



116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1225

S.P. 394

In Senate, April 8, 1993

An Act to Allow Public Access to Information Concerning Expenditures of Highway Funds for Acquisition of Private Property.

Reference to the Committee on Transportation suggested and ordered printed.

Men

JOY J. O'BRIEN Secretary of the Senate

Presented by Senator BRANNIGAN of Cumberland.

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

Sec. 1. 23 MRSA §63, as amended by PL 1971, c. 593, §22, is further amended to read:

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§63. Records of right-of-way division confidential

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The records and correspondence of the right-of-way division of the department relating to negotiations for and appraisals of property, pending the final settlement for all claims on the project to which they relate and the records and data of the said department relating to engineering estimates of costs on projects to be put out to bid,-shall-be are confidential, and shall may not be open for public inspection, except that the records and correspondence of theright-of-way division relating to negotiations for and appraisals of property shall-be are open for public inspection after 9--months one year following the completion date of the project--according--to--the--record--of acquisition by the department, -not--including-those-claims-which have-been-appealed-to-the-Superior-Court,-said-records-to-be-open for-public-inspection-following-the-award-of-the-court.

This section must be construed to allow specifically public access to copies of canceled checks that are evidence of public funds actually expended.

STATEMENT OF FACT

This bill allows public access to information concerning amounts paid by the Department of Transportation for specific parcels of property within one year of the acquisition. Current law allows this information to be kept confidential for 9 months after completion of the project, which could take several years, and varies greatly among projects.

The bill also allows public access to canceled checks of the State related to payments for such property.

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L.D.1225