

New Jersey Civil Union Review Commission
Division on Civil Rights-6th Floor
Walter Lucas Commission Conference Room
140 East Front Street, Trenton, NJ

Meeting Minutes: November 14, 2007

PRESENT: Chairperson Frank Vespa-Papaleo; Vice Chair Steven Goldstein; Secretary Stephen Hyland. Commissioners: Barbara G. Allen, Charles Blustein-Ortman, Robert Bresenhan, Barbra Casbar Siperstein, Patrick De Almeida, Sheila Kenny, Joe Komosinski, Erin O'Leary, Kevin E. Taylor

STAFF: Commission Liaison: Benn Meistrich

CALL TO ORDER:

Chairperson Vespa-Papaleo called the meeting to order at 1: 15 p.m. in compliance with the Open Public Meetings Act. Present at the Call to Order were Commissioners: Steven Goldstein, Stephen Hyland, Barbara G. Allen, Charles Blustein-Ortman, Robert Bresenhan, Barbra Casbar Siperstein, Patrick De Almeida, Sheila Kenny, Joe Komosinski, Erin O'Leary, Kevin E. Taylor.

FLAG SALUTE

APPROVAL OF MINUTES:

Chairperson Vespa-Papaleo asked for a motion to approve the minutes of the August 15, 2007 meeting of the Civil Union Review Commission. Commissioner Blustein-Ortman moved to adopt the minutes as presented. Commissioner DeAlmeida seconded the motion. The motion passed unanimously.

CHAIRPERSON'S REPORT:

Chairperson Vespa-Papaleo reported on two items: one is that the Division on Civil Rights received a differential treatment complaint from Kenny Polnasek based on civil union status against Johnson & Johnson; and the other is that written testimony had been e-mailed to the Commission following the hearings. The testimony is from George Dengler and will be added to the record.

Vice Chairperson Goldstein reported noted that it was interesting that the complaint referred to by Chairperson Vespa-Papaleo was against Johnson & Johnson because three of the couples who gave testimony worked for Johnson & Johnson. Clearly, there should be more complaints against that company.

Secretary Hyland had no report to give this month.

COMMISSIONERS' REPORTS:

Commissioner Blustein-Ortman had no report to give this month.

Commissioner Bresenhan had no report to give this month.

Commissioner Allen sought clarification on Medicaid status of civilly united couples and found that the status is basically murky. Currently, state dollars are not being used to fund civilly united partners. Since the federal government does not recognize civil unions only the name of the person on the deed constitutes consideration for the disbursement of benefits. Much discussion ensued on how joint tenancy with right of survivorship would be handled by both federal and state government and whether or not the federal government would defer to the state definitions of spouse and partner.

Commissioner Casbar Siperstein reported that the Department of Motor Vehicles will accept a certificate for civil union as an acceptable document for name change and it counts as a three point secondary identification document. The documents must be original or certified to be acceptable.

Commissioner Hyland wanted more specific information on how DMV deals with hyphenated names: bride-groom/groom-bride. Can each person in the couple choose how the order in which they want their name hyphenated?

Commissioner DeAlmeida will look into the matter to determine whether there is a protocol or whether clerks have their own interpretation of how hyphenation works.

Commissioner DeAlmeida had no report to give this month.

Commissioner Kenny had no report to give this month.

Commissioner Komosinski's Report

Civil Unions	Reaffirmations	Domestic Partnerships
1307 F/F 762 M/M 2069 Total	Updates available at the next meeting.	Updates available at the next meeting.

Commissioner O'Leary had no report to give this month.

Commissioner Taylor asked how out of state couples could be civilly united in New Jersey.

Commissioner Komosinski replied that out of state couples had to get licenses in the municipality where they wished to conduct the ceremony. Couples residing in New Jersey need to get their licenses in the municipality where one or the other resides.

Commissioner Hyland added that sometimes same sex couples, for the sake of privacy,

would prefer to get licenses out of their municipality. He recommends that the law be amended for both marriage and civil union, just as it is for domestic partnership, that couples can get their license wherever they wish in the state of New Jersey.

NEW BUSINESS:

MOTION: Commissioner Taylor moved to schedule the 2008 meetings for the third Wednesday of the month. Commissioner O'Leary seconded the motion. Motion passed unanimously.

Chairperson Vespa-Papaleo suggested that the Commission invite agency heads to testify before the Commission on civil union issues. Commissioners agreed enthusiastically.

Commissioner O'Leary suggested that a letter be sent to the agency ahead of time so they come prepared to answer questions around the issue of civil union.

After more discussion, it was decided informally, that three more public hearings would be held in 2008 and that agency heads would be invited to regularly scheduled meetings.

Commissioner Hyland informed the Commission that he is now serving on the Family Practice Committee of the Administrative Office of the Courts (AOC). Chairperson Vespa-Papaleo suggested that perhaps the first guest should come from the AOC.

Chairperson Vespa-Papaleo offered to create a topic schedule for next year's meeting schedule.

Commissioner DeAlmeida reviewed the schedule for drafting the year end report. Though ambitious, everybody agreed to the timeline.

Commissioner Kenny suggested that the report have as wide a distribution as possible and that the report get posted on the website.

ADJOURNMENT:

MOTION: Commissioner Blustein-Ortman moved to adjourn the meeting at 2:10 p.m. Commissioner Taylor seconded the motion. Motion passed unanimously.

NEXT MEETING: December 18, 2007 1 PM
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