

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 2239

S.P. 840

In Senate, May 24, 1999

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### **An Act to Ensure Civil Rights and Prevent Discrimination.**

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Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator ABROMSON of Cumberland.  
Cosponsored by Representative SAXL of Portland and  
Senators: AMERO of Cumberland, President LAWRENCE of York, MacKINNON of York,  
MITCHELL of Penobscot, Representatives: QUINT of Portland, STANWOOD of Southwest  
Harbor, WILLIAMS of Orono, CAMERON of Rumford, NORBERT of Portland, Speaker  
ROWE of Portland, STEVENS of Orono.

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

2  
4       **Sec. 1. 5 MRSA §4552**, as amended by PL 1993, c. 327, §1, is further amended to read:

6       **§4552. Policy**

8       To protect the public health, safety and welfare, it is declared to be the policy of this State to keep continually in review all practices infringing on the basic human right to a life with dignity, and the causes of these practices, so that corrective measures may, where possible, be promptly recommended and implemented, and to prevent discrimination in employment, housing or access to public accommodations on account of race, color, sex, sexual orientation, physical or mental disability, religion, ancestry or national origin; and in employment, discrimination on account of age or because of the previous assertion of a claim or right under former Title 39 or Title 39-A 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       Nothing in this chapter confers legislative approval of, or special rights to, any person or group of persons.

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

30       9-C. Sexual orientation. "Sexual orientation" means having an orientation for heterosexuality, homosexuality or bisexuality, having a history of that orientation or being identified with that orientation.

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

38       E. In determining whether any a person is acting as an agent or employee of another person so as to make such the other 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

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

48       F. Unlawful educational discrimination as defined and limited by subchapter V-B+; and

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

4                   G. Discrimination in employment, housing, public  
6                   accommodations and credit on the basis of sexual  
8                   orientation, except that a religious corporation,  
                  association or organization that does not receive public  
                  funds is exempt from these provisions.

10                   **Sec. 6. 5 MRSA §4571**, as amended by PL 1991, c. 99, §6, is  
further amended to read:

12                   **§4571. Right to freedom from discrimination in employment**

14                   The opportunity for an individual to secure employment  
16                   without discrimination because of race, color, sex, sexual  
18                   orientation, physical or mental disability, religion, age,  
ancestry or national origin is recognized as and declared to be a  
civil right.

20                   **Sec. 7. 5 MRSA §4572, sub-§1, ¶¶A, B and C**, as amended by PL  
22                   1991, c. 885, Pt. E, §7 and affected by §47, are further amended  
to read:

24                   A. For any employer to fail or refuse to hire or otherwise  
26                   discriminate against any applicant for employment because of  
28                   race or color, sex, sexual orientation, physical or mental  
30                   disability, religion, age, ancestry or national origin,  
32                   because of the applicant's previous assertion of a claim or  
34                   right under former Title 39 or Title 39-A or because of  
36                   previous actions taken by the applicant that are protected  
38                   under Title 26, chapter 7, subchapter V-B; or, because of  
40                   those reasons, to discharge an employee or discriminate with  
42                   respect to hire, tenure, promotion, transfer, compensation,  
44                   terms, conditions or privileges of employment or any other  
matter directly or indirectly related to employment; or, in  
recruiting of individuals for employment or in hiring them,  
to utilize any employment agency that the employer knows or  
has reasonable cause to know discriminates against  
individuals because of their race or color, sex, sexual  
orientation, physical or mental disability, religion, age,  
ancestry or national origin, because of their previous  
assertion of a claim or right under former Title 39 or Title  
39-A or because of previous actions that are protected under  
Title 26, chapter 7, subchapter V-B;

46                   (1) This paragraph does not apply to discrimination  
48                   governed by Title 39-A, section 353;

50                   B. For any employment agency to fail or refuse to classify  
properly, refer for employment or otherwise discriminate  
against any individual because of race or color, sex, sexual

