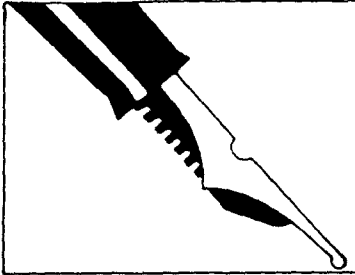


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—THE GAY WEEKLY OF THE NATION'S CAPITAL

# Washington Blade

## Wilson proposes 'health plan' for uninsured

D.C. Councilman also expected to introduce bill upping penalties for 'hate crimes'

by Lou Chibbaro Jr.

D.C. Councilman John Wilson (D-Ward 2) introduced a comprehensive health insurance bill this week that Wilson's aides say could provide guaranteed health coverage to persons who test positive for the AIDS antibody.

Wilson is also expected to introduce within the next week a hate-crimes bill that would increase criminal penalties against persons convicted of committing crimes against individuals based on their sexual orientation.

Wilson's insurance bill, the Comprehensive Health Care Act of 1989, creates an independent D.C. health care agency that would enroll as many as 114,000 District residents who normally cannot afford private health insurance into a special plan that resembles a traditional group health plan. The new agency would assign the enrollees to existing private health providers through contracts and would subsidize the enrollees based on a

sliding scale according to their income.

Heidi Sorensen, Wilson's legislative assistant, said Wilson "anticipates" that persons testing positive would be accepted into the new health plan if they meet enrollment requirements pertaining to income. However, Sorensen said the question of whether or not HIV positive individuals would be allowed to enroll in the plan would be made by an 11-member board which would administer the plan.

Sorensen said that while the plan is intended mainly to help low-income residents, the legislation also allows others to enroll in the plan if they cannot obtain health insurance through traditional means. Those whose incomes are higher than the allowable limit—which is based on the federally defined poverty level—can enroll in the program if they pay the entire cost of its premiums themselves, Sorensen said.

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Vic Basile is credited with building HRCF into one of the nation's biggest political action committees.

by Doug Hinckle

Vic Basile

# More than two dozen bills confront Virginia Gays

Testing sites, name reporting on the Virginia General Assembly's calendar

by Lisa M. Keen

By the time the Virginia General Assembly passed its Tuesday midnight deadline for introducing new bills to its 1989 session, those of concern to the Gay community exceeded the number introduced to last year's longer session.

But things move fast in the state's 45-day assembly, and by *Blade* deadline yesterday the legislature had already axed 9 of the 30 AIDS and Gay-related bills. Gone, without discussion, were bills carried over from the 1988 session—including one to test every Virginia resident over the age of 5 for the AIDS antibody.

Although the Assembly clerk's office had not finished log-

ging all of the more than 2,000 bills introduced by Tuesday, at least 10 which have been recorded address AIDS issues, another 10 seek amendments to the state's controversial sex education curriculum, and one hopes to launch an effort to kill the state Dillon Rule which has, among other things, become an obstacle to Gay rights laws in local governments around Virginia.

According to Norma Szakal of the Virginia Department of Health's legislative services division, which drafted bills based on a House-Senate AIDS study committee's recommendations, there are 12 pieces of legislation covering the committee recommendations. Primary among them, said Szakal, who had not yet

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# Va. bill calls Gays 'unacceptable'

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learned what bill numbers had been assigned to the measures, was an "omnibus AIDS bill." That bill proposes both the committee's recommendation for funding anonymous test sites and services, and its recommendation for mandating that doctors report the names of persons they believe to be infected with the AIDS virus to the health department.

In separate resolutions, the committee calls for action to "reduce the red tape between agencies" serving people with AIDS (HJR 425), "promote appropriate educational and ethical" responsibilities for health care providers (HJR 426), and "examine and revise the Commonwealth's employment policies" concerning people with AIDS (HJR 429).

The clerk's office has also recorded, thus far, at least 10 bills which seek to amend the "family life curriculum" which the General Assembly approved last year for public schools. Among other things, the curriculum approved last year calls for schools to provide information about homosexuality starting in grade seven and information about AIDS starting in grade five.

Del. Harry Parris (R-Manassas) introduced a bill to require that "certain virtues" be made the "standards of learning" under the curriculum—among them the

"unacceptability of homosexuality." Del. Vance Wilkens (R-Amherst) has introduced three bills to amend the curriculum. One seeks to "evaluate certain family life education programs" and the other seeks to "limit participation" by "certain...community organizations" in the curriculum development. Copies of these and most bills were as yet unprinted at *Blade* deadline yesterday. Wilkens could not be reached and a staff aide said she was unfamiliar with the details of the bills.

