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Gay marriage bill held up

by Steve Lash

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ANNAPOLIS — House Judiciary Committee Chair Joseph F. Vallario Jr. has delayed until Thursday at the earliest a vote on legislation to permit same-sex marriage in Maryland after two critical supporters of the measure said they would not vote before their concerns about potential school budget cuts are addressed.

"We may hold it [beyond Thursday] but it will be on the [voting] list to talk about," said Vallario, D-Prince George's and Calvert, of the same-sex marriage bill. "It's just not going to happen today."

Dels. Jill P. Carter, D-Baltimore City, and Tiffany T. Alston, D-Prince George's, said they would withhold their committee votes on the same-sex marriage bill the Senate passed last week. Without their votes, the bill would have failed on a 10-10 vote of the 22-member committee. The panel includes 10 sponsors of the bill, in addition to Carter and Alston.

Carter and Alston took their stand even after a two-hour, closed-door meeting with House Speaker Michael E. Busch, D-Anne Arundel, to address the delegates' concerns.

"The speaker was kind enough and gave us some assurance," Carter said after the meeting. "I'm satisfied that they're making best efforts" to address the budget concerns, she added.

But Carter also stood by her comments earlier Tuesday that a vote on the same-sex marriage bill should not have greater priority than protecting the budget for Baltimore schools.

"I am for the [same-sex] marriage bill. I just don't think it's the only bill on the table," Carter said. "One group's civil rights are not more important than the civil rights of another," she added, referring to the rights of gays and lesbians to marry and the rights of Baltimore's school children to a quality education.

Gov. Martin O'Malley's proposed budget for next year would cut \$15.3 million from Baltimore schools and \$20.9 million from Prince George's schools.

Alston could not be reached for comment.

Busch said no specific budgetary assurances were made to secure votes from Carter and Alston on same-sex marriage.

"They're totally different issues," Busch said after the meeting.

"We are not ... tying anything to the budget," he added. "Budget decisions have to stand alone."

The House committee contretemps follows Senate approval of the proposed Civil Marriage Protection Act last week on a 25-21 vote.

If the bill fails to move out of committee, it would not necessarily doom the legislation. Forty-seven of the House's 141 members, or one-third of the body, could vote to bring the legislation to the House floor.

However, such a move is rare.

If the House joins the Senate in passing the measure, the same-sex marriage legislation would go to O'Malley, who has said he would sign it into law. If enacted, it would make Maryland the sixth state, in addition to Washington, D.C., that permits same-sex marriage.

The law would go into effect Oct. 1.

Opponents of the measure say they plan to mount a petition drive to bring the issue to Maryland voters via referendum in November 2012.

Del. Don H. Dwyer Jr., a committee member who opposes same-sex marriage, cited the committee contretemps as evidence that the proposition apparently lacks sufficient support in the legislature, and definitely in the public at large.

"I thought they had shored up their votes," said Dwyer, R-Anne Arundel. "The referendum is just going to be a tremendous success."

The same-sex marriage legislation, Senate Bill 116, would remove Maryland's statutory limitation on marriage as the union of a man and a woman.

Clergy members would remain free not to officiate at same-sex weddings if doing so would violate their religious beliefs. Religious-affiliated organizations also would be permitted to refuse to provide services and goods, such as catering and their dining halls, for same sex-marriage ceremonies and celebrations.

The bill further exempts religious groups from having to provide educational programs, counseling services, retreats or insurance coverage for same-sex couples.

Same-sex marriages are legally performed in Connecticut, Iowa, Massachusetts, New Hampshire, Vermont and Washington, D.C.

Currently, Maryland recognizes as valid within the state same-sex marriages lawfully performed in other jurisdictions.

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