

MAINE STATE LEGISLATURE

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Date: 6/1/11

Minority

L.D. 1046
(Filing No. H- 452)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 781, L.D. 1046, Bill, "An Act To Amend the Application of the Maine Human Rights Act Regarding Public Accommodations"

Amend the bill in section 1 by striking out all of the underlined paragraph (page 1, lines 4 to 9 in L.D.) and inserting the following:

'It is not unlawful public accommodations discrimination, in violation of this Act, for a public or private entity to restrict access to a rest room, locker room, shower facility or bathroom in a way that takes into account the legitimate privacy concerns of all members of a biological sex regardless of sexual orientation.'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment replaces the text of the bill to clarify that if a public or private entity restricts access to a rest room, locker room, shower facility or bathroom in a way that takes into account the legitimate privacy concerns of all members of a biological sex regardless of sexual orientation, the restriction is not unlawful public accommodations discrimination. Stating that a restriction is not unlawful public accommodations discrimination creates a defense to a complaint under the Maine Human Rights Act.

This amendment deletes the language contained in the bill that provides that a rest room or shower facility designated for one biological sex creates a presumption that the rest room or shower facility is restricted to that biological sex.

COMMITTEE AMENDMENT