

local news

Reality bites

This year's state legislative session could have been a lot worse for lesbians and gay men

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by Inga Sorensen

It was a state legislative session that started with a particularly homophobic flare.

For instance, you may recall a bill introduced by Rep. Kevin Mannix (D-Salem) that would have barred unmarried women from receiving alternative insemination, a conception method often used by lesbians. Mannix was also the man who pushed legislation that required the state "favor" heterosexual marriages above all other relationships and that would have prohibited local governments from adopting measures "inconsistent" with that policy.

Luckily for Oregon's sexual minority community, those measures died a fast death, but not before creating a bit of a stir. Unfortunately for the community, however, legislation that would have extended civil rights protections based on sexual orientation also bit the dust, despite a flurry of parliamentary and publicity ploys that simply didn't take.

"The best way to gauge this legislative session is by looking at what we were up against," says the seemingly always optimistic Rep. George Eighmey (D-Portland). "While we didn't necessarily gain much, we didn't lose either, so I guess I'm somewhat pleased."

As a gay lawmaker and a liberal Democrat, Eighmey had his work cut out for him this session, which ended June 10. That's due to the fact that following last November's election, Republicans gained a majority in both chambers of the state Legislature for the first time in 40 years. The GOP sweep included the election of a handful of Oregon Citizens Alliance-backed candidates.

"I have to admit it wasn't the best environment for people supporting civil rights for gay men and lesbians," says Eighmey.

Indeed. During a Republican caucus gathering early on, House Speaker Bev Clarno (R-Bend) read aloud the agenda for incoming-Gov. John Kitzhaber's inauguration. On that list was a quartet

from the Portland Gay Men's Chorus. When Clarno mentioned the choir, some GOP members started snickering and making loud derogatory remarks, as though they were sitting in an elementary school instead of the House of Representatives.

By session's end, House Republicans had invoked the "Rule of 18," which required that all "controversial" bills receive majority support—or 18 votes—from the GOP caucus. Sponsors of an omnibus sexual-minority-rights bill maintained



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they had enough votes overall to pass the measure, but not necessarily 18 Republican votes. Thus the bill was denied a hearing and died. That's generally the kind of session it was.

"Nevertheless, I'd like to think that we changed some minds about sexual-orientation civil rights. We had a chance to talk with Democrats and Republicans on a regular basis. Shattering stereotypes and building a support base simply takes time," says Eighmey, who is hopeful that he and other human rights supporters have laid the groundwork for a more productive session in 1997.

Eighmey believes he was able to do that this session with two bills that gained House approval but failed to make it through the Senate. Those measures include one which would have allowed

people to decide what will happen with their bodies once they die, or to decide who may make this decision on their behalf. The bill gained House approval by a 51-4 vote but was killed by the Senate Judiciary Committee. The other bill would have permitted terminally ill single parents to designate a temporary guardian without surrendering parental rights or permanent custody of their children. Eighmey introduced the legislation to help single parents who often lose custody of their children when they become temporarily incapacitated, a common occurrence for people living with AIDS or cancer. The House passed it 56-1, but it never received a hearing in the Senate Judiciary Committee.

One full victory Eighmey is pleased with is the passage of House Bill 2661, which allows unmarried partners to administer intravenous medication for home-based care. Prior to the bill's passage, only legally married partners or family members were allowed to administer home IV medication, obviously excluding the partners of gay men and lesbians.

"You have to define success within the confines of reality," says Rep. Gail Shibley (D-Portland). Like Eighmey, Shibley is a liberal Democrat who also believes the session could have been a lot worse.

"I'm very pleased we were able to block the anti-abortion-rights legislation, particularly the parental notification bill. That was very important to me," says Shibley, who became Oregon's first openly gay legislator when she was appointed to her seat in 1991. She had been hailed as a rising star—and a possible contender to become House speaker had the Republicans not gained the majority. A few weeks ago, Shibley was described by one anonymous political observer in a *Willamette Week* article as being disengaged this session: smart but no longer emotionally invested, and no longer a star.

"I wasn't disengaged at all. In fact, I would say my constituents got a better return from me this session than any other. I'm smarter. I know the process better. We were just up against more, and we held our own," she says, adding she is particularly proud of the passage of a bill that would require companies that seek to purchase life insurance policies from terminally ill consumers in Oregon to register with the state and agree to abide by legitimate business practices.

Shibley, who has been nurturing the bill's progress for a couple of years, says these compa-



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nies are virtually unregulated. "So if you're terminally ill and you need money for whatever reason, you now have a way of learning how credible the company you're dealing with is," she says. "You'll be able to compare companies because there will be some information out there for consumers so they can protect themselves. That wasn't required before."

As for word that Shibley is considering leaving the state Legislature to make a bid for the Portland City Council, she says, "That's true. I'm very seriously considering that." A decision will come "very soon," she says. Under term limits, the 1997 session would be the last time Shibley could serve in the state House. "It may be that one chapter is closing and another is opening," she says.

Perhaps the same can be said for Rep. Chuck Carpenter, 33, an openly gay Republican who completed his first term this session. Carpenter, who is a fiscal conservative and social liberal, gained widespread approval from his colleagues and sexual-minority-rights advocates. Even though he was a freshman, he was assigned to highly sought-after posts on the House Judiciary and Labor and Commerce committees. He refused to back down from supporting a sexual-orientation-discrimination amendment even though he was facing fierce pressure from a GOP committee chairman. Despite the occasional clashes with his own party, Carpenter was invited by House leadership to be part of negotiations involving the speaker, the Senate president and the governor over collective bargaining and lottery dollar issues.

"It was an eye-opening experience," Carpenter says of his first term. "I have to admit I am a little nervous that next election the Republicans are going to run a conservative against me in the primary." Carpenter says his stands on abortion and sexual minority rights have made him a target of the increasingly powerful right wing of the Republican party. "It's going to be tough."

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