

remember as you do the divisive experience of four years ago and I don't want to relive that. We've got so many other issues on our agenda — health care reform, improving the economy, and addressing a lot of other issues facing our state. I don't see the need to revisit that in any context.

OITM: When faced with the opportunity to make an appointment to the Vermont Supreme Court you referred to the *Baker v. Vermont* decision as judicial activism. Is judicial activism a decision that you don't agree with?

Douglas: Your assessment is right. It is in the eye of the beholder at the time but I know a lot of attorneys believe that it is a stretch to look at the [Vermont] constitution and read that into the [Common Benefits] clause that they cited. But there's no question that the law of the state is whatever a majority of the Supreme Court say it is at any point. They made a decision that we all must now respect. I didn't ask about any specific cases with candidates for the (Supreme Court) appointment, I didn't think that was appropriate.

OITM: Last year when we met you said you needed to huddle with your team before deciding whether you would issue a proclamation recognizing Gay Pride Day. What did your team say?

Douglas: I don't know if we had that huddle frankly (laughs). We haven't talked about it.

OITM: Would you issue the proclamation if asked?

Douglas: I'd have to huddle with my team (laughs). We get so many requests every week for different proclamations I don't know if we ever got around to discussing it.

OITM: If a request were made this year would you issue a proclamation?

Douglas: I guess we'd have to assess it as we do with others. I don't honor every request for a proclamation that comes in but we'd certainly consider it.

OITM: Will you attend Gay Pride Day in July if you are invited?

Douglas: I don't know. I get so many invitations I'd have to see if it fit the schedule and make a decision at the time. I just don't know.

OITM: I don't mean any disrespect, but does I don't know mean you don't want to think about it or you don't want to answer the question?

Douglas: It is obviously not without controversy in terms of making that decision so I'd have to think about it.

OITM: Gender identity is not currently included in Vermont's nondiscrimination statutes. What is your view on H.366, a bill amending state law to prohibit discrimination on the basis of gender identity?

Douglas: I didn't know that there was a bill in. It hasn't been prominently discussed by committees so I don't know. I'd have to think about it.

OITM: As Governor, through an Executive Order, you could prohibit discrimination on the basis of gender identity in state employment. Would you consider doing that?

Douglas: I am happy to consider it. We have a union contract with state employees and I'm not sure how [an Executive Order] relates to that. We'll talk to Personnel.

OITM: You've expressed your opposition to the legalization of marijuana for medical purposes (H.111). Why?

Douglas: The federal government has not approved it for medicinal purposes. The FDA has made it very clear that not only does it reserve the right to prosecute people who use it but also government officials who sanction it. That got my attention! It is awkward when the federal government has a view that is quite clear on its use and for states to do something different. There is a process for the FDA to approve medications and it has approved a form of THC that is available for medicinal purposes and could, if it felt appropriate, approve marijuana but it has chosen not to do so. My predecessor, who is a physician, felt very strongly about it. I'm not persuaded

ed that we want to do something in contravention of the federal law.

OITM: I think many people felt that Governor Dean's position on medical marijuana was wrong. The concern with THC pills is that if you are suffering from nausea you are unable to take pills, so smoking marijuana is a better delivery device for many people living with HIV/AIDS and other illnesses.

Douglas: The FDA must understand that when it makes its decisions. I assume they must have heard all the arguments about medicinal marijuana and decided against it. I accept the notion that it provides relief to people. The question the FDA and other drug agencies pose is, is it the only way to do it?

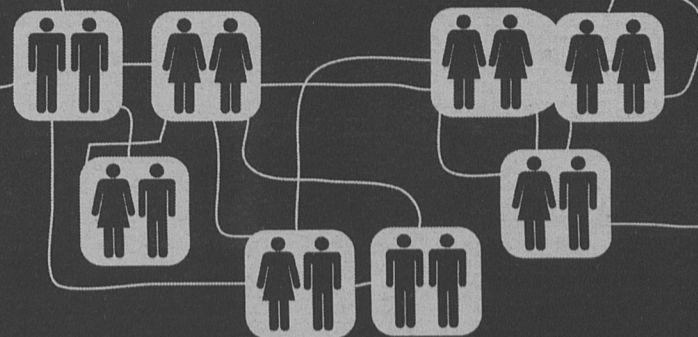
OITM: In November you'll face a challenge from pro-gay Burlington Mayor Peter Clavelle (D). What parts of your record as Governor would lead GLBT Vermonters to support your reelection?

Douglas: I think Vermonters of all identities and persuasions want the same things that most Vermonters do. That is the chance to be successful, improve the quality of their lives, have a decent job, and be able to afford a home, education and retirement. I think many Vermonters share my goals in terms of the initiatives I have offered. There's a lot in my record of accomplishment that I'll offer to the voters at the end of two years that will be impressive.

OITM: As Governor, what other message do you have for gay and lesbian Vermonters?

Douglas: Vermont is historically and traditionally a place of inclusion and nondiscrimination. That's a long legacy of which I'm proud and which I know all Vermonters are. It is one that I plan to continue. ▼

Paul Olsen also writes for In Newsweekly and lives in Colchester.



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