

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 467

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H.P. 342

House of Representatives, February 1, 2005

**An Act To Implement the Recommendations of the Committee To  
Study Compliance with Maine's Freedom of Access Laws  
Concerning Personal Contact Information**

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Reported by Representative KOFFMAN of Bar Harbor for the Committee To Study Compliance with Maine's Freedom of Access Laws pursuant to Public Law 2003, chapter 709, section 8.

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

4 **Sec. 1. 1 MRSA §402, sub-§3, ¶M,** as amended by PL 2003, c.  
614, §2, is further amended to read:

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

16 **Sec. 2. 1 MRSA §402, sub-§3, ¶N,** as enacted by PL 2003, c.  
614, §3, is amended to read:

18 N. Social security numbers in the possession of the  
Department of Inland Fisheries and Wildlife; and

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

22 O. Personal contact information concerning public  
24 employees, except when that information is public pursuant  
to other law. For the purposes of this paragraph:

26 (1) "Personal contact information" means home address,  
28 home telephone number, home facsimile number, home  
e-mail address and personal cellular telephone number  
30 and personal pager number; and

32 (2) "Public employee" means an employee of a  
34 governmental entity, as defined in Title 14, section  
8102, subsection 2, except that "public employee" does  
36 not include elected officials.

38 **SUMMARY**

40 This bill is the recommendation of the majority of the  
Committee to Study Compliance with Maine's Freedom of Access Laws.

42 This bill provides an exception to the definition of "public  
44 record" in Maine's freedom of access laws for the personal  
contact information of public employees.

46 "Personal contact information" means a public employee's  
48 home address, telephone number, fax number, cellular phone number  
and pager number.

50

2 "Public employee" means an employee of a governmental entity  
as that term is defined in the Maine Tort Claims Act. This  
4 includes all state, county and local governmental bodies as well  
as other public entities. Because elected officials are excepted  
6 from the definition of "public employee" for the purposes of this  
statute, their personal contact information is not confidential.