

LEGISLATIVE SUBCOMMITTEE RECOMMENDATIONS

Existing Public Records Exceptions

Identified as of October 23, 2007

Titles 1, 2, 3, 4, 5, 6, 7, 8, 9, 9-A, 9-B

FINAL 12.19.07

Shaded sections = NO CHANGE
unanimous recommendation by
Legislative Subcommittee

TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
<i>1</i>	<i>402</i>	<i>3</i>	<i>Title 1, section 402, subsection 3, paragraph A: Records that have been designated confidential by statute</i>	•	•	•	No change
1	402	3	<i>Title 1, section 402, subsection 3, paragraph B; Records that would be within the scope of a privilege against discovery or use as evidence recognized by the courts of this State in civil or criminal trials if the records or inspection thereof were sought in the course of a court proceeding</i>	• Attorney General	• Frequently	• Issues raised, but leave to committee to recommend	No change, but ask JUD to review (see AG's comments)
1	402	3	<i>Title 1, section 402, subsection 3, paragraph C: Legislative papers and reports until signed and publicly distributed in accordance with legislative rules, and records, working papers, drafts and interoffice and intraoffice memoranda used or maintained by any Legislator, legislative agency or legislative employee to prepare proposed Senate or House papers or reports for consideration by the Legislature or any of its committees during the legislative session or sessions in which the papers or reports are prepared or considered or to which the paper or report is carried over</i>	• Legislature	•	•	No change, but objection (SB)
1	402	3	<i>Title 1, section 402, subsection 3, paragraph D: Material prepared for and used specifically and exclusively in preparation for negotiations, including the development of bargaining proposals to be made and the analysis of proposals received, by a public employer in collective bargaining with</i>	• Governor's Office • DAFS Bureau of Human Resources, and Office of Employee Relations	• Gov: Not in 2 years • BHR: no public request, one former employee	• Gov: No change • BHR: no changes	No change

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			<i>its employees and their designated representatives</i>				
1	402	3	<i>Title 1, section 402, subsection 3, paragraph E, relating to records, working papers, interoffice and intraoffice memoranda used by or prepared for faculty and administrative committees of the Maine Maritime Academy, the Maine Community College System and the University of Maine System</i>	<ul style="list-style-type: none"> • Maine Maritime Academy • Maine Community College System • University of Maine System 	<ul style="list-style-type: none"> • MeMarA: No record for 10 years • MCCS: None that recall • UMS: Infrequently subject of litigation; rarely asserted 	<ul style="list-style-type: none"> • MeMarA: No change • MCCS: No change • UMS: Change proposed 	No change
1	402	3	<i>Title 1, section 402, subsection 3, paragraph F, relating to records that would be confidential if they were in the possession or custody of an agency or public official of the State or any of its political or administrative subdivisions and are in the possession of an association, the membership of which is composed exclusively of one or more political or administrative subdivisions of the State; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities</i>	<ul style="list-style-type: none"> • County association • Maine Municipal Association • Maine School Management • Maine Police Chiefs • Maine Sheriffs Association • Others? 	<ul style="list-style-type: none"> • . • MMA: No problems 	<ul style="list-style-type: none"> • . • MMA: No change 	No change
1	402	3	<i>Title 1, section 402, subsection 3, paragraph G, relating to materials related to the development of positions on legislation or materials that are related to insurance or insurance-like protection or services which are in the possession of an</i>	<ul style="list-style-type: none"> • County association • Maine Municipal Association 	<ul style="list-style-type: none"> • . • MMA: No problems 	<ul style="list-style-type: none"> • . • MMA: No change 	No change, but objection (SB)

