to *all* of their loyal constituencies. But there are no visible signs of outreach to unmarried Democrats, or a hint that unmarried voters will be mentioned on the DNC website, or that marital status discrimination will ever be included in the party’s platform.

Karma may catch up with the Democratic Party. What goes around comes around. If it continues to ignore unmarried voters and their issues, it should not be a surprise if unmarried voters begin to ignore the Democratic Party. ◇◇◇

# Support Singles Rights Lobby

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Although Singles Rights Lobby is a nonprofit corporation, donations to it are not tax deductible because of the political nature of our work. All participants in the organization are volunteers. We have no paid staff. Please make a donation to help defray our telephone, travel, postage, copying, and other expenses.

Please complete this form and return it with your check made payable to Singles Rights Lobby.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

My donation as indicated is enclosed:

\$10  \$25  \$50  \$100  \_\_\_\_\_

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[www.singlesrights.org](http://www.singlesrights.org)

**Singles Rights Lobby**

Post Office Box 65756

Los Angeles, CA 90065

(323) 257-2277



# Singles Rights Advocate

*Newsletter of the Singles Rights Lobby for unmarried adults, couples, parents, and families*

Vol. 1, No. 3

Spring Quarter

March - May 2000

## Legislation for Unmarried Couples

### Domestic Partnership Catching on in State Legislatures

San Francisco was the first place where domestic partnership legislation was introduced. The year was 1981.

The bill would have required the city to treat domestic partners in the same manner that it treated married couples – across the board. After it easily passed the Board of Supervisors, the bill was vetoed by then-mayor Diane Feinstein.

No one had examined the fiscal impact of such a sweeping measure and Feinstein said she was not about to sign a blank check. Furthermore, even though both same-sex and heterosexual couples were eligible for its protections, the bill excluded unmarried blood relatives. Feinstein found this to be unfair.

It took nearly 10 years, and two ballot votes, until more modest domestic partnership bills became law in San Francisco. Additional protections were then added on a piecemeal basis.

San Francisco now has a local registry for domestic partners, hospital visitation rights, benefits for local government workers, and a mandate that city contractors give benefits to domestic partners of their own employees. All of these protections apply equally to registered partners of the same sex or opposite sex. Unmarried blood relatives are excluded.

Today, several dozen cities throughout the nation have registries or employee benefits programs or both. Most of them are open to same and opposite-sex couples alike.

Domestic partnership remained a local political issue until 1994 when the first state-wide

bill was introduced in the California Legislature.

Two years later, domestic partnership bills were filed in the legislatures of Hawaii and New York. The senate in Hawaii passed a comprehensive domestic partnership act that year, only to see it die in the House. Bills in New York have never moved out of a policy committee.

California finally enacted a state-wide domestic partnership law last year. The new law includes a registry with the Secretary of State and the framework for extending benefits to state employees. Both systems are open to same-sex couples over 18 years of age, and heterosexual couples if both parties are at least 62 years of age.

This year has seen a flurry of bills introduced in several states, with the most visible being Vermont where lawmakers are under a court order to legalize same-sex marriage or pass a comprehensive domestic partnership law.

Bills are also pending in California, Florida, Massachusetts, New Hampshire, Rhode Island, Washington and Wisconsin. A bill with a significant number of legal protections may be introduced in New Jersey later this year.

The issue of domestic partnership is now being discussed by presidential candidates, with both contenders for the Democratic nomination jumping on the “dp” bandwagon. Republican support has mostly been limited to some state and local elected officials.

This edition of Singles Rights Advocate is devoted exclusively to domestic partnership legislation, particularly as a state legislative issue.

## Focus on Vermont

# Who's In and Who's Not

By Thomas F. Coleman

There is a major issue for the Vermont Legislature to decide as it responds to the challenge posed by the Supreme Court's decision in *Baker v. State*. In that case, the court ordered lawmakers to either legalize same-sex marriage or enact a comprehensive domestic partner law.

If the option of domestic partnership is chosen, will this become a new legal institution restricted to same-sex couples or will it be open to other unmarried adults who are willing to assume the legal and economic obligations associated with the new law?

This is an important question which deserves careful consideration, not only in Vermont but in any region of the nation where a public entity or private employer is looking at the issue of domestic partnership.

Census data reveal that unmarried couple households in the nation are 70% opposite sex and 30% same sex. Gender-neutral domestic partner benefits programs show similar results, with about two-thirds of participating employees having heterosexual relationships and one-third having homosexual relationships. Will Vermont enact a domestic partnership law which excludes the majority of domestic partners?

The concept of domestic partner benefits was introduced in Vermont many years ago with the advent of a new employee benefits program at Ben & Jerry's, the famous ice cream company. That program was, and still is, open to all domestic partners regardless of gender.

A few Vermont cities, such as Burlington and Middlebury, adopted a similar program for municipal employees. Again, a decision was made to include unmarried heterosexual couples as well as same-sex partners.

Eventually, the State of Vermont itself adopted a domestic partner benefits program for state workers. That program is also gender-neutral. Will this tradition of inclusiveness end with the passage of a sexist domestic partner law limited to same-sex couples?

It should come as no surprise that gender-neutral domestic partner programs and laws are a goal of the National Organization for Women. On January 25, 1999, Patricia Ireland, national president of NOW, wrote the following letter to the Governor of Hawaii:

"I am writing to encourage you to endorse passage of a comprehensive, gender-neutral domestic partnership act in Hawaii. I am sure you are aware that the National Organization for Women is committed to the rights of all women and believes that equal benefits should be granted to all domestic partnerships, regardless of sex or sexual orientation.

"The passage of this act will pave the way for other states to introduce and enact similar legislation. States should no longer deny same-sex partners legal benefits equivalent to marriage or force opposite-sex partners to marry to legitimize their families. Simply put, states should be in the business of supporting families, not limiting them.

"Through the passage of a gender-neutral, comprehensive domestic partnership act, families will no longer face an uncertain financial future due to catastrophic illness or death; nor will the children of domestic partners be denied coverage for their health and welfare.

"I hope that you will support the proposed legislation."

Many seniors organizations also support domestic partnership programs and laws that are open to all unmarried adults, not just gays and lesbians. For example, the American Association of Retired Persons (AARP) has instituted a gender-neutral domestic partner program for its own employees. The California Chapter of AARP lobbied for years for the passage of a statewide registry for domestic partners.

The California Congress of Seniors, which represents more than 500,000 older adults in the state, insisted that domestic partnership should be

(continued on page 3)

## **Which Way for Vermont? (continued)**

open to opposite-sex as well as same-sex couples. As a result of some hard work by Singles Rights Lobby, the new registration law which was signed by the Governor last year moved beyond a "gays only" model to include heterosexual seniors too.

Will the Vermont Legislature ignore the position of groups like NOW and AARP by excluding opposite-sex partners from the new legislation? If so, why? If unmarried heterosexual couples are willing to assume the obligations imposed by the new law, why should they not reap the "common benefits" it would afford them?

Some would argue: *"Let them get married if they want protections and benefits."*

This argument is premised on a lack of understanding as to why many heterosexual couples do not marry and instead want domestic partnership. There are a variety of economic, religious, philosophical, political, and other personal reasons why opposite-sex couples may choose domestic partnership.

If unmarried heterosexual couples are willing to assume all of the obligations of domestic partnership, which would include all of the state-law obligations of marriage, then what policy reason exists to exclude them from the domestic partner law?

Unmarried blood relatives cannot legally marry each other. So why would they be excluded from a domestic partnership law? Is there something about the sexual relationship of two men or of two women which makes a gay or lesbian relationship more valuable or worthy of protection than the relationship of two unmarried blood relatives?

