



# Christian Civic League of Maine

*Associated with Focus on the Family*

Senator Carpenter, Representative Bailey, and esteemed members of the Joint Standing Committee on Judiciary, my name is Mike McClellan and I am the Policy Director for the Christian Civic League of Maine. Today I speak to you to strongly urge you to defeat LD 433, "**RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Prohibit Discrimination Based on the Sex of an Individual**". The Christian Civic League, founded in 1897, is a nonpartisan, nonprofit research and education organization dedicated to the preservation of the family and Christian values.

We have followed this bill and bills like it throughout the country. To that end our issues include:

- This legislation transfers more power to the Federal Government - The ERA would give extensive new powers to the federal government that currently belong to the states. (In other states, Section II of the ERA states that "The Congress shall have the power to enforce by appropriate legislation the provisions of this article.")
- There already exists equal rights - Both women and men already have a full claim to equal rights under the 5th and 14th Amendments.
- There already exists laws that prohibit sex discrimination - There are numerous laws in virtually all areas of American life (e.g. employment, education, credit eligibility, housing, public accommodations, etc.) that prohibit sex discrimination.
- This bill has everything to do with abortion! - The ERA could be interpreted as enshrining in our Constitution a right to taxpayer-funded abortions because under the ERA there would be no difference between abortions and medically necessary procedures sought by men, so the state must pay for abortions. There are multiple states that have passed this bill and then been court ordered to fund abortions.
- This bill would empower courts to define "sex" - The courts would be empowered to define "sex" and "equality of rights," which could grant special legal rights to people on the basis of "sexual orientation" and "gender identity," which would threaten religious liberty and conscience protections.
- The bill would jeopardize privacy and safety - Traditional male and female bathrooms, locker rooms, hospital rooms, nursing homes, etc. would be nullified because under the ERA women and men must be treated as indistinguishable. This would place our young children at risk and seriously jeopardize privacy.
- It would supersede Title IX - The ERA would permit males and females to compete for inclusion on the same sports teams, as evidenced by Pennsylvania's Supreme Court which invalidated sex segregated sports policies, including contact sports, citing the state's ERA. Integrated prison system - Male and female prisons will become integrated according to Supreme Court Justice Ruth Bader Ginsberg, and result in harsher discipline for females since they would be required to be treated in the same way as men. Auto and life insurance for women would increase - Regardless of the statistical evidence showing that women live longer than men or women have better driving records, women would likely have to pay the same rates as men.

When discussing this legislation, we have borrowed the phrase from an article, "This is not your mother's equal rights amendment bill." Indeed, this legislation appears to be very different from the ERA movement of the 1970's. One example is that early feminists were strongly pro-life. We don't see that in this legislation. Justice Ruth Bader Ginsberg wrote a piece suggesting she saw over 800 laws that would need to be changed if this legislation became law. We agree with that assessment in terms of a large number of changes that would affect women and we do not believe they are positive changes.

In closing, this legislation seeks cultural change but you cannot accomplish cultural change with just legislation. Cultural change takes the culture to step up and make that change. Please join me and vote against this legislation - vote Ought Not To Pass on LD 433.

Thank you for your time and consideration today.

Mike

Mike McClellan  
Policy Director  
Christian Civic League Maine

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## **Amendment XIV**

### Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

### Section 2.

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

### Section 3.

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

### Section 4.

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

### Section 5.

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.