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## State lawmaker pushes for same-sex marriage in Michigan

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*Lansing* -- In the wake of Tuesday's passage of a gay rights ordinance in Kalamazoo, a state representative today introduced a plan to overturn Michigan's ban on same-sex marriage.

Speaker Pro Tempore Pam Byrnes, D-Lyndon Township, introduced a resolution to amend the state constitution to allow same-sex marriage. Voters instituted the ban in 2004, when they approved Proposal 2.

Kalamazoo voters approved by a wide margin a city ordinance that prohibits discrimination in employment, housing and public accommodations on the basis of sexual orientation or gender identity. Kalamazoo is the 16th Michigan city to pass such a measure.

"This is ... an economic issue," Byrnes said. "Young people want to go to cities and communities that are progressive, accepting of people and have good quality of life. That's something that Kalamazoo is now going to have."

Fifteen states have some level of protection for the rights of same-sex couples, while Massachusetts, Connecticut, Iowa, Vermont and New Hampshire allow same-sex marriage. The country remains deeply divided on the issue, as Tuesday's elections showed. Maine voters repealed a state law that would have allowed same-sex couples to wed. Washington voters approved an "everything but marriage" referendum that recognizes the rights of registered domestic partners. A law allowing same-sex marriage in California is being challenged in state courts.

In Kalamazoo, residents voted nearly 2-1 to extend the city's anti-discrimination protections to gays, lesbians, bisexuals and transgender people. Byrnes said overturning the statewide ban, which courts have interpreted to include all same-sex domestic partnerships, will be a challenge.

Both chambers would have to pass the resolution to place the question on the ballot, a scenario unlikely to happen in the Republican-controlled Senate. If the resolution doesn't pass, proponents would have to collect more than 380,000 signatures to bring the question to a vote in the Nov. 2, 2010, general election.

Byrnes said public opinion has swung quickly in recent years, especially in reaction to stories of same-sex couples being denied access to a partner's health care benefits or visitation rights to their loved ones at hospitals.

"I know it's going to be a struggle," she said. "(But) we have seen some very significant changes in a short period of time; the ordinance in Kalamazoo is an indication.

"If (people) have a gay daughter or son, they think they should be able to enter into a committed relationship," Byrnes said. "We're going to keep pushing this until we have enough votes to do it."

Byrnes' plan amends Michigan's Constitution to repeal the Proposal 2 same-sex marriage ban and allows

Michigan to recognize same-sex marriages from other states. She also plans to introduce legislation that would permit same-sex marriages. The legislation contains a religious exemption to allow clergy the right to refuse performing or certifying same-sex marriages.

Proposal 2 was supported by a broad coalition that included the Michigan Catholic Conference and other religious groups. Dave Maluchnik, director of communications with the Michigan Catholic Conference, noted the Kalamazoo vote had nothing to do with gay marriage.

Maluchnik disagreed with the notion that what happened in Kalamazoo reflects a change in public sentiment on the same-sex marriage issue. He said he doesn't think the initiative to get the issue back on the ballot will gain traction in the state, but if it does the Michigan Catholic Conference will oppose it.

"We've made our position on the issue of marriage loud and clear and will continue to do so," Maluchnik said. "Michigan voters are concerned right now about the state's economy and anything that (distracts) the Legislature from that issue is not in Michigan's best interest."

Jay Kaplan, a staff attorney for the American Civil Liberties Union-Michigan's Gay, Lesbian, Bisexual and Transgender Project, said Proposal 2 has been used to deny public employee benefits, such as health care, to parents and children.

"Not only does this amendment deny same sex couples in committed relationships the opportunity to share in the joys and responsibilities of marriage, it has been interpreted to deny any form of recognition for same-sex relationships for any purpose by any state and local government," Kaplan said. "This amendment took everything off the table for same-sex couples, civil unions, domestic partner benefits including access to health care.

"This amendment goes against the belief of most Michigan residents that same-sex partnerships should be afforded some protection."

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