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			<i>association, the membership of which is composed exclusively of one or more political or administrative subdivisions of the State; of boards, commissions, agencies or authorities of any such subdivisions; or of any combination of any of these entities</i>	<ul style="list-style-type: none"> • Maine School Management • Maine Police Chiefs • Maine Sheriffs Association • Others? 			
1	402	3	<i>Title 1, section 402, subsection 3, paragraph H, relating to medical records and reports of municipal ambulance and rescue units and other emergency medical service units</i>	<ul style="list-style-type: none"> • Maine Emergency Medical Services 	<ul style="list-style-type: none"> • Occasionally heard of confusion or problems 	<ul style="list-style-type: none"> • No change 	No change
1	402	3	<i>Title 1, section 402, subsection 3, paragraph I, relating to juvenile records and reports of municipal fire departments regarding the investigation and family background of a juvenile fire setter</i>	<ul style="list-style-type: none"> • Maine Municipal Association • State Fire Marshal 	<ul style="list-style-type: none"> • MMA: No knowledge • SFMO: N/A 	<ul style="list-style-type: none"> • MMA: N/A • SFMO: N/A 	No change
1	402	3	<i>Title 1, section 402, subsection 3, paragraph J, relating to working papers, including records, drafts and interoffice and intraoffice memoranda, used or maintained by any advisory organization covered by subsection 2, paragraph F, or any member or staff of that organization during the existence of the advisory organization</i>	<ul style="list-style-type: none"> • Governor's Office • Legislature 	<ul style="list-style-type: none"> • Gov: no 	<ul style="list-style-type: none"> • Gov: no change 	No change, but objection (SB)
1	402	3	<i>Title 1, section 402, subsection 3, paragraph K, relating to personally identifying information concerning minors that is obtained or maintained by a municipality in providing recreational or nonmandatory educational programs or services,</i>	<ul style="list-style-type: none"> • Maine Municipal Association • Maine School Management Association 	<ul style="list-style-type: none"> • MMA: No knowledge • . • DOE: no 	<ul style="list-style-type: none"> • MMA: No knowledge • . • Remove DOE as 	No change

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			<i>if the municipality has enacted an ordinance that specifies the circumstances in which the information will be withheld from disclosure</i>	<ul style="list-style-type: none"> Department of Education 		exempted agency	
1	402	3	<i>Title 1, section 402, subsection 3, paragraph L, relating to records describing security plans, security procedures or risk assessments prepared specifically for the purpose of preventing or preparing for acts of terrorism</i>	<ul style="list-style-type: none"> Department of Defense, Veterans and Emergency Management Maine Police Chiefs Maine Sheriffs Association Maine Municipal Association Counties association Maine School Management Association Legislature 	<ul style="list-style-type: none"> DVEM: less than 4 per year . . MMA: No knowledge . . . 	<ul style="list-style-type: none"> DVEM: no change . . MMA: No knowledge . . . 	No change
1	402	3	Title 1, section 402, subsection 3, paragraph M, relating to architecture, design, access authentication, encryption and security of information technology infrastructure and systems	<ul style="list-style-type: none"> DAFS Office of Information Technology Legislature Judicial Branch 	<ul style="list-style-type: none"> OIT: none in last 12 months 	<ul style="list-style-type: none"> OIT: no substantive changes 	No change
1	402	3	Title 1, section 402, subsection 3, paragraph N, relating to social security numbers in possession of the Department of Inland Fisheries and Wildlife	<ul style="list-style-type: none"> Department of Inland Fisheries 	<ul style="list-style-type: none"> Very rare 	<ul style="list-style-type: none"> No change 	No change, but ask JUD to review,

