



Written by [Jack Kenny](#) on January 19, 2011

## Cornerstone Action Pushes for Repeal of NH “Gay Marriage” Law

Opponents of New Hampshire’s same-sex marriage law will try to get the 2009 statute repealed this year, despite learning that the issue is not on the agenda set by the leaders of the Republican-dominated House of Representatives. The House leadership will focus efforts this year on the state budget, education funding, pension reform, parental rights and the economy, Majority Leader D.J. Bettencourt said in announcing the priorities for the new legislative session.

[Repeal of the same-sex marriage law “is not on the agenda,”](#) he commented at the State House news conference.



[Cornerstone Action](#), the conservative organization that led the effort to defeat the bill two years ago, is not giving up the effort, however. House rules require all bills to be reported and voted on and the repeal effort will come up with or without the support of the House leaders, Kevin Smith, Cornerstone’s executive director said.

“If it’s not taken up at some point and not made a priority, it’s going to disgruntle a lot of conservatives,” [Smith](#) told WMUR-TV in Manchester. “It’s not the only issue, but it’s an important issue.” In Monday’s “Legislative Update” e-mail, Cornerstone Action reported that the group has been “inundated with emails from concerned supporters” over the news that the repeal effort is not on the Republican agenda. “Many of you indicated that one of [the] reasons you returned a conservative majority to the Statehouse was to see that gay marriage, which was implemented by an over-reaching liberal legislature and signed by a Governor who went back on his word, would be repealed and that marriage would be returned to its original definition,” the e-mail said. The repeal effort should have the support of the party leadership, it said, “especially since it is a prominent part of the NH Republican Platform.”

Last November, New Hampshire Republicans captured every state office but that of governor, taking back control of the both houses of the Legislature, where Democratic majorities had held sway the previous four years. The GOP holds a nearly three-to-one advantage in the 400-member House and a 19-5 majority in the Senate — more than enough in both houses to pass a repeal over a likely veto by Democratic Governor John Lynch, who signed the bill redefining marriage. In 2007, Lynch had signed a civil union bill that extended legal rights to same-sex couples without defining such unions as marriage. “I do not support gay marriage and New Hampshire law today prohibits gay marriage,” he said at the time. In April of 2009, Lynch endorsed the traditional concept of marriage. “I think the word marriage is reserved for a marriage between a man and a woman and I think the real issues really are rights and protections for gay and lesbian couples.”

But the following month the Legislature passed the marriage bill and the governor signed the “Equal



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Access to Marriage Act” into law.

Lynch survived the Republican tidal wave in November, winning an unprecedented fourth consecutive term, though by a smaller margin than in his previous victories. He prevailed against a Republican challenger who supports repeal of the “gay marriage” law and won despite a “Lynch Lied” ad campaign early last year by the National Organization for Marriage, which denounced the governor for his reversal on the issue.

New Hampshire is one of four New England states with laws providing for same-sex marriage, and the only one in which the Legislature took up the matter on its own initiative. In Vermont, Massachusetts, and Connecticut, legislative action followed court rulings that amending marriage laws to include same-sex couples was a constitutional requirement. The only other state that permits same-sex marriage is Iowa, where the state’s Supreme Court ruled that a law limiting marriage to opposite-sex couples was an unconstitutional denial of equal rights.

The Legislature in Maine also passed a same-sex marriage law in 2009, but voters that fall repealed it by referendum. An effort by repeal advocates in New Hampshire to amend the state’s constitution to define marriage as between one man and one woman failed to garner enough votes last year to put the measure before the voters. Same-sex marriage has been defeated by voters in all 31 states where voters have decided the issue by referendum.

The leadership’s decision to stay at arm’s length from the emotionally charged issue is also a reflection of the state’s fiscal condition. New Hampshire faces a projected deficit of anywhere from \$600 to \$800 million and the state’s pension system is only 58 percent funded. The lawmakers will have their hands full dealing with those problems as well as the always challenging school funding issue. The leadership has included in its priorities as a “parental rights” measure, however, a bill to require parental notification when a minor seeks an abortion.

Meanwhile, Rep. David Bates, a Windham Republican and sponsor of one of two bills to repeal same-sex marriage, is not discouraged by the leaders’ agenda. “Leadership simply announced their top priorities,” he told the [Associated Press](#). “There was no suggestion they’re against this or we’re divided.”



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