

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

SECOND REGULAR SESSION - 1990

Legislative Document

No. 2399

S.P. 948

In Senate, March 2, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CLARK of Cumberland.

Cosponsored by Senator GAUVREAU of Androscoggin, Representative HANDY of Lewiston and Representative PINEAU of Jay.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY

**An Act to Ensure Timely and Equitable Treatment of Discrimination Complaints
Made to the Maine Human Rights Commission.**

(AFTER DEADLINE)



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

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4
5 MRSA §4612, sub-§3, as amended by PL 1985, c. 585, §2, is further amended to read:

6 **3. Informal methods; conciliation.** If the commission finds
8 reasonable grounds to believe that unlawful discrimination has
10 occurred, but finds no emergency of the sort contemplated in
12 subsection 4, paragraph B, ~~it~~ the commission shall endeavor to
14 eliminate such that discrimination by informal means such as
16 conference, conciliation and persuasion. Nothing said or done as
18 part of such endeavors may be made public without the written
20 consent of the parties to the proceeding, nor used as evidence in
22 any subsequent proceeding, civil or criminal, except in a civil
24 action alleging a breach of agreement filed by the commission or
a party. If the case is disposed of by such informal means in a
manner satisfactory to a majority of the commission, ~~it~~ the
commission shall dismiss the proceeding. If the case is not
disposed of under this subsection within 60 days of the
commission's receipt of the complaint, the commission shall file
a civil action under subsection 4, paragraph A.

STATEMENT OF FACT

26 This bill establishes a time frame for the informal
28 conciliation efforts in employment discrimination cases as
30 mandated by Maine Human Rights Commission laws. Such time frames
32 are routinely employed in mediation and arbitration procedures to
ensure that the informal negotiation process is not abused by
either party.