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Winter 2003

MLGPA News (Winter 2003)

Maggie Allen

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Allen, Maggie, "MLGPA News (Winter 2003)" (2003). *MLGPA News*. 50.
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MLGPA News

Maine Lesbian Gay Political Alliance

Advocacy for the Lesbian, Gay, Bisexual, and Transgender Communities since 1984

PO Box 1951, Portland, ME 04104 • 207-761-3732 • fax 207-828-8620 • mlgpa@mlgpa.org • www.mlgpa.org



WINTER 2003

MLGPA
celebrates its
20th
anniversary,
March 20, 2004

see pages 4 & 5

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Marriage Equality in Massachusetts!

In an historic decision, the Massachusetts Supreme Judicial Court ruled on November 18 that same-sex couples can no longer be excluded from obtaining civil marriages in Massachusetts. The 4-3 ruling in *Goodridge v. Department of Public Health*, filed by New England's Gay & Lesbian Advocates & Defenders (GLAD), is the first of its kind in this country by a final appellate court.

The ruling follows a nearly identical ruling by a Canadian appellate court under the Canadian Constitution on June 10 on this year. The Canadian government announced it would not appeal that decision.



Mary Bonauto was the leading attorney in the Massachusetts marriage case. She and her partner of 16 years live in Portland with their 2-year-old twin daughters.

The Goodridge case was filed by GLAD in April 2001 on behalf of seven same-sex couples living in communities across Massachusetts. Each couple applied for a marriage license in order to strengthen their family, gain hundreds of legal protections and responsibilities that are otherwise off-limits, and provide greater security for their children and their surviving partner.

The Court's ruling is based on the equality provisions of the Massachusetts Constitution. Under the "free and equal" clause in the Constitution, it held that there is no rational reason for denying a marriage license to a same-sex couple. As the court put it, "The marriage ban works deep and scarring hardship on a very real segment of the community for no rational reason." Because this ruling is based on the Massachusetts Constitution, there is no appeal to the U.S. Supreme Court.

The court delayed the date it takes effect for 180 days as a courtesy to allow the Legislature time to conform its marriage laws to the court's decision. Concerns that the Legislature might enact legislation during the 180 days denying same-sex couples the right to marry are unfounded, according to GLAD. While the Legislature may act as it wishes when it reconvenes in January 2004, it has no ability to legislate away the constitutional right to marry the person of one's choice, regardless of that person's sex. Any legislative action must conform with the constitutional ruling from the Court, so any attempt to re-write discrimination into marriage laws is a dead letter.



Paul and David Jacobs discuss in a TV interview their plans to get married in Massachusetts. There were plenty of couples at Maine's celebration of the marriage ruling, held in Portland on Nov. 21, who said they were considering getting married in the near future.

Continued on page 13

MLGPA

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Communities since 1984

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www.mlgpa.org

Inheritance Rights Bill Heads to Full Legislature for Debate

MLGPA's inheritance rights bill (LD 1579) was debated and voted on by the Judiciary Committee on Tuesday, December 2. The final tally was six votes in support of the bill, six opposed, and one in support of a watered down version of the bill.

Given the somewhat conservative nature of the Judiciary Committee, we view this as a favorable vote. We knew from the beginning that passing this bill would be an uphill battle and we are very pleased that six Judiciary Committee members support extending full inheritance rights to surviving domestic partners. There are actually seven members who support these rights but Rep. Donna Loring from Penobscot Nation does not have a vote in committee.



House Majority Leader John Richardson, one of the co-sponsors of LD 1579, and attorney Pat Peard, who worked tirelessly on the bill, review details and changes prior to the Judiciary Committee's vote on December 2.

In addition to inheriting, the bill would allow a surviving domestic partner to make funeral and burial arrangements and to receive victim's compensation in the same manner as a surviving spouse. It would also allow a domestic partner to be named conservator or guardian of one's incapacitated partner.

This is only the second time that Maine legislators have considered a bill that extends equal rights to same-sex families. From the late 1970s until 2000, our community has advocated for individual rights for Maine's lesbian, gay, bisexual and transgender

community—most visibly through the civil rights bill but also in efforts on hate crimes, AIDS, safe schools, and other issues.

In 2001, the Legislature passed a bill that made domestic partner health care policies available through employers.

With the historic progress our community is making around same-sex relationships (*Lawrence v. Texas*, *Goodridge v. Department of Public Health*, and Canada's new marriage law), we believe that Maine legislators and voters will soon support ending discrimination based on one's sexual orientation.

The amendment

LD 1579 did not make it out of Judiciary Committee in its original form. Contained in that form was a statewide domestic partner registry. The registry would have provided a way for couples to register their partnerships prior to death so that there would be no question as to whether someone qualified as a surviving domestic partner.

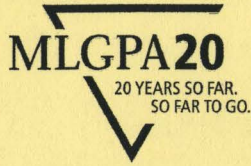
Unfortunately, there was enough opposition to the registry that even some of our friends suggested the bill would die with it in. We reluctantly agreed to leave out the registry, but insisted that the bill refer to the legal definition of domestic partner as stated in the health care benefits law passed last session.

Everyone needs a will

We introduced this bill to provide a safety net for unmarried people who die without a will. Without a will to designate exactly how one's estate (property, money, jewelry, personal belongings, etc) is to be divided up, the state must make that determination.

Although LD 1579, if passed, would provide some level of security by applying current inheritance laws to surviving domestic partners, there's just no guarantee that things will turn out fair. The best way to ensure that a surviving domestic partner gets exactly what the deceased person would have wanted is through a will.

