

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
1	13 MRSA §1957, sub-§8	Title 13, section 1957, subsection 8, relating to the members of associations of agricultural producers and purchasing information	Dept. of Agriculture, Conservation and Forestry, Maine Agricultural Bargaining Board	No change	Approved: no change (unanimous)
2	14 MRSA §164-A, sub-3	Title 14, section 164-A, subsection 3, relating to identity or treatment of participants in the Maine Assistance Program for Lawyers	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
3	14 MRSA §1254-A, sub-§1	Title 14, section 1254-A, subsection 1, relating to juror questionnaire recipients and names drawn	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
4	14 MRSA §1254-A, sub-§7	Title 14, section 1254-A, subsection 7, relating to names of prospective jurors and contents of juror qualification forms	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
5	14 MRSA §1254-A, sub-8	Title 14, section 1254-A, subsection 8, relating to names of jury pool during the period of service of jurors and prospective jurors	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
6	14 MRSA §1254-B, sub-§2	Title 14, section 1254-B, subsection 2, relating to juror selection records and information	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
7	14 MRSA §6321-A, sub-§4	Title 14, section 6321-A, subsection 4, relating to financial information disclosed in the course of mediation under the foreclosure mediation program	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
8	15 MRSA §101-C, sub-§3	Title 15, section 101-C, subsection 3, relating to records necessary to conduct an	Judicial Branch	No change, but defers to Legislature to	Approved: no change (unanimous)

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
		evaluation concerning mental responsibility for criminal conduct		determine appropriateness of exception	
9	15 MRSA §393, sub-§4-A, ¶G	Title 15, section 393, subsection 4-A, paragraph G, relating to information concerning application to possess firearm by person who was involuntarily committed	Dept. of Public Safety	No change	Approved: no change (unanimous)
10	15 MRSA §3009, sub-§2	Title 15, section 3009, subsection 2, relating to the reintegration of a juvenile into school	Dept. of Corrections; Maine School Management Association	No change (DOC) Noted recent changes to confidentiality provisions for juvenile records (MSMA)	Approved: no change (unanimous)
11	15 MRSA §3010, sub-§2	Title 15, section 3010, subsection 2, relating to juvenile history record information	n/a	n/a	Agreed no action needed
12	15 MRSA §3307, sub-§1-A	Title 15, section 3307, subsection 1-A, relating to the identity of a juvenile until the petition is open to public inspection	n/a	n/a	Agreed no action needed
13	15 MRSA §3308-A, sub-§1	Title 15, section 3308-A, subsection 1, relating to juvenile case records	n/a	n/a	Agreed no action needed
14	15 MRSA §3308-A, sub-§3	Title 15, section 3308-A, subsection 3, relating to orders of adjudication for certain juvenile crimes	n/a	n/a	Agreed no action needed
15	15 MRSA §3308-A, sub-§4	Title 15, section 3308-A, subsection 4, relating to juvenile intelligence and investigative information, juvenile community corrections officers' records and other reports in juvenile care records	n/a	n/a	Agreed no action needed
16	15 MRSA §3318-A, sub-§5	Title 15, section 3318-A, subsection 5, relating to juvenile case records pending a competency examination	n/a	n/a	Agreed no action needed
17	15 MRSA §3318-C, sub-§2	Title 15, section 3318-C, subsection 2, relating to competency orders regarding a juvenile	n/a	n/a	Agreed no action needed
18	16 MRSA §703, sub-§2	Title 16, section 703, subsection 2, relating to confidential criminal history record	Attorney General	No change (AG)	Approved: no change (unanimous)

