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WASHINGTON - The Supreme Court said Feb. 21 that it will hear Colorado's appeal of a ruling that declared the state's controversial anti-gay rights amendment to be unconstitutional.

The justices agreed to review a Colorado Supreme Court ruling last year that the measure denies gays equal protection under the law. The ruling rejected the argument that the amendment was a valid exercise of state power.

The high court action to hear the case could have far-reaching implications for gay rights battles around the country. The justices will hear arguments in the case in the term starting in October, with a decision likely in 1996.

The Supreme Court upheld Colorado's ruling, it could nullify or overturn any successful anti-gay referendum effort in Maine.

The amendment, blocked by the courts from taking effect, would have invalidated gay rights laws in Denver, Boulder and Aspen that barred discrimination in jobs and housing based on sexual orientation.

A particular target of the letters is the Report of the Governor's Commission to Promote the Understanding of Diversity in Maine released in December 1994. CMF's Vice Chairman, Lawrence Lockman accuses the Commission of proposing a "gay militant-dominated "Thought Police" brigade empowered to investigate and harass Maine people for any expression of alleged "homophobia."

The letter calls the report a "master plan...for a sweeping new program of gay affirmative action, including taxpayer subsidies to homosexual-owned businesses..." that would create "set-asides of Community Development Block Grants," for any business claiming to be gay-owned.

The letter also repeats earlier CMF claims that the Attorney General's Office has inflated the numbers of hate and bias crimes against gays and lesbians. "You may have heard news reports about the prevalence of "hate crimes" in Maine. These stories are based on bogus statistics cooked up by the state Attorney General's Office. At taxpayer expense, attorneys working out of the AG's office have encouraged homosexual to file anonymous complaints about non-criminal acts such as name-calling...even published letters to the editor, if the letter is deemed to be "homophobic."

These so-called "bias incident" complaints are then rolled in with reports of alleged hate crimes. The result is grossly exaggerated statistics implying that Maine is a hot-bed of anti-gay violence and bigotry. These inaccurate and misleading statistics are the basis for gay militant claims to "victim" status in Maine. Now they want to force their ideology of gay liberation on every family, school, business, and church in our state.

Can you imagine having a state-funded, gay militant-dominated "Thought Police" brigade empowered to investigate and harass Maine people for any expression of alleged "homophobia?" Gay extremists and their allies in state government have already published a detailed blueprint for muffling any written or spoken opposition to their agenda.

Their master plan calls for a sweeping new program of gay affirmative action, including taxpayer subsidies to homosexual-owned businesses. These shocking radical proposals are outlined in the report of the Commission to Promote the Understanding of Diversity in Maine. If enacted by the Legislature, the Diversity Commission's recommendations would grant protected minority status based merely on how people say they have sex. Any business claiming to be gay-owned or managed would be eligible to apply for the proposed minority "set-asides" of Community Development Block Grants.

The Diversity Commission proposals are nothing less than a colossal scam to help one of America's richest and politically powerful special interests steal from Maine's hard-pressed taxpayers.

CMF has taken the lead in exposing the fraud and duplicity of the gay rights movement, including the outrageous money and power grab outlined in the Diversity Commission report. Frankly, our Maine initiative is the last best hope for blocking legislative enactment of special status and affirmative action based on sexual orientation. We can close the door on the selfish demands of this selfish special interest group. But we can't do it without your help.

Your generous contribution will enable CMF to reach thousands of Maine voters with our expose of the Big Lie of gay extremists. Please accept my personal thanks for your support.

Sincerely,

[signature] Larry Lockman

P.S. So much depends on Maine! Gay militant lawyers have publicly stated that CMF's language is the most formidable challenge they've ever faced - one that could undo 45 years of gay activist gains - one that could set the terms of debate nationally. Please be as generous as you can. So much depends on us!
The Furies, Portland’s feminist theatre company, present...

"LaVender Land Utopia"

A new comedy by Marilee Ryan

with

an original score by Cathy Poole and Kate Austin and lyrics by Marilee Ryan

Oak St. Theatre, Portland

March 24 8pm
March 25 10pm
March 31 10pm

Tickets $10 at the door

Wild Iris Productions proudly presents...

Ann Reed

Saturday, March 18, 8pm
First Parish Church, 425 Congress St., Portland

$13.50 in advance  General Admission  $15 at the door
Tickets available from Drop Me A Line and Walkabout in Portland, Macbeans in Brunswick and JKS Copyprinters in Belfast.
Special Reserved Seating, ($18) available only by mail from: Wild Iris Productions, P.O. Box 17, W. Buxton, ME 04093.

Sign-interpreted  Wheelchair accessible

Maine Won’t Discriminate

Update

Get involved, join your local chapter of MWD

New chapters of Maine Won’t Discriminate have formed across the state making it easier than ever to get involved. Contact the chapter near you!

Augusta–Hallowell, Contact Person – Cheryl Ring 626-0818, Aroostook County, Contact Person – Dick Harrison 498-0900, Bangor, Contact Person – Jim Martin 990-5420, Biddeford, Contact Person – Barry Horn 286-5718, Brunswick–Bath, Contact Person – Punnie Edgerton 729-6429
Hancock County, Contact People – Ruth Blackburn 276-0505 and Peter Revs 667-2538, Mid–Coast, Contact Person – Dorothy Merriweather 594-7873, Ogunquit, Contact Person – John Cavaratta 646-2122, Portland, Contact People – Steve Addario, Jessica Maurer 761-1788 (please leave a message and your call will be returned), So. western Maine, Contact Person – Janice Campbell 625-5689, Waldo County, Contact Person – Gary Leah MacLeod 538-4194, Washington County, Contact People – Betty Denistone 536-2007 and Tom 546-7505, Waterville/Oakland, Contact Person – Diane Campbell 465-7574.

