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Gay-rights activists and proponents of a ban on same-sex marriage converged on the Massachusetts Statehouse as lawmakers considered an amendment that would ban gay marriage but legalize civil unions.

Massachusetts lawmakers give first approval to gay-marriage ban

By JENNIFER PETER
Associated Press

BOSTON — The Massachusetts Legislature gave final approval — for this year — to a constitutional amendment that would ban gay marriage but legalize civil unions, taking the first decisive step toward stripping same-sex couples of court-mandated marriage rights.

Within moments of yesterday's 105-92 vote, Gov. Mitt Romney said he would ask the state's highest court to delay implementation of its November ruling that ordered same-sex marriages to begin taking place May 17. He said he would seek a formal stay until the amendment process is complete.

The vote, which must be affirmed again during the next two-year session and by voters in the fall of 2006, completes the Legislature's action on gay

marriage for the year.

Attorney General Tom Reilly, who represents the state in court, said he would not seek to delay the deadline on Romney's behalf. Without court action, yesterday's decision will not affect the deadline. If the amendment is approved by voters, Massachusetts would join Vermont in offering same-sex couples the chance to join in civil unions.

The amendment's approval brought a roar from activists on both sides of the debate. Neither side was happy.

"I believe many of them (lawmakers) are going to feel very ashamed of what they've just done today," said Arline Isaacson of the Massachusetts Gay and Lesbian Political Caucus.

Many conservatives also opposed the solution, arguing that it requires citizens to vote on two different questions — a gay-marriage ban and legal-

ization of civil unions — with one vote.

"We are giving the people a false choice," said state Rep. Vinny deMacedo, a Republican. "We're saying, 'No problem, you can vote to define marriage as between a man and a woman, but the only way you can do it is if you create civil unions that are entirely the same as marriage.' Ultimately, if this ever makes it to the ballot, it will fail."

The proposal specifies that civil unions would not grant federal benefits to gay couples.

Supporters of the measure argued that it was the best possible solution.

"There is no single clear solution to this issue," said Senate Minority Leader Brian Lees. "... This amendment attempts to strike a balance between those citizens who want to be heard in defining marriage yet never taking away the rights and benefits of gay and lesbian couples."