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
		information (Criminal History Record Information Act)			
19	16 MRSA §804	Title 16, section 804, relating to reports or records that contain intelligence and investigative information (Intelligence and Investigative Record Information Act)	Attorney General	No change (AG)	Approved: no change (unanimous)
20	17-A MRSA §2108, sub-§1	Title 17-A, section 1176, subsection 1, relating to information that pertains to current address or location of crime victims	Dept. of Corrections; Judicial Branch; Attorney General	No change (DOC) No change (JB) No change (AG)	Approved: no change (unanimous)
21	17-A MRSA §2108, sub-§5	Title 17-A, section 1176, subsection 5, relating to request by crime victim for notice of release of defendant	Dept. of Corrections	No change	Approved: no change (unanimous)
22	18-C MRSA §2-514	Title 18-C, section 2-514, relating to wills deposited with the Probate Court	Probate Judges	No change	Approved: no change (unanimous)
23	18-C MRSA §5-205	Title 18-C, section 5-205, relating to confidential information received from the Department of Health and Human Services regarding the guardianship of a minor	Probate Judges	No change	Approved: no change (unanimous)
24	18-C MRSA §5-207, sub-§3, ¶C	Title 18-C, subsection 5-207, subsection 3, paragraph C, relating to status reports to the Probate Court by guardian of a minor	Probate Judges	No change	Approved: no change (unanimous)
25	18-C MRSA §5-308, sub-§3	Title 18-C, section 5-308, subsection 3, relating to reports of a visitor or professional evaluation regarding the guardianship of an adult	Probate Judges	No change	Approved: no change (unanimous)
26	18-C MRSA §5-409, sub-§3	Title 18-C, section 5-409, subsection 3, relating to reports of a visitor or a professional evaluation regarding the conservatorship of an adult	Probate Judges	No change	Approved: no change (unanimous)
27	18-C MRSA §5-423, sub-§4	Title 18-C, section 5-423, subsection 4, relating to the credit report included in the conservator's report	Probate Judges	No change	Approved: no change (unanimous)
28	18-C MRSA §9-304, sub-§1, ¶B	Title 18-C, section 9-304, subsection 1, paragraph B, relating to background checks for adoptions ordered by the Probate Court	Probate Judges	No change	Approved: no change (unanimous)

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
29	18-C MRSA §9-304, sub-§2, ¶A	Title 18-C, section 9-304, subsection 2, paragraph A, relating to background checks initiated by the Department of Health and Human Services	Probate Judges	No change	Approved: no change (unanimous)
30	18-C MRSA §9-308, sub-§3	Title 18-C, section 9-308, subsection 3, relating to final adoption decrees	Probate Judges	No change	Approved: no change (unanimous)
31	18-C MRSA §9-310	Title 18-C, section 9-310, relating to adoption records concerning adoptions decreed on or after August 8, 1953	Probate Judges	No change	Approved: no change (unanimous)
32	19-A MRSA §651, sub-§2 <i>Repealed</i>	Title 19-A, section 651, subsection 2, relating to social security numbers on marriage applications	n/a	Repealed—no action needed	Agreed no action needed
33	19-A MRSA §908	Title 19-A, section 908, relating to social security numbers on divorce records	Judicial Branch	No change; accepted common practice to protect SSN	Approved: no change (unanimous)
34	19-A MRSA §1653, sub-§6	Title 19-A, section 1653, subsection 6, relating to addresses of children and victims in cases concerning parental rights and responsibilities involving domestic abuse	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
35	19-A MRSA §1753, sub-§5	Title 19-A, section 1753, subsection 5, relating to identifying information under the Uniform Child Custody Jurisdiction and Enforcement Act if health, safety or liberty jeopardized	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
36	19-A MRSA §1834, sub-§5	Title 19-A, section 1834, subsection 5, relating to Social Security numbers in parentage actions	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
37	19-A MRSA §2006, sub-§10	Title 19-A, section 2006, subsection 10, relating to social security numbers in child support actions	Dept. of Health and Human Services; Judicial Branch	No change (DHHS) No change (JB)	Approved: no change (unanimous)
38	19-A MRSA §2111, sub-§5	Title 19-A, section 2111, subsection 5, relating to criminal background check	Dept. of Health and Human Services	No change	Approved: no change (unanimous)