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				and Wildlife			proposed amendment
1	402	3	<i>Title 1, section 402, subsection 3, paragraph O relating to personal contact information concerning public employees other than elected officials</i>	<ul style="list-style-type: none"> • Governor's Office • Legislature • Judicial Branch • Maine Municipal Association • Counties association • Maine School Management Association • DAFS Bureau of Human Resources or Employee Relations 	<ul style="list-style-type: none"> • Gov: 3 or 4 in last year (Gov's Apptmnts) • . • . • MMA: no problems • . • BHR: requests fairly regularly, but not as FOA requests 	<ul style="list-style-type: none"> • Gov: clarify if applies to voluntary appointees • . • . • .MMA: no change • . • BHR: no changes (compare with 5 §7070, sub-§1, ¶A) 	AMEND
1	402	3-A	<i>Title 1, section 402, subsection 3-A, Paragraph C relating to criminal justice agency records pertaining to a prisoner's, adult probationer's or parolee's identity, conviction data and current address or location if the Commissioner of Corrections determines that it would be detrimental to the welfare of a client to disclose the information.</i>	<ul style="list-style-type: none"> • Department of Corrections 	<ul style="list-style-type: none"> • Rarely - one incident a year at most 	<ul style="list-style-type: none"> • No change 	No change, but objection (SB)
1	538	3	Title 1, section 538, subsection 3, relating to InforME subscriber information	<ul style="list-style-type: none"> • DAFS Office of Information 	<ul style="list-style-type: none"> • 1 or 2 times per year 	<ul style="list-style-type: none"> • No change 	No change

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				Technology			
1	1013	2, 3	Title 1, section 1013, subsections 2 and 3, relating to the Commission on Governmental Ethics and Election Practices	<ul style="list-style-type: none"> Ethics Commission Legislature 	<ul style="list-style-type: none"> Ethics: one case in 2006 	<ul style="list-style-type: none"> Ethics: yes, needs more clarity 	No change - Ethics Commission planning amendments; see also comments (SB)
3	156		Title 3, section 156, relating to prehearing conference materials for legislative confirmations of gubernatorial appointments	<ul style="list-style-type: none"> Legislature Governor's Office 	<ul style="list-style-type: none"> . Gov: never withheld 	<ul style="list-style-type: none"> . Gov: no change 	3-2 in favor of no change (2 in favor of repeal)
3	159		Title 3, section 159, relating to prehearing conference materials for legislative confirmations of gubernatorial appointments	<ul style="list-style-type: none"> Legislature Governor's Office 	<ul style="list-style-type: none"> . Gov: never withheld 	<ul style="list-style-type: none"> . Gov: no change 	3-2 in favor of no change (2 in favor of repeal)
3	997	1, 3, 4-6	Title 3, section 997, subsections 1, 3, 4, 5 and 6, relating to the Office of Program Evaluation and Governmental Accountability activities and working papers	<ul style="list-style-type: none"> Legislature OPEGA 	<ul style="list-style-type: none"> . OPEGA: sub-§3 - once; sub-§5 - three times 	<ul style="list-style-type: none"> . OPEGA: yes 	AMEND, ask JUD to review and finalize language
4	17	3	Title 4, section 17, subsection 3, relating to State Court Administrator complaints and investigative files	<ul style="list-style-type: none"> Judicial Branch 	<ul style="list-style-type: none"> . 	<ul style="list-style-type: none"> . 	AMEND
4	809		Title 4, section 809, relating to investigations of attorneys by the Attorney General	<ul style="list-style-type: none"> Attorney General 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> Can repeal - 16 §614 covers 	REPEAL

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						adequately	
4	1701	7	Title 4, section 1701, subsection 7, relating to the Judicial Compensation Commission concerning working papers in the possession of a legislative employee	<ul style="list-style-type: none"> Judicial Compensation Commission Legislature 	•	•	No change, but objection (SB)
5	48-A	5	Title 5, section 48-A, subsection 5, relating to confidential communications facilitated by privileged interpreters for the deaf	• ??	•	•	
5	90-B	7	Title 5, section 90-B, subsection 7, relating to the Address Confidentiality Program	• Secretary of State	• Never had request	• No change	No change
5	95	11	Title 5, section 95, subsection 11, relating to state archives patrons	• Secretary of State, State Archivist	• No problems	• No change; laws may work too well	No change
5	200-H		Title 5, section 200-H, relating to the Office of the Attorney General, Maine Elder Death Analysis Review Team	• Attorney General, Maine Elder Death Analysis Review Team	• Not been cited	• No changes	4-1 in favor of no change
5	<i>211</i>	<i>4</i>	<i>Title 5, section 211, subsection 4 relating to nondisclosure of information produced in connection with an investigation under the Attorney General's Unfair Trade Practices authority</i>	• Attorney General	• Rarely	• No change	No change
5	244-C	2, 3	Title 5, section 244-C, subsections 2 and 3, relating to the Department of Audit activities and working papers	• Department of Audit	• No requests	• Yes. Sub-§2, ¶A - delete last clause	4-1 in favor of no change; 1 in favor of amending
5	244-D	1	Title 5, section 244-D, subsection 1, relating to	• Department of	•	•	No change

