

Maine Legalizes Gay Marriage

✖ **May 6, 2009** – Maine Gov. John Baldacci on Wednesday signed a bill legalizing same-sex marriage in his state, making Maine the fifth state to allow such unions.

Maine joins Vermont, Iowa, Connecticut and Massachusetts in legalizing same-sex marriage. On Tuesday, the Washington, D.C. Council passed a bill to recognize same-sex marriages performed in elsewhere in the U.S.

The New Hampshire House also passed a gay marriage bill Wednesday and sent it to Gov. John Lynch for his signature. Lynch's support for the measure is unclear. If New Hampshire legalizes gay marriage, Rhode Island would be the only state in New England where the practice is not legal.

The region has been the focus of a campaign by Gay & Lesbian Advocates & Defenders to legalize gay marriage across New England by 2012. The organization was instrumental in passing gay marriage laws in Massachusetts and Connecticut.

The Maine Family Policy Council (MFPC), which is affiliated with the Family Research Council, lobbied against the bill and is launching a People's Vote campaign to generate 60,000 signatures to force a statewide vote on a marriage measure.

"Maine must not create a culture that winks at something so debilitating on so many levels," said Mike Heath, executive director of the MFPC, in a post on the group's Web site. "To present this 'orientation' as benign to impressionable children is the height of arrogance, and surely qualifies as evil."

Family Research Council President Tony Perkins joined Heath in calling for a People's Vote, saying said the Maine bill was "designed to destroy marriage and family structure as we know it, while paving the way for the establishment and protection

of a preferred class of citizens in Maine.”

“The people of Maine have the right to respond to protect marriage and they should do so promptly,” Perkins added.

Mathew D. Staver, founder of Liberty Counsel and dean of Liberty University School of Law, said Maine is out of touch with mainstream America and called on residents to amend the state constitution to define marriage as the union of one man and one woman.

“It is insane to redefine the meaning of marriage,” he said. “There are social, moral, political and spiritual consequences when you establish a policy that says children do not need moms and dads. Same-sex marriage creates a motherless and fatherless social policy.”

Currently, 30 states have constitutional amendments defining marriage as the union of one man and one woman. But a repeal of the federal Defense of Marriage Act (DOMA) would force same-sex marriage to be recognized in every state. Because Congress must review laws passed in the District of Columbia, Staver said the district Council’s decision Tuesday to recognize gay marriage could force a review of DOMA. If Congress does not act on the D.C. bill within 30 days, it will become law without a review of DOMA.

The Maine bill, which passed Wednesday in the Senate by a 21-13 vote after passing in the House Tuesday, repealed a provision under the state’s 1997 Defense of Marriage Act to allow marriage between any two people instead of between one man and one woman. It also allows religious organizations and ministers to refuse to perform gay marriages without being penalized.

Baldacci, who hadn’t previously indicated how he would vote on the bill, took little time signing the measure into law.

"In the past, I opposed gay marriage while supporting the idea of civil unions," Baldacci said in a statement Wednesday. "I have come to believe that this is a question of fairness and of equal protection under the law, and that a civil union is not equal to civil marriage."

Republican Sen. Debra Plowman opposed the bill, saying it was being passed "at the expense of the people of faith," the Associated Press reported.

"You are making a decision that is not well-founded," she said.

Baldacci, however, said the law does not require the church to perform any ceremony with which it disagrees. "Instead, it reaffirms the separation of Church and State," he said.

"It guarantees that Maine citizens will be treated equally under Maine's civil marriage laws, and that is the responsibility of government."

Yet Baldacci acknowledged that his signature may not be the final word on the issue. "Just as the Maine Constitution demands that all people are treated equally under the law, it also guarantees that the ultimate political power in the State belongs to the people," he said.

"While the good and just people of Maine may determine this issue, my responsibility is to uphold the Constitution and do, as best as possible, what is right. I believe that signing this legislation is the right thing to do."