
CIVIL RIGHTS DEVELOPMENTS IN MAINE, 1980

February 1981

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--A clearinghouse report of the Maine Advisory Committee to the U.S. Commission on Civil Rights, published for the information of the Commission and the people of Maine. The contents of this report should be attributed to the Maine Advisory Committee rather than to the Commission.

UNITED STATES COMMISSION ON CIVIL RIGHTS

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Dear Friend:

The U.S. Commission on Civil Rights was established by Congress in 1957 as an independent, bipartisan factfinding agency to investigate complaints, study legal developments and appraise Federal laws and policies with respect to discrimination, and serve as a national civil rights clearinghouse. In turn, State Advisory Committees were formed to assist the Commission in these responsibilities.

Over the past year the Maine Advisory Committee has been monitoring civil rights developments in our State as well as providing the U.S. Commission on Civil Rights with specific information within the agency's jurisdiction. That jurisdiction now includes discrimination because of race, religion, national origin, sex, age, and handicap.

As an outgrowth of our monitoring efforts, we have prepared this brief report on civil rights developments in Maine 1980. It does not claim to be a comprehensive statement, but we do believe it can serve as a bench-mark, identify problems and progress, add to our understanding of the status of protected groups, and help refine our concept of civil rights.

We have also included a short statement on the activities of the Maine Advisory Committee. If you would like to recommend ways in which we or the Commission might improve our work, please write to us at the above address. Certainly, the work ahead for all of us will be great.

We hope that you will find this review useful. Additional copies are available from the New England Regional Office as are the other publications of our Advisory Committee and the Commission.

Sincerely,

Madeleine D. Giguere

MADELEINE D. GIGUERE
Chairperson
Maine Advisory Committee

CIVIL RIGHTS DEVELOPMENTS IN MAINE, 1980

Introduction

To most Americans, the phrase "civil rights" brings to mind the quest of black Americans for freedom and equality: images of lunch counter sit-ins, freedom rides, and the National Guard escorting black children during the desegregation struggles of the 1950's and 1960's. We recall the reaction to the quest for civil rights in threats, violence, bombings, and murders.

The Nation then entered a period of legislative and judicial activity; increasing concern with de facto as well as de jure school segregation; growing emphasis on housing and employment discrimination; and a broader definition of "protected" groups. Most of us recognized that discrimination was being experienced by other racial groups including Asians and Native Americans; by groups identified by national origin, especially Hispanics; by religious groups; and by women, the elderly, and the handicapped.

Efforts were made on the local, State, and national levels to address these problems, with varying degrees of effectiveness. Even with growing resistance in the 1970's, there was progress.

However, 1980 has seen a resurgence of the Ku Klux Klan and other hate groups, an attempted assassination of a major black leader, urban riots, and political attacks on programs that blacks and other minorities regard

as crucial to their hopes. The year ended with black Americans not only fearful that the political tide had turned against them, but with the evidence of race-motivated murders in a number of cities.

The U.S. Commission on Civil Rights believes that the 1980's will be a critical period for civil rights. In a year-end report to the President and Congress, the Commission observed that hate group activity, racially motivated violence, and the rising number of civil disorders all have contributed to "an atmosphere that impedes civil rights progress."

The Commission called for a strong, well-coordinated Federal response, led by the Attorney General or another designated official, to deter violence, and it urged the President to appoint a senior White House advisor responsible for improving and directing the Federal civil rights effort.

The past year also saw a hardening of opposition to measures that actively seek to advance equality of opportunity not only for racial minorities, but for women, the handicapped, and the elderly. In response, the Commission urged Congress to support the strengthening of fair housing legislation, and to provide the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs with the resources to combat job discrimination. The Commission reaffirmed its support for the Equal Rights Amendment and affirmative action, and recommended changes in Federal law to prosecute police officers who violate the civil rights of those they are charged to protect.

While many of these matters may seem removed from the events of daily life in Maine, they nonetheless involve us as Americans concerned about our fellow Americans, whatever their background or State of residence.