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			identity of person making complaint alleging fraud, waste, inefficiency or abuse through hotline or other referral service established by the State Auditor	Audit			
5	791		Title 5, section 791, relating to the code of fair practices and affirmative action concerning confidential business information	<ul style="list-style-type: none"> • DAFS Bureau of Human resources • DAFS Bureau of General Services 	<ul style="list-style-type: none"> • BHR: none • BGS: not applied by BGS 	<ul style="list-style-type: none"> • BHR: no changes • BGS: don't know 	No change
5	957	5-A	Title 5, section 957, subsection 5-A, relating to State Employee Assistance Program client records	<ul style="list-style-type: none"> • DAFS Bureau of Human Resources • State Employee Assistance Program • DHHS Office of Substance Abuse 	•	•	
5	957	5	Title 5, section 957, subsection 5, relating to State Employee Assistance Program client records	<ul style="list-style-type: none"> • DAFS Bureau of Human Resources • State Employee Assistance Program • DHHS Office of Substance Abuse 	<ul style="list-style-type: none"> • BHR: no cases in recent memory • . • DHHS: very rarely 	<ul style="list-style-type: none"> • BHR: no changes • . • DHHS: no changes 	No change
5	1545		Title 5, section 1545, relating to outstanding unpaid checks issued by the State	<ul style="list-style-type: none"> • Treasurer of State • DAFS Bureau of General Services 	<ul style="list-style-type: none"> • Treas: requests infrequent • Controller: no inquiry since enacted 	<ul style="list-style-type: none"> • Treas: no changes • Controller: no changes 	4-0 in favor of no change, but ask JUD to review (SB abstained)

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					1997		
5	1743	5	Title 5, section 1743, subsection 5, relating to public improvements construction contracts concerning evaluations of proposals	<ul style="list-style-type: none"> DAFS Bureau of General Services 	<ul style="list-style-type: none"> Not aware of any requests 	<ul style="list-style-type: none"> No changes 	No change
5	1747	3	Title 5, section 1747, subsection 3, relating to public improvement contracts concerning prebid qualifications	<ul style="list-style-type: none"> DAFS Bureau of General Services 	<ul style="list-style-type: none"> Infrequent; no denials 	<ul style="list-style-type: none"> No changes 	No change
5	1976	1	Title 5, section 1976, subsection 1, relating to the State Government computer system	<ul style="list-style-type: none"> DAFS Office of Information Technology Attorney General 	<ul style="list-style-type: none"> OIT: not often used AG: little if any direct experience 	<ul style="list-style-type: none"> OIT: none at this time AG: Yes = clarify 	No change to subsection 1, ask JUD to review subsection 2
5	3305-B	1	Title 5, section 3305-B, subsection 1, relating to the Executive Department, State Planning Office concerning energy policy	<ul style="list-style-type: none"> State Planning Office 	<ul style="list-style-type: none"> No denials 	<ul style="list-style-type: none"> No changes 	No change, but objection (SB)
5	3360-D	4	Title 5, section 3360-D, subsection 4, relating to the Victims' Compensation Fund concerning applications and awards	<ul style="list-style-type: none"> Attorney General, Victims' Compensation Board 	<ul style="list-style-type: none"> No formal requests 	<ul style="list-style-type: none"> No changes 	No change
5	4572	2	Title 5, section 4572, subsection 2, relating to medical information or history of an applicant in an employment discrimination complaint	<ul style="list-style-type: none"> Maine Human Rights Commission 	<ul style="list-style-type: none"> Infrequent requests other than parties 	<ul style="list-style-type: none"> No changes, but maybe clarification 	No change
5	4573	2	Title 5, section 4573, subsection 2, relating to records of mental or physical disability	<ul style="list-style-type: none"> Maine Human Rights Commission 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No changes 	No change
5	4612	5	Title 5, section 4612, subsection 5, relating to 3rd-	<ul style="list-style-type: none"> Maine Human 	<ul style="list-style-type: none"> Infrequent 	<ul style="list-style-type: none"> No changes 	No change

