

# Census 2000: A Small Step for GLBT-kind

BY KENDRA HENSON



When the 2000 Census questionnaires hit the streets in March, don't expect it to include a question about sexual orientation.

Unlike their northern counterparts, who will inquire about sexual orientation for the first time in the 2001 Canadian census, the US Census Bureau will not be asking GLBT community members to stand up and be counted — at least, not as non-heterosexuals.

The closest to such an

opportunity GLBT folk can expect to find is a question about marital status that allows “unmarried partner” as a response.

But even that option, which only applies to the partnered and co-habiting, is not much of a concession. The “unmarried partner” response is listed in the “non-relative category.”

Despite that invisibility, Census Partnership Specialist Carol Nepton said the census is vital in other ways.

Census information is used to assist communities with getting state and federal funding

for roads, hospitals, schools, etc. In 1998, approximately \$81 billion dollars from federal funding grant programs was distributed using formulas from census data. Nepton estimates that between \$800 to \$1,200 per person in a community is granted based on census statistics.

“This makes it extremely important for the Census to be filled out by every person so that everyone gets counted,” said Nepton.

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live without the rights and benefits they are entitled to.”

Lippert, the legislature's only openly gay rep, asked the group to beware the ulterior motives of people calling for a longer process.

“Please respect the deliberation we have done,” he said, “and know that some people won't be swayed, no matter how much time we take.”

Meanwhile, the counting has started. The committee has indicated it will not send a bill to the floor unless the votes are there to pass it. As of press time, the unofficial count was about a dozen short of the 76 needed to pass the House, with many legislators still undecided.

Supporters of the bill, including the Vermont Freedom to Marry Task Force and Action Committee, are making sure their presence is felt at the Statehouse.

Volunteers spent hours on the phone encouraging fellow supporters to contact their legislators, and hot pink “I Support The Freedom To Marry” stickers were prominently displayed on observers in committee and caucus meetings.

“While marriage is the only way to true equality, we believe good domestic partnership legislation — without a Defense of Marriage-type amendment — is a good first step,” said Beth Robinson, Task Force chair and attorney for the Baker plaintiffs.

## The Road to DP

A House resolution introduced early in February in the House called for the legislature to “direct its efforts toward addressing the Supreme Court's opinion while reaffirming and sustaining the definition and positive values of traditional marriage and protecting them from alteration by actions taken in other states.”

Although expert testimony

from witnesses on both sides of the issue in the House Judiciary committee refutes many of the claims in the resolution, it was introduced with 68 sponsors. Backers of the resolution claimed as many as 90 supportive votes lined up.

The Speaker of the House referred it to the judiciary committee for consideration. (See page 6 for the full text and list of sponsors of this resolution.)

This came on the heel of testimony from leaders of several churches. Catholic Bishop Kenneth Angell got the invitation he had been seeking for weeks and appeared before the committee on Feb. 2, speaking against both same-gender marriage and domestic partnership. He was followed by Vermont's Episcopal Bishop Mary Adelia McLeod, the United Church of Christ's Vermont Conference minister Dr. Arnold Thomas, and Rabbi Joshua Chasan, and Rabbi Michael Cohen, all four of whom called for the inclusion of gays and lesbians in civil marriage.

Take It to the People's Rev. Craig Benson ended the testimony for the morning, claiming that he was capable of rallying large numbers of people to fight against gay marriage, domestic partnership and legislators who might support either. Stories of his ex-gay ministry and claims of success in so-called reparative therapy did not draw an enthusiastic response from lawmakers.

On Feb. 3, Operation Rescue founder Randall Terry held a press conference at his newly rented office just one block from the Statehouse. Declaring that the Supreme Court had invited him by issuing the Baker decision, he announced plans to “fight homosexual marriage and domestic partnership” by bringing in staff and supporters from all over the country.

Terry's penchant for often less-than-civil disobedience had both TIP and the Catholic church issuing statements of

their own asking Terry to go back to New York and let Vermonters handle the issue on their own.

Terry and his followers continue to be a pervasive and largely unwelcome presence at the Statehouse.

## The Second Decision Day

It was in a highly emotional public meeting on February 9 that the judiciary committee of the Vermont House of Representatives voted to begin drafting what they call a “comprehensive civil rights bill” rather than including gay and lesbians in existing marriage statutes.

Each member of the eleven-member panel made a statement before a room packed with observers and media.

Little began by saying that Vermont families reflect a diversity of structures and a search for a so-called traditional template would be fruitless. He affirmed the decision of the Supreme Court in the Baker decision.

“In my judgement, a civil rights, or legal benefits act, is the right thing for the people of the state of Vermont now; not an expansion of the marriage laws,” Little said, “It will allow us to legislate with due respect to the sensibilities of all sides.”

“Leadership requires a keen sense of what ought to be done in the context of what can be done — what is achievable,” said Little, before passing the microphone to Lippert.

After a long silence during which he struggled to contain his emotions, Lippert disagreed. He noted the unique perspective he brought to the committee's discussions as the only openly gay member of the General Assembly.

“One of the commitments in my life,” he said, “is to eliminate prejudice and discrimination for gay, lesbian, and bisexual people during my lifetime.”



Rep. Bill Lippert (r) spoke emotionally of the need to include gays and lesbians in marriage statutes. Tom Little, chair of the judiciary committee, voted with seven others on the committee to move forward with a parallel system

He said gay and lesbian relationships should be celebrated, rather than demeaned, within the Vermont community.

As the microphone moved around the table, each representative spoke of the difficulty of the decision. John Edwards of Swanton called it “the most gut-wrenching, emotional issue that I have faced.” Alice Nitka of Ludlow apologized for tears she could not hold back as she addressed the room.

Both Edwards and Nitka, while acknowledging that gays and lesbians should have equal rights, voted with Little and five other members of the committee to leave marriage laws intact and pursue a parallel system of domestic partnership or civil unions.

Progressive Steve Hingtgen of Burlington reprimanded the committee in his remarks. Calling anything other than marriage was inadequate, he said domestic partnership would validate hate.

“It institutionalizes the bigotry and affirmatively creates an apartheid system of family recognition in Vermont,” said Hingtgen.

Bill Mackinnon of Sharon joined Hingtgen and Lippert in voting to amend marriage statutes, making the final vote was eight to three against marriage.

Less than an hour after the committee took the public

vote, a 22-page draft bill, An Act Relating to Domestic Partnerships, was in circulation.

The document attempted to create an arrangement exactly parallel to marriage; in its early drafts, it used as much of existing statutes as possible.

Outside the committee, only Governor Howard Dean seemed enthusiastic about the decision to move toward domestic partnerships. Vowing to devote his energy to “selling the idea” to legislators and the people of Vermont, Dean commended the panel.

Representative Dean Corren of Burlington, lead sponsor of a bill that would include gays and lesbians in marriage statutes, was angered by the decision of the judiciary committee.

“They can't call this a civil rights bill,” said Corren. “This is a denial of civil rights.”

Others were equally unimpressed, but in another direction. Immediately following the committee's decision, twelve representatives introduced a resolution calling for the impeachment of the Supreme Court for its decision in *Baker v Vermont*. The resolution was assigned to the House Judiciary Committee, where it is expected to stay without action. (See page 6 for the text and sponsor list of this resolution.) ▼