Continued on next page



December 2003

Dear Friend,

Thank you for supporting MLGPA this year – your contributions have been critical to our success!

In the pages that follow, you'll read all about what MLGPA does **every day** to promote equality for lesbian, gay, bisexual and transgender people in Maine.

From statewide legislation to local grassroots organizing, MLGPA makes a huge impact on the quality of life of our communities. Lobbying for inheritance rights as we work to pass LD 1579...advocating against discrimination at the Grey Rock Inn...speaking out on LGBT issues at the Common Ground Fair, Bridges of Respect conference and through ongoing education and outreach...keeping the pressure on our elected officials, from local school boards to members of Congress – MLGPA is a force to be reckoned with when our staff, volunteers and more than 1,000 members around the state take action for equality.

Making a difference requires resources. MLGPA is the only organization with a full-time voice for LGBT concerns at the State House, and our legislative success is based on our skilled advocacy and ability to mobilize constituents. As a staffed organization, we're able to respond quickly and consistently to legislators, the media and community members concerned about LGBT issues. Our office door is open, our phones reach real people and our newsletter, email alerts and outreach events inform and mobilize people to take action for LGBT equality.

Without the voice of *each and every* person who supports the right of lesbian, gay, bisexual and transgender people to live free from discrimination and to be treated equally under the law, we can't win. Whether you've given \$1.00 or \$1,000.00 this year, your membership makes a difference in promoting diversity and protecting the rights of LGBT people.

As we celebrate a landmark year for lesbian, gay, bisexual and transgender rights, you've helped us make a difference right here in Maine. **From all of us at MLGPA, thank you for your commitment and your contributions this year.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Betsy Smith', written in a cursive style.

Betsy Smith
Executive Director

P.S. Please help us grow our membership by giving the enclosed envelope to a supportive friend or family member. Our strength is in our numbers, and members help us make our voice heard. Encourage those you love to speak out for equality, or give a gift membership in their name!

YES! I want to be a member of MLGPA!

Enclosed is my contribution of: \$35 \$50 \$100 \$250 \$500 \$_____

Name(s) _____

Address _____ City, State, Zip _____

Telephone _____ Email _____

Please charge this to my credit card. My check is enclosed.

Sign me up as a Sustaining Partner!

Please start charging my monthly contribution of (circle one): \$10 / \$25 / \$50 / \$_____

Card # _____ Exp. Date _____

Name on card: _____

I'd like to volunteer with MLGPA. Send me more information on getting involved!

Be a part of our vision...be a member of MLGPA.

All MLGPA members receive a subscription to our quarterly newsletter, voting rights at the annual meeting, advance notice of community events, membership in the email Action Alert Network, opportunities to volunteer and the satisfaction of supporting equality for all. Contributions of any amount are counted towards membership.

Your contribution to **MLGPA** supports our legislative lobbying and political action programs and is not tax-deductible. You may make a tax-deductible gift by directing your gift to **MLGPA Foundation**, our 501(c)3 arm, to support our education and outreach efforts. For information on contributing through payroll deduction, gifts of stock and estate planning, contact MLGPA at (207) 761-3732 or mlgpa@mlgpa.org.

MAINE LESBIAN GAY POLITICAL ALLIANCE

Advocacy for the LGBT community through legislation, education & outreach.



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**Maine Lesbian Gay Political Alliance
MLGPA Foundation
PO Box 1951
Portland, ME 04104**

Inheritance Rights Bill Goes to Legislature

Continued from previous page

Nearly 70 percent of Maine residents do not have a will and because of this, members of the LGBT community need inheritance laws for protection. But we cannot stress enough the importance of preparing a will.

Simple wills can be relatively inexpensive and can be completed through almost any lawyer. More in-depth estate planning will cost more. Lawyers in urban areas (Portland, Bangor, etc) charge more than rural lawyers. Wills can even be downloaded from the internet.

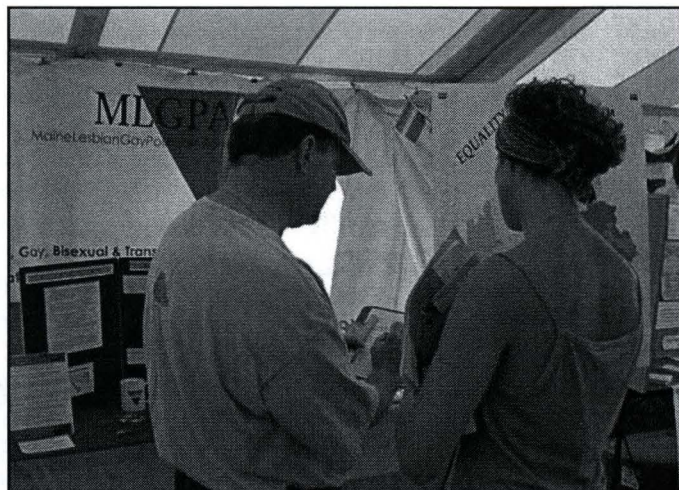
We strongly encourage all of our friends in the LGBT community to protect your loved ones and get a will.

Thank you's

There are many people who have helped us get this bill to where it is today. We could never have gotten this far without the legal expertise and tireless effort of Pat Peard, an attorney with Bernstein, Shur, Sawyer and Nelson. Special thanks to the sponsor of the bill, Rep. Ben Dudley (D-Portland), whose unending commitment to liberty and justice for the LGBT community is an inspiration.

Thanks also to Rep. Bill Norbert, Rep. Tom Bull, John Hennessy, Kate Davis, Jen White, Sarah Damarest, Kimm Collins, Lauralee Raymond, Maggie Allen, and many other volunteers and supporters.