Contact your chapter for meeting schedules and fundraising events. Many events are being planned. Get involved!

The Portland chapter of MWD will meet on March 13 and 27. Meetings start at 6:30pm for newcomers with the general meeting starting at 7pm at St. Luke’s Cathedral, State St., Portland.

Referendum Question Text

The legislative provision that will be voted on should the referendum question appear on the November 1995 ballot:

To the 117th Legislature of the State of Maine:

In accordance with Section 18 of Article IV, Part Third of the Constitution 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 4552-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.
Creating the truth

After reading Concerned Maine Families' fundraising letter on page 1, it is tempting to attempt to refute its contents point by point. It is a blatant misrepresentation of the work of both the Attorney General's Office and the Commission to Promote the Understanding of Diversity in Maine. In fact, the letter contains no truth. Even CMF's claim as leader of the drive to protect Maine from the "militant gay lobby" fail to inform the reader that it is a radical right strategy to portray all such efforts as grassroots and locally-driven rather than determined by highly-funded national fringe group.

It would be a tactical error to assume that refuting its untruths is enough to defeat a referendum effort. The undecided public expects opposing sides in a struggle to present radically different views and often must settle for the soundbite, the PR campaign or the knee-jerk response because they distrust the self-interest that is inherent in each side's representation of the facts. Sonia Johnson once said that beating your head against the stone wall that is your oppressor gives it credibility it cannot otherwise earn. Similarly, a protracted point-counterpoint allows CMF to determine the agenda while we waste resources asserting that we are "poor enough to deserve equal rights."

A strategy that returns to the basic fabric of the gay rights movement will be more persuasive and more successful. We are human beings in a democratic society that deserve the right to life, liberty and the pursuit of happiness. We argue about who's doing the dishes and how to pay the bills like everyone else. We want nothing more than a fair chance, a chance to be judged by our accomplishments and to be safe in our homes and jobs. The key to ensuring this victory is to tell that truth, that is, our truth. The argument is not how much we earn, rather it's the rights that we deserve as U.S. citizens. Legislation in our country is passed to protect the process, to guarantee the right to vote, to guarantee basic safety and to preserve access to a system to redress grievances. That is the truth, and that's where our truth starts.

While Carolyn Cosby continues to discuss bloated statistics and earnings figures, tell everyone that you're gay, tell everyone about discrimination as you've experienced, and demand the basic rights our society has protected via civil rights legislation. Tell how a lack of civil rights protection has kept you from the basic rights all U.S. citizens deserve.

Begin the process of creating the truth of the experience of being gay or lesbian in Maine. Write letters to the editor and testify. Legislators need to hear about this issue, significant turnover in the Legislature means a new education effort. Newspapers garner a huge readership and can give people the opportunity to tell their story. Creating the truth means relaying the history of Maine's gay experience and it describes a journey that leads a community to demand the respect and protection it deserves.
Maine News

"Spring for Life" continued from page 1

its 9th annual "Spring for Life" auction on March 18 at the Holiday Inn-by-the-Bay, Spring St. Portland. The auction has grown to be Maine's largest charity auction. This year featured artists will include Alfred "Chip" Chadborn, David Cedrone, Marguerite Lawlor, Richard Bell, and Michael Veneracion. Viewing of auction items will take place Friday, March 17th, 6-9pm and Saturday, March 18th, 9-4:30pm.

Admission to the auction is $10 and includes a bidder's number. Silent auction bids can be made throughout the day and will be tallied at 7:45pm. The live auction, with Tom Satterly, will begin at 8pm. Once again, TAP has secured the assistance of some of Portland's finest chefs for a festive auction-reception from 6-9pm, Saturday, March 18. The reception costs $25 per person and includes complimentary beverages, champagne, hors d'oeuvres and admission to the auction.

For more information or to purchase tickets for the event, contact the AIDS Project at 207-774-6877.

Womens' arts events mark Women's History Month

PORTLAND - A women's theatre festival and a women's film and video festival are two Portland events planned for International Women's Month.

Coming off a well-received December production, the Furies, Portland's female theatre group is presenting a different show each week from March 3 through 5 at the Waterton Museum of Art. The festival features a wide-range of current and past films by women. Included among the offerings are Ida Lupino's "Hard, Fast and Beautiful," "Anchor of the Soul" a documentary about African-Americans creating a church in Portland, "Talk 16" which follows the lives of five 16-year-old girls and Portland filmmaker Kate Kaminski's "A Pagan Place." Lesbian films include "Came Out, It Rained, Went bagels!再度用电!" and our newest location ....

and our newest location ....

and our newest location ....

We bake'em best!

Now Serving 12 locations...

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18 Mountain St., Old Orchard Beach 774-8704
220 Mall Plaza, South Portland, 773-3238
Mill Creek Shopping Center, 767-4756
204 US Rt. 1, Falmouth 781-7234
8 Main St., Yarmouth 849-6099
123 Main St., Westbrook 854-5069
336 Center St., Auburn 777-7007
Mid Mall, Bangor Mall Rd., Bangor 942-0061
106 Pleasant St., Brunswick 725-6007
and our newest location....

