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**Testimony of M. V. Lee Badgett, Ph.D., University of Massachusetts Amherst
and UCLA Law School**

Members of the Commission:

My name is M.V. Lee Badgett. I am an associate professor of economics at the University of Massachusetts Amherst, and the research director of the Institute for Gay and Lesbian Strategic Studies, a nonprofit think tank in Amherst, MA. This year I am a visiting professor at the Williams Project of UCLA Law School, where we have been studying the economic impact of marriage by same-sex couples in New Hampshire and other states. Over the last fifteen years I have conducted extensive research on economic issues for lesbians and gay men, and I am the author of a book and other research on the impact of discrimination and family policy on the economic well-being of lesbian, gay, and bisexual people and their families. My curriculum vitae with a list of my publications and professional experience will be included with my written testimony.

Today I would like to make three basic points related to marriage by same-sex couples:

1. Access to marriage is good for same-sex couples and their children.
2. Giving access to marriage to same-sex couples would be good for the state economy.
3. Allowing same-sex couples to marry will be good for the state budget.

First, access to marriage is good for same-sex couples and their children. Marriage provides a social, legal, and economic framework for living a family life together. The commitment, stability, and sense of security that come with marriage provide many important health and economic benefits to couples that are just as important for same-sex couples as for different-sex couples. From Census 2000 we know that there are at least 2,703 same-sex couples living in New Hampshire, 57% of

whom are female couples and 43% are male couples. What we know about them suggests that these couples need the legal protections of marriage.

- Same-sex couples live in every county in New Hampshire.
- One in four same-sex couples is raising a child under 18 years of age in their homes. More than 1600 children live with parents in same-sex couples. Those families must get by with lower incomes than married different-sex parents.
- People in same-sex couples contribute greatly to New Hampshire's economic vitality. They are well-educated, have high employment rates, and mostly work in the private sector.

From other social science research, we know that marriage is good for physical and psychological health, as well as the economic health of married couples. Giving same-sex couples the right to marry will improve their position in many ways. Here are some examples:

1. Same-sex couples are more likely to have health insurance if they could marry. Most people under 65 get health insurance through their job or a spouse's job. However, nationally 86% of employers who provide health insurance do not cover their employees' same-sex partners. As a result, as two recent studies show, people in same-sex couples are almost twice as likely to be uninsured as married people. Marriage would make same-sex partners eligible for employer-provided health coverage, saving thousands of dollars in insurance premiums and health care expenses.
2. Couples will save money because they will not need to hire a lawyer to draw up formal legal documents to ensure that some basic ties are established, such as wills or powers of attorney.
3. Although the federal government does not now recognize marriages of same-sex couples, at some point in the future that policy might change, opening up valuable social insurance benefits to couples, such as Social Security survivor benefits and disability benefits. For instance, the social security system provides the equivalent of a \$354,000 insurance policy to

married couple families. Surviving spouses of nonretired workers in the system receive over \$10,000 per year in benefits on average, but surviving same-sex partners are entitled to nothing in the same circumstances.

4. Marriage would provide same-sex couples with a legal framework for living an interdependent economic life together. Through marriage, couples can buy property together and other household goods knowing that each member of the couple has ownership rights. And if the worst should happen, that is, if one spouse dies or the relationship dissolves, then the ownership rights would be clear. Economists believe that this contractual nature of marriage facilitates a more efficient use of time and money for families than is available to unmarried couples. Marriage also provides a form of social insurance through family and spousal resources, including both financial resources and resources of time and caring labor.

By increasing access to important benefits of marriage and giving same-sex couples a legal framework for their economic lives, the State of New Hampshire would significantly improve the economic well-being of those couples who would marry.

Second, giving access to marriage to same-sex couples would be good for the state economy, both in the short run and in the long run. The first boost to the economy would come from New Hampshire's own gay and lesbian couples. Since May 2004, more than 6,500 same-sex couples have married in Massachusetts. According to numerous press reports, these weddings have meant a surge in revenues for Massachusetts businesses, especially caterers, hotels, florists, jewelers, and other wedding-related businesses. We expect that the same kind of increase in wedding spending would happen in New Hampshire.

We make an estimate of this new spending in a straightforward way. Over time, based on the experiences in Massachusetts and Vermont, we predict that approximately half of same-sex couples will marry. Therefore, census figures for New Hampshire

suggest that a total of 1,350 gay or lesbian couples would marry. (As a point of reference, there are roughly 11,000 marriages by different-sex couples each year in New Hampshire; the 1350 reflects weddings over several years.) Wedding consultants estimate that the typical wedding in New Hampshire costs \$30,500. If same-sex couples spent only one quarter of this typical amount on their weddings, then the total new spending in the state would be more than \$10 million over the years that those couples marry.