Since Vermont is creating the first state-wide comprehensive domestic partnership law in the nation, why does a presumption of sexual conduct have to be built into the law? Could not domestic partnership be based on a primary-family-partner model rather than on a marriage-sexual-relationship model?

Removing the presumption of sexual conduct from domestic partnership could have helpful political consequences. Some religious opposition might be reduced by such a move.

For example, when SB 118 was amended by California Senator Tom Hayden to include any two unmarried adults who meet the criteria, the association of Catholic bishops withdrew its opposition and actually supported this domestic partnership bill.

Also, the Archbishop of San Francisco found a way to comply with the city's new nondiscrimination law which required contractors and grant beneficiaries to give the same benefits to domestic partners as they give to spouses. Catholic Charities broadened its benefits plan to allow each employee to select one adult household member for benefits, whether a spouse, a domestic partner, or a blood relative.

Several large corporations have since followed this broad and inclusive model. Bank of America was the first to create an extended family benefits program, open to a domestic partner of either sex or a dependent blood relative of the employee. That plan has been copied by Nations Bank, Bank Boston, Chase Manhattan, Merrill Lynch, and Prudential Life Insurance.

Is cost a reason to limit a new domestic partner law to same-sex couples? Studies show that costs associated with gender-neutral benefits plans are minimal with only about one percent of employees signing up. Plans that include blood relatives show an additional increase in enrollment of about four-tenths of one percent (0.4%).

One would expect that participation in a comprehensive domestic partner legal system would be even smaller, considering the wide range of obligations imposed on partners as compared with minimal obligations associated with an employee benefits plan.

An article published by the Boston Globe on February 21, 2000, suggested that gay rights advocates oppose an inclusive domestic partnership law because a gay-only law would show societal recognition of same-sex relationships. That political message, they believe, would be diluted if others are allowed to participate.

Should the Legislature adopt a "gay rights" goal as its own, or should a broader range of unmarried family relationships receive the same

(continued on page 4)

## Which Way for Vermont? (continued)

"common benefits" as gay and lesbian couples who sign up under the new law?

Besides, many gay rights leaders and organizations support inclusive and gender-neutral domestic partnership laws and programs. For example, the Log Cabin Clubs of California registered its opposition when some politicians tried to turn a gender-neutral domestic partner bill into a "gays only" measure last year.

The National Gay and Lesbian Task Force has taken a strong position favoring inclusive domestic partnership programs open to heterosexuals and same-sex couples alike.

Kerry Lobel, executive director of the Task Force released an op-ed article on May 11, 1999, in which she wrote:

"And these benefits are not limited to the [gay-lesbian-bisexual-transgendered] community; domestic partnership recognizes the importance of allowing individuals to define their own family structures for themselves, and facilitates the equal treatment of each and all. In working toward domestic partnership, we stand with our unmarried heterosexual, aging, and disabled allies, and others who may choose not to marry for a variety of reasons."

Urvashi Vaid, director of the Policy Institute of the National Gay and Lesbian Task Force was even more forceful in her defense of gender-neutral domestic partnership, stating in a letter to Spectrum Institute on October 23, 1998:

"The benefits of domestic partnership should not be restricted to gay, lesbian, bisexual and transgendered people. Instead, domestic partnership should be a vehicle through which the traditional family definitions are redefined to include a wider variety of families, including heterosexual unmarried couples. Just as discrimination based on sexual orientation is wrong, discrimination based on marital status is wrong."

The overwhelming majority of municipalities in the nation with domestic partner registries or employee health benefits programs have chosen the inclusive method by adopting gender-neutral plans. Most private-sector compa-

nies have done the same.

The international trend also is moving toward gender-neutral domestic partnership laws. Belgium's new Cohabitation Contract Law is open to any two adults, regardless of gender or blood relationship. In France, a new Contract of Civil Union law confers many of the benefits and obligations of marriage on same-sex or opposite-sex unmarried couples who register with local municipal clerks.

The federal government in Canada introduced a bill on February 11, 2000, to amend 68 federal laws to give benefits and protections to domestic partners. Unmarried same-sex couples and opposite-sex couples are treated the same in this sweeping measure.

Will Vermont join these leaders in the international community by respecting the human rights of all domestic partners regardless of the gender of the partners?

No state in this country has adopted a "gays only" domestic partnership benefits program. As mentioned above, Vermont has a gender-neutral program for state employees. Oregon and New York are also completely gender-neutral in their domestic partner employee benefits plans. California considered, and then rejected, a law limited to same-sex partners.

Within the last few months, Los Angeles and Seattle adopted city contractor nondiscrimination laws that require contractors to offer gender-neutral domestic partner benefits to their own employees. Does Vermont want to build upon a national domestic partnership system that is primarily gender-neutral or will it create a sexist model that bucks this trend of inclusivity?

These policy questions need to be addressed by the Vermont Legislature. Local gay rights advocates who favor same-sex marriage in Vermont do not seem to be asking these questions. Neither are the religious organizations which apparently oppose any reform whatsoever.

Sooner or later, each member of the Legislature must confront these questions head on. *Will domestic partnership be sexist or gender neutral? Inclusive or restrictive? Which political path will be taken in Vermont?* ◇◇◇

## Pending Bills



### Wisconsin ✓

This is the only state, other than Vermont, where a comprehensive domestic partnership bill is currently pending. AB 608 is very similar to what is being considered in Vermont.

Wisconsin also has a bill pending (AB 609) which is more limited. That bill would give domestic partner benefits to government employees.

Both bills would apply equally to same-sex and heterosexual unmarried couples.

AB 608 is sponsored by Rep. Frank Boyle, Room 221 North, State Capitol, P.O. Box 8952, Madison 53708-8952 / (608) 266-0640 / Fax (608) 266-7038 / e-mail: Rep.Boyle@legis.state.wi.us.

AB 609 is sponsored by Rep. Mark Pocan, Room 418 North, State Capitol, P.O. Box 8953, Madison 53708-8953 / (608) 266-8570 / e-mail: Rep.Pocan@legis.state.wi.us.

### Washington ✓

HB 2037 would include domestic partners as dependents in state employment benefits.

HB 2038 would grant family sick leave and bereavement leave to state workers if their domestic partner were to become ill or die.

Both bills are gender neutral and are sponsored by Rep. Edward Murray, PO Box 40600, 243 John L. O'Brien Bldg., Olympia, WA 98504-0600 / (360) 786-7826 / Fax: (206) 720-3097 / e-mail: murray\_ed@leg.wa.gov

### Rhode Island ✓

HB 5619 would give benefits to domestic partners of state employees. It applies to same and opposite-sex couples alike. The bill is sponsored by Rep. Michael Pisaturo, 6 Winthrop St. Apt. #1, Cranston, RI. 02910 / (401) 946-1905 / e-mail: rep-pisaturo@rilin.state.ri.us

### New York ✓

This state has five bills pending. AB 7463 would amend the election law to treat domestic partners the same as spouses and other close family members. The bill is sponsored by Rep. James Brennan, 826 Legislative Office Building, Albany, NY 12248 / (518) 455-5377 / e-mail: brennaj@assembly.state.ny.us

SB 2670 would allow a survivor to use his or her deceased partner's sick leave if the deceased partner is a state civil servant. SB 2745 establishes priority for the designation of persons who may control the disposition of remains of a deceased person. Both bills are sponsored by Sen. Marty Markowitz, 406 Legislative Office Building, Albany, NY 12248 / (518) 455-2431 / e-mail: Markowit@senate.state.ny.us

SB 3273 would create a state registry, prohibit discrimination against domestic partners in employment, housing, and business transactions, and require insurance companies to offer coverage to domestic partners just as they offer coverage to spouses. AB 6286 is the same as SB 3273. SB 3273 is sponsored by Sen. Eric T. Schneiderman, 517 Legislative Office Building, Albany, NY 12248 / (518) 445-2041 / e-mail: Schneide@senate.state.ny.us

All of these bills apply equally to same-sex and opposite-sex domestic partners.