172 Rte.1, Scarborough 883-0070

THE WEDDING BANQUET

Everyone wants to kiss the bride...except the groom.

151 Middle St.
Portland
Open 7 days
775-1999

Ruling finds MSEA contract bars discrimination

AUGUSTA - The Maine Stater, a publication of the Maine State Employees Association (MSEA), is reporting that recent arbitration decision found that discrimination against gay employees violates their collective bargaining agreement although the contract does not explicitly mention sexual orientation in its non-discrimination provisions.

The decision ended a controversy that erupted when Steve Keaten, the grievor, applied for a promotion. Just prior to the interview, interview panelists made "threatening and insulting statements to him" about being gay. When these comments were reported to his director, Earl Getchell, they were ignored and no action was taken.

During arbitration, union attorneys argued that the state workers' contract implicitly barred discrimination based on sexual orientation - a position that the State of Maine did not challenge.

The arbitrator adopted this position and found that the director, Earl Getchell, was biased against gays and that he lied during his testimony at arbitration. The arbitrator also found that the State of Maine had violated the collective bargaining agreement by failing to provide an unbiased selection process but did not propose a remedy or impose a penalty.

The decision calls for the state to correct the arbitrated decision and is a major victory for state workers.

CMF Vice Chairman Larry Lockman could not be reached to respond to 106's questions.

Volunteer! Call 1-800-22-MILGP

Colorado considers hate crime legislation

DENVER—Attacking or threatening people because they are gay, lesbian, elderly or another minority group would become a hate crime in Colorado under a bipartisan proposal that has cleared its first legislative hurdle.

The bill was approved by the House Judiciary Committee 9-4 to approve the proposal after an emotional hearing that left some lawmakers in tears.

Rep. Marry Morrison, R-Colorado Springs, joined the majority despite political pressure to oppose the bill because of its protection for gays.

"I had phone calls saying don't support House Bill 1257 because of 'those people,'" Morrison said. "I guess that sent my red flag up. Thirty years ago, it was black people who were 'those people.' Fifty years ago, it was Jews who were 'those people.' If I had not supported this bill I would not have been true to my own values."

Those voting against the bill, including Rep. Doug Lamborn, R-Colorado Springs, said they had a philosophical problem with a law that treats the same crime differently depending on its circumstances. They also worried it would stifle free speech.

Sponsored by six Republicans and five Democrats, the proposal would expand Colorado's ethnic intimidation law to include physical or mental disability, age, and sexual orientation.

The current law covers "any person who Cômettively and intentionally, or with reckless disregard of its likelihood, engages in an act or course of conduct that is offensive to a person or to the person's race, ancestry, religion and national origin. The law allows victims and their family members to sue perpetrators for civil damages and it suffers the criminal penalties for some offenses.

Assault or property damage involving hate crimes would carry tougher penalties than those crimes usually do - though that wouldn't be the case for all crimes. For instance, a rapist whose offense included a hate crime probably wouldn't spend any more time in prison unless the judge ran the sentence consecutively.

"With the enhanced penalty hopefully we will come societal awareness that these things are wrong," said Rep. Ken Chlouber, R-Leadville, the bill's primary sponsor. "There's enough hurt in this world without you going around and beating up people because of who they are."

Kevin Tebedo of Colorado For Family Values urged the committee not to support what he called a "homo-sexual advantage bill." He said voters made it clear when they approved Amendment 2 that they do not want gays to have any specific protection in the law. The measure was passed by Colorado voters in 1992 but put on hold by the courts, would ban laws protecting gays from discrimination based on their sexual orientation. As he tried to restrain himself from crying, Rep. Bill Kaufman, R-Fort Collins, continued from page 1 chairperson John Jenkins had no knowledge of the letter and its allegations. He expressed surprise at its claims calling it "amazing, unbelievable and troub­ling." He confirmed that the Diversity Commission report contains no proposals to create 'set-asides' within federal programs for gay-owned or managed businesses, nor does the report have any references to a "Thought Brigade."

The Diversity Commission report does propose adding sexual orientation to Maine's Human Rights Act and advocates increased funding for both the Attorney General's Office and the Maine Human Rights Commission.

CMF Vice Chairman Larry Lockman could not be reached to respond to 106's questions.

VOLUNTEER! Call 1-800-22-MILGP
Collins, recalled how his father, a World War II veteran, had witnessed the carnage of the Nazi death camps. “Some of the things I've heard in northern Colorado lately make me feel we're headed in that direction,” he said. “I've never seen so much hate as I've seen in politics in the last three or four years. And I can't do anything to continue that hatred. I was leaning toward voting against this bill, but I'm going to support it now and when it gets to the floor.”

The proposal now goes to the House Finance Committee for consideration.

NGLTF responds to “Barney Fag” comment

The following is the text of a press release by the National Gay and Lesbian Task Force:

WASHINGTON, D.C. – January 27, 1995 U.S. House Majority Leader Rep. Dick Armey (R-TX) this morning used the term “fag” in referring to Rep. Barney Frank (D-MA), who is openly gay. In an interview with radio journalists about the controversy surrounding House Speaker Newt Gingrich’s book deal, Rep. Armey said, “I like peace and quiet and I don’t need to listen to Barney Fag... Barney Frank haranguing in my ear.” Rep. Armey told Rep. Frank and reporters that he did not intend to say that. “Rep. Armey’s comment is deplorable and dangerous,” said Robin Kane, director of public information at the National Gay and Lesbian Task Force. “For a member of the House of Representatives to use such a childish but hateful slur is beneath that office and must be roundly condemned by his colleagues,” Kane said.

