

California lawmakers again approve gay marriage bill

Measure sent to governor's desk; Schwarzenegger expected to veto bill, as he did similar measure in 2005

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For the second time in two years, California lawmakers have sent legislation to the governor's desk that would legalize marriage for same-sex couples in that state.

Gov. Arnold Schwarzenegger is expected to veto this version of the marriage equality bill, just as he did a similar measure approved by the legislature in 2007, despite being urged the sign the bill by gay rights groups such as the National Gay and Lesbian Task Force and the Human Rights Watch.

The California Assembly approved the measure, authored by openly gay Assemblyman Mark Leno, on a 42-34 vote on June 5. The state Senate passed the measure, 22-15, on Sept. 7.

Schwarzenegger has until Oct. 14 to act on the bill. In vetoing the 2005 measure, Schwarzenegger said he was upholding the will of the voters, who had passed Proposition 22 in 2000 to restrict marriage rights to opposite-sex couples.

Schwarzenegger also said that the courts should be the one to make the final decision on legalizing marriage for gay and lesbian couples. That sentiment went against the general tide of Republican opinion, which at the time castigated so-called "liberal judges" for rulings striking down gay marriage bans.

The California Supreme Court last month heard arguments in a case challenging the state's ban on same-sex marriage.

It was a supreme court ruling Massachusetts that forced that state to recognize same-sex marriages in 2003, and a judge in Iowa ruled last month that banning gay marriages there violates the state's Constitution.

Thalia Zepatos, organizing and training director for the Task Force, said that it is clear that "marriage equality is inevitable in this state," adding that people are looking to Schwarzenegger to "be a leader and get out in front of where the people are already going." Boris Dittrich, advocacy director of the Lesbian, Gay, Bisexual and Transgender Rights Program of the Human Rights Watch, sent a letter to the California governor, urging him to put his "second chance to do the right thing" to good use.

"Only federal action can fully end discrimination against lesbian and gay couples in the U.S. But states like California can send a message, and the governor should lend his voice," Dittrich added.

Gay marriage opponents in California said that Leon's marriage equality bill is unconstitutional because the state's Constitution allows voter-approved initiatives to be overturned only by the voters themselves.