

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Protect Information Maintained by Registers of Deeds**

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

**Sec. 1. 1 MRSA §402, sub-§3, ¶P,** as corrected by RR 2009, c. 1, §2, is amended to read:

P. Geographic information regarding recreational trails that are located on private land that are authorized voluntarily as such by the landowner with no public deed or guaranteed right of public access, unless the landowner authorizes the release of the information; and

*(Paragraph P as enacted by PL 2009, c. 339, §3 is REALLOCATED TO TITLE 1, SECTION 402, SUBSECTION 3, PARAGRAPH Q)*

**Sec. 2. 1 MRSA §402, sub-§3, ¶Q,** as reallocated by RR 2009, c. 1, §3, is amended to read:

Q. Security plans, staffing plans, security procedures, architectural drawings or risk assessments prepared for emergency events that are prepared for or by or kept in the custody of the Department of Corrections or a county jail if there is a reasonable possibility that public release or inspection of the records would endanger the life or physical safety of any individual or disclose security plans and procedures not generally known by the general public. Information contained in records covered by this paragraph may be disclosed to state and county officials if necessary to carry out the duties of the officials, the Department of Corrections or members of the State Board of Corrections under conditions that protect the information from further disclosure.; and

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

R. Records maintained by registers of deeds under Title 33, chapter 11.

**Sec. 4. 33 MRSA §651,** as repealed and replaced by PL 2003, c. 55, §1, is amended by adding at the end a new paragraph to read:

Public access to records maintained by a register is governed by this chapter. Title 1, chapter 13 does not apply to public access to records maintained by a register.

## **SUMMARY**

This bill provides that records maintained by registers of deeds are not considered public records for the purposes of the freedom of access laws in order to clarify that public access to those records is governed by the laws relating to those registers.