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			party records	Rights Commission	requests other than parties		
5	7070	1	Title 5, section 7070, subsection 1, relating to state employee applicants	<ul style="list-style-type: none"> DAFS Bureaus of Human Resources and Employee Relations 	<ul style="list-style-type: none"> Regularly 	<ul style="list-style-type: none"> No changes; conflict with 1 §402, sub-§3, ¶O? 	AMEND to fix conflict
5	7070	2, 4	Title 5, section 7070, subsections 2 and 4, relating to state employees' personal information	<ul style="list-style-type: none"> DAFS Bureau of Human Resources and Employee Relations Maine State Employees Association Others? 	<ul style="list-style-type: none"> BHR: Regularly 	<ul style="list-style-type: none"> BHR: yes - specify, and avoid conflict with sub-§2, ¶D-1 	AMEND TO fix conflict
5	13119-A		Title 5, section 13119-A, relating to economic and community development activities of the Department of Economic and Community Development and municipalities	<ul style="list-style-type: none"> Department of Economic and Community Development Maine Municipal Association 	<ul style="list-style-type: none"> MMA: no problems 	<ul style="list-style-type: none"> MMA 	No change
5	13120-M	2	Title 5, section 13120-M, subsection 2, relating to Maine Rural Development Authority activities	<ul style="list-style-type: none"> Department of Economic and Community Development Maine Rural 			No change

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				Development Authority			
5	15302-A	2	Title 5, section 15302-A, subsection 2, relating to Maine Technology Institute activities	<ul style="list-style-type: none"> Department of Economic and Community Development Maine Technology Institute 	<ul style="list-style-type: none"> MTI: infrequently 	<ul style="list-style-type: none"> MTI: no changes 	No change
5	15321	3	Title 5, section 15321, subsection 3, relating to Applied Technology Development Center System records and proceedings	<ul style="list-style-type: none"> Department of Economic and Community Development Applied Technology Development Center System 			AMEND, ask JUD to review and finalize language
5	17057	1	Title 5, section 17057, subsection 1, relating to Maine State Retirement System information	<ul style="list-style-type: none"> Maine Public Employees Retirement System 	<ul style="list-style-type: none"> Highly infrequent 	<ul style="list-style-type: none"> No changes; interpretation? 	No change
5	17057	3	Title 5, section 17057, subsection 3, relating to home contact information of Maine State Retirement System members, benefit recipients and staff	<ul style="list-style-type: none"> Maine Public Employees Retirement System 	<ul style="list-style-type: none"> Fewer than 6 requests per year 	<ul style="list-style-type: none"> No changes 	No change
5	<i>19203</i>		<i>Title 5, section 19203, relating to the disclosure of the results of an HIV test.</i>	<ul style="list-style-type: none"> DHHS, Maine CDC 	<ul style="list-style-type: none"> DHHS: almost never 	<ul style="list-style-type: none"> DHHS: no change 	

