

Suit Filed to Overturn NY Gay Marriage Law



AP Images/Celina Fang

The battle over gay marriage in New York isn't quite over yet. That's because Liberty Counsel has discovered what it calls "flagrant violations" of the New York state constitutional and legal procedures in connection with the bill's passage.

Armed with proof of these violations—which include alleged strong-arm tactics—Liberty Counsel filed a law suit in the New York Supreme Court for declaratory and injunctive relief against the same-sex marriage law Gov. Cuomo signed on June 24.

"New York law requires that the government be open and transparent to keep political officials responsible. When government operates in secret and freezes out the very people it is supposed to represent, the entire system fails," says Mathew Staver, founder and chairman of Liberty Counsel and dean of Liberty University School of Law. "The back-room tactics were rampant in the passages of this law. The law should be set aside and the process should begin again to allow the people a voice in the process."

Here are just a few of the violations Liberty listed in its suit:

- In violation of the Open Meetings Law, a closed-door session with all Republican senators and Bloomberg (registered Independent) where he lobbied them to vote for the Act.
- Bloomberg pressured Republican Senators to vote for the Act at a private meeting at the governor's mansion and with the millions of dollars he had raised from Wall Street financiers.

- Bloomberg's promise to make campaign contributions to any Republican senator who voted in favor of the Act, which he's already carried through on, and to opponents of any Republican senator who didn't vote for the Act.
- The governor's violation of the constitutionally mandated three-day review period before the Legislature votes on a bill by unjustifiably issuing a message of necessity.
- Unprecedented Senate lock-outs during the days leading up to the vote, where lobbyists and the public were shut out from the Senate lobby and denied access to elected representatives.
- Rule changes on the Senate floor to prevent debate on the bill and to ensure it was signed in time to get coverage on the evening news.

Liberty Counsel is representing New Yorkers for Constitutional Freedoms, and several other plaintiffs. NYCF is a statewide, issue-oriented, lobbying organization committed to voicing the pro-life and pro-family perspective to New York state elected officials. They represent constituents throughout the state of New York.