

REMARKS
Ralph Becker, Mayor, Salt Lake City
S.B. 299, Prohibition of Domestic Partnership Registry
February 28, 2008

Thank you, Chairman Bramble and members of Retirement Committee

I appreciate the sponsor of this bill, Senator Bell, who has again displayed grace and decency in his work with me, my staff (Ben McAdams), and our lawyers (Ed Rutan and Margaret Plane) in Salt Lake City, working well into the night, last night, addressing the substantive issues of his original bill.

The Substitute before you this morning does an admirable job of addressing Salt Lake City's substantive objections to the bill (subject to some refinements that our City Attorney will address), but leaves an important piece of public policy undone that is significant. This bill would make Utah unique in the nation in staying away from the common terminology for adults sharing a common residence who are mutually dependent on each other for purposes of providing benefits and services in Salt Lake City. I ask you, why?

The substitute bill, S.B. 299 Sub. 1, has substantively responded to the concerns Salt Lake City had upon reviewing the legislation. The original form of this bill would have emasculated benefits now provided by Salt Lake City to its employees, and would have grossly undermined my and the Salt Lake City's efforts to provide benefits to our employees and facilitate the provision of benefits to the businesses and residents of Salt Lake City. Again, I appreciate Senator Bell working with us through many issues last night.

Salt Lake City's Domestic Partnership Registry Ordinance, adopted unanimously by our City Council is quite straightforward. It did two things:

- 1. Take our definition of "adult designee" in our 1+ year-old ordinance extending health care benefits to City employees, and use that definition to define a domestic partnership, the term commonly used around the country to define two adults**

who share a common residence and are mutually interdependent, as evidenced by a financial relationship to each other. Two domestic partners could then register as having that relationship with the City. Having concrete standards for Domestic Partners would make it easier for employers in Salt Lake City to look to an established relationship when they were considering whether, voluntarily, to extend benefits to its employees.

2. The ordinance would require recognition of domestic partners for purposes of hospital visitation, and would recognize domestic partners for City employees for purposes of some City services, like recreational access.

Salt Lake City's current ordinance has now been in place for over a year. The results show that the use of the ordinance, as we had hoped, by a wide range of mutually dependent co-habiting adults. 78% of the users are opposite sex. Salt Lake City is accomplishing its objective of extending benefits to its employees in a non-discriminatory way.

Senator Bell last night has addressed all of the substantive concerns Salt Lake City has about his bill:

- It would allow Salt Lake City to continue to provide benefits to City employees who meet our rigorous test for domestic partners.
- It would allow for the continuation of a registry.

What is left, is that S.B. 299 would prohibit the use of the term "domestic partnership". So, why is that of such interest to the sponsors of this bill? In our open discussions, it is because the co-sponsors of this legislation are afraid that if we use the term domestic partners, we are inferring the rights of marriage on a domestic partnership.

We have offered to state in the legislation that a domestic partnership is not marriage under Utah law. That should clarify any confusion for those who are nervous about the intent of Salt Lake City or whether a domestic partnership is "marriage light."

But, that is not enough. I ask you, why? Whether we call domestic partners "mutually committed and caring adults" or "domestic partners" shouldn't make much difference. And, across the nation, in

dozens of states hundreds of cities, the accepted term is “domestic partners”.

I submit that the term “domestic partners” raises fear among some people that we might extend benefits and rights in a non-discriminatory way to some of our residents who are gay and lesbian and transgender and bisexual in our communities and families. And, because “domestic partners” is the commonly used legal term for mutually dependent, cohabiting adults across the country, this bill, by prohibiting use of that term, would establish Utah as unique.

If this bill becomes law as now drafted with some refinements, we will be able to continue forward with our goal of providing benefits to our employees and services to our residents, as before the legislation. We’ll have to come up with another name for “domestic partners”. While that seems odd to me, if it gives some comfort to the promoters of this bill, it is a small price to pay.

But, make no mistake about it. Whether we call Salt Lake City’s non-discriminatory provision of benefits to our employees and services to our residents “domestic partners” or “mutually caring and dependent adults” or something else, Salt Lake City will be able to achieve what the people of Utah should seek: a government that is committed to providing for its employees and residents.

Thank You.