

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)

D. OF R.

1
2

3
4
5
6

7
8
9

10
11
12
13

14
15
16
17
18
19
20
21

22
23

24
25

26
27
28
29
30
31
32
33

34
35
36

L.D. 1249
(Filing No. S-221)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " A " to S.P. 446, L.D. 1249, Bill, "AN ACT to Include the Term "Sexual Orientation" in the Maine Human Rights Act."

Amend the bill by striking out all of the title and inserting in its place the following: 'AN ACT to Include the Term "Sexual Orientation" in Portions of the Maine Human Rights Act.'

Further amend the bill in section 1 in that part designated "§4552." in the first paragraph in the 9th line (page 1, line 34 in L.D.) by striking out the following: "sexual orientation," and in the 12th line (page 2, line 2 in L.D.) by inserting after the word "age" the following: 'and in housing as limited by section 4553, subsection 5-A, discrimination on account of sexual orientation'

Further amend the bill by inserting after section 1 the following:

'Sec. 2. 5 MRSA §4553, sub-§5-A is enacted to read:

5-A. Housing accommodation with regard to sexual orientation. With regard to sexual orientation, "housing accommodation" includes any building or structure, or portion thereof, or any parcel of land, developed or undeveloped, which is occupied or is intended to be occupied or to be developed for occupancy for residential purposes, except for the following:

A. The rental of part of a structure containing no more than 5 dwelling units, one of which is occupied by the landlord; or

COMMITTEE AMENDMENT " A " to S.P. 446, L.D. 1249

1 B. The rental of any dwelling owned, controlled
2 or operated, for other than a commerical purpose,
3 by a religious corporation to its membership, un-
4 less the membership is restricted on account of
5 race, color or national origin.

6 Sec. 3. 5 MRSA §4553, sub-§6, as amended by PL
7 1973, c. 415, §1, is repealed and the following en-
8 acted in its place:

9 6. Housing accommodation. Except as provided in
10 subsection 5-A, "housing accommodation" includes any
11 building or structure, or portion thereof, or any
12 parcel of land, developed or undeveloped, which is
13 occupied or is intended to be occupied or to be de-
14 veloped for occupancy for residential purposes, ex-
15 cept for the following:

16 A. The rental of a one-family unit of a 2-family
17 dwelling, one unit of which is occupied by the
18 owner;

19 B. The rental of not more than 4 rooms of a one-
20 family dwelling which is occupied by the owner;
21 or

22 C. The rental of any dwelling owned, controlled
23 or operated, for other than a commercial purpose,
24 by a religious corporation to its membership, un-
25 less the membership is restricted on account of
26 race, color or national origin.

27 Further amend the bill by striking out all of
28 sections 6 and 7.

29 Further amend the bill by renumbering the sec-
30 tions to read consecutively.

D.O.F.R.

COMMITTEE AMENDMENT " A " to S.P. 446, L.D. 1249

1

STATEMENT OF FACT

2 This amendment removes all provisions of the bill
3 that would have added sexual orientation to the un-
4 lawful employment discrimination provisions of the
5 Maine Human Rights Act. The amendment also restricts
6 the application of the unlawful housing discrimina-
7 tion provisions of the Maine Human Rights Act in
8 cases concerning sexual orientation discrimination so
9 that a landlord living in his building, where the
10 building contains less than 6 rental units, will not
11 be affected.

12 Under this amendment, discrimination on account
13 of sexual orientation will only be unlawful under the
14 Maine Human Rights Act in extension of credit, public
15 accommodations and, as limited by this amendment,
16 housing.

17 This amendment does not take a moral stand on
18 homosexuality; the question of morality is left to
19 the judgment of each person, as it should be.

20 What the amendment, does say with regard to some
21 economic activities (the extension of credit, the
22 provision of services for the public and the provi-
23 sion of housing as a profession) is that discrimina-
24 tion on account of sexual orientation is against pub-
25 lic policy, in the same way that discrimination on
26 account of race or religion is against public policy.
27 For the State to prohibit discrimination on account
28 of sexual orientation in these economic areas of life
29 does not mean that the State condones homosexuality,
30 just as the State, by prohibiting discrimination
31 against Buddhists or Moslems, does not put its stamp
32 of approval on those religions.

33 The amendment does not interfere with how indi-
34 viduals, whether they approve of homosexuality or
35 whether they do not, order their individuals lives.
36 Rather, the amendment focuses only on businesses

COMMITTEE AMENDMENT " A " to S.P. 446, L.D. 1249

1 serving the public. It states only that all members
2 of the Maine public are entitled to equal opportunity
3 to purchase or avail themselves of those business
4 services.

5

4109060385

Reported by the Minority for the Committee on Judiciary.

Reproduced and Distributed Pursuant to Senate Rule 12.

(6/5/85)

(Filing No. S-221)