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Twenty Hours and Counting

Carrie Coy

With weary but stalwart hearts, several hundred gay community supporters gathered February 27 in Montpelier for a fourth marathon public hearing on the merits of civil rights for gay and lesbian Vermonters, legislatively reincarnated this year in Senate Bill S-131, and House Bill H-162.

Despite the availability of over sixteen hours of recorded testimony from previous hearings, and against the preference of the bill's backers, the Senate Judiciary members decided to invite additional public comment.

"At what point do you cut it off?" asked activist Howard Russell with obvious frustration. "We went into the hearing with a 4-2 vote, and we came out with a 4-2 vote," he said, "It's ludicrous that legislators are still treating [opponents'] irrational fear and hysteria seriously." From 7:00 to 11:00 pm, in alternating turns, supporters and opponents told their stories to gathered Judiciary members, all of whom were present at various points during the evening. Members include Chair John Bloomer, R-Rutland; Dennis Delaney, R-Chittenden; co-sponsor Jan Backus, D-Windham; co-sponsor Mary Just Skinner, D-Washington; Stephen Webster, R-Orange; and co-sponsor David Wolk, D-Rutland.

The remarks of lead testifier Peter Cooper of Rutland were cited the following day on Vermont Public Radio's morning news. "We should show that all of our gay brothers and lesbian sisters are welcome at the table of freedom," he said, testifying for his fourth time. Sadly, Cooper's stepson recently died of AIDS. Heather Wishik, a Montpelier lawyer, offered an amendment she described as "crucial" that addresses discrimination in child custody issues. "Sexual orientation," she said, "has nothing to do with parenting skills." Yet, she said, fear of losing custody of a child forces lesbians and gay men to keep their orientation secret, and creates a wedge of silence between them and their children.

Craig Balaun of Cabot mocked opponents with his tongue-in-cheek observation that heterosexual are afflicted with huge hypothalmuses that, among other things, render them useless in hairstyling and fashion, and cause them to display fat fannies on their lawns. He then tore up his Vermont Teaching Certificate, stating it was a lie. As a publicly acknowledged gay man, Balaun said, he has been unable in the eleven years since his graduation from UVM to get a teaching job in Vermont.

Several supporters noted anti-testimony was not as vehement as in past years. They described opponents as "dispirited" and "more tempered." Russell said he wondered if opponents were "getting exhausted, or smarter." Keith Goslant summarized opponents' strategy as essentially three-pronged: claim anti-discrimination legislation is not needed; claim that it is a "special rights" bill; and point out that constitutional protections such as the right to assemble and organize are already guaranteed under law. The strategy, Goslant believes, comes from the National Conservative Legislative Council. A letter from the Council outlining their policy position was submitted as evidence to the committee.

In an unusual display of bluster, Graham O'Donahoe of Northfield claimed that fat people, short people, or veterans of unpopular wars would be next in line if gay people were granted this special protection. Gene Barfield of Montpelier told of his friend, a bronze star Desert Storm veteran, who fought for the Emir of Kuwait and returned home without his own civil rights. "As a patriot," Barfield said, "I'm disgusted that I spent ten years defending everyone else only to find it doesn't apply to me."

Statewide, press coverage of the hearings was fairly consistent. Most newspapers opted to run the same Associated Press story under the headline, "Legislature con-

siders gay rights bill". *The Brattleboro Reformer* ran its version on page one, titled "Gay rights issue charges hearing." The White River-based *Valley News* issued a strongly favorable editorial several days later, saying "Anyone who doubts the need to prohibit discrimination against homosexuals need only read some of the testimony offered to Vermont legislators last week. *The Burlington Free Press* printed a retraction to its earlier claim that opponents outnumbered supporters at the hearing. In fact, supporters outnumbered opponents.

Editor's Note: As we went to layout, all bills in the Senate Judiciary Committee were on hold. It is expected the committee will vote to send the bill to the Senate. If passed by the Senate, it will proceed to the House. ▼

New Jersey Passes Rights Law

Trenton, NJ - New Jersey became the fifth state in the U.S. to pass statewide gay rights legislation with the signature in mid-January by Governor Florio. The legislation passed the Assembly 46-7 and the Senate 21-0 on the final day of the New Jersey legislature's lame duck session. The law adds the words "affectional or sexual orientation" to the categories of race, creed, age, marital status, sex, and handicap, for which discrimination in employment, public accommodations, housing and public contracts is prohibited. Governor Florio said performance, not lifestyle, should be the key factor in determining whether someone should be hired.

"There is no room in our state, or our society, for arbitrary discrimination of any kind," said Florio in signing the legislation. In addition to New Jersey, Wisconsin, Connecticut, Massachusetts, and Hawaii have enacted gay rights legislation. Legislation extending employment protection to gays was passed by the California Legislature last year, but was subsequently vetoed by Governor Pete Wilson. ▼