

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2026

Legislative Document

No. 2219

H.P. 1496

House of Representatives, February 24, 2026

**An Act to Implement the Recommendations of the Right To Know
Advisory Committee Concerning Certain Existing Public Records
Exceptions**

Reported by Representative KUHN of Falmouth for the Joint Standing Committee on
Judiciary pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph
G.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint
Rule 218.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

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

2 **Sec. 1. 25 MRSA §1577, sub-§2**, as amended by PL 2003, c. 393, §6, is further
3 amended to read:

4 **2. ~~Access to records~~ Permissible disclosure**. ~~The following persons or agencies may~~
5 ~~have access to~~ DNA records may be disclosed to the following persons or agencies:

6 A. Local, county, state and federal criminal justice and law enforcement agencies,
7 including forensic laboratories serving the agencies, for identification purposes that
8 further official criminal investigations;

9 B. The FBI for storage and maintenance of CODIS;

10 C. Medical examiners and coroners for the purpose of identifying remains; and

11 D. A person who has been identified and charged with a criminal offense or a juvenile
12 crime as a result of a search of DNA records stored in the state DNA data base. A
13 Disclosure to a person who has been identified and charged with a criminal offense or
14 a juvenile crime has access only is limited to that person's records and any other records
15 that person is entitled to under the Maine Rules of Evidence.

16 **Sec. 2. 26 MRSA §685, sub-§3, ¶A**, as enacted by PL 1989, c. 536, §§1 and 2 and
17 affected by c. 604, §§2 and 3, is amended to read:

18 A. Unless the employee or applicant consents, all information acquired by an employer
19 in the testing process is confidential and may not be ~~released~~ disclosed to any person
20 other than the employee or applicant who is tested, any necessary personnel of the
21 employer and a provider of rehabilitation or treatment services under subsection 2,
22 paragraph C. This paragraph does not prevent:

23 (1) The ~~release~~ disclosure of this information when required or permitted by state
24 or federal law, including ~~release~~ disclosure under section 683, subsection 8,
25 paragraph D; or

26 (2) The use of this information in any grievance procedure, administrative hearing
27 or civil action relating to the imposition of the test or the use of test results.

28 **Sec. 3. 28-B MRSA §114**, as enacted by PL 2023, c. 396, §3, is amended to read:

29 **§114. Confidentiality**

30 The home address, telephone number and e-mail address of the applicant, employees
31 of the applicant and all natural persons having a direct or indirect financial interest in the
32 applied-for license are confidential, except that if the home address, telephone number or
33 e-mail address has been provided as public contact information, that information is not
34 confidential.

35 **Sec. 4. 29-A MRSA §253**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by
36 Pt. B, §5, is amended to read:

37 **§253. Confidentiality of nongovernment vehicle records**

38 Upon receiving a written request by an appropriate criminal justice official and
39 showing cause that it is in the best interest of public safety, the Secretary of State may

1 determine that records of a nongovernment vehicle ~~may be held~~ are confidential for a
2 specific period of time, which may not exceed the expiration of the current registration.

3 **Sec. 5. 29-A MRSA §1301, sub-§6-A**, as amended by PL 2023, c. 257, §13, is
4 further amended to read:

5 **6-A. Confidentiality.** Except as required by 18 United States Code, Section 2721(b)
6 or as needed to implement the federal National Voter Registration Act of 1993, the federal
7 Help America Vote Act of 2002 or other federal election law, the Secretary of State may
8 not ~~disseminate~~ disclose information collected under subsection 6. For every willful
9 violation of this subsection, a person commits a civil violation for which a fine of not more
10 than \$500 may be adjudged.

11 **Sec. 6. 29-A MRSA §2251, sub-§7-A, ¶B**, as amended by PL 2023, c. 235, §9, is
12 further amended to read:

13 B. Except as provided in paragraph B-1 and Title 16, section 805-A, subsection 1,
14 paragraph F, ~~the Department of Public Safety, Bureau of State Police may not publicly~~
15 ~~disseminate~~ personally identifying accident report data that are contained in an accident
16 report database maintained, administered or contributed to by the Bureau of State
17 Police are confidential. ~~Such data are not public records for the purposes of Title 1,~~
18 ~~chapter 13.~~

19 **Sec. 7. 29-A MRSA §2251, sub-§7-A, ¶B-1**, as enacted by PL 2011, c. 654, §8,
20 is amended to read:

21 B-1. The Department of Public Safety, Bureau of State Police may ~~disseminate~~
22 disclose a vehicle registration plate number contained in an accident report database
23 maintained, administered or contributed to by the Bureau of State Police to a person
24 only if that person provides the Bureau of State Police an affidavit stating that the
25 person will not:

- 26 (1) Use a vehicle registration plate number to identify or contact a person; or
27 (2) ~~Disseminate~~ Disclose a vehicle registration plate number to another person.

28 **Sec. 8. 29-A MRSA §2251, sub-§7-A, ¶C**, as amended by PL 2011, c. 662, §19,
29 is further amended to read:

30 C. ~~The Department of Public Safety, Bureau of State Police may publicly disseminate~~
31 ~~nonpersonally~~ Nonpersonally identifying accident report data that are contained in an
32 accident report database maintained, administered or contributed to by the Bureau of
33 State Police are not confidential. The cost of furnishing a copy of such data is not
34 subject to the limitations of Title 1, section 408-A.

