Winter 12-1994

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Blade interviews Gingrich

by Rebecca Foster
Editor

WASHINGTON - In a foreshadowing of things to come, Representative Newt Gingrich has told The Washington Blade that "it is madness to pretend that families are anything other than heterosexual couples." Gingrich was interviewed in April, but the story is slated to appear in the November 25 edition of the country's oldest gay and lesbian newspaper.

But at the same time, he says, the Republican Party's position on homosexuality should be "toleration" rather than condemnation. "I know a number of practicing heterosexuals who I believe are more decadent and more corrupted by a big business and media campaigns and to bipartisan solidarity."

"The common ground (in the campaign) was that discrimination is not something Idahoans embrace," said Brian Berquist, spokesperson for the Idaho's No on One Coalition. "The common ground (in the campaign) was that discrimination is not something Idahoans embrace," said Brian Berquist, spokesperson for the Idaho's No on One Coalition. "People of Idaho have had the opportunity to vote on this," he said. "I don't see any reason for the Legislative to really deal with it."

DeBold believes these election results send a clear message that the voters and they have spoken. "Each of our candidates won TWO races last night," she says, "One against their opponents, the other against the Radical Right's distorted image of gay men and lesbians."

Maine's monthly newspaper for lesbians & gay men

Oregon, Idaho anti-gay efforts lose by slim margin

by Terri Jones
Editor

BOISE - Gay activists in Idaho and Oregon breathed a collective sigh of relief after the narrow defeat of anti-gay ballot questions on each state's November 8 election slate.

In Idaho, Proposition One was defeated by a slim 3,098 votes in a county that saw 202,601 voting in favor and 205,699 voting against. About 11,700 voters skipped the question. In Oregon, the vote was more definitive with 618,864 voting against Measure 13 and 583,842 voting for it. Oregon's Measure 13 was supported by the Oregon Citizens Alliance, a radical right group.

Proposition One would have barred the state and local governments from extending civil rights protection based on sexual orientation. Oregon's Measure 13 contained similar prohibitions. Idaho's No on One Coalition credited its win to sophisticated grassroots and media campaigns and to bipartisan solidarity.

"The people of Idaho have had the opportunity to vote on this," he said. "I don't see any reason for the Legislative to really deal with it."

Oregon voters defeated the measure but sent two Measure 13 supporters to Congress, Jim Bunn and Wes Cooley. Activists cite a huge Republican Party effort that mailed absentee ballots to all registered Republicans in the state as one factor in the close vote.

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WASHINGTON, DC - 10 November 1994 - Twelve of the Gay and Lesbian Victory Fund's 17 openly gay candidates won their races, a seventy-five percent success rate. According to Victory Fund Deputy Director Kathleen DeBold, the 12 winners are: Will Fitzpatrick, Rhode Island Senate; Col Anderson, Washington State Senate; Sheila Kuehl, California State Assembly; Kent Cheuvront, Arizona House of Representatives; Tim Van Zandt, Missouri House of Representatives; George Eighmy, Oregon House of Representatives; Cynthia Wooten, Oregon House of Representatives; Susan Leal, San Francisco Board of Supervisors; Roberta Achtenberg, Harry Britt, and Carole Migden, openly gay candidates win across country

From a Victory Fund press release

DeBold notes that this 75 percent success rate for openly gay candidates is especially significant in light of the campaigns of gaybaiting that were waged against them by their opponents and because of the overall conservative swing of the electorate nationwide.

"Each of our candidates won TWO races last night," she says, "One against their opponents, the other against the Radical Right's distorted image of gay men and lesbians."

DeBold believes these election results send a clear message that the extremist viewpoints that lead to hate campaigns and gaybaiting are out of step with mainstream America. "Our openly gay candidates won because their personal and community values are consistent with those of the average American family values like hard work, responsibility, and respect for others."

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Tired of the same old ho-hum breakfasts? Then you need to visit...

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"I have a dream..."
Rev. Martin Luther King, Jr.

Broadening the Dream II
Saturday, January 15, 1995

A day-long symposium to promote passage of the civil rights bill and the defeat of the referendum. Workshops, speakers and strategy sessions. For more information, call 623-2349.

Unitarian Universalist Church,
69 Winthrop St.
Augusta

Maine Won't Discriminate

Time to get involved
by Steve Addario
Contributor

As we move into 1995, the gay and lesbian community will be facing its greatest challenge yet in the state of Maine - defeating the referendum as put forth by Concerned Maine Families. We will also be making history as we proceed forward with our own civil rights movement. We will be bringing together a community of people in Maine that will demonstrate what most people believe - that all people in this state should support each others' potential growth and achievement as human beings. This menas living in a society that not only accepts but actively supports diversity. This means living in a society where homosexuality is regarded as part of normal living.