The brief report that follows paints a somewhat less bleak picture for our State. We have transmitted this information to the U.S. Commission on Civil Rights as its Maine Advisory Committee, and now are pleased to share it with you.

An Overview of Maine

Maine has only trace elements of the familiar racial and ethnic minorities -- blacks, Hispanics, Asian Americans, and Native Americans. Each accounts for only a fraction of a percent of the population, although the last group has long been the subject of special obligations on the part of the State. A much larger group, Franco-Americans, has a strong sense of its own identity and of the great influence upon it of public cultural and educational policies.

Although 1980 was a Census year and promised to deliver more detailed information than ever before about racial and national origin groups, publication of these statistics has been delayed pending the outcomes of a number of suits around the country alleging that undercounts occurred. The most recent figures for minority populations are 1981 projections published by the Maine Department of Manpower Affairs-- 2,415 blacks and 3,159 Native Americans, Asian Americans, and other nonwhites. Hispanics were included among the color groups rather than estimated separately. The overall Census count for Maine has been announced-- 1,123,560. The combined nonwhite estimates amount to only one-half of one percent of the Census total count.

More than 650 Indochinese refugees have settled recently in the State, and some Cuban refugees also began to arrive during 1980.

Although employers in the Portland area have praised the Indochinese as conscientious workers who are adapting well to their new life and community, minority employment patterns similar to those familiar elsewhere can be readily identified in Maine as well. For instance, although the Department of Manpower Affairs projects that minorities will account for only 0.4 percent of the labor force statewide in 1981, they were on active file with the Maine Job Service (i.e., unemployed) at triple that rate in 1980. The disparity is far greater in Washington County (1.7 percent of the labor force vs. 11.1 percent on file with the Job Service) and Penobscot County (0.6 percent vs. 4.5 percent).

Sex discrimination forms the largest portion of the caseload of the Maine Human Rights Commission, and organizations dedicated to equality for women are very active in the State. These groups have promoted the participation of women in government and electoral politics. They have also emphasized employment issues, and the status of working women has been well-covered by the State's media. The Department of Manpower Affairs estimates that in 1981 50.1 percent of Maine's women will be in the labor force (as compared to 70.2 percent of the men), and that they will account for 45.3 percent of the labor force.

Advocates for the handicapped in Maine are becoming increasingly vocal. Their priorities include vocational training, special education, and access to public buildings (particularly for town meetings).

Legal, Policy, and Institutional Developments

Legislative Activity

In its regular session commencing in January 1980, the Maine Legislature enacted revisions of the Maine statutes dealing with domestic violence. The revisions went into effect on July 3, 1980, but have a "sunset" provision extending them only to November 1983. Among the new provisions are warrantless arrest authority for police officers; disallowal of "voluntary intoxication" as a defense in domestic assault pleas; exclusion of abandonment as a factor in custody disputes when it is a result of violence; and mandatory arrest for violation of a protective order.

The legislature also passed a law making the provisions of divorce and child support laws gender-neutral. The old law with sanctions for nonsupportive fathers but none for nonsupportive mothers was regarded as inconsistent with State and Federal Supreme Court decisions.

A special session of the legislature in April considered matters crucial to the State's Indians. First, the legislature ratified the negotiated settlement between the State and the Passamaquoddy and Penobscot tribes and sent it to Governor Brennan, who signed it. Motions for a

referendum on the settlement failed to carry in each house of the legislature. The settlement then went to the U.S. Congress, where it was passed and signed into law by President Carter as the "Maine Indian Land Claims Settlement Act of 1980." The act funds the largest land claims acquisition in U.S. history. The settlement calls for the tribes to relinquish their claims to 12.5 million acres of land (two-thirds of the State) in exchange for a \$27 million permanent trust fund and \$54.4 million for the purchase of 300,000 acres.

In addition to the settlement's provisions for the land claims plaintiffs-- the Passamaquoddies and Penobscots-- it quiets the potential claim of a non-plaintiff tribe, the Maliseets. The Maliseets will now have Federal tribal status for some purposes, and will also receive 5,000 acres from the 300,000.

