

<p><a href="#">1 MRSA 402, sub-§3 O</a></p>	<p>General Provisions  Public Records and Proceedings  Freedom of Access</p>	<p><b>3. Public records.</b> The term "public records" means any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of an agency or public official of this State or any of its political subdivisions, or is in the possession or custody of an association, the membership of which is composed exclusively of one or more of any of these entities, and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business, except:</p> <p>O. Personal contact information concerning public employees, except when that information is public pursuant to other law. For the purposes of this paragraph:</p> <p><u>(1) "Personal contact information" means personal address, telephone number, facsimile number, e-mail address, cellular telephone number, pager number and username, password and uniform resource locator for a personal social media account as defined in <a href="#">Title 26, section 615, subsection 4</a>; and</u></p> <p><u>(2) "Public employee" means an employee as defined in <a href="#">Title 14, section 8102, subsection 1</a>, except that "public employee" does not include elected officials;</u></p>
<p><a href="#">1 MRSA 541, sub-§1</a></p>	<p>General Provisions  Notice of Information Practices</p>	<p><b>1. Personal information.</b> "Personal information" means information about a natural person that readily identifies that specific person.</p>
<p><a href="#">4 MRSA 1806, sub-§ 1 B</a></p>	<p>Judiciary  Maine Commission on Indigent Legal Services</p>	<p>B. "Personal contact information" means home address, home telephone number, home facsimile number, home e-mail address, personal cellular telephone number, personal pager number, date of birth and social security number.</p>
<p><a href="#">5 MRSA 7070, sub-§2</a></p>	<p>Administrative Procedures and Services  State Civil Service System</p>	<p>The following records shall be confidential and not open to public inspection, and shall not be "public records," as defined in <a href="#">Title 1, section 402, subsection 3</a>:</p> <p><b>2. Personal information.</b> Records containing the following, except they may be examined by the employee to whom they relate when the examination is permitted or required by law:</p>

	Employee Benefits, Records and Training	<p>A. Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;</p> <p>B. Performance evaluations and personal references submitted in confidence;</p> <p>C. Information pertaining to the credit worthiness of a named employee;</p> <p>D. Information pertaining to the personal history, general character or conduct of members of the employee's immediate family;</p> <p>D-1. Personal information, including that which pertains to the employee's:</p> <ul style="list-style-type: none"><li>(1) Age;</li><li>(2) Ancestry, ethnicity, genetic information, national origin, race or skin color;</li><li>(3) Marital status;</li><li>(4) Mental or physical disabilities;</li><li>(5) Personal contact information, as described in <a href="#">Title 1, section 402, subsection 3, paragraph O</a>;</li><li>(6) Personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance;</li><li>(7) Religion;</li><li>(8) Sex, gender identity or sexual orientation as defined in <a href="#">section 4553, subsection 9-C</a>; or</li><li>(9) Social security number.</li></ul>
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		<p>Such personal information may be disclosed publicly in aggregate form, unless there is a reasonable possibility that the information would be able to be used, directly or indirectly, to identify any specific employee.</p> <p>When there is a work requirement for public access to personal information under this paragraph that is not otherwise protected by law, that information may be made public. The Director of the Bureau of Human Resources, upon the request of the employing agency, shall make the determination that the release of certain personal information not otherwise protected by law is allowed; and</p>
<p><a href="#">5 MRSA 17057, sub-§ 3 and 5 B</a></p>	<p>Administrative Procedures and Services</p> <p>State Retirement System</p> <p>General Policies and Intent</p>	<p><b>3. Home contact information.</b> Except as provided in this subsection, records of home contact information of members and benefit recipients of any of the programs of the retirement system and of staff members that are in the possession of the retirement system are confidential, not open to public inspection and not public records as defined in Title 1, section 402, subsection 3.</p> <p>A. For purposes of this subsection, "home contact information" means a home address, home telephone number, home facsimile transmission number or home e-mail address.</p> <p><b>5. Personnel records of Maine Public Employees Retirement System staff.</b> The following records are confidential and not open to public inspection and are not public records as defined in <a href="#">Title 1, section 402, subsection 3</a>:</p> <p>B. Personal information. Records containing the following information are confidential, except that the records may be examined by the employee to whom they relate when the examination is permitted or required by law:</p> <ul style="list-style-type: none"> <li>(1) Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;</li> <li>(2) Performance evaluations and personal references submitted in confidence;</li> </ul>

