

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1371

H. P. 939

House of Representatives, March 7, 1967

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Berman of Houlton.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Creating the Uniform Preservation of Private Business Records Act.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 33, c. 23, additional. Title 33 of the Revised Statutes is amended by adding a new chapter 23, to read as follows:

CHAPTER 23

PRIVATE BUSINESS RECORDS

§ 1101. Definitions

As used in this chapter:

1. **Business.** "Business" includes every kind of private business, profession, occupation, calling or operation of private institutions, whether carried on for profit or not.

2. **Person.** "Person" means an individual, partnership, corporation or any other association.

3. **Records.** "Records" or "business records" include books of account, vouchers, documents, cancelled checks, payrolls, correspondence, records of sales, personnel, equipment and production, reports relating to any or all of such records, and other business papers.

4. **Reproduction.** "Reproduction" means a reproduction or durable medium for making a reproduction obtained by any photographic, photostatic, microfilm, micro-card, miniature photographic or other process which accurately reproduces or forms a durable medium for so reproducing the original.

§ 1102. Time

Unless a specific period is designated by law for their preservation, business records which persons by the laws of this State are required to keep or preserve may be destroyed after the expiration of 3 years from the making of such records without constituting an offense under such laws. This section does not apply to minute books of corporations nor to records of sales or other transactions involving weapons, poisons or other dangerous articles or substances capable of use in the commission of crimes.

§ 1103. Reproductions

If in the regular course of business a person makes reproductions of original business records, the preservation of such reproductions constitutes compliance with any laws of this State requiring that business records be kept or preserved.

§ 1104. Other laws to destroy not affected

Nothing in this chapter shall be construed to diminish the authority of an officer of this State under existing law to permit the destruction of business records.

§ 1105. Uniformity of interpretation

This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

§ 1106. Short title

This chapter may be cited as the Uniform Preservation of Private Business Records Act.