

2003-2004

Subject: Domestic relations; marriage

PROPOSAL 5

Sec. 1. PURPOSE

The purpose of this amendment is as follows:

- (1) To affirm the equality and necessity of both genders in marriage and society.
- (2) To ensure that the State of Vermont does not recognize marriage between more than two persons.
- (3) To ensure that the State of Vermont does not recognize marriage between fewer than two persons.
- (4) To affirm that marriage as the union of one man and one woman (“husband and wife”) has unique and irreplaceable benefits for both children and society.
- (5) To affirm that Vermont’s interest in retaining the traditional definition of marriage as an opposite sex institution includes the creation of the next generation of Vermont citizens and encouraging the nurturing of these children in the family form most likely to benefit them: a married family with both a mother’s and a father’s care, reinforcing for men the importance of fulfilling their responsibilities to children and to women, and by offering both male and female role models sharing family responsibilities.
- (6) To affirm the critical role of the married family as a fundamental building block of a stable society. Social science has affirmed that with increased family fragmentation come increases in crime, welfare dependency, child poverty, education failure, suicide, mental and physical illness, child abuse, domestic violence, and other costly social and personal tragedies.
- (7) To help ensure that the democratic process is not overrun by judicial activism; that our most basic social institutions reflect the values and aspirations of the people of Vermont.

Sec. 2. Chapter I, Article 22nd of the Vermont Constitution is added to read:

Article 22nd. [MARRIAGE]

Marriage in this State shall consist only of the union of a man and a woman. This constitution shall not be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.

Sec. 3. EFFECTIVE DATE

Once ratified and adopted by the people of this state in accordance with the provisions of chapter 32 of Title 17, the provisions of this amendment shall become a part of the Vermont Constitution as of the first Tuesday next after the first Monday of November in the year in which the amendment is adopted by the people.