Instrumental in drafting, redrafting, and analyzing



At the Common Ground Fair in September, MLGPA volunteers collected over 700 signatures on a letter urging Judiciary Committee members to pass LD 1579. Here, MLGPA volunteer and past board member Dan Stevens (left) talks to a fairgoer about the bill.

amendments to the bill was Carrie Evans from the Human Rights Campaign. HRC funding and HRC field director Heather Wellman have also been critical in the progress of this bill. •

Anita B. Jones

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Leave a Legacy of Equality

It's critical that domestic partners have the same inheritance rights that protect married couples, and that's why we're working to pass LD 1579. But we encourage everyone to prepare legal documents that can protect your family and property.

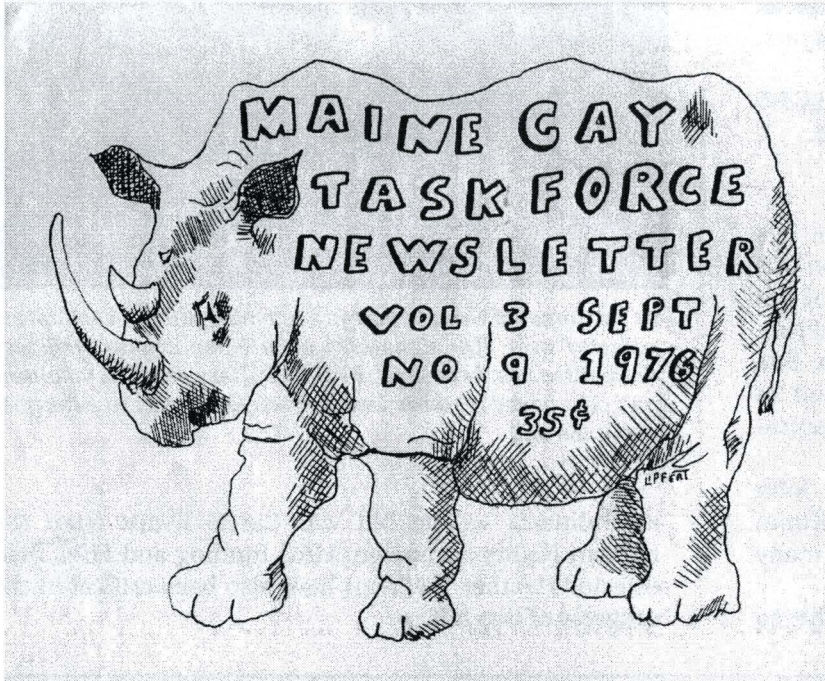
When you make or update your will, please consider including MLGPA Foundation in your planning. We'll carry on your commitment to LGBT equality for years to come.

For more information on making a bequest or other planned gift to MLGPA Foundation, contact Erica Quin-Easter at 207-761-3732 or quineast@mlgpa.org.

In Anticipation of MLGPA's 20th Anniversary

We dug into the Archives—materials from the LGBT Collection of USM's Sampson Center for Diversity, dating back to before MLGPA was founded. These and much much more will be displayed at MLGPA's 20th Anniversary celebration extravaganza on March 20, 2004. Mark your calendars now!

Where were you...??



Maine Gay Task Force Newsletter September 1976

The Maine Gay Task Force, Maine's first statewide queer organization, was founded in 1974, ten years before MLGPA. The lavender rhino seemed like the perfect MGTf symbol—a peaceful beast which became fearless and unstoppable when challenged.

Newsletter Staff:

Peter Prizer, Susan Henderson, Stan Fortuna, Tim Bouffard, Rob DeFrees, and Gail Lipfert

Contributors:

Carol Whitehead, Tom Hurley, Rita Mae Brown, and Mary Anne Deutsmann

Annual Subscription: \$4.00

Mainely Gay, July 1978

Mainely Gay appeared monthly in the late 1970s and early 1980s, produced by a collective of southern Maine activists. For many people throughout the state, the mimeographed newspaper was their only connection to other like-minded LGBTQA Mainers. The cover reminds us that Anita Bryant appeared in Portland in 1978, during her national anti-gay crusade.

Editors:

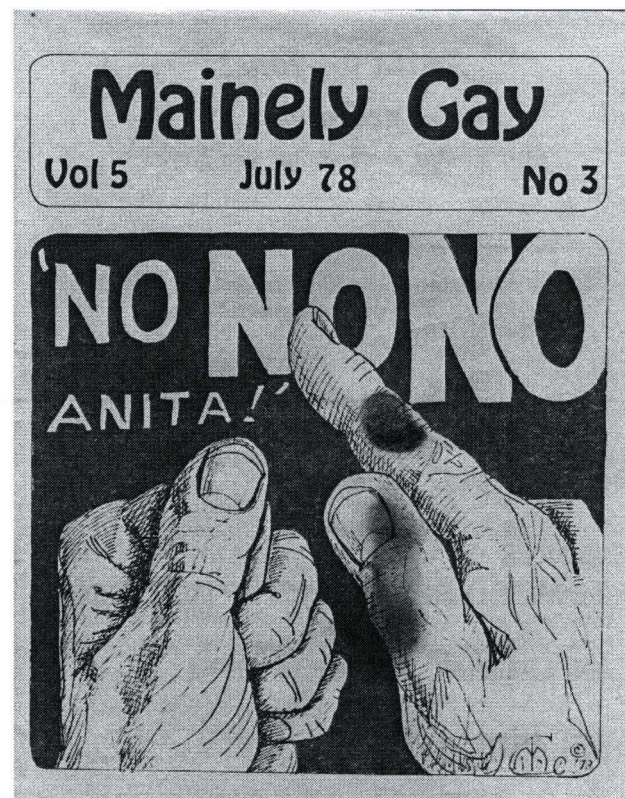
Susan Henderson, Kevin Mohr, and Peter Prizer

