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Maine's monthly newspaper for lesbians & gay men

VOLUME 1 NUMBER 1
FEBRUARY 1994

Reno battles the dentist's drill

The U.S. Department of Justice has launched a suit against dentists who refuse to treat patients with AIDS or who are HIV-positive.

for complete details, turn to page 5

Referendum drive fails

by Terri Jones
Editor

AUGUSTA—The effort by Concerned Maine Families to repeal Portland's Human Rights Ordinance and prohibit future such ordinances has fallen short by nearly 20,000 signatures. The organization had been spearheading a six-month drive to collect enough signatures to place the repeal question on the 1994 Maine state ballot.

In an interview with *Maine Things Considered*, Concerned Maine Families spokesperson Carolyn Cosby admitted that legal challenges to the wording of the petition helped to discourage the group from an "all-out push" to collect the signatures in time for the January 31 deadline. Without a "healthy cushion", Cosby said, the group felt that the petition would be susceptible to challenges on procedural grounds.

"I believe that Ms. Cosby's inability to collect the signatures she needed is a sign that her campaign of fear, lies and distortion does not work amongst the fair-minded people in the State of
continued on page 4

Discrimination suit settled

by Laura Smith
Contributor

PORTLAND—Two of three discrimination law suits testing Portland's Human Right Ordinance barring discrimination on the basis of sexual orientation have been settled out of court.

While the details of Cynthia Dowd's case against BIW remain confidential, Leslie Johnson, in an exclusive interview, agreed to speak with 10% regarding her case against Bagel Works.

"I was told that because I am a lesbian, I didn't fit the Bagel Works mold", says Leslie who was terminated from Bagel Works on July 6, 1993.

Jonathan Takami, the manager of the Portland Bagel Works was the one to give her the news. In prior conversations, Takami told Leslie that "he could only hold off the managers [from the Head Office] for three months because you don't fit the Bagel Works image".

Leslie, 25, of Portland, says she had just been promoted to Level 2 of



Bagel Works 'accepts no guilt' for firing Johnson.

photo: Rebecca Foster

their training program indicating that she had satisfactorily completed all requirements of Level 1 in the 4 level program. She was due for a raise in August and would have been eligible for vacation time. When she was subsequently terminated she was told it was for "insubordination and personal conflicts". Previously, she had received only two warnings for tardiness during her 11 months of employment. These, she says, dropped off her record after six months. She

states she was never given any specifics with regards to the reasons for her termination but does admit to a conflict with one of the managers from the Bagel Works head office in Keene, New Hampshire. "We just didn't get along...but it was nothing that couldn't be worked out."

Leslie filed suit against Bagel Works September 15, 1993.

David Soley, Bagel Works lawyer, claims the case was "frivolous" and
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Craig Hickman performs 'Language of Mirrors' at the Matlovich Society



photo: Rebecca Foster

Craig Hickman, performance poet, singer and satirist performed to a large crowd at the January 27th gathering of the Matlovich Society. Hickman co-authored and performed in *Through the Fire*, a portrait of his experiences as a black, gay man. Thursday's performance featured pieces from his book *The Language of Mirrors*, a collection of poems ranging from the experiences of a drag queen to reflections on his parents.

Health benefit limits for AIDS/HIV found to violate federal civil rights law

by Terri Jones
Editor

NEW YORK—The U.S. District Court for the Southern District of New York has found the Mason Tenders District Council Welfare Fund to be a covered entity under the employment provisions of Title I of the Americans with Disabilities Act. The Fund was sued by the Equal Employment Opportunity Commission because it excluded coverage of AIDS-related expenses from the health benefits it provides to its members. The ruling came as a denial of the Fund's motion for summary judgment based on its opinions that it was not an "employer" as defined by the ADA.

Title I of the ADA prohibits discrimination based on disability or

What is the Americans with Disabilities Act (ADA)? See the sidebar in 'National News' on page 5.

perceived disability. The prohibition of discrimination extends to all aspects of employment, including training, hiring practices, promotions, pay, and benefits like employee health benefits. Under the ADA, insurance companies can limit benefits if the limitations are based on sound actuarial data but the limitation will be considered suspect if it targets a particular disability, such as HIV.

The determination by the court that the Fund is covered is a major
continued on page 5

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Headliner

Portland woman settles out of court with Bagel Works in discrimination suit



Johnson attributes her dismissal to Bagel Works' homophobia. photo: Rebecca Foster

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that the offer of judgement made by Bagel Works was "less than nuisance value" and that Bagel Works "accepts no guilt what-so-ever."

"Bagel Works would never discriminate against anybody on the basis of sexual orientation", claims Soley of Bernstein, Shur, Sawyer & Nelson. "Leslie was terminated appropriately for reasons other than sexual orientation." Soley would not comment on what those reasons were.

"I'm not complaining", says Leslie about her financial settlement of \$3,000, which included lost wages. "People think

it's great, what I've done. I feel it's made the community more confident that they can look to the law for protection."

"Bagel Works' ignorance with regards for their actions is homophobia", states Leslie, "I still think they see nothing wrong with [their actions]."

"Hopefully employers will be enlightened by [Leslie's case]", states Kaign Smith, Leslie's lawyer in the case. "She brought a meritorious claim that has been satisfactorily resolved", says Smith, of Fontaine & Beal. "Leslie stood up for her rights. She has been made whole...Everyone in the community is made better for it."

According to Smith, they would have been happy to "go all the way" with the case. He feels that the ordinance is a good one and that "there should be a state-wide statute preventing discrimination against people on the basis of their sexual orientation."

It's not easy to stand up and say you feel you've been discriminated against because of your sexual orientation. When the main-stream media picked up on Leslie's case just three days after the Bagel Works was served,

she had no idea how difficult it would be. It was an experience that "I never want go through again", says Leslie who leads a private life and has never been involved in this type of litigation before. "Take precautions in your life unless you want to be in the spot light", says Leslie.