Another legislative matter concerned principally off-reservation Indians rather than the reservation residents who will be the principal beneficiaries of the land claims settlement. The Governor's initial budget message had included no appropriation for the Maine Department of Indian Affairs (instead, the Governor had called for additional funds for the attorney general's continued opposition to the land claims). The department's role as an advocate for the two-thirds of Maine's Indians who live off-reservation had been particularly valuable, although this activity accounted for only a tenth of the department's expenditures. Spokepersons for the off-reservation Indians stated that 91 percent of these families are below the poverty level, and they suffer a 47 percent unemployment rate. In response to a proposal by the Governor on April 4, the legislature provided funding for a Maine Indian Transitional Office in the Maine Department of Finance and Administration. The appropriation for the period running from July 1, 1980, through January 31, 1981, maintained an office for nonreservation Indians, located in Houlton, Maine.

The legislature elected in November 1980, like the previous legislature, has one of the largest representations of women among State legislatures-- 42 female lawmakers accounting for 22.8 percent of the total.

Government Agency Activity

The Maine Human Rights Commission (MHRC) overhauled its regulations with regard to employment in 1980. The old regulations, which had been in effect for five years, have been adapted to new conditions that have emerged in that period. The regulations cover preservation of records, job advertising and solicitation, preemployment inquiries and tests, and discrimination due to gender, age, physical and mental handicap, race or color, religion, and ancestral and national origin. The most controversial of the new regulations concern employers' responsibilities to prevent sexual harassment and to make "reasonable accommodation" for the handicapped. The sexual harassment regulations were adopted with the main body of the regulations in July, using language echoing that in the U.S. Equal Employment Opportunity Commission's (EEOC) guidelines on illegal sexual harassment. The "reasonable accommodation" sections were incorporated in September, after additional deliberation by the Commission. The new regulation became effective October 1, 1980.

The MHRC reports that 347 complaints were filed with it during fiscal year 1979-80, an increase of six percent over the previous year. Employment discrimination was alleged in 97 percent of the complaints.

Sex discrimination was the most common basis cited, accounting for 58 percent of the complaints. Physical handicap was cited in 15 percent of the complaints, age discrimination in 13 percent, race in five percent, national origin in three percent, and "other" in six percent.

The commission's Early Resolution Settlement (ERS) process established in 1978 continued to expedite casehandling. In fiscal year 1979-80, 39 percent of cases were settled prior to a full investigation, up from 29 percent the previous year and only nine percent the year before ERS was implemented. During 1979-80, investigators informally resolved 150 complaints, while 168 cases went to a vote of the commissioners, 65 (39 percent) of which resulted in findings of probable cause that discrimination occurred.

During 1980, the MHRC entered into a cooperative agreement with the U.S. Department of Housing and Urban Development which provides funds for

the processing of housing discrimination cases. The agreement also calls for specialized training of staff which will be overseen by HUD.

On August 1, the Commission closed its Portland Field Office. The closing was the result of the expiration of a one-year agency improvement funding contract.

A precedent was set in 1980 when a State agency repealed a regulation that the Maine Human Rights Commission had found to be discriminatory. The case involved a male nurse's successful challenge to a Department of Human Resources rule that boarding or nursing homes with more than 10 beds and only one attendant had to hire a woman if any residents were female. The requirement constituted illegal sex discrimination.

Complaints filed by seven women custodial workers against St. Regis Paper Company produced an MHRC finding of discrimination. The women were not allowed to work in the men's locker rooms, which precluded them from working overtime and from filling vacancies on the day shift in keeping with their seniority. The MHRC found reasonable grounds to believe that unlawful discrimination had occurred, and the case will be litigated by the attorney general's office.

Also in 1980, a consent decree was issued in a case brought by a female who had been denied a position as a guard at the Maine State Prison. The Department of Mental Health and Corrections developed an Affirmative Action Plan as a result of the action and agreed to make a good faith effort to recruit and hire females into guard positions. The complainant was employed as a guard and received back pay.