Contributors:

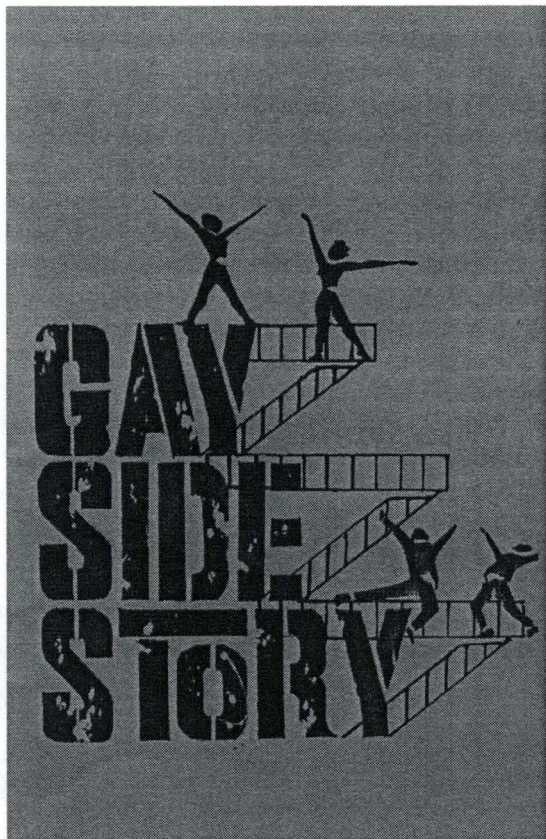
Milo Connelley, Miriam Dyak, Warden Hal Hopkins, Pat Parker, Judy Grahn, Kenneth Lincoln, Maine Women's Lobby, Director McCune, McGee, Susan Saxe, and Russell Tremblay

Annual Subscription: \$5.00

Single Copy price: \$.75



More Memories from the Archives...



Gay Side Story, Audacity Theatre, 1983

In 1983, a group of lesbians and gay men, calling themselves the Audacity Theatre, produced Gay Side Story in Portland—the musical story of those notorious street gangs, the “Hets” and the “Queers.” Audacity Theatre also produced a musical version of George Lucas’ Star Wars, entitled Queer Wars. Audacity Theatre members were among the founders of MLGPA in 1984.

The Cast:

Steve Pinkham, Cheryl Ring, Sparky, Bob Carr II, Chris Thurston, Lisa Rose Weinzimer, Ann Houser, Jolene Ann McGowan, Greg Bemby, Steven Smith, Betsy West, Kim Tarnower, Dale McCormick, Fry Wolhandler, John Frank, Diane Elze, Randy Mosser, Pamela Ryan, Brian Fairbrother, K. Max Mellenthin, Erica Ryan, Glen Esman, John LaGasse, and Doug Soucie

The Crew:

Tony Norton, Myles Rightmire, Rico Estabrook, Richard Thibeault, Eric Hart, Harriet Mosher, Ann Flannery, Cyn Boothby, John Hussey, Jeff Platz, Doreen Dibiagio, Terry Granger, Avis, Charlie Ridlon, Penny Rich, and Laura Henderson

Charlie Howard 20 Years Later: How Far Has Maine Come

A conference at the University of Southern Maine, April 2-3, 2004

The LGBT Collection of the Jean Byers Sampson Center for Diversity in Maine, and the Center for the Prevention of Hate Violence, both at the University of Southern Maine, are organizing and sponsoring a 1½ day conference, traveling exhibition, and series of mini-conferences entitled “Charlie Howard 20 Years Later: How Far Has Maine Come.”

“Charlie Howard 20 Years Later: How Far Has Maine Come” will situate the 1984 murder of Charlie Howard in its historical context critically examining how far Maine has come and how far Maine has to go in addressing anti-gay discrimination and violence.

The conference will begin on Friday evening, April 2, with an address by a nationally-recognized LGBT activist. Following the keynote address will be a performance by the Maine Gay Men’s Chorus of “The Kenduskeag Trilogy,” a specially-commissioned piece on the murder of Charlie Howard, and a public reception.

On Saturday, April 3, plenary sessions will include panel discussions on “1984: Charlie Howard’s Life and Death” and “1984-2004: LGBT Activism in Maine since Charlie Howard.” Afternoon breakout sessions will include a variety of issues involving discrimination and violence against the LGBT population, including anti-gay harassment in school; hate crimes; the impact of the Supreme Court decision in Texas v. Lawrence and the

Massachusetts decision in Goodridge v. Department of Health; youth programs; health care; and state and local government. The conference will conclude with a plenary panel discussion on “The State of Anti-Gay Hate in Maine: Looking Ahead.”

The traveling exhibition, drawing on materials in the LGBT Collection, will be displayed at the conference and subsequently made available to educational groups and community organizations throughout the state. Curricula materials will be developed to coordinate with the exhibition.

The evening mini-conferences in Lewiston, Farmington, Orono, and Presque Isle will include a display of the traveling exhibition “Charlie Howard 20 Years Later: How Far Has Maine Come,” presentations by Steve Wessler and Howard Solomon, and panel discussions organized by members of the host community.

Conference organizers:

Howard M. Solomon, Scholar in Residence in the LGBT Collection, Jean Byers Sampson Center for Diversity in Maine, howard.solomon@maine.edu, 207-666-3589.