"Be very aware of what you're getting into", she says, "be aware of the facts... once you file suit, it be-

"Hopefully employers will be enlightened by [Leslie's case]", states Kaign Smith, Leslie's lawyer. "She brought a meritorious claim that has been satisfactorily resolved... Leslie stood up for her rights... Everyone in the community is made better for it."

comes public record". For Leslie this meant the media on her trail trying to dig up anything they could about her. She received life threatening phone calls at her new job and her boss, who was very supportive, could not schedule her to work evening shifts alone for several weeks after the case became public.

Most gay men and lesbians have experienced some form of discrimination and/or hateful comments directed at them because of their sexual orientation. Leslie, originally from up-state New York moved to Maine about five years ago. Portland seemed like a more progressive town, however, she once called about renting a one-bedroom apartment with her lover and was told "I don't rent to two women".

The Portland human rights ordinance is designed to prevent discrimination of just that nature. While the law still remains untested, there is legal opinion that the law is constitutional and enforceable.

Leslie Johnson is happy with what she has done. "I just want to be able to walk down the street and not have to worry about someone beating the crap out of me."

!?!

Editorial & Opinion

We're here, we're queer, and we have news and opinion

Who are we? Why are we here?

That's probably the only time you'll hear us quote Admiral James Stockdale in an editorial, but this won't be the last time you hear from us. In fact, we are going to be coming at you monthly with all the top news which is relevant to the lesbian and gay community throughout Maine.

We are a group of people who see Maine as a place in dire need of a quality publication devoted to news for the entire lesbian and gay community of the state. Do the names Jasper Wyman and Carolyn Cosby send a shiver down your spine? We'll keep you posted on their activities. Is the latest Symposium of interest to you? We'll cover health and family issues. What are the most recent developments on the national scene? We'll keep you up-to-date on relevant stories from across the country. Are you looking for interesting gay/lesbian literature and music? We'll give you reviews and information about gay/lesbian arts as well.

Our monthly forum will be an outlet for discussion among members of the gay and lesbian community. Each month we will present a topic, and we encourage you—our readers—to respond with your opinions, biases, and viewpoints. We will publish the answers we receive. And of course, we wholeheartedly welcome letters about news we've covered as well.

10% Enterprises is a private, non-profit organization seeking tax-exempt status. This means two things: (1) we aren't here to make a profit on the lesbian/gay community, and (2), eventually your contributions and subscriptions will be tax-deductible. If you would like to see a responsible news and information source for the lesbian/gay community, you can directly support this cause by making contributions to 10% Enterprises.

We want your readership, but most importantly, we need your support. Financial support is always welcomed, but just as crucial is *active support*. Can you help distribute the newspaper to remote outposts? Do you have an idea for a column or review? Do you have a business or services to advertise? Is there lesbian/gay news in your very own town? Let us know!

Maine's lesbian/gay community deserves a quality publication dedicated to the news which affects us—especially when zealots are firing away their loose cannons at the entire state. We are here to bring you the publication you want.

10%

Maine's monthly newspaper for lesbians & gay men

PO Box 10536
Portland, Maine
04104

Editors

Terri Jones • Rebecca Foster • Tyler White

Contributors

Laura Smith • Chris • Lise Wagner
Maggie Fournier • Tara K. Luce • Will Sandstead

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Dykes to Watch Out For



In the past two years this state has seen passage of a human rights ordinance in Portland, the defeat of a similar ordinance in Lewiston, a Governor McKernan veto of a statewide gay rights bill, and most recently a failed drive to potentially prohibit any future gay rights laws in Maine.

With these developments in mind, our monthly forum question for March is:

What is the best strategy to gain support for a gay rights bill in Maine?

Send your replies to:

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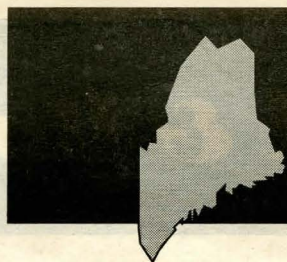
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Maine News

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Referendum effort falls short; MLGPA comments

Maine," said Karen Geraghty, President of the Maine Lesbian/Gay Political Alliance. "When people have the opportunity to study both sides of the issue and reflect upon their true beliefs about discrimination, then there is no room for the brand of discrimination that Ms. Cosby is selling."

Concerned Maine Families may be able to use the signatures already collected as part of their submission for the 1995 ballot question. According to staff at the Secretary of State's Bureau of Elections, Maine law is unclear on this point. Although the law states that signatures must be valid and no "older" than one year, it is unclear at what point the one year begins to run.

Concerned Maine Families now plans to focus its efforts on expanding its membership base, which numbers approximately 100, as well as continuing its efforts to collect enough signatures to place the question on the ballot in 1995.

Carolyn Cosby and Concerned Maine Families did not return 10%'s phone calls for comments on their efforts.

Maine AIDS statistics released in January

AUGUSTA—The state Bureau of Health released shocking figures in January concerning AIDS and HIV.

Twice as many Maine citizens died from AIDS in 1993 than the previous year, and 18 new cases of AIDS in women were reported, also a twofold increase from 1992. Overall, there were 159 new cases of AIDS.

There are 480 cases of AIDS throughout the state, and some estimates peg the number of people living with HIV in Maine somewhere between 1,500 and 2,500. The number of new cases of AIDS is the highest since the state started tracking the statistic in 1984.

MLGPA's annual dinner planned

AUGUSTA—The eighth annual dinner and awards banquet for the Maine Lesbian/Gay Political Alliance is scheduled for Saturday, March 5th. Events will begin at 5:00. Cocktails, buffet dinner, speaker, and an awards banquet are being featured.

