

## POLITICAL SNAPSHOTS

### THE NEVER-ENDA STORY

The political drama involving Oregon ENDA continues to unfold in Salem.

All 29 House Democrats and two Republican representatives—Chuck Carpenter of the Portland area and Jim Hill of Hillsboro—have again locked together in coalition to push forward the employment nondiscrimination act.

The crew first worked in concert last month to move the bill out of the House. Now they've turned their sights to the Senate.

As you likely know, House Bill 3719, a.k.a. Oregon ENDA, which prohibits employment discrimination based on sexual orientation, cleared the state House on April 29 by a 40-20 vote.

A floor vote on HB3719 occurred following some smart, bold maneuvering by Carpenter, ENDA's chief sponsor, in mid-April.

Angry that House Bill 2734—an earlier version of Oregon ENDA—was holed up in the House Judiciary Committee, Carpenter motioned to move the bill out of committee to the floor for a vote. Carpenter and Hill, as well as all the House Democrats, were set to back the motion. However, in an effort to avoid an embarrassing defeat, Republican leadership adjourned, meaning the motion died.

The following day the parties reached a compromise: HB2734 would remain in Judiciary, but a nearly identical bill—HB3719—would be crafted and sent to the House Commerce Committee, where it would see some action.

HB3719 subsequently flew out of Commerce and the full House, only to land with a thud in the Senate Livability Committee, which politicians describe as a rather obscure and "less than friendly" entity whose members include anti-gay-rights Republicans Eileen Qutub of Beaverton and Bob Kintigh of Springfield.

"The Livability Committee—what's that?" says Barry Pack, executive director of Right to Pride, a statewide gay, lesbian and bisexual rights group that is vigorously lobbying for HB3719.

Pack wanted the bill to be assigned to the Senate Business, Law and Government Committee, considered to be the most amenable to ENDA.

"I think we would have at least gotten a fair hearing there," says Pack, adding, "None of the lobbyists I have talked with seem to know what the Livability Committee is...but what we've heard is that Qutub asked for this bill to go there."

According to a committee administrator, Livability is essentially a "spill-over" committee dealing with a potpourri of measures—including those related to building inspections and some environmental matters—that other committees may be too overloaded to handle.

In addition to Qutub and Kintigh, the committee includes pro-gay-rights Sens. Kate Brown and Ginny Burdick, both Portland Democrats, as well as chair Ted Ferrioli, a Republican from John Day.

Pack says measure supporters hope to bring a tally of 16 or more "yes" votes to leadership in

order to move the bill forward. (The Senate is controlled by Republicans by 20-10.)

He admits, however, that task is much more difficult in light of a surprise move by Senate leadership to disallow "social issue" bills from being amended.

Pack says potentially supportive senators have a few concerns about Oregon ENDA that could be addressed via amendment.

"But leadership tells us they won't allow 'social issue' bills to be amended. It's totally ludicrous," says Pack. "They're playing a real double-cross here."

Enter Carpenter, Hill and the 29 House Democrats, who have linked to form a 31-29 voting block, which Pack says will "strategically block" selected Senate bills unless HB3719 moves.

"They will take some issues hostage unless there's action," he says. "They'll do what needs to be done."

He adds that concerned citizens can also do their part.

"Let your senator know that they should support this bill," he urges.

As of press time, Pack says a handful of key senators, namely Republicans Ken Baker of Clackamas, Neil Bryant of Bend and Brady Adams of Salem, remained uncommitted.

### THEY RECRUIT, TOO

One bill that may be caught in the backlog is Senate Bill 680, which was expected to pass out of the House this week (by press time it had not).

That bill prohibits any school board, community college, state college or university from barring military recruiters from campuses.

The measure, sponsored by Republican Sens. Randy Miller of West Linn and Shirley Stull of Keizer, was prompted by the Portland School Board's approval two years ago of a recruiting ban on its campuses.

The board took that action in response to the U.S. military's ongoing discrimination against openly gay and lesbian service members.

In OK'ing the ban, the Portland School District became the first—and thus far the only—district in Oregon to do so, and remains just one of a few nationwide.

SB680 cruised through the Senate in April and should do the same in the House.

Pack says there's no word yet on whether the governor will sign or veto the measure.

### DOOMED TO DOMA?

Oregon ENDA may face a rocky road. Unfortunately, the same cannot be said of Senate Bill 577, better known as Oregon DOMA.

As we went to press, SB577 was poised to pass out of the Senate Rules and Elections Committee.

The bill, sponsored by state Sen. Marilyn Shannon, a Salem Republican, prohibits equal marriage rights for same-gender couples.

Like its federal predecessor, the measure is dubbed the Defense of Marriage Act, and defines marriage as the union between a man and woman.

Oregon DOMA also says same-sex marriages performed elsewhere will not be recognized in Oregon.

The bill's co-sponsors include Kintigh.

According to Pack, the bill could pass out of committee and go to the floor for a vote within a matter of days.

Given the composition of the chamber,

Pack expects SB577 to pass the full Senate with ease.

"We're already turning our attention to the House, but given the public's view on the marriage issue, well, I'm not expecting too much," he says.

In other words, expect this baby to fly out of the Oregon Legislature and land on the governor's desk for a signature.

