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## **An Act To Ensure Public Access to Records Relating to Public Contracts for Personal Services**

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

**Sec. 1. 5 MRSA §1816-A, sub-§4** is enacted to read:

**4. Access to public records.** As a condition of accepting a contract for services under this section, a contractor must agree to treat all records, other than proprietary information, relating to personal services work performed under the contract as public records under the freedom of access laws to the same extent as if the work were performed directly by the department or agency. For the purposes of this subsection, "proprietary information" means information that is a trade secret or commercial or financial information, the disclosure of which would impair the competitive position of the contractor and would make available information not otherwise publicly available. Information relating to wages and benefits of the employees performing the personal services work under the contract and information concerning employee and contract oversight and accountability procedures and systems are not proprietary information. This subsection applies to contracts, contract extensions and contract amendments executed on or after October 1, 2009.

Effective September 12, 2009