

TO: ALL MEMBERS OF THE HOUSE OF REPRESENTATIVES
FROM: Representative Dan Frankel
DATE: February 14, 2011
SUBJECT: Co-sponsor: Legislation amending Title 65 to include domestic partnerships

In the near future, I will introduce a bill to further reform state government by closing a loophole that currently allows a public official's domestic partner to enter into lucrative government contracts and receive unreported gifts from lobbyists.

As you know, the House recently passed House Bill 103 to increase the penalties for violating the state's Ethics and Lobbying Disclosure acts – both of which are under Title 65. Unfortunately, the amendment I offered to HB 103 to close the domestic partner loophole was ruled not germane.

Therefore, it is my intention to offer that amendment as a free-standing bill which would add the definition of "domestic partner" to both the state Ethics and Lobbying Disclosure acts. This would serve two purposes: it would prohibit a public official and his/her domestic partner from entering into state contracts worth more than \$500 and it would require lobbyists to disclose any gifts, hospitality, transportation or lodging provided to a public official or his/her domestic partner. Currently, lobbyists do not have to report gifts made to domestic partners of public officials.

Contrary to what some will say, the recognition of domestic partnerships does not apply to only same-sex couples. The definition used in my legislation – which is similar to the definition used by several agencies and municipalities in Pennsylvania – requires that two individuals meet at least three out of seven specific criteria to be recognized as a domestic partnership. Additionally, domestic relationships already make up nearly 10 percent of all relationships in the Commonwealth, according to the most recent census data. An estimated 270,000 Pennsylvanians list "domestic partnership" as their relationship status.

My legislation provides a unique opportunity to strengthen our reform laws and close a glaring loophole while at the same time officially recognizing the committed, viable and cherished relationships that hundreds of thousands of Pennsylvanians already have.

If you would like to join me in support of this important legislation, please contact Carrie Goodyear in my office via e-mail (cgoodyea@pahouse.net) or phone (705-7019 or Ext. 6243).

For your review, please find the link below to an article regarding an ethical situation with New York State Governor Andrew Cuomo and his partner, Sandra Lee. While my legislation does not specifically address investments, this is a good example of the loopholes that exist when we do not recognize domestic partnerships:

http://www.nydailynews.com/ny_local/2011/02/09/2011-02-09_cuomos_ethical_dilemma_if_hes_cleaning_house_then_1st_gals_investments_need_to_b.html