		<p>(3) Information pertaining to the creditworthiness of a named employee;</p> <p>(4) Information pertaining to the personal history, general character or conduct of members of the employee's immediate family;</p> <p><u>(5) Personal information pertaining to the employee's race, color, religion, sex, national origin, ancestry, age, physical disability, mental disability, marital status and sexual orientation; social security number; personal contact information as provided in <a href="#">Title 1, section 402, subsection 3, paragraph O</a>; and personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance; and</u></p> <p>(6) Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action is no longer confidential after the decision is completed if it imposes or upholds discipline. If an arbitrator completely overturns or removes disciplinary action from an employee personnel file, the final written decision is public except that the employee's name must be deleted from the final written decision and kept confidential. If the employee whose name was deleted from the final written decision discloses that the employee is the person who is the subject of the final written decision, the entire final written decision, with regard to that employee, is public.</p> <p>For purposes of this subparagraph, "final written decision" means:</p> <ul style="list-style-type: none"><li>(a) The final written administrative decision that is not appealed pursuant to a grievance arbitration procedure; or</li><li>(b) If the final written administrative decision is appealed to arbitration, the final written decision of a neutral arbitrator.</li></ul> <p>A final written administrative decision that is appealed to arbitration is no longer confidential 120 days after a written request for the decision is made to the employer</p>
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<p><a href="#">10 MRSA 1347, sub-§6</a></p>	<p>Commerce and Trade Notice of Risk to Personal Data</p>	<p><b>6. Personal information.</b> "Personal information" means an individual's first name, or first initial, and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted or redacted:</p> <ul style="list-style-type: none"> <li>A. Social security number;</li> <li>B. Driver's license number or state identification card number</li> <li>C. Account number, credit card number or debit card number, if circumstances exist wherein such a number could be used without additional identifying information, access codes or passwords;</li> <li>D. Account passwords or personal identification numbers or other access codes;</li> <li>E. Any of the data elements contained in paragraphs A to D when not in connection with the individual's first name, or first initial, and last name, if the information if compromised would be sufficient to permit a person to fraudulently assume or attempt to assume the identity of the person whose information was compromised.</li> </ul> <p>"Personal information" does not include information from 3rd-party claims databases maintained by property and casualty insurers or publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.</p>

Right to Know Advisory Committee

Public Records Exception Subcommittee – **Definition Review of “Personally Identifiable Information” or similar terms**

