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WISCONSIN LEGISLATURE
ASSEMBLY CHAMBER
MADISON
53702

REPRESENTATIVE

78th District
(East and Central Madison)

CHAIRPERSON:

*Committee on Health Care
and the Consumer*

MEMBER:

*Committee on Consumer Affairs
Committee on Elections
Committee on Administrative Rules*

To Members and Supporters of the Gay Community:

Within the next several weeks the Wisconsin Legislature will consider several proposals to expand the rights and legitimacy of gay people in Wisconsin. Unfortunately, unless you speak up now to your State Senators and Representatives none of these proposals will have the slightest chance of passage this session. At this point there is no visible public interest or support for these reforms. It is crucial that you make yourselves heard.

These are the gay rights bills and amendments being considered:

Assembly Amendment 1 to Assembly Bill 209. Protects gay people against discrimination in housing.

Assembly Bill 269 (Comprehensive Sex Reform Act). Legalizes private sexual activity between consenting adults regardless of marital status, gender or sexual preference.

Assembly Amendment 1 to Assembly Bill 358. Protects gay people against discrimination in public accommodations.

Assembly Bill 1265. Protects gay people against discrimination in public accommodations.

Assembly Amendment 4 to Senate Bill 14. Revision of the state Criminal Code. The bill amends existing law to legalize fornication in private; amendment will legalize "sexual perversion" in private as well.

Senate Bill 498. Removes "sexual preference" as a barrier to licensure and public employment.

Please contact me immediately if you would like copies of any of these proposals or information on how to write your legislators. A personal visit or letter from you indicating your support for specific proposals will show your legislator you mean business.

I will appreciate your prompt personal action on this appeal.

Sincerely,

A handwritten signature in dark ink, appearing to read "David", written in a cursive, flowing style.

DAVID E. CLARENBACH
Representative

ASSEMBLY AMENDMENT /
TO 1977 ASSEMBLY BILL 48

1 Amend the bill as follows:

2 1. On page 1, line 12, strike "or"; before "ancestry" insert
3 an underscored comma; and after "ancestry" insert ", marital status,
4 age, economic status, educational status or sexual preference".

5 2. On page 2, line 2, substitute an underscored comma for
6 "or"; and before the period insert ", marital status, economic
7 status, age, educational status or sexual preference".

8 (End)

ASSEMBLY AMENDMENT (,
TO 1977 ASSEMBLY BILL 15

1 Amend the bill as follows:

2 1. On page 2, line 11, delete "51.01 (5) or" and substitute
3 "~~or~~ 51.01 (5),"; and after "origin," insert "marital status, eco-
4 nomic status, age, educational status or sexual preference,".

5 2. On page 2, line 19, delete "51.05 (5) or" and substitute
6 "~~or~~ 51.05 (5),"; and after "origin" insert ", marital status, eco-
7 nomic status, age, educational status or sexual preference".

8 3. On page 3, line 20; page 5, lines 19 and 20; page 6, lines
9 4 and 5, 10, and 18 and 19; page 7, lines 11 and 12; page 9, lines
10 18 and 19; page 10, lines 17 and 22; page 11, lines 6 and 22; and
11 page 12, lines 17 and 18, substitute a comma for "or"; and after
12 "origin" insert ", marital status, economic status, age, educational
13 status or sexual preference".

14 4. On page 6, line 1, substitute a comma for "or".

15 5. On page 6, line 2, after the comma, insert "marital
16 status, economic status, age, educational status or sexual prefer-
17 ence,".

18 6. On page 7, line 25, before "or" insert ", national origin,

1 marital status, economic status, age, educational status or sexual
2 preference".

3 (End)

1979 ASSEMBLY BILL 1296

April 1, 1980 - Introduced by Representative CLARENBACH. Referred
to Committee on Judiciary.

1 AN ACT to amend 111.31 and 111.32 (5) (a) of the statutes, relating to
2 expanding the coverage of the fair employment law.

Analysis by the Legislative Reference Bureau

Under current law, discrimination in employment is prohibited if based on age, race, creed, color, handicap, sex, national origin, ancestry, arrest record or conviction record. This bill expands the prohibited bases of discrimination to include marital status, economic status, educational status and sexual orientation.

For further information, see the fiscal estimate which will be printed as an appendix to the proposal.