The Maine Human Rights Commission made clear in 1980 that the Maine Human Rights Act covers employees who receive any form of compensation whatever. During the summer, the MHRC received a complaint from a member of the auxiliary of the Mapleton Fire Department alleging that the department practiced sex discrimination. Although the department is considered voluntary, members get stipends based on the number of fires they fight. The complainant was a woman who had been certified as a firefighter by the Maine State Fire Academy. She claimed that it would be advantageous for the department to utilize women for such tasks as

operating pumps and gauges during daytime fires when men were at work. The chief reportedly asserted that the proper role of women was to raise money and cook during all-night fires. The settlement filed by the MHRC called for the department not to limit opportunities on the basis of gender and to establish clearer selection criteria, and to give the complainant full consideration for the next opening. She was subsequently hired during the December reorganization of the department. Of the outcome, the Maine Municipal Association told its members, "...the Mapleton experience serves to highlight the fact that volunteer, part-time, or nominally-paid positions are covered by EEO and AA laws and regulations. This is perhaps the first instance where this has occurred."

A potentially significant case brought to the MHRC involved two Penobscot women who claimed that they had suffered sex discrimination from tribal authorities. The commission unanimously found that there was probable cause to believe that the women had experienced retaliation for making their complaints and turned the retaliation complaint over to the State attorney general. It was then recommended that the complaints be turned over to the U.S. Equal Employment Opportunity Commission for litigation processing in that the case raised questions of State jurisdiction (see U.S. Supreme Court on Maine v. Dana and Sockabasin, below).

During 1980, the Bureau of Maine's Elderly, in cooperation with the Maine Human Rights Commission, undertook a study of the State government work force. The study was a followup to Maine's becoming in 1979 the first State to prohibit mandatory retirement without exception. State government is Maine's largest employer. The study found that only two percent of Maine's State employees are 65 or older. A survey of managers' attitudes found that biases against older workers often appear in hiring situations, although in the abstract the managers have enlightened views of the elderly.

In 1980, the Maine Commission for Women operated with paid staff for the first time. Among the activities that the commission undertook during the past year were maintaining a talent bank of resumes of women interested in appointments to State boards and commissions and holding two "Winning with Women" workshops aimed at encouraging women to seek elective office. In 1980, the Maine Department of Manpower Affairs continued to provide

employers with crucial information on the minority and female labor force for affirmative action planning. It published a 1980 Update to its Women and Minority Labor Force in Maine, 1979. The earlier publication was notable for its succinct and clear discussion of the ideas and laws behind the statistics used in affirmative action planning, for recommended affirmative action practices, and for its bibliography.

Affirmative action within Maine State government was boosted in October by the formation of the State Affirmative Action Officers Task Force. The group will focus on affirmative action aspects of collective bargaining agreements, State legislation, and the applicant register system, and it has established a speakers' bureau. The task force is chaired by Affirmative Action Officer Laurel Shippee of the Department of Mental Health and Corrections.

The performance of the Maine Bureau of Vocational Education in making its programs accessible to women, the handicapped, and non-English-speaking students was criticized in June at a public hearing on the State's proposed vocational education plan for 1981. The Maine Human Rights Commission criticized the bureau for failing to provide bilingual programs or even to pursue funds to offer them. The MHRC also cited shortcomings with regard to promoting sex equity and improving accessibility to the handicapped. Maine Advocates for the Developmentally Disabled criticized a lack of specificity in the plan for compliance with Section 504 of the Rehabilitation Act of 1973, which mandates that federally-funded activities be made accessible to the handicapped. The Maine Association of Retarded Citizens asserted that the bureau had not provided adequate leadership to local programs with regard to obligations to the handicapped. The Southern Maine Association of Handicapped Persons stressed a lack of adequate communication among the Maine Bureau of Special Education, the Bureau of Vocational Education, and the Bureau of Vocational Rehabilitation.

The U.S. Department of Housing and Urban Development found Portland, Maine's largest city, in "apparent noncompliance" with equal employment requirements of the Housing and Community Development Act of 1974. This puts the city in the position of having to either refute the findings of the HUD review team or propose corrective action acceptable to HUD.