Stephen L. Wessler, Director, Center for the Prevention of Hate Violence, wessler@usm.maine.edu, 207-780-4756, www.phv.usm.maine.edu. •

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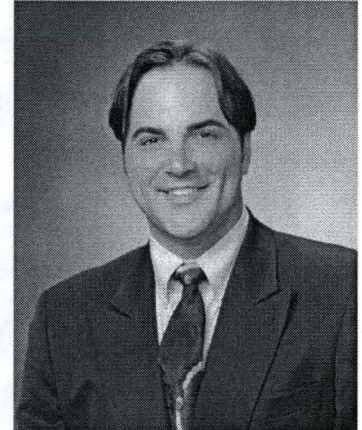


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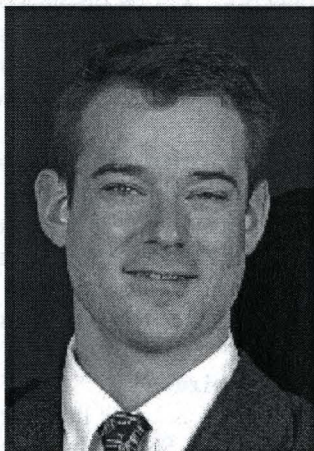
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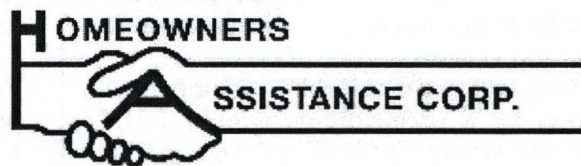


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MLGPA Foundation Receives \$50,000 Grant

MLGPA Foundation has received a grant of \$50,000 from the National Gay and Lesbian Task Force (NGLTF) Foundation. This grant will enable MLGPA Foundation to develop a volunteer network of more than 5,000 activists and a database of more than 50,000 pro-LGBT voters across the state.

Lesbian, gay, bisexual and transgender (LGBT) people are one of the most economically and legally disenfranchised populations in Maine. Only eleven towns have ordinances prohibiting discrimination on the basis of sexual orientation, none of which address gender identity. Currently, no statewide protection against discrimination in employment, housing, credit and public accommodations exists for LGBT people in Maine.

The NGLTF Foundation grant will enable MLGPA Foundation to hire a staff Volunteer & Outreach Coordinator. Over the next two years, MLGPA Foundation will develop outreach teams around the state to communicate

a message of equality and full inclusion in communities across Maine. Local education and organizing efforts will strive to create safe, supportive and equal workplaces, schools and communities for lesbian, gay, bisexual and transgender people everywhere in Maine.

MLGPA Foundation is a charitable and educational organization associated with the Maine Lesbian Gay Political Alliance. The Foundation's mission is to advocate for social and political change for the lesbian, gay, bisexual and transgender community through public education and community outreach. MLGPA Foundation raises awareness of the contributions and value of the LGBT community and the importance of nurturing diversity in our schools, communities and workplaces.

If you are interested in getting involved with grassroots organizing or voter identification in your local area, please contact MLGPA at 761-3732 or mlgpa@mlgpa.org •



MLGPA Foundation was one of ten organizations to receive \$50,000 from the National Gay and Lesbian Task Force Foundation. Grantees were recognized at this year's Creating Change conference in Miami, Florida in early November. MLGPA development director Erica Quin-Easter attended the conference.

Job Announcement: Volunteer & Outreach Coordinator

Summary: MLGPA Foundation, a non-profit, non-partisan organization advocating for Maine's LGBT community through legislation, education and outreach, seeks a Volunteer & Outreach Coordinator. The Coordinator will recruit, develop and train volunteer teams, implement a statewide voter identification program, and coordinate direct actions promoting lesbian, gay, bisexual and transgender equality.

Hours: Part-time, 25+ hrs., with good possibility of increased hours. Grant-funded for two years.

Qualifications: Qualified candidates will be outgoing and work well with people—mobilizing and training volunteers, canvassing door-to-door, communicating at length on the phone. Outstanding communication skills and ability to work in multi-tasking environment a must. Experience in community organizing and political campaigns a plus. A background in LGBT issues is preferable. Candidate must have own car and be willing to travel throughout the state.

Responsibilities:

- Identify, recruit, train and oversee volunteer leaders
- Attend national training on voter identification
- Train volunteer leaders and oversee implementation of a voter identification program
- Research, develop, and implement local and statewide direct actions in conjunction with MLGPA legislative agenda
- Maintain volunteer records
- Promote MLGPA's volunteer opportunities to a broad population

Send cover letter and resume to:

Betsy Smith
MLGPA Foundation
PO Box 1951, Portland, ME 04104
207-761-3732, fax: 207-828-8620
or email to: mlgpa@mlgpa.org

Start date: January 6, 2004

Great Pumpkin Ball Goes to Hollywood

Thank you to this year's Great Pumpkin Ball "Hooray for Hollywood" sponsors:

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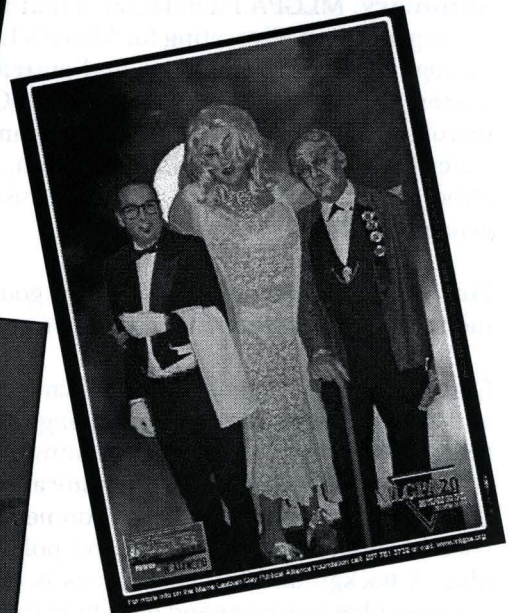
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MLGPA 20th Anniversary Remembrance

Who would you like to remember at MLGPA's 20th anniversary celebration?