The keynote speaker is Lisa Keen, senior editor of *The Washington Blade*, the oldest and largest gay and lesbian weekly publication in the country. Keen has been involved in the area of gay and lesbian reporting since 1979, and has focused largely on the legal aspects of the community.

See calendar on pages 6 and 7 for more information.

MLGPA president named for 1993-94

AUGUSTA—Ms. Karen Geraghty has been elected as President of the Maine Lesbian/Gay Political Alliance for the 1993-94 year. Ms. Geraghty is a Portland resident who has been active in MLGPA, as well as the Equal Protection-Portland and Equal Protection-Lewiston campaigns.

Questions regarding MLGPA activities, and all media contacts should be directed to Karen at the MLGPA telephone number: 761-3732.

Northern Lambda Nord applies for financial support

CARIBOU—Northern Lambda Nord has applied to two funding sources to assist them in reaching their goal of building Maine's first community center for lesbians and gay men. Northern Lambda Nord is a private, non-profit group which serves the gay community of northern Maine.

OUT: A Fund for Lesbian and Gay Liberation is part of a national group committed to supporting grassroots groups. OUT lists projects that reach isolated (rural) areas as one of their priorities.

The other fundraising assistance source pursued by Northern Lambda Nord is MaineShare, an alternative to the United Way. MaineShare requires that their members do not discriminate on the basis of race, gender, age, creed, disability, or sexual orientation in the areas of service, employment, membership or leadership. One requirement for funding from MaineShare is providing statewide service.

Panel discussion on lesbian parenting and pregnancy

BANGOR—A panel discussion on the real-life experiences and challenges of pregnancy and parenting for lesbians will be offered on Saturday, February 12, at the Mabel Wadsworth Women's Health Center in Bangor. The program is being offered free of charge.

Three lesbian couples will share their experiences with adoption, alternative fertilization, pregnancy and parenting. There will be ample time for audience participation.

"Having and raising children is one of the most important topics now for many lesbians. It is a part of the complex nature of our family life, with concerns around health, sexuality, economics, family roles, civil rights, and relationships," according to Peaches Bass, coordinator of the Lesbian Health Project at the Health Center. "We want to offer an opportunity for lesbians to hear from one another on the subjects of pregnancy and parenting."

See calendar on pages 6 and 7 for more information.

Feinburg, author of Stone Butch Blues, appearing in Maine

PORTLAND—Author Leslie Feinburg, author of *Stone Butch Blues*, will be appearing throughout Maine from February 8 through February 12. She will hold readings and discussions at the local colleges and universities, as well as at the Matlovich Society's biweekly meeting.

Feinberg has been involved in political activism since before the Stonewall rebellion in 1969.

Lesbian health conference in April

BANGOR—A first-of-its-kind conference on lesbian health will be conducted by the Mabel Wadsworth Women's Health Center at the Airport Marriott Hotel in Bangor. The conference will provide information about lesbians' health care from a different perspectives.

The conference will be open to all women, and healthcare providers interested in better serving lesbians are encouraged to attend. "Lesbians in Maine have been clamoring for a forum on the topic of lesbian health," according to Peaches Bass, coordinator for the Lesbian Health Project at the Wadsworth Women's Health Center. Potential discussion topics include cancer, sexuality, mental health, aging, family health, substance abuse, being smart healthcare consumers, and having kids, to name a few.

AIDS Lodging House aims for creative fundraising

PORTLAND—The AIDS Lodging House of Portland has added a creative bent to their fundraising efforts with the inclusion of the "Comfort at Home" program.

The aim of the program is to get donors to sponsor one or more of the monthly operating bills of the AIDS Lodging House. ALH receives funding from the city of Portland, the state, as well as the United Way, but constant increases in operating costs has forced the non-profit organization to depend on the contributions of individual donors.

The AIDS Lodging House is a 4-unit building which currently provides safe and affordable housing for five persons living with AIDS or HIV disease. With the help of the community, the ALH offers a service that would not otherwise be available to sufferers of AIDS or HIV, many of whom do not have attractive and safe housing options.

Further details on the fundraiser and incentives for donors will be released in March.

For more information, or if you would like to be a "Comfort at Home" sponsor, contact John Devou at 879-0075.



National News

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Ruling prohibits excluding AIDS/HIV-related expenses from health coverage

development in ADA law. The Fund had argued that it was not covered by the ADA because it was not an employer – it simply provides health benefits for its members. The EEOC and the court disagreed, relying on an earlier case brought under Title VII of the Civil Rights Act of 1964, *Spirit v. Teachers Insurance Annuity Association*. In *Spirit*, a broad definition of “employer” was used to find that a university’s retirement plan administered by an independent insurance company was covered by Title VII. The EEOC, in its interpretive guidance of the ADA, provides that the term “employer” has the same meaning under the ADA as it does under Title VII.

The finding opens the way for significant progress in stopping insurance limits for individuals with HIV. By finding Mason Tenders a covered entity, it falls to the Fund to show that its AIDS-coverage exclusion is based on sound actuarial data and is not a subterfuge to avoid the ADA.

Dept. of Justice goes after bigoted dentists

WASHINGTON, DC—In its first lawsuit to stop discrimination against people infected with the AIDS virus, the Justice Department filed suit against dental offices in Hous-

What is the Americans with Disabilities Act, and how does it relate to HIV and AIDS?

The Americans with Disabilities Act was signed into law on January 26, 1990. It prohibits discrimination on the basis of disability in employment, the delivery of public service and access to public accommodations. While the law does not contain a “laundry list” of covered disabilities, it includes HIV as an example of a covered disability in many of its provisions. While caselaw under the ADA is not extensive as yet, it appears to be a significant source of protection for individuals with disabilities.

