

By DAVID CRARY

AP NATIONAL WRITER

NEW YORK -- New Mexico and New York share the top spot while Ohio and South Dakota are tied for last in a new state-by-state ranking compiled by three liberal advocacy groups that analyzes laws dealing with gay rights and reproductive rights.

Most efforts to gauge state positions on such socially divisive topics stick to one theme, but the rankings released Wednesday look at two hot-button issues in hopes of encouraging new alliances between gay-rights and abortion-rights groups.

Reactions to the report varied. Alexis Blizman, a New Mexico gay-rights activist, said her state deserved its position in part because of its "live and let live attitude." A conservative Republican legislator from South Dakota, Sen. Lee Schoenbeck, described the results as "a badge of honor."

"I'd have been disappointed if we'd finished any higher than last," he said.

The rankings were compiled by the National Gay and Lesbian Task Force and two abortion-rights groups, Ipas and the SisterSong Women of Color Reproductive Health Collective.

States were scored cumulatively based on 25 different laws, ranging from restrictions on abortion to recognition of same-sex partnerships to the availability of emergency contraception. Officials from the advocacy groups said the rankings call attention to sharp discrepancies among the states.

"In this country, freedom depends on where we live," said Leila Hessini, a policy adviser with Ipas. She said South Dakota's recently passed abortion law - which would ban abortions even in cases of rape and incest if it goes into effect - "has more in common with Afghanistan than Oregon."

Jason Cianciotto, research director with the gay and lesbian task force, recounted the story of a lesbian couple who felt compelled to move from Florida because it did not allow them to jointly adopt their child. "No one should have to shop around for rights, from state to state," he said.

A moderate South Dakota legislator, Democratic Rep. Pat Haley of Huron, said the ranking of his state was justified.

"I believe we are on the extreme," he said in a telephone interview. "South Dakotans seem to pride themselves on independence, yet they have this legislature that comes at them with bill after bill interfering in all different kinds of ways in how they live their lives."

In Ohio, the Republican-controlled legislature has passed numerous bills in recent years restricting access to abortion. In 2004, voters approved a constitutional amendment that not only banned gay marriage but also any other legal recognition of same-sex couples.

"I think it's a virtue that we'd be known as a traditional, family-friendly state," said State Rep. Bill Seitz, a Republican from Cincinnati. "However, the perception that we're a big homophobic state is not accurate. You can be a family-friendly state without hating anybody."

He noted that GOP legislative leaders recently quashed a bill that would have outlawed adoptions by gays and also balked at promoting a South Dakota-style abortion ban.

While New York's place at the liberal end of the rankings was predictable, New Mexico's share of that position will likely surprise many people outside the state, said Blizman, the executive director of Equality New Mexico.

She noted that New Mexico was among the first states to expand their anti-discrimination laws to cover gays and transgender people, and remains among a handful of states with neither a law nor constitutional amendment explicitly restricting marriage to heterosexual couples.

Brian Sanderoff, president of an Albuquerque-based polling firm, said New Mexico is less liberal politically than New York, yet has avoided passing many of the social-issues laws that conservatives have pushed through in other heartland states.

"Politicians in New Mexico stay clear of the abortion issue and the gay rights issue," he said. "It's a no-win situation - it's too risky for both sides."

Following New York and New Mexico in the Top 10 at the liberal end of the rankings were New Jersey, Washington, California, Vermont, Massachusetts, New Hampshire, Connecticut and Hawaii. Joining Ohio and South Dakota at the other end of the scale were Indiana, North Dakota, Oklahoma, Mississippi, Kentucky, Utah, Nebraska and Missouri.

---