### New Hampshire ✓

HB 1567 would give benefits to the domestic partners of public employees. It applies to same and opposite-sex domestic partners. The bill, which the full House has ordered further study on, is sponsored by Sen. Rick Trombley, Room 302, State House, Concord, NH 03301 / (603) 271-3043.

## Massachusetts ✓

This state has four active bills pending. All but one are gender neutral.

SB 2048 would give public employees equal benefits in the workplace. It has passed the Senate and is pending in the House. The bill was sponsored by the Senate Committee on Ways and Means. Committee chair is: Sen. Mark Montigny, Room 212, State House, Boston, MA 02133 / (617) 722-1481 / Fax: (617) 722-1068 / e-mail: Mmontign@senate.state.ma.us.

HB 3377 is similar to SB 2048. HB 308 would do the same, but only applies to same-sex couples.

HB 4947 is limited to authorizing the town of Amherst to give domestic partner benefits to its employees.

## Florida ✓

There are two bills pending in this state. Both are identical.

SB 686 and HB 29 would create a state registry for domestic partners, entitle them to hospital visitation rights, and require health insurance companies to offer domestic partner coverage on the same terms as they offer spousal coverage.

The definition of domestic partner in these bills is broader than usual in that it does not contain a blood-relative exclusion. Any two unmarried adults who meet the criteria are included in the bills.

By not excluding blood relatives, the bills remove any presumption that domestic partnership is a sexual relationship. It may be or it may not be, depending on the circumstances. The definition is similar to SB 118 in California.

HB 29 is sponsored by Representative Tracy Stafford, 128 S.E. First St., Ft. Lauderdale, FL 33301 / (954) 467-4510 / e-mail: stafford.tracy@leg.state.fl.us

SB 686 is sponsored by Senator Kendrick Meek, 18441 N.W. 2nd Avenue, Suite No. 515, Miami, FL 33169 / (305) 655-3671 / e-mail: meek.kendrick.web@leg.state.fl.us

## California ✓

There are four active bills pending in California.

SB 118, a carry-over from last year when it passed the Senate, is pending in the Assembly. It would grant extended family leave rights to domestic partners, just as they are granted now for other close family relationships. SB 118 is sponsored by Sen. Tom Hayden, 10951 W. Pico Blvd. #202, Los Angeles, CA 90064/ (310) 441-9084.

The remaining bills are new. They are tied into the state-wide registry which began operating this year. The register is limited to same-sex couples of any age over 18 and opposite-sex couples if both parties are at least 62 years of age. As a result, in their current form each of the bills listed below excludes heterosexual couples between the ages of 18 and 62.

AB 1990 would grant a domestic partner the right to make medical decisions for his or her partner if the partner is hospitalized or incapable of giving informed consent. The bill is sponsored by Gloria Romero, Room 217 State Capitol, Sacramento, CA 95814 / (916) 319-2049 / e-mail: gloria.romero@assembly.ca.gov

AB 2047 would provide inheritance rights through intestate succession (dying without a will) for domestic partners. The bill is sponsored by Darrell Steinberg, Room 2176, State Capitol, Sacramento, CA 95814 / (916) 319-2009.

AB 2211 would provide several protections, including the following: the right to decide whether to have an autopsy performed or to make funeral arrangements after the death of a partner; the right to sue for wrongful death and negligent infliction of emotional distress (by-stander liability); priority to act as a conservator of an incapacitated partner; reciprocity of registry from other jurisdictions outside of California; and would include a place for domestic partners in the statutory will form. The bill is sponsored by Assemblywoman Sheila Kuehl, State Capitol, Sacramento, CA 95814 / (916) 319-2041 / (818) 501-8991.

## Quotes on Domestic Partnership

“Legally recognized domestic partnerships carrying equal legal entitlements should be available to everyone.”

– *Abigail Van Buren*  
*Dear Abby Column*  
*May 12, 1998*

“Domestic partnership should be available to everyone – regardless of sex.”

– *Patricia Ireland*  
*President, National*  
*Organization for Women*  
*Press Release, Oct. 7, 1998*

“The Respondent, City of Oakland, is directed to remedy the violation of Labor Code Section 1102.1, by taking the following actions immediately . . . Extend the employer-paid medical insurance benefits provided to same-sex registered partners to all registered domestic partners.”

– *Jose Millan*  
*Calif. Labor Commissioner*  
*October 27, 1997*

“[Domestic partnership] 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.”

– *Jack Philip, Chair, AARP*  
*Calif. Legislative Committee*  
*March 18, 1997*

“Two thirds (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.”

– *California “Field Poll”*  
*February 1997*

“Family is defined by Americans in emotional, rather than legal or structural terms. When offered three choices, only about one in five (22%) chose to define family in a legalistic way as ‘a group of people related by blood, marriage, or adoption.’ Nearly three quarters (74%) define family as ‘a group who love and care for each other.’”

– *Mass. Mutual “American*  
*Family Values” Survey*  
*June 1989*

“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. . . . Those who are living together in domestic partnerships are certainly one icon of what is means to be a family.”

– *Joint statement issued by 11*  
*ministers in Sacramento, CA*  
*(Episcopal, Presbyterian,*  
*Lutheran, Methodist, etc.)*  
*April 10, 1997*

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Please complete this form and return it with your check made payable to *Singles Rights Lobby*.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

My donation as indicated is enclosed:

\$10  \$25  \$50  \$100  \_\_\_\_\_

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[www.singlesrights.org](http://www.singlesrights.org)

**Singles Rights Lobby**

Post Office Box 65756

Los Angeles, CA 90065

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# Singles Rights Advocate

*Newsletter of the Singles Rights Lobby for Unmarried Adults, Couples, Parents, and Families*

Vol. 1, No. 4

Summer Quarter

June - August 2000

## Second in a Series on Political Parties

### Party Moderates Offer Hope to Unmarried Republicans

Somewhere between 34 and 36 percent of the 40 million registered Republicans in the United States are unmarried. That translates into 14 million unmarried Republicans nationally.

About 18 percent of registered Republicans have never been married, while 10 percent are divorcees and another eight percent are widowed.

While a majority of unmarried voters have tended to support Democratic candidates over Republican contenders, the singles' vote should not be taken for granted.

For example, in 1994, 52 percent of unmarried men voted for Republican congressional candidates, while 39 percent of unmarried women did the same.

However, unmarried support for Republicans running for Congress is declining. In 1996 and again in 1998, only 45 percent of unmarried men voted Republican while about 36 percent of unmarried women did the same.

It may be economics that cause single people to vote for specific Republican candidates since the official position of the Republic Party is quite hostile to unmarried Americans on a variety of social and legal issues.

Singles' rights has not found its way into the GOP's platform. Many Republican leaders push so-called "traditional family values" and show favoritism for married couples. But times are changing. A new breed of Republican leadership is beginning to pay attention to single people.

For example, New York Governor

George Pataki has stressed the importance of the Republic party to be inclusive and to respect the personal privacy of consenting adults.

"We believe in individual rights and limited government, we believe in getting government out of your wallets, but why in God's name should we ever care to have government of politicians involved in anybody's bedroom," Pataki told a gathering of Republicans in 1998.