2           orientation, physical or mental disability, religion, age,  
3           ancestry or national origin, because of the individual's  
4           previous assertion of a claim or right under former Title 39  
5           or Title 39-A or because of previous actions taken by the  
6           individual that are protected under Title 26, chapter 7,  
7           subchapter V-B; or to comply with an employer's request for  
8           the referral of job applicants if a request indicates either  
9           directly or indirectly that the employer will not afford  
10          full and equal employment opportunities to individuals  
11          regardless of their race or color, sex, sexual orientation,  
12          physical or mental disability, religion, age, ancestry or  
13          national origin, because of previous assertion of a claim or  
14          right under former Title 39 or Title 39-A or because of  
15          previous actions that are protected under Title 26, chapter  
16          7, subchapter V-B;

17           C. For any labor organization to exclude from  
18           apprenticeship or membership or to deny full and equal  
19           membership rights to any applicant for membership because of  
20           race or color, sex, sexual orientation, physical or mental  
21           disability, religion, age, ancestry or national origin,  
22           because of the applicant's previous assertion of a claim or  
23           right under former Title 39 or Title 39-A or because of  
24           previous actions taken by the applicant that are protected  
25           under Title 26, chapter 7, subchapter V-B; or, because of  
26           those reasons, to deny a member full and equal membership  
27           rights, expel from membership, penalize or otherwise  
28           discriminate with respect to hire, tenure, promotion,  
29           transfer, compensation, terms, conditions or privileges of  
30           employment, representation, grievances or any other matter  
31           directly or indirectly related to membership or employment,  
32           whether or not authorized or required by the constitution or  
33           bylaws of that labor organization or by a collective labor  
34           agreement or other contract; to fail or refuse to classify  
35           properly or refer for employment or otherwise discriminate  
36           against any member because of race or color, sex, sexual  
37           orientation, physical or mental disability, religion, age,  
38           ancestry or national origin, because of the member's  
39           previous assertion of a claim or right under former Title 39  
40           or Title 39-A or because of previous actions taken by the  
41           member that are protected under Title 26, chapter 7,  
42           subchapter V-B; or to cause or attempt to cause an employer  
43           to discriminate against an individual in violation of this  
44           section, except that it is lawful for labor organizations  
45           and employers to adopt a maximum age limitation in  
46           apprenticeship programs, if the employer or labor  
47           organization obtains prior approval from the Maine Human  
48           Rights Commission of any maximum age limitation employed in  
49           an apprenticeship program. The commission shall approve the  
50           age limitation if a reasonable relationship exists between

2 the maximum age limitation employed and a legitimate  
expectation of the employer in receiving a reasonable return  
4 upon the employer's investment in an apprenticeship  
program. The employer or labor organization bears the  
burden of demonstrating that such a relationship exists;

6  
8 **Sec. 8. 5 MRSA §4572, sub-§1, ¶D**, as amended by PL 1995, c.  
393, §12, is further amended to read:

10 D. For any employer, employment agency or labor  
organization, prior to employment or admission to membership  
12 of any individual, to:

14 (1) Elicit or attempt to elicit information directly  
or indirectly pertaining to race or color, sex, sexual  
16 orientation, physical or mental disability, religion,  
age, ancestry or national origin, any previous  
18 assertion of a claim or right under former Title 39 or  
Title 39-A or any previous actions that are protected  
20 under Title 26, chapter 7, subchapter V-B;

22 (2) Make or keep a record of race or color, sex,  
sexual orientation, physical or mental disability,  
24 religion, age, ancestry or national origin, any  
previous assertion of a claim or right under former  
26 Title 39 or Title 39-A or any previous actions that are  
protected under Title 26, chapter 7, subchapter V-B,  
28 except under physical or mental disability when an  
employer requires a physical or mental examination  
30 prior to employment, a privileged record of that  
examination is permissible if made and kept in  
32 compliance with this Act;

34 (3) Use any form of application for employment, or  
personnel or membership blank containing questions or  
36 entries directly or indirectly pertaining to race or  
color, sex, sexual orientation, physical or mental  
38 disability, religion, age, ancestry or national origin,  
any previous assertion of a claim or right under former  
40 Title 39 or Title 39-A or any previous actions that are  
protected under Title 26, chapter 7, subchapter V-B.  
42 This section does not prohibit any officially  
recognized government agency from keeping records  
44 permitted to be kept under this Act in order to provide  
free services to individuals requesting rehabilitation  
46 or employment assistance;

