

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 246

S.P. 92

In Senate, February 2, 1993

An Act to Prevent Discrimination.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CONLEY of Cumberland.

Cosponsored by Senator AMERO of Cumberland, Representative FARNSWORTH of Hallowell and

Senators: BALDACCI of Penobscot, BUSTIN of Kennebec, CLEVELAND of Androscoggin, DUTREMBLE of York, HANDY of Androscoggin, HARRIMAN of Cumberland, LAWRENCE of York, McCORMICK of Kennebec, PINGREE of Knox, TITCOMB of Cumberland, VOSE of Washington, Representatives: ADAMS of Portland, BRENNAN of Portland, CASHMAN of Old Town, CHASE of China, COLES of Harpswell, FAIRCLOTH of Bangor, GEAN of Alfred, HOGLUND of Portland, HOLT of Bath, JOHNSON of South Portland, LARRIVEE of Gorham, MORRISON of Bangor, O'GARA of Westbrook, OLIVER of Portland, PARADIS of Augusta, PFEIFFER of Brunswick, PINEAU of Jay, RAND of Portland, RICHARDSON of Portland, ROWE of Portland, RYDELL of Brunswick, SIMONDS of Cape Elizabeth, SULLIVAN of Bangor, TOWNSEND of Portland, TRACY of Rome, TREAT of Gardiner.

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

2 **Sec. 1. 5 MRSA §4552**, as amended by PL 1991, c. 99, §1, is
4 further amended to read:

6 **§4552. Policy**

8 To protect the public health, safety and welfare, it is
10 declared to be the policy of this State to keep continually in
12 review all practices infringing on the basic human right to a
14 life with dignity, and the causes of these practices, so that
16 corrective measures may, where possible, be promptly recommended
18 and implemented, and to prevent discrimination in employment,
20 housing or access to public accommodations on account of race,
22 color, sex, sexual orientation, physical or mental disability,
religion, ancestry or national origin; and in employment,
discrimination on account of age and in housing because of
familial status; and to prevent discrimination in the extension
of credit on account of age, race, color, sex, sexual
orientation, marital status, religion, ancestry or national
origin; and to prevent discrimination in education on account of
sex or physical or mental disability.

24 **Sec. 2. 5 MRSA §4553, sub-§9-A** is enacted to read:

26 9-A. Sexual orientation. "Sexual orientation" means having
28 a preference for heterosexuality, homosexuality or bisexuality;
having a history of that preference; or being identified with
that preference.

30 **Sec. 3. 5 MRSA §4553, sub-§10, ¶E**, as amended by PL 1983, c.
32 578, §2, is further amended to read:

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

40 **Sec. 4. 5 MRSA §4553, sub-§10, ¶F**, as enacted by PL 1983, c.
42 578, §2, is amended to read:

44 F. Unlawful educational discrimination as defined and
46 limited by subchapter V-B.; and

48 **Sec. 5. 5 MRSA §4553, sub-§10, ¶G** is enacted to read:

50 G. Discrimination in employment, housing, public
accommodations and credit on the basis of sexual

2 orientation, except that a religious corporation,
3 association or organization is exempt from these provisions.

4
6 **STATEMENT OF FACT**

8 The purpose of this bill is to extend to all citizens
9 regardless of their sexual orientation the same civil rights
10 protections now guaranteed to citizens on the basis of race,
11 color, religion, sex, age, national origin and physical or mental
12 handicap. Discrimination in the areas of employment, housing,
13 public accommodations and credit would be prohibited.
14