

★ EXTRA! EXTRA! ★

ALERT

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On May 8, 2012 (at the time of the primaries), citizens in North Carolina will also be asked to vote on amending the State Constitution to provide that:

“Marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this State.” *(emphasis added)*

Citizens are being alerted to this ballot initiative for two reasons:

- (1) Most voters will not expect this question. Party primaries do not usually attract a large turnout. In addition, many of those who do go the polls will not know that they will be asked to vote on a constitutional amendment.
- (2) At first glance, voters may think that this is an amendment that is solely designed to forbid same gender marriages in NC. That is a misleading assumption because the proposed amendment does much more.

When considering this matter, it is important to know that current North Carolina law already states that:

“Marriages, whether created by common law, contracted, or performed outside North Carolina, between individuals of the same gender are not valid in North Carolina.”

The vote on the proposed amendment will **NOT** change this law. **The proposed amendment is a separate and larger issue.**

Voters should consider the impact of the word “only” in the proposed amendment.

The main concern that many have about the proposed amendment is that its “language is problematically vague, untested, and threatens to upend years of settled law.” “Its impact on North Carolina citizens and on the state could be extensive and severe.”

~Executive Summary on the “Potential Legal Impact of the Proposed Same-Sex Marriage Amendment” by Professors at the UNC School of Law.

~www.law.unc.edu/documents/faculty/marriageamendment/dlureportnov8.pdf

It is not clear what the effect this proposed amendment would have on:

- Legal rights for all unmarried couples (whether of opposite or same sex) and their children (*e.g. a widow and a widower living together in love, but unmarried for financial reasons*);
- End-of-life issues, including wills, trusts, powers of attorneys, and the ability to make health care decisions for a loved one;
- Child custody and visitation rights;
- Current protections under North Carolina’s domestic violence laws;
- Current domestic partner benefits for certain employees and other important legal issues.

Citizens should think and pray carefully before voting on this proposed amendment to our State Constitution, as it cannot afterward be easily changed again.

For more information, “Google” Proposed NC Marriage Amendment

Or read report at: www.law.unc.edu/documents/faculty/marriageamendment/dlureportnov8.pdf

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