48 (4) Print, publish or cause to be printed or published  
any notice or advertisement relating to employment or  
50 membership indicating any preference, limitation,

2 specification or discrimination based upon race or  
color, sex, sexual orientation, physical or mental  
4 disability, religion, age, ancestry or national origin,  
any previous assertion of a claim or right under former  
6 Title 39 or Title 39-A or any previous actions that are  
protected under Title 26, chapter 7, subchapter V-B; or

8 (5) Establish, announce or follow a policy of denying  
or limiting, through a quota system or otherwise,  
10 employment or membership opportunities of any group  
because of the race or color, sex, sexual orientation,  
12 physical or mental disability, religion, age, ancestry  
or national origin, the previous assertion of a claim  
14 or right under former Title 39 or Title 39-A or because  
of previous actions that are protected under Title 26,  
16 chapter 7, subchapter V-B, of that group; or

18 **Sec. 9. 5 MRSA §4573-A, sub-§2**, as enacted by PL 1995, c. 393,  
§21, is amended to read:

20 **2. Religious entities.** This Except as provided in section  
22 4553, subsection 10, paragraph G, this subchapter does not  
prohibit a religious corporation, association, educational  
24 institution or society from giving preference in employment to  
individuals of its same religion to perform work connected with  
26 the carrying on by the corporation, association, educational  
institution or society of its activities. Under this subchapter,  
28 a religious organization may require that all applicants and  
employees conform to the religious tenets of that organization.

30 **Sec. 10. 5 MRSA §4581, first ¶**, as amended by PL 1991, c. 99,  
32 §12, is further amended to read:

34 The opportunity for an individual to secure decent housing  
in accordance with the individual's ability to pay, and without  
36 discrimination because of race, color, sex, sexual orientation,  
physical or mental disability, religion, ancestry, national  
38 origin or familial status is hereby recognized as and declared to  
be a civil right.

40 **Sec. 11. 5 MRSA §4582, 2nd, 3rd and 4th ¶¶**, as amended by PL  
42 1991, c. 99, §14, are further amended to read:

44 For any owner, lessee, sublessee, managing agent or other  
person having the right to sell, rent, lease or manage a housing  
46 accommodation, or any agent of these to make or cause to be made  
any written or oral inquiry concerning the race or color, sex,  
48 sexual orientation, physical or mental disability, religion,  
ancestry, national origin or familial status of any prospective  
50 purchaser, occupant or tenant of the housing accommodation; or to

2 refuse to show or refuse to sell, rent, lease, let or otherwise  
3 deny to or withhold from any individual housing accommodation  
4 because of the race or color, sex, sexual orientation, physical  
5 or mental disability, religion, ancestry, national origin or  
6 familial status of the individual; or to issue any advertisement  
7 relating to the sale, rental or lease of the housing  
8 accommodation which ~~that~~ indicates any preference, limitation,  
9 specification or discrimination based upon race or color, sex,  
10 sexual orientation, physical or mental disability, religion,  
11 ancestry, national origin or familial status; or to discriminate  
12 against any individual because of race or color, sex, sexual  
13 orientation, physical or mental disability, religion, ancestry,  
14 national origin or familial status in the price, terms,  
15 conditions or privileges of the sale, rental or lease of any  
16 housing accommodations or in the furnishing of facilities or  
17 services in connection with any housing accommodations; or to  
18 evict or attempt to evict any tenant of any housing accommodation  
19 because of the race or color, sex, sexual orientation, physical  
20 or mental disability, religion, ancestry, national origin or  
21 familial status of the tenant;

