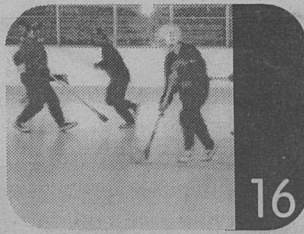


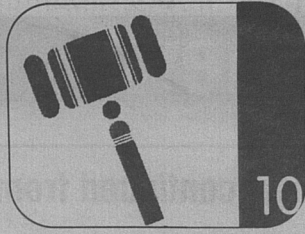
Feinstein meets
Ferguson



Didn't your
mother tell you
not to run
on ice?



Legal Briefs
What Hawaii Means Here



28

a&e

16

10

WILB
HQ75
.0971

VERMONT'S FORUM FOR LESBIAN, GAY, BISEXUAL, AND TRANSGENDER ISSUES

OUT IN THE MOUNTAINS

Volume XIV, Number 12

January 2000

www.vtpride.org

Supreme Court Says Yes to Equal Rights

Legislature ordered to extend marital rights, benefits, and obligations to same-gender couples

MONTPELIER – All of the rights and benefits of marriage must flow to gay and lesbian couples in Vermont.

In eloquent and forceful words, the Vermont Supreme Court overturned decades of discrimination on Dec. 20 and ordered the state Legislature to fix state law.

The court did not grant all that was sought by Lois Farnham and Holly Puterbaugh, Stan Baker and Peter Harrigan, and Nina Beck and Stacy Jolles.

But it went further than any other in the nation, and now the state legislature must act.

"We hold that the state is constitutionally required to extend to same-sex couples the common benefits and protections that flow from marriage under Vermont law," the justices said in a ruling written by Chief Justice Jeffrey Amestoy. "Whether this ultimately takes the form of inclusion within

the marriage laws themselves or a parallel 'domestic partnership' system or some equivalent statutory alternative, rests with the Legislature.

"Whatever system is chosen, however, must conform with the constitutional imperative to afford all Vermonters the common benefit, protection, and security of the law," the court said.

All five justices agreed on the central point that the state may no longer withhold the benefits of marriage from gays and lesbians.

But it was only Justice Denise Johnson who took issue with sending the issue to the Legislature. In a passionate dissent from the majority, she said same-sex couples should be allowed to marry immediately.

She complained in her separate opinion that the court recognizes that gays and lesbians are entitled to certain rights

and "yet declines to give them any relief other than an exhortation to the Legislature to deal with the problem."

But that in and of itself is a landmark. No court has ever held that the hundreds of legal benefits automatically conferred on straight couples when they marry must be granted to gays and lesbians.

Until now.

Amestoy wrote that extension of benefits to acknowledge gays and lesbians "as Vermonters who seek nothing more, nor less, than legal protection and security for their avowed commitment to an intimate and lasting human relationship is simply, when all is said and done, a recognition of our common humanity."

With those plain but clear words, the five justices of Vermont's court have changed the world.

"This is a legal and cultural milestone," said Mary



photo: Max Stroud

The plaintiffs of Baker vs Vermont, Back Row: Nina Beck (holding Seth), Stacey Jolles, Peter Harrigan, Stan Baker. Front row: Holly Puterbaugh and Lois Farnham.

Bonauto, a co-counsel for the three couples who sued the state when they were denied marriage licenses in 1997.

"This is a glorious day," said Evan Wolfson of the Lambda Legal Defense and Education Fund, a gay-rights advocacy

group. "Vermont's highest court has ordered an end to unequal treatment of lesbian and gay families."

Already people are trying to understand just what it all

COURT > PAGE2

Gill to Train Vermont GLBT Fundraisers and Donors

A national philanthropic organization is bringing a series of training workshops to Vermont.

The Gill Foundation has selected the Green Mountain State as a site for its OutGiving InCommunity program for 2000. The Samara Foundation of Vermont will be the host organization for the series.

Each year, the Colorado-based Gill Foundation chooses approximately eight non-urban communities as locations for a series of workshops designed to provide participants with a well-rounded understanding of many types of fundraising.

In an unusual move, organizers have designated the entire state of Vermont as a site for the upcoming cycle.

The Samara Foundation learned in December that their application to host had been accepted.

In the hosting role, Samara is responsible for setting up organizational meetings early

this year. GLBT and ally organizations will gather to discuss Vermont's needs and compare those to the workshops offered.

Sessions will be scheduled throughout the year and representatives of Vermont organizations will be invited to participate.

Additionally, the workshops will include some aimed specifically at donors. The goal is to encourage more and smarter giving to community organizations.

Samara's hope is that organizations across the state can benefit from savvy fundraisers and educated donors. "This is not a zero-sum game," said Samara executive director Bill Lippert. "It's not about non-profits competing for dollars. It's about getting our resources working for our community."

Exxon Mobil Ends Domestic Partner Benefits and Non-Discrimination Policy

IRVING, Texas - The newly merged Exxon Mobil Corp. will discontinue Mobil's policy of providing domestic partner benefits and including sexual orientation as a part of its non-discrimination policy.

The move was revealed Dec. 6 by the Human Rights Campaign, which received word of the decision from sources inside the merged company. ExxonMobil confirmed that people currently enrolled in Mobil's domestic partner benefits program can continue to receive the benefits but no one else may join the plan - even employees who were previously eligible at Mobil.

However, ExxonMobil denied that it has no policy prohibiting discrimination based on sexual orientation.

ExxonMobil spokesman Tom Cirigliano said that in a document sent to shareholders, the company interpreted its current "Harassment in the Workplace" policy to include prohibiting job discrimination based on sexual orientation. However, Cirigliano acknowledged neither that policy nor the company's "Equal Employment Opportunity" policy actually mentions sexual orientation.

The policy interpretation was contained in a proxy statement sent to shareholders in May. It asked them to reject a resolution to add sexual orientation to Exxon's non-discrimination policy.

"We have a number of problems with communicating corporate anti-discrimination policies through a one-time corre-

spondence with shareholders," said Wayne Besen, HRC's associate director of communications. "The statement is not consistently distributed to employees. Furthermore, since it actually requests that shareholders reject adding sexual orientation to the policy, it is a mixed message at best. Whereas, the former Mobil Corp.'s policy emphatically prohibited discrimination based on sexual orientation."

ExxonMobil's decision bucks a trend among companies to provide explicit protections from discrimination based on sexual orientation and to offer domestic partner benefits. More than half of the Fortune 500 companies include sexual orientation in

EXXON/MOBIL > PAGE2