

**129<sup>th</sup> Legislature – Second Regular Session**

**2020 NEW LAW UPDATE**

**New and Amended Public Laws Relevant to Law Enforcement Officers**

***Effective June 16, 2020, unless otherwise noted***



**Maine Criminal Justice Academy  
Maine Chiefs of Police Association  
Maine Office of the Attorney General**

**October 1, 2020**

***Prepared by*  
Brian MacMaster  
Office of the Attorney General**

**Reviewed and Edited by AAG Laura Yustak  
Criminal Division – Office of the Attorney General**

*This publication and the 2020 Case Law Update constitute the training outline of the Maine Criminal Justice Academy for recertification training in law updates for the year 2020.*

## **Preparer’s Note**

The Second Regular Session of the 129<sup>th</sup> Maine Legislature adjourned on March 17, 2019. All laws take effect 90 days after adjournment on June 16, 2020, unless another date is specified, or a bill is enacted as an emergency measure (noted in the summary).

This New Law Update contains summaries of selected public laws of interest to most Maine law enforcement officers. The Update includes the new or amended statutory citations as well as links to the chaptered law and the LD that started it all. It is highly recommended that the entire text of the law be examined for a more comprehensive understanding, and particularly before taking any enforcement action. The LD includes a “Summary” that sometimes explains the intent behind or basis for the legislation.

As you know, there are many types of law enforcement officers in Maine. New or amended laws that may be of interest to only a specialized type of law enforcement are not included in this Update to keep the length of the document manageable.

The summaries are those of the preparer and do not represent legal opinions of the Office of the Attorney General or interpretations by the Maine Criminal Justice Academy or the Maine Chiefs of Police Association.

The preparer wishes to recognize the assistance of Assistant Attorney General Laura Yustak of the Attorney General’s Criminal Division, who reviewed this document and offered meaningful comments and suggestions.

Link to Chaptered Laws:

<https://legislature.maine.gov/ros/LawsOfMaine/#Law/129/R2/ACTPUB/593>

Link to LDs:

[http://www.mainelegislature.org/legis/bills/bills\\_129th/billtexts/](http://www.mainelegislature.org/legis/bills/bills_129th/billtexts/)

Questions, suggestions, or other comments?

**Brian MacMaster**

Director of Investigations

Office of the Attorney General

6 State House Station ▪ Augusta, ME 04333-0006

Telephone: (207) 626-8520

[brian.macmaster@maine.gov](mailto:brian.macmaster@maine.gov)

**Chapter 411 – LD 1811 (Effective July 1, 2020)**

**An Act to Enhance Personal and Public Safety by Requiring Evaluations of and Judicial Hearings for Persons in Protective Custody Regarding Risk of Harm and Restricting Access to Dangerous Weapons**

*Note: This law was enacted during the First Regular Session of the 129<sup>th</sup> Legislature and was summarized in the 2019 New Law Update. It is included here in that its effective date was delayed to July 1, 2020. Links to forms and information for law enforcement and medical practitioners, as well as links to training modules, are included here.*

This law is a modified version of the so-called “red flag law” passed in at least 17 other states. A red flag law is a gun violence protection law that permits persons to petition a state court to order the temporary removal of firearms from a person who may present a danger to others or themselves.

Current law authorizes law enforcement to take a person into protective custody for evaluation by a medical practitioner as protection from imminent threats of substantial self-inflicted harm or substantial harm to others. A medical practitioner assesses the person taken into protective custody. This law directs a medical practitioner, in addition to the “blue paper” assessment now conducted, to evaluate the history, recent actions and behaviors of a person taken into protective custody to determine whether there is a reasonable likelihood that the person's mental health will deteriorate, whether the person will in the foreseeable future pose a likelihood of serious harm, and whether any such likelihood of harm is exacerbated by the person's immediate access to a firearm or other dangerous weapon. If the assessment finds that the person presents a likelihood of foreseeable harm, judicial endorsement of the application for a weapons restriction order authorizes law enforcement to notify the person that the person is a restricted person and is prohibited from possessing, controlling, acquiring, or attempting to possess, control or acquire a dangerous weapon pending the outcome of a court hearing. The restricted person must temporarily surrender any weapon possessed, controlled, or acquired by the restricted person to a law enforcement officer. A restricted person who makes all practical and immediate efforts to comply with a surrender notice is not subject to arrest or prosecution as a prohibited person. If law enforcement has probable cause to believe the restricted person possesses or controls a dangerous weapon that the person has not surrendered, law enforcement may search for and seize such a weapon when authorized by a search warrant or other circumstances approved by law.