The anti-gay slur occurs in the same week that two major media have focused on anti-gay violence in Rep. Armey’s home state of Texas. The February issue of Vanity Fair magazine and Prime Time Live this week featured stories highlighting the fact that Texas is the site of eight brutal murders of gay men in less than two years. “As an elected official from the state of Texas, Rep. Armey should be keenly aware of the impact of such hateful and dehumanizing speech,” Kane said. “He represents a state where a murderer of a gay man acknowledged that some young men routinely go ‘fag-bashing’ as a weekend pastime. Rep. Armey should be denouncing the language that validates such violence, rather than using it himself.”

Voters defeat West Palm Beach anti-gay effort

WEST PALM BEACH—West Palm Beach voters have defeated a measure that would have repealed a section of the local human rights charter that bars discrimination based on sexual orientation. The gay rights provision was passed only last September. Sponsors of the repeal effort were the Christian Coalition of the Southern Florida, the American Family Association, and notorious local anti-gay city commissioner Sarah Nuckles. Nuckles, who has stated she does not want West Palm Beach to become “another San Francisco,” had cast the only “no” vote on the original anti-discrimination measure last year. The successful campaign to defeat the repeal effort was spearheaded by Citizens for Fairness, the Palm Beach County Human Rights Council, and the “No on 1” campaign.

Despite low voter turnout—only 6,865 votes cast—the measure was defeated by a 36-44 margin and local organizers pointed out that this year’s 22 percent turnout was twice as high as the last city election in March 1993, when only 9.9 percent of the population voted. Richard Giorgio, Palm Beach County Human Rights Council board member, attributed the higher turnout to the unprecedented effort to “educate citizens that this was about discrimination, not special rights. The community really was united behind our message.”

No on 1’s primary message in defeating the repeal attempt was that it would have legalized employment discrimination and was, indeed, a danger to all citizens. “Voters responded when we told them that hard working people could be fired from their jobs just for being gay or lesbian,” said Giorgio.

The sponsors of the anti-gay repeal effort have hinted they may legally challenge the election outcome, claiming, among other things, that the ballot was “confusing” and the date of the vote was “problematic.” Local campaigns have heard that anti-gay forces will return with another repeal ballot initiative.

“None of the organizations, Americans are finally recognizing that the Radical Right wants to divide and stigmatize,” said Robert Bray, organizer with the National Gay and Lesbian Task Force Fight the Right project, which has assisted grassroots activists nationwide battle anti-gay initiative attacks. “More and more voters are realizing this debate is about discrimination, and they’re not buying the rhetoric of the Right.”

Wilde to be honored with window

LONDON—Irish playwright Oscar Wilde, who died peniless and disgraced because he was gay, has been recognized with a stained glass window in the Poets' Corner of Westminster Abbey dedicated to his memory.

Britain’s establishment, once so shocked over his affair with the Marquis of Queensberry’s son Lord Alfred Douglas, is “forgiving” the Dubliner on the 100th anniversary of his play, “The Importance of Being Earnest” opening in London.

Wilde began 1895 in triumph with his play heralded as a comic masterpiece. He ended the year being sentenced to two years in jail for gross indecency. His name was even removed from posters advertising his plays and he died in Paris in 1900 from syphilis at age 46.

Poets’ Corner contains plaques and other memorials to the great writers, poets and playwrights of Britain.
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**PJ's holds successful Maine Won't Discriminate benefit**

The PJ's "Country Line Dancers" were just one part of the entertainment at the February 10 Maine Won't Discriminate benefit "Love Unites Us" at PJ's in Augusta. Also featured were vocal and comedy segments and Latin dancing by Ms. PJ's Ilcanna.

**Sisters' 1st Anniversary**

To celebrate their first anniversary, Feb. 19, Sisters' threw an all-woman blues band party featuring jams and vocals by several area musicians.
Saturday

Community of Hope, an inclusive Christian worship group following a model developed by the Metropolitan Community Churches, meets Saturdays at 4pm at Immanuel Baptist Church, 136 High St, Portland. E-mail: write MCC, P.O. Box 1071, Portland, ME 04104.

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 1991, Portland, ME 04104 or phone/fax 828-0566.

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 777-5420.

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 774-6996.

"Lavender Land Utopia," anew production by the Furies, Oak St. Theatre, Portland, Mar. 24, 8pm, Mar. 25, 10pm and Mar. 31, 10pm. Tickets are $10 at the door.

Lesbian Support Group meets every first and third Wed. at the Mabel Wadsworth Women's Health Center. Woman-only, lesbian-only space, 6:30-8pm, 534 Harkow St, Bangor. For more information, call 947-5337.

"Let's Do Brunch" Potluck social gathering, 11am-2pm, third Sunday of the month at York County locations, Call 985-2784 for more information.

"MGMC On Stage," concert by Maine Gay Men's Chorus, Friday, Maine Gay Men's Chorus, Friday, March 24 and Saturday, March 25, 8pm, Catherine McAuley H.S. Auditorium, 631 Stevens Ave., Portland. Tickets are $10 in advance and $12 at the door. Tickets available at Amaduce, Drop Me A Line and Bookland-Mallsite.

