

Same-sex marriage ban voted down

A Senate panel defeated an emotionally charged proposal to seek a constitutional amendment. Supporters vowed the fight isn't over.

Mark Brunswick, Star Tribune

Last update: April 04, 2006 – 10:36 PM



Kyndell Harkness, Star Tribune

Amendment opponents John Rittman, left, of Minneapolis and Ray Schreurs of Roseville chatted in the hall Tuesday as the committee members gathered in a nearby conference room. After the panel voted, Sen. Michele Bachmann, R-Stillwater, said she'll fight to keep the issue alive and force a floor vote.

A Senate committee rejected a proposed constitutional ban on same-sex marriage and civil unions Tuesday, but the debate that has divided families, churches and communities isn't over.

Supporters and opponents crowded the halls of the State Capitol as the Senate Judiciary Committee first amended and then voted 5 to 4 along party lines to defeat a proposal that would have put the issue on the ballot in November.

Afterward, the measure's sponsor, Sen. Michele Bachmann, R-Stillwater, vowed to keep the issue alive and to force a floor vote in the Senate. She also said the vote would have "profound implications" for November elections.

"At this juncture the people will be prohibited from voting on this issue and the people will remember that in November," Bachmann said. "We haven't heard the end of this issue and nor will we until the clock strikes midnight and the session will be adjourned."

Senate Majority Leader Dean Johnson, DFL-Willmar, who had been criticized by supporters of the amendment who thought he was trying to prevent a vote on the issue, said he felt comfortable after the vote.

"I can look anyone in Minnesota in the eye and tell them I did not tell one person how to vote on this," he said.

But Johnson acknowledged that the issue is not likely to go away.

"Things are not dead here until the end. They may be wounded or reconfigured, but nothing is ever dead until adjournment," he said.

A family 'caste system'?

Amendment backers include many families with children, who waited Tuesday outside the hearing room on benches. Others paced before the hearing began, many clutching Bibles.

One opponent carried a sign bearing a picture of Bachmann and the words: "Portrait of Bigotry."

In testimony before the committee, Bachmann called marriage "the cultural DNA of our society," adding that the proposed amendment also should broadly preclude civil unions.

"Civil unions fail to offer a civil compromise. Civil union is marriage by just another name," she said.

Ann DeGroot, executive director of OutFront Minnesota, the state's leading gay and lesbian advocacy organization, said passage of a constitutional amendment would create a "caste system" for families in Minnesota, including the potential for harming unmarried heterosexual couples and single-parent families.

"We believe this constitutional amendment is an attack on families," DeGroot said. "I look forward to a time when all of us can work together on legislation that strengthens and supports all families in Minnesota."

The committee voted on an amended version of the bill that was designed to keep the definition of marriage out of the courts.

The Minnesota House already has passed the Bachmann-style legislation twice. If it were to pass the Senate, voters in November would be asked to constitutionally define marriage as strictly between one man and one woman. The constitutional amendment also would prohibit legal recognition of civil unions, a provision that opponents say could block domestic partner health benefits, adoptions and other rights.

Court challenge feared

"This is largely a religious dispute," said Sen. John Marty, DFL-Roseville, one of five DFLers to vote against the bill. "It is not the government's role to pick and choose religious beliefs."

But Sen. Tom Neuville, R-Northfield, said that marriage has a government sanction attached to it and that the Legislature is the proper forum for defining it.

"These issues are appropriate for public discussion. It's inappropriate to leave the decision up to the courts," he said.

Thirteen states passed marriage amendments in the 2004 elections, and 19 states overall now have passed constitutional amendments defining marriage as a union between one man and one woman. Last month, the Wisconsin Legislature passed a proposed marriage amendment, one of at least eight states that are expected to put a similar measure on the ballot this year.

Minnesota already has a state law prohibiting same-sex marriage. But supporters of the amendment say it's necessary to protect the definition of marriage against what they see as an activist judiciary, exemplified in a 2003 Massachusetts court decision that legalized same-sex marriage there.

"Marriage will be challenged in Minnesota. This is not an idle threat. This will occur," Bachmann said.

After the vote, she said she would urge supporters of the amendment to contact their senators to urge a floor vote on the measure, which will now require the support of at least 41 senators because the bill has failed to meet its first committee deadline. Mark Brunswick • 651-222-1636