One important facet of this law is that it protects people who have HIV **as well as** people who are perceived to have HIV. A classic example of this protection, and one that is particularly significant for the gay community, is when rumors circulate that an employee is gay. If his/her co-workers treat this worker as if s/he has HIV because they are aware of his/her sexual preference, then that individual may turn to the ADA for protection.

Other examples of this protection could arise in situations where

individuals are fired from their jobs because they have HIV or AIDS, or where an individual is refused service in public accommodations like restaurants, doctors’ offices, dentists’ offices (see related story in National News) and hotels and motels. Equally, or perhaps more, important is continued scrutiny by the EEOC of any efforts to limit employer-provided insurance benefits solely on the basis of a disability like HIV.

Individuals who believe they have been discriminated against on the basis of disability can file a complaint with the EEOC or the Department of Justice. If you want more information about the complaint process or have questions about the ADA, you can contact the New England Disability & Business Technical Assistance Center. The Center is a federally-funded office that provides ADA information and materials to individuals. The Center’s toll-free hotline is (800) 949-4232 (voice/TTY), Monday-Friday 8:30 a.m. to 5:00 p.m.

read: “Due to the recent discovery of your health problems, Castle Dental Center has decided to cease providing you with orthodontic treatment.”

In the other case, filed in Federal District Court in New Orleans, the Justice Department alleged that a dentist denied dental services to two men, both of whom

dental offices to change their policies and provide complete and equal services to persons with HIV and AIDS. It also seeks civil penalties in each action, as well as compensatory damages for the three men who were refused treatment.

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February/March

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Surviving Gender Oppression

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Matlovich Society: Leslie Feinberg

History of transgender

NLN Monthly Meeting
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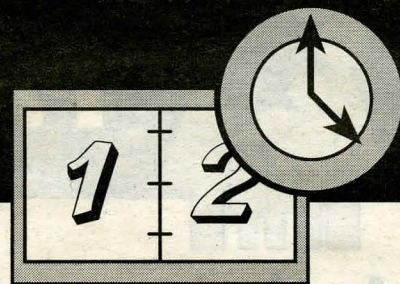
Matlovich Society: Rita Kissen

Night at the races

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 History of
 transgender

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 Lesbian parenting
 Valentine's party

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 MLGPA
 Annual Dinner

11
 Night at the races

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Bowling (ten pin, big balls) at the Loring Air Force Base lanes on February 4 at 6:30 p.m. 75¢ per game. Call the **Northern Lambda Nord** Phonenumber on Wednesdays for information. 498-2088 (voice/TTY).

Fortune 500 to self-employed: Gays and lesbians in the business world will be the topic of a panel discussion at the Matlovich Society's February 24 meeting. Local gay men and lesbians share their lives in the world of business. Matlovich Society, Thursday, February 24, 7:30 to 9:00 p.m. at Holiday Inn by the Bay, 88 Spring Street, Portland. Free hotel parking, fully accessible.

History of transgender will be presented by Leslie Feinburg in slide-show format in Lewiston at Bates College. The event takes place from 7:00 to 9:00 p.m. in Chase Lounge on Friday, February 11.

Jonathan Katz, from City College of San Francisco's Department of Gay and Lesbian Studies, will present **Culture and Subculture: How Gay Men Put Post-War American Painting on the Map**, Monday, February 14 at 7:00 p.m. at the USM Campus Center, Portland.

Lesbian parenting will be the topic of discussion at the Mabel Wadsworth Women's Health Center, Intown Plaza/Harlow Street in Bangor, on Saturday, February 12, at 10:00 a.m. through 12:30 p.m. Three lesbian couples will discuss the issues related to parenting, with plenty of time available for audience questions and dis-

cussion. For more information, contact Peaches Bass (621-2924) or Ruth Lockhart (947-5337).

Leslie Feinberg, author of *Stone Butch Blues*, a controversial portrayal of the complexities of living a transgendered life, speaks of her life as activist and passing woman, as she presents *An Illustrated Lecture on Transgender History*. Matlovich Society, Thursday, February 10, 7:30 to 9:00 p.m. at Holiday Inn by the Bay, 88 Spring Street, Portland. Free hotel parking, fully accessible.

Night at the races! Join Northern Lambda Nord for a night at the off-track-betting parlor at CHAMPS Grill and Bar on State Street in Presque Isle. Starts at 7:00 p.m. on March 11.

Pot Luck Supper/Bottle Drive for Northern Lambda Nord. Monthly potluck supper starts around 5:00 p.m. on Sunday, February 27. Bottle drive is to help increase the fund for a community center. Call 498-2088 (voice/TTY) for more information.

Maine Lesbian/Gay Political Alliance's eighth annual dinner will be held on Saturday, March 5. Cocktails at 5:00 p.m., buffet dinner at 6:00 p.m., followed by Lisa Keen, senior editor of *The Washington Blade*. Dancing at 9:30 p.m. Information for non-members is available from Ms. Judy Edgerly at 626-9309.

Maine Pride's Tri-State Meeting with New Hampshire and Vermont will be held on Sunday, February 13. Call 871-9940 for more information.

Northern Lambda Nord's Open House takes place every Wednesday at the Phonenumber in Caribou at 7:00 p.m. Call 498-2088 for information. **Monthly meeting** takes place on Sunday, February 13 from 1:00 to 3:00 p.m. at the Lions Community Center, High Street, Caribou, across from Shop & Save.

Reading by Leslie Feinburg from *Stone Butch Blues*, as well as a discussion of gender issues will be held in Brunswick at Bowdoin College's Kresge Lecture Hall from 7:30 to 9:00 p.m. on Wednesday, February 9.

