

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1736

6  
7 H.P. 1229

House of Representatives, December 26, 1985

8 Submitted by the Department of Labor pursuant to Joint Rule 24.

9 Received by the Clerk of the House on December 26, 1985. Referred to  
the Committee on Labor and 1,600 ordered printed pursuant to Joint Rule  
10 14.

EDWIN H. PERT, Clerk

Presented by Representative Hale of Sanford.

11 Cosponsored by Representative Ruhlin of Brewer, Senator Tuttle of York  
and Representative Bonney of Falmouth.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-SIX  
16

17 AN ACT to Amend the Employment Security Law.  
18

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

21 26 MRSA §1082, sub-§7, as amended by PL 1983, c.  
22 351, §11, is further amended to read:

23 7. Records and reports. Each employing unit  
24 shall keep true and accurate work records, containing  
25 such information as the commissioner may prescribe.  
26 These records shall be open to inspection and be sub-  
27 ject to being copied by the commissioner or his au-  
28 thorized representatives at any reasonable time and  
29 as often as may be necessary. The commissioner may  
30 require from any employing unit any sworn or unsworn  
31 reports, with respect to persons employed by it,  
32 which the commissioner deems necessary for the effec-  
33 tive administration of this chapter. Information thus  
34 obtained or obtained from any individual pursuant to  
35 the administration of this chapter shall, except to  
36 the extent necessary for proper presentation of a

1 claim, be held confidential and shall not be pub-  
2 lished or be open to public inspection, other than to  
3 public employees in the performance of their public  
4 duties, in any manner revealing the individual's or  
5 employing unit's identity, but any claimant or his  
6 legal representative at a hearing before an appeal  
7 tribunal or the commission shall be supplied with in-  
8 formation from the records to the extent necessary  
9 for the proper presentation of his claim party to an  
10 adjudicatory proceeding shall be supplied information  
11 from the files relating to the proceedings. Final de-  
12 isions of an adjudicatory proceeding shall not be  
13 confidential. Records, with any necessary authentica-  
14 tion thereof, required in the prosecution of any  
15 criminal action brought by another state for misrep-  
16 resentation to obtain benefits under the law of this  
17 State shall be made available to the agency adminis-  
18 tering the employment security law of any such state  
19 for the purpose of such prosecution. Any person who  
20 violates any provision of this subsection shall be  
21 guilty of a Class E crime.

22 STATEMENT OF FACT

23 This bill allows all parties to a proceeding be-  
24 fore the appeal tribunal and the commission to have  
25 access to the files related to the proceeding. This  
26 bill also allows public access to final decisions of  
27 the appeal tribunal and commission.

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