

MAINE STATE LEGISLATURE

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L.D. 191

(Filing No. S-53)

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 104, L.D. 191, Bill, "An Act to Change the Term "Handicap" in the Maine Human Rights Act"

Amend the bill by striking out all of section 11 and inserting in its place the following:

'Sec. 11. 5 MRSA §4573, sub-§4, as amended by PL 1975, c. 770, §34, is further amended to read:

4. Discharge of or refusal to hire employee with physical or mental disability. Nothing in this Act shall--~~prohibit prohibits~~ an employer from refusing to hire or discharging --~~a physically or mentally handicapped an~~ employee with physical or mental disability, or ~~subject subjects~~ an employer to any legal liability resulting from the refusing to employ or the discharge of ~~a physically or mentally handicapped an~~ employee with physical or mental disability, where the employee, because of the physical or mental ~~handicap~~ disability, is unable to perform ~~his the~~ duties or perform those duties in a manner which would not endanger the health or safety of the employee or the health or safety of others or to be at, remain or go to or from the place where the duties of employment are to be performed.'

Further amend the bill in section 16 in the first paragraph in the 8th line (page 9, line 25 in L.D.) by striking out the following: "~~disabled~~ persons" and inserting in its place the following: 'persons with physical disability' and in the 15th line (page 9, line 32 in L.D.) by striking out the following: "~~disabled~~ persons" and inserting in its place the following: 'persons with physical disability' and in the 3rd and 4th lines from the end (page 9, lines 36 and 37 in L.D.) by striking out the following: "~~disabled~~ persons" and inserting in its place the following: 'persons with physical disability'

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2 Further amend the bill in section 17 in the first paragraph
in the 7th line (page 9, line 50 in L.D.) by striking out the
4 following: "physically handicapped disabled persons" and
inserting in its place the following: '~~physically-handicapped-~~
6 persons with physical disability' and in the 9th and 10th lines
(page 10, lines 1 and 2 in L.D.) by striking out the following:
8 "disabled persons" and inserting in its place the following:
'persons with physical disability' and in the 5th line from the
10 end (page 10, line 9 in L.D.) by striking out the following:
12 "disabled persons" and inserting in its place the following:
'persons with physical disability'

14 Further amend the bill in section 18 in that part designated
"§4582 A." in the first line (page 10, line 18 in L.D.) by
16 striking out the following: "§4582 A." and inserting in its
place the following: '§4582-A.'

18 Further amend the bill in section 18 in that part designated
20 "§4582 A." in subsection 1 in the 4th and 5th lines (page 10,
lines 27 and 28 in L.D.) by striking out the following:
22 "disabled person" and inserting in its place the following:
'person with physical disability'

24 Further amend the bill in section 23 in that part designated
26 "§4593." in subsection 1 in the 3rd line (page 12, line 28 in
L.D.) by striking out the following: "the physically handicapped
28 ~~shall-apply disabled~~" and inserting in its place the following:
'~~the-physically-handicapped-shall-apply~~ persons with physical
30 disability'

32 Further amend the bill in section 23 in that part designated
"§4593." in subsection 1 in paragraph E in the 2nd line (page 13,
34 line 14 in L.D.) by striking out the following: "disabled
persons" and inserting in its place the following: 'persons with
36 physical disability' and in the last line (page 13, line 20 in
L.D.) by striking out the following: "disabled persons" and
38 inserting in its place the following: 'persons with physical
disability'

40 Further amend the bill in section 23 in that part designated
42 "§4593." in subsection 2 in the 6th line (page 13, line 34 in
L.D.) by striking out the following: "the physically handicapped
44 disabled" and inserting in its place the following: 'the
physically-handicapped persons with physical disability'

46 Further amend the bill in section 24 in subsection 2 in
48 paragraph E in the first and 2nd lines (page 14, lines 10 and 11
in L.D.) by striking out the following: "disabled persons" and
50 inserting in its place the following: 'persons with physical
disability'

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2 Further amend the bill in section 25 in subsection 2 in
paragraph B in subparagraph (5) in the 2nd line (page 14, line 48
4 in L.D.) by striking out the following: "disabled persons" and
inserting in its place the following: 'persons with physical
6 disability'

8 Further amend the bill in section 26 in subsection 3 in
paragraph B in subparagraph (4) in the 2nd line (page 15, line 25
10 in L.D.) by striking out the following: "disabled persons" and
inserting in its place the following: 'persons with physical
12 disability'

14 Further amend the bill in section 26 in subsection 4 in the
4th line (page 15, line 38 in L.D.) by striking out the
16 following: "disabled persons" and inserting in its place the
following: 'persons with physical disability'

18 Further amend the bill in section 26 in subsection 9 in the
5th line (page 16, line 31 in L.D.) by striking out the
20 following: "physically handicapped disabled persons" and
inserting in its place the following: 'physically-handicapped-
22 persons with physical disability'

24 Further amend the bill in section 28 in subsection 2 in
paragraph A in the last 2 lines (page 17, lines 16 and 17 in
26 L.D.) by striking out the following: "disabled individual" and
inserting in its place the following: 'individual with physical
28 or mental disability'

30 Further amend the bill in section 28 in subsection 2 in
paragraph B in the last line (page 17, line 22 in L.D.) by
32 striking out the following: "the handicapped disabled" and
inserting in its place the following: 'the-handicapped persons
34 with physical or mental disability'

36 STATEMENT OF FACT

38 This amendment further changes the language of the bill
40 concerning persons with physical or mental disability to change
the term "disabled persons" to "persons with physical or mental
42 disability."

Reported by Senator Gauvreau for the Committee on Judiciary.
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