

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 233

S.P. 94

In Senate, January 11, 1999

**An Act to Amend the Provisions Relating to Executive Sessions in
Connection with the Transaction of Public or Government Business.**

Reference to the Committee on State and Local Government 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 BENNETT of Oxford.

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

2

4 **Sec. 1. 1 MRSA §405, sub-§6, ¶E,** as enacted by PL 1975, c.
758, is amended to read:

6

8 E. Consultations between a body or agency and its attorney
9 or code enforcement officer certified for representation in
10 court as set forth in Title 30-A, section 4453 concerning
the legal rights and duties of the body or agency, pending
12 or contemplated litigation, settlement offers and matters
where the duties of the public body's counsel to ~~his~~ the
14 client pursuant to the code of professional responsibility
clearly conflict with this subchapter or where premature
16 general public knowledge would clearly place the State,
municipality or other public agency or person at a
substantial disadvantage.

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SUMMARY

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22 The purpose of this bill is to allow municipalities to
conduct consultations in executive sessions with code enforcement
24 officers who are certified in accordance with District Court Rule
80-K to represent the interests of the municipalities in District
Court proceedings.