

California Passes Expansive Domestic Partnership Bill

New Law is Broadest in the Country

Governor Gray Davis has approved a new law which represents the largest expansion of domestic partners rights in the country. It will add several new legal protections to eligible couples that register in the state of California as domestic partners.

AB 25 was sponsored by CAPE, California's statewide gay and lesbian lobbying organization, and authored by Assembly member Carole Migden. The new law provides partners -- same-sex couples and opposite-sex senior couples -- with more legal benefits and stronger protections beginning January 1 of 2002.

Jean Harris, Executive Director of CAPE, praises the Governor's approval of AB 25 saying, "Poll after poll reveals that a majority of Californians support basic rights for gay and lesbian couples under domestic partnership."

The law will give registered couples several basic legal and financial tools. Partners will soon have the legal right to make life and death decisions on each other's behalf. As enacted under AB 25, domestic partners who register with the Secretary of State will have the ability to:

- Relocate with a domestic partner without losing unemployment benefits.
- Use sick leave to care for an ill partner or the child of a domestic partner.
- Be exempt from state income tax the health benefits provided to domestic partners.
- File disability benefits on behalf of an

incapacitated partner.
- Make medical decisions in the hospital or act as a conservator.

- Sue for wrongful death as well as seek damages for negligent infliction of emotional distress.

- Administer a partner's estate.

- Bequeath property to a domestic partner using the statutory will.

- Adopt a partner's child using the stepparent adoption process.

- Continue health benefits for surviving partners of government employees and retirees.

Additionally, AB 25 requires health plans to offer domestic partner coverage to businesses and associations similar to coverage offered to dependents of employees and subscribers. This requirement will assist small and medium-sized employers that decide to offer domestic partner benefits to their employees.

Finally, this measure will change present law to allow opposite-sex couples to register as domestic partners if one or both of the partners are over the age of 62.

Jean Harris adds, "California is leading the country in instituting protections for gay and lesbian couples without a court mandate. Today is a substantial leap forward, which is something to celebrate."

For further AB 25 and domestic partnership information, go to www.calcape.org.

ENDA Placed on Hold

The federal gay civil rights bill and a separate bill authorizing the federal government to prosecute anti-gay hate crimes have been removed from Congress's legislative agenda this year due to shifting priorities brought about by the Sept. 11 terrorist attacks, the *Washington Blade* has reported.

Sen. Edward Kennedy (D-Mass.), the chief sponsor of the Employment Non-Discrimination Act in the Senate, canceled hearings on the legislation. Kennedy, who serves as the chairperson of the Senate Committee on Health, Education, Labor, and Pensions, has instead scheduled hearings on possible federal action to assist thousands of workers

who have lost their jobs in massive layoffs in the travel, hotel and airline industries as a result of the terrorist attacks.



Sen. Edward Kennedy

Kennedy's decision to cancel the ENDA hearing came as nearly all legislation pending before Congress pertaining to domestic policy matters other than anti-terrorism and appropriations bills have been put on hold.

"It's certainly understandable that ENDA would be part of the other domestic policy [items] that are being pushed back," said Lorri L. Jean, executive director of the National Gay and Lesbian Task Force. "I don't see any evidence that gay-related legislation is being singled out for delay."

Conservative to Head Voice of America

President Bush has appointed Robert R. Reilly, a free-thinking political conservative who has spoken out against antigay discrimination, as the director of the government-sponsored news organization Voice of America, according to The Washington Post.

The Voice of America is an international multimedia broadcasting service that broadcasts news and informational, educational, and cultural programs every week to an audience of about 91 million worldwide. There are 1,200 people on staff, whose members speak 53 languages and hail from countries in Africa, Asia, Latin America, and Europe. Some staff members have expressed concern that Reilly's conservative views will affect his handling of the way VOA covers certain controversial topics, such as the AIDS crisis in Africa.

A practicing Roman Catholic and a defender of, as he calls them, "the principles of Western civilization,"

Reilly said his social and political views are irrelevant to his ability to run VOA. He took issue, in particular, with concerns about his views on homosexuality. "Some of the greatest American composers of the 20th century...are professed [gay people]," Reilly said, drawing from his large body of writing as a music critic. "Now, how would I have been able to operate in that cultural milieu if I were, what some people perhaps might like to assume, a homophobe?"

He added that in his 11 years of association with VOA—he has hosted a radio and television foreign policy talk show carried by VOA and Worldnet TV and has worked in its editorial division—he has not once been charged with discrimination. "I find it personally and morally repugnant to discriminate against someone because they're a homosexual," he said, adding, "I would avidly enforce the antidiscrimination statutes that apply in this position."

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