Rita Kissen, Professor of Education at USM, will discuss her interviews with classroom teachers from all over the country. **Voices from the Glass Closet: Lesbians and Gay Teachers Talk About Their Lives**. Matlovich Society, Thursday, March 10, 7:30 to 9:00 p.m. at Holiday Inn by the Bay, 88 Spring Street, Portland. Free hotel parking, fully accessible.

Surviving Gender Oppression, A Lesbian's Journey, a discussion at the Gathering, USM Student Center, Student Commuter Lounge, will be held on Tuesday, February 8, from 7:00 to 9:00 p.m.

Valentine's Party on Saturday, February 12, at 8:00 p.m. Free to members of Northern Lambda Nord, \$2 for guests. Wear red! Call the Northern Lambda Nord Phonenumber on Wednesdays for more information, 498-2088.

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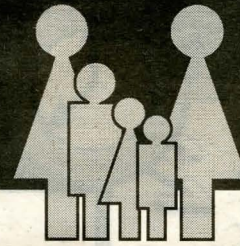
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Parenting

Mothers and Child

by Maggie Fournier
Contributor

This is the first in a monthly series about lesbian parenting. Throughout the year, this column will explore a wide variety of issues important to lesbian women who are thinking about becoming pregnant and to those engaged in raising children. Please feel free to write me in care of this paper if you have specific questions or areas which you would like to see addressed in *this column*.

When I was pregnant, a friend told me that being in labor was like riding a roller coaster from which there was no getting off. It was not particularly helpful advice at the time as I was pretty anxious about the giving birth. As it turned out, bringing out child into the world was a most joyful experience. True, there was a lot of pain and it was an exhausting ordeal but not quite like the way my friend had foretold. I like to think of labor as pain with a purpose. I was so determined to hold our child in my arms that I gave to that experience every ounce of courage and energy I had.

It had only been recently that I have thought about my friend's words and now, I think that being a parent is like riding a non-stop roller coaster. Well, sometimes I think that way. Since giving birth our lives have jumped into fast-forward. Time races on as though we are in some type of speed

everyday I grieve a little for the child who is now a sweet memory. The roller coaster dips and turns and climbs once more.

The challenges of parenthood are enormous for everyone who embarks on that journey. They are even greater for lesbians because lesbian moms are blazing new trails. There are not many books or experienced role models for guidance. Often, my partner and I feel as though we are flying by the seat of our pants. We have the support of many friends as well as the lesbian moms group to which we belong. And we have discovered that our roles as parents include being good teachers to others about who we are as a family. Pediatricians, teachers, colleagues, neighbors, and playmates of our child all understand that we are lesbians who are co-mothers. Our daughter introduces us to friends as her two moms. She is as clear as seven year-old can be about the special way in which she was conceived. She knows that her family is different and very special. She is proud of us. She is proud of herself. There are no secrets in our home and the closets are where we hang our clothes. Our guiding principle has been one of honesty. As we continue on this exhilarating ride, we feel secure in our love as a family and look forward to the new turns around the bend.

Considering parenthood? Think about your readiness to



Maine Lesbian & Gay Legal Association

Legal developments around the nation

by Will Sandstead
Contributor

December 1993 brought good news and bad news from the legal front for lesbians, gays and bisexuals. Court decisions in Colorado, Oregon, Florida and Pennsylvania will have a big impact on our community.

Colorado

The most exciting news comes from Colorado, where Amendment 2 has been held unconstitutional. Amendment 2 would have prevented the State of Colorado from adopting or enforcing laws or policies protecting lesbians, gay men and bisexuals from private or government discrimination. On December 14, a Colorado district court judge ruled that the Amendment violates the fundamental right of lesbians, gay and bisexuals to participate in the political process, which is protected by the First and Fourteenth Amendments to the U.S. Constitution. The judge permanently enjoined state officials from putting Amendment 2 into effect. Governor Romer and Attorney General Norton said, however, that they would appeal the district court's decision to the Colorado Supreme Court. The Court's opinion can be found at *Evans v. Romer*, 1993 WL 518586 (Dec. 14).

Oregon

The Oregon Citizens Alliance (OCA), an anti-gay group, successfully challenged the state attorney general's official name given to OCA's latest effort to insert an anti-gay-rights amendment into Oregon's constitution. OCA is seeking to add a referendum to this November's ballot regarding the proposed amendment. The amendment would do a whole host of nasty things including labeling homosexuality as "wrongful sexual behavior," preventing state and local governments from giving sexual orientation "legitimate minority status," and forbidding the recognition of domestic partnerships or the extension of spousal benefits to same-sex partners. The attorney general, who prepares ballot titles, gave the ballot measure a name that pointed out that the proposed amendment would allow the passage of anti-gay laws and would ban any gay civil rights protection. The OCA argued that the name was prejudicial because it unfairly characterized the purposes of the proposed amendment. The Court rewrote the title to ask whether the state constitution should be amended to "declare homosexuality wrongful sexual behavior, forbid laws establishing homosexuality as a protected status [and] prohibit public spending, promoting [or] approval [of] homosexuality." The proposed amendment is a slightly watered-down version of the

measure rejected by Oregon voters in 1992. This case may be found at *DeParrie v. Keisling*, 318 Or. 62 (1993).

Florida

The Florida Supreme Court is currently considering arguments challenging a proposed statewide ballot measure that would prevent the state from enacting laws which provide anti-discrimination protection to persons unless the discrimination is based upon race, color, religion, sex, national origin, age, handicap, ethnic background, marital status or familial status. Of course, the measure would effectively ban any gay-rights laws. However, proponents of the measure argue that it avoids the constitutional flaws in Colorado's Amendment 2, because the Florida measure does not specifically single out gays, lesbians and bisexuals. Instead, they claim, the measure treats all new groups seeking civil rights protection evenhandedly by excluding them all. The name and docket number of this case is *In re Advisory Opinion to the Attorney General - Restricting Laws Related to Discrimination*, No. 82-674.

