

LD 1432: An Act to Remove Consideration of Gender Identity from the Maine Human Rights Act

Senator Carney, Representative Kuhn, Members of the Judiciary Committee, I am David Souers, living in Friendship, Maine. I am retired after a long career with my own firm practicing healthcare architecture designing clinics, hospitals, psychiatric facilities and specialty centers for women's health, maternity, surgery, cancer, dialysis and dentistry. My wife, Linda Souers joins me in this testimony. Linda is a retired art teacher, business manager and not-for-profit community board member. Linda and I are parents of three adult women, all of whom played sports from grade school through highschool. All three have careers in health and healthcare.

We are testifying in opposition to LD 1432 for the reasons, which we explain below. We also are in opposition to LD 233, LD 868, LD 1002, LD 1337, LD 380, LD 1134 and LD 1704 for all the reasons here and our other testimonies on these bills. But first, how do these proposed bills comply with the 2005 amendment to the MHRA which expanded the definition of "sexual orientation" to include "gender identity" and expression, which marked a significant step in ensuring equal treatment under the law?

1. This bill would remove all references to "gender identity" as a protected class in the Maine Human Rights Act. Because discrimination against queer and trans people is technically discrimination on the basis of sex and/or sexual orientation, this bill may not affect protections for trans Mainers.
2. At the very least, this Committee should verify with a recognized and dependable legal decision that removing "gender identity" would not affect protections for trans Mainers. For example, does "gender identity" simply describe when a person self identifies as a gender that does not match any other evidence such as parental confirmation, medical care, or physical changes?
3. However, why would anyone want to make this change unless they intended to eliminate protections for trans Mainers as transgender has become a political agenda that seems to be the purpose of all these proposed Bills: LD 233, LD 1002, LD 1337, LD 1432, LD 380, LD 1134 and LD 1704.

Rather than write bills without any scientific, medical or psychological expertise to support them, we advocate that LD 233, 868, 1002, 1337, 1432, 380, 1134, and 1704 all ought not to pass. And, that the legislature establish a study involving representatives from the state's public education groups including effective legal advice on gender law, administrators, classroom teachers, gym & sports coaches, school nurses along with professionals in the area of gender, adolescent and young adult medicine and psychology with experience in transgender study and care.

Thank you for your attention.

David & Linda Souers
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