

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE

—  
H.P. 896 - L.D. 1221

**An Act To Implement the Recommendations of the Right To Know Advisory  
Committee Concerning Public Records Exceptions**

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

**Sec. 1. 10 MRSA §1107, first ¶**, as amended by PL 1991, c. 137, §4, is further amended to read:

The Attorney General upon the Attorney General's own initiative or upon petition of 50 or more citizens of this State, shall investigate all seeming violations of sections 1102-A and 1105 to 1107, all contracts, combinations or conspiracies in restraint of trade or commerce, and all monopolies, and may require, by summons, the attendance and testimony of witnesses and the production of books and papers before the Attorney General relating to any such matter under investigation. The summons must be served in the same manner as summons for witnesses in criminal cases, and all provisions of law relating thereto apply to summonses issued under this section so far as they are applicable. All investigations or hearings thereunder or connected therewith to which witnesses are summoned or called upon to testify or to produce books, records or correspondence are ~~public or private at the choice of the person summoned~~ confidential and must be held in the county where the act to be investigated is alleged to have been committed, or if the investigation is on petition it must be held in the county in which the petitioners reside. Books, records or correspondence produced in response to a summons issued under this section may be disclosed by the Attorney General with the consent of the producing party and in court pleadings or other papers filed in court. The expense of such investigation must be paid from the appropriation provided by Title 5, section 203.

**Sec. 2. 12 MRSA §550-B, sub-§6**, as amended by PL 2013, c. 405, Pt. C, §7, is further amended to read:

**6. Information use.** Information collected by the Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey under this section is subject to Title 1, chapter 13, subchapter 1, ~~unless the well drilling company to whom the information belongs or pertains requests that it be designated as confidential and the bureau has determined it contains proprietary information. For the purposes of this subsection, "proprietary information" means information that is a trade secret or production,~~

~~commercial or financial information the disclosure of which would impair the competitive position of the person submitting the information and would make available information not otherwise publicly available.~~ The Division of Geology, Natural Areas and Coastal Resources, Maine Geological Survey shall make information collected under this chapter available to any federal, state or municipal entity or authorized agent of such entity.