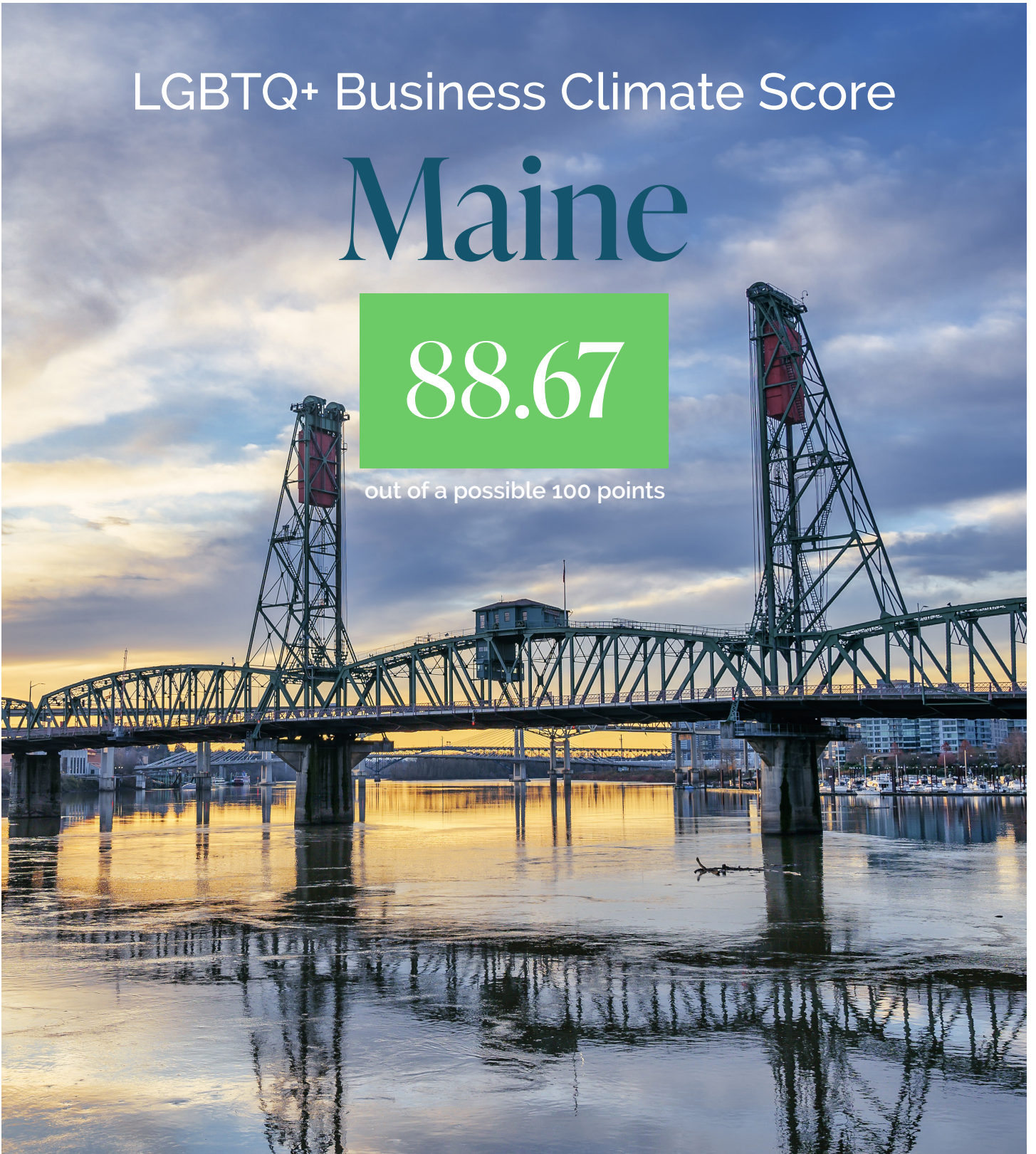


LGBTQ+ Business Climate Score

# Maine

88.67

out of a possible 100 points



Out Leadership's Business Climate Index for the 50 United States is an assessment of states' performance on LGBTQ+ inclusion. It measures the impact government policies and prevalent attitudes have on the LGBTQ+ people residing in each state, quantifying the economic imperatives for inclusion and the costs of discrimination. It equips business leaders and policy makers with a clear sense of the most impactful steps states can take to make themselves more hospitable to forward-thinking, innovative, inclusive businesses.

