

FINAL REPORT

OF THE

WISCONSIN GOVERNOR'S COUNCIL ON LESBIAN AND GAY ISSUES

January 2, 1987



State of Wisconsin

Governor's Council on Lesbian and Gay Issues

January 1, 1987

To Whom It May Concern:

Attached you will find the statutorily mandated final report of the Wisconsin Governor's Council on Lesbian and Gay Issues.

The final report summarizes the Council's history, structure, duties, conduct of business, statewide meetings, legislative activities and special achievements. As in all reports of groups doing business for almost four years, even this lengthy summary does not cover all of the activities of the Council's members and staff. However, we hope that this report will assure the gay and lesbian residents of Wisconsin that their virtually unique body of advocates always strove to judiciously employ the special power of being an executive advisory body to meet our community's needs. We hope as well that non-gay readers of this report will apprehend the importance of the Council to the fair governance of our state and will further understand the foresight and integrity expressed by Governor Anthony S. Earl in creating the Council.

Moreover, we hope that all residents who care about equitable government and desire the involvement of the resources of all of our state's citizens in the work of governance, will urge the new administration to create another group like the Council. There is so much left to do.

Sincerely,

Kathleen N. Nichols

Kathleen N. Nichols, Co-chair
Governor's Council on Lesbian and Gay Issues



State of Wisconsin

Governor's Council on Lesbian and Gay Issues

GOVERNOR'S COUNCIL ON LESBIAN AND GAY ISSUES January 2, 1987

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Section 1. HISTORY OF THE GOVERNOR'S COUNCIL ON LESBIAN AND GAY ISSUES

The Governor's Council on Lesbian and Gay Issues was created by Executive Order 9, on March 29, 1983. Governor Anthony S. Earl created the Council because he believed that it is a governor's duty to uphold the laws of the state. Wisconsin had become the only state in the nation with a state law prohibiting discrimination on the basis of sexual orientation only one year earlier, and it was widely believed that many who could benefit by the law were unaware of its creation, as were many who may have been in violation. The Governor was also persuaded that gay men and lesbians were members of a minority group which had been discriminated against for most of the state's history and that to eliminate such a long history of discrimination would require informed advocates empowered by executive authority.

By Order the Council was to have fourteen members, serving two-year terms and the membership was to achieve gender parity, minority representation and cultural diversity. (See Attachment 1, Members of the Governor's Council on Lesbian and Gay Issues.) Furthermore, the Council was to work with government agencies, the public and the media to "eliminate discrimination against and victimization of lesbians and gays in Wisconsin" (See Attachment 2, Executive Order 9). During the first term of the Council the budget for both years totalled \$1000 and limited, as- needed clerical assistance was provided by Ms. Linda Lewis, an Administrative Assistant in the Executive Office. In the second term, due to the workload developed by an exceptionally active advisory council, the Council was granted use of the majority of the work hours of a new Constituent Relations Assistant, Earl Bricker. Along with all executive advisory committees, the Council's biennial budget was increased to \$2000.

The activities and achievements of the Governor's Council on Lesbian and Gay Issues are described in Sections 2 through 5 of this report.

Section 2. COMMUNITY MEETINGS

During the meetings held at Governor Earl's request by R. Richard Wagner and Kathleen Nichols, prior to the creation of the Council, gay and lesbian residents suggested that an advisory group to the Governor should dedicate a significant part of its time to meeting with gays and lesbians in all parts of the state to obtain direct information on our community's statewide needs and experience. It was also suggested that such meetings could serve to alert local officials about their responsibilities concerning gays and lesbians within their jurisdiction or service areas. This was deemed especially important for areas where there were no local gay and lesbian organizations and where there was strong belief in the negative repercussions of "coming out" for local lesbians and gays.

After the Council was created, the founding members agreed that meetings around the state would be an important activity of the Council.

Between June 1983 and October 1986 Community Meetings were held in:
(See Appendix 3 and map of Wisconsin.)

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|------------------|-------------------|-------------------|
| 1. Appleton | 8. La Crosse | 15. Racine (2) |
| 2. Baraboo | 9. Madison | 16. Rhinelander |
| 3. Eau Claire | 10. Menasha | 17. Rice Lake |
| 4. Fond du Lac | 11. Menomonie | 18. Sheboygan |
| 5. Green Bay (2) | 12. Milwaukee (2) | 19. Stevens Point |
| 6. Janesville | 13. Monroe | 20. Superior |
| 7. Kenosha | 14. Platteville | 21. Tomah |
| | | 22. Wausau |

Over 1,200 hours of volunteer time were devoted to conducting all of the Community Meetings. The travel involved exhausted the funds available for reimbursement before the conclusion of each year, so most Council members received only partial reimbursement for expenses incurred.

At all of the Community Meetings where the Council was meeting for the first time the functions and history of the Council were explained and all members present were introduced. On most occasions, there was a presentation about the addition of sexual orientation to the state's equal opportunity law through Chapter 112 of the Laws of Wisconsin, 1982. Following these opening remarks the community members and local officials or agency representatives were introduced.

The nature of each meeting varied according to the composition of the group attending that particular meeting. Typically, attendance consisted of members of the lesbian and gay community of the city and surrounding area, often representing an organization, college officials, health care workers, counselors, women's groups, law enforcement officials and news reporters. Less often representatives from the mayor's office, county government, the schools and the District Attorney's office were in attendance. On only two occasions were legislative representatives in attendance.

Prior to all meetings every related governmental office or agency and all identifiable and appropriate local groups were invited to attend. All meetings were held in public places and publicly noticed. All were in compliance with the open meetings laws.

A very brief summary of the Community Meetings follows:

1983

Milwaukee, June 1983, Memorial Union, UW-Milwaukee: County Supervisor Penny Podell greeted the Council and urged more grassroots efforts to make local officials aware of the needs and contributions of the gay and lesbian community. Representatives from fourteen Milwaukee gay and lesbian and other civil rights groups made presentations to the Council concerning their activities. The presentations covered an impressive list ranging from religious ministry to business events.

