

## Notice of Agency Rule-making Proposal

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AGENCY: 29-255 – Secretary of State, Maine State Archives

CHAPTER NUMBER AND TITLE:

Chapter 10, Rules for Disposition of Local Government Records

PROPOSED RULE NUMBER (*leave blank; assigned by Secretary of State*):

CONTACT PERSON FOR THIS FILING: Tammy Marks, Maine State Archives, 230 State Street, 84 SHS, Augusta, Maine 04333 / 207-287-5799 / [tammy.marks@maine.gov](mailto:tammy.marks@maine.gov) / <http://www.maine.gov/ss/arc/index/html>

CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different):

PUBLIC HEARING (if any): None

COMMENT DEADLINE: August 30, 2014

BRIEF \*SUMMARY:

Item 1 - This proposed rule is to amend language in Schedule E.11 under Municipal Elections Campaign Finance Reports Filed With Municipality.

Item 2 - This proposed rule is to amend language in Schedule A.63 under Union Agreements.

Item 3 - This proposed rule is to amend retention period for Schedule G.30 Hunting.

Item 4 - This proposed rule is to change retention for certain exemptions in Schedule I.08 Tax Exemption Records as a result of a law change and provide more detailed explanation of Schedule I descriptions.

IMPACT ON MUNICIPALITIES OR COUNTIES (if any): None

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STATUTORY AUTHORITY FOR THIS RULE: Item 1 - Title 30-A, §2502; Item 2 - Title 30-A; Item 3 - Title 12; Item 4 - Title 36, §653G; Title 1, Ch. 13

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different):

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [tammy.marks@maine.gov](mailto:tammy.marks@maine.gov)

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\* Check one of the following two boxes.

The above summary is for use in both the newspaper and website notices.

The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.

29            **SECRETARY OF STATE**

255          **MAINE STATE ARCHIVES**

**Chapter 10: RULES FOR DISPOSITION OF LOCAL GOVERNMENT RECORDS**

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**SUMMARY:** This chapter governs the disposition of local government records.

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Series	Series Title / Description and Confidentiality Status	Retention
E.11.	Municipal Elections Campaign Finance Reports Filed With Municipality (Population <del>15,000 or Less</del> )	8 years per MRSA Title 30-A, §2502
<p>The campaign report of monies received and expended for a Maine municipal election campaign <u>in a city or town with a population of 15,000 or more. (Any municipality with a population of less than 15,000 may choose to be governed by Title 21-A, Chapter 13, subchapter4).</u></p>		

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Series	Series Title / Description and Confidentiality Status	Retention
<b><u>A.63.a Union Agreements (Signed)</u></b>	Collective bargaining agreements with unions representing employees of local government agency.	10 years Retain until new agreement is signed and time limit for filing grievances under old agreement has expired Not Confidential
<b><u>A.63.b Union Records – Grievance and Arbitration Files</u></b>	<u>Related correspondence; union grievances and negotiation documentation; signature page of people attending meeting; notes on meeting; written decision; demand for arbitration; arbitration award; exhibits; briefs; notice of hearing; settlement agreement.</u>	50 years Not Confidential

Series	Series Title / Description and Confidentiality Status	Retention
<b>G.30. Hunting</b>	License to hunt deer, moose, birds, or other wildlife. Includes hunting license reports to Dept. of Inland Fisheries and Wildlife.	3.7 years Not confidential

Series	Series Title / Description and Confidentiality Status	Retention
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**I.08. Tax Exemption Records**

This series is defined as any record that states the name of a person or business granted an exemption; the amount of that exemption, and the reason for granting it. ~~It includes Applications for Homestead and Veteran's Exemptions.~~ Tax Exemptions must be recorded in the Valuation Book in order for records described in this item to be destroyed.

I.08.a. Maine Resident Homestead Property Tax Exemption

3 years (after exemption has expired), Not Confidential Title 36, §681-689

I.08.b. Denial of Homestead Exemption

10 years, Not Confidential Title 36, §686

If the assessor (or state tax bureau) determines that a property is not entitled to an exemption, and further determines that a property improperly received a homestead exemption for any of the 10 years immediately preceding this determination, the assessor shall supplementally assess the property for which the exemption was improperly received, plus costs and interest.

I.08.c. Estates of Veterans

3 years (after exemption has expired), Confidential Title 36, §653

Applications and attachments are considered confidential.

I.08.d. Taxpayers List

3 years (after exemption has expired), Confidential Title 36, §706

Only attached proprietary and confidential information is confidential and exempt from the provisions of Title 1, Chapter 13. For purposes of this section, "proprietary information" means information that is a trade secret or production, commercial or financial information the disclosure of which would impair the competitive position of the person submitting the information and would make available information not otherwise publicly available and information protected from disclosure by federal or state law or regulations.

I.08.e. Blind Exemptions

3 years (after exemption has expired), Not Confidential Title 36, §654