The second immediate economic boost would come from out-of-state couples who would travel to New Hampshire to marry, since no other state allows same-sex marriages. (Governor Romney's interpretation of Massachusetts law has meant that only residents of Massachusetts can marry in that state.) At least one state, California, briefly realized these business gains so far. During the single month of gay weddings allowed in San Francisco last year, 4,000 couples from 46 states and eight countries traveled to the city and spent lavishly (they reportedly ran out of wedding rings at Macy's).

To estimate the increase in tourism that would result in New Hampshire, I used data from the Census and the Institute for New Hampshire Studies at Plymouth State University data on tourist spending. The top states now supplying tourists to New Hampshire are also the most likely source of same-sex couples who would come here to marry. I make some simple assumptions that are conservative:

- 25% of same-sex couples from the main tourism feeder states (other than Massachusetts) will travel to New Hampshire to marry, along with only 5% of same-sex couples from other states;
- No friends or family members accompany the couples;
- The couples spend no more than two average overnight visitors (\$155) to New Hampshire on lodging, food, and other expenses.

Even using these conservative assumptions, out-of-state couples would spend \$25 million over the mandatory three day waiting period between getting their licenses and marrying.

Adding in the indirect increase in economic activity that would result from the increased tourism (using the “multiplier effect” estimated by the Institute for New Hampshire Studies) means that ***allowing same-sex couples to marry would generate almost \$63 million in new tourist spending in New Hampshire in the first few years after the law changed.***

Finally, it is unlikely that this same degree of immediate spending would occur if same-sex couples were offered the right to enter civil unions. Fewer people would come from out-of-state, since several other states offer civil unions or domestic partner registration. Also, anecdotal reports suggest that some same-sex couples would prefer to wait to have a ceremony until they have the right to marry.

In addition to the direct and immediate gains to the economy from the surge in spending, the state is likely to also reap economic gains in the long run. Equal marriage rights would help attract and retain a talented New Hampshire workforce. America’s business community increasingly recognizes that policies promoting equality and diversity are good for the corporate bottom line. Some analysts argue that respect for diversity enables firms to draw from the widest possible mix of creative and innovative employees critical to economic success. The link between economic vitality and tolerance was demonstrated in a study published by the Brookings Institution in 2000. The study (by Richard Florida and Gary Gates) shows that high-tech industries are larger and grow faster in metropolitan areas with larger gay populations. This study suggests that high levels of tolerance that attract gay people also appear to attract talented and well-educated workers, the group that is required for economic growth.

Furthermore, employers frequently cite competition for workers as a primary motivation to offer health benefits to same-sex couples. It is no surprise, then, that nearly two-thirds of Fortune 100 companies offer such benefits, as do New Hampshire-based employers Fisher Scientific International, Timberland Co., Sigarms Inc., and Dartmouth College.

New Hampshire is surrounded by other states that provide extensive legal protections to same-sex couples. Massachusetts recognizes same-sex couples’ right to marry, and Vermont provides same-sex couples with the right to enter a civil union that

provides all of the state benefits that are associated with marriage. Even Maine has established a domestic partnership registry that affords non-marital couples with access to some legal protections when it comes to inheritance, guardianship proceedings, and funeral and burial arrangements, for example. This puts New Hampshire's employers and communities at risk of losing its gay, lesbian, and bisexual citizens to friendlier locations, since the gay and lesbian community appears more willing than others to move, perhaps in search of friendlier environments. More than 55% of individuals in same-sex couples moved in the five years prior to Census 2000 compared to only 42% of those in different-sex couples.

Furthermore, same-sex couples in neighboring states might be unwilling to visit New Hampshire if the state maintains its policy of unequal treatment of same-sex couples. Married same-sex couples in Massachusetts, for instance, might avoid New Hampshire for fear that their relationship will not be recognized if some accident occurs or to protest unequal treatment. So the state might lose out if same-sex couples opt for vacations in friendlier policy climates.

The long-term strength of the state's economy will depend on its ability to attract and retain a talented workforce, which includes gay, lesbian, and bisexual people as well as heterosexual people who want to live and work in an environment that welcomes diversity.

Third, allowing same-sex couples to marry will be good for the state budget. If the State of New Hampshire were to allow same-sex couples to marry, the state's expenditures and tax revenues would be affected. Because marriage involves both rights and responsibilities, some of the fiscal implications will add to the state's expenditures or reduce state revenues; other marriage effects will be lower expenditures or higher tax revenues. Overall, the research I have done with my UCLA colleagues suggests that the net budget impact is clearly positive.

Let's start with the factors that would have a positive budgetary impact.