On February 28, 1994, I decided that it was time for me to get out and see what was happening with Maine Won't Discriminate (then called Equal Protection Maine). I was accustomed to sitting quietly in my own home and reading the news about other people in the gay and lesbian community working for the rights of all of us. At that time, I kept telling myself that I didn't have time to put into a political campaign. In reality, I just didn't know how to be involved. I didn't want to take any time out of my daily routine. I felt that I didn't fit the "activist" profile. I also feared that getting involved would "out" me in a way I wasn't prepared for.

Today, after nine months of work with Maine Won't Discriminate, I feel like I have been involved in a birthing process of our organization. The ideas and plans were seeded several years ago by those "activist types", whom I believe to be very "out". I believed that they found it easy to deal with the general lack of our sexuality by society. Now I believe that they have the same fears I have. The difference for them, and I guess for me now, is that they are no longer willing to accept being exiled to a life of fear, lies and limited possibilities.

Maine Won't Discriminate has grown to include members of the gay and lesbian community and the straight community. Parents, teachers, lawyers, doctors, civil engineers, carpenters, government workers, churches, business people and more have voiced their support of our organization. From all walks of life, people are eager to support gay and lesbian rights while other seek to broaden human rights to include any and all people that are prevented in any way from a full enjoyable and productive life.

As your year (1994) comes to a close, consider what is happening in your life. Do you keep any part of your life hidden or separate from others? Do you fear that someone may find out about your sexuality and use it against you?...in your job?...in your housing?...in your family? Do you know anyone that lives a life of half-truths and cover-ups or perhaps is isolated from others for fear of being "found out"? Do you feel marginalized...hated...judged as gross, degenerate, heartless, devilish, a monster or a social pariah? It is time for you to challenge the fear and shame that are imposed by hurtful belief systems imposed by much of our society. Join Maine Won't Discriminate in our effort to build a safer community for all gays and lesbians in Maine.

Meeting Schedule

General Membership meetings will take place on:
Dec. 12
Jan. 9
Jan. 25
Feb. 6
Feb. 27

These meetings are open to everyone interested in hearing more about the issues and supporting Maine Won't Discriminate. Meetings start at 7pm at St. Luke's Cathedral, State St., Portland.

Fundraising Committee meetings will take place on:
Dec. 6
Dec. 20
Jan. 3
Jan. 17

Meetings are held at the offices of P.R.O.P., 510 Cumberland Ave., Portland at 7pm.

Coalition - Building Committee will meet on the third Thursday of the month at 7pm.

For more information call 761-1788 or (800) 761-1788 and leave a message and your call will be returned.

To volunteer, call David Lischer at 871-9188.
Salvation comes from within

Let's face it. The November elections have left the gay and lesbian community with things to worry about - Jesse Helms, Orrin Hatch, Strom Thurmond, Newt Gingrich and even, Olympia Snowe (who voted for the Helms Amendment) now in the majority for the first time. Even though Idaho and Oregon survived an onslaught of radical right activity and last minute direct mail campaigns, the victories were close and probably part of a larger strategy that will force us to fight this battle in every state during the remainder of the decade.

In Maine, 70% of Dirigo Alliance-endorsed candidates were elected to the Legislature and Governor-elect Angus King has promised to sign gay rights legislation. If you examine the chart on page 4, however, it is not a foregone conclusion that gay rights legislation will pass both bodies.

In The Shawshank Redemption, the prison warden advises Tim Robbins' character that 'salvation comes from within'. Perhaps it is time for the Maine gay and lesbian community to consider the meaning of that advice. At this point, we have 10 months to defeat the referendum. It is possible that the signature challenge will be successful, but still, we as a community must be prepared to fight for the next 10 months. We have 10 months to educate Maine citizens about the mean-spirited campaign being forced on them and 10 months to be sure people know that gays and lesbians are their friends, teachers, parents, siblings, co-workers, neighbors and fellow citizens.

If it is true that salvation comes from within, we must as a community, get it together. It's time for everyone to donate money, volunteer and attend meetings. If we as a community believe that we deserve equal rights and protection from discrimination, we need to show it by fully staffing the organizations and keeping our legislative representative at our side. You can rest assured that the radical right gets good meeting attendance. Is it possible that their commitment to oppressing others exceeds our ability to commit to defending our right to live?

