

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 703

H.P. 496

House of Representatives, January 26, 1999

An Act to Create the Maine Civil Rights Act of 1999.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative MACK of Standish.
Cosponsored by Representatives: BOWLES of Sanford, GLYNN of South Portland,
KASPRZAK of Newport, MacDOUGALL of North Berwick, MAYO of Bath, STANWOOD
of Southwest Harbor, Senators: DAVIS of Piscataquis, FERGUSON of Oxford.

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

Sec. 1. 1 MRSA c. 33 is enacted to read:

CHAPTER 33

CIVIL RIGHTS IN PUBLIC EMPLOYMENT,
EDUCATION AND CONTRACTING ACT

§2901. Definition

As used in this chapter, unless the context otherwise indicates, "State" means the State of Maine or any office, department, agency, authority, commission, board, institution, hospital or other instrumentality of the State, including the Maine Turnpike Authority, the University of Maine System, the Maine Technical College System and the Maine State Retirement System, and any subdivision of the State including any city, town, plantation, county and special purpose district including any water district, sanitary district and school administrative unit.

§2902. Prohibition

Notwithstanding any other law, the State may not discriminate against, or grant preferential treatment to, any person on the basis of race, sex, color, ethnicity or national origin in public employment, public education or public contracting.

§2903. Interpretation

1. Bona fide qualifications; federal funding. This chapter does not prohibit:

A. The application of bona fide qualifications based on sex that are reasonably necessary to the normal operation of employment, education or contracting by the State; or

B. Any action that must be taken to establish or maintain eligibility for federal programs, if ineligibility would result in a loss of federal funds to the State.

2. Court decrees. This section does not invalidate any court order or consent decree in force on the effective date of this chapter.

§2904. Remedies

Violation of this chapter is a violation of the Maine Human Rights Act and a person who has been injured by a violation of this chapter is entitled to the same remedies as a person injured by a violation of the Maine Human Rights Act.

SUMMARY

This bill prohibits the State and its subdivisions and instrumentalities from discriminating or granting preferential treatment in the operation of public employment, education or contracting to any person on the basis of race, sex, color, ethnicity or national origin.