

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

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Legislative Document

No. 936

H. P. 765

House of Representatives, March 6, 1975

Referred to the Committee on Human Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Ault of Wayne.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FIVE

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AN ACT to Create the Maine Human Rights Appeal Board.

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

Sec. 1. 5 MRSA § 4567 is enacted to read:

§ 4567. Maine Human Rights Appeal Board

The Maine Human Rights Appeal Board is hereby created. It shall consist of 3 persons representing the public generally, appointed by the Governor with advice and consent of the Council. The terms of the initial members shall be for one, 2 and 3 years respectively, and shall thereafter be for 3 years. They shall meet at least once a month or upon the call of 2 members. They shall be compensated at the rate of \$25 per day and receive their out-of-pocket expenses, including mileage from their places of residence within the State. They shall hear and adjudicate any proceeding not dismissed by the commission and shall have all the investigatory powers, including the administration of oaths, granted the commission.

Sec. 2. 5 MRSA § 4612, sub-§ 4, ¶ A, as last amended by PL 1973, c. 705, § 11, is further amended by adding at the end the following new sentences:

In no event, however, shall a civil action be filed in the Superior Court until the proceeding has been submitted to the Human Rights Appeal Board which shall hold a hearing after due notice to the complainant and to the person, firm or corporation complained against. The appeal board shall, after hearing the evidence, which shall remain confidential, either dismiss the proceeding or authorize the commission to file a civil action in Superior Court. No such action shall be filed without authority of the appeal board.

**Sec. 3. Appropriation.** There is appropriated from the General Fund the sum of \$2,000 to the Maine Human Rights Appeal Board to carry out the purposes of this Act. The breakdown shall be as follows:

	1975-76	1976-77
MAINE HUMAN RIGHTS APPEAL BOARD		
Personal Services	\$,1000	\$1,000

#### STATEMENT OF FACT

The purpose of this Act is to create an impartial Appeal Board to the Human Rights Commission and to require a hearing, adjudication and authority from the Appeal Board before the commission may file an action in Superior Court.