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Illinois lawmakers approve gay marriage in historic vote

Quinn expected to sign bill into law as state is in line to become 15th in nation to legalize same-sex marriage

By Monique Garcia and Ray Long, Chicago Tribune reporters

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Lawmakers approved gay marriage Tuesday in a historic vote that saw supporters overcome cultural, racial and geographic divides and put Illinois in line with a growing number of states that have extended the right to wed to same-sex couples.

After more than a year of intense lobbying by both sides, gay lawmakers made emotional pleas to colleagues to give their families equal rights even as opponents argued that doing so would unravel the foundation of society.

"At the end of the day, what this bill is about is love, it's about family, it's about commitment," said sponsoring Rep. Greg Harris, clutching an American flag he said was sent by a supportive soldier stationed in Afghanistan.

"At the end of the day, this bill is about the vision that the founders of our country had and wrote into our Constitution, where they said America is a journey. ... And we'll continue to

walk down that road to make America a better place, to make ourselves a 'more perfect union,' to ensure the blessings of liberty to ourselves and our posterity," the Chicago Democrat said.

Gov. Pat Quinn said he intends to sign the bill, which would take effect June 1. It's the Democratic governor's latest step in taking Illinois in a more liberal direction. Under Quinn in the past three years, Illinois has banned the death penalty, legalized medical marijuana, provided driver's licenses for undocumented immigrants and approved civil unions.

Resolving the gay marriage question also allows state leaders to get a divisive issue off their plates before next year's big statewide election, even as long-standing financial issues headlined by the state's \$100 billion public worker pension shortfall remain unresolved.

Reaction rolled in from the White House to City Hall. President Barack Obama noted his relatively recent conversion last year to supporter of gay marriage.

"Michelle and I are overjoyed for all the committed couples in Illinois whose love will now be as legal as ours — and for their friends and family who have long wanted nothing more than to see their loved ones treated fairly and equally under the law," Obama said in a statement.

The vote Tuesday capped a year in which prospects for gay marriage often were dim. The proposal failed in a January lame-duck session, but the Illinois Senate provided new hope on Valentine's Day by passing the measure. There was no House vote at the end of spring session in late May, leaving both sides to spend the summer and fall lobbying lawmakers. The first week of veto session came and went without a vote last month, and with candidate filing for next year's election just weeks away, some expected no resolution until next year.

But the bill got 61 votes, one more than the minimum needed to send it back to the Senate for a final signoff later Tuesday.

Supporters said efforts to pick up votes were boosted by events that unfolded since May, the first being the U.S. Supreme Court's landmark ruling that struck down the definition of marriage as between a man and a woman for the purpose of receiving federal benefits.

While hailed as a major victory, the move created a situation in which gay couples living in states that recognize same-sex marriage have more rights than their counterparts in states that haven't legalized gay marriage. The two-class system was a clear narrative that advocates could use when lobbying lawmakers who were on the fence, contending it just didn't make sense for gay couples in Illinois to be denied access to benefits that were available to couples living just across the border in Iowa.

Advocates soon received additional help from Pope Francis, who warned that the Catholic Church could lose its way by focusing too much on social stances, including opposition to homosexuality.

"If a person is gay and seeks God and has good will, who am I to judge him?" Francis said in July.

The comments sparked a wave of soul-searching by several Catholic lawmakers who had battled to reconcile their religious beliefs with their sworn duty to represent their constituents who were increasingly supportive of gay rights even as Cardinal Francis George remained opposed.

"As a Catholic follower of Jesus and the pope, Pope Francis, I am clear that our Catholic religious doctrine has at its core love, compassion and justice for all people," said Rep. Linda Chapa LaVia, a Democrat from Aurora who voted for the bill after spending much of the summer undecided.

House Speaker Michael Madigan also cited the pope's comments in explaining his support for the measure.

"For those that just happen to be gay — living in a very harmonious, productive relationship but illegal — who am I to

judge that they should be illegal?" the speaker said.

Madigan had come under fire from some gay rights groups who argued that he wasn't doing enough to build support in the chamber he controls, but advocates say he was critical in rounding up the final needed votes in the last several weeks.

Later, Madigan acknowledged that he helped persuade "a significant number of people" to vote for the legislation. But always one to leave some mystery hanging, Madigan would not state how many or which lawmakers he brought across the finish line.