22 For any real estate broker or real estate sales person, or  
23 agent of one of them, to fail or refuse to show any applicant for  
24 a housing accommodation any accommodation listed for sale, lease  
25 or rental, because of the race or color, sex, sexual orientation,  
26 physical or mental disability, religion, ancestry, national  
27 origin or familial status of the applicant or of any intended  
28 occupant of the accommodation, or to misrepresent, for the  
29 purpose of discriminating because of the race or color, sex,  
30 sexual orientation, physical or mental disability, religion,  
31 ancestry, national origin or familial status of the applicant or  
32 intended occupant, the availability or asking price of a housing  
33 accommodation listed for sale, lease or rental; or for any reason  
34 to fail to communicate to the person having the right to sell or  
35 lease the housing accommodation any offer for the same made by  
36 any applicant; or in any other manner to discriminate against any  
37 applicant for housing because of race or color, sex, sexual  
38 orientation, physical or mental disability, religion, ancestry,  
39 national origin or familial status of the applicant or of any  
40 intended occupant of the housing accommodation, or to make or  
41 cause to be made any written or oral inquiry or record concerning  
42 the race or color, sex, sexual orientation, physical or mental  
43 disability, religion, ancestry, national origin or familial  
44 status of any applicant or intended occupant, or to accept for  
45 listing any housing accommodation when the person having the  
46 right to sell or lease the same has directly or indirectly  
47 indicated an intention of discriminating among prospective  
48 tenants or purchasers on the ground of their race or color, sex,  
49 sexual orientation, physical or mental disability, religion,  
50 ancestry, national origin or familial status, or when the broker



2 knows or has reason to know that the person having the right to  
sell or lease the housing accommodation has made a practice of  
discrimination since July 1, 1972;

4  
6 For any person to whom application is made for a loan or  
other form of financial assistance for the acquisition,  
8 construction, rehabilitation, repair or maintenance of any  
housing accommodation, whether secured or unsecured, or agent of  
10 the person, to make or cause to be made any oral or written  
inquiry concerning the race or color, sex, sexual orientation,  
12 physical or mental disability, religion, ancestry, national  
origin or familial status of any individual seeking financial  
14 assistance, or of existing or prospective occupants or tenants of  
housing accommodations; or to discriminate in the granting of  
16 financial assistance, or in the terms, conditions or privileges  
relating to the obtaining or use of any financial assistance,  
18 against any applicant because of the race or color, sex, sexual  
orientation, physical or mental disability, religion, ancestry,  
national origin or familial status of the applicant or of the  
20 existing or prospective occupants or tenants;

22 **Sec. 12. 5 MRSA §4583**, as amended by PL 1991, c. 99, §19, is  
further amended to read:

24 **§4583. Application**

26  
28 Nothing in this Act may be construed to prohibit or limit  
the exercise of the privilege of every person and the agent of  
any person having the right to sell, rent, lease or manage a  
30 housing accommodation to set up and enforce specifications in the  
selling, renting, leasing or letting or in the furnishings of  
32 facilities or services in connection with the facilities which  
that are not based on the race, color, sex, sexual orientation,  
34 physical or mental disability, religion, country of ancestral  
origin, familial status or the receipt of public assistance  
36 payments of any prospective or actual purchaser, lessee, tenant  
or occupant. Nothing in this Act may be construed to prohibit  
38 or limit the exercise of the privilege of every person and the  
agent of any person making loans for or offering financial  
40 assistance in the acquisition, construction, rehabilitation,  
repair or maintenance of housing accommodations, to set standards  
42 and preferences, terms, conditions, limitations or specifications  
for the granting of loans or financial assistance which that are  
44 not based on the race, color, sex, sexual orientation, physical  
or mental disability, religion, country of ancestral origin,  
46 familial status or the receipt of public assistance payments of  
the applicant for a loan or financial assistance or, of any  
48 existing or prospective owner, lessee, tenant or occupant of  
housing accommodation.

50

2           **Sec. 13. 5 MRSA §4591**, as amended by PL 1991, c. 99, §20, is  
further amended to read:

4           **§4591. Equal access to public accommodations**

6           The opportunity for every individual to have equal access to  
places of public accommodation without discrimination because of  
8           race, color, sex, sexual orientation, physical or mental  
disability, religion, ancestry or national origin is recognized  
10           as and declared to be a civil right.