Pataki's vision of inclusion is not a hollow dream. During his tenure as governor of New York, he expanded domestic partner benefits for state workers. He also signed a rent stabilization law that prevents landlords from evicting surviving family members, including a domestic partner, when the primary tenant dies.

While many Republican leaders are heavily influenced by conservative religious forces, a growing number of officials are taking a more moderate approach to legal and social issues.

New Jersey Governor Christie Todd Whitman has authorized unmarried couples to jointly adopt children in her state. Connecticut Governor John Rowland is doing the same.

Mayor Richard Riordan of Los Angeles and Mayor Rudy Giuliani of New York have signed into law some of the most progressive domestic partnership benefits laws in the nation.

While the Democratic Party has been more favorable to singles' rights, times are changing. The GOP is reshaping itself. Single people should take part in this transformation. Speak out. Demand reform. Participate!

## **GOP: End Marriage Penalty, Increase the Marriage Bonus**

On April 27, 2000, the United States Senate failed to break an impasse over a \$248 billion Republican-backed tax cut for married couples that Democrats say is too costly and is skewed in favor of wealthy couples.

The bill would likely face a veto if it ever makes it to President Clinton's desk. Clinton has proposed more modest tax relief for working couples and some Democrats have suggested the problem could be eliminated by allowing couples the choice of filing their tax returns jointly or as single individuals.

A story published by the Christian Science Monitor on February 7, 2000, reports that under the current tax code almost an equal number of married couples gain tax bonuses as those who are penalized by marriage.

But a story published on January 31, 2000 in the Philadelphia Inquirer says more married couples gain bonuses under the current code than are penalized by it.

The article says that some 51 percent of married couples enjoy tax breaks totaling an estimated \$33 billion. The 42 percent of couples who suffer a marriage penalty pay about \$29 billion a year, according to the Congressional Budget Office.

Both the congressional GOP and White House plans unveiled in recent weeks clearly favor married couples at the expense of singles.

These plans aggravate what some call the "singles' penalty," or unfair taxation for the unmarried. Singles' penalties, already paid by more than 40 million unmarried filers in 1999, would "significantly increase" under the new tax plans, according to a report issued by the United States Treasury Department.

## **GOP: End No-Fault Divorce, Push Abstinence-Only Sex Ed**

On Valentine's Day, Republican state Rep. Jessie Dalman renewed an effort she began last year to weaken Michigan's 24-year-old no-fault divorce law. Her bills would require proof of fault – desertion, infidelity, abuse, a more than three-year prison sentence, alcoholism or drug addiction – if one spouse opposes the divorce.

If both spouses want to split, the no-fault system would remain. However, if children still live at home, the couple would first be required to get counseling and a parenting plan.

The speaker of the Michigan House, the Senate's majority leader and Gov. John Engler – all Republicans -- have endorsed her idea.

Efforts to change or repeal no-fault divorce are pending in Georgia, Idaho, Illinois, Iowa, Min-nesota, Pennsylvania, Virginia and Washington.

Republicans in Arizona and Louisiana pushed through covenant marriage laws that allow couples to sign rigid marriage contracts permitting divorce only for adultery, abuse, abandonment, imprisonment, or long separation.

Abstinence-only sex education, which promotes abstinence until marriage and ignores altogether the issue of birth control, is another hot topic with Republican legislators in many states.

In Ohio, for example, Republican lawmakers believed so strongly that abstinence is the only policy to teach kids when it comes to sex education, this year they rejected a federal grant of \$855,321 for comprehensive sex education.

The American Medical Association (AMA), the American Nurses Association (ANA), and the American Academy of Pediatrics (AAP) all support comprehensive sex education classes.



# Positions of the Republican Party on Issues Affecting Single People

## ✓ Single Parents

The Republican Party generally supports “traditional family values” which includes opposition to sex outside of marriage and unwed parenthood. Republicans in Utah enacted a law prohibiting unmarried couples from adopting children or becoming foster parents. Republicans in Congress have tried to impose a similar adoption restriction on the District of Columbia.

However, the party seems to have backed off Dan Quayle’s broad attack on single-parent families. The platform of the California Party promotes married-couple families, but adds: “We commend and support those single parents who struggle to maintain stable homes for their families.”

## ✓ Domestic Partners

A Republican-controlled Congress has for 10 years prohibited the District of Columbia from implementing its domestic partner benefits program for district employees. Governor Pete Wilson twice vetoed domestic partner legislation in California. The Pennsylvania Legislature voted to prohibit state colleges from giving such benefits to faculty. Presidential candidate George Bush opposes domestic partner benefits.

## ✓ No-Fault Divorce

Ronald Reagan signed the first no-fault divorce bill into law when he was governor of California in 1969. All 50 states now have such statutes.

Republican legislators have recently been pushing legislation in several states to modify or repeal no fault divorce laws.

## ✓ Income Taxes

Congressional Republicans want to end the marriage penalty imposed on some married couples while increasing the marriage bonus which federal income tax law gives to spouses. According to the accounting firm of Deloitte & Touche, the Republican tax plan would reduce taxes for married couples earning between \$50,000 and \$100,000 – with or without children – by 6.8% to 17.9%. Single people in the same income categories, however, would only receive a tax cut of 4.4% to 5.8%.

## ✓ Death Taxes

Single people would benefit if the Republican plan to abolish federal estate taxes ever passes. Under current law which contains a marriage exemption, there is no tax imposed for a bequest to a spouse, no matter how large it is. Transfers to anyone other than a spouse, however, can result in up to a 60% tax bite.

## ✓ Minimum Wage

Republican legislators generally oppose increases in the mandatory minimum wage. Research has shown that single workers are the ones who benefit the most from a minimum wage boost.

## ✓ Religious Discrimination

Republicans in Congress and in many states are pushing for a broad religious exemption to civil rights laws. They want business owners to be able to cite religious beliefs as legitimate grounds to discriminate against tenants or employees.

## Excerpts from the Texas Republican Party Platform

### Family

The Party supports the traditional definition of marriage as a God-ordained, legal and moral commitment only between a man and a woman, which is the foundational unit of a healthy society.

### Marriage and Divorce

We believe in the sanctity of marriage and that the integrity of this institution should be defended, protected, strengthened, and nurtured at all levels of government. No fault divorce laws have caused untold hardships on American families, by reducing their standard of living, and by harming the emotional and physical well-being of children. It has contributed to an increase in government assistance of all kinds. We call upon the Texas Legislature to rescind no-fault divorce laws. We urge the repeal of laws that place an unfair tax burden on families. We call upon Congress to remove the marriage penalty in the tax code, whereby a married couple receives a smaller standard deduction than their unmarried counterparts living together. We also oppose the recognition of and granting of benefits to people who represent themselves as domestic partners without being legally married. The primary family unit consists of those related by blood, heterosexual marriage, or adoption. The family is responsible for its own welfare, education, moral training, conduct, and property.

### Texas Sodomy Statute

The Party opposes the decriminalization of sodomy. (*Ed. Private sex of consenting adults.*)

### Minimum Wage

The Party believes the minimum wage law should be repealed.

## Some Republican Leaders Hostile to Singles Rights



### Dan Quayle

Former Vice President

Stirred up a hornet's nest when he criticized sitcom "Murphy Brown" for showing in a positive light the leading star's choice to have a baby outside of marriage.



### Pete Wilson

Former California Governor

Instituted regulations prohibiting joint adoptions by unmarried couples. Twice vetoed bills giving basic rights to domestic partners.



### John Engler

Michigan Governor

Supports the repeal of no-fault divorce laws. Does not want state universities to give domestic partnership benefits to faculty and staff.



