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Anti-gay measures expected in new NC General Assembly

by David Jones
Q-Notes Staff

RALEIGH—Politics in the North Carolina General Assembly shifted dramatically to the right as a result of the November 1994 mid-term elections, creating the prospect of a massive assault on lesbian and gay rights when the new legislature convenes on January 25, 1995. A host of punitive and restrictive legislative bills concerning AIDS education and services is also expected.

With strong support from conservative Christian groups, Republicans gained 25 seats in the state House, creating a Republican majority of 67 to the Democrat's 53. That gives Republicans the right to name the next Speaker of the House and committee chairs. Republicans will also decide the makeup of committees, which committees hear individual bills and control the timing of votes on bills. In the Senate, Republicans gained 13 seats giving them 24 to the Democrat's 26, just two short of a majority. Rumors spread immediately after the election that at least two conservative Democrats in the state Senate would switch parties, giving Republicans control and the power to control the agenda there, too. Republican leaders have acknowledged that they are encouraging Democrats to switch. Given the number of conservative Democrats in the Senate, many expect Republicans to have ideological control over the Senate even if they do not obtain a majority of members.

"Gays and lesbians in North Carolina are under siege" as a result, according to Derek Livingston, outgoing executive director of NC PridePAC, the state's gay and lesbian political action committee. "Bleak," was the word used by Roz Savitt, long-time progressive lobbyist in Raleigh who has represented the NC AIDS Service Coalition, the state association of social workers and the National Organization for Women. John Bell, North Carolina Coordinator for the Fund for Southern Communities, a grassroots social and economic justice advocacy coalition with a long history of supporting lesbian and gay causes, called the election results "very troubling."

Livingston told *Q-Notes* that because of results in both state and local elections, "we should be prepared for attacks on all fronts. People who hate us will hate with more license," he said, "and our friends are not as secure." He called for stronger lesbian and gay organizations on both statewide and local levels. "As constituents, we have to talk and lobby hard so people in the legislature know that there are consequences to their votes. The big question now is whether enough people will trade their closet and comforts to fight for their lives."

Anti-gay and lesbian measures have been introduced by Republicans, with the support of some conservative Democrats, in North Carolina in the past. And Livingston and others expect those tactics to be tried again.

One amendment would have allowed landlords to discriminate against those "for whom there is a reasonable basis to conclude they have committed a felony," targeted at gays and people with HIV. Another would have prohibited the use of any state-funded facility, including college campuses, from being used for meetings by gay groups. In the last legislative session, a bill was introduced, dubbed the "no promo homo bill," that sought to prohibit schools from discussing in sex or AIDS education courses any unlawful sexual acts which, in North Carolina, include sex between people of the same-gender, sex with a married person or sex between unmarried people. Also, several attempts have been made in the legislature to end anonymous HIV testing.

None of the measures became law. But with many predicting that Democrats in the General Assembly, and Democratic Gov. James Hunt, will now move to the right to accommodate the new right-wing political power in North Carolina, those and similar bills are given a much stronger chance of being enacted. Potentially even more troubling is a Republican pledge to authorize voter initiatives to amend the state constitution. Initiatives would allow groups to place

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Pride PAC director resigns

by Dan Van Mourik
Q-Notes Staff

RALEIGH—Derek Charles Livingston, Executive Director of North Carolina Pride Political Action Committee for Lesbian and Gay Equality (NC Pride PAC), tendered his resignation to the Pride PAC board of directors on October 22, but the announcement was delayed until after the November 8 elections because of their work on behalf of candidates. Livingston has agreed to serve as director through the end of the year.

Livingston assumed the position of executive director in January of this year after the resignation of his predecessor Mike Nelson.

Livingston highlighted several accomplishments during his tenure before citing his reason for leaving. "Despite the accomplishments, however, I've come to realize the work I want to do for the gay and lesbian community is outside the parameters of a political action committee. I feel I am better suited for other types of political activism."

While Livingston summed up his relationship with the board of directors as "at times it's been really good, and at times I think

we've differed on styles and procedures," he refused to clarify what those differences might be.

"Derek has served NC Pride PAC well in helping to increase the visibility and expand the base of support of the organization. He has helped create a dialogue between the political and gay and lesbian communities that will be one of our most valuable assets in the future," said Bob Barrett, chairman of the board of directors.

Livingston has recommended that the Pride PAC not hire a new executive director. He feels even more would be accomplished if individual board members took on additional responsibilities and that a lobbyist be hired to work directly with legislative members. The board is taking that recommendation under advisement.

