

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-ninth Legislature

OF THE

STATE OF MAINE

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As Passed by the Ninety-ninth Legislature

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ranges, greenhouses, or other similar structure used primarily for the raising of agricultural or horticultural commodities, and orchards.'

Effective September 12, 1959

Chapter 223

AN ACT Relating to Records of the State Police and Certain Other Agencies.

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

Sec. 1. R. S., c. 15, § 5-A, additional. Chapter 15 of the Revised Statutes is amended by adding a new section 5-A, to read as follows:

'Sec. 5-A. Records confidential. All criminal and administrative records of the State Police and the Bureau of Identification are declared to be confidential, except:

- I. Operational reports by the department;
- II. Activity reports by the department;
- III. Names of State Police applicants;
- IV. Promotions;
- V. Resignations;
- VI. Discharges;
- VII. Retirements;
- VIII. Statistical reports by Bureau of Identification;
- IX. Accident reports;
- X. Statistical reports by Division of Traffic Records;
- XI. Accident information on pending cases which would not jeopardize the investigation or prosecution of such cases;
- XII. Statistical reports by Division of Criminal Investigation;
- XIII. Information made available in open court;
- XIV. Information on pending cases which would not jeopardize the investigation or prosecution;
- XV. Statistical reports by Division of Special Services on truck weights, public utility enforcement and beans;
- XVI. Annual audits.

Such records other than the exceptions listed may be subpoenaed by a court of record.'

Sec. 2. R. S., c. 23, § 27-A, additional. Chapter 23 of the Revised Statutes is hereby amended by adding a new section 27-A, to read as follows:

'Sec. 27-A. Records confidential. The records and correspondence of the right-of-way division of the State Highway Commission relating to negotiations for and appraisals of property, pending the final settlement for all claims on the project to which they relate and the records and data of the said commission relating to engineering estimates of costs on projects to be put out to bid, shall be confidential, and shall not be open for public inspection, except that the records and correspondence of the right-of-way division relating to negotiations for and appraisals of property shall be open for public inspection after 9 months following the completion date of the project according to the record of the commission, not including those claims which have been appealed to the Superior Court, said records to be open for public inspection following the award of the court.'

Sec. 3. R. S., c. 30, § 15-L, additional. Chapter 30 of the Revised Statutes is amended by adding a new section 15-L, to read as follows:

'Sec. 15-L. Proceedings to be confidential. Any information disclosed by either party to a dispute to the board or any of its members in carrying out sections 15 to 15-K shall be confidential, except as provided in section 15-G.'

Sec. 4. R. S., c. 30, § 165, additional. Chapter 30 of the Revised Statutes is amended by adding a new section 165, to read as follows:

'Sec. 165. Records confidential. All information and reports recorded by the Commissioner of Labor and Industry or his authorized agents under this chapter shall be confidential, and no names of individuals, firms or corporations shall be used in any reports of the commissioner nor made available for public inspection.'

Sec. 5. R. S., c. 60, §§354-355, additional. Chapter 60 of the Revised Statutes is amended by adding 2 new sections 354 and 355, to read as follows:

'Sec. 354. Records confidential. Certain records of the Insurance Department are confidential according to the following provisions:

I. Complaint files. Records and correspondence concerning a complaint against a person or organization for violation of the insurance laws or fire prevention laws.

II. Investigation files. Records and correspondence concerning investigations made by the department are confidential.

III. Rate filings. A rate filing and its supporting data are confidential until the filing becomes effective.

IV. Policy forms and endorsement forms. Policy forms and endorsement forms are confidential until they become effective.

V. Admission files. Records and correspondence concerning the admission of an insurance company to transact insurance business in this State are confidential until the company has been licensed.

VI. Company examination reports. The report of the examination of an insurance company is confidential until it has been distributed by the company to the states in which it is licensed. The supplementary report concerning company management issued by the examiners with each report of examination is confidential.

VII. License files. Information of a personal nature concerning the licensing of agents, brokers and adjusters is confidential.

Sec. 355. Records subject to subpoena. All records and correspondence of the Insurance Department are subject to subpoena by a court of competent jurisdiction.'

Effective September 12, 1959

Chapter 224

AN ACT to Clarify the Inheritance Tax Law.

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

Sec. 1 R. S., c. 155, § 22, amended. Section 22 of chapter 155 of the Revised Statutes is amended to read as follows:

'Sec. 22. Administrator appointed within 6 months. If, upon the decease of a person leaving an estate which may be liable to pay an inheritance tax, a will is not offered for probate or an application for administration is not made within 6 months after the date of death, or if the executor or administrator does not qualify within said period, the probate court, upon application by the State Tax Assessor, shall may appoint an administrator. Nothing shall prevent the Tax Assessor from petitioning for appointment within 6 months after the date of death, if in the opinion of the Tax Assessor such action is necessary.'

Sec. 2. R. S., c. 155, § 30, sub-§ VIII, amended. Subsection VIII of section 30 of chapter 155 of the Revised Statutes is amended to read as follows:

'VIII. The federal estate tax, if any, multiplied by a fraction, the numerator of which is the value of the real and tangible personal property in Maine, undiminished by mortgage or pledge subject to the federal estate tax, and the denominator the value of the gross estate, wherever situated, subject to the federal estate tax;'

Effective September 12, 1959