

Commission members all support same-sex marriage

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Amid criticism that a new commission formed to study whether Vermont should have same-sex marriage is stacked with those who favor marriage, the search is on for an additional member who may not.

All 10 members appointed last month to the commission say they support access to marriage for gay and lesbian couples.

"I think it's a legitimate concern," said House Speaker Gaye Symington, D-Jericho.

Late last week, Symington asked former Republican Sen. John Bloomer Jr. of Rutland, who voted against civil unions in 2000, if he'd join the commission for more geographic and philosophical balance. He was considering the request, she said Friday.

In announcing creation of the commission Symington and Senate President Pro Tempore Peter Shumlin said people's opinions about same-sex marriage were not a consideration for selection. However, all 10 appointees said in interviews with the Free Press that they ideally would like to see marriage available to same-sex couples.

The Rev. Craig Benson, who opposes same-sex marriage, called the panel a "kangaroo commission" and said the makeup suggests the outcome is predetermined.

Symington said such critics misunderstand the purpose of the commission. "I don't see the outcome of this commission as a vote up or down. I'm trying to pull out of the commission a better opportunity to think through these issues," she said.

The appointees say that despite their personal opinions, they go into the process willing to listen to Vermonters, perhaps even recommend against gay marriage if that turns out to be the overwhelming sentiment of residents.

"If it comes across as an advocacy piece for gay marriage we will have failed," said Tom Little, a lawyer and former Republican state representative from Shelburne who will head the commission.

Other commission members said if anyone can make this commission a success, it's Little. He was chairman of the House Judiciary Committee that crafted Vermont's first-in-the-nation civil unions law in 2000. Little was widely hailed for bringing diverse people's opinions together under difficult circumstances.

"I have worked with a lot of people in my 64 years. I've never worked with anyone better," said Mike Vinton, a retired trooper and former state representative from East Charleston who was on that legislative committee in 2000 and will serve on the new commission.

Forming commission

The last two years, lawmakers have introduced same-sex marriage legislation. Both times, they were rebuffed by legislative leaders who were leery of the time and energy the contentious issue would take up. The 2000 civil

union debate was so divisive it cost Democrats control of the House at election time that year, something they are loath to see happen again.

Still, same-sex marriage advocates pressed the issue, arguing that although civil unions allow for many of the rights of marriage, they are still different, and different is not equal.

The compromise was to create a commission outside of the Legislature that would hear how Vermonters feel about same-sex marriage and study the legal issues surrounding marriage.

"It seemed like a reasonable way of moving the issue forward without diverting the Legislature from a challenging agenda," Symington said.

Beth Robinson, chairwoman of the Vermont Freedom to Marry Task Force and one of the lawyers who won the court case that led to civil unions, supported the commission. "We absolutely have been advocating for something like this," she said. "I do believe more conversation is better for us."

When considering who would serve on the commission, Robinson joined Symington and Shumlin on a conference call to suggest names. Symington said some names came from advocates, but others did not.

"We were looking for people who listen well," Symington said.

Bloomer's name was on the list, but he was never called. Symington said she doesn't know how that happened. "Looking back, maybe I should have spent more time making those calls myself," she said.

After hearing criticism about the panel's make-up, Symington asked Bloomer to become the 11th member.

Symington said appointing anyone firmly opposed to same-sex marriage was not considered, because that would have been counterproductive. The Catholic bishop, for example, cannot by the nature of his position have an open mind about the issue. "That would be an impossible position to put the bishop in," Symington said.

Of those appointed, she said, she didn't realize they all supported same-sex marriage. "I wouldn't have known that would be Mike Vinton's response," she said, although Vinton voted for civil union in 2000.

Vinton said he will be listening to Vermonters, but opponents have yet to make the argument that would dissuade him from believing that same-sex couples deserve the same rights as heterosexual couples. "I don't think that's there," he said. "They just don't make their case."

That was a tone many of the commission members struck.

"I think it should be 'Let's do marriage if possible,'" said Mary Ann Carlson, a former state senator from Arlington who conducts marriages and civil unions as a justice of the peace. "I just think separate is not equal."

Berton Frye, a quarry owner and excavator in West Danville, said he wants to hear from Vermonters and learn more about how Massachusetts' same-sex marriage law works, but he sees no reason same-sex couples should not have the rights of other couples. "I support anything that gives anybody equal rights," he said. "I do not picture anything that would make me believe we shouldn't have gay marriage. It would need to be a real majority of voices."

The Rev. Nancy Vogele, an Episcopal minister in White River Junction, is apparently the only gay member of the commission. She said she has a civil union and would like marriage herself, but emphasized that the commission's work is not about her. "I think we're here to listen to what Vermonters have to say."

Sen. John Campbell, D-Windsor, who sponsored a same-sex marriage bill last session and will serve on the commission, said members should not be judged by their opinions. "Even though I am for the extension of

marriage, that does not preclude me from listening to opposing points of view. I know I have the responsibility to report back to the Legislature what I hear, even if that testimony goes against my personal opinion."

Several commissioners said they think what they'll hear is that more Vermonters are comfortable with same-sex marriage after seeing civil unions in place for seven years.

"I would never want to see us go through the anger of last time," said Rep. Johanna Donovan, D-Burlington. "I don't think we're going to have to."

Commission's mission

Little said the first order of business when the commission meets Aug. 23 will be for members to get to know each other. The panel is made up of a smattering of legislators, former legislators and others, some of whom Little doesn't know.

From there, he expects to examine the differences between civil unions for same-sex couples and marriage for heterosexual couples, and listen to Vermonters' opinions.

"The worst thing a committee or commission can do to damage its credibility is not allow people to have their say," Little said.

The commission is expected to hold six public hearings, but Little said he hopes some of them will not be the traditional, microphone-in-front-of-the-room hearings. He'd like more of a discussion than those allow.

The structure of the final report -- due to the Legislature in April -- remains to be seen, he said. Little said the commission's role is to provide information and analysis that will allow the Legislature to make an informed decision.

Symington said despite criticism about the make-up of the commission, she thinks the members are thoughtful. "This is a good group of people," she said. "They are good listeners."

Contact Terri Hallenbeck at 651-4887 or thallenb@bfp.burlingtonfreepress.com Commission meeting WHAT: The 10-member "Commission on Family Recognition and Protection," created to study whether Vermonters are ready for same-sex marriage, is preparing to hold its first meeting, which is open to the public.

WHEN: 10 a.m.-12:30 p.m. Aug. 23

WHERE: Statehouse Commission members

The 10 members appointed by legislative leaders to serve on a commission studying same-sex marriage:

Tom Little, former Republican state representative, Shelburne, chairs the committee

Sen. John Campbell, D-Windsor

Mary Ann Carlson, former Democratic state senator, Arlington

Rep. Johanna Donovan, D-Burlington

Berton R. Frye, owner of Frye's Quarry in West Danville

Former Gov. Philip Hoff of Burlington

Barbara Murphy, president of Johnson State College

Helen Riehle, former Republican state senator, South Burlington

Michael Vinton, former Democratic state representative, East Charleston

Nancy Voegel, Episcopal minister in White River Junction