

MAINE STATE LEGISLATURE

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MAJORITY

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STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 624, L.D. 1786, "An Act To Maintain Consistency among Maine's Nondiscrimination Statutes"

Amend the bill by striking out all of sections 14 and 15.

Amend the bill by striking out all of section 17 and inserting the following:

'Sec. 17. 24-A MRSA §2169-B, sub-§2, ¶A, as enacted by PL 2003, c. 223, §1, is amended to read:

A. Use an insurance score that is calculated using race, sex, sexual orientation, gender identity, religion, ancestry or national origin, income, gender, address, zip code, ethnic group, religion, or marital status or nationality of a consumer as a factor;

Amend the bill by striking out all of section 18 and inserting the following:

'Sec. 18. 24-A MRSA §2303, sub-§1, ¶G, as enacted by PL 1989, c. 797, §4 and affected by §§37 and 38, is amended to read:

G. Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified to produce rates for individual risks in accordance with rating plans that establish standards for measuring variations in hazards or expense provisions, or both. These standards may measure any differences among risks that may have a probable effect upon losses or expenses. No risk classification may be based upon race, ~~creed~~, religion, ancestry or national origin or ~~the religion~~ of the insured.'

Amend the bill by striking out all of section 19 and inserting the following:

'Sec. 19. 24-A MRSA §6910, sub-§3, ¶B, as amended by PL 2021, c. 366, §29, is further amended by amending subparagraph (2) to read:

(2) Providers contracting with a carrier contracted to provide coverage to plan enrollees do not refuse to provide services to a plan enrollee on the basis of health status, medical condition, previous insurance status, race, ~~color, creed~~, age, religion, ancestry or national origin, citizenship status, ~~gender~~ sex, sexual

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1 orientation, gender identity, disability or marital status. This subparagraph may
2 not be construed to require a provider to furnish medical services that are not within
3 the scope of that provider's license; and'

4 Amend the bill by striking out all of section 23.

5 Amend the bill by striking out all of section 24 and inserting the following:

6 **'Sec. 24. 33 MRSA §124, sub-§4**, as amended by PL 2021, c. 348, §51, is further
7 amended to read:

8 **4. Class of persons to whom residential real estate may be sold.** To restrict the
9 class of persons to whom residential real estate may be sold or leased, as long as that
10 restriction does not discriminate based upon actual or perceived race, color, sex, sexual
11 orientation, gender identity, physical or mental disability, religion, ancestry or national
12 origin or familial status and does not otherwise contravene the Constitution of Maine or the
13 United States Constitution, except that the prohibition under this subsection regarding
14 discrimination on the basis of familial status does not apply to housing for older persons,
15 as defined in Title 5, section 4581, subsection 2.'

16 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
17 number to read consecutively.

18 SUMMARY

19 This amendment strikes a section of the bill to leave in place the prohibitions on
20 discrimination by private clubs and other entities that are not public accommodations and
21 therefore not subject to the Maine Human Rights Act.

22 The amendment strikes a section of the bill regarding push-polling because current law
23 includes a nonexhaustive list of types of demographics.

24 The amendment replaces the sections of the bill that amend the Maine Insurance Code.
25 The amendment clarifies language related to nondiscrimination without making substantive
26 changes to insurance rating.

27 The amendment strikes from the bill a provision of law concerning municipal funding
28 for services and materials provided to public and nonpublic school pupils.

29 The amendment makes changes to a section of the bill regarding affordable housing
30 covenants to remove the prohibition on age discrimination and to provide that
31 discrimination on the basis of familial status also does not apply to housing for older
32 persons, as that term is defined in the Maine Human Rights Act.