

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## SECOND REGULAR SESSION-2004

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Legislative Document

No. 1727

S.P. 660

In Senate, December 17, 2003

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**An Act To Amend the "Freedom of Access Laws" To Exclude  
Public Employees' Home Addresses**

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 17, 2003. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator STRIMLING of Cumberland.

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

2  
4 **Sec. 1. 1 MRSA §402, sub-§3, ¶L**, as amended by PL 2003, c. 392, §2, is further amended to read:

6 L. Records describing security plans, security procedures  
8 or risk assessments prepared specifically for the purpose of  
10 preventing or preparing for acts of terrorism, but only to  
12 the extent that release of information contained in the  
14 record could reasonably be expected to jeopardize the  
16 physical safety of government personnel or the public.  
18 Information contained in records covered by this paragraph  
20 may be disclosed to the Legislature or, in the case of a  
22 political or administrative subdivision, to municipal  
officials or board members under conditions that protect the  
information from further disclosure. For purposes of this  
paragraph, "terrorism" means conduct that is designed to  
cause serious bodily injury or substantial risk of bodily  
injury to multiple persons, substantial damage to multiple  
structures whether occupied or unoccupied or substantial  
physical damage sufficient to disrupt the normal functioning  
of a critical infrastructure; and

24 **Sec. 2. 1 MRSA §402, sub-§3, ¶M**, as enacted by PL 2003, c.  
26 392, §3, is amended to read:

28 M. Records or information describing the architecture,  
30 design, access authentication, encryption or security of  
32 information technology infrastructure and systems. Records  
34 or information covered by this paragraph may be disclosed to  
the Legislature or, in the case of a political or  
administrative subdivision, to municipal officials or board  
members under conditions that protect the information from  
further disclosure; and

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

38 N. The home addresses of employees of the State or a  
40 political subdivision. For purposes of this paragraph,  
42 "State" means the State or an office, department, agency,  
44 authority, commission, board, institution, hospital or other  
46 instrumentality of the State, including the Maine Turnpike  
48 Authority, the Maine Port Authority, the Northern New  
50 England Passenger Rail Authority, the Maine Community  
College System, the Maine Veterans' Homes, the Maine State  
Retirement System, the Maine Military Authority and all  
other such state entities. For purposes of this paragraph,  
"political subdivision" means a city, town, plantation or  
county; an administrative entity or instrumentality created  
pursuant to Title 30-A, chapters 115 and 119; an

2 incorporated fire-fighting unit that is organized under  
4 Title 13-B and is officially recognized by any authority  
6 created by statute; a quasi-municipal corporation; a special  
8 purpose district, including, but not limited to, a water  
10 district, sanitary district, hospital district and school  
12 district of any type; a volunteer fire association as  
14 defined in Title 30-A, section 3151; or an emergency medical  
16 service.

## SUMMARY

This bill exempts from the definition of public records subject to the so-called "freedom of access laws" the home addresses of employees of the State or a political subdivision, such as a town, city or county.