

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

One Hundred and Seventh Legislature

AT THE

1ST SPECIAL SESSION

JANUARY 19, 1976 TO APRIL 29, 1976

AND

2ND SPECIAL SESSION

JUNE 14, 1976

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 164, SUBSECTION 6.

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature
AT THE FIRST SPECIAL SESSION
January 19, 1976 to April 29, 1976
AND THE SECOND SPECIAL SESSION
June 14, 1976

Supplementary to the Acts and Resolves of the Regular Session

[supplied from page 3097 of volume]

Whereas, the current charging practice provides unnecessary and discriminatory incentives to employers to discriminate in hiring and laying off employees with dependents; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

26 MRSA § 1221, sub-§ 3, ¶ A-1 is enacted to read:

A-1. No charge shall be made to an individual employer for supplemental weekly benefits for dependents paid in accordance with section 1191, subsection 6; charges for such benefits shall be made to the General Fund.

Emergency clause. In view of the emergency cited in the preamble, this Act shall be retroactive to January 1, 1976.

Effective March 30, 1976 and retroactive to January 1, 1976

CHAPTER 694

AN ACT to Permit an Employee to Review His Personnel File.

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

Sec. 1. 5 MRSA § 638 is enacted to read:

§ 638. Employee right to review personnel file

The director shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file. Such reviews shall take place in the Department of Personnel and during its normal office hours. Time spent by an employee in reviewing his personnel file shall not be considered as time worked. For the purposes of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the director has in his possession.

Sec. 2. 26 MRSA § 631 is enacted to read:

§ 631. Employee right to review personnel file

The employer shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file if the employer has a personnel file for that employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office

hours. The employer may at his discretion allow the review to take place at such other location and time as would be more convenient for the employee. For the purpose of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the employer has in his possession.

Sec. 3. 30 MRSA § 64 is enacted to read:

§ 64. Employee right to review personnel file

The county commissioner shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file, if the county commissioner has a personnel file for that employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office hours. For the purposes of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the county commissioner has in his possession.

Sec. 4. 30 MRSA § 2257 is enacted to read:

§ 2257. Employee right to review personnel file

The municipal officer shall, upon written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file, if the municipal officer has a personnel file for that employee. Such reviews shall take place at the location where the personnel files are maintained and during normal office hours. For the purposes of this section, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the municipal officer has in his possession.

Effective July 29, 1976.

CHAPTER 695

AN ACT to Amend the Definition of "School Bus" to Include School Buses Rented from School Administrative Units by Nonprofit Organizations in Order to Transport Children to Certain Activities.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, many nonprofit organizations will rent school buses during the coming summer to transport children to and from their activities; and

Whereas, some law enforcement officers have indicated that those rented buses may not be operated as school buses but rather must be operated as ordinary vehicles; and