

POLITICAL SNAPSHOTS

ENDA THE LINE

A newly crafted version of a once-floundering antidiscrimination employment bill may get a hearing and work session as early as April 21.

That prediction from Barry Pack, executive director of Right to Pride, a statewide gay, lesbian and bisexual rights group, comes on the heels of some political hardball initiated by Oregon Rep. Chuck Carpenter, an openly gay Portland-area Republican.

Fed up with the lack of activity on his House Bill 2734, a k a Oregon ENDA, which bars discrimination in the workplace on the basis of actual or perceived sexual orientation, Carpenter recently employed a parliamentary maneuver that brought the House to a standstill for nearly two days.

Though Carpenter insisted he had majority support for HB2734, it languished for weeks in the House Judiciary Committee, which is chaired by the far-from-gay-rights-friendly John Minnis (R-Wood Village).

According to Pack, during an April 11 conversation among Minnis, Carpenter and Speaker Lynn Lundquist (R-Powell Butte), Minnis warned Carpenter "not [to] push the issue any more because [HB2734] was not going to see the light of day."

"After that we knew we had to use a drastic measure which we've actually had in reserve for months," Pack says. "Until now we were good girls and boys, but it wasn't getting us anywhere."

That "drastic measure" was a motion brought by Carpenter on April 14 to move HB2734 from Judiciary to the floor for a vote.

Carpenter, Rep. Jim Hill (R-Hillsboro) and all 29 House Democrats were set to back the motion. In an effort to avoid an embarrassing defeat, Republican leadership adjourned, meaning the motion died.

Carpenter could have renewed the motion the following day. However, he did not need to because the parties reached a compromise: HB2734 would remain in Judiciary, but a nearly identical bill would be crafted and sent to the House Commerce Committee, where it would see some action.

Carpenter and Pack had initially hoped—and expected—HB2734 would be assigned to Commerce, which was viewed as the most supportive committee. A few weeks back, Pack even told *Just Out* that Eldon Johnson (R-Central Point), chair of the House Commerce Committee, had anticipated the bill's referral to Commerce and had already assigned a March 13 hearing date.

HB2734 was instead placed in Judiciary.

"So essentially we're now where I wanted us to be all along—in Commerce," says Carpenter.

Carpenter has said from the beginning he was willing to play tough on this issue.

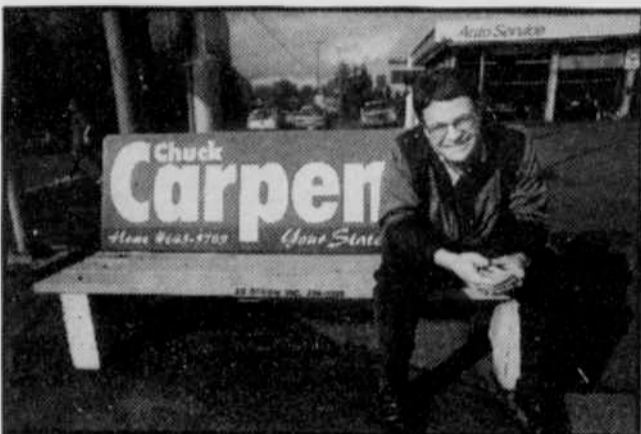
From the opening of the 1997 session in January, he said he would side with Democrats on key Republican legislation if push came to shove. The GOP controls the House by the narrowest of margins—31 to 29 Dems—thus such a move could have a notable impact.

"I think Chuck has really gained a lot of respect from moderate Republicans and Democrats for his willingness to stand by his principles," says Pack.

As for whether leadership will punish Carpenter, Pack says: "Who knows if he will be reprimanded in some way? All I can say is that this typically is a place where no action goes without consequences."

We asked Carpenter to ponder that same question when we spoke with him the morning after the compromise was reached.

"Nothing has happened yet," he says. "But I look at it this way: What's the point of being in a position where you can make a difference but you choose not to because you want to maintain your



Chuck Carpenter

power? It defeats the purpose of why we're here."

DOMA LIKELY TO FLY

HB2734 may have been stuck in the legislative muck. Unfortunately, the same cannot be said about Senate Bill 577, which received a hearing before the Senate Rules Committee on April 3.