Stevens Point, September 1983, Charles M. White Public Library: Mayor Michael Haberman welcomed the Council to Stevens Point saying that it was an elected official's responsibility to uphold the law without discrimination. UW-Stevens Point Vice Chancellor Patrick McDonough talked with members about harassment on campus. Representatives from Portage County's Departments of Health and Human Services discussed the need for increased sensitivity and knowledge in service delivery to gays and lesbians. The health care workers also expressed a need for AIDS information. John Osinga, Portage County D.A. told those attending that he thought the area's bad reputation for treatment of minorities was unwarranted. He discussed with the Council the responsibility of a District Attorney to prosecute discrimination in public accommodations. The high point of the meeting was the discussion with Ed Van Feldt, Principal of Stevens Point Area Senior High. Mr. Van Feldt expressed concern over harassment against more effeminate male students and the overall need to prepare students for adult life. Local gay activists offered to provide speakers and assistance to school counselors. Press coverage was ample and positive.

Eau Claire, October 1983, L.E. Phillips Memorial Public Library: City Council Vice President Shirley Crinon greeted the Council noting that Eau Claire had no local ordinance against discrimination based on sexual orientation. Ruth Bachman, Eau Claire County Assistant District Attorney, discussed the failure of the D.A. to prosecute a locally originated case of discrimination in a public accommodation. A representative from UW-Eau Claire said the campus adhered to non-discrimination but said that there were no openly gay staff or student organizations. In contrast, a representative from

the Gay/Lesbian Community of UW-Stout described the vital student group on that campus. Counselling professionals from Dunn and Chippewa Counties indicated a willingness to make services more accessible to lesbians and gays. Jeanne Hugo, Uw Eau Claire Counselling Center, talked about the harassment that had forced her to abandon her efforts to assist a gay support group. She and a representative from the area's chapter of the National Organization for Women spoke about Eau Claire County's elimination of funding to the Women's Center because it allowed a lesbian support group to meet under its auspices.

Racine, November 1983, First Unitarian Church: City Council President Dorothy Constantine welcomed the Council and indicated that Racine was especially concerned about working with the gay community on public health matters. A representative from the health department talked about the sexually transmitted disease program and referrals to non-homophobic physicians. Representatives from two victim assistance organizations talked about their experience in working with gay victims of assault. A local attorney talked about the difficulties lesbians and gays have in obtaining justice in the family courts. Other presenters spoke about AIDS and the blood supply and alcohol dependency programming. Two speakers talked about their disappointment over the deletion of the component on homosexuality from a carefully prepared curriculum on human development. The minister of the Unitarian Church talked about his church's outreach to lesbians and gays. An officer of the Racine Gay/Lesbian Union (GLU) talked about the closeted nature of Racine and the dangers that gays and lesbians experience. Threats against a member of GLU and the attack against a Council member from Racine had prompted the presence of several police officers. However, the low point of the meeting turned out to be the discussion with Mr. Bloutinghouse, Assistant Editor of The Racine Journal-Times. Mr. Bloutinghouse was arrogantly unresponsive to questions and suggestions of Council members.

1984

Madison, April 1984, Governor's Conference Room, State Capitol: Hal Harlowe, Dane County District Attorney, spoke about his commitment to providing access to all excluded groups. He made it clear that his office would place special emphasis on violence directed against minorities. Openly gay police officers discussed the Madison Police Department's recruitment of gay and lesbian police candidates and of the dangers of being in a perilous occupation which depends upon cooperation with sometimes homophobic co-workers. Dane County Sheriff Jerome Lacke said he made it clear to his officers that discrimination in law enforcement was impermissible. Representatives from the Departments of Social Services and Unified Services said that gay foster parents and staff made valuable contributions to county services. Five representatives from lesbian and gay groups made presentations about their groups' activities and needs.

Milwaukee, June 1984, War Memorial: This meeting was held as a part of a weekend conference of Milwaukee gay and lesbian groups. Jill Nilles, representing the Cream City Foundation, a lesbian and gay charitable foundation, made a request that Governor Earl attend that organization's large fundraiser. The Governor did indeed appear as the keynote speaker several months later. Ron Geiman, editor of InStep, talked about his aspirations for that publication.

Appleton, August 1984, 1101 West Bar & Restaurant: This was the first meeting that had no local officials or agency heads in attendance. However, Mike Bielinski made an impressive presentation about the formation of a new group, Concerned, designed to meet the needs of Green Bay area gay men and lesbians. A survey conducted by Concerned indicated that the gay community felt isolated and surrounded by a hostile heterosexual population. A representative from Women's Alternative in Oshkosh and other women in attendance agreed that the Fox Valley is considered particularly unaccepting of homosexuality.

Janesville, October 1984, Main Branch Public Library: No local officials were in attendance. The Milwaukee Journal covered the meeting fairly. The officers of Together, the primary gay and lesbian group in the area, made a presentation about the organization which concentrates on emotional support and social activities. They felt that services for gay youth were the greatest unmet need in their area. Although the attendees said they thought the area was tolerant, that tolerance was predicated upon their invisibility.

La Crosse, November 1984, Tattoo's Bar & Restaurant: Approximately thirty people were in attendance, mostly members of the area's lesbian organization. Several people in attendance expressed an interest in being Council members. There was extensive discussion about the area's needs with a special interest in health care.

1985

Wausau, July 1985, UW--Marathon Center: The verbal and physical harassment of gays in Wausau and the difficulty of obtaining sensitive health care were the major topics of discussion. Coverage by the Wausau Daily Herald was thorough and fair.

Green Bay, September 1985, UW-Green Bay: The Council was greeted by a representative from the Mayor's Office, Mr. Nanning. He expressed a willingness to assist openly gay people seeking appointment to the city's Affirmative Action Commission. Mike Bielinski of Concerned spoke about the satisfactory working arrangement between the city health department and a new organization called Center Project, Inc. Together they will provide anonymous HIV testing, risk reduction information and counselling for persons with AIDS or ARC. Captain Wirtz of the Green Bay Police Department said that he felt his force was fair in upholding the law. Gay community members supported Capt. Wirtz, saying that there had been harassment of gays leaving the bars but the police had stopped it quickly. There were also presentations from two local gay groups. Overall, the meeting indicated a remarkable increase in gay and lesbian participation in local services and government in less than two years.

