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## Colorado ballot offers two choices on gay marriage

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Colorado's ballot in November will be the first in the country to offer voters two distinct options on gay marriage: Amendment 43, which would prohibit gay marriage, and Referendum I, which would grant domestic partners certain rights and responsibilities.

To Mike Paradis, a gay man celebrating 18 years with his partner, a referendum on domestic partnerships lets voters look beyond the battle over gay marriage.

"It's one thing to say, 'You can't,' and another to say, 'Here's something we can do,'" said Paradis, 50, of Parker, Colo.

"I keep thinking of this as a practical way of creating a more fair and equal situation for same-sex partners."

Dan Smith, an associate professor of political science at the University of Florida who tracks political races nationwide, said that Colorado's multiple-choice approach is what "direct democracy" should look like.

"It's allowing a more nuanced choice than what voters normally are offered - an either-or, yes-no choice.

"Here you have essentially four vote choices. I think that's exciting from an academic and public-policy standpoint."

By separating what they regard as issues of fairness from the politically combustible "m-word," gay-rights advocates hope to make headway in a landscape where defense-of-marriage amendments, or DOMAs, have passed easily wherever they've appeared on the ballot.

The measures already have been adopted in 20 states by favorable votes ranging from 57 percent in Oregon to 86 percent in Mississippi.

Eight states will offer some version of a DOMA in this midterm election: Colorado, Arizona, Idaho, South Carolina, South Dakota, Tennessee, Virginia and Wisconsin. Six of the eight measures include language that also effectively denies legal recognition to same-sex couples.

Coloradans could pass either, neither or even both measures, thereby banning same-sex marriage but allowing couples certain legal rights.

Coloradans are clear in their stand on marriage, said Jim Pfaff, a policy analyst for Focus on the Family, which has supported Amendment 43.

But he suspects that the domestic-partnership referendum may cloud voters' views.

"It's obvious to people that marriage is between one man and one woman," Pfaff said. "Confusion comes in when people try to think about benefits. Every person says, 'Yeah, we need to be fair.' What they don't realize is that those (domestic partner) benefits are available."

Gay-rights advocates argue that securing such benefits often involves jumping through expensive and onerous legal hoops.

But even some proponents of gay marriage have criticized the strategy of juxtaposing the marriage issue and domestic partnerships, arguing that discriminatory marriage laws should be dealt with head-on.

But other gay-rights advocates note that, after so many lopsided defeats, it may be time for a new approach - and they'll be watching Colorado closely.

**"I'd be loathe to criticize an experiment where good, smart people try to figure out how to connect the dots for the public," said Dave Fleischer, the director of organizing and training for the National Gay and Lesbian Task Force.**

**"This may turn out to be a very important, positive thing. Truth is, it's hard to predict, because it's the first anybody has tried it."**

The campaign already has proved expensive.

Coloradans for Fairness, which opposes the marriage amendment and supports domestic partnerships, pulled in more than \$250,000 in the campaign-finance reporting period that ended last week.

That brings the organization's total to nearly \$870,000.

But if the campaign fulfills its wish to keep a strong television, radio and mail presence into November, the final tab could wind up closer to \$2 million, "give or take," said Sean Duffy, the executive director of Coloradans for Fairness.

Coloradans for Marriage, which backs Amendment 43, doesn't need to raise nearly so much because "most people in Colorado already are on our side," said executive director Jon Paul.

His organization had about \$244,000 in contributions at the last reporting period.

"We have a strong grassroots effort," Paul said.

"That costs some money, but not nearly as much as a wide media campaign. If we get close to half a million, we'll be in good shape."