SB577, the so-called Defense of Marriage Act, was introduced in February by state Sen. Marilyn Shannon, a Salem-area Republican.

The bill would define marriage as the union between a man and woman, and says same-sex marriages performed elsewhere will not be recognized in Oregon.

RTP got wind of the hearing the same day it was held. "I learned about it at 9:30 am and the hearing was set for 3 pm," says Pack. "As you can imagine, we jumped on the phone and scrambled to get as many people to the hearing as we could."

Relatively speaking, RTP did an admirable job—SB577 opponents who testified outnumbered proponents eight to one.

"We had six legislators and 24 citizens who testified in our favor," says Pack. "The other side had four of the bill's sponsors testifying."

RTP's contingent included longtime lesbian and gay couples, PFLAG parents, a representative from the Oregon chapter of the American Civil Liberties Union, state Reps. George Eighmey and Chuck Carpenter, and Democratic state Sens. Susan Castillo, Kate Brown, Avel Gordly and Ginny Burdick.

Always a colorful character, Eighmey offered

an amusing albeit compelling amendment to SB577.

"It says if they're really serious about marriage being sacred, then people who are married and divorced twice cannot get married again in Oregon," says Eighmey. "That wipes out two of the committee members—one who has been married three times and another four times."

He adds, "It makes the point that [SB577] isn't about 'protecting marriage' but rather about bashing gays and lesbians."

Don't expect to see Eighmey's idea get too far.

Unlike years past, there was no sign at this hearing of Lon Mabon and company.

"It shows the OCA is absolutely a nonentity this session," notes Pack.



George Eighmey

Given the bipartisan popularity of the bill, however, that probably doesn't matter. Pack expects this baby to easily fly out of the Legislature.

There is still no word on whether Gov. John Kitzhaber would place his signature on the discriminatory measure.

HOPING FOR A LOGJAM

JoAnna McNamara has been lobbying her own assortment of lawmakers of late, trying to convince them not to move Senate Bill 482.

That legislation would revise state discrimination laws against disabled persons, by in part modifying the legal definition of a disability to specifically exclude transsexuals from coverage.

The Lake Oswego attorney was instrumental in getting the Oregon Bureau of Labor and Industries to reverse years of policy to accept complaints from transsexuals who claim discrimination because of their status as transsexuals. After McNamara persuaded the agency that transsexualism must be considered a protected disability under Oregon law, BOLI began accepting such claims in October.

McNamara could see all that shattered by SB482, whose wording in part matches an amendment to the federal Americans with Disabilities Act of 1990.

That amendment, brought by ultraconservative Republican Sen. Jesse Helms, states that under federal law a person with one or more of the following conditions is not a disabled person: "transvestitism, transsexualism, pedophilia, exhibi-

tionism, voyeurism, gender identity disorders not resulting from physical impairment, or other sexual behavior disorders." The list also includes compulsive gambling, kleptomania and pyromania.

SB482 was introduced by Sen. Gene Derfler (R-Salem) at the request of Associated Oregon Industries, which represents the interests of Oregon's business community.

An AOI lobbyist told *Just Out* the bill was not intended to "single out" any group, but rather was designed to bring state law into line with federal law.

The bill has been reassigned to the Business, Law and Government Committee after inadvertently being placed in the Health and Human Services Committee.

McNamara says she has met with many Business, Law and Government Committee members and has been greeted with everything from a "glazed-eye stare" to the "kissy-face" (read: It's nice to meet you, now go away) to support from Sens. Kate Brown and Randy Leonard, both Portland Democrats.

"Things are pretty stuck in the Legislature now," she says. "I'm hoping this is one bill that stays that way."

UNLOOKED-FOR HELP

In Rose City political news, the Portland City Council passed a resolution on April 9 endorsing Basic Rights Oregon's Fair Workplace Project, which promotes education around job discrimination based on sexual orientation.

According to BRO head Jean Harris, the action stemmed from a recent meeting she had with Commissioner Erik Sten.

"I was there talking about domestic-partnership issues when we started discussing the Fair Workplace Project. That's when [Sten] asked whether BRO would like the Portland City Council to consider a resolution endorsing the project," she says. "I said every time Portland takes a visible stance on this issue it could help communities across the state."