The people of the state of Wisconsin, represented in senate and assembly,
do enact as follows:

3 SECTION 1. 111.31 of the statutes is amended to read:
4 111.31 DECLARATION OF POLICY. (1) The practice of denying employment
5 and other opportunities to, and discriminating against, properly qualified
6 persons by reason of their age, race, creed, color, handicap, sex,
7 national origin, ancestry, arrest record or, conviction record, marital
8 status, economic status, educational status or sexual orientation is
9 likely to foment domestic strife and unrest, and substantially and
10 adversely affect the general welfare of a state by depriving it of the
11 fullest utilization of its capacities for production. The denial by some
12 employers, licensing agencies and labor unions of employment opportunities

1 to such persons solely because of their age, race, creed, color, handicap,
2 sex, national origin, ancestry, arrest record or, conviction record, mari-
3 tal status, economic status, educational status or sexual orientation, and
4 discrimination against them in employment, tends to deprive the victims of
5 the earnings which are necessary to maintain a just and decent standard of
6 living, thereby committing grave injury to them.

7 (2) It is believed by many students of the problem that protection
8 by law of the rights of all people to obtain gainful employment, and other
9 privileges free from discrimination because of age, race, creed, color,
10 handicap, sex, national origin or, ancestry, arrest record, conviction
11 record, marital status, economic status, educational status or sexual
12 orientation, would remove certain recognized sources of strife and unrest,
13 and encourage the full utilization of the productive resources of the
14 state to the benefit of the state, the family and to all the people of the
15 state.

16 (3) In the interpretation and application of this subchapter, and
17 otherwise, it is declared to be the public policy of the state to encour-
18 age and foster to the fullest extent practicable the employment of all
19 properly qualified persons regardless of their age, race, creed, color,
20 handicap, sex, national origin or, ancestry, arrest record, conviction
21 record, marital status, economic status, educational status or sexual
22 orientation. This subchapter shall be liberally construed for the accom-
23 plishment of this purpose.

24 SECTION 2. 111.32 (5) (a) of the statutes is amended to read:

25 111.32 (5) (a) "Discrimination" means discrimination because of age,
26 race, color, handicap, sex, creed, national origin, ancestry, arrest
27 record or, conviction record, marital status, economic status, educational
28 status or sexual orientation, by an employer or licensing agency individu-

1 ally or in concert with others, against any employe or any applicant for
2 employment or licensing, in regard to hire, tenure or term, condition or
3 privilege of employment or licensing and by any labor organization against
4 any member or applicant for membership, and also includes discrimination
5 on any of said these grounds in the fields of housing, recreation, edu-
6 cation, health and social welfare as related to a condition or privilege
7 of employment.

8 (End)

1979 ASSEMBLY BILL 1297

April 1, 1980 - Introduced by Representative CLARENBACH. Referred to Committee on Judiciary.

1 AN ACT to amend 101.22 (1) and (1m) (b) of the statutes, relating to
2 expanding the coverage of the fair housing law.

Analysis by the Legislative Reference Bureau

Under current law discrimination in housing is prohibited if based on sex, race, color, physical condition, developmental disability, religion, national origin or ancestry. This bill extends the protection by prohibiting such discrimination on the basis of marital status, handicap, economic status, educational status or sexual orientation.

For further information, see the fiscal estimate which will be printed as an appendix to the proposal.

The people of the state of Wisconsin, represented in senate and assembly,
do enact as follows:

3 SECTION 1. 101.22 (1) and (1m) (b) of the statutes are amended to
4 read:

5 101.22 (1) INTENT. It is the intent of this section to render unlaw-
6 ful discrimination in housing. It is the declared policy of this state
7 that all persons shall have an equal opportunity for housing regardless of
8 sex, race, color, physical condition, developmental disability as defined
9 in s. ~~51-05~~ 51.01 (5), religion, national origin ~~or~~, marital
10 status, handicap, economic status, educational status or sexual orienta-
11 tion and it is the duty of the local units of government to assist in the
12 orderly prevention or removal of all discrimination in housing through the

1 powers granted under s. 66.433. The legislature hereby extends the
2 state law governing equal housing opportunities to cover single-family
3 residences which are owner-occupied. The legislature finds that the sale
4 and rental of single-family residences constitute a significant portion of
5 the housing business in this state and should be regulated. This section
6 shall be deemed an exercise of the police powers of the state for the pro-
7 tection of the welfare, health, peace, dignity and human rights of the
8 people of this state.

