

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1289

H. P. 1092

House of Representatives, March 13, 1981

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

EDWIN H. PERT, Clerk

Presented by Representative Hobbins of Saco.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Clarify the Laws Pertaining to Municipal Personnel Records.

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

Sec. 1. 30 MRSA § 2257, sub-§ 1, ¶ B, first ¶, as enacted by PL 1979, c. 403, § 3, is repealed and the following enacted in its place:

Municipal records pertaining to an identifiable employee and containing the following:

Sec. 2. 30 MRSA § 2257, sub-§ 1-A is enacted to read:

1-A. Written decision to employee. Neither dismissal nor other disciplinary action may be imposed without providing the affected employee, and placing in his personnel records, a final written decision of the action, which decision shall state the conduct or other facts on the basis of which dismissal or other disciplinary action is being imposed and the conclusions of the acting authority as to the causes for such action.

STATEMENT OF FACT

Section 1 makes it clear that Title 30, section 2257, subsection 1, paragraph B, was not intended to refer to municipal records in general, but only to records pertaining to named employees. Section 2 would give employees the right to a

written statement of reasons for any disciplinary action taken against them. This statement would become the final written decision pertaining to disciplinary action and, therefore, part of the public record.