

# MAINE STATE LEGISLATURE

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R.S.

L.D. 2268

DATE: 3-27-00

(Filing No. H-953)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1621, L.D. 2268, Bill, "An Act to Provide Freedom of Access to All Reports Commissioned by the State"

Amend the bill by striking out the title and substituting the following:

'An Act to Ensure that Reports Commissioned by the State are Submitted in Writing or Other Reproducible Format'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 5 MRSA §1825-J is enacted to read:

§1825-J. Reports

When a state agency enters into a contract with a nongovernmental entity, and the contract includes a report to the agency, the contract must require that the report be in writing or in another reproducible nontransitory medium and be submitted to the agency. The report must express all of the substantive conclusions disclosed to the agency and either summarize the information and data or identify the source of the information and data on which those conclusions are based. Once the report is submitted, the agency shall retain at least one copy of the report in its custody. This section applies to contracts with a total cost of \$10,000 or more.'

Further amend the bill by inserting at the end before the summary the following:

COMMITTEE AMENDMENT

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**FISCAL NOTE**

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For those few cases where a report may not have been available as required by this bill, the additional costs associated with meeting this report requirement are expected to be minor and will not significantly affect the costs of certain contracts entered into by the State.'

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**SUMMARY**

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This amendment replaces the bill. It applies to state contracts for \$10,000 or more that include a report back to the contracting agency. This amendment requires that the contract include a requirement that the report be in writing or in another reproducible nontransitory medium. This allows electronic or other media to be used as long as the report can be reproduced. The report must include the substantive conclusions disclosed to the agency contracting for the report. It must also either include a summary of the information and data on which the conclusions were based or identify the source of the information and data. This reduces the excessive amounts of data included in the reports and reduces the disclosure of confidential information. The agency shall maintain a copy of the report in its custody.

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This amendment also adds a fiscal note to the bill.