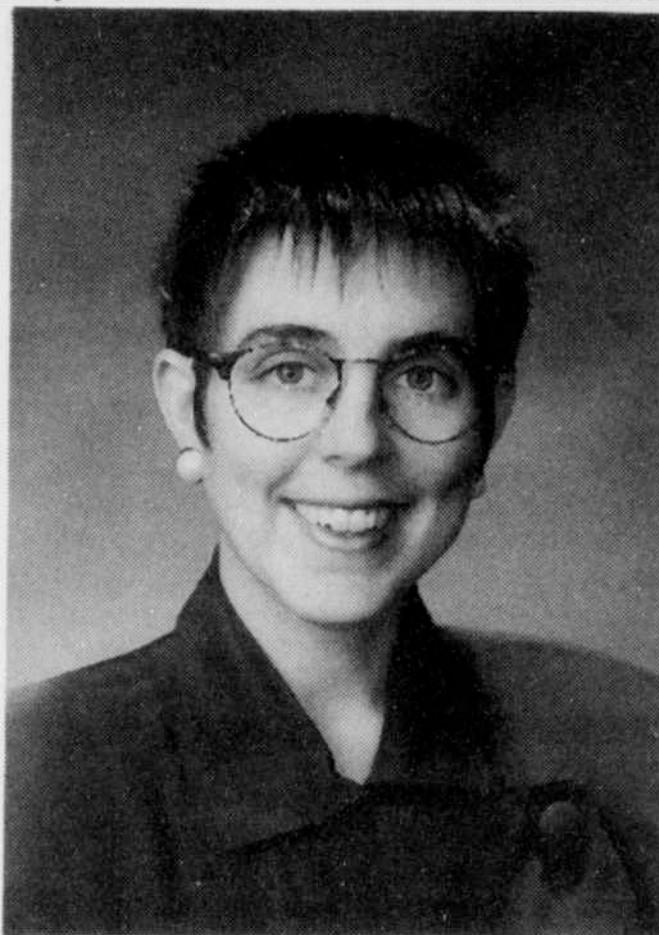
Gov. John Kitzhaber remains mum on the matter.

If the governor does veto the bill, Shannon has a similar measure waiting in the wings that includes a referendum clause, meaning that if approved by lawmakers it circumvents a gubernatorial veto and goes directly to the people for a vote.

"This is definitely a tough one for us," says Pack.

During an April 3 hearing, SB577 opponents who testified outnumbered proponents 8-1.

Those who spoke out against the discriminatory measure included longtime lesbian and gay couples; Parents, Families and Friends of Lesbians and Gays parents; a representative from the Oregon chapter of the American Civil Liberties



Kate Brown sits on the Senate Livability Committee, to which ENDA has been assigned

Union; Democratic Rep. George Eighmey and Republican Rep. Chuck Carpenter; and Democratic Sens. Susan Castillo, Kate Brown, Avel Gordly and Ginny Burdick.

### THE REVOLVING DOOR OF RIGHTS

In other legislative news, political observers say they expect Senate Bill 44 to clear the Senate Business, Law and Government Committee and then the full Senate.

SB44 in part prohibits employment discrimination against an individual by reason of his or her relationship or association with a disabled person.

Recently hearings were held to consider an amendment to SB44, which in essence would blend the language of Senate Bill 482 into SB44.

SB482 aimed to revise Oregon discrimination laws against disabled people by bringing state law more in line with federal statutes.

Its wording mirrored the federal Americans with Disabilities Act of 1990, a portion of which specifically excludes transsexuals.

Oregon's disability law is based on the Rehabilitation Act of 1973, which incorporates no such exclusion. In fact, last October the Oregon Bureau of Labor and Industries found that transsexuals are a protected class under disability law.

The passage of SB482—or SB44 with the amendment adopted—could ultimately smash those protections to bits.

Some bill opponents hold out little hope of stopping SB44 (with the SB482 incorporation) in the Senate, and hope to persuade representatives to drop the exclusion reference in the House proposal, prompting a compromise between the Senate and House versions.

### TEST ANXIETY

Also poised to move is House Bill 2569, sponsored by Rep. Ron Sunseri (R-Gresham). HB2569 in part bars school administrators from administering tests, surveys, psychological or psychiatric exams, or evaluations that address, among other things, sexual behaviors, orientation or attitudes unless parental/guardian consent is obtained.

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

At press time, the bill was scheduled for a work session in the House Education Committee.

"The scheduled work session tells me they've got the votes to pass it," says Pack.

Reported by Inga Sorensen.

If you don't know who your senators or representatives are, call Right to Pride at 228-5825. Gov. Kitzhaber's office can be reached at (503) 378-3111.

Proudly  
Serving  
Our  
Community

Cobb &

Woodworth  
Attorneys at Law



503-226-0088  
920 Crown Plaza  
1500 Sw First Avenue  
Portland, OR 97201  
Fax 503-226-9005

## WE REPLACE WINDOWS

Now you can replace your old windows with new vinyl custom fit insulated windows. Your new windows will keep your home warmer in winter, cooler in summer, reduce condensation and sound proof your home. We also have storm windows and doors.

20 years of experience in the same location makes us one of Portland's most experienced window companies. Visit our showroom or call today for a courteous in-home estimate.

283-9481

INSULATED WINDOW  
CORPORATION



Garland Horner  
Owner

Oregon BB # 19095  
8124 N. Denver