



Written by [Jack Kenny](#) on May 15, 2009

New Hampshire Governor Seeks Religious Protections in “Gay Marriage” Law.

Legislation already headed for the governor’s desk specifically exempts clergy from participating in same-sex ceremonies. But language Lynch proposes would exempt from lawsuits anyone “managed, directed or supervised by or in conjunction with a religious organization, association or society.” Lynch’s proposal would also exempt non-profits affiliated with religious organizations. Adoption of the added protections will almost certainly determine the fate of a bill passed by both Houses of the legislature, establishing marriage as a union of two people, 18 or older, “regardless of gender.”



“If the Legislature passes this language, I will sign the same-sex marriage bill into law,” Lynch said. “If the Legislature doesn’t pass these provisions, I will veto it.” Since the bill passed by narrow margins in each house, an override of a veto appears unlikely.

But such an effort will probably be unnecessary, as lawmakers who voted for the original bill are likely to incorporate the changes the governor has proposed in another bill. “I think this is fine; this is language we can certainly support,” Mo Baxley, executive director of NH Freedom to Marry told the New Hampshire *Union Leader*.

Opponents of same-sex marriage are now working to defeat the legal protections Lynch has proposed in order to force the governor’s hand to the veto pen. Kevin Smith, executive director of Cornerstone Policy Research has argued that even with Lynch’ provisions, the law will still not protect independent business people like caterers, photographers, and proprietors of banquet facilities from lawsuits if they refuse to provide services for same-sex weddings. A professional photographer in New Mexico was recently fined more than \$6,000 for refusing as a matter of conscience to photograph a same-sex wedding. Photographers who advertise their availability for weddings could face a similar fate in New Hampshire, where “sexual orientation” is included in the state’s anti-discrimination law.

CPR Action, the organization’s political action network, is urging people to contact their representative and senator and ask them to vote against the amendment proposed by Lynch.

Two years ago, Lynch signed into law a civil-unions bill and said at the time that he believed the designation of “marriage” should be reserved for a union between a man and a woman, something he has often repeated. CPR Action is also calling New Hampshire residents to call the governor and “let him know how disappointed you are that he is going back on his word by not opposing gay marriage.”

Opponents have responded to this latest move by the three-term Democratic governor by labeling him “Governor Flinch,” as in “Gov. ‘Flinch’ lets down NH,” a headline that appears over a front-page editorial in today’s *Union Leader*.



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“Now, he has decided there are votes on both sides of this issue and he is trying to get them both, giving himself cover with his request for changes in the bill,” wrote publisher Joseph W. McQuaid. “But the fact remains that he has abandoned his presumably principled position on marriage.” John H. Sununu, a former three-term New Hampshire governor and later chief of staff to the first President Bush, also weighed in on the controversy.

“Once again, Gov. Lynch has discovered a way to be against something and for it at the same time,” said Sununu, now the state Republican chairman. “I wish he would spend as much time trying to cut spending in the budget as he obviously has trying to straddle the same-sex marriage issue.”

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