9 (1m) (b) "Discriminate" and "discrimination" mean to segregate, sep-
10 arate, exclude or treat any person unequally only because of sex, race,
11 color, physical condition, developmental disability as defined in s.
12 51.01 (5), religion, national origin or, ancestry, marital status, handi-
13 cap, economic status, educational status or sexual orientation. It is
14 intended that the factors set forth herein shall be the sole bases for
15 prohibiting discrimination.

16 (End)

1979 ASSEMBLY BILL 1298

April 1, 1980 - Introduced by Representative CLARENBACH. Referred to
Committee on Judiciary.

1 AN ACT to amend 942.04 (1) (a) to (d) and (3) of the statutes, relating to
2 discrimination in public accommodations and discrimination by pri-
3 vate groups who allow public use of their facilities.

Analysis by the Legislative Reference Bureau

Current law prohibits discrimination in the use of public accommoda-
tions because of sex, race, creed, physical condition, developmental dis-
ability, national origin or ancestry. This bill extends protection from
such discrimination to cover marital status, handicap, economic status,
educational status and sexual orientation.

Current law also prohibits private clubs and organizations which
commonly rent out their facilities to the public from refusing to rent or
charging a higher price on the basis of sex, race, color, creed, national
origin or ancestry. This bill extends protection from such discrimination
to cover physical condition, developmental disability, marital status,
handicap, economic status, educational status and sexual orientation.

Current law also prohibits giving preferential treatment to a class
of persons using public accommodations or the publicly rented facilities
of private clubs or organizations on the basis of sex, race, color, creed,
national origin or ancestry, but permits preferential treatment on the
basis of physical condition or developmental disability. This bill
retains that distinction permitting preferential treatment to be given on
the basis of handicap, physical condition or developmental disability but
extends the prohibition against preferential treatment to include marital
status, economic status, educational status and sexual orientation.

For further information, see the fiscal estimate which will be
printed as an appendix to the proposal.

The people of the state of Wisconsin, represented in senate and assembly,

do enact as follows:

4 SECTION 1. 942.04 (1) (a) to (d) and (3) of the statutes are

1 amended to read:

2 942.04 (1) (a) Denies to another or charges another a higher price
3 than the regular rate for the full and equal enjoyment of any public place
4 of accommodation or amusement because of sex, race, color, creed, physical
5 condition, developmental disability as defined in s. 51.01 (5), national
6 origin ~~or~~, ancestry, marital status, handicap, economic status, educa-
7 tional status or sexual orientation; or

8 (b) Gives preferential treatment to some classes of persons in pro-
9 viding services or facilities in any public place of accommodation or
10 amusement because of sex, race, color, creed, national origin ~~or~~, ances-
11 try, marital status, economic status, educational status or sexual orien-
12 tation; or

13 (c) Directly or indirectly publishes, circulates, displays or mails
14 any written communication which the communicator knows is to the effect
15 that any of the facilities of any public place of accommodation or amuse-
16 ment will be denied to any person by reason of sex, race, color, creed,
17 physical condition, developmental disability as defined in s. 51.01 (5),
18 national origin ~~or~~, ancestry, marital status, handicap, economic status,
19 educational status or sexual orientation, or that the patronage of a
20 person is unwelcome, objectionable or unacceptable for any of those
21 reasons; or

22 (d) Refuses to furnish or charges another a higher rate for any
23 automobile insurance because of race, color, creed, physical condition,
24 developmental disability as defined in s. 51.01 (5), national origin ~~or~~,
25 ancestry, marital status, handicap, economic status, educational status or
26 sexual orientation.

27 (3) No person, club or organization may refuse to rent; or charge a
28 higher price than the regular rate ~~or-give-preferential-treatment~~; because

1 of sex, race, color, creed, physical condition, developmental disability
2 as defined in s. 51.01 (5), national origin ~~or~~, ancestry, marital status,
3 handicap, economic status, educational status or sexual orientation,
4 regarding the use of any private facilities commonly rented to the public.
5 No person, club or organization may give preferential treatment regarding
6 the use of any private facilities commonly rented to the public because of
7 sex, race, color, creed, national origin, ancestry, marital status, eco-
8 nomical status, educational status or sexual orientation. Violators of this
9 subsection are subject to the penalties imposed by sub. (1).

10

(End)