

COMMISSION MEETING MINUTES

February 8, 2011

The meeting of the Maryland Commission on Human Relations was called to order on Tuesday, February 8, 2011 at 10:10 a.m., in Baltimore, Maryland.

PRESENT Norman Gelman, Doris Cowl and Kanan Hudhud.

APPROVAL OF THE MINUTES

CHAIRPERSON'S REPORT

MCHR Regulations
Procedural, Penalties and
Commercial Non-
Discrimination

The General Counsel informed Commissioners that MCHR had to go through regulation evaluations, which is required of state agencies every eight (8) years. MCHR reviewed its regulations to correct any errors, any misspellings or organization issues. It is also an opportunity to add regulations and make current regulations clearer. The regulations were approved and published in November, 2010. There was a commentary period which ended on December 6, 2010. The regulations are now ready for final approval. The agency has to place a notice in the Maryland Register indicating MCHR is giving final notice that the promulgated regulations are going to become permanent.

Commissioners received copies of the regulation with the changes that were made. There is a change in the time period as to how MCHR will handle complaints that are administratively filed and want to go into court. A time period is added for a Complainant to notify other parties of the court filing. The regulation states that within 90 days after providing written notice of intent to file a private right of action; the complainant shall provide the Commission with a copy of the bill of complaint indicating that a private right of action was filed.

A regulation was added to address the State's Waiver of Sovereign Immunity.

All changes to the regulations are in italics.

MCHR Regulations
Public Accommodation
and Housing

The General Counsel informed Commissioners that there is a new regulation in reference to the election process for housing which is shown on page 1691 of the packet.

Page 1693, .17 Dismissals and Decisions – new regulation added to address the Administrative Law Judge's ability to assess a civil penalty and corresponding damages for housing. A regulation was also added to address the effect of a Commission Order.

The General Counsel is requesting the approval of the Commissioners of the regulations. Thereafter the regulations will be filed and notice would be published in the Maryland Register.

Chairperson Gelman stated that it was agreed that if he and Commissioner Cowl approve the regulations the General Counsel would send a notice to the other members of the Commission explaining what is needed.

Legislation

The General Counsel also stated that there are three (3) bills that have been filed; HB 211 – Name Change bill, HB 235 – Gender Identity bill and HB 285 – Private Right of Action under Public Accommodations bill. MCHR has already supported the first two bills mentioned above. The General Counsel is requesting Commissioners support of HB 285 also.

Commissioners entered into Executive Session.

Commission meeting adjourned at 11:20 a.m.

Barbara Wilson