Also in Florida, a state appellate court upheld Florida's ban on "homosexuals" adopting children. The case was brought by a gay male couple who were denied training and certification as adopting parents. In upholding the ban, the court held that the ban does not constitute state intrusion into the private lives of lesbian and gays. The court also concluded that it is reasonable for the state to presume that only heterosexual parents are capable of properly guiding heterosexual adopted children to sexual maturity, because homosexual parents lack experience in heterosexual relationships and, therefore, cannot provide children with informed advice on such matters. The plaintiffs may appeal to the Florida Supreme Court. The Court's opinion can be found at *Dept. of Health and Rehab. Services v. Cox*, 1993 WL 496042 (Fla. App., 2d Dist., Dec. 1).

Pennsylvania

In Pennsylvania, a transsexual AMTRAK employee lost a sexual and disability discrimination case brought in federal court. The transsexual plaintiff originally applied for her job as a man, but later informed her supervisors that she was currently undergoing hormone treatment in anticipation of a sex change. Her supervisors told the plaintiff that she would not be allowed to use the women's rest room and would need a doctor's note in order to wear women's clothes to work. In addition, the plaintiff's desk was moved to a location outside the public view, and her supervisors refused to address the plaintiff by her female name. The Plaintiff sued her employer al-

leging sex and disability discrimination. The court held that transsexuals may not state a claim under Title VII of the Federal Civil Rights Act or the Pennsylvania Human Rights Act. *Dobre v. Nat'l Railroad Passenger Corp.*, 1993 WL 498217 (E.d.Pa., Dec. 1).

Massachusetts

The Massachusetts Superior Court for Suffolk County decided on December 15 that gay, lesbian and bisexual Irish-Americans are entitled to march in the Boston St. Patrick's Day Parade on the same basis as other groups. The name and docket number of this case is *Irish American Gay, Lesbian, and Bisexual Group of Boston v. City of Boston*, No. 92-1518.

In addition, Massachusetts has passed a first-ever law giving anti-discrimination protection specifically to gay and lesbian students in public schools. The law was signed by Governor Weld on December 10, 1993.

Elsewhere

In Ohio, a state appellate court refused to overturn a trial court's decision giving a lesbian mother sole custody of her three children. The court rejected the father's argument that the trial court had "neglected to recognize traditional family values and standards which have been deviated from by [the mother]." The court held that there was "no evidence indicating that [the mother's] sexual orientation had any negative effect on the children." The citation name of this case is *Large v. Large*, 1993 WL 498127 (Ohio App., 10th Dist., Dec. 2).

An Illinois appellate court overturned a trial court's decision to limit a lesbian mother's visitation rights with her children. The higher court held that it was irrelevant that the mother lived with her lesbian partner. Further, the court stated that it was "disturbed by the [trial] judge's numerous homophobic comments." See *Pleasant v. Pleasant*, 1993 WL 504439 (Ill. App., 1st Dist., Dec. 8).

U.S. Secretary of Health and Human Services Donna Shalala has issued a policy which prohibits discrimination on the basis of sexual orientation in her department. In addition, she has instructed the Department's equal opportunity officers to begin processing complaints of sexual orientation discrimination.

In Baltimore and Los Angeles, municipal law makers voted to extend employee benefits to domestic partners of city employees. New York University issued a policy granting similar benefits to the domestic partners of university employees.

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

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Music Reviews

Ferron's latest CD shares a life with the listener

by Chris
Contributor

Let's begin 1994 with the sharing of optimism, love, trust and openness. Ferron has combined music and lyrics to express all these emotions and more in her newest album.

A seasoned musician, Ferron at 40-years old is a mentor for womyn young and experienced. Her family issues, love situations, and paths of spiritual growth are shared with us all. Many say what makes a great songwriter is life experience. Ferron shares her life by way of a song and lyrics to ponder on.

Connect with Ferron by listening to *Driver*. Let Ferron share with you what has driven her. All of us womyn have the need to know how others have made it through these different paths of life. Ferron is a womyn mentor of our time teaching us through music what we may have not had a chance to experience yet, and reminding us how much we have grown for those of us who have experienced it.

Ferron, *Driver* (1993)

Available from:
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This album is deep. You can listen to the music but you will miss something special if you don't take the time to listen to what the words say. Listen again with your thoughts, and the beauty of her music will shine even more.

Listen to *Driver* with stereo headphones and experience the different instruments used in each song to create that special feeling felt by your heart and soul. Enjoy 63 minutes of *Driver* and answer Ferron's question: "Who is driving?"

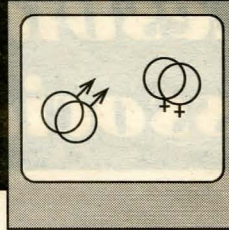
Ferron is also a must see in concert. Her humor, love and caring draws womyn from many miles away.



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Video Reviews

Mixed bag of lesbian flicks

by Lise Wagner
Contributor

Given the relative lack of lesbian-oriented films, you may want to see any of them you can lay your hands on. Nevertheless, you want to lay off of at least one of the following two films.

The director of *Salmonberries*, Percy Adlon, also directed the wonderful, woman-strong film, *Bagdad Cafe*. Both of these films are set in desolate places: *Bagdad Cafe* is in the desert and *Salmonberries* is set in the arctic. In this film, Adlon attempts to portray the struggles of two women, one trying to forget her past and the other trying to find it. Roswitha (Rosel Zech), a German librarian, escaped from East Germany, leaving behind a husband shot by the border guards. Kotzebue (k.d. lang) seems to be an Eskimo, but has no idea who her parents were (in fact, she's named after the town). To add to her identity crisis, people often don't realize she's a woman because her hair is cut so short and she barely speaks to or looks at anyone long enough for them to figure it out.

