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Gay-rights law again delayed

County lawyers need more time to draft measure

By SHELDON S. SHAFER
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"We need to take the time to make sure it is absolutely enforceable," County Commissioner Russ Maple said.

Jefferson Fiscal Court will delay for a second time consideration of an ordinance banning discrimination based on sexual orientation in employment, housing and public accommodations.

The delay — a second two-week extension needed to allow county lawyers time to draft the complicated measure — comes amid a new pledge by opponents that they will sue to try to void any county gay-rights law. They made a similar pledge to go to court to try to block the gay-employment-rights measure that the Louisville Board of Aldermen adopted in January, but a lawsuit has yet to be filed.

In addition to covering the workplace, the pending county law would extend the gay-rights protections to housing and public accommodations — areas the city ordinance doesn't cover. All three Fiscal Court commissioners, Darryl Owens, Russ Maple and Joe Corradino, are on record favoring the three-pronged county measure, ensuring its passage.

County Judge-Executive Rebecca Jackson, the fourth Fiscal

Court member, said she will vote against the law. She said she believes it is not needed and would be difficult to enforce.

The commissioners initially planned to introduce the gay-rights law Aug. 10 but delayed a first reading to allow the attorneys needed drafting time. Yesterday Maple said the lawyers need another two weeks.

"We need to take the time to make sure it is absolutely enforceable," Maple said. For one thing, he said, he is working with the Fairness Campaign — which has promoted local gay-rights legislation for nearly a decade — to make sure that the law's definitions are worded so they "are not offensive but are descriptive."

Maple said the law also needs careful wording in such areas as the planned exemption for religious organizations. And, he said, it will be a comprehensive measure that bans discrimination based not only on sexual preference, but also

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Editor: Chuck Clark
Phone: 582-4691 / Fax: 582-4200

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on race, gender, age and other factors. The county extended protections to those classes years ago by resolution, but not by passing a more formal ordinance.

Dan Farrell, a Fairness Campaign coordinator, said backers aren't sweating another two-week delay. "The important thing is to get good legislation," he said.

Jerry Stephenson, president of Metro African-Americans for Morality and Justice, one of the groups leading the opposition, said opponents will continue their effort. "We won't sit back and passively let this happen," he said of the planned county ordinance.

Stephenson said a lawsuit against the county ordinance will be filed eventually. He said a court challenge over the city employment ordinance also may yet come, but he declined

to elaborate.

For a while Owens stopped short of saying he would vote for an ordinance that extends the gay-rights protections to housing and public accommodations. He later said he would support the broader measure.

But opponents of the ordinance continue to flood Owens with calls and cards urging him to oppose it. John Flood, Owens' chief aide, said Owens' office got several hundred calls and cards this week. Hardly any of the calls and cards expressed support for the measure, Flood said.

County Attorney Irv Maze has said he believes a county ordinance covering housing and public accommodations as well as employment would include Louisville. But city law director Bill Stone has said he isn't sure and won't issue an opinion of any county law's application in Louisville until after the county adopts the measure.