

Pro-Gay bills outnumbered

State legislative survey finds 48 anti-Gay measures

by Christopher Jones

New Year's optimism has given way to February's cold reality as activists' predictions that pro-Gay bills would far outnumber anti-Gay bills in state legislatures in 1997 have, so far, failed to materialize.

A *Washington Blade* survey of the 50 state legislatures has found that 40 pro-Gay bills and 48 anti-Gay bills had been filed to date. None of the measures has yet become law; most are still awaiting committee votes and some have already died or been voted down.

Of the 48 anti-Gay bills introduced, 39 of them seek to prohibit legal recognition of same-sex marriages. (See accompanying story.) The other nine anti-Gay bills are spread over three categories: "no promo homo" bills which seek to ban discussion of Gay issues in public schools; bills which seek to ban Gay people from adopting children or providing foster care; and "parental rights" bills which aim to give parents the right to inspect any ed-



by Joe Tom Easley

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ucational materials their children use in schools. Some of the "parental rights" bills also seek to require that children obtain a parent's signature before attending sex education and human sexuality classes or before visiting a school psychologist.

Of 40 pro-Gay bills introduced, 12 seek to provide increased penalties against the perpetrators of hate crimes based on the victim's sexual orientation. (Two such measures in Virginia died in committee this week.) Nine bills seek to ban discrimination based on sexual orientation in employment; three seek to ban such discrimination in employment, housing, and public accommodations. Seven seek to establish some form of domestic partner benefits in the state, while five bills seek to legalize same-sex marriages. Two bills seek to allow Gay people to adopt children; and two bills seek to protect Gay students from harassment in public schools.

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National News

Activists say more pro-Gay bills on the way

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Partisan sponsorship

The *Blade* survey found that Republican lawmakers introduced about 75 percent of all anti-Gay bills filed thus far; Democrats sponsored 21 percent; nonpartisan lawmakers sponsored 2 percent; and a Republican/Democratic team sponsored the other 2 percent of anti-Gay legislation.

"It's no surprise to me," Rich Tafel, executive director of Log Cabin, a national group of Gay Republicans, said when asked to comment on the high percentage of GOP-sponsored anti-Gay legislation. "That's the whole reason Log Cabin was created."

"Our purpose is to educate the Republicans The question for the Gay movement is how to reach those Republicans. If we can't make them friends, how do we at least not make them enemies?"

Democratic lawmakers sponsored 75 percent of all pro-Gay legislation filed so far; Republicans sponsored 15 percent; nonpartisan lawmakers sponsored 8 percent; and a Republican/Democratic team sponsored the other 2 percent.

Another Gay Republican official attributed the high number of GOP-sponsored anti-Gay bills to the marriage issue.

"There are some proponents of [anti-Gay] marriage bills that are right-wing, far-right Republicans," said Kevin Ivers, director of public affairs for Log Cabin Republicans. "That part of the Republican Party has got a hand in a lot of these bills. But on the other hand, there are leading Republicans, like [Gov. William] 'Bill' Weld [R-Mass], who has championed [Gays'] right to marry."

Of the 39 anti-Gay marriage bills introduced so far, 28 (72 percent) were sponsored by Republican lawmakers.

Ivers added that Log Cabin has activists working in Ohio and New Jersey to fight the anti-Gay marriage bills filed there.

AIDS-related bills

The *Blade* survey found more than 50 AIDS-related bills filed to date in the state legislatures. Among them:

* At least nine state legislatures (Indiana, Maryland, Mississippi, Missouri, New Jersey, New York, Texas, Virginia, and Washington) have bills proposing some form of mandatory HIV antibody testing. Some of the people targeted for mandatory testing include marriage license applicants, children in the foster care system, health care providers, and residents of mental health facilities.

* At least three states (Indiana, Mississippi, New Jersey) have bills which seek to have AIDS education courses in public schools teach abstinence.

* At least five states (Florida, Mississippi, New Jersey, Virginia, and Washington) have bills which seek to make the transmission of HIV a crime if a person with the virus knowingly transmits it to another person.

More to come

In December, a *Blade* survey of Gay civil rights activists in each of the 50 states found that activists were anticipat-

Gay bills in the state legislatures

State	Same-sex marriage bills	Broad Gay rights bills	Hate crime penalties	Employment protections	Domestic partnerships	Custody, foster care, adoption
Alabama	■					
Alaska						
Arizona						
Arkansas	■					
California	■					
Colorado	■					
Connecticut	■					
Delaware						
Florida	■					
Georgia						
Hawaii	■ * ■					
Idaho	■ * ■					
Illinois						
Indiana	■ *					
Iowa						
Kansas						
Kentucky						
Louisiana						
Maine						
Maryland	■ ■					
Massachusetts						
Michigan						
Minnesota	■ *					
Mississippi	■ *					
Missouri						
Montana	■ ■					
Nebraska	■ ■					
Nevada						
New Hampshire	■					
New Jersey	■ ■					
New Mexico						
New York		■	■ *			
North Carolina						
North Dakota	■					
Ohio						
Oklahoma						
Oregon						
Pennsylvania						
Rhode Island						
South Carolina						
South Dakota						
Tennessee						
Texas	■					
Utah						
Vermont	■					
Virginia	■ *					
Washington	■ ■ *					
West Virginia						
Wisconsin	■					
Wyoming	■					

■ =anti-Gay legislation ■ =pro-Gay legislation * =multiple bills on issue introduced

ing that 72 pro-Gay bills and 56 anti-Gay bills would be filed.

While only 40 pro-Gay bills have been introduced thus far, in many states the process of filing bills is still ongoing, and activists said that more pro-Gay bills are on the way.

Bill McDonald, chair of the Arizona Human Rights Fund, said he expects a sodomy reform bill to be introduced in the state legislature soon.

Arlene Isaacson, a lobbyist with the Massachusetts Gay and Lesbian Political Caucus, said sodomy reform and domestic partnership bills will be introduced in the Massachusetts state legislature later this month.

"Our legislative processing system is so slow," Isaacson said. "We haven't seen any of our bills yet. We'll have bills in the House and Senate to repeal sodomy laws,

and a bill in the House to grant [partner benefits] in the public sector."

In other states, like West Virginia, the legislative session hasn't even begun.

"Our legislature doesn't come into session until February 12, and we don't expect ... bills until then," said Barbara Steinke, a lobbyist with the West Virginia Lesbian and Gay Coalition.

Steinke added that a bill which will seek to add sexual orientation to the state's anti-discrimination laws is expected, as is an anti-Gay marriage bill.

Barry Pack, executive director of the Oregon Gay civil rights group Right to Pride Inc., said the legislative process is difficult to predict. Pack said that after he learned his state planned to file a bill seeking to ban same-sex marriage, he met with other state activists to determine their strategy. The result of the meeting:

the decision to push an employment non-discrimination bill (expected to be introduced within the month) and ignore the marriage bill (also expected soon).

Lobbying the state legislature, according to Pack, is a process of compromise and constant re-evaluation, requiring a keen analytic eye that knows when to abandon the optimism for realism.

"I think everyone starts the [legislative] session with an optimistic outlook — that this is the year we're going to make progress in our state," Pack said. "Early on in the session, everybody talks about broader goals and a broader agenda, but when you start talking with the leadership, your agenda gets narrowed." ▼

Viet Dinh and Brian O'Connell contributed to this report.