

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 878

S.P. 322

Received by the Secretary, February 26, 1991

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BUSTIN of Kennebec

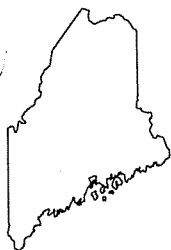
Cosponsored by Senator VOSE of Washington, Representative GRAY of Sedgwick and Representative GREENLAW of Standish.

STATE OF MAINE

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

An Act to Clarify the Confidentiality of Public Employee Disciplinary Records.

Printed on recycled paper



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

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5 MRSA §7070, sub-§2, ¶E, as enacted by PL 1985, c. 785, Pt. B, §38, is amended to read:

E. Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision of a neutral arbitrator or an administrative decision that is not appealed relating to that action shall is no longer be confidential after it is completed; and

STATEMENT OF FACT

18

This bill clarifies the confidentiality laws in the Maine Revised Statutes, Title 5, section 7070 to ensure that accusations of misconduct levied by a public employer against an employee are not disclosed to the public unless the charges are upheld by a neutral arbitrator or the employee does not appeal the disciplinary action through procedures generally provided in collective bargaining agreements. This clarification prevents the unfair destruction of an employee's reputation by disclosure and media coverage on complaints, charges or accusations that have not been proven or acknowledged to be true.