

SENATE

RECORD OF COMMITTEE PROCEEDINGS

AB 70

(Reps. Clarenbach, Leopold, Coggs, Ulichny, and Becker) AN act...relating to prohibiting discrimination based upon sexual orientation.

October 29, 1981

Read and referred to Committee on Taxation, State, and Local Affairs

January 28, 1982

Public hearing held

Present: Senators Berger, Hanaway, Lasee, Moody, and Van Sistine

Absent: Senator Adelman

Appearances for the bill

David Clarenbach, 78th Assem. Dist, Madison
Sister Mary Stephen, Episcopal Dioc., Milw
Rev. H. Myron Talcott, United Methodist, Fort Atkinson
Sister Naomi Schoen, Sisters Council, Milw.
Rev. Robert Young Jr., Lutheran Church, Whitefish Bay
Mary Ann Neevel, United Church of Christ, Milw
Dr. Milo Durst, WCLU, Shorewood
Alyn Hess, for Himself, Milwaukee
Tom Zander, Wisc. Civil Liberties, Milwaukee

Appearances against the bill

Max Andrews, Moral Majority, Madison
William Lincoln, Calvary Baptist, Watertown
Valeria Sternberg, herself, Wausau
J. Mark Holland, RR 6 Box 27, Watertown
Dom Gordon, himself, Rothschild
David Holloweed, himself, Watertown
Ben Sternberg, himself, Wausau
B.M. Cedarholm, himself, Watertown

Registrations for the bill

Terrence Gilles, himself, Madison
Ken Opin, Wisc. Fed of Teachers, Madison
Donna Utke, herself, Milwaukee
Ruane Kolterman, himself, Madison
Dan Curd, himself, Madison
Dick Wagner, himself, Madison
Roger Durand, himself, Milwaukee
Bruce Voss, Wisc. Conf. of Churches, Madison
Mary Lelle, National Gay Task Force, South way
Paul DeMarco, himself, Milwaukee
Betty Haughn, herself, Madison
William Meunier, Milwaukee, himself
Leon Rouse, Fund. Judeo-Christian Human Rights, Milwaukee
Ralph Navarro, Cream City Bus. Assoc., Milw.
Barb Lightner, United, Madison

Registrations against the bill

Carol Krake, herself, Rothschild

Robert Burckart, himself, Watertown
Scott Lautenbach, himself, Elkhart Lake
Ed Richardson, himself, Watertown
Amy Miller, herself, Watertown
Kim Pierson, herself, Watertown
Caron Gjeffe, herself, Ontario
Robert Loggans, Maratha Baptist Bilbe,
Watertown
Michael Bartlett, himself, Ellsworth

February 9, 1982

Executive Session

Present: Senators Adelman, Berger,
Hanaway, Lasee, Moody, and VanSistine

Absent: none

Moved by Senator Berger, and seconded by
Senator Adelman that the amendment
LRB 2850/1 be recommended for intro. and
adoption.

Ayes: (5) Senators Adelman, Berger,
Hanaway, Lasee, and Moody

Noes: (1) Senator Van Sistine

Absent: (0) None

Intro./Adopt.: Ayes 5, Noes 1, Absent 0

Moved by Senator Berger, seconded by Sen-
ator Adelman that the bill be recommended
for concurrence as amended.

Ayes: (4) Senators Adelman, Berger,
Hanaway, and Moody

Noes: (2) Senators Lasee, and Van Sistine

Absent: (0) None

Concurrence as amended: Ayes 4, Noes 2,
Absent 0



COMMITTEE CLERK



422 North
State Capitol
Madison, Wisconsin
53702

608-266-8570

David E. Clarenbach, State Representative

Chairperson:
Committee on Government
Operations

Member:
Committee on Agriculture
and Nutrition
Committee on Labor
Legislative Council

ASSEMBLY BILL 70

Assembly Bill 70 would extend the state's prohibition on discrimination in employment, housing and public accommodations because of political or religious opinion or affiliation, age, sex, handicap, race, color, national origin and ancestry to include sexual orientation.

The question this proposal raises is: Why should any person be denied a job, a home, or the use of a public place because he or she is a homosexual? All over the country, state legislatures and municipal governments are eliminating archaic laws that permit discrimination against gay men and lesbians. The city of Madison, Dane County and most recently, Milwaukee, have added sexual orientation to their discrimination bans. The state of Wisconsin should act likewise and extend this protection to all of its citizens.