<p><a href="#">10 MRSA 1372, sub-§ 5-A</a></p>	<p>Commerce and Trade Self-Service Storage Act</p>	<p><b>5-A. Personal information.</b> "Personal information" means information about a person that readily identifies that person or is closely associated with that person. "Personal information" includes, but is not limited to, social security numbers, credit or debit card information, bank account numbers, medical information or passport information.</p>
<p><a href="#">20-A MRSA 952, sub-§7</a></p>	<p>Education The Student Information Privacy Act</p>	<p><b>7. Student personally identifiable information.</b> "Student personally identifiable information" means student data that, alone or in combination, is linked to a specific student and would allow a reasonable person who does not have knowledge of the relevant circumstances to identify the student.</p>
<p><a href="#">20-A MRSA 6001, sub-§2</a></p>	<p>Education Elementary and Secondary Education Student Records</p>	<p><b>2. Internet restrictions.</b> A public school may not publish on the Internet or provide for publication on the Internet any personal information about its students without first obtaining the written approval of those students' parents. <u>For the purpose of this section, "personal information" means information that identifies a student, including, but not limited to, the student's full name, photograph, personal biography, e-mail address, home address, date of birth, social security number and parents' names.</u></p>
<p><a href="#">22 MRSA 9053, sub-§ 28</a></p>	<p>Health and Welfare Maine Background Check Center Act</p>	<p><b>28. Personally identifiable information.</b> "Personally identifiable information" means information that permits the identity of an individual to whom the information applies to be able to be reasonably inferred or known by either direct or indirect means.</p>
<p><a href="#">24-A MRSA 2204, sub-§20</a></p>	<p>Maine Insurance Code Insurance Information and Privacy Protection Act</p>	<p><b>20. Personal information.</b> "Personal information" means any information that identifies an individual gathered in connection with an insurance transaction from which judgments can be made about an individual's character, habits, avocations, finances, occupation, general reputation, credit, health or any other personal characteristics. "Personal information" includes but is not limited to an individual's name and address and health care information.</p>
<p><a href="#">25 MRSA 2929, sub-§ 1</a></p>	<p>Internal Security and Public Safety Emergency Services Communication</p>	<p><b>1. Definition.</b> As used in this section, "confidential information" means the following information as contained in any database, report, audio recording or other record of the bureau or a public safety answering point:</p> <p style="padding-left: 40px;">A. The names, addresses and telephone numbers of persons listed in E-9-1-1 databases;</p>

		<p>B. Names, addresses and telephone numbers that are omitted from a telephone utility directory list at the request of a customer;</p> <p>C. Personally identifying information of a caller to a public safety answering point;</p> <p>D. Personally identifying information of and any medical information about a person receiving emergency services through the E-9-1-1 system; or</p> <p>E. Personally identifying information of any 3rd party, including, but not limited to, a minor, given during a telephone call to a public safety answering point.</p> <p>For the purposes of this subsection, "<u>personally identifying information</u>" means any <u>information that directly or by reasonable inference might disclose the identity of or personal information about a specific person or persons, including, but not limited to, a person's name, home address, telephone number, mailing address, e-mail address, date of birth, physical residence location, approximate physical location, global positioning system coordinate location information and social security number.</u> "Personally identifying information" does not include the name, title, official agency contact information or, when applicable, official agency identifying number of a public employee involved in a response to an emergency call in the course of carrying out the public employee's official duties.</p> <p>For the purposes of this subsection, "medical information" includes, but is not limited to, any information revealing or concerning a person's injury or injuries, physical health status, mental health status, medication use, medical history or medical treatment.</p>
<p><a href="#">26 MRSA 1311</a></p>	<p>Labor and Industry Preference to Maine Works and Contractors</p>	<p>The contractor and each subcontractor in charge of the construction of a public work shall keep an accurate record showing the names and occupation of all laborers, workers and mechanics employed by them and all independent contractors working under contract with them in connection with the construction on the public works. The record must also show for all laborers, workers, mechanics and independent contractors the hours worked, the title of the job, the hourly rate or other method of remuneration and the actual wages or other compensation paid to each of the laborers, workers, mechanics and independent contractors. A copy of such a record must be kept at the job site and must be open at all reasonable hours to the inspection of the Bureau of Labor Standards and the public authority that let the contract and its officers and agents. It is not necessary to preserve those records for a period</p>