Maine Lesbian and Gay Political Alliance tries again!!! The 10th Annual Celebratory Dinner/Dance and Awards Banquet at the Augusta Civic Center, Saturday, March 4th, 5pm-12am. Reservations by Feb. 27. Tickets are $28/person or $50 for two. Call 736-2500 for questions and reservations.

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


The Maine Lesbian/Gay Political Alliance presents The 10th Annual Celebratory Dinner/Dance & Awards Banquet at the Augusta Civic Ctr. Saturday, March 4th 5pm - 12 am

Ticket are $28/person or 2 for $50. Work exchange tickets are available on a limited basis. Please make reservations by February 27, 1995. For more information, call Marly Develin at (207)776-2500.

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 must be received by the 20th of the month.

Concerned about hate crimes?
Have you been a victim?
Hear what can be done!

Sunday, March 19, 2pm
with Michael Rossetti and a representative from the Maine Attorney General's Office Civil Rights Division
PJ's
80 Water St. Augusta
623-4041

The 2nd Women's Film & Video Festival
March 3, 4 and 5
Portland Museum of Art Auditorium
Weekend Passes $25, individual movies $5 available from Drop Me A Line, Amaduce Music and the front desk of the Portland Museum of Art.

Sponsored by The Portland Museum of Art, the Maine Women's Fund and the USM Women's Studies Department. For more information, call 775-6148

The 9th Annual "Spring for Life" Art Auction, a benefit for The AIDS Project, Saturday, March 18, Holiday Inn-By-the-Bay. Art Preview, Fri., March 17, 6-8pm and Sat. Mar. 18 9am-4:30pm, free. Auction, Mar. 18, 5-8pm viewing and silent auction, 8pm live auction. $10 admission. Artists' Reception, Mar. 18 6-7pm, $25/person. Tickets and Reservations, call the AIDS Project, 774-6877.

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 774-5052.

'Places in the Heart: No Room for Shame', parenting our gay and lesbian children in the 90's with Andy Valley of PPLAC. Friday, March 17, 7:30pm, Unitarian Universalist Church, Pleasant St., Auburn. Presented by Building Inclusive Society, P.O. Box 5184, Auburn, 04212-5184.

'Places of Peace: Sources of Spirituality', local clergy discuss the spiritual path in a homophbic world. March 9, 7:30-9:00pm Holiday Inn-By-the-Bay, 88 Spring St, Portland. Wheelchair accessible, free parking.

Puck and Pan Theatre Auditions for Marlowe's "Edward the Second", Friday, March 3, 6-9pm, 500 Congress St. for
We’ve moved to 2 Free St! Stop by and visit our new location!

Bone Appetit
A store for cats and dogs.
2 Free St. Portland 871-9442

March 17
St. Patrick’s Day Show
an evening of female impersonation

The 1995 Miss PJ’s PAGEANT
April 7

now with a new sound system!

The new chef & dinner menu at

TABITHA JEAN’S
RESTAURANT
94 Free St. Portland 780-8966
Tues - Thurs. 10am - 9pm
Fri. - Sun. 8am-10pm
Wheelchair accessible V, MC, AmEx

Maine Lesbian and Gay Law Association

Legal developments
by Will Sandstead, Esq.
Contributor

Parental Rights

In November of last year, a sharply divided New York intermediate appellate court issued a decision in a heated parental rights case. The case has been particularly controversial in the lesbian and gay community because the dispute is between a lesbian couple and a gay male sperm donor.

Over ten years ago, Thomas Steel, a gay man, entered into an oral agreement with Robin Young and Sandy Russo, a lesbian couple, where Steel would donate sperm to be used by Young. Steel promised not to assert any parental rights concerning any child that would be born. Russo had already given birth to a girl named Cade; after using sperm from a known gay male donor. Young eventually gave birth to a girl named Ry, and Steel was the biological father.

When Cade started asking questions about her father, the mothers decided to introduce both girls to their sperm donor fathers. Ry was three years old.

After his introduction to his biological daughter, Steel began to visit Ry and developed a relationship with her over the next six years. The character of the relationship is intensely disputed between the parties. Steel testified that he met Ry approximately 26 visits. He asserted that some visits lasted only a few days, but others lasted as long as two weeks. Young testified that Steel was greatly exaggerating the number of days of contact between himself and Ry during the six year period.

Eventually, in 1990, Steel asked for Young’s permission to take Ry and Cade to visit his parents. Young and Russo rejected his proposal. Steel apparently then told Young and Russo that he would like to establish a parental relationship with Ry. Young and Steel considered this to be a breach of their oral agreement, and they insisted that any visitation continue according to the same terms it had over the past six years, that is, with their supervision.

Eventually, Steel petitioned a New York Family Court for an order of visitation and for visitation. An order of “bilateration” is a judicial determination of paternity, and under New York law, one is necessary in order to petition a court for visitation.

The Family Court denied Steel’s petition and Steel appealed. The Appellate Court ruled in Steel’s favor and reversed the Family Court’s decision.

To a large extent, the Appellate Court relied on the technical requirements of New York law, which mandate an order of visitation when a petitioner is found to be the genetic father. According to the Court, “the legal question that confronts us is not, as the Family Court framed it, whether an established family unit is to be broken up. Custody of the child is not now, and is unlikely ever to be, an issue between the parties. Rather the question is whether the rights of a biological parent are to be terminated.”