## Color Coding



For more context around these scores, and to learn more about the criteria we used to assess how state laws, actions and attitudes toward LGBTQ+ people create business and talent risks, please visit [www.outleadership.com/staterisk](http://www.outleadership.com/staterisk)

# Maine



### Legal & Nondiscrimination Protection

Maine has a comprehensive nondiscrimination law. Updating a state ID gender marker only requires an affidavit signed by a clinician, and changing it on a birth certificate requires a notarized form. As of July 2020, Maine offers a nonbinary gender option.



### Youth & Family Support

Conversion therapy for minors is banned. The state also prohibits discrimination against youth in the child welfare system based on sexual orientation, gender identity, and gender expression, and prohibits private adoption agencies to discriminate on religious grounds.





## Political & Religious Attitudes

The state's U.S. Senators and Governor all have extensive voting records supportive of LGBTQ+ equality and inclusion. The state does not have a "religious freedom" law.

18/20



## Health Access & Safety

HIV exposure is not criminalized in Maine.\* Although Maine's hate crimes law does not specify gender identity as a protected category, in 2017 the Attorney Generals' office said that it considered it to be one. There is no hate crimes protections for gender identity. In March 2019, Maine prohibited trans-related exclusions by private health insurers, and in September 2019 trans-related services were added to the coverage list of MaineCare, the state's Medicaid program.

19/20



## Work Environment & Employment

18% of transgender employees in Maine reported being harassed in the past year due to their gender identity, and 23% report mistreatment such being told to present in the wrong gender in order to keep a job. 18% of LGBTQ+ individuals in Maine reported food insecurity, more than that of their non-LGBTQ+ peers (13%). In addition, 26% of LGBTQ+ individuals in Maine reported making less than \$24,000 per year. 7% of LGBTQ+ individuals report unemployment in Maine, nearly double the non-LGBTQ+ rate (4%).