At times, the radical right seems seductive. The philosophy can be swallowed whole, and it provides a sense of community (within a very narrow set of roles for men and women). It seems easier to convene than the diverse populations within the lesbian and gay community and it seems to have fewer squabbles about political correctness, elitism, classicism, racism and the other issues that make our community a thinking, challenging and question body. But, the one thing they have that we need to replicate is their commitment, from mailings to busloads of voters to meeting attendance and strategy sessions to fundraising to follow through. It's time to get moving and there's room for everyone.

It would be foolish to believe that mere meeting attendance will guarantee victory in November 1995, but it would be equally foolish to believe that a small group of committed individuals will be able to successfully defend Maine's lesbian and gay community. Everyone must become involved and remember the higher mission that can unite our diverse members into a message of peace.

Everyone, together. It's time to follow through. It's time to get moving and there's room for everyone.

As a movement, we must look within for the strength we will all need for the next 10 months and that strength comes from the knowledge that all humans possess an intrinsic value that should be respected both by ourselves and by our society's legal system. The second will not happen without the first. We must respect each other enough to deserve the title of a 'movement', if we cannot respect each other than we differ from Carolyn Cosby only in degree rather than in kind.

Editors
Terri Jones • Rebecca Foster

Contributors
Douglas Packard • Martha Atherholt II
Lauren Smith • Chris Winiowski
Lisa Wagner • Maggie Fourtner
Tara K. Luce • Will Sandstead
Cheryl Landry

Maine's monthly newspaper for lesbian & gay men

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Dykes To Watch Out For
Area teen groups plan World AIDS Day observances

PORTLAND - Three Maine high school groups are planning activities to draw attention to the AIDS epidemic and the need for AIDS prevention education in schools. KISS (Kennebec Individuals for Safer Sexuality), TRAP (Teen Risk Awareness Portland) and SLAM (Scarborough for Latex Availability and Maturity) are teen branches of F.A.T.E. (Fight AIDS-Transform Education) a project of Act-UP / Portland. Each plans unique activities in observance of World AIDS Day on December 1.

At Monmouth Academy, KISS will be handing out informational "zines" promoting prevention, choice and condom availability in all Maine public schools and will attend the Dec. 1 Monmouth school board meeting. In Scarborough, the members of SLAM will go to class six minutes late to symbolize that 1 death from AIDS happens every 6 minutes. SLAM is asking Scarborough High School to make condoms available and to allow a tolerance/diversity group mandated by the superintendent to happen.

In Portland, TRAP members will be participating in a die-in lasting for 6 minutes to remind students of AIDS deaths and to bring attention to the public hearing and the School Committee final vote on condom availability in Portland's schools.

F.A.T.E.'s mission is to provide teens with the means to fight HIV/AIDS and homophobia in Maine schools. All groups include but are not limited to, lesbian, gay, bisexual, transgender and questioning youth. It has issued a call for all Maine schools to provide free latex to students, install condom dispensers in bathroom stalls so students can get latex anonymously, instructions on condom use, AIDS education, communication workshops for parents and kids, the inclusion of homophobia in all harassment policies, and safe sex counselors.

Maine’s first gay–lesbian community center opens, seeks donations of supplies and money

CARIBOU - Maine’s only Gay and Lesbian Community Center has entered its second month of existence at its location, 398 So. Main St., in Caribou. The Center is a positive turn after its parent group Northern Lambda Nord faced a difficult transition (see 100/o, September 1994). However, equipment and supplies are still needed to furnish the space and provide services.

The Gay-Lesbian Community Services Center of Northern Maine is the new home of the Gay-Lesbian Phoneline, a lending library and meeting space. Recent meetings have included the development of operating procedures for the Center.

To date, NLN has received over $1800 in donations toward the establishment of the Center. Northern Lambda Nord continues to raise money to purchase its own building. As of Oct. 16, $3399.64 has been raised towards an overall goal of $10,000. Contributions for the fund are also tax deductible.

For more information about Northern Lambda Nord, the Community Center and the Building Fund, call (207) 498-2088 (Voice/TTY).
Ammiano have all been elected in a second "Lavender Sweep" for the San Francisco Board of Supervisors.

Adding to the good news in San Francisco, two openly gay candidates Leslie Katz and Lawrence Wong have won election to the San Francisco Community College Board.

Originally a U.S. Congressman Gerry Studds, Wisconsin State Assembly member Tammy Baldwin, Oregon State Representative Gail Shibayan, and Texas State Representative Glen Maxey all won re-election to the seats they won two years ago with Victory Fund support.

Other openly gay candidates who won included Maine State Senator Dale M. McCormick, San Francisco openly gay candidates Leslie Francisco, and the first openly gay man and lesbian to run for major statewide office, lost close races to their GOP opponents. Although Buntin won more votes than defeated three-term Democratic Governor Mario Cuomo, the combination of the Republican sweep and vicious gaybaiting by supporters of her opponent pushed the state's director for the American Family Association.

