

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1437

H.P. 1031

House of Representatives, May 3, 1989

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MELENDY of Rockland.

Cosponsored by Representative ALLEN of Washington, Senator TITCOMB of Cumberland and Representative ANDERSON of Woodland.

STATE OF MAINE

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

**An Act to Include Unlawful Insurance Sales Discrimination on the
Basis of Handicap in the Maine Human Rights Act.**



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

3 Sec. 1. 5 MRSA §4553, sub-§10, ¶E, as amended by PL 1983, c.
578, §2, is further amended to read:

5
7 E. In determining whether any person is acting as an agent
or employee of another person so as to make such other
9 person responsible for his acts, the question of whether the
specific acts performed were actually authorized or
subsequently ratified shall not be controlling; and

11
13 Sec. 2. 5 MRSA 4553, sub-§10, §F, as enacted by PL 1983, c.
578, §2 is amended to read:

15 F. Unlawful educational discrimination as defined and
limited by subchapter V-B, ; and

17
19 Sec. 3. 5 MRSA §4553, ¶G is enacted to read:

21 G. Unlawful insurance sales discrimination as defined and
limited by subchapter V-C.

23 Sec. 4. 5 MRSA, c. 337, subchapter V-C is enacted to read:

25 SUBCHAPTER V-C

27 INSURANCE SALES

29 §4605. Right to freedom from discrimination in insurance sales

31 The opportunity for an individual to procure or retain
33 insurance coverage without discrimination because of a physical
or mental handicap is recognized as and declared to be a civil
35 right.

37 §4606. Unlawful insurance sales discrimination

39 1. Unlawful insurance sales discrimination. It is unlawful
insurance sales discrimination in violation of this Act for an
41 insurer authorized to transact business in this State, solely on
the basis of physical or mental handicap, to:

43 A. Refuse to insure or continue to insure an individual;

45 B. Limit the amount, extent or kind of insurance coverage
available to an individual; or

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49 C. Charge an individual a rate different from that normally
charged for the same coverage.

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STATEMENT OF FACT

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The purpose of this bill is to bring unlawful insurance sales discrimination, based solely on physical or mental handicap, under the jurisdiction of the Maine Human Rights Commission.