1	L.D. 1688
2	Date: (Filing No. S-)
3	JUDICIARY
4	Reproduced and distributed under the direction of the Secretary of the Senate.
5	STATE OF MAINE
6	SENATE
7	130TH LEGISLATURE
8	FIRST SPECIAL SESSION
9 10	COMMITTEE AMENDMENT " " to S.P. 544, L.D. 1688, "An Act To Improve Consistency within the Maine Human Rights Act"
11	Amend the bill by striking out the title and substituting the following:
12 13	'An Act To Improve Consistency in Terminology and within the Maine Human Rights Act'
14	Amend the bill by inserting after section 22 the following:
15	'Sec. 23. 5 MRSA §4684-A, as enacted by PL 1993, c. 379, §1, is amended to read:
16	§4684-A. Civil rights
17 18 19 20 21 22	For purposes of this chapter and Title 17, section 2931, a person has the right to engage in lawful activities without being subject to physical force or violence, damage or destruction of property, trespass on property or the threat of physical force or violence, damage or destruction of property or trespass on property motivated by reason of race, color, religion, sex, ancestry, national origin, physical or mental disability of sexual orientation or gender identity.
23 24	Sec. 24. 5 MRSA §17057, sub-§5, ¶B, as enacted by PL 2011, c. 449, §2, is amended by amending subparagraph (5) to read:
25 26 27 28 29 30 31	(5) Personal information pertaining to the employee's race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, marital status and, sexual orientation and gender identity; social security number; personal contact information as provided in Title 1, section 402, subsection 3, paragraph O; and personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance; and
32	Sec. 25. 14 MRSA §1202-A, as corrected by RR 2017, c. 1, §6, is amended to read:
33	§1202-A. Prohibition of discrimination

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A citizen may not be excluded from jury service in this State on account of race, color
religion, sex, sexual orientation as defined in Title 5, section 4553, subsection 9-C, gender
identity, national origin, ancestry, economic status, marital status, age or physical handicap
except as provided in this chapter.

- **Sec. 26. 17-A MRSA §1501, sub-§8, ¶B,** as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:
 - B. The selection by the person of the victim or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation, gender identity or homelessness of the victim or of the owner or occupant of that property; and
- **Sec. 27. 20-A MRSA §2404, sub-§3,** as enacted by PL 2011, c. 414, §5, is amended to read:
- **3. Discrimination prohibited.** A public charter school may not discriminate on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, gender identity, income level, disabling condition, proficiency in the English language or academic or athletic ability, except that nothing in this subsection may be construed to limit the formation of a public charter school that is dedicated to focusing education services on atrisk pupils, students with disabilities and students who pose such severe disciplinary problems that they warrant a specific education program.
- **Sec. 28. 20-A MRSA §2412, sub-§4, ¶A,** as enacted by PL 2011, c. 414, §5, is amended to read:
 - A. A public charter school may not discriminate against any person on the basis of race, color, sex, sexual orientation, gender identity, physical or mental disability, religion, age, ancestry or national origin or on any other basis that would be unlawful if done by a noncharter public school.
- **Sec. 29. 24-A MRSA §6910, sub-§3, ¶B,** as corrected by RR 2003, c. 1, §22, is 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, national origin, citizenship status, gender, sexual orientation, gender identity, disability or marital status. This subparagraph may not be construed to require a provider to furnish medical services that are not within the scope of that provider's license; and
- **Sec. 30. 25 MRSA §1544, 2nd ¶,** as amended by PL 2001, c. 399, §6, is further amended to read:

The bureau shall establish a category for abuse by adults of family or household members, a category for cruelty to animals and a category for crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, gender identity or ethnicity that are supplementary to its other reported information. The bureau shall prescribe the information to be submitted in the same manner as for all other categories of the uniform crime reports.

1 2	Sec. 31. 30-A MRSA §4706, sub-§5, ¶B, as enacted by PL 2017, c. 234, §8, is amended by amending subparagraph (6), division (h) to read:
3 4	(h) Sex or, sexual orientation as defined in Title 5, section 4553, subsection 9-C or gender identity; or
5 6	Sec. 32. 34-B MRSA §3611, sub-§9, ¶B, as enacted by PL 2007, c. 592, §2, is amended to read:
7 8 9 10	B. A person may not be excluded from the council system or discriminated against within the council system by reason of race, creed, color, gender, sexual orientation, gender identity, age, marital status, homelessness, national origin, disability or status as a consumer of mental health services.
11 12	Sec. 33. 34-B MRSA §15002, sub-§6, as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is amended to read:
13 14 15	6. Rights protections; cultural sensitivity. The program must protect the rights of children to receive care without regard to race, religion, ancestry or national origin, gender, physical or mental disability or, sexual orientation or gender identity.
16 17	Sec. 34. 36 MRSA §5122, sub-§2, ¶O, as amended by PL 2001, c. 679, §3 and affected by §6, is further amended by amending subparagraph (1) to read:
18 19 20 21 22 23 24 25 26	(1) "Holocaust victim" means an individual who died, lost property or was a victim of persecution as a result of discriminatory laws, policies or actions targeted against discrete groups of individuals based on race, religion, ethnicity, sexual orientation, gender identity or national origin, whether or not the individual was actually a member of any of those groups, or because the individual assisted or allegedly assisted any of those groups, between January 1, 1929 and December 31, 1945, in Nazi Germany or in any European country allied with or occupied by Nazi Germany. "Holocaust victim" includes the spouse or descendant of such an individual.'
27 28	Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.
29	SUMMARY
30 31 32	This amendment is the majority report of the committee. It updates statutory sections to be consistent with changes in law that were enacted in the First Regular Session of the 129th Legislature concerning gender identity.