The decision of the U.S. Department of Education's Office of Bilingual Education and Minority Languages to cut back funding of French bilingual programs in Northern New England has aroused the concern of Franco-Americans. One of the programs not renewed was the St. John River Valley Bilingual Education Program, which had been in operation since 1970. It was the only bilingual program in the Nation to have been validated by the National Diffusion Network, which identifies "special programs that work" and are replicable. Although local funding can pick up part of the slack, the area is one of the poorest in one of the Nation's poorest States. Other Maine programs that were not approved for funding are at Jackman, at the University of Maine at Orono, and at Pleasant Point (a Native American program). One bilingual program application that has been funded will serve Portland's Vietnamese community.

The U.S. Department of Education also proposed regulations during 1980 that would have expanded the responsibilities of school systems to provide native language instruction to pupils with limited proficiency in English. The regulations are intended to implement protections against national origin discrimination found in the Civil Rights Act of 1964 and made clear in the U.S. Supreme Court's decision in Lau v. Nichols. Maine Commissioner of Education Harold Reynolds expressed his opposition to the regulations in a letter to the U.S. Department of Education on October 17 in which he challenged the legal basis for the new requirements and argued that States should have greater discretion in choosing how to meet the needs of minority-language students. Maine currently requires instruction in the "basic language" of English and permits bilingual education in local schools, some of which have developed bilingual programs and others of which have instituted English as a Second Language (ESL). The Department has not yet issued final regulations.

June 3, 1980, marked the conclusion of the three-year period during which certain recipients of Federal funds were to have made their programs accessible to the handicapped by overcoming architectural, communication, and environmental barriers. Such accessibility is required of all Federal fund recipients by Section 504 of the Rehabilitation Act of 1973, but the June 3 deadline applied only to programs funded by the former U.S. Department of Health, Education, and Welfare (now the Department of Education and the Department of Health and Human Services).

In February, the South Portland Police Department issued a forthright and insightful policy on race and ethnic relations. The policy's "statement of purpose" noted not only legal and moral obligations, but asserted that an officer's prejudice is dangerous to both the community and his colleagues, in that it often escalates confrontations. General Order #34 prohibits racial or ethnic aspersions by statement or action, sets forth complaint processes for both citizens and officers, and states that violations will be grounds for disciplinary action.

Judicial and Criminal Justice System Activity

The U.S. Supreme Court, ruling on the suit by a Maine couple who alleged that a State agency had improperly computed their Aid to Families with Dependent Children (AFDC) benefits, decided that the Civil Rights Act of 1871 permits private citizens to sue State and local officials. The Court majority held that Section 1983 of the act allows private citizens to sue such officials whenever they believe those officials to be harming them by violating a Federal law.

The U.S. Supreme Court let stand the action of the Maine Supreme Judicial Court in overturning the State court convictions of two men convicted of an act of arson on a Passamaquoddy Indian reservation (Maine v. Dana and Sockabasin). The State high court had ruled that State courts have no jurisdiction on the reservations of bona fide tribes whose tenure on the reservations can be traced to 1790. The State had appealed that ruling.

The U.S. Supreme Court has agreed to review the case of Doel v. Colby College concerning whether pension plans can award benefits differentially by gender.

A significant development affecting the MHRC's effectiveness occurred when the Maine Supreme Judicial Court established a framework for Superior Court review of employment discrimination cases. In reversing a Superior Court ruling, the high court directed that Superior Courts, when considering employment discrimination cases, should evaluate the evidence using the three stages developed in Federal case law under parallel Federal employment discrimination statutes. The case involved the Auburn Police

Department's decision not to hire two female applicants for positions as officers.

A landmark decision was handed down by the Superior Court in a complaint alleging that the female complainant had not been hired for a vocational education teaching position because of her sex. In finding in the complainant's favor, the court ordered a \$5,500 back pay award along with mandates that the City of Lewiston stop using its existing oral interview process in screening candidates for teaching positions in the Trade and Industry Division at the high school and develop a nondiscriminatory employment selection procedure.