New York State Attorney General candidate Karen Bernstein and California Secretary of State candidate Tony Miller, the first openly gay man and lesbian to run for major statewide office, lost close races to their GOP opponents. Although Buntin won more votes than defeated three-term Democratic Governor Mario Cuomo, the combination of the Republican sweep and vicious gaybaiting by supporters of her opponent pushed the state's director for the American Family Association.

Eighty of the CDC's employees announced the formation of the Gay, Lesbian or Bisexual Employees (GLOBE) in a general e-mail message Nov. 1. GLOBE, which was approved by CDC directors, got about 100 direct e-mail responses. But a CDC spokesman said they included several hostile messages that range from homophobia as a personal deficiency syndrome to sexual deviancy and made crude jokes about the group.

Dr. David Satcher, the CDC's director, issued a memo the next day pointing out that "the use of e-mail to convey inappropriate comments is prohibited and will not be tolerated." The memo also said insulting behavior violates the standards of the U.S. Department of Health and Human Services, to which the CDC belongs.

Hollywood plans lesbian mob thriller

HOLLYWOOD - A Hollywood film studio is planning to make a lesbian thriller about a female ex-con who falls for the mistress of a Mafia money launderer. Dino De Laurentiis Communications has announced that the film, titled "Bound" will begin filming next March or April.

In the story, the women conspire to swindle the mob out of $2 million by turning the mobsters against one another.

Ministers oppose AFA censorship activity

The ministers took action after Woodel succeeded in having SN&R—which was founded in 1973—suspended from the press for a year and from advertising for a period. The ministers took action after Woodel succeeded in having SN&R—which was founded in 1973—suspended from the press for a year and from advertising for a period.

SN&R, which was founded in 1973—suspended from the press for a year and from advertising for a period.

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"Our clients are a gay couple who have lived together in an intimate, sexual, emotional and legal relationship for over 45 years, a fact that cannot be denied," said Mr. Woodel. "As such, their relationship is the product of a long, loving, and committed partnership."

For his part, Woodel has had to deal with clients who have canceled insurance because of his "intolerant" views.

Gay couple asks Canadian Court for recognition

OTTAWA — A gay male couple has asked Canada's Supreme Court to give them the same government benefits as heterosexual couples in a landmark challenge under the country's charter of rights and freedoms. James Egan and John 'Jack' Noshir, who have lived together for 46 years, say they should receive the same pension benefit as other spouses. This is the first gay rights challenge to the equality-rights section of Canadian Charter of Rights and Freedoms asking for same-sex benefits.

"If the laws do not seek greater rights or privileges than heterosexual couples, they come to this court with a simple plea: they want equality," lawyer Joseph Arvay told Canada's highest court.

The two men, who live on Vancouver Island, are asking for a spousal allowance they were denied seven years ago. The Canadian government says only a man and a woman can be considered spouses and therefore eligible for the allowance. The couple argues that Canada's charter of human rights guarantees them the same government benefits as other couples.

"My clients are a gay couple who have lived together in an intimate, sexual, emotional and financial interdependent relationship for over 45 years, few heterosexual couples can make the same claim," Arvay said.

The men are not asking the court to give them the legal status of marriage but only that recognition of their relationship is similar enough for them to receive the government financial benefits.
## December/January

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### Musical Happenings

**Sisters' All Star, All-Woman Dance Jam Band**

Holly Near and Catherine D'Amato entertained a large crowd at a November 5 Wild Iris Productions' show.

Several area musicians got together for a live music jam November 18 at Sisters.

Photos by Rebecca Foster
Circle of Hope, an inclusive Christian women's group following a model developed by the Metropolitan Community Churches, meets Saturdays at 4pm at Immanuel Baptist Church, 156 High St, Portland. Call MMC, P.O. Box 1671, Portland, ME 04104.

Coffeehouse at the Gathering, featuring Cathy Poole and Heartstrings with singing by Bagelworks and Green Mountain Coffee, 7-9pm, Dec. 20, USM Campus Ctr. For more information, call 774-7419.

“Discrimination on the Job: Could It Happen to You?”, a film and discussion of issues facing sexual minorities in the workplace. A Matlovich discussion on Dec. 8 at 7:30pm at the Holiday-Inn-by-the-Bay. Free parking and wheelchair accessible.

F.A.T.E. Fight AIDS—Transform Education. Act-UP/Portland is forming empowering groups for teens and queers. All welcome. 1st and 3rd Fri., 5:30pm, 87 Spring St. Portland. Wheelchair accessible, information Act-UP/Portland, P.O. Box 1931, Port., ME 04104 or phone/fax 828-0566.