Rhineland, October 1985, Nicolet College & Technical Institute: State Representative James Holperin welcomed the Council to the north. Dr. Jack Lundy, President of Nicolet College, welcomed the Council to the campus. Rep. Holperin spoke about AB 487, the bill dealing with confidentiality for HIV testing. The nursing director for Oneida County said that they were an alternative site for HIV testing but had performed only one test. She felt this was due to inadequate advertising by the state. The Council discussed the disproportionate number of gay and lesbian alcoholics with Linda Barker of the Lakeland Council on Alcoholism. The Council and local gay attendees discussed the need to prevent harassment and improve texts at the local high school. Officer Cable, a Rhineland police officer, said that he was unaware of any hostility towards lesbians and gays on the part of the local police force. Local gays present disagreed with him. Members of the area's gay rap group said that the area was very conservative, had a low average educational level and a small permanent population, all of which contributes to the difficulties lesbians and gays having in living harassment-free lives. Reporters from both newspapers and television were present.

Fond du Lac, November 1985, Morraine Park Technical Institute: Officials from both Taycheedah and Waupun prisons discussed the treatment of gay inmates in their respective institutions and of the efforts to educate staff and inmates about AIDS. Representatives from the county Departments of Social Services and Health said they were in attendance to obtain information. Although the county provides an alternative testing site for the HIV antibody virus, very few tests had been conducted. Fond du Lac Chief of Police Melvin Heller said that he believed his force was fair and non-discriminatory but also stated he would be interested in receiving training assistance from the Council. Representatives from the area's two gay groups, GRAND FLAGS and Parents and Friends of Lesbians and Gays, talked about their groups' activities and the problems of providing

services to a dispersed, closeted population. A community member with AIDS talked about his efforts to educate people about the disease and to receive adequate health care without discrimination

Baraboo, November 1985, UW-Baraboo / Sauk County Center: This was a small meeting. In attendance were two local Sheriff's Deputies, a high school guidance counselor and several representatives from BAGAL, the area's lesbian and gay organization. The Deputy Sheriffs impressed the Council with their interest and willingness to receive gay-sensitive training. The guidance counselor said that her experience with gay adolescents indicated that remaining in high school was very difficult for the students because of harrassment. A BAGAL representative described the organization as small and primarily focused on social activities.

1986

Kenosha, February 1986, UW-Parkside: The Council was welcomed to the campus by a member of the campus administration. Health care workers from the health department and local private hospitals discussed AIDS testing and patient care. The Council was concerned about the availability of risk reduction information. Police Chief Joe Trotta, a veteran officer, was very candid about police forces and the ways that sensitivity training can be integrated into overall officer training. The Council offered him assistance in future training programs.

Monroe, April 1986, Marine Bank: This was a very small meeting. No gay residents of the area were willing to attend. The Council discussed AIDS-related public health issues and treatment concerns with Ms. Maureen Wild, Infection Control Specialist at St. Clare Hospital and Clinic. Her knowledge and attitudes greatly impressed the Council.

Rice Lake, April 1986, Public Library: At this meeting the long anticipated disruption by religious fundamentalists finally materialized. The Rice Lake Police Chief Emmett Engstrom attempted to calm everyone down to no avail. His conduct at the meeting was very level-headed and respectful. However, gay residents said they have had difficulties with other representatives of law enforcement from the area. A reporter covering the meeting for the Barron County News-Shield, himself a fundamentalist, wrote a front page story that was objective and fair. The Council thanked him for his professionalism.

Menomonie, June 1986, UW-Stout: Chancellor Swanson welcomed the Council to the campus and promised to assure that text books used in 1987 would contain accurate information on gays and lesbians. The Assistant Chief of Police said that there had not been any difficulties in enforcement situations where the officer had known one of the parties was gay. Norman Rockwell, a member of the City Council, asked the Council questions about AIDS and modes of transmission. No gay students were in attendance.

Racine, June 1986, First Unitarian Church: The Council was welcomed to Racine by Alderwoman Patricia Obernberger. As this was the second meeting of the Council in this city, much of the discussion focussed on the Council's activities in the intervening two years. Judy Savard, Infection Control Nurse, for St. Mary's Medical Center talked about the hospital's policy work on creating a balance between protecting staff from HIV contamination and the need to provide compassionate, private care for patients with AIDS. The Council was very impressed with the information presented by Ms. Savard and by her obvious loving concern for her patients. Both the gay community members present and the health care workers in attendance expressed dismay over the apparent disinterest of Racine residents in obtaining information pertinent to AIDS. Several people in attendance also expressed concern that all other gay and lesbian issues are becoming subsumed into the overwhelming focus on AIDS.

Tomah, July 1986, Tomah Public Library: A small meeting with no gay community members present. Sheriff Donovan said that he was not surprised at the small attendance because the area was sharply prejudiced against gays. The discussion focused on law enforcement issues.

Superior, August 1986, UW-Superior: Because of the distance from Madison, the attending Council members stayed in Superior for two days at the home of the meeting's host Bob Jansen. This allowed the members to talk with many gays and lesbians from northwestern Wisconsin on an informal basis. The meeting was well-attended by health care workers, social service providers and gay people from the surrounding counties. There were reporters from three newspapers, one television station and one radio station. Overall, the continuing thread of information presented to the Council was that the area was very conservative on social issues and that the northwest is very isolated from the rest of the state. The isolation was perceived to be especially troublesome in the areas of access to information on anti-discrimination and health care.

Menasha, August 1986, UW Center - Fox Valley: The discussion at this meeting focused on AIDS care in the hospital setting, community nursing and police issues. The Fond du Lac Police Chief and Brown County Sheriff attending talked about the fear among officers stemming from an incident in the Outagamie County Jail in which an inmate with AIDS slashed his wrists and spewed blood on a guard. The Council asked what was being done to distribute AIDS information and train officers. The Appleton Post-Crescent covered the meeting.

Platteville, October 1986, UW-Platteville: The Council was welcomed to the campus by the Assistant Chancellor, Lloyd Linden, and the Assistant Dean of Students. The Assistant Chancellor said that his was one of the most conservative campuses with a predominantly male student population majoring in disciplines which do not delve into human social values. These circumstances combine to make the climate hostile to feminist and gay concerns. Two students from the Student Senate who had opposed recognition of the gay student group attended this meeting but were not disruptive. Nurses from the health service and a local hospital talked about their concerns that the area's health and social services had been so reduced by revenue losses that they would be unable to cope with many cases of antibody positivity or fullblown AIDS. The representatives from the gay student group presented their informational brochure and support activities.

Sheboygan, October 1986, UW-Sheboygan Center: This meeting focused upon health care and law enforcement, very similar to the meeting in Menasha. The gay community members present said that overall the police in the area were responsive. The meeting was covered by the Sheboygan Press.

