

§509. Confidentiality of military service records

1. Certificate of release. A certificate of release or discharge, casualty report, death notice or other record pertaining to active duty service issued by the United States Government, classified by the United States Government as confidential and filed for safekeeping with any state, county or local government authority is confidential for a period of 62 years following its date of issuance. During that 62-year period, it is unlawful for a person to permit inspection of the record, to disclose information contained in the record or to issue a copy of all or any part of the record except as authorized by this section or by court order. Nothing in this section may be construed to make a record confidential that is not directed to be confidential by the United States Government.

[PL 2013, c. 237, §2 (AMD).]

2. Identification. Upon presentation of proper identification, any of the following persons may examine a record filed pursuant to this section and obtain free of charge a copy or certified copy of all or part of the record:

A. The person who is the subject of the record; [PL 2003, c. 404, §7 (NEW).]

B. The spouse or next of kin of the person who is the subject of the record; [PL 2003, c. 404, §7 (NEW).]

C. A person named in an appropriate power of attorney executed by the person who is the subject of the record; [PL 2003, c. 404, §7 (NEW).]

D. The administrator, executor, guardian or legal representative of the person who is the subject of the record; [PL 2003, c. 404, §7 (NEW).]

E. An attorney for any person specified in paragraphs A to D of this subsection; [PL 2005, c. 273, §3 (AMD).]

F. A civilian employee or military member of the department when in the conduct of official duties; [PL 2015, c. 175, §2 (AMD).]

G. The chief executive officer of the Maine Veterans' Homes when in the conduct of official duties; or [PL 2015, c. 397, §3 (AMD).]

H. An authorized representative of the Department of Labor when in the conduct of official duties. [PL 2015, c. 175, §4 (NEW).]

[PL 2015, c. 397, §3 (AMD).]

3. Records. Records kept pursuant to this section may not be reproduced or used in whole or in part for any commercial or speculative purposes.

[PL 2003, c. 404, §7 (NEW).]

4. Disclose. An individual, agency or court that obtains information pursuant to this section may not disseminate or disclose the information or any part of this information except as authorized in this section or otherwise by law.

[PL 2003, c. 404, §7 (NEW).]

5. Release of information for veterans honor roll. Upon request in a manner determined by the bureau, the bureau may release the following information relating to a person from a municipality who has honorably served in the United States Armed Forces to a municipal official, as defined in Title 30-A, section 2001, subsection 11, for the purpose of establishing or updating a veterans honor roll in that municipality:

A. The name of the person; [PL 2011, c. 481, §1 (NEW).]

B. The date the person entered the service; [PL 2011, c. 481, §1 (NEW).]

C. The branch of the service entered; and [PL 2011, c. 481, §1 (NEW).]

D. The date the person was honorably discharged. [PL 2011, c. 481, §1 (NEW).]
[PL 2011, c. 481, §1 (NEW).]

6. Release of information about military status; false claims. Upon request by a law enforcement officer or a prosecutor, the bureau may release information regarding a person's military service for the purposes of investigating alleged false claims of service or decoration awarded for service in the Armed Forces of the United States or a state military force.
[PL 2015, c. 21, §2 (NEW).]

SECTION HISTORY

PL 2003, c. 404, §7 (NEW). PL 2005, c. 273, §§3,4 (AMD). PL 2011, c. 481, §1 (AMD). PL 2013, c. 237, §2 (AMD). PL 2015, c. 21, §2 (AMD). PL 2015, c. 175, §§2-4 (AMD). PL 2015, c. 397, §3 (AMD).

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