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
		information for DHHS employees and applicants with access to federal tax information			
39	19-A MRSA §2152, sub-§11	Title 19-A, section 2152, subsection 11, relating to information collected in child support enforcement and medical support recoupment	Dept. of Health and Human Services	No change	Approved: no change (unanimous)
40	19-A MRSA §2158, sub-§6	Title 19-A, section 2158, subsection 6, relating to records of child support obligors provided to wireless service provider	Dept. of Health and Human Services	No change	Approved: no change (unanimous)
41	19-A MRSA §3012	Title 19-A, section 3012, relating to specific identifying information in child support enforcement	Dept. of Health and Human Services	No change	Approved: no change (unanimous)
42	19-A MRSA §4008	Title 19-A, section 4008, relating to identifying information concerning protection from abuse actions if health, safety or liberty would be jeopardized	Judicial Branch	No change, but defers to Legislature to determine appropriateness of exception	Approved: no change (unanimous)
43	19-A MRSA §4013, sub-§4, ¶E	Title 19-A, section 4013, subsection 4, paragraph E, relating to the Domestic Abuse Homicide Review Panel	Attorney General	No change	Approved: no change (unanimous)
44	20-A MRSA §4008, sub-§2	Title 20-A, section 4008, subsection 2, relating to school counselor or social worker activities	Dept. of Education; Maine School Management Association	No change (DOE) No change (MSMA)	Approved: no change (unanimous)
45	20-A MRSA §5001-A, sub-§3	Title 20-A, section 5001-A, subsection 3, relating to homeschooling records	Dept. of Education; Maine School Management Association	No change (DOE) No change (MSMA)	Approved: no change (unanimous)
46	20-A MRSA §6001, sub-§3	Title 20-A, section 6001, subsection 3, relating to education records of students	Dept. of Education; Maine School Management Association	No change (DOE) No change (MSMA)	Approved: no change (unanimous)
47	20-A MRSA §6101, sub-§2	Title 20-A, section 6101, subsection 2, relating to school records concerning employees and applicants	Dept. of Education;	No change (DOE) No change (MSMA)	Approved: no change (unanimous)

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
			Maine School Management Association		
48	20-A MRSA §6103, sub-§3	Title 20-A, section 6103, subsection 3, relating to school records concerning criminal history record checks of employees and applicants	Dept. of Education; Maine School Management Association	No change (DOE) Concerns related to inability of DOE to share criminal history record checks as it relates to newly-enacted PL 2021, c. 404 that prohibits inclusion of criminal history record information on employment applications (MSMA)	Approved: no change (unanimous)
49	20-A MRSA §6205	Title 20-A, section 6205, relating to standards and assessments of student performance	Dept. of Education	No change	Approved: no change (unanimous)
50	20-A MRSA §6357, sub-§1	Title 20-A, section 6357, subsection 1, relating to student immunization records	Dept. of Education	No change	Approved: no change (unanimous)
51	20-A MRSA §7451, sub-§2	Title 20-A, section 7451, subsection 2, relating to records of the Baxter Compensation Authority	Attorney General	No change	Approved: no change (unanimous)
52	20-A MRSA §10206, sub-§2	Title 20-A, section 10206, subsection 2, relating to records of the Energy Testing Laboratory of Maine	SMCC?		No change; will review again next year
53	20-A MRSA §11418, sub-§1, sub-§2	Title 20-A, section 11418, subsections 1 and 2, relating to Maine Educational Loan Authority applicants and recipients	Finance Authority of Maine	No change	Approved: no change (unanimous)
54	20-A MRSA §11444, sub-§1 <i>Repealed</i>	Title 20-A, section 11444, subsection 1, relating to the Student Financial Aid Supplemental Loan Program applicants and recipients	Finance Authority of Maine	Repealed—no action needed	No action necessary

