## MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

### FIRST REGULAR SESSION-1997

Legislative Document

No. 173

H.P. 131

House of Representatives, January 14, 1997

An Act to Provide Disclosure of the Bureau of Unemployment Compensation Records and Reports to Authorized Agents.

Submitted by the Department of Labor pursuant to Joint Rule 204. Reference to the Committee on Labor suggested and ordered printed.

JOSEPH W. MAYO, Clerk

Presented by Representative PENDLETON of Scarborough. Cosponsored by Senator CATHCART of Penobscot and Representatives: CLARK of Millinocket, HATCH of Skowhegan, JOY of Crystal, JOYCE of Biddeford.

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

Sec. 1. 26 MRSA §1082, sub-§7, as amended by PL 1985, c. 537, is further amended to read:

Records and reports. Each employing unit shall keep true and accurate work records, containing such information as the commissioner may prescribe. These records shall must be open to inspection and be subject to being copied by the commissioner or the commissioner's authorized representatives reasonable time often and as as may be necessary. commissioner may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, which that the commissioner deems considers necessary for the effective administration of this chapter. Information thus obtained or obtained from any individual pursuant to the administration of this chapter shall, except to the extent necessary for proper presentation of a claim, must be held confidential and shall may not be published or be-open opened to public inspection, other than to public employees in the performance of their public duties or to any agent of an agency that is under contract with a state or local child-support agency, pursuant to safeguards established by the commissioner, in any manner revealing the individual's or employing unit's identity, but the department shall, upon request, provide to any party to an adjudicatory proceeding information from the records relating proceeding. Final decisions of adjudicatory proceedings available to the public provided that the names and addresses of claimants and employers are deleted from the decisions. Records, with any necessary authentication thereof, required in the prosecution of any criminal action brought by another state for misrepresentation to obtain benefits under the law of this State shall must be made available to the agency administering the employment security law of any such state for the purpose of such prosecution. Any person who violates any provision of this subsection shall-be is guilty of a Class E crime.

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#### **SUMMARY**

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The Federal Government enacted Public Law 104-193, commonly called the welfare reform bill, in August of 1996. This bill requires state and local child-support enforcement agencies or their authorized agents to obtain access to employment security records for the purpose of expanding procedures relating to establishing paternity or for establishing, modifying or enforcing child-support orders. This bill is necessary to bring Maine's unemployment laws into conformity with federal laws.