While this sounds like an interesting premise, for the most part the film is incomprehensible. It is shot in shadows so it's difficult to tell who people are and what they are doing. For example, the famous "nude scene" - I had to rewind to see if that really was the famous nude scene. Numerous actors mumble, especially k.d., so following the dialogue can be torture. It is hard to tell exactly what Kotzebue does (she seems to work either for a mine or a refinery). Zech, as the librarian, has some acting ability, but she's about the only one. Even Chuck Connors, as the Bingo caller, doesn't seem to know why he's there.

Kotzebue develops a crush on Roswitha after throwing some books around in the library and proceeds to follow her around. A romance is attempted, but unfortunately, it is so melodramatic that it is laughable. Melodrama seems an apt description here; for example, Kotzebue stands in a huge satellite dish and howls and all the dogs around howl too. Instead of causing me to understand the angst she is feeling, it caused me to roll my eyes.

Well, this longtime k.d. lang fan has doubts after seeing her in *Salmonberries*. No two ways about it, this movie is awful. Its only redeeming quality is k.d. (repeatedly) singing "Barefoot". It was rather a shock, after being so impressed with her vocal ability and expression, to see lang so inept and untalented. The best advice to those interested in k.d. is to rent *Harvest of Seven Years*. You'll see her doing what she's really good at - singing.

The second of these two films, *Claire of the Moon*, is not terrific, but

***Salmonberries* (1992)**
1 hour, 34 minutes
Director: Percy Adlon
Starring: k.d. lang, Rosel Zech, Chuck Connors

***Claire of the Moon* (1992)**
1 hour, 32 minutes
Director: Nicole Conn
Starring: Faith McDevitt, Karen Trumbo, Trisha Todd

it is much better than the first. Written and directed by Nicole Conn, the movie is set in the Pacific Northwest at the Arcadia Women Writers Retreat. It is the story of two of the women who are roommates at the retreat, initially hating each other and yes, you guessed it, ultimately falling in love. This is a film filled with clichés; in fact, it could be an amusing party game to keep score.

Maggie (Faith McDevitt) is the stereotypical butch who runs the retreat. She thinks it's a great idea to put lesbian Noel (Karen Trumbo), a "mysterious therapist who made brooding a fine art," in the same cabin with straight Claire (Trisha Todd), who spends most of her time smoking, drinking coffee, and being extremely sexually active. From their first meeting, the two women don't speak civilly to each other, and within a short time they're slamming cabinet doors in the kitchen. Isn't it interesting that Claire finds Noel intriguing once Noel comes out to the writing group? They can even talk pleasantly to each other after that.

While the writing group deals with Noel's "announcement" and the abandonment of one of the other writers by her husband, Claire spends a lot of time fantasizing about Noel. Noel also fantasizes about Claire. They talk about fantasies. They sit on the couch reading each other's books. Sexual tension builds. You get the picture. And we are actually rewarded with both an erotic all-woman dance scene and a steamy sex scene.

So, while you are counting the clichés, you can enjoy lovely Pacific coast scenery, try to figure out the symbolism of when and why various women's long hair is pulled back or let down, and take bets on whether Claire is just experimenting or whether this is just what she needed to know her true self.

It's easy to poke fun at this film because it takes itself too seriously, particularly given all the stereotypes it expects us to swallow. Although this is a relatively enjoyable movie, one certainly hopes that the budding lesbian film industry can generate some films which will challenge its audience and not merely rely on a sex scene or two to satisfy the audience.

Fuchsia Stamens

fiction by Tara K. Luce

It will be the bras I miss the most was the first thought into my mind when her lips stopped moving. She's got a soft light down on her face that is caught only by this kind of afternoon sunlight and I'll never strip her out of a bra again. Helen was the first woman I'd ever met who wore anything other than a plain beige or white bra. Hers had pastel flowers and burgundy and purple flowers with fuchsia stamens, they had lace or were made out of silk. Helen's bras were not some poly-cotton blend. Not that was the first thing I was drawn to. I was definitely attracted to her before she took her shirt off. Her hair began at her face and slid back over her shoulders onto some dark, single-colored sweater or knit shirt. She was short and walked solely on her toes, so her walk was a bounce, always a bounce which occasionally threw me off her mood.

No way to miss her mood today. She was sitting in a metal and black vinyl chair. Her legs were pulled up under her and she had a stuffed puppy dog clutched against her chest. I was sitting in an identical chair with my elbows on my knees, my hands cradling my face.

Helen and I had stopped talking almost four months before. I'd been on the brink of an emotional affair. I was spending every moment of every day with my friend Pam who'd moved back into town over the summer. Pam had spent a year in Alaska and I was overcome with every detail that she let hanging in rooms or on store counters so I spent my time tagging along after her making sure I collected each one. I was under no illusion of where I stood in regards to a future with my snowshoeing dogsledder. Then one night as I stepped out onto the porch Helen said either come back inside or take your things with you. I thought it might be her way of shoving me out into a dream I kept backing away from. Then after I'd made my decision and the New England days started to shorten, I had my first jolt.

My friends nodded at my admissions of recklessness and momentary insanity. My sister Theresa just smiled dully, "You just didn't make it through the three-year slump. It happens to the best of us." I grimaced thinking about the fact that she still kept her wedding ring in the top drawer of her dresser even though she had originally filed for the divorce. He had argued and then gotten over it and now was living with a woman in Connecticut. Theresa was living in the same town in New Hampshire that they'd lived in together. And she talked to me more than she talked to anyone else.

I, myself, had almost rationalized my new apartment, the idea that I came home from work and spent my free time reading and then this morning Peter called.

"Is Suzanne there?" Not even a hello.

"This is Suzanne."

