

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1878

DATE: 3/23/94

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JUDICIARY

Reported by: Senator Conley of Cumberland

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STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 692, L.D. 1878, Bill, "An Act to Improve Methods of Dispute Resolution of the Maine Human Rights Commission"

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 §4612, sub-§1, ¶A, as enacted by PL 1985, c. 585, §1, is amended to read:

A. The commission or its delegated single commissioner or investigator shall provide an opportunity for the complainant and respondent to resolve the matter by settlement agreement prior to a determination of whether there are reasonable grounds to believe that unlawful discrimination has occurred. Evidence of conduct or statements made in compromise settlement negotiations, offers of settlement and any final agreement may not be made public without the written consent of the parties to the proceeding nor used as evidence in any subsequent proceeding, civil or criminal, except in a civil action alleging a breach of agreement filed by the commission or a party. The commission may adopt rules providing for a 3rd-party neutral mediation program. The rules may permit one or more parties to a proceeding to agree to pay the costs of mediation. The commission may receive funds from any source for the purposes of implementing a 3rd-party neutral mediation program.

Further amend the bill by inserting at the end before the statement of fact the following:

COMMITTEE AMENDMENT

R. of S.

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FISCAL NOTE

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The additional costs to adopt rules for a 3rd-party neutral mediation program can be absorbed by the Maine Human Rights Commission utilizing existing budgeted resources.'

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STATEMENT OF FACT

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This amendment authorizes the Maine Human Rights Commission to establish a 3rd-party neutral mediation program and to accept funds from any source to implement the program. Parties to a proceeding may agree to pay the cost of the mediation.

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This amendment also adds a fiscal note to the bill.