

MAINE STATE LEGISLATURE

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M
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L.D. 2418

DATE: 3-13-00

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1712, L.D. 2418, Bill, "An Act Concerning Offensive Names"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 1 MRSA §1101, sub-§1, as enacted by PL 1977, c. 259, §1, is repealed and the following enacted in its place:

1. Offensive name. "Offensive name" means a name of a place that includes:

A. The designation "nigger" as a separate word or as part of a word; or

B. The designation "squaw" or "squa" as a separate word.

Sec. 2. 1 MRSA §1104, sub-§§1 and 2, as enacted by PL 1977, c. 259, §1, are amended to read:

1. Reasonable actions. They shall take whatever reasonable actions are required to complete a change in the offensive name. They may hold public hearings on selecting a new name; and

2. Notification. They Unless a court order is issued under Title 5, section 4632 specifying a different deadline, within 6 months of the determination that the place has an offensive name, they shall notify provide notice of the new name to the Commissioner of Conservation, the Secretary of the United States Department of the Interior and other public agencies, boards, committees or other groups responsible for changing names of

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places and for ensuring that such name changes appear on maps and other public documents.'

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The additional costs associated with complaints filed as a result of expanding the law prohibiting the use of offensive names can be absorbed by the Maine Human Rights Commission utilizing existing budgeted resources.

This bill may increase the number of civil suits filed in the court system. The additional workload and administrative costs associated with the minimal number of new cases filed can be absorbed within the budgeted resources of the Judicial Department. The collection of additional filing fees may also increase General Fund revenue by minor amounts.'

SUMMARY

This amendment is the majority report of the Joint Standing Committee on Judiciary. It replaces the bill. This amendment clarifies that use of "squaw" or "squa" as a separate word in the name of a place is offensive, and the name of that place must be changed.

The municipal officers, if the place is within a municipality, or the county commissioners, if the place is located in unorganized territory, must take reasonable steps to complete a change in the name. This amendment allows them to hold public hearings on selecting a new name.

Current law provides for a court to order a name change within 90 days if there is no agreement reached between the Maine Human Rights Commission and the municipal officers or the county commissioners, as applicable. This amendment requires the notification about the new name to take place within 6 months of the determination that a place name is offensive if there is no court order specifying a different deadline.

The amendment also adds a fiscal note to the bill.