

Why I voted against the constitutional amendment to ban gay marriage

By State Representative Greg Vitali, D-Delaware

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On June 6, the Pennsylvania House of Representatives overwhelmingly passed a proposed amendment to the state constitution (H.B. 2381) whose stated purpose is to eliminate the possibility of gay marriage in Pennsylvania by defining marriage in the state constitution as strictly between one man and one woman.

For this proposed change in the constitution to become effective, the legislation would have to be passed by the Pennsylvania Senate this year, and then passed by both the House and Senate again in the next legislative session before going to Pennsylvania voters for approval. The earliest a referendum on this constitutional change could appear on the ballot would be the spring 2007 primary election.

I voted against the amendment for a number of reasons; first and foremost because it is not necessary. Pennsylvania's Defense of Marriage Act, in place since 1996, already defines marriage as between one man and one woman, thus banning the recognition of gay marriage in Pennsylvania. This act has never been challenged in court, and there is no indication if it were that the Pennsylvania Supreme Court is prepared to overturn it. I do not believe we should be changing the state constitution based on fear and speculation.

I also voted against the amendment because it goes well beyond banning gay marriage in Pennsylvania; it also bans civil unions or any other legal relationship in Pennsylvania that resembles marriage, and bans the state's recognition of gay marriages or civil unions in other states.

We have learned in the past several decades that gay and lesbian people are not sick or perverted -- they are our neighbors, our co-workers, our friends and, in many cases, members of our families. They are taxpayers, volunteers in our communities, good citizens. They did not choose to be gay any more than heterosexuals chose to be straight. They deserve the same rights and protections that other Pennsylvanians enjoy under the law.

I support civil unions because they provide gays and lesbians who are in long-term, committed relationships with the rights and protections that married people enjoy: health insurance, inheritance rights, tax advantages, family and medical leave, hospital visitation, and other existing partner protections and benefits. This is only fair.

Religions have every right to define what constitutes a valid religious marriage for their adherents, just as the state has the authority to define what constitutes a

valid civil marriage for its citizens. But there is a difference between the role of religion and the role of the state in our society. We should not confuse a religious group's authority to prescribe moral tenets for its members with the state's responsibility to define and protect the legal benefits and rights of all people, regardless of who they are.

In the end, the marriage amendment is a diversion. The General Assembly should not be spending its time on emotional and divisive issues like gay marriage; it should be focusing its attention on the issues that truly affect every Pennsylvanian's day-to-day life, issues like property tax relief, legislative reform, the economy and the environment. It is time for the citizens in Pennsylvania to step forward and tell their legislators to start dealing with the issues that really matter.