

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2002

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Legislative Document

No. 2153

H.P. 1647

House of Representatives, March 5, 2002

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**An Act to Amend the Freedom of Access Laws to Protect Security Plans.**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative NORBERT of Portland. (GOVERNOR'S BILL)  
Cosponsored by President Pro Tem MICHAUD of Penobscot and  
Representatives: BULL of Freeport, JACOBS of Turner, MADORE of Augusta, MUSE of  
South Portland, SCHNEIDER of Durham, SHERMAN of Hodgdon, Senator: FERGUSON of  
Oxford.

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

4 **Sec. 1. 1 MRSA §402, sub-§3, ¶J**, as amended by PL 1999, c. 96,  
5 §2, is further amended to read:

6 J. Working papers, including records, drafts and  
7 interoffice and intraoffice memoranda, used or maintained by  
8 any advisory organization covered by subsection 2, paragraph  
9 F, or any member or staff of that organization during the  
10 existence of the advisory organization. Working papers are  
11 public records if distributed by a member or in a public  
12 meeting of the advisory organization; and

13 **Sec. 2. 1 MRSA §402, sub-§3, ¶K**, as enacted by PL 1999, c. 96,  
14 §3, is amended to read:

15 K. Personally identifying information concerning minors  
16 that is obtained or maintained by a municipality in  
17 providing recreational or nonmandatory educational programs  
18 or services, if the municipality has enacted an ordinance  
19 that specifies the circumstances in which the information  
20 will be withheld from disclosure. This paragraph does not  
21 apply to records governed by Title 20-A, section 6001 and  
22 does not supersede Title 20-A, section 6001-A+; and

23 **Sec. 3. 1 MRSA §402, sub-§3, ¶L** is enacted to read:

24 L. Information concerning security plans or procedures of  
25 agencies of State Government, county government and local  
26 government not generally known by the general public,  
27 provided that this information may be disclosed to the  
28 Legislature or the governing body of a political or  
29 administrative subdivision under conditions that protect the  
30 information from further disclosure.

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37 **SUMMARY**

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39 This bill adds an exception to the definition of "public  
40 records" in the freedom of access laws that would protect  
41 information concerning security plans or procedures of agencies  
42 of State Government and local government. Currently, such  
43 information is protected under the Maine Revised Statutes, Title  
44 16, section 614 when it is held by a law enforcement agency  
45 identified in that statute but not when held by other agencies of  
46 state, county or local government.