Flirtations in Concert, music and comedy from the stars of HBO’s “Why Am I Gay?”, Dec. 9, Jewett Auditorium, UMaine Augusta, 8pm. Tickets are $15 with discounts available. For more information and reservations call 621-5299 or 8000 696-6000.

“Good News and Bad: Christianity, Culture Wars and Sexual Justice” with Marvin Ellison, professor of Christian Ethics at the Gathering, Dec. 13, 7-9pm, USM Campus Ctr. For more information call 774-7419.

Maine Gay Visual Artist League will meet on the third Wednesday of every month. The League is a non-profit supportive and creative network for Maine’s gay and lesbian artists. For meeting place, call 775-5420.

Maine Won’t Discriminate meets in Portland every other Monday at 7:30pm at St. Luke’s Cathedral, State St, Portland. See page 2 for complete details of MWD activities.

Friday Night Church meets every Friday at 7pm, State St Church, 159 State St, Portland. All-inclusive and affirming service offering a guide to Christian spiritual journey. Everyone is welcome. For more information, call 775-2788.

Lesbian Support Group meets every first and third Wed. at the Mabel Wadsworth Women’s Center, 132 High St, Portland. Woman-only, lesbian-only space. 6:30-8pm, 334 Harlow St, Bangor. For more information, call 947-5557.

“Let’s Do Brunch” Potluck social gathering, 11am-2pm, third Sunday of the month at York County locations. Call 905-2874 for more information.

“Let There Be Harmony”, a winter concert by Women in Harmony, January 28, 1995, 8pm, 156 High St, Immanuel Baptist Church, Portland. Tickets $10 in advance, $6 for seniors/students from Amadeus Music, 352 Fore St., and Drop Me A Line, 615A Congress St. Portland. Handicap accessible and sign-interpreted.

“Light Up the Night”, a holiday concert by the Maine Gay Men’s Chorus on Dec. 11 at 7pm and Dec. 16 at 8pm, St. Luke’s Cathedral, State St, Portland. Tickets are $10 in advance available from chorus members, Drop Me A Line, Bookland at Mallside in Portland or the State Theatre box office at 879-1112.

Maine Lesbian/Gay Political Alliance meets on Nov. 16 from 6pm to 9pm at the Winthrop St. Unitarian Church in Augusta.


Mothers and Kids Group meets the 2nd Sunday of the month at the Lunt School, Rice and Lunt Rd, Falmouth. For information, contact Linda Parker at 767-4568.


Northern Lambda Nord Monthly Meeting, Dec. 11, 1-5pm, Community Ctr., 398 So. Main St, Caribou, 498-2088 (Voice/TTY).

Northern Lambda Nord New Year’s Eve Party, Dec. 31, 8pm, New Sweden. Call the Phone-line for information, 498-2088 (Voice/TTY).

Partners of Parents meets every 3rd Monday, 7-9pm at Woodfords Congregational Church, Woodfords St., Portland. Support to lesbian and gay men whose partners have children. For information, call 774-7052.

Queer Holidays: Planning alternative celebrations, developing holiday traditions drawing from pagan, Jewish, Christian and other rituals. Dec. 16, 7-9pm, Unitarian Church, 169 Pleasant St., Auburn.

Sexuality in High School, a talk at the Gathering 7-9pm, Tuesday, Dec. 6 at the USM Campus Ctr. For more information, call 774-7419.

The Maine Gay Men’s Chorus presents...

“Light Up the Night: A Holiday Celebration” Seasonal music from American, French-Canadian, Jamaican, English, Jewish and Russian composers and the world premieres of “Heroes”, a celebration of those who are living with or have died of AIDS.

Dec. 11, 1994 2pm
Dec. 16, 1994 8pm
St. Luke’s Cathedral State St. Portland
Tickets $10 in advance, $12 at the door from chorus members, Drop Me A Line, Bookland at Mallside or by calling the State Theatre box office at 879-1112.

Are you listed? Send your non-profit calendar listings to:

10% Enterprises
P.O. Box 11265
Portland, ME 04104

Include location, contact no., date and time. Submissions are due by the 20th of the month.
January 7

NATIVE AMERICAN CRAFTSWOMAN
DISPLAY AND DEMONSTRATION
with Crazy Bear Productions 4-7 pm

December hours Wed-Sat. 10-6, Sun.Noon - 5. Closed Mon. & Tues.

Happy Holidays from....

