

State Senate passes bill outlawing gay marriage

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By Christina Gostomski

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A bill that would ban gay marriage but allow civil unions in Pennsylvania passed the state Senate by a vote of 38-12 on Wednesday and now goes to the House.

The bill would amend the state Constitution to define marriage as between a man and a woman, echoing a 1996 state law. But it would allow "a legal union identical or substantially equivalent to that of marriage for unmarried individuals."

If the House passes the bill, and both the House and Senate pass it a second time in 2007 or 2008, the constitutional amendment would go to voters in a statewide referendum. Constitutional amendments must pass in back-to-back legislative sessions and be approved by voters. Supporters said the constitutional amendment is necessary to ensure marriage in Pennsylvania is solely heterosexual. But a number of Democratic lawmakers argued against the bill Wednesday, calling it discriminatory.

"Mind your own business.

When you talk about the sanctity of marriage, worry about your own marriage," said Sen. Vince Fumo, D-Philadelphia.

Senate Minority Leader Robert Mellow, D-Lackawanna, said the bill isn't necessary. "There is no civil union in Pennsylvania.

If there was a challenge then maybe we should take a look at the issue," he said.

A bill that would have banned both gay marriage and civil unions sailed through the House by a 2-1 margin, but the Senate Judiciary Committee altered it before it reached the Senate floor

Wednesday, removing language that applied to civil unions.

Some senators tried to re-insert that language Wednesday, but their efforts were voted down 23-27 by a bipartisan group of lawmakers.

Many Democrats opposed banning civil unions, saying they believed that would be discriminatory. Some Republicans feared that banning civil unions would open the bill to a legal challenge.

By eliminating the language pertaining to civil unions, the bill "protect[s] against litigation and challenges," said Sen. Stewart J. Greenleaf, R-Montgomery.

But other Republicans, including Sen. Jane Orie, R-Allegheny, said the new language weakens the bill. The vote to allow civil unions was a "vote against marriage in Pennsylvania," she said.

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