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
55	20-A MRSA §11494, sub-§1	Title 20-A, section 11494, subsection 1, relating to the Higher Education Loan Purchase Program borrowers	Finance Authority of Maine	No change	Approved: no change (unanimous)
56	20-A MRSA §13004, sub-§2	Title 20-A, section 13004, subsection 2, relating to certification and registration of teachers	Dept. of Education	No change	Approved: no change (unanimous)
57	20-A MRSA §13004, sub-§2-A	Title 20-A, section 13004, subsection 2-A, relating to complaints, charges and accusations concerning certification and registration of educational personnel	Dept. of Education	No change	Approved: no change (unanimous)
58	20-A MRSA §13015, sub-§5 <i>Repealed</i>	Title 20-A, section 13015, subsection 5, relating to teacher action plans	Dept. of Education	Repealed—no action necessary;	No action necessary
59	20-A MRSA §130344 <i>Repealed</i>	Title 20-A, section 13034, relating to teacher qualifying exam scores	Dept. of Education	Repealed—no action necessary;	No action necessary
60	21-A MRSA §1, sub-§21	Title 21-A, section 1, subsection 21, relating to portion of incoming voting list relating to Address Confidentiality Program participants	Secretary of State	No change	Approved: no change (unanimous)
61	21-A MRSA §22, sub-§2	Title 21-A, section 22, subsection 2, relating to ballots	Secretary of State	No change	Approved: no change (unanimous)
62	21-A MRSA §22, sub-§3, ¶A	Title 21-A, section 22, subsection 3, paragraph A, relating to records pertaining to a voter certified as a participant in the Address Confidentiality Program	Secretary of State	No change	Approved: no change (unanimous)
63	21-A MRSA §22, sub-§3, ¶B	Title 21-A, section 22, subsection 3, paragraph B, relating to residence and mailing address of voter when voter submits statement to registrar stating good reason to believe physical safety jeopardized	Secretary of State	No change	Approved: no change (unanimous)
64	21-A MRSA §22, sub-§5, sub-§6	Title 21-A, section 22, subsections 5 and 6, relating to registered voter applications	Secretary of State	No change	Approved: no change (unanimous)
65	21-A MRSA §122-A	Title 21-A, section 122-A, relating to voter registration records of voters who are participants in the Address Confidentiality Program	Secretary of State	No change	Approved: no change (unanimous)

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
66	21-A MRSA §172	Title 21-A, section 172, relating to a voter registration file kept by the registrar when the voter is a participant in the Address Confidentiality Program	Secretary of State	No change	Approved: no change (unanimous)
67	21-A MRSA §196-A	Title 21-A, section 196-A, relating to information contained electronically in the central voter registration system	Secretary of State	No change; <i>recently amended by PL 2021, c. 310 effective 10/18/21 to permit access to CRV data for organizations monitoring compliance with voter list maintenance obligations under federal law</i>	No change; will review again next year
68	21-A MRSA §624, sub-§1	Title 21-A, section 624, subsection 1, relating to that portion of voter list relating to Address Confidentiality Program participants	Secretary of State	No change	Approved: no change (unanimous)
69	21-A MRSA §737-A, sub-§7	Title 21-A, section 737-A, subsection 7, relating to disputed ballots	Secretary of State	No change	Approved: no change (unanimous)
70	21-A MRSA §753-B, sub-§6, ¶A	Title 21-A, section 753-B, subsection 6, paragraph A, relating to the portion of the absentee voter list relating to voters who are Address Confidentiality Program participants	Secretary of State	No change	Approved: no change (unanimous)
71	21-A MRSA §764	Title 21-A, section 764, relating to applications and envelopes for absentee ballots	Secretary of State	No change	Approved: no change (unanimous)
72	21-A MRSA §1003, sub-§3-A	Title 21-A, section 1003, subsection 3-A, relating to investigative working papers of the Commission on Governmental Ethics and Election Practices	Commission on Governmental Ethics and Election Practices	No change	Approved: no change (unanimous)
73	21-A MRSA §1125, sub-§2-B <i>Repealed</i>	Title 21-A, section 1125, subsection 2-B, relating to records of individuals who made	Commission on Governmental Ethics and Election Practices	Repealed—no action necessary;	No action necessary

**Public Records Exceptions For Review by RTKAC in 2021:
Exceptions for Review in Titles 13 to 21-A**

REF. NO.	STATUTORY CITATION	DESCRIPTION	RESPONDING DEPARTMENT/AGENCY	PROPOSED ACTION	SUBCOMMITTEE ACTION
		Clean Elections gubernatorial seed money contributions over the Internet			
74	21-A MRSA §1125, sub-§3	Title 21-A, section 1125, subsection 3, relating to records of individuals who made Clean Elections qualifying contributions over the Internet	Commission on Governmental Ethics and Election Practices	No change	Approved: no change (unanimous)