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Senate OKs anti-gay marriage bill

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CHEYENNE — The Wyoming Senate narrowly voted Friday to stop recognition of same-sex marriages and civil unions from outside the state.

Meanwhile, there are indications that a proposed constitutional amendment banning gay marriage may not pass the Wyoming House.

The Senate passed House Bill 74 by a 16-14 vote after tagging on a last-second amendment guaranteeing out-of-state couples in civil unions access to Wyoming courts.

Because of the amendment, the bill will now head back to the House to approve the changes. The House passed the legislation late last month 32-27.

Supporters of HB74 said the legislation is needed to resolve a conflict in Wyoming law, which defines marriage as a contract “between a male and a female person” but also recognizes any valid marriage performed outside the state.

State Sen. Larry Hicks, R-Baggs, noted that while opponents of HB74 have portrayed the legislation as unique and out of the mainstream, more than 30 states currently ban gay marriage.

“Quite frankly, we will be more consistent, across the country, by passing this than if we don’t,” Hicks said.

Opponents held that the bill is unnecessary, unconstitutional and discriminatory against gay and lesbian couples.

State Sen. Cale Case,

R-Lander, said many supporters of HB74 say clarification is needed as the Wyoming Supreme Court is currently deciding whether to hear a divorce case involving a lesbian couple from Lusk. But HB74, he said, wouldn’t give “one iota bit of help” or guidance to Wyoming judges when same-sex couples go to court.

“These are real issues. How this is defined grants real privileges and rights to different people,” Case said. “It’s literally decisions of life and death — it’s literally the basic, basic things.”

Before passing HB74, the Senate voted 16-13 to add language to the bill stating that couples in out-of-state civil unions are entitled to access Wyoming courts to resolve disputes that may arise from their unions.

Gov. Matt Mead has repeatedly voiced concerns that same-sex couples need to have access to Wyoming courts, calling it a civil rights issue.

While Mead has said he’s against gay marriage, he’s said he’s “interested” in possibly creating a “parallel track” for same-sex couples.

At the same time, the future of a proposed constitutional amendment banning gay marriage may be in doubt. Senate Joint Resolution 5, which passed the Senate 20-10 late last month, has been languishing in the House for the past week.

The deadline to pass bills on first reading is next Friday. And House Majority Leader Tom Lubnau,

R-Gillette, who controls when bills are voted on, said Friday that he hasn’t decided whether to bring up SJR5 before the

deadline.

The House has devoted a lot of time to debating social issues so far this session, Lubnau said, and he wants to make sure there's time to discuss legislation on other topics.

But state Rep. Cathy Connolly, a Laramie Democrat who's been a strong supporter of gay rights, said Lubnau probably wouldn't paint himself into a corner by saying outright that he won't bring the bill up.

And even if SJR5 is voted on next week, Connolly said it would probably be voted down. Proposed constitutional amendments need a two-thirds majority, or 40 votes, to pass the House.