



Written by [Jack Kenny](#) on May 8, 2009

“Gay Marriage” Bandwagon Rolls Through New England

In California, supposedly the home of “progressive” fads and eccentric ideas, voters in last year’s referendum approved a ban on same-sex “marriage.” But in buttoned-down New England, even the Episcopalians, once known as “God’s frozen people,” have warmed up to the idea of “gay marriage.” The Episcopalian Diocese of New Hampshire has backed a bill to establish just that, which is not surprising, since the bishop, V. Gene Robinson, came “out of the closet” and announced his homosexuality six years ago. Robinson, 62, is formerly married and has two daughters. He now lives with his male partner.



Massachusetts passed a “gay marriage” law after its Supreme Judicial Court ruled in 2003 that the state’s constitution required equal marriage opportunities for same-sex couples. Connecticut enacted a law granting either civil unions or marriage to same-sex couples in 2005. But in the past few weeks the “gay marriage” bandwagon has been barreling triumphantly through New England at a dizzying pace. Four days after the Iowa high court ruling, the legislature in Vermont, which had established civil unions for same-sex couples in 2000, overrode Republican Gov. Jim Douglas’s veto of a “gay” marriage bill. On April 29, the New Hampshire Senate passed a bill to establish marriage “regardless of gender” in the Granite State. On May 6, the legislature in Augusta passed and Gov. John Baldacci immediately signed a bill establishing “gay marriage” Downeast in Maine. Baldacci, a Democrat, had not previously said what he would do with the bill and the Senate vote in favor, 21-13, was not enough to override a veto.

“In the past, I opposed gay marriage while supporting the idea of civil unions,” Baldacci said in a statement read in his office. “I have come to believe that this is a question of fairness and of equal protection under the law, and that a civil union is not equal to civil marriage.”

On the same day, the New Hampshire House of Representatives adopted the Senate version of its “regardless of gender” bill sending the measure on its way to the governor’s desk. Gov. John Lynch has yet to say whether he will sign, veto, or allow the bill to become law without his signature. Lynch, a Democrat now in his third two-year term as governor, was similarly non-committal two years ago when the legislature was passing the civil unions law, which gives same-sex couples all the legal rights and privileges of marriage without calling it that. He signed that bill, announcing then that he believed the formal title of “marriage” should still be reserved for the kind of union where gender is still regarded.

“I do not support gay marriage and New Hampshire law today prohibits gay marriage,” Lynch said at the time. As recently as last month the governor sounded similarly opposed to same-sex “marriage.” “I think the word marriage is reserved for a marriage between a man and a woman, and I think the real issues really are rights and protections for gay and lesbian couples,” the governor said on April 15th. But this week, Lynch appeared to be wavering.



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"I'm going to talk to legislators and I'm going to talk to the people of New Hampshire and ultimately make the best decision I can for the people of New Hampshire," he said on Wednesday evening.

The civil union law the governor signed in 2007 guarantees all the "rights and protections" to same-sex couples that married couples have, including property, child custody and hospital visitation rights. Opponents of the legislation say there is no reason for the governor to change his stand on reserving "the word marriage" for a man-woman union.

"Either he keeps his word and vetoes the bill or he has been misleading the New Hampshire public," said Kevin Smith, executive director of Cornerstone Policy Research, a conservative, family-values organization headquartered in Concord. The group has waged a vigorous public relations campaign against the bill, including TV ads highlighting the governor's past statements on the issue and asking viewers to call the governor and urge him to keep his word.

A popular Democratic governor in a formerly solid-Republican state, Lynch ousted unpopular one-term Republican Craig Benson in 2004. Two years later, New Hampshire Democrats took over both Houses of the legislature for the first time in more than a century, as voter sentiment turned against the Bush administration and Republicans in general. The Democrats continued their hold on the State House through the 2008 elections and Lynch, now in his third two-year term, continues to have approval ratings above 70 percent. Though a Catholic, his "pro-choice" stance on abortion has not noticeably diminished his standing with Catholics in general or with other voters in a state that has consistently elected "pro-choice" legislatures.

Lynch has appealed to conservatives by taking the New Hampshire "pledge" to veto a general sales or income tax (New Hampshire still has neither) and by threatening to veto a bill repealing the state's death penalty. (The repeal was passed by the state House but tabled by the Senate; the state's death penalty remains on the books though no one has been executed in New Hampshire since 1939.)

Lynch's decision will almost certainly settle the issue for this session of the legislature. The votes in both the House and Senate were close, so barring a massive switch of votes, there will be no override of a veto.

The governor's office has been deluged with cards, e-mails, and phone calls from both sides urging him to sign or veto the bill.

On the eve of the Senate vote, a University of New Hampshire Survey Center released a poll showing 55 percent of New Hampshire residents in favor of civil marriage for same-sex couples and 39 percent opposed. The poll, commissioned by the New Hampshire Freedom to Marry coalition, which supports the bill, was a survey of 491 voters. It posed the following question: "Would you support or oppose a law that would allow the state of New Hampshire to issue civil marriage licenses to gay and lesbian couples?"

Opponents say the wording is misleading, since it sounds like a description of the civil union law already on the books. Cornerstone Policy Research released a poll of its own, which the group says is a telephone survey of all 432,398 households in New Hampshire. The survey, done by CC Advertising of Richmond, Virginia, asked: "Do you agree that marriage between one man and one woman should be the only legal definition of marriage in New Hampshire?" Of those responding, 64 percent said "Yes," CPR announced.

The bill specifically exempts clergy from any requirement to perform same-sex marriages, but a number of religious organizations have opposed it, most notably the state's Roman Catholic diocese. On



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Thursday of this week, Bishop John B. McCormack again called on Lynch to veto the bill. The law would result in “many unintended consequences that will undoubtedly lead to unnecessary confusion, litigation and denial of rights to many people in our state,” the bishop said in a statement released from his office. Opponents have said the act would force caterers, florists, photographers, restaurants, reception halls, and other businesses that serve wedding parties to offer their services to same-sex couples or face legal charges and penalties for violating the state’s anti- discrimination statute.

“Short of preserving marriage as the union of one man and one woman, there must be adequate protections for churches, but also for individuals who have a genuine conscientious objection to participating in or assisting ceremonies of same-sex couples,” the bishop said.

McCormack made a similar appeal to the governor two years ago over the civil unions bill, which Lynch nonetheless signed. Lou D’Allesandro of Manchester, the only Democrat to oppose the same-sex “marriage” bill in the 13-11 Senate vote, says Lynch has to make up his mind on this bill as well.

“I hope that he either signs or vetoes it,” D’Allesandro said, when asked about speculation that Lynch may let the bill become law without his signature. “This is one where the governor has got to have a position.”



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