

NATIONAL news

Inc., a Montana-based queer advocacy organization whose members include employees and domestic partners of employees of the university system. The lawsuit charged that it was unconstitutional to deny same-sex couples access to health insurance, disability coverage and other benefits available to married employees and even to committed opposite-sex couples who signed an affidavit of common law marriage.

"This is truly a landmark decision," said Holly Jo Franz, one of the attorneys who argued the case. "The court has made it clear that same-sex couples must be respected."



From left, Montana plaintiffs Carol Snetsinger, Nancy Siegel, Adrienne Neff and Carla Grayson

REPORT EXAMINES 2004 QUEER STATE LEGISLATION

The Human Rights Campaign Foundation released a new report Dec. 21 examining the full breadth of gay, lesbian, bisexual and transgender state legislation in 2004. The 13 states that passed anti-marriage constitutional amendments last year have been well-publicized, but this new report—*Equality from State to State*—points out the 15 amendments that were defeated in state legislatures in 2004.

Moreover, this report discusses the almost 200 bills that did not deal with marriage but nonetheless affect queers and their families.

"A complete picture of the past year includes 15 anti-gay amendments defeated in the states," said Seth Kilbourn, HRC national field director. "Where the legislative process provided a forum for deliberative and thoughtful conversation, a majority of these anti-marriage amendments were defeated."

Republican state Sen. David Adkins played a key role in defeating Kansas' anti-marriage amendment. He said at the time: "Why are we putting a sign outside the clubhouse door that says, 'No homosexuals allowed?' I just think Kansas is better than that." Other legislators who spoke out against adding discrimination to their state constitutions are highlighted in the report.

The report also examines whether party makeup and regional location of state legislatures correlated with the number and types of queer-related legislation considered.

A total of 160 positive queer bills were introduced in state legislatures in 2004.

Of these, several important bills became law, granting hospital visitation rights in New York and creating domestic partnership registries with a handful of rights in New Jersey and Maine.

"Even in the midst of anti-marriage attacks, several state legislatures moved forward with providing basic rights for same-sex couples and their children," said Kilbourn.

Aside from relationship-related legislation, a key victory in 2004 was the addition of gender identity and expression to Connecticut's hate crime law. The bill was passed 33-0 in the Senate and 143-72 in the House before being signed by the state's Republican governor.

"The outlook for state legislation in 2005 looks mixed," said Kilbourn. "We will continue to fight attacks on our families, but 2005 will see some victories for GLBT people."

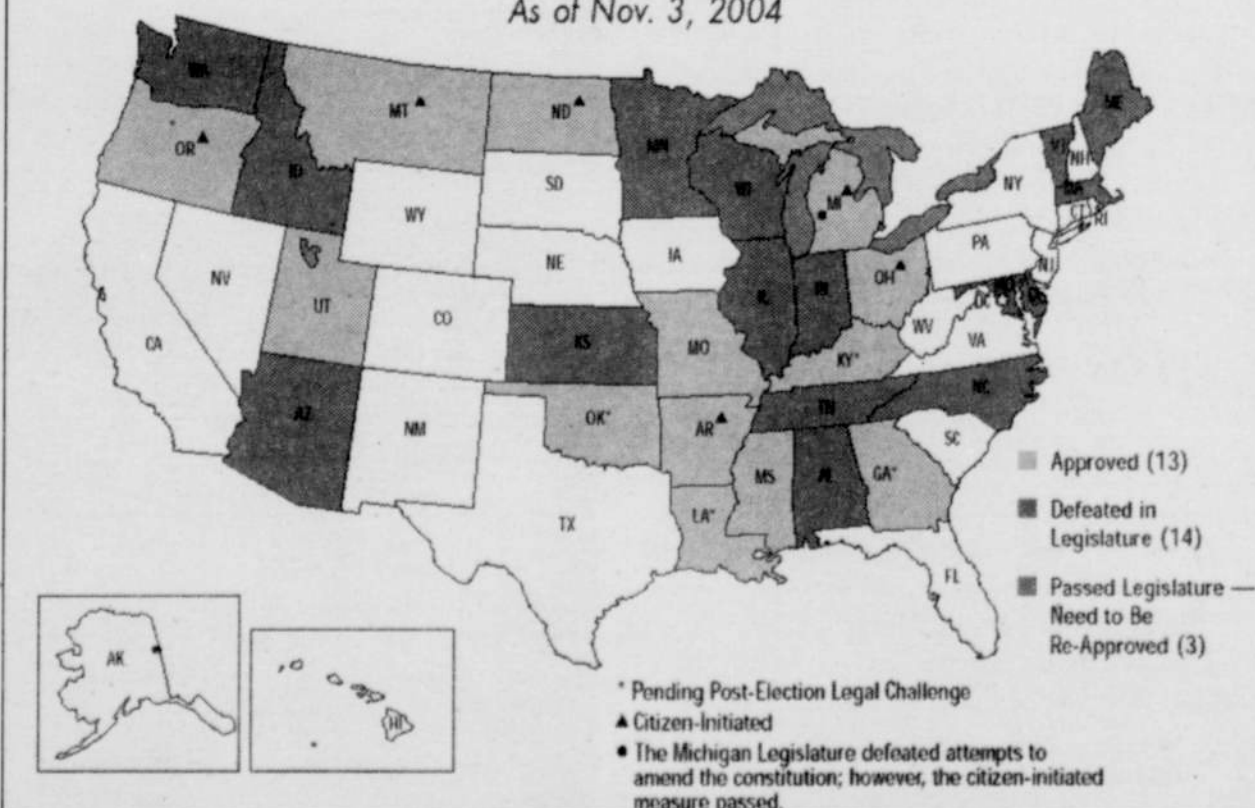
Anti-marriage constitutional amendments already have been pre-filed in South Carolina, Texas and Virginia. However, the California Legislature will consider a bill to extend marriage equality to same-sex couples, and several other state legislatures are expected to work on securing rights and responsibilities for same-sex couples and their children.

Additionally, a number of states will consider nondiscrimination and hate crime bills that include protections for queers. 

Compiled by News Editor SARAH DOUGHER, who can be reached at sarah@justout.com.

Proposed State Constitutional Amendments Limiting Marriage in 2004

As of Nov. 3, 2004



From *Equality from State to State*, available online at www.hrc.org/statelegreport



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