The Court dismissed the argument that to allow the case to go forward would be psychologically harmful to Ry. It rejected also the portrayal of Steel as a villain intentionally causing a rift and precipitating litigation. According to the Court, “It is distressing that Steel, who seems to have exhibited sensitivity and respect for the relationship between Young and Russo, is proposed to be compensated for his understanding by judicial extinguishment of his rights as a father.”

Further, the Court held that the notion that a lesbian mother should enjoy a parental relationship with her daughter but a gay father should not is so inimically discriminatory as to be unworthy of comment. Merely because Steel does not have custody of his daughter does not compel the conclusion that he may not assert any right to maintain a parental relationship with her.

Finally, the Court found that Young was partially responsible for her predicament because she decided herself to introduce Ry to Steel. Since Young initiated and encouraged the relationship between Steel and his daughter over a substantial period of time; the Court held that Young was prevented from defending herself against Steel’s right to legal recognition of that relationship.

A minority on the Court disagreed with the majority’s decision, and they issued a dissenting opinion. The dissent criticized the majority for interpreting New York law too strictly. “The complexity of the human relationships that permeate this case and the contemporary reality of millions of households that maintain alternative family life styles strongly mitigate against the rigid, abstract application of legal principals, not designed for situations such as this, in a way that will grievously impact upon an innocent child, now 12 years of age.”

The dissent founded its decision upon what it considered to be the best interests of the children. It offered a different reading of the facts: “The record clearly establishes that for Ry’s first 9 and 1/2 years of life Steel at no time sought to establish a true parental relationship with Ry ... by either way of seeking to legally establish his paternity and assuming the responsibilities and obligations which that status entails or by any involvement in Ry’s upbringing or schooling or by attempting to provide any support for her.”

The dissent stressed that the case should not be viewed as a referendum on “the comparative parenting abilities of lesbian mothers versus gay fathers.” It argued that the fact that Steel is a gay man is wholly irrelevant to the case and that an identical standard would apply even if the parties were heterosexual.

Next, the dissent made an analogy to New York adoption law, where under certain circumstances the consent of one parent is not required if an unwed father is needed to allow someone else to adopt his children. The dissent maintained that under New York’s adoption law: "there is no reason to believe that the law will not be applied in a like manner to the case here presented.”

Will Sandstead is a board member of the Maine Lesbian and Gay Law Association (MeLeGal) and an associate at Farnsworth & Associates in Hallowell.

continued on page 11
Bills target HIV transmission and gay youth

To amend title 18, United States Code, to provide the death penalty for the intentional transmission of the Human Immunodeficiency Virus to an innocent victim of a Federal offense.

SEC. 1. SHORT TITLE. This Act may be cited as the 'Protection for Innocent Victims of AIDS Transmission Act'.

SEC. 2. PROTECTION FOR INNOCENT VICTIMS OF AIDS TRANSMISSION.

(a) In General.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

Sec. 1122. Protection for innocent victims of AIDS transmission.

(a) In General.—Whoever, during the commission of any Federal offense, knowingly engages in any sexual contact with another person and through such contact knowingly transfers the human immunodeficiency virus to that person, without that person's consent, or attempts to do so, shall be subject to the penalty of death, or shall be imprisoned for life or any term of years.

(b) Procedures.—For the purposes of chapter 228 of this title, an offense under this section shall be deemed a homicide offense.

(c) Clerical Amendment.—The table of sections at the beginning of chapter 51 of title 18, United States Code, is amended by adding at the end the following:

'1122. Protection for innocent victims of AIDS transmission.'

H. R. 650

H. R. 609

To establish the National Commission on Gay and Lesbian Youth Suicide Prevention.

SEC. 2. ESTABLISHMENT. There is established a commission to be known as the 'National Commission on Gay and Lesbian Youth Suicide Prevention' (in this Act referred to as the 'Commission').

SEC. 3. DUTIES OF COMMISSION.

(a) In General.—The Commission shall combat the epidemic of suicide among gay and lesbian youth, who account for 30 percent of completed youth suicides as reported by the United States Department of Health and Human Services in the 1989 Report of the Secretary's Task Force on Youth Suicide. The Commission shall advise the Department of Health and Human Services and other Federal and State youth service agencies concerning how to include the concerns of gay and lesbian youth within existing suicide prevention policies, programs, and research.

(b) Goals of Commission.—The goals of the Commission shall be to—

(1) work to include the concerns of gay and lesbian youth within existing suicide prevention programs at the national and State level;

(2) develop and make specific recommendations to the Department of Health and Human Services and other relevant Federal and State agencies about how to stem the epidemic of gay and lesbian youth suicide;

(3) work to expand current research on youth suicide to include gay and lesbian youth; and

(4) work to amend existing youth suicide policies, guidelines, and programs to include gay and lesbian youth.

SEC. 4. MEMBERSHIP.

(a) Number and Appointment.—The Commission shall be composed of 50 members appointed by the Secretary of Health and Human Services. Members shall include, but not be limited to, professionals and experts in the field of youth suicide prevention.

(b) Terms.—Each member of the Commission shall be appointed for the life of the Commission.

(c) Basic Pay and Expenses.—

(1) Pay.—Members shall serve without pay.

(2) Expenses.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(d) Meetings.—The Commission shall meet quarterly with the Secretary of Health and Human Services and advise various departments within the Department of Health and Human Services on an ongoing basis.

SEC. 5. REPORTS.

(a) Interim Reports.—The Commission shall submit an annual report to the Secretary of Health and Human Services. The Commission shall conduct regional public hearings around the United States to gather information from youths, family members, and professionals about the problem of gay youth suicide on an ongoing basis.