### Jesse Helms

United States Senator

Introduced a bill (SB 682) in the Senate to make it illegal for anyone other than a married couple to adopt children from other countries. The bill would outlaw foreign adoptions by all unmarried Americans.

## Some Republicans Who Have Joined AASP

**Richard Butler**, age 63, single, bank trust officer, attorney, active in local Rep. party politics, Christian (Arkansas)

**Joel M. Fisher**, age 65, divorced, director of special projects at Hollywood Palace, former author and law professor, Episcopal (California)

**Joel Wachs**, single, Los Angeles city councilman, current mayoral candidate (California)

**Ramona A. Cortese**, age 60, single, welfare director of West Haven, CT, former justice of the peace, active in Rep. party politics (Connecticut)

**G. Thomas Sandbach**, age 53, single, former attorney for state Republican Party, practicing attorney, Catholic, political activist (Delaware)

**Dominick J. Salfi**, age 62, divorced, practicing Attorney, former circuit court judge (1970-1986), Catholic (Florida)

**Susan J. Haase**, age 58, divorced, clerk of Wheatland Township, and member of the State Republican Central Committee (Illinois)

**Charles Lee Hatfield**, age 47, single, director of Citizens for Senior Advocacy, county Republican Central Committee, Methodist (Illinois)

**Jeffrey M. Brown**, age 38, single, currently a lobbyist for state professional firefighters assn., former constable, Catholic (New Hampshire)

**Thomas A. Varrell**, age 65, divorced, currently a state legislator, served in the military, Protestant (New Hampshire)

**George D. Mariarz**, age 47, single, NY state senator, Catholic (New York)

**Robert K. Wilson**, age 71, divorced, chair of the development committee of local hospital, former Republican state party treasurer, Episcopal (Ohio)

**Earl F. Patterson**, age 70, single, city controller of Reading, PA from 1963-67, city councilman 70-73, active in Rep. party politics (Pennsylvania)

**Kathleen D. Koch**, age 51, divorced, associate counsel to President of the United States (1987-88) (Virginia)

*(The people listed above have given permission for AASP to use their names in publicity.)*

## Some Republican Leaders Supporting Singles Rights



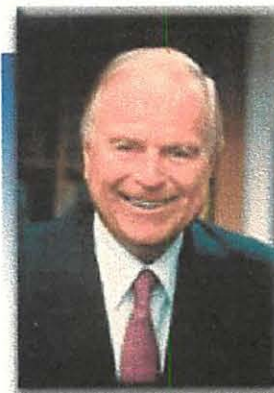
**Rudolph Giuliani**  
New York City Mayor

Signed a comprehensive domestic partnership law, so that all city laws that apply to married couples also apply to domestic partners.



**George Pataki**  
New York Governor

Extended domestic partner benefits to non-union state workers. Supported tenant survivorship rights to domestic partners. Wants an inclusive GOP.



**Richard Riordan**  
Los Angeles Mayor

Approved health and pension benefits for the domestic partners of city employees. Signed law requiring city contractors to provide same benefits to domestic partners as they do to spouses.



**John Rowland**  
Connecticut Governor

This year the Legislature passed a bill allowing unmarried adults – gay or heterosexual -- to adopt their partners' children. Rowland has promised to sign the bill into law.

# California Republicans: A Political House Divided

California law prohibits housing discrimination on the basis of marital status. In 1994, a majority of the California Supreme Court – including appointees of Republican governors – ruled that the law protected unmarried couples.

In the following legislative session, a group of Republican Assembly members introduced a bill to remove the term “marital status” from the state fair housing laws. Even though Republicans controlled the Assembly, the bill failed, with 28 yes-votes and 41 no-votes. Moderate Republicans were crucial to this defeat.

In 1998, Spectrum Institute analyzed the voting records of legislators up for reelection. Votes on bills prohibiting marital status discrimination or protecting domestic partner rights were tabulated. The results: all Republican incumbents had voted against all such bills. All Democratic incumbents had voted for all of them.

In 1998, Assemblyman Jim Cunneen was the only Republican legislator to vote in favor of

a domestic partnership bill. The bill passed by one vote. However, then-Gov. Pete Wilson, a Republican, vetoed the measure.

Lawmakers passed a bill in 1999 to create a statewide domestic partner registry with hospital visitation rights for registered couples. As the table below shows, a majority of Republican voters would support such a bill. And yet not one Republican legislator voted yes.

But some local Republican officials have shown their independence. For example, Los Angeles Mayor Richard Riordan signed a law giving health and pension benefits to unmarried partners of city workers. He also approved a law requiring businesses contracting with the city to give the same benefits to domestic partners which they give to the spouses of their workers.

As time passes, it is likely that more Republicans in public office will support legislation to guarantee equal rights to all adults regardless of their marital status.

## Position of California Adults on Domestic Partnership Rights

### Grant Legal Recognition in Areas of Family Rights, Such as Hospital Visitation, Medical Power of Attorney, and Conservatorships

	Favor	Oppose	No Opinion
Statewide	67	24	09
Democrats	72	19	09
Republicans	64	29	07
Other	61	24	15

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

	Favor	Oppose	No Opinion
Statewide	59	35	06
Democrats	68	27	05
Republicans	47	48	05
Other	58	29	13

Statewide survey of 1,045 California adults by the Field Poll, results released March 3, 1997.

## Marital Status and Political Participation

### Marital Status of Adults

Marital Status	Number*	%
Adult Population	195.4	100.0
Married	116.5	59.6
Unmarried	78.9	40.4

March 1997 Current Population Survey, United States Census Bureau \* Numbers in millions

### Marital Status and Major Parties

Status	Republican	Democrat
Married	66%	56%
Unmarried	34%	44%

A Washington Post national poll of 1514 adults conducted during November and December of 1995 in cooperation with the Henry J. Kaiser Family Foundation and the Harvard Law School. (*Washington Post*, Jan. 31, 1996)

### Likely Voters – 2000 Primary

Marital Status	%
Married	59
Unmarried	41
Never married	21
Divorced	11
Widowed	9

Voter.com / Battleground XIV Survey, March 12-13, 2000. Tarrance Group / Lake Snell Perry & Associates, of 1,000 likely voters nationwide.

### 1998 Congressional Elections

Marital Status	% of All Voters	
Married	67	
Unmarried	33	
Voted For ⇒	Dem	Rep
Married	46	51
Unmarried	62	35

Exit poll data, as reported by MSNBC "Decision 98"

### Marital Status and Participation in Federal Elections

Races	Married	Unmarried	Married Men	Married Women	Unmarried Men	Unmarried Women
1996 President	66	34	33	33	15	20
1998 Congress	67	33	35	32	14	19

"Portrait of the 1996 Electorate," *New York Times*, based on exit poll by Voters News Service. "A look at voting patters of 115 demographic groups in House races," *New York Times*, Nov. 9, 1998.

## Marital Status and Presidential Elections

Candidate	1984		1988		1992			1996		
	Rea.	Mon.	Bush	Duk.	Clin.	Bush	Per.	Clin.	Dole	Per.
Total Vote	59	40	53	45	43	38	19	49	41	08
Married	62	38	57	42	40	41	20	44	46	09
Unmarried	52	47	46	53	51	30	19	57	31	09
Married Men	65	35	60	39	38	42	21	40	48	10
Married Women	59	41	54	46	41	40	19	48	43	07
Unmarried Men	55	42	51	47	48	29	22	49	35	12
Unmarried Women	49	50	42	57	53	31	15	62	28	07

Data for 1996 and 1992 were collected in exit polls and questionnaires done by Voter News Service. Data for 1980 through 1988 were based on surveys conducted by the New York Times and CBS News.