Section 3. BUSINESS MEETINGS

The Council conducted Business Meetings in either Madison or Milwaukee at least one Saturday every other month except in December of 1984 and 1985. Business Meetings were usually four to five hours in length. The meetings in Madison were held in the Governor's Conference Room; in Milwaukee, most meetings were held at the War Memorial Center.

The agenda usually began with subcommittee meetings or reports and from there went to reports from the Co-Chairs and after August 1985, staff reports were part of the agenda. Subsequent to that there were usually presentations to the Council by state employees from Divisions with which the Council had business. Included in these presentations were the Divisions of Health, Community Services, Corrections, Equal Rights and the Office of the Commissioner of Insurance. Staff from the Executive Office attended occasionally to provide information.

Although Deputy Superintendent Dean Bowles of the Department of Public Instruction was asked to present information on DPI's proposed anti-discrimination policy, no one appeared. Other speakers were Dr. Jeffrey Davis, State Epidemiologist, State Representative David Clarenbach, Dr. Earl Thayer of the State Medical Society and various community representatives requesting the assistance of the Council or appearing for information.

The remainder of an average meeting consisted of moving action and deliberating upon items introduced by Council members. The major accomplishments of the Council resultant from these meetings are detailed in available minutes and summarized in the following section of this report.

Section 4. ACHIEVEMENTS OF THE COUNCIL

The duties charged to the Council as represented in Executive Order 9 were the guidelines for the Council's selection of areas of involvement. Specific activities undertaken within these guidelines were determined by the interests and abilities of individual members, requests by the public, current events, the legislative agenda and emerging issues within the bureaucracy.

Most projects were initiated through the subcommittees of the Council. Although the subcommittee names changed as they were restructured due to the appointment of new members, the subcommittees were generally divided into the following subjects:

- Health & Social Services
- Legislation
- Outreach & Education
- Discrimination & Personal Safety.

Subcommittee recommendations or proposals from individual members were accepted by a majority vote of the full Council. Activities were selected if they were consistent with the priorities established at the beginning of each term, and there were members committed to primary responsibility for completion and the project did not duplicate other groups' efforts.

A brief summary of the major projects or activities of the Council follow:

1. Preparation and filing of an amicus brief in support of the gay student group denied certification by Georgetown University. The student group solicited assistance nationally but the court denied amicus status to most other groups offering assistance. The brief was entirely prepared by attorney member Shelley Gaylord without charge to the Council.
2. Distribution and analysis of a survey designed to ascertain the level of violence or harrassment experienced by gays and lesbians. The survey was sponsored by the National Gay & Lesbian Task Force (NGLTF). With the leadership of member Sue Burke, the Council distributed hundreds of questionnaires, received and analyzed the responses and published a final report which was covered by the major papers. The results indicated that a disproportionate number of gays and lesbians had experienced serious harrassment based on sexual orientation in both urban and rural Wisconsin. It also indicated that most gays would not report even assault or property damage to law enforcement, believing that the police would be of little assistance. The Council used these results in discussions with law enforcement officers around the state. The NGLTF, which received the statistical report and questionnaires, presented the compiled national results at Congressional hearings on violence against minorities.
3. Distribution of two other special surveys. The Council distributed a lengthy questionnaire on lesbian health concerns in cooperation with a national women's health

project. The other survey was directed at gays and lesbians with physical and/or developmental disabilities. This project was undertaken at the request of Kate Cloudsparks, a disabled lesbian, who designed the questionnaire.

4. The Council attempted on all occasions to inform lesbians and gays of their unique rights under law in Wisconsin and encouraged people who believed that they had been discriminated against on the basis of sexual orientation to file a complaint with the Equal Rights Division (ERD). The Council conducted its information and outreach through community meetings, press contacts, interviews and assistance to ERD in publication, revision and distribution of the brochure "Fair Employment for Lesbians and Gay Men".

5. The Council reviewed the contracting language of 29 state agencies, including the University of Wisconsin System, to ensure that non-discrimination language regarding sexual orientation was included in the equal opportunities portion of each contract. There were deficits in the contract 'boilerplates' of nine agencies. These agencies were informed of their obligation to correct this error prior to the reprinting of contract forms and to inform potential contractors of their obligations under law until the forms were amended.

6. In response to letters from gay inmates requesting assistance and because of emerging concerns over HIV antibody contagion in the prisons, the Council undertook a prison project. Members Quindel, Boychuk and Behar took tours of Waupun Correctional Institute and Ethan Allen School for Boys. Members met with residents, counselling staff and administration to review disciplinary policies and treatment syllabi. A subsequent meeting was held with the administration of Taycheedah Women's Correctional Institute. After these meetings, members met with Walter Dickey, Administrator of the Division of Corrections and his training chief Hamdy Ezalarab to develop a training curriculum component on gay/lesbian issues for corrections personnel.

7. The Council also involved itself in the issue of ROTC on University of Wisconsin campuses. At the request of member Darla Kashian the Council passed a resolution requesting that all ROTC contracts comply with Wisconsin's equal opportunities law and that no ROTC activities be conducted at UW facilities until compliance is achieved. This request was forwarded to all Chancellors. Subsequent to an Attorney General's opinion asserting that federal agencies are not bound by state law, the Council received a request from student activist Rick Villasenor to direct our request to the Board of Regents as a civil rights issue rather than a contractual problem. Regent President Weinstein appointed a subcommittee to develop a policy paper and directed Chancellor Shaw to obtain data on the fiscal impact of eliminating ROTC programs. Regent John Schenian agreed to bring the matter to a vote in 1987.

8. During its statewide travel the Council was frequently asked for recommendations of publications that would contain accurate information on gay and lesbian lives for addition to academic and public library collections. To meet this request the Council worked for two years to prepare a bibliography of recommended titles. This bibliography has been distributed to over 800 libraries in the state; it was also forwarded to the Lesbian and Gay Caucus of the American Library Association to inform that body of our activities. (See Attachments 4 and 5.)

9. The Council received requests from many other states for information on its activities and for assistance in efforts to pass anti-discrimination legislation or defeat anti-gay initiatives in other states and cities. At the request of the Council, Governor Earl called the Governor of Maine to urge him to support the addition of sexual orientation to that state's civil rights laws. The Governor also sent personal letters to each member of the New York City Council urging their support for the addition of sexual orientation to that city's anti-discrimination ordinances. The effort in Maine failed, but after many years of effort New York City finally added sexual orientation to its

ordinances. Information on the impact of the new law in Wisconsin was sent to California, Alaska, Michigan and Minnesota. Support was also provided to advocacy groups fighting the anti-gay rights referendum in Houston, Texas and Proposition 64, the LaRouche Initiative, in California.