"It was over five," Madigan said, adding that it was not over 10.

In addition, African-American lawmakers who had been divided on the issue provided some key votes in favor, and three House Republicans came onboard.

The speaker gave much credit to Harris, the bill's sponsor, saying he was steadfast in the face of "unwarranted criticism" from some in the gay community who were not happy with the way Harris was handling the bill. Some activists had demanded Harris call the bill whether the support was there, contending failure to do so should result in his resignation. Madigan said those efforts "did not help the passage of the bill, it probably hurt the passage of the bill."

Harris said he was focused on the broader outcome.

"Often you have to take a long view and say, 'This is where we need to go, this is the destination,'" he said.

Under the measure, the definition of marriage in Illinois would change from an act between a man and a woman to one between two people. Once signed, civil unions could be converted to marriages within a year of the law going on the books. The legislation would not require religious organizations to wed gay couples, and church officials would not be forced to allow gay couples seeking to marry to use their facilities.

But opponents say the bill doesn't go far enough to protect religious rights. For example, they contend religious groups may be forced to provide health insurance to an employee's same-sex spouse. Others say the bill offers no protections for people like bakers, florists and wedding photographers who may oppose same-sex marriage and could open themselves up to legal action for refusing to provide services.

"The fact is that this bill is the worst in the U.S. for protecting religious liberty," said Rep. Jeanne Ives, a Republican from Wheaton.

The vote was expected to be so tight that Rep. Naomi Jakobsson, an Urbana Democrat, rushed to Springfield from her home where supporters said she was caring for an ill relative. Jakobsson, a co-sponsor of the legislation, made it to the House floor shortly after the debate started. One lawmaker, Democratic Rep. Emily McAsey from Lockport, brought her infant onto the floor.

While the galleries weren't nearly as packed as when a vote was expected in May, dignitaries packed the floor to watch the vote unfold, including Quinn, Lt. Gov. Sheila Simon, Attorney General Lisa Madigan and Republican Comptroller Judy Baar Topinka.

Arguments during the 2 1/2 hours of debate were often eloquent and mostly respectful.

Republican Rep. Dwight Kay, of Glen Carbon in southwestern Illinois, called on lawmakers to "stick by" their convictions rather than walk away for the "expediency of the moment."

"You shouldn't deny your own experience or your own conviction," Kay said. "My conviction happens to be that this (gay marriage) is wrong, but my conviction is that Scripture is right."

Rep. Ken Dunkin, chairman of the legislature's black caucus, countered Kay's remarks, saying it was not long ago that discrimination was ingrained in laws that denied rights to

African-Americans.

"Jesus loved everyone," Dunkin said.

House Majority Leader Barbara Flynn Currie likened the denial of gay marriage to laws against interracial marriage decades ago.

But Rep. Mary Flowers, D-Chicago, lashed out at efforts to equate the fight for same-sex marriage with the civil rights movement.

"Homosexuality has nothing to do with race," Flowers said. "This debate is a joke."

Rep. Sara Feigenholtz, D-Chicago, said the issue mattered very much to the families that would be impacted, reading a letter from a 10-year-old girl being raised by a gay couple who asked, "Will you let my two dads be married?"

Rep. Lou Lang, a Democrat from Skokie, said the matter came down to love.

"It is inconceivable to me in a society that is so desperate for love and so desperate for closeness and so desperate for people to live peaceably with one another that anyone can turn their back on this legislation," Lang said. "All this legislation proposes to do is to let people be together in peace and in love and make the world a better place."

Next year's election also factored into the roll call. Two legislators vying to be the next state treasurer — Republican Rep. Tom Cross of Oswego and Democratic Sen. Mike Frerichs of Champaign — supported the measure.

"I think it says a lot about Illinoisans, I think it says a lot about Americans, I think it says a lot about where the country's going," sponsor Harris said. "You had Republicans voting for this bill, you had Democrats voting for this bill. You had folks from southern Illinois voting for this bill, from central Illinois, from the suburbs, from collar counties. You had African-Americans, you had Latinos, you had white, gay and straight."

Illinois is set to become the 15th state to legalize same-sex marriage.

It's unclear when the governor plans to sign the measure into law, but he hailed the vote as putting Illinois "on the right side of history."

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