## Support Singles Rights Lobby

Singles Rights Lobby is the legislative advocacy affiliate of the American Association for Single People. We are the only organization representing the political interests of the 80 million unmarried adults in the United States.

We invite you to support Singles Rights Lobby and to become a member of the American Association for Single People. AASP and Singles Rights Lobby work together as a team.

AASP is a tax-exempt nonprofit which works through educational means to promote the well being and civil rights of unmarried adults and domestic partners. Donations to AASP are tax deductible.

You can become a member of AASP by making a tax-deductible donation of \$10 or more to AASP. Call AASP at (800) 993-AASP for a brochure and application, or you can obtain an application form on the AASP website at [www.unmarriedAmerica.com](http://www.unmarriedAmerica.com).

Singles Rights Lobby works in the political arena, promoting and opposing legislation as well as prodding politicians and political parties to pay attention to the needs of unmarried Americans.

Although Singles Rights Lobby is a nonprofit corporation, donations to it are not tax deductible because of the political nature of its work. All participants in the organization are volunteers. We have no paid staff. Please get involved. Become a volunteer. Do some research. Write some letters or e-mails. We will find a way to use your talents.

### I would like to volunteer to help.

Please return this form to *Singles Rights Lobby*, P.O. Box 65756, Los Angeles, CA 90065. (323) 257-2277. E-mail: [singlesrights@earthlink.net](mailto:singlesrights@earthlink.net).

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_



Singles Rights Lobby  
is an affiliate of



A M E R I C A N  
A S S O C I A T I O N F O R  
S I N G L E P E O P L E

# Singles Rights Advocate

Newsletter of Singles Rights Lobby, a Nonpartisan Organization

Volume 2, No. 1

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Sept. - Nov. 2000

## Presidential Candidates Are Ignoring Unmarried Voters

A recent national poll asked American voters which candidate – Al Gore or George W. Bush – best understood the problems of single people.

The results show a sharply divided public, with 39 percent saying Gore and 27 percent saying Bush, and another 34 percent unsure. The Reuters-Zogby poll of 1,004 likely voters was conducted on the weekend of August 19 by pollster John Zogby.

No wonder the responses were all over the board. Neither Gore nor Bush have reached out to unmarried voters in any identifiable way, nor have they even uttered the words “single people” in a public forum.

As for other candidates, such as Ralph Nader (Greens), John Hagelin (Natural Law), Pat Buchanan (Reform), and Harry Browne (Libertarian), none of them have spoken to or about single people either.

Nader has never been married. He could easily tell unmarried voters that he sympathizes with our issues and concerns. But he has said nothing to us.

Hagelin is divorced. Although the Natural Law Party and his faction of the Reform Party are silent on the issue of marital status discrimination, Hagelin has shown some support by personally joining the American Association for Single People.

But despite the virtual silence by the candidates, something seems to be brewing as the presidential race moves into full swing after the Labor Day holiday. The media is beginning to take notice of the growing number of single adults in America and their growing political and economic clout.

Time Magazine stirred the pot with its cover

story on the emergence of millions of middle-aged women who are not jumping at the chance to get married. Following that was a story in the New York Times focusing on the way in which single voters are being ignored by politicians. (See story on page 6.)

Fanning the flames was a commentary in the National Review on August 31 in which the writer says that Gore went overboard in his acceptance speech at the Democratic Convention by “invoking the phrase ‘working families’ like a Buddhist chant.”

Deroy Murdock, a columnist with the Scripps Howard News Service added: “Most important, Gore’s rhetoric discounts voters like me. I’m single and have no kids. And I’m not alone. According to the Census Bureau, 46.6 million American adults never have been married.” Not to mention 33 million more unmarried adults who are divorced or widowed.

Murdock recently wrote to the American Association for Single People, stating: “I support your cause. If people get married, fine. But for those of us who are not or will not be married, it would be nice if politicians would stop treating us like criminals or freaks. And if they insist on doing that, they at least should be decent enough to stop taking our money.”

While single people may not be standing at their windows and shouting “I’m madder than hell and I’m not going to take it anymore,” there is discontent in the wind. AASP’s ad campaign (see pp. 4-5 inside) will let unmarried Americans know there is an organization they can join – one that will provide a collective voice for them so their concerns are heard by elected officials and corporate executives.

[www.singlesRights.org](http://www.singlesRights.org)

Singles Rights Lobby is a nonprofit association lobbying for unmarried workers, consumers, taxpayers, and voters

Lloyd E. Rigler  
Founder

## Democratic Party and Gore Do Outreach to All But Single People



Al Gore is the presidential candidate of the Democratic Party. He is married.

In his acceptance speech at the party's national convention, Gore invoked the term "family" some 50 times. He never once mentioned single or unmarried people.

The national platform of the Democratic Party opposes discrimination on the basis of race, gender, religion, age, ethnicity, disability, and sexual orientation. Marital status is conspicuously absent.

The party platform speaks to many specific sub-groups of Americans. Here are the constituencies and the number of times they are mentioned in that document: families (88), workers (79), children (61), parents (28), women (9), disabled (9), immigrants (8), seniors (5), gays and lesbians (2). Also included are veterans, African-Americans, Asian-Americans, Native Americans, and Hispanic Americans. Single people are not mentioned.

The party has positions papers on each racial and ethnic minority, on disability, and on gays and lesbians. It has outreach programs for all of these groups, plus one for seniors and one for women. No paper on marital status discrimination. No outreach program for single people.

The National Review recently ran a commentary: "Gore's Unfair to Single People: he claims to love 'working families' – but leaves out the unmarried."

Many more unmarried adults vote for Democratic candidates than they do for Republican candidates. Taking this constituency for granted, and ignoring the issue of marital status discrimination, may eventually backfire on Gore and the Democratic Party.

## Republican Party and Bush Keep Focus on Traditional Families



George W. Bush is the presidential candidate of the Republican Party. He is married.

In his acceptance speech at the party's national convention, Bush used the term "family" only six times. He did not mention single or unmarried people in his remarks.

According to its national platform, the Republican Party opposes "discrimination based on sex, race, age, religion, creed, disability, or national origin." Neither marital status nor sexual orientation is included.

The platform speaks about helping families and married couples. It does not mention single people. By promoting "abstinence until marriage" sex education, the platform assumes either that all adults will marry or that unmarried adults will not have intimate relationships.

The platform says that the party supports "the courageous efforts of single-parent families to have a stable home" while at the same time stressing the need to reduce the number of unmarried parents and to increase the rate of marriage.

One plank calls for a "family-friendly" tax code – not one that is neutral when it comes to marital status. The same section adds: "We support the traditional definition of 'marriage' as the legal union of one man and one woman, and we believe that federal judges and bureaucrats should not force states to recognize other living arrangements as marriages."

With the presidential race getting too close to call, Bush might attract more unmarried voters if he were to speak directly to single people, stressing, for example, how his stand on death tax repeal and partial privatization of social security could benefit them.

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Marital Status of Democrats	
Married . . . . .	56%
Unmarried . . . . .	44%

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Marital Status of Republicans	
Married . . . . .	66%
Unmarried . . . . .	34%

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## Greens



Ralph Nader is the presidential candidate nominated by the Green Party. Nader is single.

Despite his marital status and his reputation as someone who fights for the underdog, Nader has not done any specific outreach to single and unmarried voters.

The Green Party website, including its platform, is silent on the subject of marital status discrimination.

AASP has written to Nader on several occasions, through Public Citizen as well as through the Green Party.

Nader has not responded to any of AASP's letters.

## Natural Law



John Hagelin is the presidential candidate of the Natural Law Party. He is divorced.