10. Supporting other state groups and providing more direct access to the Executive Office was another function of the Council. In this vein the Council co-sponsored the Great Lakes Lesbian and Gay Health Conference with the Howard Brown Memorial Clinic of Chicago, Cream City Foundation, and BEST Clinic both of Milwaukee; supported funding requests by BEST, Concerned of Northeastern Wisconsin (Green Bay), the Milwaukee AIDS Project, the Madison AIDS Support Network, Blue Bus Clinic and several other individual grant requests; requested the Governor to honor the BEST Clinic through proclamation, to welcome participants to the National Organization for Women's first lesbian conference and to speak at the Cream City Business Association's Annual dinner. The Council also monitored the progress of sexual orientation complaints and ran interference for several state employees experiencing difficulties on the job due to their sexual orientation.

11. In the Spring of 1983, when the Council was created, no Wisconsin resident had died of AIDS. By the beginning of 1984, work to prepare the state to deal with this most horrible health epidemic became the Council's number one emphasis. The Council became in many ways the lead agency: urging more funding for research, treatment, and long term care, suggesting transfer or reallocation of Division of Health staff, intensively educating ourselves on the emerging literature related to the syndrome in order to share this information with the Governor, the bureaucracy and the community and attempting to increase the community treatment resources. One of the most tangible accomplishments in increasing treatment resources and reminding doctors of their medical obligations was the Council's work with Dr. Earl Thayer of the State Medical Society of Wisconsin. In collaboration with the Council, Dr. Thayer convinced his Board of Directors to issue a statement of concern reminding physicians of their special obligation to be above prejudice and hysteria as well as to continue their professional development by learning about AIDS and its related disorders. The Medical Society also undertook to develop a referral list of physicians, with various medical specialties, who would accept referrals of persons with AIDS or antibody positivity. The Council also worked with state blood bank officials on ways to increase blood supply safety without abridging the civil rights of potential donors. The Council also became very involved in legislation and rulemaking related to AIDS. The legislative activities of the Council related to AIDS and antibody positivity are summarized in Section 5 of this report.

12. The Council also acted on paragraph 7 of Executive Order 9, which said "Instruct the Council to cooperate with...public media to present information which shows the contributions lesbians and gays have made and continue to make in our society". Co-chairs of the Council were featured speakers at the 1983 Wisconsin Broadcasters Association's Annual Broadcast News Council. Council members from Milwaukee worked with their area's print and broadcast media to substantially improve the tenor and quantity of reporting about lesbian and gay issues. Members of the Council from areas with few other gay activists became responsive local contacts for their areas' reporters. A reporter from Eau Claire thanked the Council for prompting her to do a story on the gay and lesbian community in Eau Claire which allowed her to win an award for best local investigative journalism. Professional journalist members, Jay Jones and Larry Roeming, availed the Council of their expertise through television program development and interview training. Unfortunately, though many positive links were developed with the media during the tenure of the Council, several state newspapers, notably the Green Bay Press-Gazette declared themselves above the state law pertaining to public accommodations and refused advertisements from gay and lesbian businesses. One instance was resolved by ERD with assistance by Council members. The case against the Press-Gazette is in court and the Council was very concerned that the complainant would not be able to pursue the suit because he does not have the legal staff and

financial wherewithal of Gannett Corporation, the giant news conglomerate which owns the paper. Because of this concern Earl Bricker, who provided staff assistance to the Council, called the Lambda Legal Defense and Education Fund (LLDEF) to say that pursuit of the case was very important to Wisconsin. Bricker's information was material to LLDEF's decision to provide financial assistance and support briefs in this case.

13. The Council also developed a working relationship with the UW-School of Social Work permitting the for-credit placement of student interns with the Council. Two students, Courtney Spitz and Gus May interned with the Council providing excellent, no-cost staff assistance.

14. One of the last major activities of the Council was to respond to seemingly clear violations of the provisions of the AIDS Confidentiality law by the Manitowoc County Sheriff and Coroner as well as area media, all of whom disclosed the antibody status of the victim of a brutal murder in their jurisdiction. The Council conveyed to the Attorney General the apparent violation, suggesting that a special investigation may be necessary. The alleged violators were apprised of the penalties for unauthorized disclosure of HIV antibody status.

Section 5. LEGISLATIVE PARTICIPATION

Although the Council did realize some of its legislative obligations immediately, in the first term of the Council more emphasis was placed upon service projects and agency activities than was placed upon involvement in legislation or rulemaking. This was a factor of the inexperience of the Council and of the relative absence of gay-related legislation. However, by the middle of the second term the Council was deeply involved in the law-making and implementation process. A summary of the Council's involvement in the legislative process follows:

1. Solely on the basis of their sexual orientation lesbian and gay male parents are often deprived of the right to have custody or visitation of their children orientation. This is an especially painful abridgement of our community's rights. One of the earliest legislative recommendations of the Council was to recommend to the Joint Council on Child Custody that it include in its legal revisions the removal of judicial consideration of either parental race or sexual orientation from custody decisions, adhering instead strictly to the standard of parental fitness.

2. Council member Shelley Gaylord also conducted a statutory review of those laws which confer special privilege on the basis of marital status. Such laws bear on inheritance, insurance, taxes, health and death benefits as well as child custody.

3. The Council recommended to the Department of Health and Social Services, Division of Community Services, that its authority to monitor contract compliance in the area of equal opportunities be improved through changes in its administrative rules.

4. The Council also recommended that the Law Enforcement Standards Board make the language of its requirements for minority sensitivity and human development training for law enforcement officers more explicit and specific and to increase the total number of training hours required in this area.

5. Under current equal opportunities law discrimination in employment is investigated and resolved within the Equal Rights Division. Violations of the public accommodations provision are investigated by the ERD but prosecution/resolution depends upon local district attorneys. Due to the failure of local District Attorneys to prosecute findings of probable cause in public accommodation, the Council recommended to Representative Clarenbach and the Administrator of the ERD, Merry Fran Tryon, that the provision

pertaining to public accommodation be amended to become consistent with employment. Both parties agreed with the Council's assessment.