(b) Final Report.—The Commission shall transmit a final report to the Secretary of Health and Human Services. The final report shall contain a detailed statement of the findings and conclusions of the Commission.
Focus on the Radical Right

Listing of national radical right organizations

Christian Coalition
Pat Robertson
P.O. Box 1951, Chesapeake, VA. 23320  (804) 424-2650
Pat Robertson's Christian Coalition is probably the most influential national Christian Right group in the United States. Founded in October 1989, the Coalition boasts more than 400,000 members organized in county-level chapters in all 50 states, and has a goal of 700,000 members by the end of 1995. The army of the faithful have begun to wield real political power in the past year through their tireless efforts to take control of the Republican party from the grassroots level up, and by supporting and electing "stealth candidates" to local school boards, county commissions, and other offices. The Christian Coalition's local chapters produce voter guides outlining which candidates support the "family" agenda, which are distributed through church networks to Christian voters.

In 1992 the Oregon Citizens' Alliance became the official Oregon affiliate of the Christian Coalition, earning a $20,000 donation in support of Measure 9. 1993 has seen the Coalition take part in the battle over the "Children of the Rainbow" curriculum in New York City schools and coordinate a county-by-county campaign in Tennessee county commissions to issue statements opposed to the inclusion of lesbians and gays under the Federal Civil Rights Bill, among many other activities.

Citizens for Excellence in Education
Robert Simonds
P.O. Box 3200, Costa Mesa, CA. 92628  (714) 546-5931
Citizens for Excellence in Education (CEE), like the Christian Coalition, is heavily involved in the grass-roots vote for local and state candidates for school board and is frequently faced with attack from CEE activists, concerned that books, educational materials, courses, and faculty conformity to a heavily-censored Christian party line. Restoring prayer to schools, teaching creationism, and eliminating any traces of "secular humanism" in the educational environment remain among their primary goals.

People for the American Way record Simonds' boast that CEE has helped elect 1,900 school board members through the work of its 925 chapters. CEE's radio program, "Issues in Education," is broadcast in 26 states.

Concerned Women for America
Beverly LaLavee
3701 L'Enfant Promenade SW, #800, Washington, D.C. 20024  202-488-7000
Concerned Women for America, with more than 1,200 tightly structured chapters across the country, is a multi-issue organization with tremendous grass-roots organizing skills and an innovative "535" program they use with great effectiveness to influence Congress. Via small local groups known as "prayer chains," CWA can rapidly force grassroots political pressure on elected officials to promote their anti-gay, anti-choice, pro-family agenda.

Free Congress Foundation Heritage Foundation
Paul Weyrich
717 S. Send St. NE, Washington, D.C. 20002  202-546-5000
The Free Congress foundation is a grassroots development organization that has recently developed an "Empowerment" program, including a newsletter and several monthly television programs filmed as National Empowerment Television, or NET carried over satellite cable. In addition, the Free Congress Judicial Selection Monitoring Project has begun its lobbying efforts to influence the appointment of social conservatives and religious right judges to the federal bench.

Weyrich has long been a Christian Right leader. It was he who turned abortion into a major issue around which to rally fundamentalist voters. In 1975 he founded the Heritage Foundation and in 1974 the Committee for the Survival of a Free Congress, both of which were funded by reactionary beer mogul Joseph Coors. The Heritage Foundation is easily the most politically influential think tank in the country, and the Committee for the Survival of a Free Congress became the prototype for an organization specializing in training and promoting candidates and targeting vulnerable incumbents. Weyrich was the first prominent New Right figure to support Pat Robertson's 1988 presidential campaign, and he has recently allied himself with the Christian Coalition, for which he provides strategic support through the Heritage Foundation.

Operation Rescue
Randall Terry (currently in federal prison)
P.O. Box 1180, Binghamton, NY. 13902  607-725-4012
Founded in 1986 by New York used car salesman Randall Terry, Operation Rescue has received national media attention for its efforts to shut down clinics that perform abortions. Operation Rescue brought street fighting tactics, and what is, in effect, urban guerrilla warfare, to the anti-abortion movement. Not content to lobby Congress or petition the Supreme Court, OpRes activists physically barricade clinic entrances, vandalize property, and terrorize both women attempting to enter the clinics and medical professionals who work within them. Following the murder of Dr. David Gunn in Florida in March, 1993, Randall Terry, while admitting that murder can never be advocated, expressed relief that at least Dr. Gunn would no longer be able to murder unborn babies.

Following President Clinton's pledge to lift the Department of Defense ban on gays and lesbians in the military, Terry added opposition to changing the ban to the Operation Rescue agenda.

Rutherford Institute
John Whitehead
Charlottesville, Virginia
The Rutherford Institute is the premier legal arm of the religious right, acting as a sort of reactionary version of the ACLU. Whitehead has said, "There can be no solution to problems...both individual and social, other than those the Bible offers." R.J. Rushdoony, the "Marx" of Christian Reconstructionism, is a former board member of the organization which specializes in what they term "religious liberty" cases. As Skippe Porteous from the Institute for First Amendment Studies has written, "Within the framework of the radical Christian right, "religious liberty" can include Sunday blue laws, prayers at public school graduations and sporting events, the teaching of creationism in public school science classes, tax exemptions for churches and church-run businesses, and housing and employment discrimination against gay and unmarried couples who cohabit."

