

1 [Supporting Gay Marriage AB849]

2 **Declaring support for eliminating legal discrimination against same-sex couples in the**
3 **provision of civil marriage licenses and further supporting The Religious Freedom And**
4 **Civil Marriage Protection Act, AB849 and further urging the Governor of California,**
5 **Arnold Schwarzenegger to sign The Religious Freedom and Civil Marriage Protection**
6 **Act to protect all families of California.**

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8 WHEREAS, The City and County of San Francisco has through local policy and
9 ordinance historically shown its consistent commitment to fair and equitable treatment of all
10 persons regardless of gender or sexual orientation; and

11 WHEREAS, Mayor Gavin Newsom sanctioned same sex marriages on February 10th,
12 2004 in the City and County of San Francisco; and

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14 WHEREAS, The City and County of San Francisco is home to numerous families
15 headed by same gender couples, many with children; and

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17 WHEREAS, Assemblyman Mark Leno introduced Bill AB849 to amend current state
18 law regarding marriage to a civil union between two persons rather than a civil union between
19 a man and a woman; and

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21 WHEREAS, California state legislature passed AB849 by a vote of 41-35 on
22 September 6th, 2005; and

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24 WHEREAS, Both the United States Constitution and California Constitution clearly
25 state that no laws will be made or enforced that abridge the privileges and immunities of
citizens of the United States; and that no person within its jurisdiction will be denied equal
protection of the laws; and

1 WHEREAS, The United Nations Universal Declaration of Human Rights guarantees the
2 right to marry and found a family to "all men and women of full age"; and

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4 WHEREAS, California law currently provides domestic partners with only some of the
5 state rights available to married couples; and

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7 WHEREAS, Independent studies prove that California would save \$25 million dollars a
8 year in tax revenue if same gender couples were allowed to marry, and

9 WHEREAS, Providing equal access to civil marriage will not require religious
10 institutions to perform or recognize marriages that conflict with their particular religious
11 traditions or beliefs; and

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13 WHEREAS, The opportunity to publicly and legally commit to share one's life with a
14 person of one's choice is for many people one of the most central aspects of human
15 experience; and the denial of marriage to same sex couples is a denial of fundamental human
16 rights; and

17 WHEREAS, Denying civil marriage to gay and lesbian families deprives them of
18 thousands of state and federal rights, privileges, immunities, protections, and responsibilities;
19 and

20 WHEREAS, In February 2004, Massachusetts Supreme Judicial Court ruled in
21 "Goodridge V. Department of Public Health" that the government may no longer deny
22 marriage and marriage rights to same sex couples because it is unconstitutional under the
23 liberty and equality provisions of the Massachusetts Constitution, and

1 WHEREAS, In 2005, Canada and three other west European nations including Spain
2 Belgium, the Netherlands have taken a leadership role in securing civil rights for gay
3 individuals by legalizing same-sex marriage; and,

4 WHEREAS, Gay and lesbian families deserve the same rights and legal protections as
5 other families under the law, including the protection of their spousal rights and privileges and
6 protection of their children’s economic interests by insuring their access to the resources of
7 both parents; and

8 WHEREAS, Suffering the inability to access these legal protections results in
9 significant harm to these families, including financial insecurity, lack of retirement and death
10 benefits; and lack of access to family court for dissolution; and

11 WHEREAS, No resident of the City and County of San Francisco should be refused
12 equal protection under the law; and

13 WHEREAS, Discriminatory civil marriage laws result, especially, in significant harm to
14 lesbian, gay, bisexual; and transgendered people by perpetuating homophobia, just as anti-
15 miscegenation laws barring people of different races from marrying, legal in the United States
16 until 1967, perpetuated racism and social ostracism; now, therefore be it

17 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
18 declares its support for eliminating legal discrimination against same-sex couples in the
19 provision of civil marriage licenses and supports The Religious Freedom And Civil Marriage
20 Protection Act, AB849; and be it

21 FURTHER RESOLVED, that the San Francisco Board of Supervisors urges the
22 Governor of California, Arnold Schwarzenegger to sign The Religious Freedom and Civil
23 Marriage Protection Act thus protecting all families of California.
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