

# MAINE STATE LEGISLATURE

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**STATE AND LOCAL GOVERNMENT**

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Reported by: Senator Nutting

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**STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT " A" to S.P. 256, L.D. 825, Bill, "An Act to Clarify the Laws on Personal Information of State Employees"

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Amend the bill by inserting after the enacting clause the following:

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'Sec. 1. 5 MRSA §1545 is amended to read:

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**§1545. Reproduction of certain documents authorized**

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The State Controller is authorized to cause to be made, at the expense of the State, by any photostatic, photographic, microfilm or other mechanical process which that produces a clear, accurate and permanent copy or reproduction thereof, copies of any part or all of the state cancelled checks, vouchers and other documents on file in the Bureau of Accounts and Control or the Office of the Treasurer of State. Any records created by or provided to the State containing information about outstanding, unpaid checks issued by the State are confidential and not available for public inspection to the extent that the State Controller and the Treasurer of State determine that confidentiality is necessary to protect the interests of the payee, the State and the public welfare.'

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Further amend the bill in section 1 in subsection 2 in paragraph D-1 in the 7th line (page 1, line 31 in L.D.) by inserting after the following: "life insurance" the following: '. When there is a work requirement for public access to personal information under this paragraph that is not otherwise protected by law, that information may be made public. The

2 Director of the Bureau of Human Resources, upon the request of  
3 the employing agency, shall make the determination that the  
4 release of certain personal information not otherwise protected  
5 by law is allowed'

6 Further amend the bill in section 1 in subsection 2 by  
7 inserting at the end a new blocked paragraph as follows:

8  
9 'This subsection does not preclude union representatives from  
10 having access to personnel records, consistent with subsection 4,  
11 that may be necessary for the bargaining agent to carry out its  
12 collective bargaining responsibilities. Any records available to  
13 union representatives that are otherwise covered by this  
14 subsection remain confidential and are not open for public  
15 inspection.'

16  
17 Further amend the bill by striking out all of section 2.

18  
19 Further amend the bill by relettering or renumbering any  
20 nonconsecutive Part letter or section number to read  
21 consecutively.

## 24 SUMMARY

25 The amendment does the following:

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27 1. Clarifies that access to certain personal information is  
28 allowable when there is a work requirement;

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30 2. Strikes out section 2 of the bill;

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32 3. Clarifies that union personnel have access to personnel  
33 records that may be necessary for the bargaining agent to carry  
34 out its collective bargaining responsibilities; and

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36 4. Clarifies that certain information concerning  
37 outstanding unpaid checks issued by the State are confidential to  
38 the extent that the State Controller and Treasurer of State  
39 determine that confidentiality is necessary to protect the  
40 interests of the payee.  
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