		<p>longer than 3 years after the termination of the contract. A copy of each such record must also be filed monthly with the public authority that let the contract. <u>The filed record is a public record pursuant to Title 1, chapter 13, except that the public authority letting a contract shall adopt rules to protect the privacy of personal information contained in the records filed with the public authority under this section, such as Social Security numbers and taxpayer identification numbers.</u> The rules may not prevent the disclosure of information regarding the classification of workers or independent contractors and the remuneration they receive. Such rules are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.</p>
<p><a href="#">27 MRSA 86-B, sub-§2</a></p>	<p>Libraries, History, Culture and Art State Museum General Provisions</p>	<p><b>2. Personal history research and materials.</b> Personal information contained in any record about the individual that is obtained by the Maine State Museum in the course of a historical research project is confidential and not a public record for the purposes of <a href="#">Title 1, chapter 13, subchapter 1</a> until:</p> <p>A. The individual authorizes the release of the personal information as a public record; or</p> <p>B. The death of the individual, except that the Museum Director may, at the request of the individual, designate in writing that personal information about the individual remain confidential for a specified period, not to exceed 25 years after the death of the individual, to protect the privacy of the individual or the privacy of the parent or child of the individual.</p> <p>For the purposes of this section, "<u>personal information</u>" means any information about an individual's personal history, including, but not limited to, medical, psychiatric, employment, counseling and other information of a personal or private nature.</p>
<p><a href="#">27 MRSA 121, sub-§1 and sub-§3</a></p>	<p>Libraries, History, Culture, and Art Library Records</p>	<p><b>1. Confidentiality.</b> A record maintained by any public library, as defined in <a href="#">section 110, subsection 10</a>, the Maine State Library, the Law and Legislative Reference Library or a library of the University of Maine System, the Maine Community College System or the Maine Maritime Academy is confidential if the record contains:</p> <p>A. A library patron’s <u>personally identifying information, including but not limited to the library patron's name, address, phone number and e-mail address;</u> or</p>



		<p>B. Information that identifies a library patron as having requested, obtained or used books or other materials in any medium at the library or provided by the library.</p> <p><b>3. Public record.</b> A library may publish and release as a public record aggregated and statistical information pertaining to library patronage, circulation activities and use of any service or consultation the library provides as long as the release of the information does not jeopardize the confidentiality of a library patron's personally identifying information.</p>
<p><a href="#">30-A MRSA 503, sub-§1 B(6)</a> and <a href="#">30-A MRSA 2702, sub-§1 B(6)</a></p>	<p>Municipalities and Counties County Officers and Municipal Officials</p>	<p><b>1. Confidential records.</b> The following records are confidential and not open to public inspection. They are not "public records" as defined in <a href="#">Title 1, section 402, subsection 3</a>. These records include:</p> <p>B. Municipal records pertaining to an identifiable employee and containing the following:</p> <p>(6) Personal information, including that which pertains to the employee's:</p> <ul style="list-style-type: none"> <li>(a) Age;</li> <li>(b) Ancestry, ethnicity, genetic information, national origin, race or skin color;</li> <li>(c) Marital status;</li> <li>(d) Mental or physical disabilities;</li> <li>(e) Personal contact information, as described in <a href="#">Title 1, section 402, subsection 3, paragraph O</a>;</li> <li>(f) Personal employment choices pertaining to elected payroll deductions, deferred compensation, savings plans, pension plans, health insurance and life insurance;</li> <li>(g) Religion;</li> <li>(h) Sex, gender identity or sexual orientation as defined in <a href="#">Title 5, section 4553, subsection 9-C</a>; or</li> <li>(i) Social security number.</li> </ul>

		Such personal information may be disclosed publicly in aggregate form, unless there is a reasonable possibility that the information would be able to be used, directly or indirectly, to identify any specific employee; and
<a href="#">30-A MRSA 4706, sub-§5 B(6)</a>	Municipalities and Counties  Housing Authority	<p><b>5. Confidentiality of personnel records.</b> The following records are confidential and not open to public inspection:</p> <p>B. Authority records pertaining to an identifiable employee and containing the following:</p> <p style="padding-left: 40px;">(6) Personal information, including that which pertains to the employee's:</p> <ul style="list-style-type: none"> <li>(a) Age;</li> <li>(b) Ancestry, ethnicity, genetic information, national origin, race or skin color;</li> <li>(c) Marital status;</li> <li>(d) Mental or physical disabilities;</li> <li>(e) Personal contact information, as described in <a href="#">Title 1, section 402, subsection 3, paragraph O</a>;</li> <li>(f) Personal employment choices pertaining to elected payroll deductions, deferred compensation, saving plans, pension plans, health insurance and life insurance;</li> <li>(g) Religion;</li> <li>(h) Sex or sexual orientation as defined in <a href="#">Title 5, section 4553, subsection 9-C</a>;</li> <li>or</li> <li>(i) Social security number; and</li> </ul>
<a href="#">32 MRSA 2176, sub-§6</a>	Professions and Occupations Nurse Licensure Compact	<b>6. Personally identifiable information.</b> Personally identifiable information obtained from the coordinated licensure information system by a party state licensing board may not be shared with nonparty states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