"This is Peter, Helen's brother." He didn't say anything for a minute after that. I started shaking and slid down the kitchen cupboards onto the linoleum clamping my head between my knees. "I never really liked you. I didn't

approve. I still don't." He stopped again. "She asked me to call you."

I clenched my jaw and squeezed the phone until a button beeped. "Sorry."

"Fuck it. She's at Mercy, on the fourth floor." Click.

I hung up the phone and walked into the living room.

"Who was that?" Liz, my roommate, asked.

"Work. I've got to go in early." I walked into the bathroom and turned on the shower.

It took me four hours to get to the hospital. Forty-five minutes on the bus and a three-hour tour of the neighborhood surrounding the hospital. My keds kept crunching random piles of ice while I thought about Alaska. Finally I got cold enough and walked in and took the elevator up.

When I walked into the room she was standing with her forehead pressed against the glass. "I feel like I've been her forever. This cold," she says laying her hand on the window, "is the closest I've come to fresh air in a week. I was afraid he wouldn't call you."

"He doesn't like me much." I took a seat near the door, clenching and unclenching my hands around my gloves. The room was small but a single. illness was almost the great equalizer.

"I wasn't sure that I was going to be but I'm glad you came, Suzanne."

"I'm glad you asked him to call and I'm sorry, Helen."

She turned around holding the stuffed animal in front of her. "No apologies. it was half my fault and I don't have the energy for them." She walked over to sit in the chair that was at a perfect angle to mine with a stand between them. "How've you been?"

"Fine. I mean. Shit. Helen, he didn't tell me what was wrong." I shoved my gloves into my pockets.

"I know. I wanted to tell you myself." She stopped and was quiet. It didn't fit with my picture of Helen. She was the one who just said things. At a fancy lunch downtown with her parents, she'd folded up her cloth napkin, set it down next to her plate and told them we were together. We hadn't been planning to, we hadn't even discussed it. She just said things, it didn't matter what the other people would think or have to feel or deal with, she just said it. About a week after we met we were sitting in my apartment. She'd turned to me and said, "I'm going to take my shirt off. I think it's only fair because then I'm going to take off yours." It didn't matter if you were angry—she never said she was sorry. And then most recently, "Get out and don't come back."

She stood and turned toward the window. She looked so much like she ever had. Royal blue jeans with a brown knit turtleneck. Her hair ending in an even arc just below her shoulder blades. Her stance slightly forward on her toes. She set the dog down on the window sill and dropping her arms down to her side turned to face me. I might not have noticed except that halfway through her pirouette the sun outlined her form. The light making her a dark outline, like being behind something showing in the headlights of a vehicle. Her shirt fell straight down in a line


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from her chin to where it tucked in at her belt. "I had breast cancer."

That was when I thought of bras, all manner of bras. Then I looked at her and came out of the chair, all in one motion. My hands coming to rest, one on her face and the other at the small of her back. "You are a breathtaking creature." She cried then, leaning in toward my breast and neck. Her hands coming to life, sliding up our sides to my face. Then her right hand descended until it stopped on my breast. Stopped, just resting. Her hand reflecting and amplifying the sound of my heart until I was sure she must feel it even through my flesh.

I almost reminded her that one of them was hers but resisted, in a way it wasn't true. The first year we were together I'd given her one. It was before I'd started giving massages and I didn't have any money. I'd knitted her a sweater, worn it in to her and told her she could have one of what was under it. When she asked about the other I'd held off saying, "What if next year's no better?". The sweater had been a green jade, one of her dark colors.

She leaned down and lifted her hand to kiss my breast then drew away. She walked over to the bed, taking her dog with her. She sat with her head against the wall her knees drawn up close. She looked small. "God, Suzanne, I just want them back." She took a deep breath. "You know it's funny—they built themselves so gradually and now in one day they're just gone." She sat on the bed not speaking. I leaned back against the wall. "Remember when you got your braces off? It felt like you had no teeth." She stopped on a ragged breath and then

started again slowly. "I feel like I have no body. I feel like someone took my body away. Someone stole it. Even if I beat the cancer it will have taken a vital part of me. Even after I get used to this flat chest it will still be gone. I am an amputee. I always thought of an amputee as someone who'd been in a war or a car accident. Not me. Just not me." By the end she was pounding on the bed rhythmically.

I walked over and climbed up on to the bed in front of her. She was tilted slightly forward on the bed as the mattress caught my weight. I caught her hand, opened it and kissed her palm. When she would have pulled away I didn't let go. With my other hand I reached up and through her shirt felt the bandages. She smiled at me. "Suzanne, you should go. I'm about to get my first chemo shot and it's supposed to be a scene. I won't be much good as far as conversation."

"I'm going to stay, Helen. I mean really stay. I should never have left in the first place."

"No more snowshoeing, eh?"

"Helen, I love you. I'm not going. And you're going to help me move in right after your chest heals up."

She leaned forward and we kissed. Her lips were warm and velvety. Her hands reached up and found my breast with none of the restfulness of before. She ran her finger over my nipple and I shivered. She pulled back laughing. "You are so wonderfully predictable," she said, lifting my bra strap through my shirt. "Now I am going to take this old thing off of you and throw it away. Come tomorrow morning you are finally going to be wearing some decent bras since I don't have the option." And with that she let the elastic snap back against my skin.

Akari



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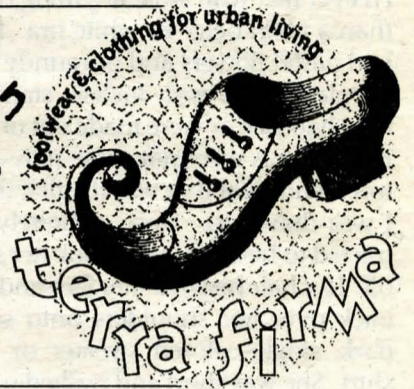
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