

MAINE STATE LEGISLATURE

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08/10/77
1 M.R.S.A. 1101-1

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333
December 8, 1977

Honorable Gerald E. Talbot
132 Glenwood Avenue
Portland, Maine 04103

Re: Offensive Names Statute

Dear Representative Talbot:

This responds to your request for an opinion as to whether P.L. 1977, c. 259 relating to offensive names applies to names other than the word "nigger."

We would advise that the provisions of Chapter 259 do not apply to other names of places which may be offensive.

Chapter 259 enacted 1 M.R.S.A. § 1101-1 defining offensive names as follows:

"'Offensive name' means a name of a place which includes the designation 'nigger' as a separate word or part of a word."

This definition serves to limit the prohibition on offensive names existing or being given to places within the State of Maine, which prohibition is established by 1 M.R.S.A. § 1102. Further, the definition is referenced in the amendments to the Human Rights Act dealing with offensive names, 5 M.R.S.A. § 4632. Thus, the definition applies to all of the sections of law adopted dealing with offensive names.

As the definition is limited in effect to uses of the word "nigger," as a separate word or as part of a word, it cannot be construed to extend to other offensive words which may be used in naming places within the State.

Sincerely, ,

DONALD G. ALEXANDER
Deputy Attorney General,

DGA:jg