12           **Sec. 14. 5 MRSA §4592, sub-§§1 and 2**, as amended by PL 1995, c.  
393, §22, are further amend to read:

14           **1. Denial of public accommodations.** For any public  
16           accommodation or any person who is the owner, lessor, lessee,  
proprietor, operator, manager, superintendent, agent or employee  
18           of any place of public accommodation to directly or indirectly  
refuse, discriminate against or in any manner withhold from or  
20           deny the full and equal enjoyment to any person, on account of  
race or color, sex, sexual orientation, physical or mental  
22           disability, religion, ancestry or national origin, any of the  
accommodations, advantages, facilities, goods, services or  
24           privileges of public accommodation, or in any manner discriminate  
against any person in the price, terms or conditions upon which  
26           access to accommodation, advantages, facilities, goods, services  
and privileges may depend.

28           For purposes of this subsection, unlawful discrimination also  
30           includes, but is not limited to:

32           A. The imposition or application of eligibility criteria  
that screen out or tend to screen out an individual with a  
34           disability or any class of individuals with disabilities  
from fully and equally enjoying any goods, services,  
36           facilities, privileges, advantages or accommodations, unless  
the criteria can be shown to be necessary for the provision  
38           of the goods, services, facilities, privileges, advantages  
or accommodations being offered;

40           B. A failure to make reasonable modifications in policies,  
42           practices or procedures, when modifications are necessary to  
afford the goods, services, facilities, privileges,  
44           advantages or accommodations to individuals with  
disabilities, unless, in the case of a private entity, the  
46           private entity can demonstrate that making the modifications  
would fundamentally alter the nature of the goods, services,  
48           facilities, privileges, advantages or accommodations;

2 C. A failure to take steps that may be necessary to ensure  
3 that no individual with a disability is excluded, denied  
4 services, segregated or otherwise treated differently than  
5 other individuals because of the absence of auxiliary aids  
6 and services, unless, in the case of a private entity, the  
7 private entity can demonstrate that taking those steps would  
8 fundamentally alter the nature of the good, service,  
9 facility, privilege, advantage or accommodation being  
10 offered or would result in an undue burden;

11 D. A private entity's failure to remove architectural  
12 barriers and communication barriers that are structural in  
13 nature in existing facilities and transportation barriers in  
14 existing vehicles and rail passenger cars used by an  
15 establishment for transporting individuals, not including  
16 barriers that can be removed only through the retrofitting  
17 of vehicles or rail passenger cars by the installation of a  
18 hydraulic or other lift, where the removal is readily  
19 achievable;

20 When the entity can demonstrate that the removal of a  
21 barrier under this paragraph is not readily achievable, a  
22 failure to make the goods, services, facilities, privileges,  
23 advantages or accommodations available through alternative  
24 methods if alternative methods are readily achievable; and

25 E. A qualified individual with a disability, by reason of  
26 that disability, being excluded from participation in or  
27 being denied the benefits of the services, programs or  
28 activities of a public entity, or being subjected to  
29 discrimination by any such entity;

30 **2. Communication, notice or advertisement.** For any person  
31 to directly or indirectly publish, display or communicate any  
32 notice or advertisement to the effect that any of the  
33 accommodations, advantages, facilities and privileges of any  
34 place of public accommodation are refused, withheld from or  
35 denied to any person on account of race or color, sex, sexual  
36 orientation, physical or mental disability, religion, ancestry or  
37 national origin, or that the patronage or custom of any person  
38 belonging to or purporting to be of any particular race or color,  
39 sex, sexual orientation, physical or mental disability, religion,  
40 ancestry or national origin is unwelcome, objectionable or not  
41 acceptable, desired or solicited, or that the clientele is  
42 restricted to any particular race or color, sexual orientation,  
43 physical or mental disability, religion, ancestry or national  
44 origin. The production of any communication, notice or  
45 advertisement purporting to relate to any place of accommodation  
46 is presumptive evidence in any action that the action was  
47 authorized by its owner, manager or proprietor;  
48  
49  
50

2           **Sec. 15. 5 MRSA §4595**, as repealed and replaced by PL 1975,  
c. 770, §40, is amended to read:

4  
6           **§4595. Right to freedom from discrimination solely on the basis**  
of age, race, color, sex, sexual orientation, marital  
8           **status, ancestry, religion or national origin in any**  
**credit transaction**

10           The opportunity for every individual to be extended credit  
without discrimination solely because of any one or more of the  
12           following factors: Age age; race; color; sex; sexual orientation;  
marital status; ancestry; religion or national origin is  
14           recognized as and declared to be a civil right.

