

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 366

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H.P. 264

House of Representatives, January 31, 1995

**An Act to Amend the Provisions Relating to Access to Information for  
Candidates for Government Job Openings.**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative JONES of Bar Harbor.  
Cosponsored by Representatives: BERRY of Livermore, FITZPATRICK of Durham,  
HEESCHEN of Wilton, LEMAIRE of Lewiston, PERKINS of Penobscot, RICHARDSON of  
Portland, SAMSON of Jay, TYLER of Windham, VOLENIK of Sedgwick, Senator: MILLS  
of Somerset.

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

2           **Sec. 1. 5 MRSA §7070, sub-§1, ¶A,** as enacted by PL 1989, c.  
4 402, §1, is amended to read:

6           A. Notwithstanding any confidentiality provision other than  
8 this subsection, applications, resumes and letters and notes  
10 of reference, other than those letters and notes of  
12 reference expressly submitted in confidence, pertaining to  
the an applicant hired granted an interview are public  
records ~~after--the--applicant--is--hired~~ at the time the  
decision is made to grant an interview.

14           **Sec. 2. 30-A MRSA §503, sub-§1, ¶A,** as repealed and replaced  
16 by PL 1989, c. 402, §2, is amended to read:

18           A. Except as provided in this paragraph, applications,  
20 resumes, letters and notes of reference, working papers,  
22 research materials, records, examinations and any other  
documents or records and the information they contain,  
solicited or prepared either by the applicant or the county  
for use in the examination or evaluation of applicants for  
positions as county employees.

24           (1) Notwithstanding any confidentiality provision  
26 other than this paragraph, applications, resumes and  
28 letters and notes of reference, other than those  
letters and notes of reference expressly submitted in  
30 confidence, pertaining to the an applicant hired  
granted an interview are public records ~~after--the~~  
~~applicant-is-hired~~ at the time the decision is made to  
32 grant an interview.

34           (2) Telephone numbers are not public records if they  
36 are designated as "unlisted" or "unpublished" in an  
application, resume or letter or note of reference.

38           (3) This paragraph does not preclude union  
40 representatives from access to personnel records ~~which~~  
that may be necessary for the bargaining agent to carry  
42 out its collective bargaining responsibilities. Any  
44 records available to union representatives ~~which that~~  
are otherwise covered by this subsection ~~shall~~ remain  
confidential and are not open to public inspection;

46           **Sec. 3. 30-A MRSA §2702, sub-§1, ¶A,** as repealed and replaced  
48 by PL 1989, c. 402, §3, is amended to read:

50           A. Except as provided in this paragraph, applications,  
resumes, letters and notes of reference, working papers,

2 research materials, records, examinations and any other  
documents or records and the information they contain,  
4 solicited or prepared either by the applicant or the  
municipality for use in the examination or evaluation of  
applicants for positions as municipal employees.

6  
8 (1) Notwithstanding any confidentiality provision  
other than this paragraph, applications, resumes and  
10 letters and notes of reference, other than those  
letters and notes of reference expressly submitted in  
12 confidence, pertaining to the an applicant hired  
granted an interview are public records ~~after--the~~  
14 ~~applicant-is-hired~~ at the time the decision is made to  
grant an interview.

16 (2) Telephone numbers are not public records if they  
are designated as "unlisted" or "unpublished" in an  
18 application, resume or letter or note of reference.

20 (3) This paragraph does not preclude union  
representatives from access to personnel records ~~which~~  
22 that may be necessary for the bargaining agent to carry  
out its collective bargaining responsibilities. Any  
24 records available to union representatives ~~which~~ that  
are otherwise covered by this subsection shall remain  
26 confidential and are not open to public inspection;

### 28 **STATEMENT OF FACT**

30 This bill allows public access to the information regarding  
32 applicants for government jobs who are granted interviews.