

OFFICE OF THE CITY CLERK  
OAKLAND  
2004 MAR 25 PM 12:39

# OAKLAND CITY COUNCIL

RESOLUTION NO. 78464 C.M.S.

INTRODUCED BY COUNCILMEMBER Wan, Nadel, Quan



## A RESOLUTION SUPPORTING ASSEMBLY BILL 1967 THE "CALIFORNIA MARRIAGE LICENSE NON-DISCRIMINATION ACT"

**WHEREAS**, Oakland has by local policy and ordinance shown its commitment to fair and equitable treatment of all persons regardless of gender or sexual orientation; and

**WHEREAS**, existing state law provides that marriage is a personal relation arising out of a civil contract between a man and a woman and further provides that only marriage between a man and a woman is valid or recognized in the state; and

**WHEREAS**, AB 1967 would enact the "California Marriage License Nondiscrimination Act", to provide that marriage is a personal relation arising out of a civil contract between 2 persons and provides for gender specific terms to be construed as gender neutral; and

**WHEREAS**, Oakland is home to thousands of families headed by same-sex couples, many with children, and

**WHEREAS**, these families deserve the same rights and legal protections as other families under the law, including the protection of their children's economic interests by ensuring their access to the resources of both parents, and

**WHEREAS**, marriage is a unique civil contract, separate and distinct from any religious, ethnic, or other traditions, and

**WHEREAS**, civil marriage bestows thousands of state and federal rights, protections, and responsibilities that are otherwise unavailable to gay and lesbian families, and

**WHEREAS**, discriminatory marriage laws result in significant harms to lesbian, gay, bisexual, and transgendered people by perpetuating homophobia, just as anti-miscegenation laws barring people of different races from marrying, legal in the United States until 1967, perpetuated racism and social ostracism, and

**WHEREAS**, both the United States Constitution and California Constitution clearly state that no person will be denied equal protection of the laws, and

**WHEREAS**, discriminatory marriage laws undermine the state of California's commitment to equality, privacy, and justice for all of its citizens, and

**WHEREAS**, marriage is recognized as one of the fundamental elements of individual liberty; and

**WHEREAS**, the opportunity to publicly and legally commit to share one's life with a person of one's choice is for many people one of the most central aspects of human experience, and denial of marriage to same-sex couples is a denial of fundamental civil rights; now therefore be it

**RESOLVED**, that the Oakland City Council urges the California State Legislature and Governor Arnold Schwarzenegger to end discrimination against lesbian, gay, bisexual, and transgendered people and their families by enacting Assembly Bill 1967 which provides for equal access to **marriage** and all of its legal benefits and obligations by all persons, regardless of sex, gender identity, or sexual orientation, and urges the California State Legislature to pass, and Governor Arnold Schwarzenegger to sign, Assembly Bill 1967: and be it further

**RESOLVED**, that the City Council directs the City Administrator and the City legislative lobbyist to advocate for the above positions in the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, APR 6 2004, 20    


**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, BRUNNER, CHANG, DE LA FUENTE, NADEL, QUAN, ~~REID~~, WAN - 7

NOES- 0

ABSENT- 0

ABSTENTION- REID - 1

ATTEST:   
for CEDRA FLOYD  
City Clerk and Clerk of the Council  
Of the City of Oakland, California