

No one has to tell Oregonians the battle over gay and lesbian rights is a state-wide and local struggle. After all, two dozen local communities have approved anti-sexual-minority rights measures during the past few years, making the state Ground Zero when it comes to fighting these issues out on a community-by-community basis. According to a new report, however, the Pacific Northwest is no longer the hotbed for anti-sexual-minority legislative activity. The state-by-state survey, which was conducted by the Washington, D.C.-based National Gay and Lesbian Task Force, says anti-gay and -lesbian legislation has spread like wildfire across the United States.

"This survey documents what activists have been telling us all year—the national climate of divisiveness and intolerance is playing itself out at a state and local level," says NGLTF field organizer Robert Bray.

The survey, entitled "Beyond the Beltway: State of the States 1995: A Look at Gay/Lesbian/Bisexual Issues at the State and Local Levels," found that sexual-minority-related legislation moved forward in 33 states in 1995, with 30 states being the sites of anti-sexual-minority measures or significant anti-sexual-minority attacks on related measures, while 18 states advanced nondiscrimination measures that include sexual orientation in some way.

NGLTF tracked 97 measures that experienced some legislative movement this year. The list included 39 anti-sexual-minority measures; 12 nondiscrimination measures that were vetoed, killed or indefinitely stalled; 10 nondiscrimination measures that were not specific to sexual orientation but included that classification in a broader list of categories; and one nonclassified measure in Hawaii that called for investigating ways to offer more-equal benefits to gay and lesbian employees. The intent of the legislation, says NGLTF, was to undermine court arguments for same-sex couples seeking the right to marry in that state.

According to the report, many of the anti-sexual-minority measures advanced this year focused on the areas of family and education—curtailing rights to adoption and foster care, and mandating only negative references to sexual-minority-related issues through the educational system.

For example, a new Arizona law prohibits school districts from including any course of study

Stormy weather

While a climate of divisiveness is spreading across the country, there's a chance of clearing

by Inga Sorensen

which "promotes a homosexual lifestyle," or "portrays homosexuality as a positive lifestyle." Two Georgia bills sought similar prohibitions but were killed in committee. In Iowa, ultra-conservative state lawmakers attempted to pass an amendment to the state's appropriations bill that would have banned public funds from being used to "promote and encourage homosexuality" in state colleges and universities. Earlier in the year, the Des Moines School Board dropped a proposal for the inclusion of sexual orientation issues in public school curriculum materials. In Nebraska, the state Department of Social Services instituted a ban on lesbian and gay adoption.

Alaska, South Dakota and Utah all advanced measures that would bar the legal recognition of same-sex marriages. These measures were introduced as pre-emptive strikes against a pending court case in Hawaii that is challenging that state's prohibition against same-sex marriages. Alaska's measure has not moved from the committee to which it was assigned, although it has an opportunity to move next session. In Utah, the bill was passed and signed into law, and South Dakota's legislation was narrowly defeated after it inspired the formation of the state's first sexual minority rights political group.

"The issue of gay people and children, or gay

people and marriage, remains our vulnerable point. The public is much more supportive of nondiscrimination measures for sexual minorities when it comes to employment or housing. It's a lot different when it comes to gays adopting children, teaching in schools, or seeking legal marriage," says Portland resident Scot Nakagawa, NGLTF's acting field director.



Scot Nakagawa

PHOTO BY LINDA CARTER

"The national [lesbian- and gay-rights] organizations have historically chosen to ignore issues which are on the cultural fault line and instead focus on our areas of strength, namely barring discrimination in employment. It's clear we can't do that anymore," says the 33-year-old Nakagawa, who has spent the past two years traveling across the country helping activists organize against anti-sexual-minority attacks.

According to NGLTF, religious conservatives have enormous influence over state Republican parties in several states. The report found that 18 state Republican parties are currently controlled by religious conservatives, and Republicans in four of those states—Alaska, Arizona, Idaho and Oregon—control both legislative houses.

"The radical right has been extremely effective in taking over state Republican party organizations and using the party to push its scapegoating and

populist anti-government rhetoric," says Nakagawa. "As we've seen, this rhetoric is then transformed into anti-gay, anti-immigrant, anti-women legislation."

According to the NGLTF report, there was some positive activity this year, most notably the passage in Rhode Island of a statewide law banning discrimination based on sexual orientation in public and private employment, credit, housing and public accommodations. Rhode Island is the ninth state to implement a statewide nondiscrimination measure.

In Arizona and Maine, hate-crimes laws favorable to gay men and lesbians were approved, and Illinois enacted a law banning discrimination by some health care providers on the basis of sexual orientation.

In Montana, meanwhile, a national uproar ensued after a lawmaker introduced a measure that would have required individuals convicted under the state's "deviate sexual conduct" law—which prohibits consensual same-sex acts—to register for life with local law enforcement officials. The bill's sponsor said that gay and lesbian sex was "even worse than a violent sexual act." The "deviate sexual conduct" provision of the registration bill was subsequently deleted, due to the overwhelmingly negative response to the measure.

"I'm pleased to report is that there is a tremendous mushrooming of [sexual-minority-rights organizing] throughout the country, particularly in small towns and rural areas," says Nakagawa. "Gay people are beginning to find their voices specifically in response to the right wing."

He adds, "While I'm inspired by this, I believe we have to do better addressing cultural issues and countering the widespread belief that gay men and lesbians are immoral and a danger to children. Not only that, many people don't even know that gay men and lesbians are discriminated against."

Nakagawa, who will spend the next four months in Washington, D.C., leading the search for a new NGLTF field director, says his group will spend the coming year focusing on the needs of activists in rural regions of the country. He says NGLTF will start a mentoring program in which organization representatives work with local activists on media, membership and fund-raising issues. The group also plans to publish a quarterly magazine to be used as an organizing tool particularly for citizens who live in isolated areas.

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