

MAINE STATE LEGISLATURE

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N I N E T Y - F O U R T H L E G I S L A T U R E

Legislative Document

No. 181

H. P. 583

House of Representatives, January 27, 1949.

Referred to Committee on Military Affairs, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Harley of Biddeford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Files and Records in the Division of Veterans' Affairs.

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

R. S., c. 22-A, § 5, repealed and replaced. Section 5 of chapter 22-A of the revised statutes, as enacted by section 1 of chapter 386 of the public laws of 1947, is hereby repealed and the following enacted in place thereof:

'Sec. 5. Files and records confidential. The contents of, and all files, records, reports, papers and documents pertaining to any claim for the benefits under the provisions of sections 1 to 18, inclusive, whether pending or adjudicated, shall be deemed confidential and privileged and no disclosure thereof shall be made without the consent in writing of the claimant who has not been adjudicated incompetent, except as follows:

I. To said claimant personally, his duly appointed guardian, or his duly authorized representative holding a power of appointment approved by the director; and as to matters concerning himself alone, when, in the judgment of the director, such disclosure would not be injurious to the physical or mental health of the claimant.

II. To the representatives of veterans' organizations holding power of appointment from the claimant, recognized by the United States government, when such representatives have been duly certified as such by the

state department of any such veterans' organizations in the state of Maine.

III. In any court in this state which has jurisdiction of the parties to, and subject matter of, an action or proceeding therein pending, as found by said court, when required to be produced by the process of such court, as evidence, in such action or proceeding after a judge thereof shall have ruled the same to be relevant and competent evidence in such action or proceeding according to the laws of this state.

IV. To any federal, state, municipal or private agency engaged in health, welfare or rehabilitation work or in child placement, from whom the applicant has requested certain services, when in the judgment of the division the release of such information is essential to the proper evaluation of the merits of the application concerned.'