



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.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

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.

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

2 **Sec. 1. 5 MRSA §7070-B** is enacted to read:

3 **§7070-B. Executive session; waiver of confidentiality**

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

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

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

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

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

21 **SUMMARY**

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