Some of the groups that support this move for gay civil rights are: the American Bar Association, the American Psychiatric Association, the American Medical Association, American Association for the Advancement of Science, the American Public Health Association, American Psychological Association, American Federation of Teachers and National Education Association, the National Association of Social Workers, the National Council of Churches, the American Jewish Committee and the National Federation of Priests Council.

In Wisconsin, AB 70 is supported by the Catholic Archdiocese of Milwaukee, the American Lutheran Church, the United Methodist Church, the Lutheran Church of America, the Episcopal Dioceses of Milwaukee and Eau Claire, the Milwaukee and Winnebago Presbyteries of the Presbyterian Church, the United Church of Christ, the American Baptist Church and others, some of whom are represented at this hearing today. AB 70 has also been endorsed by the Governor's Council on Women and Family Initiatives.

Let's look at the arguments against this frankly:

Those who would deny homosexuals equal protection under the law promote fears that homosexuals may try to convert the young in our classrooms; molest other citizens; disrupt the peace and stability of neighborhood or office, or even threaten the foundations of American family life.

These fears ^{are} ~~seen~~ excessive and irrational. There are, after all, laws, regulations and rules that cover misconduct by all persons, homosexual or heterosexual - sanctions to deal with molesters; with teachers who preach sexual views when they should teach; ^{for the concerns of landlords - ways to cope} with tenants who are noisy and disruptive; with employes who let their private lifestyles interfere with their work. And for society that regards marriage and family as a cornerstone, there is no ~~valid~~ evidence that homosexuality is contagious. As long as someone does not impose their sexual orientation on others, he or she should be guaranteed the basic human right to live without harassment or discrimination.

Unfortunately, in ^{any} ~~a~~ society that has historically been dominated by white, ~~anglo-saxon males~~, ^{is a tendency towards} there has been an exceeding intolerance of ~~deviation~~ of any ^{minority} ~~kind~~. The point is not whether homosexuality is admirable; the issue is whether discrimination is tolerable.

The effects of discrimination based on sexual orientation are just as damaging as those based on race, color or sex. And the need for legal protection against discrimination is just as real. ~~Last year, Dean Wycoff speaking for the Moral Majority in California, said that he believed murder, homosexuality and other unspecified sins merit capital punishment. Just two weeks ago, Austin, Texas voted on a referendum that if approved would have allowed legal discrimination against homosexuals. Fortunately, that attempt was overwhelmingly rejected.~~

The state of Wisconsin needs to grant homosexuals, as we have other minorities, ~~that extra~~ protection to realize basic rights that most ^{of us} take for granted.

--David Clarenbach

State Representative

(AB 70 passed 10/23/81 49-45, 2 paired)



State of Wisconsin \

DEPARTMENT OF EMPLOYMENT RELATIONS
149 East Wilson Street
Madison, WI 53702

Lee Sherman Dreyfus
Governor

Hugh C. Henderson
Secretary

October 26, 1981

Representative David Clarenbach
Wisconsin State Assembly
Room 422 North
State Capitol Building

Dear Representative Clarenbach:

Thank you for your inquiry of this date regarding the effect of the passage of Assembly Bill 70 on the State of Wisconsin's Affirmative Action Program.

The Department of Employment Relations (DER) is responsible under Chapter 230 of the statutes for carrying out the State's equal employment opportunity mandate and, through affirmative action, correcting the imbalances in the workforces of the State agencies and educational institutions and eliminating the present effects of past discrimination.

The State Affirmative Action Office is responsible under Chapter 230 for advising and assisting the Secretary of DER, the Administrator of the State Division of Personnel, and agency heads on equal employment opportunity and affirmative action.

I have reviewed AB-70 as passed by the Assembly, particularly Sections 22 and 23 which amend Chapter 230. While these Sections require the State as an employer to provide equal employment opportunity without regard to sexual orientation, they do not authorize the State to take affirmative action on the basis of sexual orientation.

Should you have any further questions in regards to the State's Equal Employment Opportunity or Affirmative Action Programs, please feel to contact this Office again.

Sincerely,

A handwritten signature in cursive script, appearing to read "Claudean Roehmann".

Claudean Roehmann
Director

SCM:scm

cc: Dana Warren