

MAINE STATE LEGISLATURE

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(New Title)
New Draft of: S. P. 790, L. D. 2273
FIRST SPECIAL SESSION

ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 2486

S. P. 891

In Senate, February 5, 1974

Reported by the Majority from the Committee on Judiciary and printed under Joint Rules No. 18.

HARRY N. STARBRANCH, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FOUR

AN ACT Relating to Executive Sessions.

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

R. S., T. 1, § 404, repealed and replaced. Section 404 of Title 1 of the Revised Statutes is repealed and the following enacted in place thereof:

§ 404. Executive sessions

A legislative body and an administrative agency or body may hold executive sessions only by vote of the majority of the members present and then, only for the purpose of discussing:

1. Those matters which, if made public, might adversely affect the reputation of any individual;
2. The acquisition, sale or lease of any interest in land which if discussed in public would benefit a party whose interests are adverse to the public's interests;
3. The dismissal, promotion, performance or investigation of an employee, unless the employee requests otherwise;
4. The hiring of an employee;
5. The position of such body with respect to any matter which is then the subject of collective bargaining with its employees;

6. Only legal advice of its legal counsel with respect to a matter which is or is likely to be the subject of litigation to which the agency is or is likely to be a party; or
7. Any other matter which by statute cannot be made public.

In any case, such sessions shall not be used to defeat the purposes of this subchapter and no official action shall be taken on any of the above listed exceptions, except in public meeting.