

MAINE STATE LEGISLATURE

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University of Maine: Access to Salary Records
Freedom of Access University of Maine
1 MRSAs 402-3

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DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

December 29, 1976

Honorable David Redmond
Member, Executive Council
State House
Augusta, Maine

Re: Public Access to University of Maine's Salary Records.

Dear Councillor Redmond:

This responds to your request for an opinion of December 13, 1976. By that request, you asked whether salaries of the University of Maine faculty are public records. The term "public records" is broadly defined in the Maine Freedom of Access Law, 1 M.R.S.A. § 402-3, and it would include the general salary records of University of Maine faculty. Relevant statutes relating to the University of Maine, 20 M.R.S.A. § 2251, et seq. and 26 M.R.S.A. § 1021, et seq., contain no exclusion of salary data from public access. However, there are certain circumstances under which certain documents containing salary data of University faculty which might not be considered public records subject to public review:

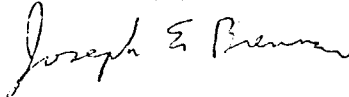
1. If the data in question was prepared in connection with negotiations by the University of Maine, it would be exempt from the public records definition by the exceptions specified in § 402-3-D.

2. If the data in question was presented as part of the records, working papers, interoffice or intraoffice memoranda used by or prepared for subcommittees of the University of Maine Board of Trustees or faculty or administrative committees of the institution, it would be exempt from the public records

provision by the exception provided in § 402-3-E. However, this section only applies to documents specifically prepared for such committees or subcommittees, it does not prevent public disclosure of documents, otherwise public, which may come before such committees or subcommittees.

Absent these exceptions, data relating to the University of Maine faculty salaries is a public record subject to public review and inspection. It is our understanding from University representatives that University of Maine faculty salary data is currently available on request for public inspection.

Sincerely,



JOSEPH E. BRENNAN
Attorney General

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