What did they do that made a difference to you and/or our community?

When were they born and when did they die?

Your name, address, email and phone number: _____

Return nomination form **BY FEBRUARY 20** to:
MLGPA, PO Box 1951, Portland, ME 04104

Charlie Howard May Finally Get A Memorial

July 7, 2004, marks the 20th anniversary of the death of Charlie Howard, a young gay man from Bangor who was thrown from a bridge and drowned in 1984. Recently a group of people in Bangor established the Charles O. Howard Memorial Foundation for several purposes: 1) to raise funds for a memorial in his honor at the site of the incident, 2) to raise funds to educate on diversity and sensitivity issues and 3) to provide scholarship money for students entering fields related to diversity.

The project began after years of people asking why there wasn't a memorial for Charlie Howard. Dan Williams, a resident of Bangor, decided to finally do something about it. In February 2003, he began investigating what it would take to get a memorial erected at the site. He spoke with the city's solicitor and engineer and now the project is under way. A design is in the making but not yet finalized. Funds are coming in slowly and some attention has been given to the project by television and radio media.

Phase one of the Charles O. Howard Memorial Foun-

dation was discussing and determining the memorial's design and construction, what materials would be used, and how to protect against vandalism. Phase two will be to provide educational opportunities on diversity and sensitivity issues—bullying, parenting, cultural, economic and social differences—through workshops and existing curriculums. Phase two also calls for providing scholarships to students entering the fields of child care, teaching, social work, counseling, arts, and the law, provided the field promotes diversity and sensitivity.

The group is trying to reach its goal of raising \$50,000 for a memorial to Charlie Howard within 3 to 4 years. With the help of our community, such as making a contribution or filling out a pledge sheet to participate in the 20th Anniversary Memorial Walk on July 7, 2004 in Bangor, their goal may be achieved even sooner.

For more information, contact Dan Williams, Executive Director of the Charles O. Howard Memorial Foundation, 316 Hammond St. #2, Bangor, Maine 04401, 207-942-9319, knead2@quixnet.net. •

Southern Maine and New Hampshire

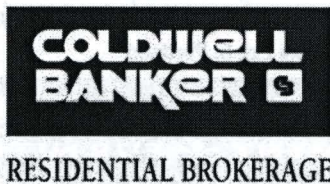


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Boy Scouts Use School Resources for Recruiting

Dear MLGPA members:

I have a first-grader attending Longfellow Elementary School in Portland. My son has come from school three times this year with a solicitation to join the Boy Scouts tucked into the folder his teacher uses to send home homework. You may have read about this in the Portland Press Herald on December 3.

I'm upset that our public schools are, in effect, sponsoring an organization that explicitly discriminates against LGBT and non-traditionally religious people. We have a city ordinance and school policies that clearly forbid discrimination on the basis of sexual orientation.

I've raised the issue with the Portland School Committee. Stephen Spring strongly supports my position that this is a civil rights issue, and that we need a policy that states that advertisers must adhere to city and school policies if they want access to our children.

Several school committee members have said they don't want to address this issue if I'm the only one concerned about it. I need your help to show that a lot of us care about this.

Here's how you can help:

1) Call all at-large school committee members and the

member in your district. Ask that they untable the issue and allow for public comment at the next school committee meeting on December 17th. Explain to them the contradiction between the Boy Scouts' discrimination policy and Portland's anti-discrimination ordinance. For contact information, go to: <http://www.ci.portland.me.us/schoolcom.htm>

- 2) Attend the next school committee meeting on December 17th. It will be held at the Portland Arts & Technology High School on Allen Avenue at 7:00 p.m.
- 3) Write a letter-to-the-editor of the Portland Press Herald urging school committee members to make youth groups seeking access to children in public schools to follow city and school policies against discrimination.
- 4) Join my listserv on this issue. Send email to dphilton@hotmail.com.
- 5) Let school committee member Stephen Spring and city councilors Karen Geraghty and Peter O'Donnell know you appreciate the work they are doing on this issue.

Thank you sincerely for your help.

David Hilton, 774-4996



Board member Marty Hagglund (center) was instrumental in hosting an MLGPA/Northern Maine Pride community meeting in Bangor in late October. Excellent feedback was collected for MLGPA's strategic planning process.

Alfred DePew, MA, CPCC

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OUTRIGHT

SUPPORTING GLBTQ YOUTH AGES 22 AND UNDER

“Just knowing Outright is there keeps me alive.” *-gay youth participant*

“I know I am gay. But I don’t know any other young gay people and I don’t know how to tell friends and family.

I feel alone and I’m tired of it”

-young person requesting support through our online ask-a-peer program

“I was harassed daily. Suicide was an option.”

-female youth participant

Outright plays a leadership role by providing emotional and physical safety nets – safe environments – for GLBTQ youth to explore and accept who they are. In turn, these young people help create a world in which gay, lesbian, bisexual, transgender and questioning people are accepted and understood.

“Leadership at Outright means that I take ownership and responsibility for Outright’s programs.”

