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Delaware State News/Dave Chambers
Nick Gurnas, left, and his domestic partner Rick Moore, both of Milton, sit inside Legislative Hall Thursday afternoon proudly showing their support for Senate Bill 30, which would legalize civil unions such as theirs. The Senate passed the measure after a lengthy debate.

Senate OKs civil-union legislation

Bill would allow
same-sex couples
rights, benefits

By Jessica Eisenbrey
Delaware State News

DOVER — After almost three hours of debate, a bill that would allow same-sex couples to enter into civil unions in Delaware passed the Senate Thursday.

Thirteen senators voted for the measure and six were against. Two senators — Cathy Cloutier, R-Heatherbrooke, and Dorinda Connor, R-Penn Acres — were absent.

The Senate chambers were packed and many of those in the chambers' balcony cheered when the bill was passed.

At one point during the debate, however, Sen. Joseph Booth, R-Georgetown, asked for Senate Bill 30 to be laid on the table "so that we can work on amendments," he said. The bills sponsor, Sen. David Sokola, D-Newark, denied the request.

Witnesses testified both for and against Senate Bill 30 during the discussion. Supporters argued that it is an issue of fairness and equal rights while opponents said they fear the bill is a first step to same-sex marriage in Delaware.

"This civil union bill is a template for legalizing same-sex, genderless marriage," said Nicole Theis, executive director of the

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Delaware Family Policy Council.

Ms. Theis said her organization believes the state could take other routes to provide same-sex couples the rights and benefits they seek through Senate Bill 30.

"We know that there is a better way to meet the needs that have been stated here today. Other states have done it," she said. "There's a better way than taking us down this road to same-sex marriage."

Lisa Goodman, president of Equality Delaware, said the bill is not a step toward same-sex marriage for a specific reason.

"As many of the senators in this room probably know, in the states where there has been a movement from civil unions to marriage, those states typically rely on the equal protection clause in their constitution. Delaware doesn't have an equal protection clause in its constitution," she said. "This is a civil union bill. We're not talking about marriage."

Ms. Theis said she was disappointed with the decision to move the bill forward.

"This bill has many problems, financial and otherwise, and the problems can't be counted," she said.

Sens. Robert Venables, D-Laurel, and Colin Bonini, R-Dover South, brought up concerns about the bill's potential costs.

"From a strictly financial perspective, I'm concerned here," Sen. Bonini said. "We're talking about money that's going to be built into the base every year. Rolling this kind of on-going obligation into our budget, at this time, I just don't think is the right thing to do."

Sen. Venables also addressed the state budget and how Senate Bill 30 might impact it. He brought a list of cuts that Gov. Jack Markell has proposed for the Fiscal Year 2012 budget.

"The reason all these things were proposed is we are hurting for money," Sen. Venables said, referring to the budget cuts. "I think when we propose all these things to cut the budget down, why would we be adding on all these additional costs?"

Sen. Venables also introduced two amendments to the bill during Thursday's debate, both of which failed to pass.

The first amendment made civil unions available to heterosexual couples and for other individuals, such as family members, who are not romantically involved but who co-habitate and share lives out of necessity.

Sen. Venables said he introduced the amendment to allow couples who are not same-sex the opportunity to enter into a civil union if they so desire. "I've had calls from people saying this is unfair," he said.

Ms. Goodman said the original bill was not written to provide civil unions to these individuals for a reason.

"The bill, as drafted, is intended to create a spousal relationship," she said. "It is not a kind of domestic registry bill. We see those bills utilized by opposite-sex couples. This is not that kind of bill. This bill provides all the obligations of marriage."

Two senators, Sen. Venables and Sen. David Lawson, R-Marydel, voted in support of the amendment.

The second amendment introduced by Sen. Venables called for the state to organize a voting referendum on civil unions.

"This is a very divisive issue. Most of the people realize what's happening in other states. It is an issue that's the first step toward marriage. To me, that's not a good thing for men to marry men and women to marry women," Sen. Venables said. "Maybe we should let the people decide."

The senator said he would not otherwise have introduced such an amendment, but the complexity of the issue calls for such a suggestion.

"I never thought I'd be the person to stand here and suggest that we do something like this," he said. "In no way do I want the referendum to relieve senators of the burden. This situation is very unusual. That's the reason why I think it should be decided by the people."

Senate attorney Tim Willard said the state could hold such a referendum and that it would not be unconstitutional.

The amendment received six yes votes and 12 no votes. One senator, Sen. Bruce Ennis, D-Smyrna, chose not to vote.



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With supporters and protesters behind them, Sens. David Sokola, D-Newark, and Liane Sorenson, R-Hockessin, discuss Senate Bill 30.

House Majority Leader Rep. Pete Schwartzkopf added Senate Bill 30 to the agenda for the April 13 House Administration Committee meeting after it passed in the Senate. He said if the bill is reported out of committee then, he will add it to the April 14 House agenda.

Lewes resident Casey Lyn Goold, who spoke out during Thursday's debate in support of Senate Bill 30, said she's hopeful the bill will succeed in the House.

"Delaware's ready for this," she said. "We all deserve equal rights."

If the bill passes in the House with no added amendments, it will go to the gov-

ernor for a signature. Gov. Markell has expressed his support for the measure.

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Delaware State News/Dave Chambers

Standing outside the Senate chamber Thursday afternoon, Delaware Family Policy Council member Peter Glover of Rehoboth Beach was one of many protesters present wearing stickers against SB 30.



Wearing a rainbow pin, SB 30 supporter Douglas Marshall-Steele of Milton watches the action from the packed Senate chamber balcony seats.