## MAINE STATE LEGISLATURE

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## 127th MAINE LEGISLATURE

### FIRST REGULAR SESSION-2015

**Legislative Document** 

No. 303

S.P. 118

In Senate, February 10, 2015

An Act To Improve Communications Regarding Executive Sessions

Reference to the Committee on Judiciary suggested and ordered printed.

HEATHER J.R. PRIEST Secretary of the Senate

Presented by Senator BRAKEY of Androscoggin.
Cosponsored by Representative TURNER of Burlington and
Senators: BREEN of Cumberland, LIBBY of Androscoggin, SAVIELLO of Franklin,
WILLETTE of Aroostook, WOODSOME of York, Representatives: CRAFTS of Lisbon,
HICKMAN of Winthrop, VACHON of Scarborough.

# Be it enacted by the People of the State of Maine as follows: Sec. 1. 5 MRSA §7070-B is enacted to read:

### §7070-B. Executive session; waiver of confidentiality

Notwithstanding any provision of sections 7070 and 7070-A to the contrary, records and information related to an executive session regarding a particular employee that would otherwise be confidential are public if that employee publicly discloses information about the matter discussed in the executive session, but only as such records and information relate directly to that employee.

### Sec. 2. 30-A MRSA §503, sub-§4 is enacted to read:

4. Waiver of confidentiality. Notwithstanding any other provision of this section to the contrary, records and information related to an executive session regarding a particular employee that would otherwise be confidential are public if that employee publicly discloses information about the matter discussed in the executive session, but only as such records and information relate directly to that employee.

### Sec. 3. 30-A MRSA §2702, sub-§4 is enacted to read:

4. Waiver of confidentiality. Notwithstanding any other provision of this section to the contrary, records and information related to an executive session regarding a particular employee that would otherwise be confidential are public if that employee publicly discloses information about the matter discussed in the executive session, but only as such records and information relate directly to that employee.

21 SUMMARY

This bill allows public disclosure of otherwise confidential records and information related to an executive session regarding a public employee when that employee publicly discloses information about the matter discussed in that executive session. This bill applies to records and information held by the Department of Administrative and Financial Services, Bureau of Human Resources for an employee of the executive or legislative branch, as well as records and information held by a county or municipality.