16           **Sec. 16. 5 MRSA §4596**, as repealed and replaced by PL 1975,  
c. 770, §41, is amended to read:

18           **§4596. Unlawful credit extension discrimination**

20           It shall be unlawful credit discrimination for any creditor  
22           to refuse the extension of credit to any person solely on the  
basis of any one or more of the following factors: Age age; race;  
24           color; sex; sexual orientation; marital status; ancestry;  
religion or national origin in any credit transaction. It ~~shall~~  
26           is not be unlawful credit discrimination to comply with the terms  
and conditions of any bona fide group credit life, accident and  
28           health insurance plan, for a financial institution extending  
credit to a married person to require both the husband and the  
30           wife to sign a note and a mortgage and to deny credit to persons  
under the age of 18 or to consider a person's age in determining  
32           the terms upon which credit will be extended.

34           **Sec. 17. 5 MRSA §4612, sub-§4, ¶A**, as amended by PL 1993, c.  
303, §2, is further amended to read:

36           A. If the commission finds reasonable grounds to believe  
38           that unlawful discrimination has occurred, and further  
believes that irreparable injury or great inconvenience will  
40           be caused the victim of such discrimination or to members of  
a racial, color, sex, sexual orientation, physical or mental  
42           disability, religious, nationality group or age group if  
relief is not immediately granted, or if conciliation  
44           efforts under subsection 3 have not succeeded, the  
commission may file in the Superior Court a civil action  
46           seeking such relief as is appropriate, including temporary  
restraining orders.

2           **Sec. 18. Statutory referendum procedure; submission at general**  
3 **election; form of question; effective date.** This Act must be submitted  
4 to the legal voters of the State of Maine at the next general  
5 election in the month of November following passage of this Act.  
6 The municipal officers of this State shall notify the inhabitants  
7 of their respective cities, towns and plantations to meet, in the  
8 manner prescribed by law for holding a statewide election, to  
9 vote on the acceptance or rejection of this Act by voting on the  
10 following question:

12           "Do you favor ratifying the action of the 119th Legislature  
13 whereby it passed an Act extending to all citizens  
14 regardless of their sexual orientation the same civil rights  
15 protections now guaranteed to citizens on the basis of race,  
16 color, religion, sex, age, national origin and physical or  
17 mental disability in the areas of employment, housing,  
18 public accommodations and credit and where the Act expressly  
19 states that nothing in the Act confers legislative approval  
20 of, or special rights to, any person or group of persons?"

22           The legal voters of each city, town and plantation shall  
23 vote by ballot on this question and shall designate their choice  
24 by a cross or check mark placed within a corresponding square  
25 below the word "Yes" or "No." The ballots must be received,  
26 sorted, counted and declared in open ward, town and plantation  
27 meetings and returns made to the Secretary of State in the same  
28 manner as votes for members of the Legislature. The Governor  
29 shall review the returns and, if it appears that a majority of  
30 the legal votes are cast in favor of the Act, the Governor shall  
31 proclaim that fact without delay, and the Act takes effect 30  
32 days after the date of the proclamation.

34           The Secretary of State shall prepare and furnish to each  
35 city, town and plantation all ballots, returns and copies of this  
36 Act necessary to carry out the purpose of this referendum.

38

#### SUMMARY

40

42           This bill ensures that all citizens, regardless of their  
43 sexual orientation, have the same civil rights protections now  
44 guaranteed in employment, housing, public accommodations and  
45 credit to citizens on the basis of race, color, religion, sex,  
46 age, national origin and physical or mental handicap. A  
47 religious organization that does not receive public funds is  
48 exempt from the prohibition against discrimination based on  
49 sexual orientation. The bill makes it clear that this change in  
50 the Maine Human Rights Act does not confer legislative approval  
51 of or special rights to anyone or any group. The bill also  
52 requires that this change in law be submitted to the voters at  
the next general election.