

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1341

H. P. 1124

House of Representatives, March 17, 1981

Referred to the Committee on Judiciary. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Forbidding Questions which Invade Privacy During Public Benefit Program Screening.

Be it enacted by the People of the State of Maine, as follows:

5 MRSA § 4633 is enacted to read:

§ 4633. Questions on sex activity

No person may make an oral or written inquiry about prior or current sexual activity of an applicant for any public benefit or entitlement program. This section applies regardless of the status, rank or office of the person making the inquiry and regardless of the benefit or entitlement program applied for. Violation of the section is a Class E crime.

STATEMENT OF FACT

Presently, certain public officials responsible for screening applicants for certain public benefit programs feel compelled to ask specific, embarrassing and humiliating questions about the applicant's sex life. This has taken place in the case of applicants for Social Security Disability.

The bill makes such questioning a Class E crime.