The Natural Law Party is silent about the rights of single people. Hagelin, however, has shown some support for our cause by joining

AASP as an honorary member.

## Reform



Pat Buchanan claims to be the nominee of the Reform Party, although that is disputed by Hagelin who also claims to be the nominee.

Buchanan's record is clear that he would not want the law to prohibit marital status discrimination.

## Libertarian



Harry Browne is the presidential candidate nominated by the Libertarian Party. He is married.

As a Libertarian, Browne opposes government intervention and regulation of private businesses. As a result, he would oppose laws prohibiting marital status discrimination by private businesses against

employees and consumers.

Browne says that government workers should have the right to choose another person to add to their benefits plan at work.




He adds: "What I would prefer to see is the state not providing any legal benefits or detriments to people based on marital status. It should have nothing whatsoever to do with marriage."

Are you one of the  
**80 million single or unmarried adults**  
ignored by George W. Bush and Al Gore  
at the recent political conventions?

*Are you one of the following?*

**single adult • divorcee • widow or widower • domestic partner  
single retiree • single college student • unmarried family**

**How many ways are we discriminated against?**

 in the workplace       in the marketplace       in our tax laws

**Let us count some of them for you:**

### **Unmarried employees**

- are taken for granted by employers
- receive fewer benefits, and therefore less in pay, than married workers
- usually lack legal protections against marital status discrimination

### **Unmarried consumers**

- often pay more for insurance
- face credit discrimination
- may be rejected by landlords
- are denied “family” discounts for our roommates or partners

### **Unmarried taxpayers**

- get less in social security benefits
- often pay higher income tax
- pay tax on domestic partner benefits
- often pay an unfair death tax – double taxation – which can take up to 60% of our estates; spousal transfers are tax free

- ✓ *Are we not as important as married people?* – We think so!
- ✓ *Don't we pay our fair share of taxes?* – We know that we do!
- ✓ *Aren't we part of the electorate?* **Yes, 34% of voters in the last national election!**

If you want a voice in our society . . .

If you want political parties to pay attention to our concerns . . .

If you want elected officials to listen to us when we speak . . .

If you want corporate executives and unions to treat us fairly . . .

**Then you should join the . . .**

# American Association for Single People

a nonprofit and nonpartisan organization for solo singles, domestic partners, single parents, and other unmarried adults

We are a nonprofit and non-partisan association advocating for the human rights and well being of solo singles, domestic partners, single parents, and other unmarried adults. *You don't have to be on the Internet to participate. As a member you will receive newsletters in the mail to keep you posted on our progress as we fight for your rights.*

Membership is open to any adult who makes a tax-deductible donation of \$10 or more. Elected officials, political activists, and unmarried citizens in some 39 states have already joined us. What about you? And ask your unmarried friends, neighbors, co-workers and family members too join too.

**Clip the coupon to the right →**

-----  
**Yes, you can count me in.**

Here is my tax-deductible donation for:

\$10    \$25    \$50    \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Phone \_\_\_\_\_

e-mail \_\_\_\_\_  
 -----

**Make check payable to American Association for Single People and mail with the coupon to  
 P.O. Box 65756 • Los Angeles, CA 90065 • (888) 295-1679  
 and please visit our website on the Internet at**

**[www.UnmarriedAmerica.com](http://www.UnmarriedAmerica.com)**  
*the nation's voice for unmarried workers, consumers, taxpayers and voters*

## Unmarried Voters Not Yet on the Political Radar Screen

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A story published in the New York Times focuses on the problem of presidential candidates ignoring unmarried voters as they send constant messages to the public about families and parents. (K.A. Dilday, "O, To be Single and Have a Politician Pay Attention," August 27, 2000.) Here is the story. AASP is mentioned.

The family values platform has been the stomping ground of Republicans for so long that there has been little room for the Democrats. But last week, riding a wave of strong polls following his family-friendly speech at the Democratic National Convention in Los Angeles, Vice President Al Gore reiterated his intention to make families, particularly "working families," the focus of his campaign. Mr. Gore projected himself as a devoted husband and father who understands that all families want the same opportunities for their children.

But where does all the talk about parents leave unmarried, childless voters, a group that has supported the Democratic Party by a strong majority in recent years? The risk is that such appeals will keep this block at home, including single women, a group that has been growing since 1970.

According to polls by the Voter News Service, a consortium of television networks and The Associated Press, single adults made up 34 percent of voters in 1996. These voters have supported the Democratic candidate for president in significantly larger percentages than married voters have in every presidential election since 1980.

Both political parties have directed appeals particularly to mothers by stressing certain issues like education, gun control and health care. But they have virtually ignored unmarried women. The percentage of women between the ages of 20 and 24 who had never married doubled from 35.8 percent in 1970 to 70.3 percent in 1997. During that same period, the percentage of never-married women increased nearly fourfold in the 25-to-29 age group.

Time just proclaimed that single women have moved to the center of national social and cultural life from a position of obscurity. Yet in the political landscape they are still invisible.

Mr. Gore chose his oldest daughter, Karenna Gore Schiff, to nominate him for president at the convention.

He sent a message: his role as a father is one of the most important criteria that qualify him for president. Although Ms. Schiff has been an adviser to her father, she became a more visible member of his campaign only after she married and became a mother. In his convention speech Mr. Gore invoked family no fewer than 50 times. On the other hand, Mr. Bush, the Republican candidate, used it only six times.

When Mr. Gore announced his candidacy in June 1999, he used family 25 times. Delivering the commencement speech at Harvard University in 1994, he said: "I

believe in finding fulfillment in family, for the family is the true center of a meaningful life. Cynics may say: All families are confining and ultimately dysfunctional; the very idea of family is outdated and unworkable. But the cynics are wrong. It is in our families that we learn to love."

But with the single lifestyle becoming increasingly popular, particularly among women, Mr. Gore's family focus may alienate those who are trying to take pride in what has been seen as a less than ideal choice in a society that values marriage and childbearing highly.

Mr. Gore's national spokesman, Doug Hattaway, said many of the issues Mr. Gore addresses, like prescription benefits, appeal to all people, including those "who are not yet parents." Implicit is perhaps the assumption that the childless and single will one day become parents, that they are responsive to a message that focuses on families.

In fact, that is often true. Still not everyone is destined for parenthood. "In every society there are people who never marry and live a contented life," said David Popenoe of the National Marriage Project at Rutgers University.

Why do politicians often ignore this huge group of voters? This rather large and amorphous body does not define itself as a group; the voters in it are also often folded into other target demographic categories, including younger voters, ethnic groups, divorced people, widowers and those older adults who have never married.

"A lot of the groups we look at are groups that we've heard campaigns are targeting," said Jeffrey M. Jones, managing editor of the Gallup Poll. "Single voters are a group that's never really been talked about."

☞ It is difficult to obtain data on unmarried voters, probably because they have not yet emerged as a lobby, although the lobbying branch of the American Association for Single People, a California-based organization that promotes the rights of unmarried people, is planning a national advertising campaign directed at unmarried voters who feel underserved by the political process.

Thomas F. Coleman, executive director of the association, says that he has been struggling for decades to secure equal rights for single people and to enlist organizations like the National Organization for Women and the American Civil Liberties Union to promote the inclusion of marital status as a nondiscrimination category in proposed civil rights legislation.

"Single people feel that they're being ignored or discounted," Mr. Coleman said. "It certainly doesn't make you feel very motivated to go out and vote."