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				<ul style="list-style-type: none"> Department of Corrections Other agencies that might have results of employee tests? 	<ul style="list-style-type: none"> request DOC: rarely cited 	<ul style="list-style-type: none"> DOC: no changes 	
5	<i>19203-D</i>	<i>1 and 2</i>	<i>Title 5, section 19203-D, subsections 1 and 2, relating to the disclosure of medical records containing information regarding a person's HIV status.</i>	<ul style="list-style-type: none"> DHHS, Maine CDC Other agencies that might have results of employee tests? 	<ul style="list-style-type: none"> DHHS: rarely requested 	<ul style="list-style-type: none"> DHHS: no change 	
5	<i>19507</i>		<i>Title 5, section 19507, relating to the disclosure of information, materials and records of the DHHS Office of Advocacy</i>	<ul style="list-style-type: none"> DHHS Office of Advocacy 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> No changes 	
5	20047	1	Title 5, section 20047, subsection 1, relating to Department of Health and Human Services, Office of Substance Abuse records concerning patients	<ul style="list-style-type: none"> DHHS Office of Substance Abuse 	<ul style="list-style-type: none"> None - doesn't have records 	<ul style="list-style-type: none"> No changes 	
5	22009	2	Title 5, section 22009, subsection 2, relating to Baxter Compensation Program claimant information	<ul style="list-style-type: none"> (Baxter Compensation Authority) Attorney General 	<ul style="list-style-type: none"> No direct experience 	<ul style="list-style-type: none"> YES - continue protection 	JUD to review, maybe draft?
7	20	1	Title 7, section 20, subsection 1, relating to information reported to the Department of Agriculture, Food and Rural Resources	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources 	<ul style="list-style-type: none"> Used several times 	<ul style="list-style-type: none"> No change 	No change
7	306-A	3	Title 7, section 306-A, subsection 3, relating to agricultural development grant program, market	<ul style="list-style-type: none"> Department of Agriculture, Food 	<ul style="list-style-type: none"> Applicants requested in 	<ul style="list-style-type: none"> No change 	No change

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TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
			research or development activities	and Rural Resources	RFP		
7	607	4	Title 7, section 607, subsection 4, relating to results of pesticides tests	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources, Pesticides Control Board 	<ul style="list-style-type: none"> Not used in last 25 years 	<ul style="list-style-type: none"> No change 	Ask JUD to review, seek public comment
7	951-A		Title 7, section 951-A, relating to minimum standards for planting potatoes	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources Potato Board 	<ul style="list-style-type: none"> DAFRR: never been a request MPB: not custodian of records 	<ul style="list-style-type: none"> DAFRR: no change MPB: ? 	No change
7	1052	2	Title 7, section 1052, subsection 2, relating to growers of genetically engineered plants and seeds	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources 	<ul style="list-style-type: none"> No requests 	<ul style="list-style-type: none"> No change 	Ask JUD to review, seek public comment
7	2103-A	4	Title 7, section 2103-A, subsection 4, relating to patented and nonreleased potato varieties	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources Potato Board 	<ul style="list-style-type: none"> DAFRR: Rarely a request MPB: not a custodian of records 	<ul style="list-style-type: none"> DAFRR: none MPB: ? 	No change
7	2226	1	Title 7, section 2226, subsection 1, relating to ginseng license applications, licensees and locations of ginseng plantings	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural 	<ul style="list-style-type: none"> 20 requests over years for growers, not 	<ul style="list-style-type: none"> No change 	No change

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Existing Public Records Exceptions