NC Pride PAC is a state-registered political action committee dedicated to electing candidates who support equal treatment of lesbians, gays and bisexuals. The organization focuses on state legislative and executive races, as well as local races and issues of statewide significance.

MTV's Pedro Zamora dies

WASHINGTON, DC—Pedro Zamora, AIDS Action board member, dedicated HIV/AIDS peer educator and cast member of MTV's *The Real World*, died on November 11, 1994 of AIDS. He was twenty-two years old.

Zamora, who fled Cuba at age eight with his family during the Mariel boat lift in 1980, became infected with HIV as a fresh-



Pedro Zamora

man in high school. He began speaking publicly, as a way of coping with his condition, to groups of young people about AIDS soon after learning of his HIV infection as a high school senior. Zamora went on to become one of the nation's leading AIDS educators, appearing on television, nationally and internationally, telling his story to

the National Commission on AIDS, to members of Congress and to thousands of young people around the country.

"In his abbreviated lifetime, Pedro did more for HIV and adolescents than anyone or any organization I know. His honest, nonjudgmental presentations made him an invaluable advocate for young people with HIV/AIDS or at risk of HIV infection," said Jay Coburn, AIDS Action legislative representative and longtime friend of Zamora.

"Pedro dedicated his too-short life and work to educating and enlightening those around him," said Daniel T. Bross, AIDS Action Council executive director. "The simplicity, clarity and immediacy with which Pedro shared his experiences and ideas with AIDS Action's staff and board of directors set an example for how we as a nation should be fighting this epidemic."

Zamora spent the first half of this year in San Francisco filming MTV's *The Real World*, a program that captures the adventures of and relationship between seven young adults living under one roof. MTV invited Pedro to the cast to portray exactly who he was: a young gay man living with HIV. "His character added a new dimension and depth to the program and allowed Pedro to reach young people around the country with the message that AIDS happens to young people, yet people can live with AIDS," Bross said.

In cooperation with AIDS Action, the nation's only organization devoted solely to advocating at the federal level for more effective AIDS funding and legislation, Zamora testified repeatedly before congressional committees on HIV prevention and the need for health care reform. In July, he

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Anonymous HIV testing preserved for now

by David Jones
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RALEIGH—Anonymous HIV testing will continue to be available in all 100 North Carolina health departments for two more years, if a recent decision by the state Health Services Commission stands. The commission met November 4, 1994 and adopted a temporary regulation to extend anonymous testing. The commission could not adopt a permanent rule at the November meeting because the state had not published a notice of intent to do so. The commission will vote on making the rule permanent at its February 1995 meeting. If the commission does make the rule permanent, it could still be overturned by the North Carolina General Assembly.

The extraordinary meeting was unprecedented in state history. The commission was ordered to meet by Superior Court Judge Gordon Battle. ACT UP/Triangle went to court after the commission decided on August 3, 1994 not to adopt a plan by the new state AIDS Advisory Council. The plan would have kept anonymous HIV testing in place while the Council worked to reduce barriers to testing. ACT UP told the court that the state had withheld important data that was needed to study whether anonymous HIV testing increases the number of people at high risk of HIV infection who seek testing. The court reinstated anonymous testing temporarily and ordered the commission to hear the new data.

State health director Ron Levine opened the meeting with a review of the history of the issue in North Carolina, including his preference for reporting names to the state of those

testing positive. The meeting was then turned over to ACT UP's attorney, Stuart Fisher of Durham, who has successfully won three earlier court decisions supporting anonymous testing. Fisher reminded the commission that an individual's right to privacy could not be violated unless the state could show a compelling interest in doing so. He argued that witnesses and scientific data to be presented would make it clear that the state had no data to support its position that confidential HIV testing, where names are reported, resulted in more people at high risk being tested than anonymous testing.

Fisher then introduced a long list of exhibits into the record, and a series of witnesses that took up most of the day. They included public health, medical and scientific experts, people with HIV and activists. Dr. Peter Leone of the Wake County Health Department, and Dr. Charles van der Horst of the University of North Carolina AIDS Clinical Trials Unit both testified that, regardless of laws seeking to protect people with HIV from discrimination, fear exists of breaches of confidentiality that keep many people away from testing when they think their names will be reported to the state. Tim Moore, a Durham county outreach worker with IV drug users, gave the commission a dose of reality when he said that "most of the people I talk to have criminal records or are running from the police right now. You won't get them in if they have to give their names. If you lose them, you won't get them again."

After several other witnesses, the room

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