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Del. bill would expand rights for same-sex couples

March 22, 2011

By Bill Cook

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Douglas Marshall-Steele, who has been in a committed same-sex relationship for 17 years, says it is a matter of fairness.

It is not fair, he says, that he and his partner do not have the same rights as opposite-sex couples.

"In addition to the tangibles such as insurance and domestic partnership benefits," he said, "we're also talking about relationship recognition. Recognition from this larger society of Delaware that our relationship counts and has merit."

That could all change if a bill filed Tuesday in Dover becomes law.

Marshall-Steele joined dozens of lawmakers and supporters outside of Legislative Hall for the unveiling of legislation that would allow same-sex couples to enter into civil unions. Senate Bill 30 would make Delaware the seventh state to allow civil unions and the 15th state to fully recognize same-sex relationships.

Under the measure, civil unions would be available only to same-sex couples, while marriage would remain limited by Delaware law only to opposite-sex couples. Couples who enter into a civil union would enjoy the same rights, protections and obligations that exist for married spouses.

Gov. Jack Markell was there to show his support.

"It was just two years ago, until we signed the law to change it, it was legal in Delaware to be fired because of your sexual orientation," Markell told the crowd. "Anti-gay and anti-lesbian discrimination was legal because the law had



Governor Jack Markell lends his support for a civil union bill in Delaware. Two years ago he signed legislation to make illegal to fire someone because of their sexual orientation. (Bill Cook/for newsworks)

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not caught up to the times. Well, the time is here, the time is now and this legislation is the best possible chance for moving us forward, together."

Under the law, couples in a civil union would have the same protections, rights and obligations as a married couple, such as hospital visitation rights, property and last will and testament transfers, the ability to live together in nursing homes, joint adoption, and other legal issues.

Also under the bill, Delaware would recognize legal relationships that same-sex couples enter into in another jurisdiction – whether it is a civil union or same-sex marriage – and treat the relationship as a civil union.

"Same-sex couples are no different than anyone else," said Wilmington attorney and President of Equality Delaware, Lisa Goodman, who has lived with her partner for 12 years. "We want to protect and provide for those we love. We want to be with them when they are ill, and to be confident that we can safeguard their future. We love our children and we honor our parents. We believe that the law should protect us and our relationships equally."

But Goodman acknowledged that there are people and organizations that do not agree. That would include Nicole Thisis, Executive Director of the Delaware Family Policy Council, who posted an "urgent message" on the website DelawareFamilies.org.

This is urging people to call their Representative or Senator and ask them to vote "no" on the measure.

"A vote for civil unions is a vote for same-sex marriage," Thisis said in the video-taped message. "We're asking you today to make a stand for marriage. Children deserve to have a mom and a dad."

To those with the same belief, Goodman says: "Some children actually have two moms and two dads. And the important thing is that those children and families are equally deserving of the protections that come with having their parent's relationship recognized and protected."

Wilmington Mayor James Baker serves on Advisory Council of Equality Delaware. He was quick to praise the mayor and encourage passage. Equality Delaware released a poll last week showing 62 percent of likely Delaware voters support civil unions for same-sex couples.

According to the National Conference of State Legislatures, six states have passed civil union legislation – Connecticut, Hawaii, Illinois, New Hampshire, New Jersey and Vermont. Colorado is currently considering a civil union law. Seven other states allow domestic partnerships.

Marshall-Steele is confident Delaware will join the list of states that have passed civil union laws.

"I believe it will," he said. "I believe there's every chance that it will get done and be done this year."

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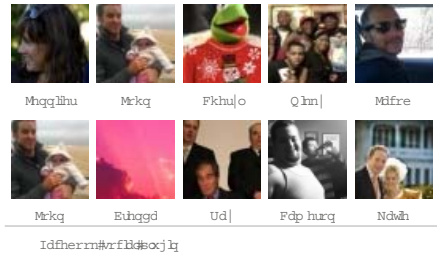
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