

# local news

## Checking in

From DOMA to ENDA to medicinal marijuana, it's an Oregon Legislature potpourri

by Inga Sorensen

I'm a strong advocate of medicinal marijuana. All the anecdotal evidence and a few scientific findings show that medicinal marijuana relieves pain and suffering and stimulates appetite, which is very important, particularly when you're talking about AIDS and cancer," says state Rep. George Eighmey (D-Portland), who is sponsoring House Bill 2900, which permits marijuana use for therapeutic purposes.

"At first I wasn't sure whether there would be much support for something like this, but then you look at California and Arizona [voters in those states recently approved propositions allowing physicians to prescribe marijuana for medical purposes] and see all the media coverage



John Kitzhaber

now, well, there seems to be momentum," says Eighmey, also citing a Jan. 30 editorial in the influential *New England Journal of Medicine* that backs the use of medicinal marijuana.

HB 2900 says a person suffering from a serious physical illness or disease may obtain a certificate authorizing the possession of marijuana for therapeutic purposes by submitting an application to the state Board of Pharmacy.

The application will include, among other details, the person's name and address, the name or description of the person's ailment, treatments he or she has undergone and the results of those treatments, the quantity of marijuana to be used, the method and frequency of use, as well as a statement from the person's attending physician that the patient suffers from a serious physical illness or disease and that the use of marijuana would improve the person's health or relieve physical pain and suffering.

HB 2900 also allows a certified person to

cultivate marijuana for his or her own use with oversight from the Oregon State Police and state Board of Pharmacy. If approved, the measure would be referred to voters for consideration during the next general election.

In addition to HB 2900, Eighmey is sponsoring a resolution calling upon the president and Congress to alter the federal classification for marijuana "so as to allow it to be prescribed by qualified medical professionals."

### ENDA

Eighmey and supporters of gay and lesbian rights are still trying to gather the necessary support to move House Bill 2734, which bars discrimination in the workplace on the basis of actual or perceived sexual orientation.

Legislative leaders say they want proof that backers of "social issues" bills have a majority vote before allowing such legislation to move forward.

Rep. Chuck Carpenter, a Portland-area Republican, is HB 2734's chief sponsor. Supporters include Democrats and Republicans, including GOP Reps. Jeff Kruse of Roseburg and Lane Shetterly of Dallas.

Proponents, including Right to Pride, a statewide gay, lesbian and bisexual rights group, are lobbying legislators in an attempt to shore up support.

To make the measure more attractive to possible detractors, the bill includes exemptions for churches and sectarian religious institutions such as church-sponsored schools, hospitals or camps "on the basis that an individual's sexual orientation violates the religious tenets or teachings of that church or institution."

HB 2734 also exempts employers with six or fewer employees and mandates that a claimant of sexual orientation employment discrimination must obtain a positive finding of discrimination from the state Bureau of Labor and Industries before taking his or her case into a court of law. That particular mandate does not apply to other groups currently protected



Cynthia Wooten

under state civil rights law.

Supporters had wanted the bill to go to the House Commerce Committee, which Carpenter says was the most supportive. As we went to press, we learned the bill has been referred to the House Judiciary Committee.

Garnering the necessary backing in the Senate, which is dominated by Republicans 20 to 10, however, is a tougher prospect.

RTP Executive Director Barry Pack is urging those who believe they have experienced employment discrimination based on sexual orientation—particularly those residing outside of Portland—to contact RTP at 228-5825.

### DOMA

Proponents of the statewide Defense of Marriage Act, sponsored by state Sen. Marilyn Shannon, a Salem Republican, are also required to show leadership that they have majority support before that bill can move forward.

Given the fact Republicans control both chambers, opponents concede that chances of the measure passing are extremely good.

"We'll try and do what we can, but that probably won't be enough," admits Pack.

Shannon is sponsoring Senate Bill 577, which would prohibit equal marriage rights for same-

gender couples. It defines marriage as the union between a man and woman, and says same-sex marriages performed elsewhere will not be recognized in Oregon.

The bill's cosponsors are Reps. Charles Star (R-Hillsboro) and Ron Sunseri (R-Gresham), and Sen. Bob Kintigh (R-Springfield).

"This is political grandstanding—pure and simple," says Pack. "It's also an enormous waste of taxpayers' resources. Legislators should be working

on budgetary matters like how to deal with Measure 47."

Oregon Gov. John Kitzhaber has yet to take a public position on the bill, though a spokesman previously told *Just Out* the governor "certainly believes that marriage doesn't need a defense."

According to Pack, Shannon also has another anti-same-sex marriage bill waiting in the wings which resembles SB 577 except that it includes a referendum clause, meaning if approved by lawmakers it would circumvent a gubernatorial veto and go directly to the people for a vote.

### EDUCATION

Oregon DOMA is not the only bill which may have a direct negative impact on sexual minorities.

Right to Pride says Rep. Ron Sunseri is sponsoring House Bill 2569, which would bar school administrators from administering tests, surveys, psychological or psychiatric exams, or evalua-



George Eighmey

tions that address, among other things, sexual behaviors, orientation or attitudes unless parental consent is obtained.

According to Pack, that could, for example, impact sexual minority youth who may seek school counseling services, or efforts to gather information relating to youth suicide.

HB 2569 has been referred to the House Education Committee.

### DOMESTIC PARTNERS

Ending on an up note, state Rep. Cynthia Wooten, an openly lesbian Democrat from Eugene, is sponsoring two bills that could benefit domestic partners.

House Bill 2885 would require life and health insurers to offer plans and benefits for domestic partners. House Bill 2884, meanwhile, would make domestic partners of state employees eligible for employees' fringe benefits coverage.

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