

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

JOSEPH E. BRENNAN
ATTORNEY GENERAL



LD 1419
RICHARD S. COHEN
JOHN M. R. PATERSON
DONALD G. ALEXANDER
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

May 25, 1977

Gerald E. Talbot, Co-Chairman
Committee on Human Resources
State House
Augusta, Maine 04333

Dear Representative Talbot:

In response to your letter of May 23, 1977, I have reviewed L.D. 1419, An Act to Include the Term "Sexual and Affectional Preference" in the Maine Human Rights Act. By that letter, you posed the question: "Will this legislation in any way provide a defense for persons who have committed any of the crimes under Title 17-A, Chapter 11."

It does not appear that the proposed legislation would provide a defense for persons who have committed sex offenses under Chapter 11 of Title 17-A of the Maine Revised Statutes. Similarly, we believe L.D. 1419, if enacted, would not provide a defense under 17-A M.R.S.A. § 501 (disorderly conduct) or 17-A M.R.S.A. Chapter 35 (Prostitution and public indecency). But rather L.D. 1419 provides a basis for the Human Rights Commission to investigate discrimination in this area and makes it unlawful, as a civil matter, to discriminate in employment, housing, public accommodations, or the extension of credit on the basis of sexual or affectional preference.

Sincerely yours,

Sarah Redfield

SARAH REDFIELD
Assistant Attorney General

SR:mfe