The district attorney in the district of a restricted person’s residence must file a petition for judicial review of the initial restrictions in the District Court. Within 14 days of the restriction notice, the court must hold a hearing to determine whether to dissolve or extend the initial restrictions. The restricted person has the right to legal representation. The district attorney has the burden of proving by clear and convincing evidence that the restricted person presents a likelihood of foreseeable harm. The court may dissolve the initial restrictions or extend them for up to one year. When the person is determined by a court to no longer present a substantial threat, the restrictions end.

*Enacts 34-B MRSA §3862-A  
Enacts 34-B MRSA §3873-A, sub-§§7-A and 7-B*

*Enacts 34-B MRSA §3862-A  
Amends 15 MRSA §224-A, sub-§1*

Enacts 15 MRSA §393, sub-§1, ¶¶E-1 and E-2  
Enacts 25 MRSA §2804-C, sub-§2-E

Amends 25 MRSA §2803-B, sub-§1, ¶L  
Amends 34-B MRSA §3862, sub-§1, ¶B

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC411.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC411.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=1811&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1811&snum=129)

Weapons Restriction Forms  
and Information for Law Enforcement and Medical Practitioners:

[https://www.dropbox.com/sh/kw18cjrsvdiwa2k/AABYwmSckRHEpzRAVhj\\_Ctkha?dl=0](https://www.dropbox.com/sh/kw18cjrsvdiwa2k/AABYwmSckRHEpzRAVhj_Ctkha?dl=0)

Law Enforcement Training Modules

Dirigo Safety

<https://dirigosafety.com/courses/the-weapons-restriction-law-red-flag-law/>

JPMA

<https://www.jpmaweb.com/courses/restricting-access-to-dangerous-weapons/>

**Chapter 543 – LD 1249**

**An Act To Prohibit Infringing on the Rights of Association of Dependent Adults**

This law adds new variants to the crime of endangering the welfare of a dependent person. The new variants are the Class D crime of recklessly infringing on a dependent person's rights of association, including but not limited to the right to receive visitors, mail or telephone or electronic communication, for the purpose of establishing or maintaining undue influence over that person, and the Class C crime of intentionally or knowingly infringing on a dependent person's rights of association for the purpose of establishing or maintaining undue influence over that person. "Undue influence" has the same meaning as in Title 17-A, section 109, subsection 4.

Amends 17-A MRSA §555, sub-§1, ¶¶A and B  
Enacts 17-A MRSA §555, sub-§1, ¶¶C and D

Enacts 17-A MRSA §555, sub-§2, ¶C

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC543.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC543.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=1249&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1249&snum=129)

**Chapter 547 – LD 1442**

**An Act To Provide for Court-appointed Advocates in Animal Cruelty Cases**

This law allows courts to appoint law students or volunteer lawyers to advocate for the interests of justice in animal cruelty proceedings.

Enacts 7 MRSA §4016, sub-§1-A

Enacts 17 MRSA §1031, sub-§3-C

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC547.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC547.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=1442&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1442&snum=129)

**Chapter 570 – LD 1908**

**An Act To Establish First Responders Day on September 11th**

This law establishes September 11th as First Responders Day. It requires the Governor to issue a proclamation inviting and urging the people of the State to observe this day

through appropriate ceremony, celebration and activity. First Responders Day honors the significant contributions of the men and women of Maine who put their lives in danger to keep the people of Maine safe, including law enforcement officers, firefighters, emergency medical personnel, game wardens, forest rangers and marine patrol officers.

*Enacts 1 MRSA §150-O*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC570.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC570.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=1908&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1908&snum=129)

### **Chapter 574 – LD 1865**

#### **An Act to Amend the Protection from Abuse Laws Concerning Consent Agreements**

This enacted law clarifies that a court may grant a protection from abuse order without holding a hearing if the parties have voluntarily requested a consent agreement. The court may enter the order based on the consent agreement with or without a finding that the defendant engaged in *abuse*. If the order is granted to stop alleged *conduct* described in Title 19-A, section 4005, subsection 1, it may be granted with or without a finding that the alleged conduct occurred. Before the enactment of this amendment, the law was silent on the issue of a PFA order when the parties requested a consent agreement based on alleged conduct, as opposed to abuse.

