



THE SACRAMENTO UNION



Homosexual anti-bias, marriage bills sure to cause a stir

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By J.P. TREMBLAY

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A tumultuous legislative battle is likely as advocates for homosexual rights and traditional family supporters battle over two controversial bills.

The first measure, AB101 by Assemblyman Terry Friedman, D-Sherman Oaks, would change the state's housing and employment anti-discrimination law to include sexual orientation.

Meanwhile, AB167 by Assemblyman John Burton, D-San Francisco, would change the state civil marriage code to permit same-sex marriages.

AB101 has the strong support of the homosexual community, with most leaders pinning their hopes on the fact that there is a new governor this year.

A similar law was approved by the Legislature in 1984 but vetoed by Gov. George Deukmejian because he said the bill was "unnecessary."

However, a spokesman for Gov. Wilson said that while he hasn't seen Mr. Friedman's legislation, the governor supported federal legislation protecting employment and housing rights for all individuals, including homosexuals, when he was in the Senate.

Although the bill isn't scheduled to

be heard in the Assembly Labor and Employment Committee until next month, it has already become a rallying flag for both homosexual rights advocates and opponents.

"I said this will be the battle of the decade. Well, it will be the battle of the century," said the Rev. Louis P. Sheldon, chairman of the Traditional Families Coalition.

The Rev. Sheldon and others oppose the bill because they say it is giving a chosen lifestyle the same status and anti-discrimination protection as race.

"I have met former homosexuals but I have never met a former black man," he said.

However, "if you're going to assume that (homosexuality) is a choice there are still other choices that people make, and the obvious one is religion," said Rand Martin, senior consultant for Assemblyman Friedman.

Opponents of AB101 also contend that this legislation would violate the constitutional rights of business owners and property owners by forcing them to accept something that is contrary to

their religious beliefs.

While AB167, the same-sex marriage bill, has advocates in the homosexual community, its support is by no means unanimous.

"The Burton Bill is a distraction," said Thomas Coleman, an attorney and executive director of the Family Diversity Project in Los Angeles.

Surveys have shown that 70 percent of the population doesn't support the idea of same-sex marriages, so there is no reason to throw that issue into the debate now and allow it to be used against AB101, he said.

"I don't think the same-sex rule is the way to go right now . . . It's basically picking a fight with the conservative religious establishment," Mr. Coleman said.

"AB167 redefines the family unit through legal jurisdiction and puts the church on the defensive in its ability to teach biblical doctrine that is contrary to state law by totally destroying the Christian sacrament of marriage," said the Rev. Sheldon in a newsletter to his supporters.

The Rev. Sheldon is quick to point out the relationship between AB101 and AB167 and has said that the later could become "the Achilles heel" of the civil rights legislation since there aren't the votes in either the Senate or the Assembly to change the state's marriage code.

Mr. Coleman doesn't support the Burton bill, he said, because there are other ways to achieve the same goal without antagonizing 70 percent of the population.

For example, Mr. Coleman was instrumental in getting the secretary of state to officially recognize "family association" between members of the same sex, unmarried couples or single person with a child.

Registration of family associations is based on a 1939 state law which allows a non-profit unincorporated association, such as a social club or fraternity or two people, to register its name with the state and receive official recognition of that registration.

Legislation

That registration is not legally binding and doesn't guarantee anything by itself, a spokeswoman for the Secretary of State's Office said.

However, according to Mr. Coleman, the registration can be used as evidence in legal proceedings to prove at least two of the three criteria needed to establish that a family unit exists.

In most legal cases a family is not limited only to blood, marriage and adoption, he noted.

According to Mr. Coleman, the court generally looks for three things when it establishes a family relationship: what to the people feel for each other, how they project those feelings to society and whether or not the association functions as a family.

The first two criteria can be met and objectively confirmed by the registration with the state, he said.