

County likely to appeal gay-rights ruling

Judge said law doesn't apply to cities

By CHRIS POYNTER
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Jefferson County will likely appeal a judge's ruling that the county's gay-rights ordinance doesn't apply to Louisville or the other 90 municipalities in the county, Judge-Executive Rebecca Jackson said yesterday.

Jackson said she's concerned that other laws the county passes or has passed could be deemed unenforceable if the ruling by Circuit Court Judge Stephen Ryan stands.

"My understanding of the way this nation works is that federal law supersedes state law, state law supersedes county law, and county law supersedes city law," Jackson said after a Fiscal Court meeting. "... I believe this ordinance applies to every single person in this county."

Jackson said she plans to talk to her advisers before deciding whether to pursue the

case in the Kentucky Court of Appeals.

At issue is the county ordinance adopted last year that prohibits discrimination on the basis of sexual orientation in employment, housing and public accommodations. Louisville has a similar law, but it only addresses employment.

The city and county asked Circuit Court to rule on whether the broader county law applies to Louisville and the county's other cities.

In a two-paragraph ruling issued Friday, Ryan said the county law is enforceable only in the unincorporated areas of

Jefferson County. That means the ordinance applies to only 278,323 of the county's 672,900 residents.

That left Jackson in the position of defending an ordinance she had opposed when Fiscal Court voted on it.

"I truly believe that on appeal, it (Ryan's ruling) will be overturned," she said.

Dan Farrell, a spokesman for the Fairness Campaign, which pushed for the ordinance, said he supports Jackson's consideration of an appeal. He said he and Jackson agree that, from their understanding of state law, a county ordinance

applies to the entire county.

Nevertheless, the Fairness Campaign plans to urge the Louisville Board of Alderman to extend protection to homosexuals in housing and public accommodations.

"I don't think we can wait around to see how long this (appeal) takes," Farrell said.

Several alderman expressed skepticism on Monday that the city would go beyond its current stand on gay rights any time soon.

In other action yesterday, Fiscal Court:

■ Approved \$240,000 to pay

for breast cancer screenings to be conducted by the Health Department and the University of Louisville Medical Center.

■ Approved a \$225,000 contract with Jeffboat for upgrades and repairs to the Belle of Louisville and a \$100,000 contract for repairs to the Spirit of Jefferson.

■ Announced a \$100,000 anonymous donation for the Belle, which is \$600,000 in the red. Jackson disclosed the contribution at a meeting last week, but the county didn't officially receive the commitment until yesterday morning.