Traditional Values Coalition
Lou Sheldon
100 S. Anaheim Blvd., Suite 320, Anaheim, CA. 92805  (714) 520-0300
Lou Sheldon was once described by USA Today as a "California Falwell," a label that fits the high-profile preacher as well as any. His media-friendly crusades have played a major role in defeating gay and lesbian rights legislation in California in recent years. Sheldon has suggested, according to reports in the Los Angeles Times that people with AIDS should be segregated in "cities of refuge" for their own good and the good of society. He also pushes the "no special rights" for homosexuals line and the claim that gays and lesbians subvert the "heterosexual ethic."

Traditional Values Coalition chapters are known to exist in 17 states, but Sheldon's influence extends further, as dozens of small groups using "traditional values" and similar language claim to be affiliated to Sheldon and his California organization.

Excerpted from the Fight the Right Kit prepared by the National Gay and Lesbian Task Force. To request the complete Fight the Right Action Kit, call NGLTF at 202-332-6483, TTY 202-332-6219.
2 Convicted In Gay Killings; "HIV defense" rejected

LAUREL, Miss. - A jury rejected a teen-ager's claim that he gunned down two gay men to protect himself from rape and the threat of the AIDS virus and convicted him of murder.

Marvin McClendon, 17, showed no emotion as the verdict was read, and he remained expressionless as Circuit Judge Billy Landrum sentenced him to consecutive life prison terms. His attorney said he would appeal.

"Justice was served," said Gary Walters, whose son, Robert, was killed by McClendon. The prosecution contended that McClendon stole $100 from the two men before he killed them.

But defense lawyer J. Ronald Parrish said the men were cruising McClendon's neighborhood looking for sex - and the judge let Parrish tell the jury that 34-year-old Robert Walters was infected with the AIDS virus.

The judge had ordered the HIV tests, but kept the results sealed at first. The test for Joseph Shoemaker, 24, was negative.

"It's weighed on my mind and my heart quite heavily," Landrum said in his ruling on the test results. "I think the jury is entitled to know the whole fact in the case."

District Attorney Jeannene Pacific warned jurors in her closing statement that "just to go around and shoot someone because they have a fatal disease" is not justified.

Gay rights groups decried Landrum's ruling on the admissibility of the AIDS tests.

"Basically he has declared open season on people with HIV and other disabilities that are stigmatized," said Sidney Brown, attorney for HIV-related violence with the New York City Gay and Lesbian Anti-Violence Project.

David Ingebretsen, who heads the Mississippi chapter of the American Civil Liberties Union, said the decision "sends the message it's OK to kill gay men who (approach you) because you might be frightened of what happens to you."

Parrish called the verdict "a defeat for justice and people who want to keep their children safe from people trolling the streets.

Assistant District Attorney Gary Burdick said McClendon never mentioned AIDS as police questioned him after the killings. "The only person who has introduced AIDS into this courtroom is the defense attorney," he said.

NGIIF condemns Des Moines decision

The following is a statement from the National Gay and Lesbian Task Force on the Des Moines curriculum decision:

WASHINGTON - At a meeting of the Des Moines school board, Board Superintendent Gary Wegenke announced that the board would not immediately implement changes in the school curriculum as proposed by the Sexual Orientation Advisory Committee.

The announcement followed weeks of controversy in Des Moines regarding the inclusion of homosexuality in the school curriculum.

The debate over the multicultural curriculum proposal has elevated visibility of gays and lesbians and our issues to an unprecedented level in Des Moines. This visibility has galvanized lesbian and gay people and our families and friends to come out, to speak up, to challenge discrimination. It has changed Iowa forever by cracking open the closet and bringing into the light the real discrimination and fear gays and lesbians face every day. It has reaffirmed our perseverance for securing justice in the Midwest and around the nation.

We are disappointed in the School Board's decision not to implement the policy immediately. Children are learning every day about the world and about themselves. There is not a day to waste in teaching them about tolerance and respect for diversity. If the schools remain silent, then ignorance is perpetuated.

We commend those public officials who have bravely come forward to defend basic principles of fairness, dignity and respect. We especially commend School Board member Jonathan Wilson for his bravery in publicly coming out at last night's meeting.

He is now the highest ranking openly gay public official in Iowa. He and other openly gay public officials have exposed the lies and distortions about what hate mongers such as Bill Horn and radio 'shock-jock' Jan Mickelson spew about gay people.

We will continue to work with the gay and lesbian community of Des Moines to challenge the forces of intolerance and organize for our freedom. We believe this debate will continue. The gay and lesbian community will grow stronger. The statement by the Des Moines Public Schools is not the end of this battle, only another step in our struggle for equality and fairness.

Legal developments

Legal developments continued from page 8

adoption rules. Steel's permission probably would not be necessary, because during Ry's less-than-childhood Steel's court failed to manifest the willingness to take on the parental responsibilities necessary to invest him with protected parental rights.

Finally, the dissent stressed the detrimental impact a determination of paternity would have on Ry. Such a determination would be the first step to ongoing litigation which would cause severe traumatic consequences to Ry and her family. According to the dissent, "a declaration of paternity creates a platform for Steel, as well as his parents and other members of his family, who will, by means of the order, become the child's legal relations, to seek changes in visitation and, of course, to seek custody."

Robin Young's Attorney announced that Young will file an application for appeal to New York's highest court. The case is cited as Thomas S. v. Robin Y., 1994 WL 644249 (Nov. 17, 1994).


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