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TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
				Resources • Attorney General	sites. Some growers signed waiver		
7	2992-A	1	<i>Title 7, subsection 2992-A, subsection 1, paragraph C, subparagraph (2), relating to records and meetings of Maine Dairy Promotion Board which may be closed to public when disclosure would adversely affect competitive position of milk industry</i>	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources Maine Dairy Promotion Board 	<ul style="list-style-type: none"> MDPB: once 	<ul style="list-style-type: none"> MDPB: no changes 	AMEND, ask JUD to review and finalize language
7	2998-B	1	<i>Title 7, section 2998-B, subsection 1, paragraph C, subparagraph (2), relating to records and meetings of Maine Dairy and Nutrition Council which may be closed to public when disclosure would adversely affect competitive position of milk industry</i>	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources Maine Dairy and Nutrition Council 	<ul style="list-style-type: none"> MDNC: once 	<ul style="list-style-type: none"> MDNC: no changes 	AMEND, ask JUD to review and finalize language
7	4204	10	Title 7, section 4204, subsection 10, relating to nutrient management plans	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources 	<ul style="list-style-type: none"> One request - farm voluntarily provided 	<ul style="list-style-type: none"> No change 	Ask JUD to review, seek public comment
7	4205	2	Title 7, section 4205, subsection 2, relating to livestock operation permits and nutrient management plans	<ul style="list-style-type: none"> Department of Agriculture, Food and Rural Resources 	<ul style="list-style-type: none"> One request - farm voluntarily provided 	<ul style="list-style-type: none"> No change 	Ask JUD to review, seek public comment
8	416-A	9	Title 8, section 416-A, subsection 9, relating to the Tri-State Lotto concerning personal records in connection with payment of prize	<ul style="list-style-type: none"> DAFS Bureau of Alcoholic Beverages and 	<ul style="list-style-type: none"> 2 or 3 per year 	<ul style="list-style-type: none"> No changes 	No change

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TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
				Lottery Operations			
8	416 A	9	<i>Title 8, section 416 A, subsection 9, relating to records concerning payment of Tri-state Lotto prizes</i>	• DAFS Bureau of Alcoholic Beverages and Lottery Operations	• —	• —	
8	1006	1	Title 8, section 1006, subsection 1, paragraph A, relating to information or records required by the Gambling Control Board for licensure: trade secrets and proprietary information	• DPS Gambling Control Board	• Once	• No changes	No change
8	1006	1	Title 8, section 1006, subsection 1, paragraph B, relating to information or records required by the Gambling Control Board for licensure: would be unwarranted invasion of privacy of key executive, gaming employee or another person	• DPS Gambling Control Board	• Once	• No changes	No change
8	1006	1	Title 8, section 1006, subsection 1, paragraph C, relating to information or records required by the Gambling Control Board for licensure: key executive or gaming employee compensation	• DPS Gambling Control Board	• Once	• No changes	No change
8	1006	1	Title 8, section 1006, subsection 1, paragraph D, relating to information or records required by the Gambling Control Board for licensure: financial, statistical and surveillance information related to applicant	• DPS Gambling Control Board	• Once	• No changes	No change
8	1006	1	Title 8, section 1006, subsection 1, paragraph E, relating to information or records required by the Gambling Control Board for licensure:	• DPS Gambling Control Board	• Once	• No changes	No change

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TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
			creditworthiness, credit rating or financial condition or person or project				
8	1006	1	Title 8, section 1006, subsection 1, paragraph F, relating to information or records required by the Gambling Control Board for licensure: information from other jurisdictions conditioned on remaining confidential	<ul style="list-style-type: none"> DPS Gambling Control Board 	<ul style="list-style-type: none"> Once 	<ul style="list-style-type: none"> No changes 	No change
8	1006	1	Title 8, section 1006, subsection 1, paragraph G, relating to information or records required by the Gambling Control Board for licensure: information designated confidential under federal law	<ul style="list-style-type: none"> DPS Gambling Control Board 	<ul style="list-style-type: none"> Once 	<ul style="list-style-type: none"> No changes 	No change
8	1006	1	Title 8, section 1006, subsection 1, paragraph H, relating to information or records required by the Gambling Control Board for licensure: specific personal information, including Social Security number, of any individual	<ul style="list-style-type: none"> DPS Gambling Control Board 	<ul style="list-style-type: none"> Once 	<ul style="list-style-type: none"> No changes 	No change
8	1006	3	Title 8, section 1006, subsection 3, relating to suitability requirement to select operator of central site monitoring system	 <ul style="list-style-type: none"> DPS Gambling Control Board 	 <ul style="list-style-type: none"> Not since enacted 	 <ul style="list-style-type: none"> No changes 	No change
8	1006	3	Title 8, section 1006, subsection 3, relating to records and information developed as part of suitability requirement to select operator of central site monitoring system, held by Gambling Control Board and Dept. of Public Safety	<ul style="list-style-type: none"> DPS Gambling Control Board Department of Public Safety 	<ul style="list-style-type: none"> GCB: Not since enacted 	<ul style="list-style-type: none"> GCB: No changes 	No change
8	1006	4	Title 8, section 1006, subsection 3 4, relating to financial, statistical and surveillance information from the central site monitoring system held by the	<ul style="list-style-type: none"> DPS Gambling Control Board Department of 	<ul style="list-style-type: none"> GCB: Not since enacted 	<ul style="list-style-type: none"> GCB: No changes 	No change

