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# Out in the Mountains

VERMONT'S NEWSPAPER FOR LESBIANS, GAY MEN, AND BISEXUALS

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## A Grave Amendment: Adoption reform shelved for another year



(Photo: Bennett Law)

Deborah Lashman, who adopted her two sons as a "second parent"

Bennett Law

**MONTPELIER** -- The rights of Vermonters to consummate second-parent adoptions has been threatened by recent amendments to the Adoption Reform Bill considered during the 1995 Vermont legislative session.

The Adoption Reform Bill, as originally drafted by a legislative "Summer Study Committee," was not objectionable to the common concerns of Vermont's lesbian, gay, bisexual and transgender community. It contained language in the provision addressing "who may adopt" to the effect that "a person can adopt another person." The resultant impact of this language was that the favorable June 8, 1993, ruling by the Vermont Supreme Court in the second-parent adoption case brought before the court by Deborah Lashman and Jane van Buren would survive

unchallenged (a second-parent adoption is one through which a person may adopt a child without cutting off the rights of an existing parent).

The 100+ page Adoption Reform Bill was first contemplated by the Health & Welfare Committee of the Vermont Senate. In an unanticipated move, three members of Health & Welfare, Sen. Judy Bloomer (R-Rutland), Sen. Jim Greenwood (R-Essex-Orleans), and Sen. Leon Graves (D-Franklin), introduced an amendment which imposed restrictions of the rights of individuals to adopt, limiting this privilege to "a husband and wife together, or a person alone." This language eliminates the option of second-parent adoption, for either heterosexual or homosexual couples. Perhaps in anticipation of future

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## Wife and Wife: One Couple Fights For The Right To Marry

Mathew Viens

**SOUTH BURLINGTON** -- Two young boys play in the snow outside their South Burlington home. Two parents begin their weekend with chores around the house. By all appearances this is a typical Vermont family. The boys playing as brothers are Ian Rivers and Joel McMahon, and the parents inside are Pasha and Penny Rivers-McMahon. Together, this lesbian couple is fighting for the right to call each other wife and wife, their sons brothers, and their household a family.

After having surprisingly received a marriage license from the South Burlington City Clerk's office, the couple enjoyed what Pasha terms, "fifteen minutes of sheer bliss." "I expected them to say no, but they didn't ... we got it, and we were both acting like school girls," she adds. Even though the clerk phoned within hours to explain how an unfortunate mistake had been made, and requested that the license be returned, the couple went ahead with their wedding plans. A ceremony, complete with white gown and wedding cake, was celebrated in September.

Issues such as the right for gays and lesbians to serve in our nation's military and the extension of benefits to same-sex domestic partners have been widely publicized over the past couple of years, but the legalization of same-sex marriages has not received as much attention. That does not, however, mean that this issue is any less controversial. Among heterosexuals and homosexuals alike, lesbian and gay marriage is one tough issue. This is a fact which the Rivers-McMahons are all too aware of. "It didn't matter if we got the license, we were going to get married either way -- it was very important for Penny and me," Pasha explains. This enthusiasm toward marriage is not always shared among lesbians and gays. In fact, Deborah Dudley, a member of the board of directors of the Vermont Coalition for Lesbian and Gay Rights, says that she is very concerned that the debate over same-sex marriage will divide the homosexual community: "We are worried that a good queer, bad queer issue will develop out of this. We want to protect those who choose to marry as well as those who choose not to."

When confronted with the often-argued opinion that homosexuals seeking to be married are simply at-

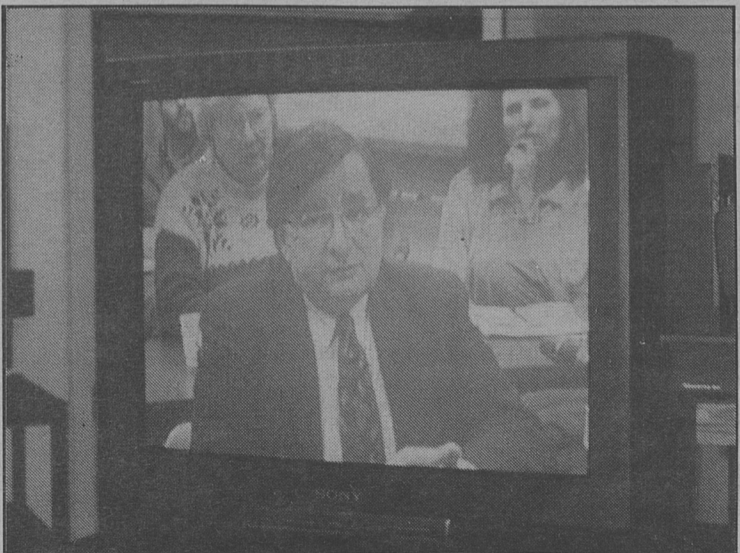


(Photo courtesy of the Rivers-McMahons)  
Pasha and Penny Rivers-McMahon

tempting to imitate heterosexual traditions and social values, Pasha passionately retorts, "It's not a valid argument. After years of hearing society tell us that we can't have these relationships we believe it. We tell it to ourselves. We need to break the chain, and say that we're worth it. Homosexual society suffers from low self-esteem. In my heart of hearts, I believe this is how we can build our self-esteem."

While the Rivers-McMahons have decided that marriage is the only route for them, they do not claim that marriage is necessary for all homosexual couples. They just want the right to be legally married established, and for homosexuals to understand that marriage is not something reserved solely for heterosexuals. Even so, they are the first to admit that same-sex marriage involves more than self-esteem for gays. Issues of taxes, health, and pension benefits are

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(Photo: Bennett Law)

David Curtis, who testified against the "Graves Amendment" with his adopted son

## OITM HISTORY: May Through The Years

**1987 ... H. 247 Sent Back to Committee** H. 247, the sexual orientation anti-discrimination bill introduced into the Vermont House of Representatives in February, was voted favorably out of the House Judiciary Committee by a 7-4 margin on April 3. The bill was taken to the full House on April 8, where it voted to send it for further hearings and consideration by the House General and Military Affairs Committee.

**1990 ... Hate Crimes Bill Wins in the House** After a stirring speech by Rep. Francis Brooks (D-Montpelier) and a surprising change of heart by Rep. John Murphy (D-Ludlow), Hate Crimes Bill H. 504 passed the Vermont House of Representatives on March 23. This decision came just weeks after the U.S. Senate passed the Hate Crimes Statistic Act and issued a defeat to notorious gay rights opponent Jesse Helms.

**1992 ... It Passed!** After a long wait and much hard work, the civil rights bill is on its way to becoming law. Vermont is poised to become the sixth state in the U.S., joining Wisconsin, Massachusetts, Connecticut, Hawaii, and New Jersey, in providing civil rights protections for its lesbian and gay citizens.