

Vermont Gives Final Approval to Same-Sex Unions

By CAREY GOLDBERG

MONTPELIER, Vt., April 25 — The Vermont House of Representatives gave its final approval today to a bill creating same-sex marriages in almost everything but the name. The State Senate approved the bill last week, and Gov. Howard Dean said he would sign it into law within days.

The 79-to-68 vote to create civil unions set off sighs of relief, tears and hugs among the three same-sex couples whose 1997 lawsuit seeking the right to marry led to this moment. Throughout the morning's debate, one couple, Nina Beck and Stacy Jolles, stood holding their baby son, Seth, beneath a portrait of George Washington. Moments after the vote, Ms. Jolles turned to Ms. Beck and offered a new version of the traditional proposal: "C.U. me!"

That she could not say "Marry me!" reflects the gap between the civil unions, which will be available beginning July 1, and actual marriages. The civil unions are not expected to be recognized by other states and will not entitle the partners to federal benefits.

But the bill does create a sweeping marriage-like system that allows the state to confer on same-sex couples virtually all of the more than 300 rights and responsibilities enjoyed by married couples, from health insurance benefits to inheritance rights. Couples seeking civil unions must register with their town clerk and have the unions certified by a clergy member or a justice of the peace, and partners seeking to dissolve a union must go through family court just as married couples seeking a divorce do.

The bill was a response to a ruling in December by the Vermont Supreme Court, which found that gay and lesbian couples denied the right to marry were suffering from unconstitutional discrimination. The court invited the Legislature to come up with a remedy, either by including gay couples in the state's marriage laws or by creating a parallel system.

That ruling and the resulting legislative battles plunged Vermonters into weeks of difficult discussion over questions of gay marriage, and homosexuality in general, and today's debate demonstrated that deep dissent lingered.

Opponents of the bill argued that the majority of Vermonters opposed creating a marriage-like institution for gay couples, and that their will was being ignored.

"Stop shoving this bill down the throats of our people," said Representative George Schiavone, a Republican. "Our people are coughing and gagging and choking on this bill," he said, and could "throw it up and throw us out."

Some also said that homosexuality was against God's will and that civil unions would undermine traditional marriage.

"This is a sad, dark day for the state of Vermont, and God help us all," one opponent said. Another warned, "What we are trying to do is against the law of nature and against God's law." A third called the civil-unions bill "social rape" and a sign of "moral rot," and a fourth said gays "choose to engage in unnatural and unhealthy acts."

But proponents of the bill carried the day and picked up three votes



Photographs by Paul O. Boisvert for The New York Times



Nina Beck, above left, Stacy Jolles and their son, Seth, attended the vote yesterday at the Vermont Statehouse. The couple will soon be able to have a civil union with most of the benefits and duties of a marriage.

Lois Farnham, left, and her partner of 27 years, Holly Puterbaugh, counted votes yesterday as the Vermont House of Representatives approved the nation's first legislation to create same-sex civil unions.

Some lawmakers expect to lose their seats over their votes for gay civil unions.

more than they had won in an earlier House vote last month.

"This bill is not about perversion in any way," said Representative Donny Osman, a Democrat. "It is about love. It is not about sex, it is about relationships."

And Representative William J. Lippert Jr., a Democrat who is the only openly gay member of the Legislature, said he had to contradict some of the bill's opponents. "We are not a burden on society," he said. "We are not sinful. We do not indulge in unnatural behavior.

We do not ask for special privileges."

The passage of the bill, Mr. Lippert said, would mean that the state was saying that "my family, me and my partner's, are a family of worth in the state of Vermont."

Governor Dean, a Democrat, said he has not decided what kind of signing ceremony to hold, if any. He saw the bill, he said, as a logical extension of Vermont's tradition of treating people equally, a tradition that dated back to the 18th century when the state's Constitution banned slavery.

Like many other proponents of the civil-unions bill, Governor Dean talked today about a "healing process" that Vermont now needs after being split by divisions over the issue. The state's population is almost evenly divided over the issue, polls have shown, and public hearings on the topic have sometimes

turned unusually ugly.

But even if a healing process begins, the state will be entering an election season in which the civil-unions issue is sure to reverberate.

Governor Dean, who is running for re-election, said he expected the bill to be a factor in what is likely to be a hard-fought race for governor, and some lawmakers have said they expected their votes to cost them their seats.

The gay and lesbian plaintiffs in the lawsuit said they knew, too, that the political process was not over, but today's vote was still cause for celebration — and serious thoughts as well. One plaintiff, Holly Puterbaugh, pressed by reporters about whether and how she would propose, asked her partner of more than 27 years, Lois Farnham, if she would join her in a civil union.

"Not in front of all these people!" Ms. Farnham replied.