President Clinton skillfully appealed both to people with families and to those who are alone. In his 1996 speech he stressed working families, too, but welcomed anyone who wanted to be part of a larger American family. ◇◇◇

# Marital Status Looms as a Major Issue in Fight Over Death & Income Tax Reforms

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## Clinton vetoes 'death tax' repeal bill

A story published September 1 by the Associated Press reports that House Republican leaders are vowing a prompt attempt to override President Clinton's veto of H.R. 8, a bill repealing estate taxes, but if it fails the death tax debate will play out in the fall election campaigns.

Democrats content that the GOP refused to consider less-costly compromise provisions to help the family farmers and small businesses sometimes hit hard by estate taxes, such as raising exemptions for them without giving a windfall to the wealthiest taxpayers.

The bill, like the marriage penalty tax cut Clinton vetoed a few weeks ago, was part of last year's vetoed \$792 billion tax cut that congressional Republicans are now trying to pass bit by bit.

Only about 2 percent of estates in a given year pay the tax that reaches 55 percent, but sponsors of the repeal won broad support on Capitol Hill by arguing that it inhibits business expansion, threatens breakups of farms and forces millions of taxpayers to pay lawyers, accountants and insurance companies so they can avoid the tax.

"Working men and women across the country recognize that it is simply wrong that after paying taxes your whole life, the government can collect up to 55 percent of these same assets when the head of the family dies," said Rep. Jennifer Dunn, R-Wash. Actually, on very large estates a 5 percent surtax is imposed, making it 60 percent.

In the House, 65 Democrats joined all Republicans in passing the bill this summer, just over the two-thirds threshold necessary to override the veto. House GOP leaders tentatively plan next Thursday to put those Democrats on the spot — particularly those in difficult re-election fights — and some say they'll vote against Clinton.

"The president is wrong, and to his veto I say no," said Rep. Ronnie Shows, D-Miss.

Married couples can totally escape the death tax because unlimited wealth can be left to a surviving spouse without any tax being imposed. But for single people with estates over \$675,000 the government can take up to 60 percent of their estates, assets on which they have already paid income tax or capital gains tax. To unmarried people that seems unfair as a form of double taxation.

## Columnist offers solution to end marriage bonuses & penalties of income tax code

The August 31 edition of the San Francisco Chronicle carried a commentary suggesting a solution to the marriage-penalty and marriage-bonus quagmire of the federal tax code. The column was written by Maya

MacGuineas, a fellow at the New America Foundation, a nonpartisan think tank in Washington.

She says that President Clinton was right to veto the marriage penalty legislation Congress sent to him, but not for the reasons he stated. The chief problem with the bill is not that it is too expensive or slanted toward wealthier couples, but that it leaves much of the unfair penalty in place. At the same time, it actually increases the rarely discussed marriage bonus.

MacGuineas argues that the marriage bonus, the one that almost 50 percent of married couples receive for no reason other than marital status and is just as unfair as the marriage penalty. The exaggerated rhetoric on the topic of marriage and taxes leaves many couples bemoaning their penalty, when actually they pay less in taxes than they would if single. The legislation vetoed by the White House addresses only half the problem, while making the other half worse.

According to MacGuineas, both marriage penalties and bonuses are the unintended consequences of a complicated tax system that tries to balance often-conflicting goals. The combination of progressive taxation, where higher incomes are taxed at higher rates and taxing married couples as a single unit leads to inequities in the treatment of couples and singles. The resulting peculiarity is that almost all married couples face different tax liabilities than they would if they were earning the same amount but were single.

Far from punishing all married couples, this arrangement creates almost as many winners as it does losers. MacGuineas gives the example of an individual earning \$70,000 who marries a spouse who does not work. The couple's standard deduction increases from the \$4,400 deduction for singles to the \$7,350 joint deduction. They also qualify for a second personal exemption and wider tax brackets applied to the same single income. All these changes allow more of the worker's income to be taxed at a lower rate. Merely by qualifying as married filers, the couple receives about \$4,000 in tax breaks.

Since couples are treated the same in terms of taxes, their taxes are the same as for another married couple with two earners making \$35,000 apiece. This dual-earner couple is penalized by the joint standard deduction, which is less than double the single deduction, and progressive taxation, which pushes more of their combined income into a higher tax bracket. As a result, they pay roughly \$1,500 extra in taxes.

MacGuineas does not understand why taxpayers should pay either more or less based on their decision to wed — yet almost all of them do. The Treasury estimates that while 25 million couples are hit with an average →

(Continued on back page)

## Solution to marriage bonus / penalty (continued)

annual penalty of \$1,100, 21 million couples receive bonuses of a slightly greater amount.

She says that if Congress is serious about addressing tax unfairness, it has chosen a poor strategy to eliminate the marriage penalty. The bill sent to the president increases the standard deduction and widens some income tax brackets for joint filers to eliminate part of the penalty. But not only do these changes fail to remove the penalty entirely, they further reduce taxes for those couples already receiving bonuses.

The \$70,000 single-earner couple would receive an additional bonus on top of their \$4,000 tax break. MacGuineas says this is hardly an improvement in tax fairness -- particularly at a price tag of \$290 billion over the next 10 years, much of which would go to those not being penalized.

MacGuineas suggests that a better approach, and one used in most developed countries, would be simply to tax individuals rather than couples. Under such a system, individuals earning the same incomes would pay the same in taxes, and their liabilities would remain unchanged by marriage.

Addressing a failure of the current legislation, individual taxation would fully eliminate all marriage penalties. And in keeping with principles of fairness, undeserved marriage bonuses would be removed as well. By wiping out both penalties and bonuses, individual taxation would be far less expensive than the current proposal, costing virtually nothing to the Treasury.

As MacGuineas points out in the column, changing the tax code is always challenging, because taxpayers are suspicious that benefits will accrue to someone else at their expense.

If Congress successfully overrides the president's veto, as it will surely attempt to do, singles will certainly have cause to complain. If the goal of marriage penalty legislation is to rid the tax code of unfair treatment of married couples, it will not be achieved by doling out tax cuts indiscriminately to married couples whether or not they are penalized.

On the other hand, taxing individuals would simplify the tax code while ridding it of unjustifiable marriage penalties and subsidies alike.

MacGuineas warns that if Congress chooses to move forward with its boon for married couples, it should brace itself for the ensuing flood of complaints about the resulting "singles tax penalty." ♦♦♦

## Support Singles Rights Lobby

Singles Rights Lobby is the legislative advocacy affiliate of the American Association for Single People. We are the only organization representing the political interests of the 80 million unmarried adults in the United States.

We invite you to support Singles Rights Lobby and to become a member of the American Association for Single People. AASP and Singles Rights Lobby work together as a team.

AASP is a tax-exempt nonprofit which works through educational means to promote the well being and equal rights of unmarried adults and domestic partners. Donations to AASP are tax deductible.

You can become a member of AASP by making a tax-deductible donation of \$10 or more to AASP. Call AASP at (800) 993-AASP for a brochure and application, or you can obtain an application form on the AASP website at [www.unmarriedAmerica.com](http://www.unmarriedAmerica.com).

Singles Rights Lobby works in the political arena, promoting and opposing legislation as well as prodding politicians and political parties to pay attention to the needs of unmarried Americans.

Although Singles Rights Lobby is a nonprofit corporation, donations to it are not tax deductible because we support and oppose specific legislation. All participants in the organization are volunteers. We

have no paid staff. Please get involved. Become a volunteer. Do some research. Write some letters or e-mails. We will find a way to use your talents.

### I would like to volunteer to help.

Please return this form to *Singles Rights Lobby*, P.O. Box 65756, Los Angeles, CA 90065. (323) 257-2277. E-mail: [tomcoleman@earthlink.net](mailto:tomcoleman@earthlink.net).

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