*Amends 19-A MRSA §4007, sub-§1*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC574.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC574.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=1865&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=1865&snum=129)

### **Chapter 577 – LD 1900**

#### **An Act to Amend the Laws Governing Child Restraint Systems**

This law amends the laws governing child restraint systems to provide exceptions for children who exceed a manufacturer's recommended height limit and for children who have a medical condition. It requires that a child restraint system for children 2 years of age or older and weighing less than 55 pounds must have an internal harness. It clarifies that children less than 8 years of age who weigh less than 80 pounds and less than 57 inches in height must be properly secured in a belt positioning seat or other child restraint system. Finally, it clarifies that provisions regarding standard systems do not apply to a child with a medical condition if, in the written opinion of a physician, nurse practitioner, physician assistant, or child safety technician with special needs training, the child's condition necessitates that a different child restraint system be used. A "child passenger safety technician with special needs training" means a person certified by the National Highway Safety Administration to provide instruction in the use of child restraint systems who also has special needs training provided by the program.

*Enacts 29-A MRSA §2081, sub-§1, ¶A-4*  
*Amends 29-A MRSA §2081, sub-§2-B*  
*Amends 29-A MRSA §2081, sub-§3, ¶C*

*Amends 29-A MRSA §2081, sub-§2-A*  
*Amends 29-A MRSA §2081, sub-§3, ¶A*  
*Enacts 29-A, §2081, sub-§4, ¶A-2*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC577.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC577.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1900](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1900)

### **Chapter 579 – LD 1901**

#### **An Act to Amend the Laws Prohibiting the Use of Handheld Phones and Devices while Driving (Effective March 6, 2020)**

This amendment simplifies the definition of "handheld electronic device" in the law prohibiting the use of such devices while driving. Specifically, it defines such a device as "any handheld electronic device or portable electronic device that is not part of the operating equipment of the motor vehicle, including but not limited to an electronic game, a device for sending or receiving electronic mail, a text messaging device, or a computer." A handheld electronic device does not include a citizens band radio or 2-way radio, or personal medical device necessary to monitor or regulate a person's medical condition, including but not limited to an insulin pump or heart monitor, or a device for communication over a land mobile radio service as defined in 47 Code of Federal Regulations, section 90.7. Finally, the amendment changes the penalty provisions to provide a fine of \$50 for the first offense and \$250 for a 2nd or subsequent offense.

*Amends 29-A MRSA §101, sub-§26-C*

*Amends 29-A MRSA §2121, sub-§3*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC579.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC579.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1901](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1901)

### **Chapter 593 – LD 1945**

#### **An Act to Require Forest Rangers to be Trained at the Maine Criminal Justice Academy (Effective March 17, 2020)**

This law requires forest rangers hired on or after July 1, 2019, to complete the basic law enforcement training program (BLETP) at the Maine Criminal Justice Academy. It exempts forest ranger pilots, regardless of when they were hired, and forest rangers hired prior to July 1, 2019, from the requirement to complete the BLETP.

*Amends 25 MRSA §2803-A, sub-§8-D*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC593.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC593.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1945](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1945)

### **Chapter 621 – LD 766**

#### **An Act Regarding the Penobscot Nation's and Passamaquoddy Tribe's Authority to Exercise Jurisdiction under the Federal Tribal Law and Order Act of 2010 and the Federal Violence Against Women Reauthorization Act of 2013**

This enacted legislation extends concurrent criminal jurisdiction to the tribal courts for certain crimes committed by any person who commits certain Class D domestic violence offenses on reservation or trust lands against a member of a federally recognized Indian tribe, nation, band, or other group. Under previous law, the defendant had to be a member of the Tribe or Nation (or in the case of the Penobscot Court, any federally recognized Tribe), and the offense had to occur within the boundaries of reservation lands. Parts A and C apply to the Penobscot Nation, and Parts B and D apply to the Passamaquoddy Tribe.