6. At the request of staff to the Assembly Committee on Agriculture and Consumer Affairs, the Council provided information on the use of amyl and butyl nitrites, commonly referred to as "poppers". This Committee was attempting to regulate the use of this chemical for human consumption. Although the Council did not take a position on the appropriateness of the proposed regulation, it did provide information on the identification of this chemical as a potential co-factor in immunological suppression.

7. One of the most significant charges to the Council was to support the provisions of Chapter 112 of the Laws of Wisconsin, 1982. Attempts to eviscerate this law by Assembly Bill 825/ Senate Bill 527, frequently referred to as the "Rawhide Bill", were strongly opposed by the Council which presented testimony at hearing to correct the false assertions made by the bill's author as to the impact of the Chapter 112 upon private non-profit institutions and religious organizations. The Council also provided information to legislators on the same subject.

8. After the Supreme Court Decision upholding Georgia's sodomy law was announced, the Council requested of the Equal Rights Division an analysis of the Court's decision upon Wisconsin law. The ERD determined that the decision would have no impact upon the state because Wisconsin has no similar law. This information was communicated to the press to reassure Wisconsin residents.

9. Council staff provided comment upon an anti-discrimination rule required by the 1985-87 Budget which instructed the Department of Public Instruction (DPI) to prepare an administrative rule assuring that students of public schools would not be discriminated against on the basis of any of the protected classes established by state law. Council staff arranged a meeting with DPI staff, Parents and Friends of Gays & Lesbians, the United, Gay People's Union and Black & White Men Together to review and revise the proposed rule.

10. By the beginning of 1985 legislative activity related to AIDS almost subsumed other legislative interests. The Council consulted with Representative Clarenbach and the Governor on the language and intent of the AB 487, commonly known as the AIDS Confidentiality Bill.

At the Council's request and the Governor's concurrence, Council Co-chair Will Handy was appointed to the Task Force on AIDS initiated by Linda Reivetz, Secretary of the Department of Health and Social Services, despite Ms. Reivetz's opposition. The Council also successfully pressed for the appointment of other openly gay health care professionals. This group was charged with primary responsibility for policy development in all areas of the state's potential responsibility for AIDS concerns, e.g. public school attendance, testing of persons in institutions, blood supply safety, funding for long term care, etc. The composition of the task force resulted in primarily progressive policy statements and the Council was able to support most of the task force recommendations. However, the Council took a very strong stand against the task force recommendation to support "contact tracing" of persons testing antibody positive because of potential peril to those identified and because experience in other states demonstrates that "contact tracing" dissuades high-risk persons from submitting to antibody testing. The Council was strongly supportive of the task force recommendation to support HIV testing only as long as the state continues to support anonymous "alternate antibody test sites". The Council has been very supportive of expanded funding for the "alternate test sites" especially those chiefly administered by gay health professionals because they have the highest usage rate and look upon their mission as equally a testing site and source of non-homophobic information on risk reduction.

Perhaps the greatest involvement in rulemaking by the Council pertained to the question of HIV testing as a condition of insurance coverage. The Council was unequivocally the lead agency in attempting to reduce the negative impact of permitting testing. Council Co-chairs Will Handy and Kathleen Nichols met with representatives from the Office of the Insurance Commissioner and the insurance industry on five occasions to present potential modifications to the draft rule on testing. At the Council's insistence the originally scheduled hearing was delayed to permit further legal research. At the writing of this report the scorecard is Insurance Industry 2, State Taxpayers and Insurance Applicants 1. The second draft of the bill, which goes to hearing on January 7, 1987, will permit wholesale testing and rejection of persons who are HIV antibody positive regardless of their overall health. The industry rejected Council recommendations to treat antibody positivity like other pre-existing conditions. Persons who are rejected will then have to depend upon the partially taxpayer subsidized High Risk Insurance Program (HIRSP). Although the HIRSP is currently mainly funded through assessments against insurance companies the industry has stepped up its efforts to remove this statutory assessment. Furthermore, self-insured employers are not assessed for this program even though they may deny coverage due to test results. These situations may force the cost of care entirely upon the public once the private resources of the individual are exhausted.

Since the average cost of care is \$100,000 and the National Institutes of Health predict that by 1990 more people will die from AIDS than traffic accidents, the Council has been working to more adequately apportion cost of care. Beyond the struggles with the insurance industry, the Council has been lobbying the Wisconsin Congressional Delegation for expanded federal funding. Council Co-chair Kathleen Nichols and former Co-chair R. Richard Wagner met with Congressman Kastenmeier and the staff of Congressman Kleczka in Washington, D.C. to request support on funding bills expected in 1987 and to introduce amendments to the federal law which exempts self-insured employers from state high risk insurance funds.

Section 6. CONCLUSION

On January 2, 1987, members of the Governor's Council on Lesbian and Gay Issues tendered their resignations to Governor Anthony S. Earl. This action was taken to preempt Governor-Elect Tommy Thompson's publically stated intention to eliminate the Council by refusing to execute a continuing Order. The resignations were tendered with great regret because all members of the Council realize how much more remains to be done. Moreover, we had come to understand what it means to gay men and lesbians to have genuine access to our government and to be included in our state's highest official's vision of a just society.



