

113TH GENERAL ASSEMBLY

GOP boycott halts House

Gay marriage vote sought

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Republican lawmakers pushing for debate on their proposal to ban gay marriage boycotted the Indiana House on Monday, bringing the legislature to a standstill as it entered a pivotal week in the 2004 session.

House Democrats refused to go along with Republicans' demands to vote on a "blast motion" to force debate of a constitutional ban on same-sex marriage. It's not clear how long the partisan stalemate will continue.

The House has today off and will try to conduct business again Wednesday if Republicans return to the chamber.

The national debate over gay marriage has entered the Indiana General Assembly during the final two weeks of the legislative session -- stalling action on at least 83 bills dealing with issues ranging from child welfare to indoor fireworks.

Legislators have scheduled March 4 as their last day, though by law they can work until March 14.

"Outside forces from Washington, D.C., and beyond have tried to change the issues in this state," said House Speaker B. Patrick Bauer, D-South Bend. "That is very unfortunate."

Republicans say a constitutional ban on same-sex marriages is needed as soon as possible because Indiana's law limiting marriage to the union of a man and a woman is being challenged.

The Indiana Court of Appeals is weighing the validity of the existing gay marriage ban after a Marion County judge



With a House rule book at the ready, Rep. Matthew Whetstone kept an eye on the House Democrats during a boycott of Monday's proceedings by his fellow Republicans. It's unclear what Republicans will do Wednesday, when the House reconvenes. -- Kelly Wilkinson / The Star

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STANDOFF AT THE STATEHOUSE

- 1 p.m.: House Minority Leader Brian Bosma says Republicans won't attend Monday's session unless Democrats agree to vote on a blast motion, which would allow the stalled proposal to ban gay marriage to come to the floor for debate if 51 members support it.
- 2 p.m.: Speaker B. Patrick Bauer calls the House to order. Nearly all Republicans fail to show up, denying a quorum.
- 2:30 p.m.: Bauer says Republicans are playing politics.
- 3:45 p.m.: Bauer attempts to

ruled the legislature has the right to dictate the terms of civil marriages.

Bauer said nothing beyond Indiana's current law is needed.

"They are trying to fix something that's not broken. They are trying to mislead the public," Bauer said. "They can stay away as long as they choose, although I don't think it's the right thing to do."

Bauer said Republicans should be careful what they wish for. Banning same-sex marriage in the Indiana Constitution would mean challenges must be brought before federal judges under the U.S. Constitution.

"They'll take it out of the hands of Indiana judges," Bauer said.

He accused Republican lawmakers of blocking action on at least 83 Senate bills in an effort to seek political gain.

House Minority Leader Brian Bosma, R-Indianapolis, flatly denied that.

"This isn't about the campaign. This isn't about politics," Bosma said. "We're committed to defending the institution of marriage."

But Bosma refused to rule out using the issue against Democrats in fall campaigns.

All 100 House seats are up for election this year. House Democrats hold a 51-49 edge and control the flow of legislation.

A successful blast motion would require 51 votes and could revive the gay marriage ban legislation by circumventing the House's traditional process. That process requires hearings by standing committees before the entire chamber can consider bills and joint resolutions.

Blast motions are rarely tried. And House lawmakers who've been around for three decades or more say they cannot recall one that has succeeded.

The Indiana Senate passed the proposed gay marriage ban in Senate Joint Resolution 7 by a 43-7 vote Feb. 3. Sen. Brandt Hershman, R-Monticello, introduced the resolution, and the House sponsor is Rep. Dennis Kruse, R-Auburn.

SJR 7 eventually could allow a statewide vote on whether to include a provision in the state Constitution that prohibits same-sex couples from receiving the legal benefits of marriage.

If the General Assembly were to pass the resolution this year, it still would have to be passed by the General Assembly that's elected this fall before it could be placed before voters in a general election.

Bauer assigned SJR 7 to a House committee that he knew would not give it a hearing. He has said repeatedly that other issues facing lawmakers are more pressing.

Bauer called the GOP motion "an attack" on the committee system. At least five Democrats favor a constitutional ban, but Bauer said he expects

reconvene.

• 4:30 p.m.: Bosma says Republicans won't come back until Democrats agree on the vote.

• 5 p.m.: Bauer tries to reconvene.

• 6 p.m.: Bauer tries to reconvene.

• 6:24 p.m: Bauer announces the House will try to meet at 10 a.m. Wednesday and thanks those who came here today to do the people's business.

them to vote with the party to keep the joint resolution from reaching the floor for debate.

Knowing the blast motion is headed for near-certain defeat, House Republicans still want to force a vote.

Neither side was saying much about what it might do come Wednesday. Bauer didn't outline in any detail what options the House leadership might have. Bosma would say only that the GOP intends to take matters one day at a time.

House Rules Chairman Scott Pelath, D-Michigan City, said the Republicans' refusal to show up Monday was an attempt to divert public attention from their efforts to block Gov. Joe Kernan's full-day kindergarten plan and property tax breaks for homeowners.

Democrats intend to make campaign issues of those votes.

This isn't the first time the legislative process has been halted. In 2001, Republicans walked out after Democrats refused to make changes in new legislative district maps. Eventually, a deal was brokered. In 1995, Democrats -- who were then in the minority -- walked out after Republicans tried to draw legislative district maps six years too soon. The GOP eventually backed down.

Staff writer Michele McNeil Solida contributed to this story.

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