

# MAINE STATE LEGISLATURE

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November 6, 1973

Joseph Suga, Investigator

Human Rights Commission

Charles R. Larouche, Assistant

Attorney General

Discrimination on account of sex in employment,  
housing or public accommodations

This replies to your memo of October 31, 1973, on this subject.  
You ask:

1. Would this Commission have jurisdiction of a charge of alleged sex discrimination filed with this agency prior to October 3, 1973?
2. Would this Commission have jurisdiction of a charge of alleged discrimination filed after October 3, 1973, but the said Act of alleged discrimination occurred prior to October 3, 1973?

The answer to each of these questions is negative.

Discrimination in employment, housing and public accommodation on account of sex was first prohibited by Chapter 347, P.L. 1973. That Act became effective October 3, 1973, and it is not retroactive. Accordingly, such conduct prior to October 3, 1973, is not a violation of 5 M.R.S.A. Chapter 337. Nor is this result altered by filing a report of that conduct on or after October 3, 1973, since it is then simply a report of nonprohibited conduct; the receipt of that report after the effective date of the Act cannot alter the nature of the conduct as being nonprohibited.

If I can be of any further help to you in this matter, please advise me.

CRL/mf

NO. 100-100000-100000  
OPINION