State of Wisconsin

Governor's Council on Lesbian and Gay Issues

MEMBERS OF THE GOVERNOR'S COUNCIL ON LESBIAN AND GAY ISSUES 1983 TO 1987

Ms. Kathleen Nichols, Madison (4/1/83 to 1/2/87)
 Mr. R. Richard Wagner, Madison (4/1/83 to 7/24/84)
 Mr. Lawrence D. Roeming, Menomonie (4/1/83 to 2/20/85)
 Ms. Charlene McLaughlan, LaValle / Spring Green (4/1/83 to 11/1/85)
 Ms. Shelley Gaylord, Madison (4/1/83 to 4/29/85)
 Ms. Cheryle Williams, Milwaukee (4/1/83 to 4/29/85)
 Mr. Mark Behar, Milwaukee (4/1/83 to 1/2/87)
 Ms. Sue Burke, Milwaukee (4/1/83 to 4/29/85)
 Mr. Gregory A. Quindel, Milwaukee (4/1/83 to 4/29/85)
 Dr. Louie Crew, Stevens Point (4/1/83 to 7/28/83)
 Mr. Norbert J. Dekeuster, Jr., Racine (4/1/83 to 4/29/85)
 Mr. Dale Sprang, Milwaukee (4/1/83 to 11/14/83)
 Ms. Darla Kashian, Milwaukee (4/1/83 to 4/29/85)
 Ms. Cynthia Lampman, Racine (4/1/83 to 1/15/86)
 Mr. Ernest Clay, Stevens Point (7/28/83 to 10/20/84)
 Mr. Russell Stevens, Rhinelander (3/30/84 to 4/29/85)
 Mr. James Thideman, Green Bay (1/29/85 to 7/29/86)
 Mr. Donald Boychuk, Milwaukee (4/29/85 to 1/2/87)
 Mr. James Christian, Wausau (4/29/85 to 1/2/87)
 Mr. Will Handy, Madison (4/29/85 to 1/2/87)
 Ms. Joy Holthaus, Onalaska (4/29/85 to 1/2/87)
 Ms. Sandra Lipke, Stevens Point (4/29/85 to 1/2/87)
 Mr. Jay Jones, Madison (9/13/85 to 1/2/87)
 Ms. Jean Daute, Eau Claire (11/15/85 to 1/2/87)
 Br. Grant Michael Fitzgerald (11/15/85 to 11/12/86)
 Ms. Kim Koehler, Oshkosh (11/15/85 to 1/2/87)
 Dr. Karen Lamb, Milwaukee (11/15/85 to 1/2/87)
 Ms. Laura Grisk, Kenosha (4/11/86 to 1/2/87)
 Mr. Marshall Haller, Manitowoc (7/29/86 to 1/2/87)

UNITED STATES OF AMERICA

The State of Wisconsin



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 9

WHEREAS, the Wisconsin Constitution recognizes that all persons "are born equally free and independent, and have certain inherent rights"; and

WHEREAS, our society should be committed to liberty and justice for all; and

WHEREAS, the laws of Wisconsin prohibit discrimination on the basis of sexual orientation; and

WHEREAS, it is the duty of the Governor to execute the law faithfully; and

WHEREAS, a Governor's Council on Lesbian and Gay Issues would be of assistance in advising the Governor and executive branch agencies on measures to eliminate discrimination against and victimization of lesbians and gays in Wisconsin;

NOW, THEREFORE, I, ANTHONY S. EARL, Governor of the State of Wisconsin, pursuant to the authority vested in me by Section 14.019 of Wisconsin Statutes, do hereby:

1. Establish the Governor's Council on Lesbian and Gay Issues;
2. Provide that the Council shall be comprised of fourteen members achieving gender parity, minority representation and cultural diversity;
3. Provide that members shall be appointed by the Governor to serve for a two year term;
4. Instruct the Council to consult with lesbian and gay organizations and individuals in identifying community needs and concerns;
5. Instruct the Council to cooperate with those agencies of state government responsible for public and private employment, in particular the Department of Industry, Labor and Human Relations, the Department of Employment Relations and the Department of Regulation and Licensing to ensure that both employers and employees are aware of the statutory provisions prohibiting discrimination on the basis of sexual orientation;
6. Instruct the Council to cooperate with agencies of state government, particularly the Department of Health and Social Services, to ensure that state funded services are provided in a non-discriminatory manner to lesbians and gay men;

UNITED STATES OF AMERICA

The State of Wisconsin



EXECUTIVE DEPARTMENT

7. Instruct the Council to cooperate with educational institutions and public media to present information which shows the contributions lesbians and gays have made and continue to make to our society;
8. Instruct the Council to make such recommendations as it deems appropriate from time to time and to prepare an annual report;
9. Instruct the Council to advocate for lesbian and gay interests in general areas of concern throughout the state;
10. Instruct the Council to make recommendations on improving the public and personal safety of gays and lesbians;
11. Provide that the Governor shall designate from the Council membership two co-chairpersons;
12. Provide that the Council shall adopt such rules concerning its operating procedures as it deems appropriate;
13. Instruct the Secretary of the Department of Administration to provide the Council with sums of money that are necessary and proper for the legitimate travel and operating expenses of the Council as provided by the Joint Committee on Finance under section 20.505(3)(a) of the Wisconsin Statutes.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this 29th day of March in the year of Our Lord one thousand nine hundred eighty-three.

Anthony S. Earl

ANTHONY S. EARL

By the Governor:

Douglas La Follette
DOUGLAS LA FOLLETTE
Secretary of State

Following is a list of the Wisconsin communities that were visited by members of the Governor's Council on Lesbian and Gay Issues during the three and one half years of its existence. This listing corresponds to the map on the other side of this page. A more detailed listing of the various results of each of the following Community Meetings can be found in Section 2 of the Final Report.

1983

June - Milwaukee
 September - Stevens Point
 October - Eau Claire
 November - Racine

