

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1369

S.P. 439

In Senate, May 3, 1993

An Act to Abolish Secrecy in the Courts on Matters of Public Health or Safety.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator CONLEY of Cumberland.

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

4 Sec. 1. 4 MRSA §1058 is enacted to read:

6 §1058. Disclosure of information required

8 A court may not order a restraint on the public
10 dissemination of information concerning matters of public health
12 or safety obtained or used during trial or pretrial discovery
14 proceedings in a lawsuit based on a claim of product liability.
16 Information includes, but is not limited to, evidence of other
18 similar injuries, illnesses or legal claims; records of research
20 findings documenting potential public health hazards; internal
22 company documents concerning potential public health hazards; and
24 records filed with a governmental agency. A contract, agreement
26 or judicial order limiting public access to information
concerning matters of public health or safety is void and
unenforceable.

22 STATEMENT OF FACT

24 This bill prohibits courts from ordering the restraint of
26 information relating to the public health or safety used or
obtained in a lawsuit based on a claim of product liability.