- For one thing, the wedding and tourism spending that I just mentioned would generate at least \$1.9 million in new meals and rooms tax revenue over the first few years after the policy change, or just over \$600,000 per year.
- State spending on public assistance benefits would fall. This impact reflects one of the responsibilities of marriage: spouses are obligated to support one another. If same-sex couples marry, we expect public assistance expenditures to fall both because married couples are less likely to need state assistance and are less likely to be eligible for state assistance. Programs can count the spouse's income and assets in assessing eligibility for state health and income assistance programs. Using Census data, we estimate that the state would save as much as \$400,000 per year in SSI, Medicaid, TANF, and Healthy Kids.

Turning to the other side of the ledger, we can estimate factors that would have a negative budgetary impact.

- Interest and divided tax revenues would fall imperceptibly (less than \$40,000 per year) since married couples can combine their exemptions.
- State spending on health care and dental benefits for state employees' new spouses would rise slightly. Census data suggests that there are around 200 active state employees who have same-sex partners, but not all will marry and some of those partners are employed full-time and may have health insurance from their own employer. Therefore, I estimate that approximately 45 new partners would be covered by the state, adding \$373,000 in costs. Including retirees would bring the total cost to \$502,000. Spending in the retirement system would be unlikely to increase, since employees can already designate anyone as a beneficiary for those benefits.
- There would be minor administrative costs, such as copying new forms that are gender neutral. Those expenses would be minimal--roughly \$2,000, given other states' estimates--and would be offset by fees that couples pay for certified marriage certificates.

- We analyzed the potential costs in several other areas, including possible increases in use of the judicial system for divorces and other family matters. The small number of new marriages means few new demands on courts and judges and no expected increase in costs.

We added up both sides and found that the net effect would be positive for the state budget. We project that the tourism-generated tax impact would be spread out over three years, resulting in ***our estimate of a half million dollar per year net gain to the state budget if same-sex couples were allowed to marry.*** This effect may well be larger, since we made very conservative assumptions about the spending on weddings.

This finding is similar to the finding of studies of five other states. And last year the Congressional Budget Office reached a similar conclusion with respect to the federal budgetary impact of allowing same-sex couples to marry. The CBO considered the impact of marriages by same-sex couples on income tax revenues, social security benefits, federal employees' spousal benefit expenditures, and federally-funded means-tested programs. Based on these calculations, they projected that the federal budget would see savings of almost \$1 billion per year.

Finally, to sum up, giving same-sex couples the right to marry is a win-win situation from an economic perspective. Marriage strengthens the well-being of same-sex couples and their families in many ways, not the least of which is financial. New marriages are good for business and create jobs in New Hampshire. Marriage is good for the state budget. In short, giving marriage rights to same-sex couples makes good economic sense for New Hampshire.

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"Homo Economics: The Myth of Gay Affluence and Other Tall Tales," University of Connecticut, March 1999; American University, October 1999.

Same-Sex Couples and Public Policy, panel member, University of Maryland, College Park, October 1999.

"A Bridge to the Future or the Road to Nowhere? Respectability and Lesbian and Gay Think Tanks," Remarks prepared for the Politics of Respectability Conference, University of Chicago, April 1999

Panelist, Unifying Anti-Subordination Theories, DePaul University Law School, February 1999.

"Lesbians, Gays, and Bisexuals in a Gender Agenda," Roundtable on Feminism and Public Policy, 1998 ASSA Meetings, Chicago, IL.

"Economic Issues for Lesbians," Workshop on Lesbian Health Research Priorities, Institute of Medicine, Board on Neuroscience and Behavioral Health, Washington, DC, October 6, 1997.

"Lesbians, Gays, Bisexuals, and Transgenders: Who Gives, How Much, and Why," OutGiving Conference, Aspen, CO, Sept. 1997; Horizons Foundation and United Way, San Francisco, CA, Oct. 1997; NGLTF Creating Change conference, San Diego, Nov. 1997; Cream City Foundation Milwaukee, WI; Chicago, IL; Boston Foundation, February 1998.

"Lesbian and Gay Money: Is There a Gender Gap?" Towson State University, March 1997.

Panelist, "Out in the Workplace," University of Pennsylvania, Feb. 10, 1997.

"Workplace Policy Issues for Lesbian, Gay, and Bisexual People," Gender, Race, Economics, and Public Policy Conference of the New School for Social Research, April 5, 1996.

Panelist, "Compensating for Gender, Race, and Class Inequalities: Is Affirmative Action the Means to Social Justice," A Future of Equality: Feminist Rethinkings of the Affirmative Action and Welfare Debates, Yale University Women's Center, March 30, 1996.

"Equal Pay for Equal Work," University of Delaware Lavender Scholars Series, March 7, 1996.