1984

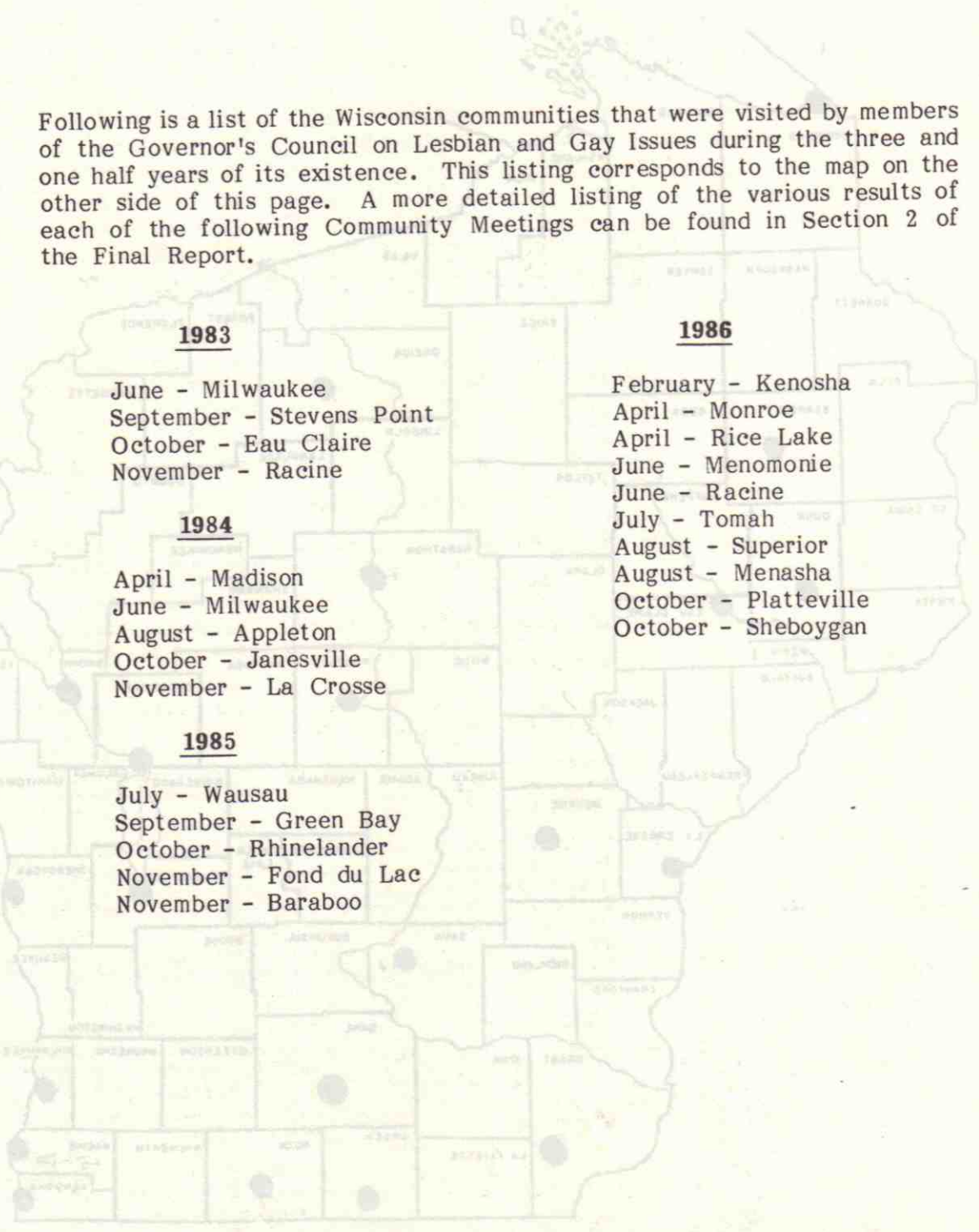
April - Madison
 June - Milwaukee
 August - Appleton
 October - Janesville
 November - La Crosse

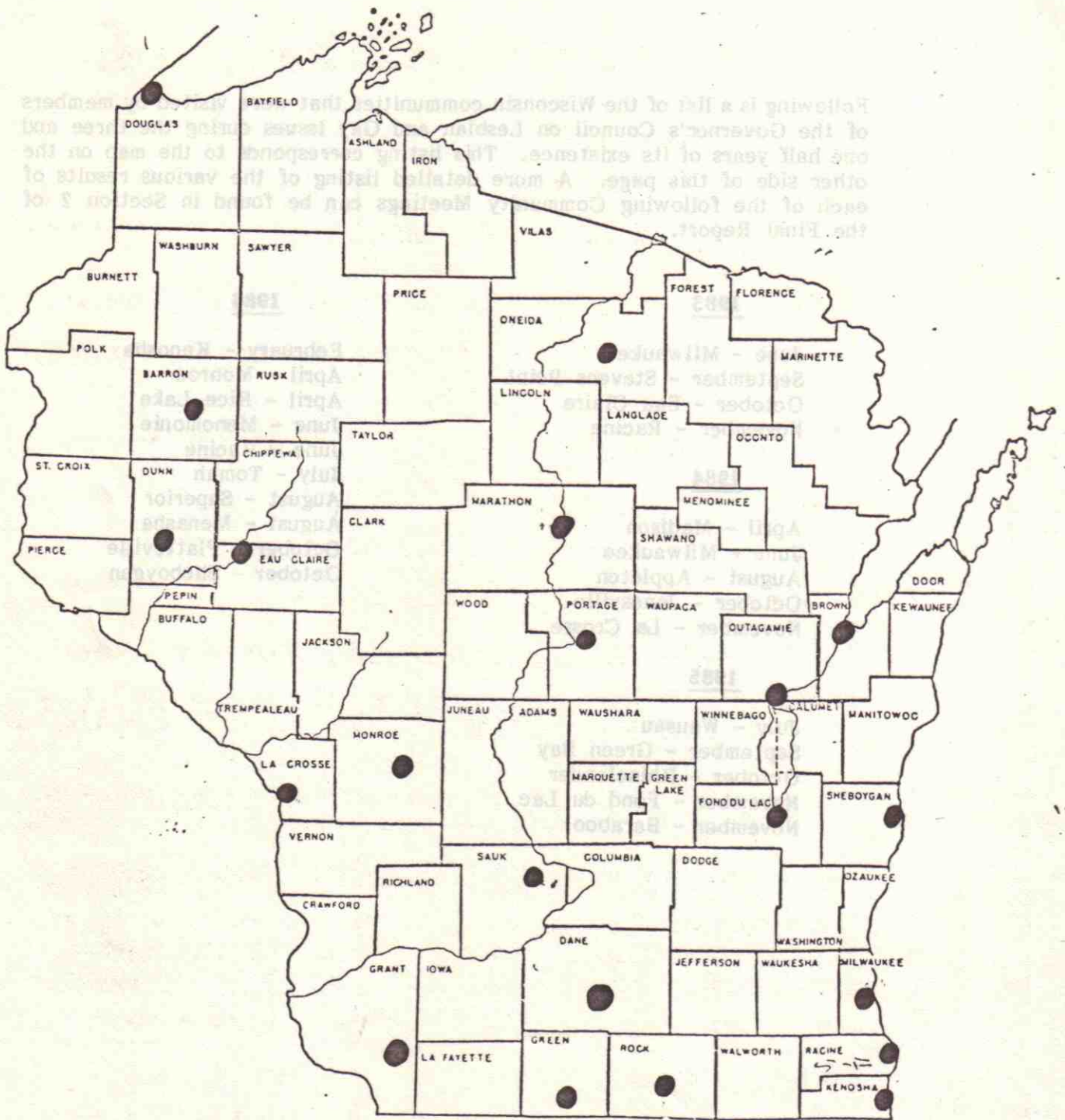
1985

July - Wausau
 September - Green Bay
 October - Rhinelander
 November - Fond du Lac
 November - Baraboo

1986

February - Kenosha
 April - Monroe
 April - Rice Lake
 June - Menomonie
 June - Racine
 July - Tomah
 August - Superior
 August - Menasha
 October - Platteville
 October - Sheboygan







State of Wisconsin

Governor's Council on Lesbian and Gay Issues

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