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TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
			Gambling Control Board and the Dept. of Public Safety	Public Safety			
8	1052		Title 8, section 1052, relating to reports, information or records compiled by the Gambling Control Board and Dept. of Public Safety concerning noncompliance with or violation of the chapter by an applicant, licensee, owner or key executive	<ul style="list-style-type: none"> DPS Gambling Control Board Department of Public Safety 	<ul style="list-style-type: none"> See sub-§3 	<ul style="list-style-type: none"> See sub-§3 	No change
8	1052	3	Title 8, section 1052, subsection 3, relating to all complaints and investigative records of the Gambling Control Board during the pendency of an investigation	<ul style="list-style-type: none"> DPS Gambling Control Board 	<ul style="list-style-type: none"> GCB: none 	<ul style="list-style-type: none"> GCB: no changes 	No change
9-A	2-304	2	Title 9-A, section 2-304, subsection 2, relating to reports of supervised lenders	<ul style="list-style-type: none"> DPFR Bureau of Consumer Credit Regulation 	<ul style="list-style-type: none"> Only occasional 	<ul style="list-style-type: none"> No changes 	No change
9-A	6-116		Title 9-A, section 6-116, relating to the Department of Professional and Financial Regulation, Office of Consumer Credit Regulation	<ul style="list-style-type: none"> DPFR Bureau of Consumer Credit Regulation 	<ul style="list-style-type: none"> Only occasional 	<ul style="list-style-type: none"> No changes 	No change
9-A	<i>6-117</i>		<i>Title 9-A, section 6-117, relating to confidential information shared by other state or federal regulatory agencies</i>	<ul style="list-style-type: none"> <i>DPFR, Bureau of Consumer Credit Regulations</i> 	<ul style="list-style-type: none"> Only occasional 	<ul style="list-style-type: none"> No changes 	No change
9-B	226	1	<i>Title 9-B, section 226, subsection 1, relating to the Department of Professional and Financial Regulation, Bureau of Financial Institutions, concerning nondisclosure of information (does not expressly designate information as confidential)</i>	<ul style="list-style-type: none"> DPFR Bureau of Financial Institutions 	<ul style="list-style-type: none"> Once or twice a year 	<ul style="list-style-type: none"> No changes, but not “standard” language 	Flag language
9-B	252	3-A	<i>Title 9-B, section 252, subsection 3-A, relating to</i>	<ul style="list-style-type: none"> DPFR Bureau of 	<ul style="list-style-type: none"> One every 	<ul style="list-style-type: none"> No changes 	Flag language

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TITLE	SECTION	SUB-§	DESCRIPTION	DEPARTMENT/AGENCY	APPLIED	PROPOSED ACTION	COMMENTS
			<i>the Department of Professional and Financial Regulation, Bureau of Financial Institutions, concerning confidential information from other state or federal agencies</i>	Financial Institutions	several years		

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