

1 [Supporting Gay Marriage AB849]

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

7
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

13
14 WHEREAS, The City and County of San Francisco is home to numerous families
15 headed by same gender couples, many with children; and

16
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

20
21 WHEREAS, California state legislature passed AB849 by a vote of 41-35 on
22 September 6th, 2005; and

23
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

Supervisors Ammiano, Dufty, Daly, Sandoval, *Mirkarimi*
BOARD OF SUPERVISORS

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
3

4 WHEREAS, California law currently provides domestic partners with only some of the
5 state rights available to married couples; and
6

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

10 WHEREAS, Providing equal access to civil marriage will not require religious
11 institutions to perform or recognize marriages that conflict with their particular religious
12 traditions or beliefs; and
13

14 WHEREAS, The opportunity to publicly and legally commit to share one's life with a
15 person of one's choice is for many people one of the most central aspects of human
16 experience; and the denial of marriage to same sex couples is a denial of fundamental human
17 rights; and
18

19 WHEREAS, Denying civil marriage to gay and lesbian families deprives them of
20 thousands of state and federal rights, privileges, immunities, protections, and responsibilities;
21 and
22

23 WHEREAS, In February 2004, Massachusetts Supreme Judicial Court ruled in
24 "Goodridge V. Department of Public Health" that the government may no longer deny
25 marriage and marriage rights to same sex couples because it is unconstitutional under the
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.
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 051571

Date Passed:

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

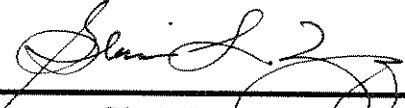
September 20, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval

Excused: 1 - Elsbernd

File No. 051571

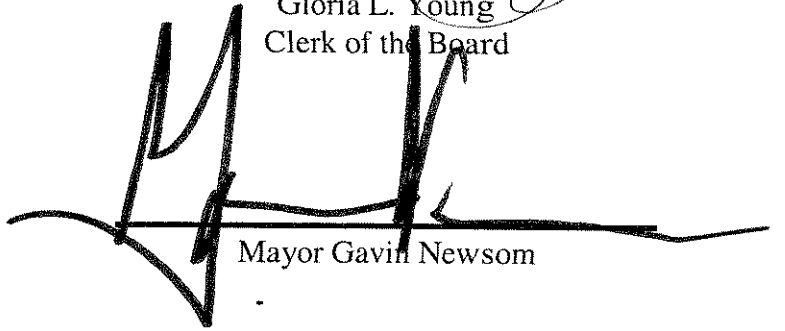
I hereby certify that the foregoing Resolution was ADOPTED on September 20, 2005 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

9/30/05

Date Approved



Mayor Gavin Newsom