The law provides authority for the Passamaquoddy Tribe and the Penobscot Nation to extend the jurisdiction of their respective tribal courts over certain criminal offenses committed by a person, regardless of whether the person is a member of a federally recognized Indian Tribe. The criminal offenses are domestic violence offenses in the Maine Criminal Code and criminal violation of a protection from abuse order, but do not include offenses between nontribal members. The criminal offenses are Class D crimes, and the tribe's and nation's jurisdictions are concurrent with the State's jurisdiction for the crimes. The law references the tribal courts' guarantees of all other rights whose protection is necessary under the United States Constitution in order for the State to authorize concurrent jurisdiction to ensure that this enactment, if ratified by the Passamaquoddy Tribe, the Penobscot Nation, or both, is not later determined or deemed to be unconstitutional based on subsequent judicial decisions. This extended jurisdiction applies to the domestic violence crimes committed on the respective reservations and lands taken into trust by the Secretary of the Interior for the benefit of the Passamaquoddy Tribe or the Penobscot Nation, now or in the future. This extended jurisdiction covers lands held in trust on or before the effective date of this Act, as well as lands taken into trust after the effective date of this Act. This law also extends the exclusive jurisdiction of the Passamaquoddy Tribal Court to criminal offenses committed on the Passamaquoddy Indian Reservation between members of any federally recognized Indian tribe, nation, band or other group.

The tribal courts, law enforcement agencies, and law enforcement officers are required to participate in uniform crime reporting by reporting certain information to the Department of Public Safety, State Bureau of Identification, and the bureau is required to share its annual reports with tribal law enforcement agencies. Other changes include revisions to the definition of "another jurisdiction" in the Maine Criminal Code to include criminal convictions by courts of federally recognized Indian tribes. This change is consistent with federal law and the recognition of orders of protection from abuse from the courts of federally recognized Indian tribes by the Maine Revised Statutes, Title 19-A, section 4011. The law provides that the changes to the Act To Implement the Maine Indian Claims Settlement included in this amendment were not to take effect unless the tribes affected approved of the changes and certified their approval; they have done so.

*Amends 30 MRSA §6206, sub-§3*

*Amends 30 MRSA §6206, sub-§3*

*Enacts 30 MRSA §6209-B, sub-§1-A*

*Amends 30 MRSA §6209-B, sub-§4*

*Enacts 30 MRSA §6209-A, sub-§1-A*

*Amends 30 MRSA §6209-A, sub-§*

*Amends 25 MRSA §1541, sub-§4-A*

*Amends 25 MRSA §1544, first ¶*

*Enacts 30 MRSA §6210, sub-§5*

*Enacts 30 MRSA §6210, sub-§4-A*

*Enacts 30 MRSA §6209-B, sub-§2-A*

*Amends 30 MRSA §6209-A, sub-§1*

*Enacts 30 MRSA §6209-A, sub-§2-A*

*Amends 17-A MRSA §2, sub-§3-B, ¶A*

*Amends 25 MRSA §1542-A, sub-§3, ¶A*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC621.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC621.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=766](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=766)

## **Chapter 623 – LD 1081**

### **An Act Regarding Smoking in Vehicles when a Minor is Present**

The amendment provides that smoking in a motor vehicle is prohibited when a minor is

present. “Minor” is defined under motor vehicle laws as a person who has not attained 18 year of age. The law previously prohibited smoking in a motor vehicle when a person under 16 was present.

*Amends 29-A MRSA §2120*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC623.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC623.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1081](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1081)

## **Chapter 634 – LD 1899**

### **An Act to Amend Certain Motor Vehicle Laws**

This amendment allows the Secretary of State to search its records using facial recognition technology to provide information, including digital images, to law enforcement agencies only in emergency circumstances involving an immediate threat to the life of a person. Additional circumstances may be authorized by major substantive rules adopted by the Secretary of State and approved by the Legislature. A person, agency, or entity other than the Secretary of State may not use biometric technology to search the Secretary of State’s image records.

*Amends 29-A MRSA §1401, sub-§9*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC634.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC634.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1899](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1899)

## **Chapter 648 – LD 1966**

### **An Act to Amend the Laws Regarding Parking for Vehicles with Disability Placards and Plates**

This amendment allows a vehicle that exhibits a permanent placard, a temporary placard, or a disability registration plate to park at a parking area that is not a parking facility free of charge and for twice the time limit otherwise allowed. A “parking facility” is defined in Title 30-A, section 5401, subsection 5.

