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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 614, L.D. 967, “An Act to Strengthen Protections of Persons After a Maine Human Rights Commission Investigation Finds No Reasonable Grounds Exist to Believe Unlawful Discrimination Occurred”

Amend the bill in section 2 in subsection 4 in paragraph C by inserting after subparagraph (3) the following:

'The commission's response to a subpoena, response to a request for a public record under the Freedom of Access Act or provision of assistance to a federal agency in that agency's response to a request for a public record under the federal Freedom of Information Act, 5 United States Code, Section 552, does not constitute assisting a complainant or expending commission resources to assist a complainant within the meaning of subparagraphs (2) and (3).'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

The bill provides that the Maine Human Rights Commission must pay defendant's attorney's fees if the commission finds, after investigating a discrimination complaint, that no reasonable grounds exist to believe that discrimination occurred and the commission either files a civil action on behalf of the complainant or provides assistance to a complainant who files the complainant's own civil action.

This amendment, which is the minority report of the committee, clarifies that the commission's response to a subpoena, response to a request for a public record under the Freedom of Access Act or provision of assistance to a federal agency in responding to a request under the federal Freedom of Information Act does not constitute assisting a complainant for purposes of that provision in the bill.

FISCAL NOTE REQUIRED

(See attached)

COMMITTEE AMENDMENT