35 **Sec. 9. 32 MRSA §2600-A**, as enacted by PL 2001, c. 214, §1, is amended to read:

36 **§2600-A. Confidentiality of personal information of applicant or licensee**

37 An applicant or licensee shall provide the board with a current professional address and
38 telephone number, which will be their public contact address, and a personal residence
39 address ~~and~~, telephone number and e-mail address. An applicant's or licensee's personal
40 residence address ~~and~~, telephone number is and e-mail address are confidential information
41 and may not be disclosed except as permitted by this section or as required by law, ~~unless~~.
42 If the personal residence address and telephone number have been provided as the public

1 contact address, the personal residence address and telephone number are not confidential.
2 Personal health information submitted as part of any application is confidential information
3 and may not be disclosed except as permitted by this section or as required by law. The
4 personal health information and personal residence address ~~and~~, telephone number and e-
5 mail address may be provided to other governmental licensing or disciplinary authorities
6 or to any health care providers located within or outside this State that are concerned with
7 granting, limiting or denying a physician's employment or privileges.

8 **Sec. 10. 32 MRSA §2600-E, sub-§1**, as enacted by PL 2019, c. 499, §2, is amended
9 to read:

10 **1. Request for record; redaction.** When the board receives a request to inspect or
11 copy all or part of the record of an applicant or licensee, the board shall redact confidential
12 information ~~that is not public~~ before making the record available for inspection or copying.

13 **Sec. 11. 32 MRSA §6080, sub-§1**, as enacted by PL 2023, c. 662, §2, is amended
14 to read:

15 **1. Confidentiality and prohibited disclosure.** Except as otherwise provided in
16 ~~subsection 2~~ this section, all information or reports obtained by the administrator from an
17 applicant for a license, licensee or authorized delegate and all information contained in or
18 related to an examination, investigation, operating report or condition report prepared by,
19 on behalf of or for the use of the administrator, or financial statements, balance sheets or
20 authorized delegate information, are confidential and are not subject to disclosure under
21 Title 1, chapter 13.

22 **Sec. 12. 32 MRSA §6080, sub-§2**, as enacted by PL 2023, c. 662, §2, is amended
23 to read:

24 **2. Authorized disclosure.** The administrator may disclose confidential information
25 ~~not otherwise subject to disclosure under subsection 1~~ to representatives of state or federal
26 agencies who certify in a record that they will maintain the confidentiality of the
27 information or if the administrator finds that the release is reasonably necessary for the
28 protection and interest of the public.

29 **Sec. 13. 32 MRSA §16808**, as enacted by PL 2019, c. 17, §1, is amended to read:

30 **§16808. Records**

31 A broker-dealer or investment adviser shall provide access to or copies of records that
32 are relevant to the suspected or attempted financial exploitation of an eligible adult to the
33 Department of Health and Human Services and to a law enforcement agency as part of a
34 referral to the department or to a law enforcement agency or upon request of the department
35 or a law enforcement agency pursuant to an investigation. The records may include
36 historical records and records relating to recent transactions that may constitute financial
37 exploitation of an eligible adult. All records made available to agencies under this section
38 are ~~not public records for purposes of Title 1, chapter 13, subchapter 1~~ confidential.
39 ~~Nothing in this~~ This section limits ~~does not limit~~ or otherwise ~~impedes~~ impede the authority
40 of the administrator to access or examine the books and records of broker-dealers and
41 investment advisers as otherwise provided by law.

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SUMMARY

This bill is reported out by the Joint Standing Committee on Judiciary pursuant to the Maine Revised Statutes, Title 5, section 411 to implement statutory changes recommended by the Right To Know Advisory Committee. The joint standing committee has not taken a position on the substance of this bill. By reporting this bill out, the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The committee is reporting the bill out for the sole purpose of having a bill printed that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course. The committee is taking this action to ensure clarity and transparency in the legislative review of the proposals contained in the bill.

11 This bill implements statutory changes recommended by the Right To Know Advisory
12 Committee after reviewing certain existing public records exceptions in Titles 25 to 32.
13 The bill does the following.

14 1. It clarifies to which persons and agencies DNA records may be disclosed.

15 2. It clarifies the disclosure of information relating to substance abuse testing by an
16 employer.

17 3. It clarifies that personal contact information of an applicant for an adult use cannabis
18 establishment license and employees of that establishment is not confidential if it has been
19 provided as public contact information.

20 4. It clarifies that motor vehicle records of certain nongovernment vehicles are
21 confidential.

22 5. It clarifies that the Secretary of State may not disclose the social security number of
23 an applicant for a driver's license or nondriver identification card.

24 6. It addresses the confidentiality of personally identifying accident report data
25 contained in the Department of Public Safety, Bureau of State Police accident report
26 database.

27 7. It clarifies that certain personal contact information of osteopathic physician
28 applicants and licensees is confidential.

29 8. It clarifies the Board of Osteopathic Licensure's ability to redact applicant or licensee
30 records for potential risks to personal safety.

31 9. It addresses the disclosure of confidential information held by the Department of
32 Professional and Financial Regulation, Bureau of Consumer Credit Protection regarding an
33 applicant or licensee related to investigations under the Maine Money Transmission
34 Modernization Act.

35 10. It clarifies the confidentiality of records provided by a broker-dealer or investment
36 adviser to the Department of Health and Human Services and law enforcement agencies
37 relating to financial exploitation of eligible adults.