

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

SECOND REGULAR SESSION-2004

Legislative Document

No. 1727

S.P. 660

In Senate, December 17, 2003

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

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
preventing or preparing for acts of terrorism, but only to
10 the extent that release of information contained in the
record could reasonably be expected to jeopardize the
12 physical safety of government personnel or the public.
Information contained in records covered by this paragraph
14 may be disclosed to the Legislature or, in the case of a
political or administrative subdivision, to municipal
16 officials or board members under conditions that protect the
information from further disclosure. For purposes of this
18 paragraph, "terrorism" means conduct that is designed to
cause serious bodily injury or substantial risk of bodily
20 injury to multiple persons, substantial damage to multiple
structures whether occupied or unoccupied or substantial
22 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.
392, §3, is amended to read:

26 M. Records or information describing the architecture,
28 design, access authentication, encryption or security of
information technology infrastructure and systems. Records
30 or information covered by this paragraph may be disclosed to
the Legislature or, in the case of a political or
32 administrative subdivision, to municipal officials or board
members under conditions that protect the information from
34 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
39 political subdivision. For purposes of this paragraph,
40 "State" means the State or an office, department, agency,
41 authority, commission, board, institution, hospital or other
42 instrumentality of the State, including the Maine Turnpike
43 Authority, the Maine Port Authority, the Northern New
44 England Passenger Rail Authority, the Maine Community
45 College System, the Maine Veterans' Homes, the Maine State
46 Retirement System, the Maine Military Authority and all
47 other such state entities. For purposes of this paragraph,
48 "political subdivision" means a city, town, plantation or
49 county; an administrative entity or instrumentality created
50 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

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