

# MAINE STATE LEGISLATURE

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L.D. 1454

DATE: 5-16-03

(Filing No. H-417)

JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1062, L.D. 1454, Bill, "An Act To Clarify that the Unauthorized Sale of Public Records Is a Crime"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 5 MRSA §95-A, sub-§5 is enacted to read:

5. Sale or transfer of record prohibited. A person may not sell or transfer a record unless specifically authorized by law. A person who violates this subsection commits a Class D crime.'

SUMMARY

This amendment clarifies that a person may not transfer or sell a record unless authorized by law. "Record" is currently defined as "all documentary material, regardless of media or characteristics, made or received and maintained by an agency in accordance with law or rule or in the transaction of its official business." The bill as amended does not affect public access to, or receipt of copies of, public records. The bill as amended does not prohibit the sale of copies of public records.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT

**121st Maine Legislature  
Office of Fiscal and Program Review**



**LD 1454**

**An Act To Clarify that the Unauthorized Sale of Public Records Is a  
Crime**

**LR 1934(02)**

**Fiscal Note for Bill as Amended by Committee Amendment " "**

**Committee: Judiciary**

**Fiscal Note Required: Yes**

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**Fiscal Note**

Minor cost increase - General Fund  
Minor revenue increase - General Fund

**Correctional and Judicial Impact Statements**

Establishes a Class D crime.