

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1043, L.D. 1424, Bill, "An Act Relating to the Award of Attorneys' Fees and Damages under the Maine Human Rights Act"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 5 MRSA §4622, sub-§1, ¶B, as amended by PL 1993, c. 327, §3, is further amended to read:

B. Failed, within 90 days after finding reasonable grounds to believe that unlawful discrimination occurred, to enter into a conciliation agreement to which the plaintiff was a party; or

Sec. 2. 5 MRSA §4622, sub-§1, ¶C, as enacted by PL 1993, c. 327, §4, is amended to read:

C. Issued a right-to-sue letter under section 4612, subsection 6 and the action was brought by the aggrieved person not more than 2 years after the act of unlawful discrimination of which the complaint was made as provided in section 4613, subsection 2, paragraph C, or

Sec. 3. 5 MRSA §4622, sub-§1, ¶D is enacted to read:

D. Dismissed the case in error.'

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SUMMARY

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6 This amendment replaces the bill. It authorizes a court to
award attorneys' fees and damages to a plaintiff who prevails at
8 trial on a discrimination complaint if the plaintiff establishes
that, prior to filing with the court, the plaintiff filed the
charge with the Maine Human Rights Commission and the commission
10 erroneously dismissed the case.