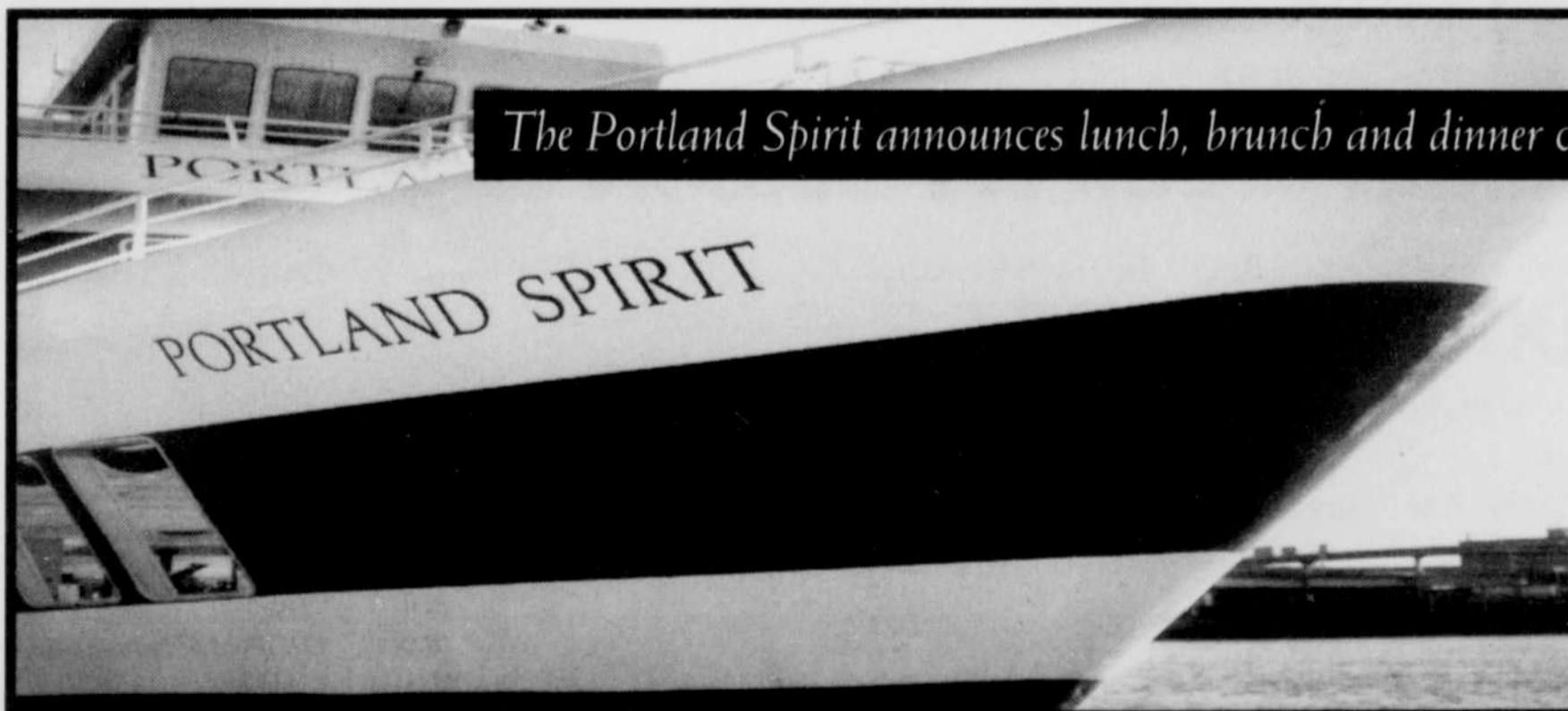
The council—except for Mayor Vera Katz, who was traveling abroad—gave its unanimous backing to the proposal.

"I then talked about how Oregon ENDA was being sat on in committee," says Harris. "All the commissioners seemed very concerned, and a few asked what they could do to help."

She says Commissioner Jim Francesconi offered to speak with Rep. John Minnis, chair of the committee where Oregon ENDA is holed up. (Interestingly, anyone following the controversy involving the Metropolitan Human Rights Commission will know that Francesconi's office has recently challenged the philosophy that government should play an advocacy role with respect to human rights.)

For her part, Harris says she'll take what support she can: "Every little bit helps."

Reported by Inga Sorensen



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