

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 289

H. P. 225 House of Representatives, February 9, 1977
Referred to the Committee on Judiciary. Sent up for concurrence and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Howe of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Keep Certain Business and Personal Records Confidential.

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

5 MRSA § 4612, sub-§ 5 is enacted to read:

5. Confidentiality. The commission may, in its sole discretion where necessary to properly carry out any of the provisions of this chapter, keep confidential the name of the complainant and the data obtained during an investigation pursuant to subsection 1 concerning personnel, medical and payroll records; provided, that all records and information shall be available to the person filing the complaint and to the person against whom the complaint is filed or their legally authorized representative. The commission may promulgate the rules and regulations it deems necessary to effectuate this subsection.

STATEMENT OF FACT

Title 1, Chapter 13, subchapter 1 (Maine's Right to Know Law) now provides that records may be designated confidential by statute. Investigation by the commission generally requires the compilation of data regarding pay records of private industry, personnel and medical records of employees, the exposure of which could be detrimental to business practices or an individual's character. This bill would allow the complaining party and the party against whom the complaint is filed to have access to those records.