

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 337

H. P. 285

House of Representatives, January 23, 1975

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

EDWIN H. PERT, Clerk

Presented by Mr. Cooney of Sabattus.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

**AN ACT to Clarify the Confidentiality Provisions of
the Maine Housing Authorities Act.**

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

30 MRSA, § 4764, as enacted by PL 1969, c. 470, § 18, is repealed and the following enacted in place thereof:

§ 4764. Records confidential

All records of an authority not otherwise classified as confidential by this section shall be public records and shall be available for public inspection and reproduction as provided by Title 1, section 405. Public records shall include any writing, printing or other such material made under, or required to be made or received by, any statute or rule or regulation of an authority.

An authority shall maintain and protect as privileged and confidential records, the information supplied by any person in support of an application for admission to a project owned, financed, assisted or managed by an authority. Such other information as may be designated confidential by federal statute or regulation with respect to any person applying, or accepted, for admission to a project shall also be deemed confidential.

All attorney's working papers, engineering evaluations, financial analyses and other such internal documents of an authority shall also be deemed confidential.

Financial data, designs and other material submitted as part of a public bid by any developer or contractor working with an authority on a project shall be available for public inspection.

All authority dealings with banks, other than personal correspondence, shall be considered public information. Any material submitted to the state authority pursuant to its powers under the Industrialized Housing Law shall be deemed public information, except trade secrets disclosed by a manufacturer of industrialized housing pursuant to the requirements of section 4773.

Nothing in this section shall prevent an employee of an authority from examining and reproducing materials in such employee's personnel files; nor shall any applicant for housing be denied access to information or documents obtained by an authority in the course of reviewing such person's application for admission to a housing project; nor shall any tenant be denied access to information and documents compiled by an authority during such person's occupancy in a housing project.

STATEMENT OF FACT

This Act clarifies the distinction between public records and confidential materials of any housing authority.