

MAINE CITIZEN'S GUIDE TO THE
SPECIAL ELECTION

Tuesday, February 10, 1998



In Accordance with
a People's Veto Petition to Repeal a Law
Passed by the 118th Legislature
and the November 26, 1997
Proclamation of the Governor

Dan A. Gwadosky
Secretary of State

Appropriation 010-29A-3213-012

State of Maine
Office of the Secretary of State
Augusta, ME 04333

Dear Fellow Citizens,

A Special Election will be held on February 10, 1998, and all eligible Maine residents may vote on the People's Veto Referendum that will appear on the ballot. This pamphlet has information to assist you in making your own, informed decision about your vote. For additional voting information, you may contact your local municipal clerk or call Maine's Division of Elections at 287-4186.

Referendum Elections, and particularly Special Elections, are an important part of the democratic process. I encourage you to participate in the Special Election by casting your vote.

Sincerely,

A handwritten signature in black ink that reads "Dan Gwadosky". The signature is written in a cursive style.

*Dan Gwadosky
Secretary of State*

STATE OF MAINE

To the Governor of the State of Maine:

In accordance with Section 17 of Article IV, Part Third of the Constitution of the State of Maine, the undersigned electors of the State of Maine, qualified to vote for Governor, residing in said State, whose names have been certified, hereby propose to veto Public Law: 1997; Chapter 205, entitled "An Act to Prevent Discrimination".

APPROVED CHAPTER
MAY 16, 1997 205
BY GOVERNOR PUBLIC LAW

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-SEVEN

An Act to Prevent Discrimination

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

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

§4552. Policy

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 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.

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

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

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

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~~

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

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

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

G. Discrimination in employment, housing, public accommodations and credit on the basis of sexual orientation, except that a religious corporation, association or organization is exempt from these provisions.

QUESTION 1: PEOPLE'S VETO

Do you want to reject the law passed by the Legislature and signed by the Governor that would ban discrimination based on sexual orientation with respect to jobs, housing, public accommodations and credit?

INTENT AND CONTENT

This legislation amends the Maine Human Rights Act to make it unlawful to discriminate against individuals based on their sexual orientation in decisions regarding employment, housing, access to public accommodations and the extension of credit. Religious organizations are exempt from this new provision.

This legislation was approved by the Legislature and signed into law by the Governor in May, 1997. Petitioners subsequently collected a sufficient number of signatures of registered voters to refer the legislation to the people for approval or disapproval at a statewide election. Its effect has been suspended pending the outcome of the election.

A "YES" vote is in favor of the people's veto and disapproves the legislation.

A "NO" vote is in opposition to the people's veto and approves the legislation.



Dan A. Gwadosky
Secretary of State

Bureau of Corporations, Elections and Commissions

*Department of
the Secretary of State*

**STATE LAW LIBRARY
AUGUSTA, MAINE**

Rebecca Wyke
Assistant Secretary of State

Nancy B. Kelleher
Deputy Secretary of State

STATE OF MAINE

Special Election Tabulation

for the Election of

February 10, 1998

Official Vote for

People's Veto Question

Prepared by
Bureau of Corporations, Elections and Commissions
Elections Division

Appropriation 010 29A 3212 012

Statewide Referendum Results for the Election Held on 02-10-1998

Question #	Question Type	Question	Yes	No
1	PEOPLE'S VETO	Do you want to reject the law passed by the Legislature and signed by the Governor that would ban discrimination based on sexual orientation with respect to jobs, housing, public accommodations and credit?	145,452	138,153