*Amends 29-A MRSA §521, sub-§12*

*Amends 30-A MRSA §3009, sub-§1, ¶C*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC648.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC648.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1966](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=l&ld=1966)

## **Chapter 651 – LD 1983**

### **An Act to Amend Certain Recordkeeping and Reporting Requirements Imposed on State and Local Law Enforcement Agencies and the Department of Public Safety**

This law amends the laws regarding asset forfeiture-related recordkeeping clarifying that records of property that is forfeited to law enforcement agencies must be maintained by those agencies and clarifying the specific information that must be included in those records. The amendment also provides that such records are open to inspection by anyone. It provides that reports concerning the transfer of property held by the Department of Public Safety and then ordered by a court to be forfeited to another



governmental entity must be provided upon request to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review. The Department of Public Safety's reports must account for any such forfeiture that occurred during the 12 months preceding such a request. It eliminates the current law that requires the Department of Public Safety to provide these reports at least quarterly to the Commissioner of Administrative and Financial Services and the Office of Fiscal and Program Review and the current law that requires the Department of Public Safety to maintain a centralized record of property seized, held by the department and ordered to the department, including an estimate of the fair market value of items seized.

*Amends 15 MRSA §5825*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC651.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC651.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?PID=1456&snum=129&paper=&paperld=1&ld=1983](http://www.mainelegislature.org/legis/bills/display_ps.asp?PID=1456&snum=129&paper=&paperld=1&ld=1983)

### **Chapter 658 – LD 2044**

#### **An Act to Increase the Death Benefit for Firefighters, Law Enforcement Officers, Emergency Medical Services Personnel, and Corrections Officers (Effective March 18, 2020)**

This amendment extends the death benefit to corrections officers and to emergency medical services personnel who serve in private emergency medical services agencies. The amendment increases the death benefit from \$50,000 to \$100,000 for a law enforcement officer, firefighter, emergency medical services person, or corrections officer who dies while in the line of duty prior to July 1, 2021. For deaths occurring on or after July 1, 2021, the Department of Administrative and Financial Services is required to adopt rules to annually calculate an increase in the death benefit based on the previous year's increase in the Consumer Price Index.

*Amends 5 MRSA §1532, sub-§6*

*Enacts 25 MRSA §1611, sub-§1-A*

*Repeals & Replaces 25 MRSA §1611, sub-§3*

*Amends 25 MRSA c. 195-A*

*Enacts 25 MRSA §1611, sub-§1-B*

*Amends 25 MRSA §1612*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC658.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC658.asp)

[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=2044&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=2044&snum=129)

### **Chapter 667 – LD 2103**

#### **An Act to Implement the Recommendations of the Right To Know Advisory Committee Regarding Public Records Exceptions**

This enacted law implements the recommendations of the Right To Know Advisory Committee concerning public records exceptions. Only those changes relevant to law enforcement are summarized here. Part A eliminates specific protection under the Freedom of Access Act for social security numbers in the context of constituent communications because social security numbers are designated as not public records for all contexts. Part A also amended the law that provides a public records exception for records or information describing the architecture, design, access authentication, encryption or security of information technology infrastructure, systems and software by specifically including records or information maintained to ensure government operations and technology continuity and to facilitate disaster recovery. Part B amends the public

records exceptions to provide that personal contact information concerning public employees protected as confidential includes a person’s username, password, and uniform resource locator for a personal social media account. Finally, Part B directs the Office of Policy and Legal Analysis (OPLA), in consultation with the Office of the Revisor of Statutes and the Right To Know Advisory Committee, to examine inconsistencies in statutory language related to the designation of information and records as confidential or not subject to public disclosure and to recommend standardized language for use in drafting statutes to clearly delineate what information is confidential and the circumstances under which that information may appropriately be released. The Office of Policy and Legal Analysis is required to submit a report with its recommendations to the Right To Know Advisory Committee on or before September 1, 2021.

*Amends 1 MRSA §402, sub-§3, ¶C-1  
Amends 1 MRSA §402, sub-§3, ¶O*

*Amends 1 MRSA §402, sub-§3, ¶M*

[https://legislature.maine.gov/legis/bills/bills\\_129th/chapters/PUBLIC667.asp](https://legislature.maine.gov/legis/bills/bills_129th/chapters/PUBLIC667.asp)  
[http://www.mainelegislature.org/legis/bills/display\\_ps.asp?LD=2103&snum=129](http://www.mainelegislature.org/legis/bills/display_ps.asp?LD=2103&snum=129)

###