-transgender youth leader

“For me, activism is more personal and it is a way to connect. It gives me something to do, a purpose and direction for involvement and belonging.”

-lesbian youth leader

Outright is effective because of the dedication of our staff and volunteers, the involvement of our young people, and the financial support of our donors. Together we have made it work for more than 16 years.

Thank you!

This year, we anticipate serving well over 700 youth and providing more than 120 education programs.

As the lead agency in Maine working with GLBTQ youth, Outright could do more if it had more resources.

“There was nothing like Outright when I was in school. I joined the *Friends of Outright* as a sustaining donor to give young people the support and the opportunities that I did not have.”

-longtime donor

Check out and support your local outright resources at www.outright.org

Click on the Portland stripe to see our local programming. You can even donate online: look for the “Donate Now” button. Contact us at 207-828-6560 or outright@outright.org

The Outright community is proud to introduce our new Executive Director, Jan Cline.



Maine Court Rules in Favor of Lesbian Couple

On November 4, Maine's highest court (Law Court) affirmed that probate courts have the power to grant full co-guardianships to an existing parent and another person, thus enabling gay and lesbian parents to create a legal relationship between their children and the children's parents.

The case involved a committed lesbian couple from Kennebec County who jointly decided to have children together. These women took all legal steps available to them to protect their familial relationship with each other and with their son, executing parenting agreements, wills, and other documents to allow each other to make medical and financial decisions for themselves and their son. They also petitioned the probate court in Kennebec County for a full coguardianship of their son so that either could legally act on his behalf.

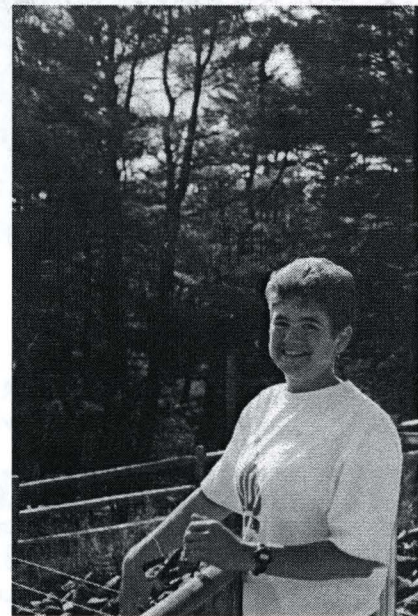
The probate court judge reported the case to the Maine Law Court and asked whether two persons may be co-guardians of a child if one is the natural parent and the other is not. Recent practice across the state had been to provide only "limited" co-guardianships in situations like the one in this case, likely reflecting confusion about the legal authority to grant full co-guardianships. As a practical matter, the "limited" guardianships caused confusion

for families and others about the powers of the "limited" guardian.

Although the Court stated it was not answering the reported question because the probate court had not made a finding on the child's best interests, it went on to essentially answer the legal question. The Court clarified that the law explicitly provides for co-guardianships, including when one of the co-guardians is the "natural" parent. As in other cases involving children, the Court emphasized that the probate court must make co-guardianship decisions based on the child's best interests.

"This should end any question about the authority to extend full co-guardianships to gay and lesbian parents. The real issue is what is in the child's interests—it is certainly in a child's interests to have two people able to care for and act on behalf of a child," said Mary L. Bonauto, attorney with Gay & Lesbian Advocates & Defenders who, along with Judith Berry of Gorham, represented the couple at trial and on appeal.

Judith M. Berry is a sole practitioner in Gorham with an extensive probate court practice. Attorney Patricia A. Peard, a former GLAD Board Member who practices at Bernstein, Shur, Sawyer & Nelson, joined the legal team on appeal to the Law Court. •



John Hennessy, Joanne Mattiace and Susan Pate (right photo) are newly elected members of the MLGPA Board of Directors. John works for the progressive lobbying firm Moose Ridge Associates, founded and owned by former MLGPA board member Betsy Sweet. He is chair of the Legislative Committee. Joanne is an attorney and real estate specialist who moved to Maine from Washington, DC in 1999. She is chair of the newly established Development Committee. Susan works as a Research Analyst at the Edmund S. Muskie School of Public Service and serves on the Strategic Planning and Events Committees.

Urge Maine Senators to Oppose Marriage Amendment

On November 25, five U.S. Senators introduced Senate Joint Resolution 26, a harmful and divisive Senate counterpart to the anti-gay "Federal Marriage Amendment" that has been unfortunately gaining support in the U.S. House since May. S.J. Res 26 seeks to amend the U.S. Constitution to discriminate against LGBT families by defining marriage as between a man and a woman.

Please contact U.S. Senators Snowe and Collins and urge them to oppose S.J. Res. 26!

The amendment seeks to permanently deny the right to marry, as well as virtually all other forms of legal recognition to same-sex couples, including the most basic legal protections. It further seeks to circumvent the right of state legislatures and courts to make decisions on basic

government-administered protections, thereby forever denying gay and lesbian Americans fundamental rights and benefits such as hospital visitation, Social Security, inheritance and health care benefits.

The opposition is gearing up with phone calls and letters and we need to do the same. Please call your Senators today!

Senator Olympia Snowe:

800-423-1599

olympia@snowe.senate.gov

Senator Susan Collins:

888-280-6279

senator@collins.senate.gov



MLGPA executive director Betsy Smith (top, 2nd from right) and former MLGPA executive director Rick Galena (top, far right) co-facilitated a workshop on getting politically involved at this year's Bridges of Respect conference in Bangor in October.

