

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 354

H.P. 271 House of Representatives, February 12, 1987
Reference to the Committee on Judiciary suggested and
ordered printed.

EDWIN H. PERT, Clerk
Presented by Representative PRIEST of Brunswick.
Cosponsored by Representatives PARADIS of Augusta,
MARSANO of Belfast and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

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

1 AN ACT Relating to the Amount of Civil Penal
2 Damages to be Awarded in Cases of
3 Unlawful Discrimination.
4

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

7 5 MRSA §4613, sub-§2, ¶B, as amended by PL 1981,
8 c. 470, Pt. A, §7, is further amended to read:

9 B. If the court finds that unlawful discrimina-
10 tion occurred, its judgment shall specify an ap-
11 propriate remedy or remedies therefor. Such reme-
12 dies may include, but are not limited to:

13 (1) An order to cease and desist from the
14 unlawful practices specified in the order;

1 (2) An order to employ or reinstate a vic-
2 tim of unlawful employment discrimination,
3 with or without back pay;

4 (3) An order to accept or reinstate such a
5 person in a union;

6 (4) An order to rent or sell a specified
7 housing accommodation, or one substantially
8 identical thereto if controlled by the re-
9 spondent, to a victim of unlawful housing
10 discrimination;

11 (5) An order requiring the disclosure of
12 the locations and descriptions of all hous-
13 ing accommodations which the violator has
14 the right to sell, rent, lease or manage;
15 and further, forbidding the sale, rental or
16 lease of any such housing accommodations un-
17 til the violator has given security to as-
18 sure his compliance with any order entered
19 against him and with all provisions of this
20 Act. Such an order may continue the court's
21 jurisdiction until the violator has demon-
22 strated compliance, and may defer decision
23 on some or all relief until after a proba-
24 tionary period and a further hearing on the
25 violator's conduct during such period;

26 (6) An order to pay in cases of unlawful
27 price discrimination the victim thereof 3
28 times the amount of any excessive price de-
29 manded and paid by reason of such unlawful
30 discrimination; and

31 (7) An order to pay to the complainant civ-
32 il penal damages not in excess of \$500
33 \$1,000 in the case of the first order under
34 this Act against the respondent, not in ex-
35 cess of ~~\$1,000~~ \$2,000 in the case of a 2nd
36 such order against the respondent, and not
37 in excess of ~~\$2,000~~ \$3,000 in the case of a
38 3rd or subsequent such order against the re-
39 spondent; and

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STATEMENT OF FACT

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This bill raises the amount of civil penal damages the Superior Court may order a respondent to pay to the victim of unlawful discrimination.

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