

House OKs Marriage Bill, 95-52 ; Tally Would Fail Override Of Douglas' Promised Veto

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Body

Montpelier -- The Vermont House last night passed a same-sex marriage bill on a 95-52 vote, setting up a veto confrontation with Republican Gov. Jim Douglas.

"A huge majority has spoken," said state Rep. David Zuckerman, a Burlington Progressive, sliding past the fact that supporters will need 100 votes -- a two-thirds majority -- to override Douglas' promised veto.

Most Upper Valley lawmakers supported the measure, but four Republicans -- Steve Adams of Hartland, David Ainsworth of Royalton, John Clerkin of Hartford and Phil Winters of Williamstown -- voted no.

The vote came after several hours of debate in a House chamber that included emotional testimonials about life as a gay person in Vermont, and arguments about how the state has grown since passage of the civil unions law in 2000.

"When the gay community moves into the neighborhood, the real estate values don't fall. It's not just because we're really good landscapers," state Rep. Steve Howard, D-Rutland, said to laughter. "It's because we're really good neighbors."

But Howard, a native Vermonter in his late 30s, also talked about the pain of growing up gay in the state, fearing that he could lose his family and friends.

"I didn't choose to be gay. God made me gay. I begged him, begged him for it not to be so," Howard said. "(Now) I am not ashamed, I am proud. This existing law, the civil union law, separate but equal, makes you feel just a little less than a full human."

Burlington Democrat Suzi Wizowaty, who has been in a same-sex relationship for 30 years, talked about the pain she felt when hearing from constituents opposed to same-sex marriage.

"I felt sad for people who feel their own marriages would be threatened by including me, that the fear of sharing what you have diminishes your own happiness," she said.

State Rep. Jason Lorber, D-Burlington, who referred to his partner as his "husband" and said they met in temple, fought back tears as he described their wedding, which was recognized by his Reform temple, but not by the state.

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"Why do we have to differentiate? Why do we have to say 'you are different.' Why can't we just say 'congratulations'? " Lorber said. "I don't particularly enjoy asking my co-workers for permission to marry the person I love."

The Senate is expected to adopt the House bill, sending it on to Douglas as early as Tuesday. With just 49 Republicans in the House, Democrats indicated the caucus is putting pressure on the handful of party members who voted against same-sex marriage to override Douglas' veto.

"Anything can happen," said former House Speaker Michael Obuchowski, a Rockingham Democrat.

And Linda Weiss, a Freedom to Marry field organizer from Corinth, said the veto override would be cast in a different political light than the gay marriage vote itself.

"I'm very pleased with 95 votes, and I'm optimistic we can override," Weiss, a Democratic activist, said. "I think the override is about the balance of power between the governor and the Legislature."

In introducing the bill, which made minor changes to a marriage equality bill passed by the state Senate last month, House Judiciary Committee Chairman Bill Lippert, D-Hinesburg, said Vermont has been engaged in a "10-year conversation" dating back to the civil unions debate.

"We have learned, I believe, that while civil unions was bold and courageous in 2000, and made a promise of equality, the promise has not been completely fulfilled," Lippert said. "In 2009, we can proudly take the next step for full equality for gay and lesbian couples."

"Now is the time to give the civil unions bill a respectful burial. Now is the time to give equality to our marriage law," added state Rep Johanna Donovan, a Burlington Democrat.

But state Rep. Duncan Kilmartin, R-Newport, said that he was frustrated that opponents had been "marginalized" for supporting longstanding traditions surrounding marriage.

"You do not have the right to demand that we approve of same sex marriage, even if you pass a law saying it's the law of Vermont," said Kilmartin, a University of Chicago Law School graduate who said he was concerned that public school students would be required to learn about gay families in school.

And state Rep. Tom Koch, R-Berlin, said he was voting against the measure, which he feels runs counter to thousands of years of Western civilization.

"We've taken it upon ourselves to change the definition" of marriage, said Koch.

Adams offered, but later withdrew, an amendment that would have replaced the marriage bill with a measure calling on Vermont's congressional delegation and the Obama administration to provide full federal benefits to couples in civil unions.

Even with passage of the same-sex marriage law, gay couples in Vermont would not be eligible for federal benefits, and their marriages would still not be recognized in more than 40 other states.

"I know that even if this bill passes in this form, those things that people are looking for will not be obtained; the tangible benefit that people are looking for will not be obtained unless Congress acts," Adams said.

Earlier, debate focused not on the bill itself, but on a Republican proposal to put the question to a nonbinding, statewide referendum, with many lawmakers saying working Vermonters felt their concerns about changing the legal definition of marriage were being ignored.

"Our constituents deserve no less than the right to be heard," said Kilmartin, the Newport Republican. "We are their representatives, we are not their dictators."

Other lawmakers said it was their job to make those decisions.

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State Rep. Chuck Bohi, D-Hartford, likened the issue to the Supreme Court ruling overturning segregation in public schools. "That's what we are here for, to make the tough decisions. Let's make this one," Bohi said.

Several Valley residents, most of them supporters, were among the hundreds of people on hand for the debate and vote.

"I feel it's one step closer to gaining federal recognition," said Celeste Gilbert, a 29-year-old Bethel resident there with her civil union partner.

Susanne Smith, a 63-year-old married Corinth resident, said she has been supporting gay marriage on behalf of her friends. "I just feel like it's time. I have friends and neighbors in Vermont (who are gay) and feel like things I've taken for granted my whole life should apply to other people," Smith said.

Braintree, Vt., residents Laura Davidson and Nora Skolnick, who had a civil union in 2000, said they've always considered themselves to be married, with the term "marriage in our hearts" part of their civil union ceremony.

Skolnick said they have to bring their civil union license, power of attorney and other papers when they travel out of state in case of an emergency.

"We carry with us a stack of documents to prove we have the right to be with each other," Skolnick said.

Graphic

Caption: Top, opponents of same-sex marriage attend a news conference by Gov. Douglas at the Statehouse in Montpelier yesterday. Later, some opponents chanted, "Thank you, Jim," for his promise to veto the bill. Above, Rep. Steve Howard, D-Rutland, who is gay, hugs Rep. David Zuckerman, P-Burlington, after the House voted a preliminary approval of the bill yesterday. ap -- The Burlington Free Press, Glenn Russell *** ap -- Toby Talbot

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