13/20

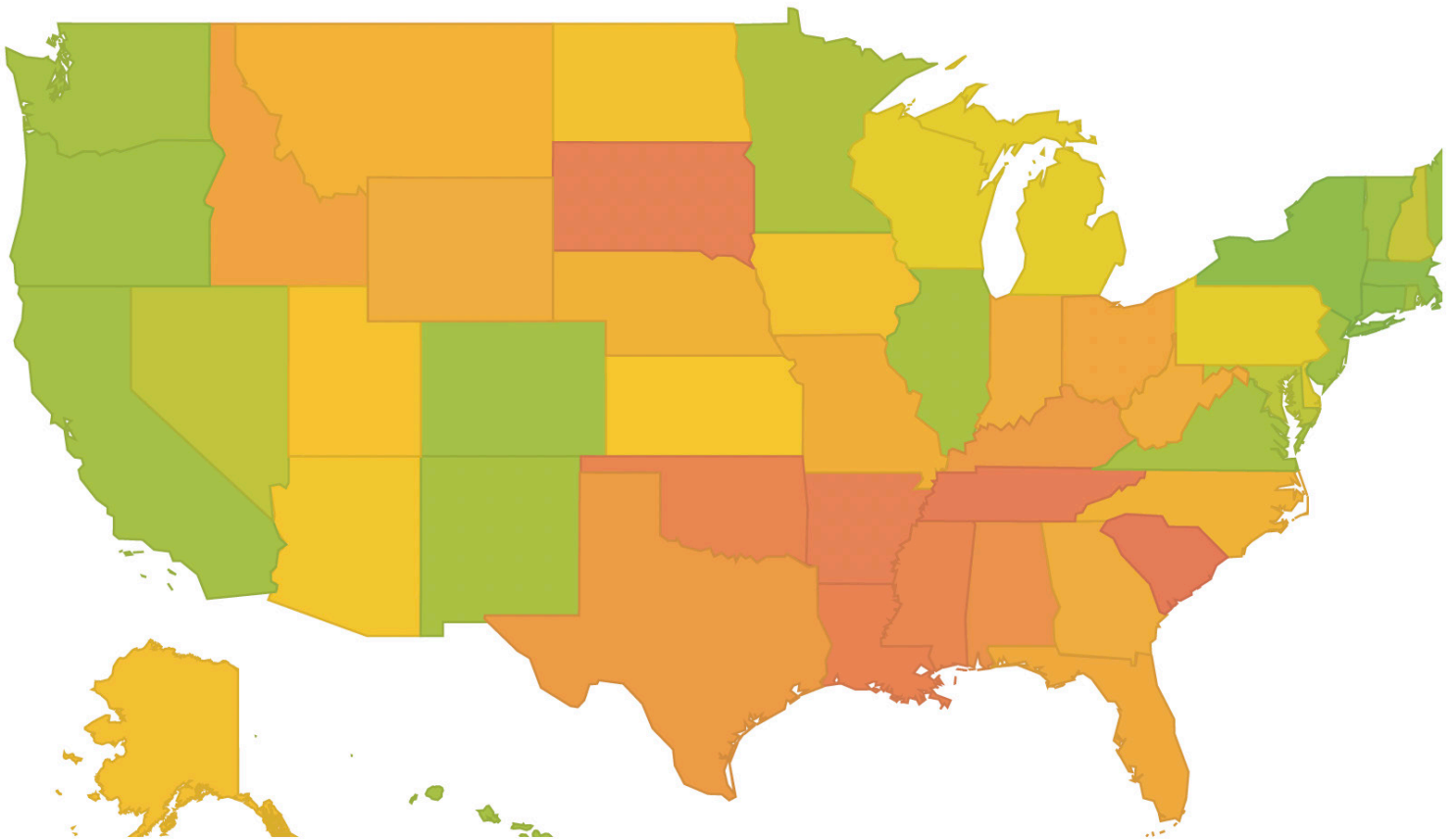
## A Note on Methodology

Download this report to learn how and why Out Leadership created the LGBTQ+ Business Climate Index for the 50 U.S. States, with important details about our methodology, including our data standards and practices. NOTE: \*HIV criminalization laws are discriminatory and ineffective. These laws fail to account for advances made in treating and controlling HIV, may deter people from getting tested and seeking treatment, and can exacerbate the stigma targeting people living with HIV and LGBTQ+ people.



# United States Heat Map

The legal and cultural situation for LGBTQ+ people varies widely across the country. This map, based on each state's total Business Climate Score, illustrates the states where LGBTQ+ people are empowered to participate more fully and openly in the economy, and the states that are lagging behind.





# Maine Talking Points

4.9% of Mainers identify as LGBTQ+. Conservatively, that's LGBTQ+ personal income of \$3.2 billion – it's a market my business can't afford to ignore.

When LGBTQ+ employees don't feel welcome at work, they're less likely to stay, and employee turnover is a drag on the state economy and business competitiveness. It costs companies an average of \$9,060 to replace an employee in Maine, and it can cost up to \$325,400 to replace senior executives. Maine and the businesses operating there have strong financial incentives to create inclusive workplaces in the interest of keeping these costs down.

Maine's comprehensive nondiscrimination law protects LGBTQ+ people, so the state is already experiencing the positive economic impacts of such policies. That said, there's still a gap between policy and culture, and organizations in Maine have a business imperative to ensure that LGBTQ+ people feel welcome in their workplaces.

Millennial and Gen Z consumers prefer to do business with companies with LGBTQ+ friendly advertising and policies – 54% say they're more likely to choose an LGBTQ+ inclusive brand over a competitor – which is why it's important that Maine continue to foster a business environment where being inclusive is supported.

## Regional Context

# The Northeast

Out Leadership and FCB partnered on original market research into the attitudes of American workers on LGBTQ+ inclusion, which fielded in 2019 and 2020. These briefs as a whole will be updated on an ongoing basis by Out Leadership because we recognize the ever-changing nature of policy on the local, state, and national level.

The Northeast has the lowest percentage of those who are out at work (49.6%). LGBTQ+ workers in urban environments, however, do feel slightly more comfortable talking about their personal lives vs. urban LGBTQ+ workers for the rest of the country (17% more likely than nationwide). Workers in this region are more likely to hear or engage in negative conversations about LGBTQ+ people at work. Particularly for the non-LGBTQ+ group, which is 23% more likely to report observing or experiencing negative conversations about LGBTQ+ people vs the nation as a whole. Despite being more likely to hear negative conversations at work, workers in this region are the least likely to say that they hear this negativity from state leadership. They are 61% less likely to report that leadership in their state talks about LGBTQ+ people in predominantly negative terms. Like most regions, there is a strong difference between urban and rural audiences, especially for the self-rated importance of team diversity when looking for jobs. LGBTQ+/ Allies living in Rural areas care the least about diverse teams when looking for jobs (49% less likely than nationwide). Finally, audiences in the Northeast were 20% more likely to list "Supporting LGBTQ+ Pride celebrations" as one of their top three ways businesses can demonstrate their support for the community.

*Unless otherwise noted, all comparisons for more or less likely are compared to the National results. Regional results are based off of 1,500 respondents (LGBTQ+ and Non-LGBTQ+ responses have been weighted to be age-representative for each audience in each region). National results are based off of 600 respondents representative of each audience (LGBTQ+ vs Non-LGBTQ+).*

**States in the Northeast region included: Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont.**



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# Current Legal Status of LGBTQ+ People in Maine

## Legal status of the Lesbian, Gay and Bisexual Community

Maine's Human Rights Act explicitly protects residents from discrimination on the basis of sexual orientation and gender identity in employment, housing, education, credit, and public accommodations.