"Lesbian and Gay Think Tanks," Center for Lesbian and Gay Studies, CUNY Graduate School, Feb. 9, 1996.

Panelist, Affirmative Action in the 21st Century, Chicago United, Feb. 15, 1996.

"The Economic Status of Lesbians and Gay Men: Discrimination, Data, and Debate," Bureau of Labor Statistics, U.S. Department of Labor, June 15, 1995; Institution for Social and Policy Studies, Yale University, Sept. 1995; University of Massachusetts, Boston, May 1996.

Panelist, "Gay Money: Power of the Purse," National Lesbian & Gay Journalists Association, Oct. 19, 1995.

Panelist, Domestic Partner Benefits and Other Gay Rights Policy Issues: Creating Change on Campus, American Association of University Professors, June 9, 1995.

Prepared testimony, Select Education and Civil Rights Subcommittee, Committee on Education and Labor, U. S. House of Representatives, Testimony on the 30th Anniversary of the Equal Pay Act, 1994. (Hearing cancelled at the last minute.)

"Economic Evidence of Sexual Orientation Discrimination," Gay, Lesbian, and Bisexual Studies Faculty Seminars, Univ. of Massachusetts, Amherst, Dept. of Economics and Program for Gay, Lesbian, and Bisexual Concerns, May 11, 1994.

"The Economics of Being Lesbian, Gay, or Bisexual: Pride, Prejudice and Politics," Brown Bag Series in Gay, Lesbian, and Bisexual Studies, University of Massachusetts, Amherst, May 11, 1994.

"Thinking Homo/Economically," conference presentation, Center for Lesbian and Gay Studies, CUNY Graduate School, May 7, 1994.

"Lesbian and Gay Campus Organizing for Domestic Partner Benefits," Annual Conference, The National Center for the Study of Collective Bargaining in Higher Education and the Professions, Baruch College, CUNY, April 19, 1994. Also presented at the American Political Science Association meeting, Sept. 1994.

"The Changing Contours of Discrimination: Race, Gender, and Structural Economic Change," presented at University of Michigan, School of Social Work, Profs. Mary Corcoran and Sheldon Danziger, March, 15, 1994.

"Redefining Families: Research and Policy," American Political Science Association meetings, Washington, D.C., Sept. 3, 1993.

"Lesbian Rights in Maryland," Maryland National Organization for Women, statewide conference, May 1, 1993.

"A Cost/Benefit Analysis of Coming Out," presented at OUT Magazine press conference, broadcast on CSPAN, April 21, 1993.

"Detecting Discrimination," at 1992 NGLTF Creating Change Conference, Los Angeles.

GRANTS:

1995 Wayne F. Placek Award, American Psychological Foundation, "The Impact of Attitudes on Lesbian and Gay Male Earnings and Occupations." (\$15,000)

The Aspen Institute, Nonprofit Sector Research Fund, "Lesbian, Gay, and Bisexual Giving and Volunteering," 1996. (\$40,000)

2002 Wayne F. Placek Award, American Psychological Foundation, "Health Insurance Inequality for Gay, Lesbian, and Bisexual People," with Michael A. Ash.

PANELS AND COMMITTEES:

Reviewer, Wayne F. Placek Award, American Psychological Foundation

Women's Funding Network, Lesbian Donor Research Project Advisory Committee, 1997-98

Visiting Lecturer and co-designer, Traveling Feminist Economics Ph.D. Course, Univ. of Minnesota, 1997-

98

FELLOWSHIPS AND HONORS:

Out 100, *Out Magazine*, 2001.

One of Best and Brightest Activists, *The Advocate*, 2000.

College Outstanding Teacher Award, Social and Behavioral Sciences, University of Massachusetts, 2000-

2001

Lilly Fellow, Center for Teaching, University of Massachusetts, Amherst, 1999-2000

Certificate of Appreciation, Stonewall Center, 1999.

Certificate of Recognition, University of Maryland at College Park Diversity Initiative, 1994-95

Graduate Opportunity Fellowship, 1985-86, UC Berkeley

A.B. with General Honors, University of Chicago

Maroon Key Society, University of Chicago

Abram L. Harris Prize, 1978-79, 1979-80, University of Chicago

AFFILIATIONS

American Economic Association
Board member, Institute for Gay and Lesbian Strategic Studies
Editorial Board (and past Associate Editor), *Feminist Economics*
International Assoc. for Feminist Economics (past board member)
American Statistical Association
Columbia University Press
National Science Foundation
University of Wisconsin Press
Routledge Press

REFeree

Quarterly Journal of Economics
Industrial Relations
Journal of Human Resources
Feminist Economics
Journal of Policy Analysis & Mgmt.
Review of Social Economy
Review of Economics and Statistics
Social Problems
Qualitative Sociology Populations