Wilkens last year proposed a measure to insist that any mention of homosexuality in an educational curriculum specify it as being "deviant."

Copies and a full accounting of all 2,000 or so bills are expected to be available by early next week. However, Julie Lapham, co-chairwoman of the Richmond United Way chapter's AIDS Task Force, said she really doesn't anticipate anything major to be accomplished during the short session.

Nevertheless, a number of Gay activists visited Richmond yesterday to lobby legislators on the AIDS bills and the new statewide Gay group, Virginians for Justice, is considering hiring a professional lobbyist to look out for the Gay community's interests. ▼

# Arlington proposal snared in legal debate

by Lisa M. Keen

Whether or not Arlington County will include Gays as a protected class in its proposed human rights law now appears to hinge on legal interpretations of state laws governing action by local jurisdictions.

In a Jan. 13 memo, Arlington County Attorney Charles Flinn advised county board members that his interpretation of state law concludes that the county does not have the authority to prohibit discrimination based on "sexual preference." According to Flinn, the county can ban only those types of discrimination already prohibited under state law.

The Virginia General Assembly passed its human rights law in February 1987, prohibiting discrimination based on race, color, religion, sex, national origin, age, marital status, or disability. The law covered discrimination in housing, employment, public accommodations, credit, and education.

But Alexandria's City Council, which passed a law in October to prohibit discrimination against Gays, abided by the legal interpretation provided by its city attorney, Philip Sunderland, who said the state laws in question do not clearly proscribe local laws which protect Gays.

The state laws which control local government authority include the "Dillon Rule," a constitutional passage which prohibits local jurisdictions from enacting laws not specifically authorized by the state. Two Virginia Attorneys General have rendered opinions that the rule means local governments may not prohibit discrimination against Gays.

But since the latest of those opinions—in 1986 from current Attorney General Mary Sue Terry—the General Assembly passed the statewide human rights act and the "Parker Law," which clarifies that local jurisdictions can pass any human rights ordinance that is "not inconsistent with nor more stringent

than" the state's own anti-discrimination law. The legal debate is expected to center on what constitutes a violation of this key criteria.

A *Washington Times* article stated definitively this week that the Arlington County board members "said...they have no authority to include homosexuals as a protected group" in the proposed new law. But one board member, John Milliken, told the *Blade* yesterday that the board "has not discussed or come to any conclusion that I'm aware of" as to the legality of including protections for Gays.

Milliken, who said he supports including Gays, said that while County Attorney Flinn's interpretation "would be given great weight" in the board's discussions on the human rights law, other interpretations "can be discussed."

Board Chairwoman Ellen Bozman was quoted in the *Washington Times* as saying the inclusion of Gays was a "moot point" but that she urged Gays to "collect data and come back and share it." Bozman was out of town and could not be reached for comment later in the week; two other board members—Mary Margaret Whipple and Al Eisenberg—did not return a reporter's calls. However, the board's only black member, Bill New-

## Correction

In our January 13 issue, we reported former Gay and Lesbian Activists Alliance President Lorri L. Jean indicated at a GLAA meeting that she "might consider" supporting a ballot recall of D.C. Mayor Marion Barry at a later date depending on the amount of support such an effort receives. Jean says she says she told the meeting she might support a GLAA discussion on the matter at a later date if there is interest in a recall by D.C. residents.

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# Proposal snared in legal debate

*Continued from page 3*

man, said he believes the county attorney's opinion "tends to indicate" that the board cannot approve protections for Gays.

"Unless someone can come up with something else," said Newman, "I don't see how [protections for Gays] can be legally included."

Newman, like Milliken, said he supports the inclusion of Gays but is unwilling to pass a law which is not authorized by the state.

Officials of the Arlington Gay and Lesbian Alliance said this week they have already been working to provide both another legal opinion and data to support inclusion.

John Meroney, chairman of AGLA's human rights law committee, said the group contracted with a legal firm to examine the possibility that state laws might provide some leeway for protecting Gays at the local level.

"If we can come up with a legal opinion that shows a way to do it," said Meroney, "it's back up for discussion, and we'll meet with the county attorney and the board."

Lee Stinnett, president of AGLA, said he has spoken informally with four of the five board members and that while "they've said we've got a legal problem that concerns us...they've indicated will-



**AGLA President Lee Stinnett said the board has expressed a "willingness to work" on including Gays in its human rights law.**

ingness to work on this."

Meroney said the group is already collecting information about discrimination against Gays in Arlington and urges county residents who know of such discrimination to contact him at 379-9620. Meroney said AGLA plans to present its case when he testifies before the County Board at its Feb. 25 hearing on the proposed law. ▼