

# NATIONAL news

Marriage is behind the measure, which also aims to bar the state from recognizing same-sex marriages performed in other states.

Supporters have 30 days from the secretary of state's action to develop the actual wording of the initiative. If the verbiage is approved, the next step would be to gather 64,000 signatures within six months. If successful, backers would see their measure on the November ballot.

Previous efforts to limit marriage in Colorado have been unsuccessful. In 1999, an anti-same-sex-marriage bill was killed in the state Legislature.

The year before, a similar bill was introduced but withdrawn, and Gov. Roy Romer vetoed 1997's version.

## MASSACHUSETTS

The state Department of Education voted Dec. 21 to make sexual orientation a category protected under statewide policies against harassment in schools.

It did so after receiving testimony from gay teens and the head of the Governor's Commission on Gay and Lesbian Youth, who, reports PlanetOut, convinced the board to comply with the state's 1994 Gay and Lesbian Student Rights Law.

Many of the state's school districts reportedly responded promptly to that 5-year-old legislation, adopting policies against anti-gay harassment and discrimination to match older provisions against discrimination based on gender, race and religion. But up to this point the board had yet to update its own regulations to include sexual orientation as a protected category.

The Gay and Lesbian Student Rights Law has provided assistance for students in organizing Gay-Straight Alliance clubs at their schools; as a result, about 15,000 Massachusetts students now participate in about 180 clubs—nearly one-third of such clubs in the nation.

## TEXAS

The state attorney general issued a ruling Dec. 17 saying county clerks are not authorized to record same-sex domestic partnership agreements.

According to the *Houston Chronicle*, Attorney General John Cornyn said that a "declaration of domestic partnership" form is not "required or permitted by law to be recorded."

The *Advocate* says the ruling, which applies

to all 254 counties in Texas, came after officials in San Antonio asked the attorney general whether they are obliged to accept the domestic partnership statements.

The gay magazine reports that "apparently the only county to accept the forms has been Travis County, which includes Austin. Austin city workers filed the forms to certify their relationships in order to get health benefits for their partners."

## VIRGINIA

Another opportunity to chip away at the nation's remaining state sodomy laws is taking shape, the Gay and Lesbian Alliance Against Defamation reported Dec. 20.

According to GLAAD, the Virginia Court of Appeals has agreed to look at the constitutionality of the state's law that forbids oral sex between consenting adults.



The statute, which carries a penalty of up to 20 years imprisonment, applies to both opposite-sex and same-sex partners.

The case before the court concerns nine men convicted for soliciting sodomy while talking to undercover police officers in Roanoke's Wasena Park.

Although all 50 states had some form of sodomy law as recently as the 1960s, today only 16 do. Besides Virginia, 11 other states—Alabama, Arizona, Florida, Idaho, Louisiana, Massachusetts, Minnesota, Mississippi, North Carolina, South Carolina and Utah—have various laws on the books that cover both heterosexual and homosexual sodomy. Four states—Arkansas, Kansas, Oklahoma and Texas—have laws that pertain only to same-sex sodomy.

Currently, Lambda Legal Defense and Education Fund is pursuing challenges against these laws in Arkansas and Texas.

Suzanne Goldberg, a Lambda staff attorney, told GLAAD: "The government should not be in the business of policing the private behavior of consenting adults."

She added that while some states do not often enforce their sodomy laws, the existence of such statutes has been used to deny custody of children to lesbian and gay parents, to put people at risk of losing professional licenses and to deny employment.

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