

MAINE STATE LEGISLATURE

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1 (New Draft of H.P. 1229, L.D. 1736)
2 (New Title)
3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND TWELFTH LEGISLATURE
6

7 Legislative Document

No. 1961

9 H.P. 1390

House of Representatives, February 3, 1986

10
11 Reported by Representative Beaulieu from the Committee on Labor and
12 printed under Joint Rule 2. Original bill sponsored by Representative Hale of
Sanford. Cosponsored by Representative Ruhlin of Brewer, Senator Tuttle of
York, and Representative Bonney of Falmouth.

EDWIN H. PERT, Clerk

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT to Allow the Disclosure of Certain
20 Employment Security Adjudicatory
21 Records.
22

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

25 26 MRSA §1082, sub-§7, as amended by PL 1983, c.
26 351, §11, is further amended to read:

27 7. Records and reports. Each employing unit
28 shall keep true and accurate work records, containing
29 such information as the commissioner may prescribe.
30 These records shall be open to inspection and be sub-
31 ject to being copied by the commissioner or his au-
32 thorized representatives at any reasonable time and
33 as often as may be necessary. The commissioner may
34 require from any employing unit any sworn or unsworn
35 reports, with respect to persons employed by it,
36 which the commissioner deems necessary for the effec-

1 tive administration of this chapter. Information thus
2 obtained or obtained from any individual pursuant to
3 the administration of this chapter shall, except to
4 the extent necessary for proper presentation of a
5 claim, be held confidential and shall not be pub-
6 lished or be open to public inspection, other than to
7 public employees in the performance of their public
8 duties, in any manner revealing the individual's or
9 employing unit's identity, but any claimant or his
10 legal representative at a hearing before an appeal
11 tribunal or the commission shall be supplied with in-
12 formation from the records to the extent necessary
13 for the proper presentation of his claim the depart-
14 ment shall, upon request, provide to any party to an
15 adjudicatory proceeding information from the records
16 relating to the proceeding. Final decisions of adju-
17 dicatory proceedings are available to the public pro-
18 vided that the names and addresses of claimants and
19 employers are deleted from the decisions. Records,
20 with any necessary authentication thereof, required
21 in the prosecution of any criminal action brought by
22 another state for misrepresentation to obtain bene-
23 fits under the law of this State shall be made avail-
24 able to the agency administering the employment secu-
25 rity law of any such state for the purpose of such
26 prosecution. Any person who violates any provision of
27 this subsection shall be guilty of a Class E crime.

28 STATEMENT OF FACT

29 This new draft is intended to protect the privacy
30 interests of both employers and claimants while al-
31 lowing the department to publish final decisions.
32 Before releasing any final decision for public dis-
33 tribution, the department must delete the names and
34 addresses of the parties. The new draft also clari-
35 fies that the department will provide information re-
36 lating to a proceeding to the parties involved in
37 that proceeding only upon request.

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