

MAINE STATE LEGISLATURE

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OK
R. of S.

L.D. 1384

(Filing No. H-507)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1032, L.D. 1384, Bill, "An Act to Strengthen the Enforcement of the Civil Rights and Sexual Harassment Laws"

Amend the bill by striking out the title and substituting the following:

'An Act to Strengthen the Enforcement of the Code of Fair Practices'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 5 MRSA §784, sub-§2, ¶E, as enacted by PL 1991, c. 807, §1, is amended to read:

E. Contractors and subcontractors with contracts in excess of \$50,000 will also pursue in good faith affirmative action programs. The contractor will submit to the State Affirmative Action Coordinator a copy of the affirmative action programs, as defined in section 782, of the contractor and each subcontractor with contracts in excess of \$50,000 before that work under the contract is begun. If a copy of the contractor's or subcontractor's current program is on file with the State Affirmative Action Coordinator, the contractor or subcontractor is not required to submit an additional copy."

Sec. 2. 5 MRSA §792 is enacted to read:

§792. Review of affirmative action programs

The State Affirmative Action Coordinator shall review affirmative action programs submitted under section 784, subsection 2, paragraph E and shall provide by February 1, 1995 to the Executive Director of the Legislative Council, the joint standing committee of the Legislature having jurisdiction over

COMMITTEE AMENDMENT

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judiciary matters and the Maine Human Rights Commission a general
overview of the types of affirmative action programs submitted.

FISCAL NOTE

The Department of Administrative and Financial Services can absorb the costs related to requiring contractors and subcontractors with contracts in excess of \$50,000 to submit copies of their affirmative action plans to the State and reporting to the Legislature on the types of plans received.'

STATEMENT OF FACT

This amendment replaces the bill.

Currently, contractors and subcontractors who have contracts with the State in excess of \$50,000 must agree to pursue in good faith affirmative action programs. This amendment requires those contractors and subcontractors to submit a copy of their programs to the State Affirmative Action Coordinator before the work under the contract is begun. Current law defines what an affirmative action program must include.

If a contractor or subcontractor has submitted a copy of its current affirmative action program as the successful bidder on a different contract, the contractor or subcontractor need not submit an additional copy of the program.

The State Affirmative Action Coordinator will review the programs and provide the Executive Director of the Legislative Council, the joint standing committee of the Legislature having jurisdiction over judiciary matters and the Maine Human Rights Commission with a general overview of the types of programs submitted by February 1, 1995.

The amendment revises the title of the bill to reflect its contents as amended.

The amendment also adds a fiscal note to the bill.

Reported by the Majority of the Committee on Judiciary
Reproduced and distributed under the direction of the Clerk of the
House
6/1/93 (Filing No. H-507)