

California Senate passes AB1

By a one vote margin, the California State Senate passed legislation to prohibit job discrimination against lesbians and gay men.

The measure, introduced by Assemblyman Art Agnos, D.-S.F., passed the Assembly last June but must go back to that house for a vote on minor amendments. If the amendments are approved as expected, the bill will then go to Governor Deukmejian.

Asked last week if he would sign the bill, Deukmejian said, "We will wait until it gets to our desk and then we probably want to receive views from all interested parties before making the final decision."

After the vote, Agnos said he is "cautiously optimistic" that Deukmejian will allow it to become law, because the governor has so far not expressed opposition to the measure. He has also let stand an executive order by former Governor Jerry Brown prohibiting discrimination in state employment on the basis of sexual orientation.

If the measure becomes law, California will become the second state in the nation to have such legislation. Wisconsin, where homosexual acts are prohibited, has a gay rights job discrimination law. Attempts to pass such legislation in Oregon have been defeated five times in the past ten years.

Amendments added in the Senate, which still must be approved by the Assembly, provide that the law does not apply to convicted sex offenders.

Opposition to the measure was led by conservative Republican Senators Richardson (Arcadia) and Doolittle (Citrus Heights) who several times warned of a threat to the public health by the possible spread of AIDS.

Richardson also proceeded to read from the Bible as if he were on the pulpit, calling homosexuality "an abomination," "hateful and disgusting."

"Don't argue with me," Richardson said. "This is the Lord speaking through his holy writ."

"This bill is going to make an affirmation that the state endorses homosexual conduct," Doolittle said, warning that if it passed, homosexuals would "be hired to work with your children."

Senator Art Torres, D.-L.A., retorted, "My God, how archaic. Are we also to suggest that anyone who went to parochial school will turn out to be a nun?"

Former Los Angeles Police Chief, Republican Senator Ed Davis admonished his conservative colleagues that "we cannot have any one branch of faith making our laws for us; God must be thoroughly disgusted at some of the things we do in the name of religion."

If the measure becomes law, people who thought they were discriminated against because of their sexual preference could file a complaint with the Fair Housing and Employment Department. Employers would be subject to civil fines. The measure covers employers with more than five employees.

Free speech victory: Woo wins

On February 17th, an elated Merle Woo and her Defense Committee announced a settlement in Woo's free speech and discrimination case against the University of California (UC). On February 16th, UC Regents approved a settlement returning Woo to work with a two year contract in the Department of Education, a cash sum of \$48,584 and \$25,000 in attorney's fees.

"We have shown by our victory that free speech for teachers, staff and students does not stop at the 'schoolhouse gate,'" said Woo after the victory. "I'm overjoyed to go back to teaching, but I'm sorry not to be returning to Asian American Studies. Also, a two year

contract is no substitute for UC's original promises of permanent employment."

Woo was fired in June 1982 from the Asian American Studies (AAS) Program at Berkeley. Woo filed complaints in federal and state courts charging UC with violation of her First Amendment rights: firing her because she was critical of AAS tenure track faculty for eliminating student participation, community-related courses and the goal of a Third World College. She also charged UC with discriminating against her for being outspoken as a trade unionist, a lesbian, and a socialist feminist affiliated with Radical Women and the Freedom Socialist Party.

Woo stated, "... UC, no longer the liberal bastion of free speech, has been accelerating its right-wing activities. The Reorganizing of UC is marked by attacks on Ethnic Studies, Women's Studies, affirmative action, student democracy, union-organizing, and of course, academic freedom."

"My Defense Committee and I won because we were UC's most organized and committed opposition, representing the majority of people on campus: people of color, women, lesbians and gays, staff and low-paid teachers," said Woo.

With a compelling legal case and the meticulous work of attorney Mary C. Dunlap, Woo won several procedural victories along the way, including:

- **November 1983.** The American Federation of Teachers (AFT) won its charge before the Public Employment Relations Board (PERB) that the four year rule was an unfair labor practice. UC attempted to cut lecturers' teaching time from eight to four years. PERB ordered UC to reinstate Woo and all other lecturers fired under the rule, with back pay and interest.
- **June 5, 1983.** UC lost its bid to dismiss Woo's case from Federal court, and to eliminate much of its political content.
- **December 1, 1983.** State court Judge McKibben ruled Woo could litigate in both state and federal courts simultaneously.

As the legal victories snowballed, so did evidence supporting Woo's claims, including documents and witnesses who said Woo was offered permanent employment and that discriminatory remarks were made about her politics and sexuality. UC shifted explanations for Woo's firing — strong evidence of discrimination.

Is AIDS a dead issue?

AIDS researchers in San Francisco are attempting to dissuade gay men from engaging in "promiscuous sexual activity" in baths and sex clubs which may endanger their lives.

According to a new public health department study in San Francisco, rectal gonorrhea, which decreased during the height of publicity about AIDS last year, is increasing again as men return to their traditional sexual playgrounds.

"Promiscuity isn't a gay issue — it's a men's issue," said Dr. Steve Morin, one of the gay community's most prominent psychologists.

"Men are encouraged to explore sexuality and recreational sex for their whole lives. Women most certainly are not encouraged like this, so they discourage heterosexual men from promiscuity," said Morin, who has worked extensively on AIDS-related issues.

Given all the intricacies of changing sexual behavior, sociologists and psychologists who have studied other epidemics insist that gays are not reacting differently from any group of people faced with similar circumstances.

Leon McKusick, one of three psychotherapists who conducted a recent study of gay sexual habits in San Francisco, said, "Data shows the single most influential thing that does impact on the sexual behavior is when they have seen someone in the advanced stages of the disease."

"You're not looking at a community that is weird," said psychotherapist McKusick. "They're acting the way people react to such perils. A lot of cigarette smokers didn't quit smoking even when they knew it could cause lung cancer. Changes come in stages and that's what we're seeing here."



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