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April 14, 2005

Professor X  
Utah State University  
**Via Email**

Dear Professor X,

Thank you for contacting the American Civil Liberties Union of Utah about the potential effect of “Amendment 3” on a proposal at Utah State University to extend medical benefit coverage. Regardless of the specifics of the proposal at issue, the language of Utah’s constitutional amendment should not be interpreted to prohibit benefits to dependents of gay and lesbian faculty and staff.

Article I, Section 29 of the Utah Constitution defines marriage as a “legal union between a man and a woman,” and states, “no other domestic union, however denominated, may be recognized as a marriage or given the same or substantially equivalent legal effect.” Because medical benefits are in no way the substantial equivalent of marriage, the amendment should not be read to prohibit Utah State University from offering such benefits.

Respectfully,

/s

Margaret Plane  
Staff Attorney