Former MLGPA president Karen Geraghty easily won reelection in November for Portland City Council. On election day these campaign supporters, including Mayor Jim Cloutier (center), stood at the corner of Danforth and Vaughn reminding people to vote.

A graphic design advertisement for GLB Creative. On the left, the logo features a stylized lowercase 'g' and 'l' with a dot above the 'l', and the letters 'glb' below it. Underneath the logo is the tagline "DESIGN. CREATE. INSPIRE." On the right, against a dark background, the text reads "Graphic Design. A unique perspective." At the bottom right, the contact information is listed: "207 775-5519 [T/F]" and "gary@glbcreative.com".

Marriage Equality in Massachusetts

Continued from page 1

GLAD believes that attempts to provide anything less than full and equal access to civil marriage, such as civil unions, will also be in vain. As the majority opinion stated: "The Massachusetts Constitution affirms the dignity and equality of all individuals. It forbids the creation of second-class citizens." And as one of the dissenting justices stated,

"the majority conclude[d] that a marriage license cannot be denied to an individual who wishes to marry someone of the same sex."

For more information on this case, visit the GLAD website at: www.glad.org. •

Update on Discrimination at Grey Rock Inn

In the fall edition of the MLGPA newsletter, we printed a story about a gay couple from New York City who, when vacationing in Maine this summer, was evicted from the Grey Rock Inn in Northeast Harbor.

When contacted about the incident in August, MLGPA immediately got involved, offering to help the couple bring to light this case of discrimination.

Since then, MLGPA volunteer Darlene Huntress has worked tirelessly on the project, trying to determine what actually happened on that late summer day. The couple's story is well documented—in a nutshell, when the owner learned that they were gay, she made her disapproval well known and within a few hours they were asked to leave.

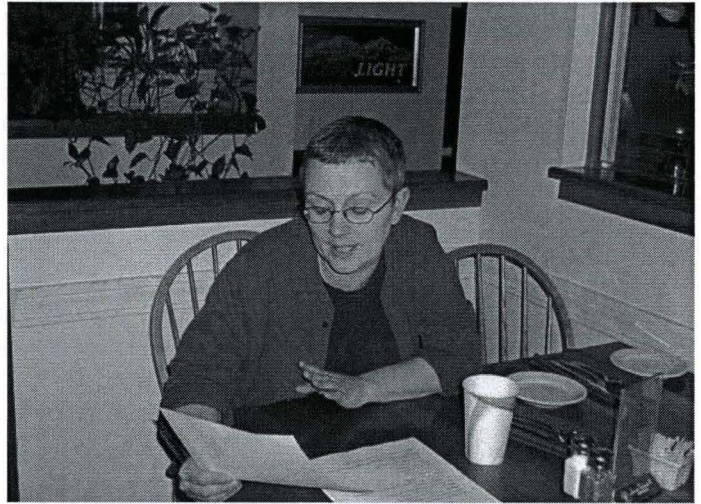
Wanting to hear Grey Rock Inn's side of the story, Darlene spoke to the manager on several occasions. He claimed that there was a personality conflict that could not be resolved between the owner (his mother) and one of the men. And although the couple had made arrangements ahead of time for their puppy that always travels with them, the manager also claimed that dogs were not allowed at the inn.

Given that the situation began with anti-gay comments by the owner, it is understandable why the men assumed their being gay was the reason they were asked to leave. Even if it were true that there was a personality conflict and/or that dogs were not allowed at the inn, it raises the question of why the manager, who was fully aware of the anti-gay comments of his mother, made no attempt to apologize for her behavior or assure them that their being gay was not the problem.

Although the manager told Darlene that gay couples are welcome at the Grey Rock Inn, he has refused to apologize to the couple for any of the treatment they received.

The couple has submitted a letter-to-the-editor to the Bangor Daily News, Ellsworth American, Mount Desert Islander, and the Bar Harbor Times, telling of their experience at the Grey Rock Inn. Once this letter is printed in the newspaper, we encourage you to respond with a letter of your own. Certainly, having a law that prevents discrimination based on sexual orientation is necessary, but education is equally necessary to change people's behavior.

For more information, contact MLGPA at 761-3732 or mlgpa@mlgpa.org. •



MLGPA volunteer Darlene Huntress has worked diligently in raising awareness of discrimination at the Grey Rock Inn in Northeast Harbor. She recently organized a letter writing campaign to the area's local newspapers.



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RENEW YOUR MEMBERSHIP OR JOIN MLGPA TODAY!

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MLGPA's 20th Anniversary Celebration Dinner

March 20, 2004

Holiday Inn by the Bay, Portland

Help us identify youth leaders!!

MLGPA celebrates its 20th anniversary on March 20, 2004. Those who have been in the LGBT movement in Maine for 20 years know how important it is to be able to pass the torch to new leaders and activists who will continue the struggle for equal rights.

At the anniversary celebration and in concert with MLGPA's 20/20 vision for the future, we will recognize several youth who have demonstrated leadership skills in the LGBT movement. Some of these youth we know, for they have already made their voices heard in the halls of the State House. But many we don't know, for they make their voices heard in the halls of their schools—making a difference on Civil Rights Teams, Gay Straight Alliances,

Diversity Day celebrations, and other endeavors.

Please help us identify the courageous young leaders of the next 20 years. In the center of this newsletter, you will find a nomination form for youth recognition. If you do not know any youth to nominate, please pass this form on to someone who may. Thank you.

Also during our 20th anniversary celebration, we invite you to remember anyone special to our community who is no longer with us. Tell us who they are, what they did that made a difference, and when they were born and died. The remembrance form is on the back of the youth nomination form. Feel free to make copies of both of these forms. •