Bone Appetit
A store for cats and dogs.
93 India Street, Portland, Maine 04101
Telephone 207.871.9442

Christmas Benefit
DECEMBER 16
$4 cover charge
Proceeds to purchase holiday gifts for terminally ill individuals.

Womenkind Gifts
...intriguing gifts that empower women
Brunswick Crossing Mall, 48 Cushing St. 798-5098
DECEMBER 9 - 10
FREE VIDEO NIGHT 7pm
Showing "Salmonberries" and a special surprise feature co-sponsored by Coffee Grounds and Big Star Video.

New Year's Eve Party
Champagne, hot and cold buffet, noisemakers, hats and a toast at MIDNIGHT

PJ's
Tues - Sat 7pm - 1am, 80 Water St., Augusta 623-4041

7th
BLACK & WHITE

National legal developments
by Will Sandstead, Esq.
Contributor

Health Care Benefits, HIV and the ADA
The First Circuit U.S. Court of Appeals ruled on October 12 that a plaintiff could maintain a lawsuit against a medical reimbursement plan provider under the Americans with Disabilities Act (ADA) for imposing a cap on HIV-related health care benefits. The plaintiff asserted that the benefits cap constituted disability discrimination.

Before the appeal, a lower court held that neither the plan provider nor the plan itself qualified as either an 'employer' or a "place of public accommodation" under the Act. It dismissed the plaintiff's suit without reaching the question of whether the HIV benefit cap was forbidden by the ADA.

On appeal, the First Circuit reversed the lower court. It held that it was theoretically possible for the plan provider to be the plaintiff's employer or a place of public accommodation for ADA purposes. It remanded the case back to the lower court to give the plaintiff the opportunity to prove his case.

The appellate court compared this case to other civil rights cases where the concept of 'employer' has been treated expansively. The Court decision stated, "If the plan provider had the plan exist solely for the purpose of enabling entities such as employees to delegate their responsibility to provide health assurance to their employees, they are so intertwined with those entities that they must be deemed an 'employer' for the purposes of Title I of the ADA."

The Court decided that places of public accommodation are not limited to actual physical structures. It used the example of a travel service, where a customer might deal with the service provider entirely through telephone communication. Thus, the defendant could still qualify as a place of public accommodation even if the plaintiff never needed to enter a physical structure to use the defendant's services.

This case is particularly pertinent to us in Maine since federal cases commenced in this state are appealed to the First Circuit. The case was Carparts Distribution Center, Inc. v. Automotive Wholesaler's Association of New England, Inc., 1994 WL 54530.

State antigay initiatives
On October 11, the Colorado Supreme Court granted a permanent injunction against the implementation of the Colorado anti-gay voter initiative Amendment 2. It was the first state high court in the country to declare such an initiative to be unconstitutional.

The case had already appealed once to the Colorado Supreme Court, where the Court held that the U.S. Constitution protects the fundamental right to have equal access to the political process. It further held that denying lesbians, gays and bisexuals the opportunity to lobby their elected officials to enact legislation protecting their interests denied them equal access. On the initial appeal, the Court remanded the case back to the lower court for trial.

On second appeal, two questions were at issue. First, whether the State of Colorado could prove any compelling justification for denying equal access to homosexuals, and second, whether Amendment 2 was "narrowly tailored" to achieve such an interest without necessarily burdening the constitutional right to equal access to the political process. The Colorado Supreme Court answered "no" to both questions.

First, the state asserted that Amendment 2 protected the sanctity of religious, familial and personal privacy. While the Court agreed that protecting such privacy is a compelling state interest, it held that Amendment 2 was too broadly drawn to protect that interest. Instead, religious freedom could be protected by including religious exemptions in civil rights legislation.

Next, the Court rejected the State's argument that Amendment 2 preserves limited state resources for the protection of important protected groups, such as racial and ethnic minorities, women and children born out of wedlock. The Court held that the preservation of fiscal resources and the administrative convenience are not compelling state interests.

The State further argued that Amendment 2 allowed Colorado citizens to establish public social and moral norms. The Court disagreed and found that there was "no authority to support the proposition that the promotion of public morality constitutes a compelling governmental interest."

The Court remanded the case back to the lower court for trial over the controversy concerning homosexuality, and therefore, the State's argument would "justify striking down almost any legislative enactment imaginable."

Finally, the Court rejected the State's argument that Amendment 2 was a legitimate means of preventing the government from supporting the objectives of a special interest group. The Court found that virtually any law could be regarded as benefiting a "special interest group," and therefore, the State's argument would "justly striking down almost any legislative enactment imaginable."

The State of Colorado has announced that it would appeal the case to the U.S. Supreme Court. Source: Lesbian and Gay Law Notes, November 1994.

