

MAINE STATE LEGISLATURE

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L.D. 1735

(Filing No. H-548)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
112TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1228, L.D. 1735, Bill, "AN ACT Relating to Settlement Negotiations and Investigation of Facts by the Maine Human Rights Commission."

Amend the bill in section 1, subsection 1, paragraph A, in the last 2 lines (page 2, lines 7 and 8 in L.D.) by striking out the underlined words "filed by a party alleging a breach of agreement" and inserting in their place the following: 'alleging a breach of agreement filed by the commission or a party'

Further amend the bill in section 1, subsection 1, paragraph B, by striking out the last sentence (page 2, lines 29 to 39 in L.D.) and inserting in its place the following:

'The complaint and evidence collected during the investigation of the complaint, other than data identifying persons not parties to the complaint, shall become a matter of public record at the conclusion of the investigation of the complaint prior to a determination by the commission. An investigation is concluded upon issuance of a letter of dismissal or upon listing of the complaint on a published commission meeting agenda, whichever first occurs. Notwithstanding any other provision of this section, the complaint and evidence collected during the investigation of the complaint may be used as evidence in any subsequent proceeding, civil or criminal.'

Further amend the bill in section 2, subsection 3, in the 4th and 5th lines from the end (page 3, lines 8 and 9 in L.D.) by striking out the underlined words "filed by the commission or a party alleging a breach of agreement" and inserting in their place the

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1 following: 'alleging a breach of agreement filed by
2 the commission or a party'

3 STATEMENT OF FACT

4 The purpose of this amendment is to define when
5 investigations of complaints under the Maine Human
6 Rights Act are concluded. Under the bill, the con-
7 clusion of an investigation is the point at which the
8 complaint and evidence collected during the investi-
9 gation become public records. The amendment defines
10 the conclusion of an investigation as the issuance of
11 a dismissal letter or the publication of a commission
12 meeting agenda listing the complaint.

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Reported by the Committee on Judiciary
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House
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