Most law enforcement officials reportedly have made good progress in effectively implementing within their jurisdictions the new domestic violence protections. This probably reflects the popular support that created the momentum for the legislation. Some difficulties have been associated with the role of court clerks, who had not received training in their new responsibilities when the laws became effective in July, and who reportedly continue to regard requests for assistance as requests for legal assistance (which they cannot provide) rather than simple access to an administrative procedure.

Controversies and Crises

The Indian land claims settlement concluded a 13-year process of litigation and negotiation, and the majority of Maine's residents are to be applauded for accepting this reasoned compromise and putting enmity behind them. However, the outcome did not altogether quiet controversy. On the one hand, Maine residents who believed that the State had conceded too much in the settlement pushed to have the settlement put before the voters in a referendum. However, motions for a referendum failed in each house of the State legislature, and a petition drive also fell short. On the other hand, some tribal members believed that their representatives had given up too much tribal sovereignty, and challenged tribal authorities.

It is true that the tribes relinquished a portion of the special Federal jurisdiction they had had, and that in some ways their relationship to the State of Maine is now more like that of a municipality than a nation. For example, management of the new territories will entail more cooperation with and oversight by non-Indian bodies than was the case with the reservation lands. However, it is also the case that lofty legal status and rights often are of little benefit absent economic resources, while economic clout can expand a restrictive legal setting. The settlement may reflect tribal leaders' awareness of this dynamic.

In late spring, Maliseet Indians demonstrated at three points on the Canadian border. The specific focus of the protests was the impending deportation of two American-born Maliseets, but the larger concern was what the demonstrators viewed to be widespread infringements on border-crossing and other rights guaranteed them under the Jay Treaty of 1794. Modern U.S. Supreme Court rulings have determined that the treaty grants an aboriginal border-crossing right that is more basic than such immigration agency practices as deportation and alien-registration. The U.S. interpretation of the Jay Treaty makes even Canadian-born Maliseets eligible for a variety of benefits, such as having Social Security numbers and participating in Food Stamp, CETA, and general assistance programs. However, the demonstrators contended that at the local level Indians are often denied these rights and benefits.

Maine Advisory Committee Activities

In October 1979, the Maine Advisory Committee announced a nine-point list of planned activities for the coming year. On this basis the Committee undertook the following activities during 1980:

1. The Committee prepared an information kit on sexual harassment in employment which was distributed in September to about 50 Maine firms and agencies on a sample basis. The sample mailing alone produced requests for over a hundred copies of the kit. In the general distribution of the kit in December, it was sent to about 500 major employers and labor organizations, local chambers of commerce, State government agencies, and to the media. The Kennebec Valley Chamber of Commerce participated in the

distribution of the kit. The kit also will be used as a resource in the Maine Civil Liberties Union's Women in Employment Project and by the Maine Human Rights Commission to help explain its new regulations applying to harassment.

2. A Maine Advisory Committee member served as a backup trainer for courses on domestic violence at the Maine Criminal Justice Academy. Copies of U.S. Commission on Civil Rights' publications on domestic violence were provided to the academy, and a section of the Commission's Battered Women: Issues of Public Policy was used in the courses and distributed.

3. The Committee established closer relationships with State civil rights agencies. As a result of this initiative, representatives of the Maine Human Rights Commission, the Maine Commission for Women, the Maine Department of Indian Affairs, and the Maine Advocates for the Developmentally Disabled have made presentations and discussed possible joint programs at Maine Advisory Committee meetings.

4. The Committee monitored equal employment in hiring for the 1980 Census as part of a national project of the U.S. Commission on Civil Rights. Committee members met with Census Bureau local officials to discuss hiring practices. In addition, the Committee utilized radio talk shows and letters-to-the-editor to apprise Maine's Franco-American population of the significance of the Census and of points of confusion in the ethnic self-identification item.

5. The Committee distributed its Consultation report, Civil Rights in Maine, to the Governor, legislators, agency heads, and civil rights organizations throughout the State.

6. The Committee systematically distributed USCCR publications to those who can make use of them. For example, USCCR publications were distributed at the Maine Multi-Cultural Network's Con-Fest in Augusta and were shipped for distribution at a Community Services Administration regional training session in Portland on civil rights.

