



State of Rhode Island and Providence Plantations

State House
Providence, Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

November 10, 2009

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of Section 14, Article IX of the Constitutional of the State of Rhode Island and Section 43-1-4 of the Rhode Island General Laws, I transmit, with my disapproval, 2009 H 5294, "An Act Relating to Businesses and Professions- Funeral Director/Embalmer Funeral Service Establishments."

This bill would allow persons in a relationship of one (1) year regardless of sexual orientation to dictate funeral arrangements and disposal of human remains for their deceased domestic partner. After proving a one (1) year relationship, the surviving partner would also have to prove at least two (2) of the following:

- (A) Domestic partnership agreement or relationship contract;
- (B) Joint mortgage or joint ownership of primary residence;
- (C) Two (2) of the following:
 - (I) Joint Ownership of motor vehicle;
 - (II) Joint checking account;
 - (III) Joint credit account;
 - (IV) Joint lease; and/or
- (D) That the domestic partner had been designated as a beneficiary for the decedent's will, retirement contract or life insurance.

Notwithstanding the fact that there are a number of other sections in the Rhode Island General Laws that define a domestic partnership in the same manner, I believe the standard set forth deserves reconsideration by the General Assembly.

A one (1) year time period for any relationship is not a sufficient length of duration to establish a serious, lasting bond between two (2) individuals to supplant the surviving individual over traditional family members relative to the sensitive personal traditions and issues regarding funeral arrangement, burial rights, and disposal of human remains. Many casual relationships last for longer than a year.

2009 H 5294
November 10, 2009
Page Two

Secondly, it is uncertain how it would be ascertained in many circumstances whether couples had been in a relationship for a year. There is no official or recognized form of domestic agreement in Rhode Island. What constitutes a domestic partnership agreement or "relationship contract" is vague and ill-defined.

Finally, this bill represents a disturbing trend over the past few years of the incremental erosion of the principles surrounding traditional marriage, which is not the preferred way to approach this issue. If the General Assembly believes it would like to address the issue of domestic partnership, it should place the issue on the ballot and let the people of the State of Rhode Island decide.

For these reasons, I disapprove of this legislation and respectfully urge your support of this veto.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald L. Carcieri", with a long horizontal flourish extending to the right.

Donald L. Carcieri
Governor