

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1173

S.P. 354

In Senate, February 25, 1997

**An Act to Preserve Public Access to Governmental Information through
Libraries Regardless of Format or Medium.**

(EMERGENCY)

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator TREAT of Kennebec.
Cosponsored by Senators: ABROMSON of Cumberland, PENDLETON of Cumberland,
RAND of Cumberland, Representatives: FULLER of Manchester, McKEE of Wayne.

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4
6 Whereas, public access to public records is immediately
threatened by changes in the way the information is prepared and
distributed; and

8
10 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
12 necessary for the preservation of the public peace, health and
safety; now, therefore,

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

16 **Sec. 1. 1 MRSA §501-A**, as repealed and replaced by PL 1987,
18 c. 402, Pt. A, §2, is amended to read:

20 **§501-A. Publications of state agencies**

22 The publications of all agencies and the University of Maine
System and the Maine Maritime Academy may be printed, bound and
24 distributed, subject to Title 5, sections 43 to 46. The State
Purchasing Agent may determine the style in which such
26 publications may be printed and bound, with the approval of the
Governor. At least 55 copies of any annual or biennial report,
28 not included in the Maine State Government Annual Report provided
for in Title 5, sections 43 to 46, shall must be delivered to the
30 State Librarian, immediately upon receipt by the State Purchasing
Agent for exchange and library use; the balance of the number of
32 each such report shall must be delivered by the State Purchasing
Agent to the agency preparing the report. Any Except as provided
34 in this section, any agency or legislative committee issuing
publications, including publications in an electronic format,
36 shall deliver 18 copies of all the publications in the published
format to the State Librarian. If the publication is in an
38 electronic format, the agency or committee shall also deliver 18
print copies of the publication to the State Librarian. An
40 agency or legislative committee that publishes information to the
public through an electronic server to an internetwork is only
42 required to provide the State Librarian with one print copy of
any information loaded or displayed on that server that is not
44 otherwise published in print or electronic format. These All
copies shall must be furnished at the expense of the issuing
46 agency. Publications not furnished upon request will be
reproduced at the expense of the issuing agency. The agency or
48 committee preparing a publication shall ~~have the authority to~~ may
determine the date on which a publication may be released, except
50 as may be otherwise provided by law.

2 For the purposes of this section, "publications" includes:
3 Periodicals; newsletters; bulletins; pamphlets; leaflets;
4 directories; bibliographies; statistical reports; brochures; plan
5 drafts; planning documents; reports; special reports; committee
6 and commission minutes; informational handouts; and rules and
7 compilations of rules, regardless of number of pages, number of
8 copies ordered, physical size or intended audience inside or
9 outside the agency. For purposes of this section, "internetwork"
10 means computer networks joined by means of gateways that handle
11 data transfer and the conversion of messages from the sending
12 network to the receiving network.

14 The State Purchasing Agent, Central Printing and all other
15 printing operations within State Government shall forward to the
16 State Librarian, upon receipt, one copy of all requisitions for
17 publications to be printed.

18 **Emergency clause.** In view of the emergency cited in the
19 preamble, this Act takes effect when approved.

22

SUMMARY

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26 This bill requires state agencies and legislative committees
to supply copies of electronic publications to the State
Librarian.