

# The Oregonian

## **Decades in making, gay-rights law passes**

**Discrimination - Gov. Ted Kulongoski is expected to sign the bill, offering protection to Oregonians in housing and work**

Friday, April 20, 2007

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The Oregonian

SALEM -- Gay and lesbian Oregonians won a victory 34 years in the making Thursday when the Legislature passed a law protecting them from discrimination in housing, work and public places.

"We just get better and better as a state the more inclusive we are," said Sen. Ginny Burdick, D-Portland, who carried the bill to the Senate floor where it was quickly approved 19-7. The measure cleared the House earlier this week, and Gov. Ted Kulongoski says he will sign it into law.

Though the law is praised by supporters as historic, it is questionable whether it will trigger a flood of complaints against discrimination. Since 2000, state officials have handled 125 claims from Multnomah and Benton counties and 10 cities -- including Portland and Salem -- that have laws banning discrimination against gays and lesbians.

In 39 of those cases, investigators found evidence to support the complaints, a review by The Oregonian found. Those findings led to court cases or settlements that in most cases involved workplace discrimination.

That is a higher rate of success than other civil rights complaints that are based on race, age or gender, said Rudy Asunsolo, operations manager for the civil rights division of the Oregon Bureau of Labor & Industries.

**Oregon is the 18th state to adopt a law protecting gays and lesbians from discrimination. Those states account for nearly half of the nation's population, said Matt Foreman, executive director of the National Gay and Lesbian Task Force based in Washington, D.C. California has an anti-discrimination law, and Washington's went into effect last year.**

**Such laws have not triggered an explosion of litigation, Foreman said. But they do serve "to put employers, landlords and business operators on notice that if they do discriminate, it is against the law," he said.**

Sen. Brad Avakian, D-Bethany, said that despite the lack of fanfare, there was plenty of emotion on the Senate floor during the vote.

"To complete a struggle that has gone on for so long was a feeling of relief," he said, "and of satisfaction that Oregon is a better place today than it was yesterday."

Melissa Chernaik, spokeswoman for Basic Rights Oregon, the state's largest gay-rights group, said, "There are a lot of Oregonians who feel a lot better about living in the state today."

The law bans discrimination based on sexual orientation in housing, the workplace and public places such as restaurants and theaters. It defines sexual orientation as "an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity."

## **Religious exemption**

Opponents argued the law was not needed and gives special rights to gays and lesbians. The law raises questions, such as what constitutes discrimination against cross-dressers or what is required of public schools, said Nick Graham, spokesman for the Oregon Family Council, a nonprofit Christian group that opposed the bill.

"We can only hope that years from now, it will not be viewed as problematic by the majority of Oregonians," he said.

The Senate approved the bill earlier this session, but it needed to vote again because the House had amended the bill to make an exemption for religious organizations more explicit at the request of some Christian groups.

The exemption allows a "bona fide church or other religious institution" that has religious conflicts with homosexuality to decline hiring or serving gays and lesbians. The amendment clarifies that the exemption applies to work in a school, hospital or church camp "closely connected with or related to the primary purpose of the church or institution."

This would include jobs relating to "clergy, religious instructors and support staff," and to a nonprofit religious school, camp, day-care center, thrift store, bookstore, radio station or shelter, the amendment says.

"They broadened it out quite a bit," said Tim Nashif, political director for the Oregon Family Council. He said that while the council still opposes the law, it felt like it was heard.

The council is weighing whether to challenge the bill by collecting 55,179 signatures of registered voters and putting the measure on the November 2008 ballot, Nashif said. If it is not challenged, the law will go into effect Jan. 1, 2008.

Other groups oppose the law. The Voice of Oregon Youth, a group of hundreds of young people associated with Slavic churches across the Willamette Valley, organized to oppose the bills. Anna Zaichenko, 19, of Salem, spokeswoman for the group, said she was sad to see legislators did not respond to their opposition. The Constitution Party of Oregon issued a statement Thursday condemning state legislators for "passing special rights to homosexuals."

## **Kafoury 'vindicated'**

But Thursday brought a long-awaited lift to Stephen Kafoury of Portland, a lobbyist, who along with Vera Katz, later Portland's mayor, first introduced an anti-discrimination bill in 1973 when both were members of the House.

"I feel vindicated and gratified," said Kafoury. "I just wish it could have happened a long time ago."

The Senate soon will take up House Bill 2007, which would give gays and lesbian couples the benefits of marriage by creating legal domestic partnership contracts. It passed the House this week and also is expected to pass the Senate and be signed by Kulongoski.