

STATE OF MAINE

—
 IN THE YEAR OF OUR LORD
 TWO THOUSAND AND FOURTEEN

—
 H.P. 1213 - L.D. 1690

**An Act Concerning Confidential Records Received by the Commission on
 Governmental Ethics and Election Practices**

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

Sec. 1. 21-A MRSA §1003, sub-§3-A, as enacted by PL 2007, c. 571, §6, is amended to read:

3-A. Confidential records. Investigative working papers of the commission are confidential ~~and may not be disclosed to any person except the members and staff of the commission, except that the commission may disclose them to~~ the subject of the audit or investigation, other entities as necessary for the conduct of an audit or investigation and law enforcement and other agencies for purposes of reporting, investigating or prosecuting a criminal or civil violation. For purposes of this subsection, "investigative working papers" means documents, records and other printed or electronic information in the following limited categories that are acquired, prepared or maintained by the commission during the conduct of an audit, investigation or ~~audit~~ other enforcement matter:

- A. Financial information not normally available to the public;
- B. Information ~~belonging to a party committee, political action committee, ballot question committee, candidate or candidate's authorized committee~~ that, if disclosed, would reveal sensitive political or campaign information belonging to a party committee, political action committee, ballot question committee, candidate or candidate's political committee, or other person who is the subject of an audit, investigation or other enforcement matter, even if the information is in the possession of a vendor or 3rd party;
- C. Information or records subject to a privilege against discovery or use as evidence; and
- D. Intra-agency or interagency communications related to an audit or investigation, including any record of an interview, meeting or examination.

The commission may disclose investigative working papers or discuss them at a public meeting, except for the information or records subject to a privilege against discovery or use as evidence, ~~in a final audit or investigation report or determination~~ if the information or record is materially relevant to a finding of fact ~~or~~ violation or other decision by the commission concerning an audit, investigation or other enforcement matter.