Will Sandstead is a board member of the Maine Lesbian and Gay Law Association (McGAL) and an associate at Farnsworth & Associates in Hallowell.
threatening illnesses, the CDC said.

Earlier classification of the disease has helped people with weakened immune systems obtain treatment before the onset of AIDS-related illnesses, said Dr. John W. Ward, chief of AIDS surveillance at the CDC.

"It shows the success of early medical intervention in making available to people anti-retroviral therapy, antibiotics and other drugs that delay or prevent the development of these illnesses," Ward said. "As a result, I think the quality of life for people with severe HIV disease has improved. You have less hospitalization, more outpatient care and I think it's probably also improved survival somewhat."

There were 63,101 AIDS cases reported during the first nine months of this year, almost twice the number of cases reported during the same period in 1992.

The apparent increase is almost entirely due to the broadened definition of AIDS. "The AIDS epidemic increased only 3 percent in 1993 compared to 1992," Ward said.

AIDS-related illnesses declined slightly among gay and bisexual men in 1993, the CDC said.

"There have been definitely some changes in sexual practices among homosexual and bisexual men that have resulted in the decreases in AIDS rates," Ward said.

However, AIDS-related illnesses rose 8 percent among injecting drug users and 25 percent among people infected through heterosexual contact. Ward said the two increases are related.

"The largest proportion of people who report infection through heterosexual contact report contact with injecting drug users," he said.

"Those communities that have problems with HIV transmission among injecting drug users are the same communities that have problems with heterosexual transmission," Ward said.

Heterosexuals should continue remain alert to the possibility of infection with the virus that causes AIDS. "Every person engaged in heterosexual activity should consider taking precautions if they are uncertain about the history of their sexual partner," he said.

Out & About gives TWA a failing grade

NEW YORK — Out & About, a newsletter for gay travelers, has given Trans World Airlines Inc.'s frequent-flier program a failing grade. The newsletter gave TWA the lowest mark among major U.S. carriers because gay members of its frequent-flier program could transfer awards only to relatives, in-laws or a companion traveling on an identical itinerary.

American Airlines topped the magazine's rankings with an A, followed by United Airlines, which got a B.

Gingrich continued from page 1

"Gingrich was interviewed by Chandler Burr, a free-lance writer who was working on a profile of Rep. Steve Gunderson, R-Wis., for The New York Times Magazine. Gunderson has been in a long-term relationship with another man, and his partner — said the Republican Party's position on homosexuality "should be toleration."

"It should not be promotion and it should not be condemnation. I don't want to see police in the men's room, which we had when I was a child, and I don't want to see trying to educate kindergartners in understanding gay couples."

"Over time, we want to have an explicit bias in favor of heterosexual marriage," Gingrich said. "I do not see heterosexual marriage as a public policy matter, because I feel very confident about the bias in favor of heterosexual marriage and heterosexual couples raising children."

Gingrich's comments to The Washington Blade echo what he has said in other forums about homosexuality. He also said he has no trouble being friends or working with homosexuals. In fact, one of his younger sisters is gay.

AIDS definition continued from page 5

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National News (cont.)

Court upholds dismissal of gay midshipman
WASHINGTON - A divided federal appeals court Tuesday upheld the Naval Academy's dismissal of a midshipman who admitted he is gay.

The U.S. Court of Appeals for the District of Columbia, on a 2-3 vote, said the academy acted properly in dismissing Joseph Steffan in 1987 after he said he was a homosexual, even though he did not admit engaging in homosexual conduct. Steffan sued the government to be reinstated in the academy, but lost in U.S. district court and the appeals court upheld that ruling.

Judge Laurence Silberman, in the majority opinion, said the academy was justified in concluding that anyone who admitted being gay was probably engaging in homosexual acts.

"It is sufficient to recognize that the government's presumption, as embodied in the academy regulation, is certainly rational given that the human sexual drive is enormously powerful and that an open declaration that one is a homosexual is a rather reliable indication as to the direction of one's drive."

"For all the record shows, and for all the pleadings reveal, Steffan declared himself to be a 'homosexual because he in fact had engaged in homosexual conduct,' Silberman wrote.

Three judges disagreed, saying Steffan's dismissal solely on the basis of homosexual orientation was wrong.

"The critical issue posed in the starkest fashion by Steffan's case is whether a member of the armed forces may be discharged on the sole basis of an admission of his homosexual orientation. We believe that he may not and we therefore dissent," Judge Patricia Wald wrote in an opinion joined by two other judges.

"We conclude that the military's discharge of Joseph Steffan on the sole basis of his admission of homosexuality was not rationally related to a legitimate government goal," Wald added.

