



TODAY, IN 1959

A plane crash near Clear Lake, Iowa, killed rock 'n' roll stars Buddy Holly, left, Ritchie Valens and J.P. "The Big Bopper" Richardson.

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Michigan court rejects benefits for gay partners

Ruling to be appealed to Supreme Court

By David Eggert
Associated Press

LANSING, Mich. — Michigan's ban on gay marriage also blocks public universities and state and local governments from providing health insurance benefits to the partners of gay workers, the state Court of Appeals ruled yesterday.

A three-judge panel cited the language of a 2004 voter-approved constitutional amendment making the union between a man and woman the only agreement recognized as a marriage "or similar union for any purpose."

"The protection of the institution of marriage is a long-standing public policy and tradition in the law of Michigan," the judges wrote in their unanimous decision.

Twenty-one gay couples will appeal to the state Supreme Court. If they aren't successful, they will sue

in federal court, said attorneys for the American Civil Liberties Union of Michigan.

"It's hugely disappointing," said Gary Lindsay, an office assistant at Michigan State University whose partner of 17 years gets health-care coverage.

The appeals court ruling released yesterday reverses a 2005 decision by an Ingham County judge who allowed public employers to provide the benefits. Circuit Judge Joyce Draganchuk said criteria established by employers to qualify

for same-sex benefits weren't akin to marriage because married people get many more rights than domestic partners.

Republican Attorney General Mike Cox, whose legal opinion barring same-sex benefits in future contracts prompted the ACLU lawsuit, said the constitutional amendment is unambiguous.

"The people set the direction. They were pretty clear," he said in a telephone interview.

The ruling also applies to unmarried heterosexual couples.