Laws in Maine explicitly protect students from discrimination or harassment in public school based on actual or perceived sexual orientation, gender identity, sex or HIV status.

State employees in Maine are protected by non-discrimination policies that prohibit discrimination against state employees on the basis of sexual orientation and/or gender identity.

Maine prohibits discrimination against youth in the child welfare system based on sexual orientation, gender identity, and gender expression.

Maine banned conversion therapy for minors in 2019.

Maine law permits single LGBTQ+ persons and same-sex couples to petition to adopt. Maine does not permit private child placement agencies to discriminate based on their religious beliefs.

Maine does not have a Religious Freedom Restoration Act by statute.

Maine does not criminalize exposure to or transmission of HIV.

In addition to federal laws, Maine's antidiscrimination laws protect people with HIV from discrimination in employment, housing and public accommodations.

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## Legal Status of the Transgender Community

Legal name changes require an applicant – or, in the case of minors, a parent or guardian – to submit a petition to probate court, which involves a required publication of the name change. Under current law, a petitioner must be an abuse victim and must establish a reasonable fear for their safety before the court in order to have the notice requirement

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waived. Trans people who aren't abuse victims cannot have this notice requirement waived even if they can establish a reasonable fear for their safety.

To change gender markers on a birth certificate, which includes a nonbinary "x" option as of 2020, applicants must submit a notarized form.

In order to update the name on a Maine ID, like a driver's license, the applicant must notify the Bureau of Motor Vehicles within 30 days of the name change and submit supporting documentation, like the court order. To update the gender marker, the applicant must submit a gender designation form signed by a licensed provider.

The state started recognizing non-binary individuals on Maine IDs in 2018.

As of March 2019, private insurers are required to cover gender affirmation related healthcare.

In September 2019 trans-related services were added to the coverage list of MaineCare, the state's Medicaid program.

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## Government Statements and Actions

A bill introduced in May 2021 would allow incarcerated trans people to be housed according to their gender identity. The bill has had little movement with no major updates.

In 2019, Governor Janet Mills signed LD1, prohibiting trans exclusions in private health insurance, a ban on conversion therapy, a ban on the gay/trans panic defense, and a bill clarifying the definition of gender identity in the Maine Human Rights Act and mandating provision single-occupancy gender-neutral restrooms.



# Impact of LGBTQ+ Discrimination on Business Talent

**1** NO RISK

**2** LOW RISK

**3** MODERATE RISK

**4** NOTABLE RISK

**5** HIGH RISK

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## Brand Risk

**1** NO RISK

Companies incur no brand risk by doing business in Maine, which has strong LGBTQ+ protection and a positive reputation for equality.

## Client Risk

**2** LOW RISK

There is low risk of LGBTQ+ or strong ally clients pulling their business from companies operating in Maine in light of the state's business climate and reputation.

## Talent Risk

**1** NO RISK

Maine has comprehensive antidiscrimination laws and protections, making it a state top LGBTQ+ talent would prioritize.

## Marketing Risk

**2** LOW RISK

There is low risk involved in marketing to the LGBTQ+ community in Maine.

## Future Risk

**1** NO RISK

The state seems to have no appetite in recent years to file or pursue discriminatory legislation, and statewide nondiscrimination protections are in place.

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# Socio-cultural Environment of LGBTQ+ People in Maine

## Status of LGBTQ+ Organizing and Community

Portland has held a pride parade since 1987. Around 15,000 people attended in 2019, a record turnout. It was canceled due to the pandemic in both 2020 and 2021.

Portland is the "third gayest city" in America based on the percentage of same-sex couples. In February, the state's first LGBTQ+-focused therapy practice opened there.

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## Cultural Views of the LGBTQ+ Community

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# Partners

Our partnerships make our work possible. The first State LGBTQ+ Business Climate Index released in 2019 was funded by a grant from the Gill Foundation. The Index is based on data graciously shared by the Movement Advancement Project and the Williams Institute. Ropes & Gray is our pro bono legal partner for the CEO Business Briefs globally, and their research informs this Index. FCB partnered with us to conduct original market research into American attitudes toward LGBTQ+ workplace inclusion, informing the Regional Context section of the State CEO Briefs. America Competes supported the development of the scoring for the Risk Assessments, particularly for the Future Risk score.