"For the government to penalize a person for acknowledging his sexual orientation runs deeply against our constitutional grain," she said.

Steffan's attorney, Mark Wolinsky, said he was reviewing the decision before deciding whether to appeal to the U.S. Supreme Court. He said Steffan was now a clerk for a federal judge and could not comment on the ruling.

He was discharged three months before he was to graduate and become a Navy officer.

Clinton appoints new AIDS czar
WASHINGTON - President Clinton has appointed Patricia S. Fleming to be his AIDS policy director. Fleming, Fleming has spent the past two decades as a top aide to liberal Democrats on Capitol Hill and in health and education posts in the Carter and Clinton administrations. Recently, she was Health and Human Services Secretary Donna E. Shalala's special assistant, helping coordinate that agency's role in the AIDS fight.

Clinton, whose first AIDS policy director was widely criticized as ineffective, pledged that Fleming would have "direct access to me" and the Cabinet.

Clinton noted that a quarter-million Americans have died from AIDS. One million have been infected with the HIV virus, more than 400,000 have developed the disease, with 40,000 new infections each year. Fleming said half of all HIV infections occur before age 25, and one in four who become infected contract the virus before their 20th birthday.

"The trends are particularly troublesome among women, people of color and adolescents," Fleming said at the White House ceremony. "While the rate of increase among gay men has lessened, AIDS disease, and a 25 percent jump in biomedical research. Clinton appointed a prominent immunologist, William Paul, to head a new Office of AIDS Research at the National Institutes of Health.

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Poetry by Peg

THE TREE THAT WALKS

he tree that walks like a man
brushes faces
in the light of day
creeps to the beat of untouched utin
arm ridden man
palms the moon stocking figures
left long after dark
the tree that walks like a man
left the door unlocked
yet knocks at the shutter
hunched over the stoop he watches
knowing my name better then I do
he sees your address
calling tonight
a girl waits in her yellow flowered bed
replaying her first talks about sex

THE FOOD PUSHER

on weathered streaked benches
fluff nutters on paper towel
swedish pancakes crepes
peach tort pies carrot cake
oreo frito
lamb mashed potatoes
bean clam dip
licking the beater
always her last spoon
she made all of these my mother
who died not of old age
nor was she hustled
for pushing food

her body was as wax paper
crumpled transparent
course we had milk ten gallons
plates with seconds
she'd sit with us at meals
dad was convinced she was fat
after making bread
she dieted on tab and water
he'd say “God loves a fat girl”
she wrapped his dinners wait for him

her closet was a velvet theatre dress
she'd put it on after ten pounds were lost
standing in front of him, he moves to see the tv
children fed and shirts starched
he called her “Mummsie” and never had enough gravy
her cheese cake shivers
my mother
the food pusher
lost the weight
while her family watched
her die
transparent crumpled
of a diet of fasting for the love of her husband
and the stuff that family’s
dream of
leaving no room
for seconds

As always, the Halloween season brings out the best creative minds in the community. 1994 was no exception with revelry at the Underground, PJ’s, and Sisters. Of course, no year would be complete without a visit by the Village People.

Photos by Rebecca Foster

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World AIDS Day  
December 1, 1994  
401,749 Total AIDS Cases  
62,443 reported cases of HIV  
A million people are projected to be HIV-infected  
1 in 250 Americans are HIV-positive  

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Licensed Clinical Professional Counselor  
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Referendum Question Text  
The legislative provision that will be voted on should the referendum question appear on the November 1993 ballot:  
To the 116th Legislature of the State of Maine:  
In accordance with Section 18 of Article IV, Part Third of the Constitution of the State of Maine, the undersigned electors of the State of Maine, qualified to vote for Governor, residing in said State, whose names have been certified, hereby respectfully propose to the Legislature for its consideration the following entitled bill: An Act to Limit Protected Classes Under the Maine Human Rights Act.  
Be it enacted by the People of the State of Maine as follows:  
5 M.R.S.A. Section 4552-A is enacted to read:  
Section 4532-A.  
An Act to Limit Protected Classes Under Maine Law  
Notwithstanding any provision of this chapter or any other provision of law, protected classes or suspect classifications under state or local law human rights laws, rules, regulations, ordinances, charter provisions or policies are limited to race, color, sex, physical or mental disability, religion, age, ancestry, national origin, familial status, and marital status. Any provision of State or local law, rule, regulation, ordinance, charter provision or policy inconsistent with this section is void and unenforceable.  
This section being necessary for the welfare of the State and the inhabitants of Maine, shall be liberally construed to accomplish its purpose and is not to be interpreted or applied as a limitation or restriction on authority as enumerated in the Maine Constitution.