The elements of the nine-point program that were not accomplished include: evaluating the civil rights implications of legislation being

considered by the Maine Legislature; studying discrimination against the elderly in fuel deliveries, which as far as could be determined was an economic rather than an age discrimination issue; and studying vocational education, which was already being addressed by a variety of Maine organizations.

In addition, the Maine Advisory Committee played a role in the extending of funding for State services for off-reservation Indians. The Committee wrote to the Governor about the predicament of off-reservation Indians and of their continuing need for State services. It cooperated with other nonpartisan organizations concerned about the problem, including the Maine League of Women Voters, the American Friends Service Committee, the Catholic Diocesan Human Relations Services, and the New England Federal Regional Council. During February, representatives of the Committee and of these other groups met twice with members of the Governor's staff to explain the problem and discuss alternatives.

In November, the Advisory Committee participated in a U.S. Civil Rights Commission national project on local compliance with the Voting Rights Act of 1965. The Committee monitored voting practices in Perry (site of Pleasant Point Indian Reservation), the only Maine jurisdiction covered by the Act.

Prospectus and Priorities for 1981

Emerging Issues

Among the highest priorities for the Maine Human Rights Commission in 1981 is legislation to prohibit discrimination in housing because of children. The agency has reportedly received a high volume of calls from apartment seekers with this complaint, although the agency has lacked the jurisdiction to deal with the matter.

Other priorities of the MHRC are studying age discrimination in State government employment and monitoring compliance of the State vocational education system with sex equity requirements.

The Maine Commission for Women has proposed a study of pay equity on the basis of gender, and the Governor included this in his legislative proposal.

State Legislator David Brenerman of Portland has proposed legislation designed to increase opportunities for the elderly in State employment. He calls for a one to three percent set-aside in State employment for older persons.

Last year's uncertainty about State funding for services for off-reservation Indians is re-occurring. Funding for the Indian Transitional Office is due to run out on January 31, and the organizations engaged in this issue last year are again reporting that Maine government seems unable to distinguish off-reservation from reservation Indians. Moreover, there seems to be a desire to have the State government "get out of the Indian business," a somewhat understandable state of mind for government officials exhausted from the long-running settlement negotiations. The Advisory Committee plans to monitor this situation.

The Penobscot and Passamaquoddy tribes are now in the process of choosing how to disburse or invest the trust funds from the land claims settlement. Some members have called for per capita distribution, while others have backed tribal economic development projects, vocational training, or elderly services.

Proposed Maine Advisory Committee Activities

The Maine Advisory Committee will continue to distribute its information kit on sexual harassment in employment. The status of working women will continue to be a priority, and the Committee is considering projects on the reasons women leave construction trades work and on recruitment of women for vocational schools.

In view of some of the problems reported in the implementation of the domestic violence statutes, the Committee is considering sponsoring a forum to assess the effectiveness of the new law. The Committee is also planning to print and distribute wallet-size cards listing emergency phone numbers in Maine for victims of domestic violence.

The Committee is cooperating with the Indian Task Force of the New England Federal Regional Council in preparing a brochure on rights of Indians under the Jay Treaty, and will assist in its distribution. The Committee is enlisting the participation of State Advisory Committees in Canadian border States in other regions to distribute the brochures as well.

The Committee will analyze and publicize 1980 Census information for Maine when it becomes available.

Needless to say, the Maine Advisory Committee will also respond to topical issues and problems. It will also participate in the national projects of the U.S. Commission on Civil Rights, which in 1981 will focus on racial violence and the activities of hate groups, discrimination in health insurance, and religious discrimination.

MAINE STATE ADVISORY COMMITTEE
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U.S. COMMISSION ON CIVIL RIGHTS

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The U.S. Commission on Civil Rights is an independent factfinding agency which investigates issues related to discrimination or denial of equal protection of the laws because of race, color, national origin, religion, sex, handicap and age. The Maine Advisory Committee is one of 51 such bodies composed of private citizens who advise the Commission on civil rights developments in their States.