



Laurie Osher, PhD
13 Mayo Street
Orono, ME 04473
Phone: (207) 944-6743
Laurie.Osher@legislature.maine.gov

HOUSE OF REPRESENTATIVES
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002
(207) 287-1400
TTY: MAINE RELAY 711

April 24, 2023

Testimony of Representative Laurie Osher in support of

**LD 1412, RESOLUTION, Proposing an Amendment to the Constitution of Maine
Establishing That All Maine Residents Have Equal Rights Under the Law**

Before the Joint Standing Committee on the Judiciary

Good afternoon Senator Carney, Representative Moonen and esteemed members of the Judiciary Committee. I am Laurie Osher, and I represent House District 25, which is the majority of Orono. I support **LD 1412, RESOLUTION, Proposing an Amendment to the Constitution of Maine Establishing That All Maine Residents Have Equal Rights Under the Law.**

I thank Representative Reckitt for her leadership in the legislature and for again introducing this bill. This resolution proposes to amend the Constitution of Maine to prohibit the denial or abridgment by the State or any political subdivision of the State of equal rights based on the actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, age, physical or mental disability, ancestry or national origin of an individual. She knows that we need to enshrine these rights in the Maine constitution.

I experienced anti-lesbian discrimination in a federal workplace when sexual orientation was not included in protected classes in that workplace. I contested the discrimination- which included so many transgressions on my personhood and rights as an employee that I've blanked many of them out. I can tell you that the transgressions included a federal investigation of "Lesbian Activities" where Forest Service law enforcement interrogated me and my employees and went through the personal belongings of the women on my watershed management team who were living in a dorm that I managed.

However, only one of the many transgressions against my rights or those of my employees in the workplace were contestable. And what was it? My supervisor prohibited my girlfriend from coming to the workplace, even to the parking lot outside the office, because he claimed that it created a hostile workplace environment for my co-workers. This is actually illegal because she was a member of the public, and the parking lot was shared with the visitor's center in the same building as my watershed staff manager office. My brilliant attorney was able to convince those reviewing the case at the EEOC that I had been discriminated against based on my sex; because if I had been male, no co-workers or supervisors would have claimed that my girlfriend, coming to pick me up at work, created a hostile workplace environment. We settled the case with the US Forest Service agreeing to include sexual orientation in the group of protected classes. Because the Forest Service was part of the US Department of Agriculture, the USDA also changed their protected classes to include sexual orientation.

This outcome, which went into effect 32 years ago, was a win for civil rights law. But we can do better. Here in Maine we shouldn't rely on individual people who have been wronged to take on the establishment one transgression at a time. Here in Maine we should protect people from discrimination now.

LD 1412 would bring the protections created by the Maine Human Rights Act into our Constitution. Of course we, the legislature of Maine, should support this proposal to protect people based on their actual or perceived race, their skin color, their religion, their sex, their sexual orientation, their gender identity, their gender expression, their age, their physical or mental disability, their ancestry or their national origin. This proposal will allow voters the chance to decide, which is a very important step for Democracy.

Maine should join the thirteen other states: Alaska, California, Connecticut, Delaware, Florida, Hawaii, Massachusetts, Montana, New Hampshire, Nevada, Texas, Virginia, and Wyoming, that have amended their State Constitutions to include sex and other protected identities. Maine should join New York state, which is giving voters the opportunity to ratify an expansive ERA in 2024.

Please support this legislation.