

Right to Know Advisory Committee  
Legislative Subcommittee  
DRAFT: distribution lists

- **OPTION 1**

**Sec. 1. 1 MRSA §402, sub-§3, ¶R** is enacted to read;

R. Unless otherwise provided by law, a record consisting of names, telephone numbers, mailing addresses, electronic mail addresses or other contact information of members of the public that the agency or public official maintains as a distribution list or that the agency or public official can create or provide from data in the possession of the agency.

- **OPTION 2**

**Sec. 1. 1 MRSA §402-B** is enacted to read:

**§402-B. Contact information**

**1. Limited provision of list.** An agency or official may create or provide copies of lists of names, telephone numbers, mailing addresses, electronic mail addresses or other contact information of members of the public only if:

A. A statute requires the agency or public official to publish and release the lists;  
or

B. Each member of the public whose information is included in the list affirmatively consents to the release of that person's information.

- **OPTION 3**

**Sec. 1. 1 MRSA §402-B** is enacted to read:

**§402-B. Lists of contact information**

**1. Not a public record.** A list of contact information contained in or derived from records in the possession of the agency is confidential and may not be released except as provided in this section. “Contact information” means names, telephone numbers, mailing addresses and electronic mail addresses provided by members of the public for the purposes of communicating electronically with the agency, including engaging in electronic transactions with the agency.

**2. Application.** This section does not prohibit the release of:

A. Lists consisting of contact information of members of the public who have affirmatively consented to the release of their information;

B. Lists held by credentialing boards and commissions consisting of professional contact information of those licensed under Title 32;

C. Information provided to an agency by a person who has a contractual relationship with the agency or by the contractor’s agent;

D. Information provided to an agency by a vendor who seeks to contract with agency or by the vendor’s agent;

E. Information contained in a response to a request for bids or proposals, contained in a response to similar invitations soliciting offers or information relating to a potential contract, or provided to a governmental body in the course of negotiating the terms of a contract or potential contract;

F. Information provided to an agency on a letterhead, coversheet, printed document or other document made available to the public; or

G. Information provided to a governmental body for the purpose of providing public comment on or receiving notices relating to an application for a license or permit, or receiving orders or decisions from an agency.

**3. To another agency.** This section does not prevent an agency from disclosing contact information for any reason to another agency or to a federal agency.