<p><a href="#">33 MRSA 651-B, sub-§1 A</a></p>	<p>Property Register of Deeds</p>	<p>A. "Personal information" means an individual's first name or first initial and last name in combination with any one or more of the data elements described in this paragraph:</p> <ul style="list-style-type: none"> <li>(1) Social security number;</li> <li>(2) Driver's license number or state identification card number;</li> <li>(3) Account number, credit card number or debit card number if circumstances exist such that the number could be used without additional identifying information, access codes or passwords;</li> <li>(4) Account passwords or personal identification numbers or other access codes; or</li> <li>(5) Any of the data elements contained in subparagraphs (1) to (4) when not in connection with the individual's first name, or first initial, and last name if the information included would be sufficient to permit a person to fraudulently assume or attempt to assume the identity of the person whose information was included.</li> </ul>
<p><a href="#">33 MRSA 2211, sub-§1 A</a></p>	<p>Property Maine Revised Unclaimed Property Act</p>	<p><b>1. Personal information defined.</b> As used in this subchapter, "personal information" means:</p> <p>A. Information that identifies or reasonably can be used to identify an individual, such as first and last name in combination with the individual's:</p> <ul style="list-style-type: none"> <li>(1) Social security number or other government-issued number or identifier;</li> <li>(2) Date of birth;</li> <li>(3) Home or physical address;</li> <li>(4) E-mail address or other online contact information or Internet protocol address;</li> <li>(5) Financial account number or credit or debit card number;</li> <li>(6) Biometric data, health or medical data or insurance information; or</li> <li>(7) Passwords or other credentials that permit access to an online or other account;</li> </ul>

		<p>B. Personally identifiable financial or insurance information, including nonpublic personal information defined by applicable federal law; and</p> <p>C. Any combination of data that, if accessed, disclosed, modified or destroyed without authorization of the owner of the data or if lost or misused, would require notice or reporting under <a href="#">Title 10, section 1348</a> and federal privacy and data security law, whether or not the administrator or the administrator's agent is subject to the law.</p>
<p><a href="#">35-A MRSA 3203 sub-§ 4-A (B)</a></p>	<p>Electric Industry Restructuring</p>	<p><b>4-A. General consumer protections.</b> As a condition of licensing, a competitive electricity provider:</p> <p>B. May not release to any other entity, other than for purposes of debt collection or credit reporting pursuant to state and federal law or to law enforcement agencies pursuant to lawful process, <u>any personal information regarding a customer, including name, address, telephone number, usage and historical payment information</u>, without the consent of the customer;</p>
<p><a href="#">35-A MRSA 9301, sub-§1 C</a></p>	<p>Public Utilities Broadband Internet Access Service Customer Privacy</p>	<p>C. "Customer personal information" means:</p> <p>(1) Personally identifying information about a customer, including but not limited to the customer's name, billing information, social security number, billing address and demographic data; and</p> <p>(2) Information from a customer's use of broadband Internet access service, including but not limited to:</p> <ul style="list-style-type: none"> <li>(a) The customer's web browsing history;</li> <li>(b) The customer's application usage history;</li> <li>(c) The customer's precise geolocation information;</li> <li>(d) The customer's financial information;</li> <li>(e) The customer's health information;</li> <li>(f) Information pertaining to the customer's children;</li> </ul>

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		<p>(g) The customer's device identifier, such as a media access control address, international mobile equipment identity or Internet protocol address;</p> <p>(h) The content of the customer's communications; and</p> <p>(i) The origin and destination Internet protocol addresses.</p>
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