

TRANSADVOCATE

Can New York Gays Put Trans Needs Ahead of Gay Wants?

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Abstract

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I Andrew Cuomo, New York's new Democratic governor, has repeatedly emphasized that he "want[s] to be the governor who signs the law that makes marriage equality a reality," saying in his January 5 inaugural speech, "We believe in justice for all, then let's pass marriage equality this year once and for all."

To be sure, State Senate Republicans voted 30-0 against out gay Manhattan Democrat Tom Duane's equal civil marriage bill in December 2009, but Long Island's Dean Skelos, the new GOP Senate majority leader, told the Log Cabin Republicans last October he would bring the issue before his party colleagues during the 2011-2012 Legislature, predicting, "I think our conference would say put it up, let it up" for a floor vote.

And polls over the past two weeks -- one from Quinnipiac University, the other from Siena College -- found that at least 56 percent of the state's voters support equal marriage rights for same-sex couples, with 38 percent or less in opposition. Significantly, the results show the issue polling slightly better (61 vs. 60 percent) in the New York City suburbs, represented by a number of key Senate Republican targets, than it does in the city itself. Even upstate, equality has majority support, by a 51-43 margin, according to Siena.

In the wake, then, of a January 22 off-the-record Albany gathering of about 75 representatives from 50 organizations that support marriage equality -- a meeting closed to the press -- what are the near-term prospects for making New York the sixth state to allow same-sex couples to marry? Nearly a dozen legislators, professional advocates, and grassroots leaders Gay City News has spoken to since last November's election described the ways in which the ball is simultaneously in two courts -- the governor's and the new Republican Senate majority's.

"Does the governor have the capital to fulfill his carefully articulated support for the issue?" is the way Assemblyman Daniel O'Donnell, the out gay Manhattan Democrat who has led his chamber in approving marriage equality three times since 2007 -- and is confident of passage again this year -- framed the potential for success. The Senate Republicans, he said, "have historically only done

things transactionally. I'm not empowered to make that happen, but the governor can do it."
In trying to bring a wildly out of balance state budget under control, Cuomo has already signaled his intention to leverage the GOP Senate to counter the traditional support for social services spending in the heavily Democratic Assembly; he also moved quickly this past week to offer a property tax cap sought by Republicans.

Ross Levi, the executive director of the Empire State Pride Agenda (ESPA), the community's chief lobby group in Albany, is banking on Cuomo's political muscle in the fight.

"There is a clear and credible path to marriage equality and [the Gender Expression Non-Discrimination Act, or GENDA] as early as this session," he said.

Uh huh....

That's why there was no mention of GENDA until the ninth paragraph of the piece.

Levi said the January 22 gathering, of which ESPA was one of the conveners, included expert presentations on messaging, polling data, and the economic benefits of marriage, but focused only "a little bit on the political landscape of Albany."

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Across the board, supporters of moving the bill emphasized the improving climate for Albany action on gay marriage.

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The Washington-based Human Rights Campaign, which, like ESPA, MENY, and Fight Back New York, was heavily engaged in last year's Senate elections, has in recent months been rolling out video

statements of support for marriage equality from prominent New Yorkers. On February 1, one of former President George W. Bush's twin daughters released a video stating, "I am Barbara Bush, and I am a New Yorker for marriage equality."

The bottom line, from O'Donnell's standpoint, is a hopeful one. As was the case with the gay rights law in 2002, he argued, Republican leaders in New York may see taking marriage equality off the table as a way to preserve their control of the Senate, by neutralizing the hundreds of thousands -- or more -- of gay dollars that might otherwise come into play in 2012.

"If I were Dean Skelos and I wanted to keep my majority, I'd get this out the way first," O'Donnell said.

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