

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1561

S.P. 524

In Senate, April 14, 2003

An Act To Clarify the InforME Public Information Access Act

Submitted by the Secretary of State pursuant to Joint Rule 204.

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 President DAGGETT of Kennebec.

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

2
4 **Sec. 1. 1 MRSA §532, sub-§2-A** is enacted to read:

6 **2-A. Electronic services.** "Electronic services" means
8 services provided by InforME through electronic means.
10 "Electronic services" may include, but is not limited to,
12 providing access to information, processing credential renewals,
14 completing forms and filing documents.

16 **Sec. 2. 1 MRSA §532, sub-§6,** as enacted by PL 1997, c. 713,
18 §1, is amended to read:

20 **6. Subscriber.** "Subscriber" means a person who, in
22 exchange for a fee established under section 534, subsection 5,
24 paragraph G, receives premium services or other electronic
26 services available for a statutory fee or at no charge.

28 **Sec. 3. 1 MRSA §533, sub-§1,** as enacted by PL 1997, c. 713,
30 §1, is amended to read:

32 **1. Electronic gateway.** To serve as a self-supporting and
34 cost-effective electronic gateway to provide and enhance access
36 to the State's public information for individuals, businesses and
38 other entities and to provide electronic services;

40 **Sec. 4. 1 MRSA §533, sub-§§8 and 9,** as enacted by PL 1997, c.
42 713, §1, are amended to read:

44 **8. Private-public partnerships and interagency**
46 **cooperation.** To promote opportunities for private-public
48 partnerships and interagency cooperation; and

9. Innovative uses of information. To provide
opportunities for innovative uses of public information; and

Sec. 5. 1 MRSA §533, sub-§10 is enacted to read:

10. Collection of funds. To collect funds for information
and electronic services provided and transactions conducted
electronically.

Sec. 6. 1 MRSA §534, sub-§5, ¶G, as enacted by PL 1997, c.
713, §1, is amended to read:

G. Review revenue and expenditures and approve premium
services fees and fee schedules to be levied by the network
manager.

- 2 (1) Fees must be sufficient to maintain, develop,
operate and expand InforME on a continuing basis.
- 4 (2) Fees for premium services must be reasonable but
6 sufficient to support the maximum amount of information
and services provided at no charge.
- 8 (3) The board may establish fee schedules that include
10 no charge for designated services for one or more
12 specified classes of users. If services are to be
14 provided at no charge to libraries, the services must
be provided to libraries designated as depository
libraries for government documents pursuant to 44
United States Code, Chapter 19 and to any other
libraries the board designates.
- 16 (4) Fees must be sufficient to ensure that, to the
18 extent possible, data custodians do not suffer loss of
20 revenues from sources that are approved or authorized
by law due to the operations of InforME.
- 22 (5) Fees must be sufficient to ensure that data
24 custodians are reimbursed for the actual costs of
providing data to InforME.
- 26 (6) Fees must be sufficient to meet the expenses of
the board.
- 28 (7) The board may approve, when applicable, service
30 level agreements entered into by InforME and data
32 custodians for information, electronic services and
transactions provided by InforME.
- 34 (8) The board may establish a subscription fee for
36 subscribers;

38 **Sec. 7. 1 MRSA §534, sub-§5, ¶¶K and L**, as enacted by PL 1997,
c. 713, §1, are amended to read:

40 K. Adopt rules pursuant to the Maine Administrative
42 Procedure Act to carry out this chapter. Notwithstanding
Title 5, section 8071, subsection 2, rules adopted pursuant
44 to this paragraph are routine technical rules; and

46 L. Report annually beginning January 1, 1999 to the joint
standing committee of the Legislature having jurisdiction
48 over state government matters. The report must include a
complete list of services offered through the InforME
50 system, the fees associated with services and the criteria
used to determine which services are offered as premium

2 services. In its January 1, 1999 report, the board must
also include an analysis of the feasibility of offering
4 premium services at no charge to depository libraries or
other libraries in the State; and

6 **Sec. 8. 1 MRSA §534, sub-§5, ¶M** is enacted to read:

8 M. Authorize the network manager to collect funds for
10 information and electronic services provided and
transactions conducted electronically.

12 **Sec. 9. 1 MRSA §535, sub-§2, ¶¶I and J**, as enacted by PL 1997,
14 c. 713, §1, are amended to read:

16 I. Seek advice from the general public, subscribers,
professional associations, academic groups and institutions
18 and individuals with knowledge of and interest in areas of
networking, electronic mail, public information access,
20 gateway services, add-on services and electronic filing of
information; and

22 J. Ensure that confidential information is not disclosed by
the network manager without the express authorization of the
24 data custodian; and

26 **Sec. 10. 1 MRSA §535, sub-§2, ¶K** is enacted to read:

28 K. Collect funds for electronic services and information
30 provided and distribute funds collected to the appropriate
data custodians or agencies;

32

SUMMARY

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36 This bill clarifies various definitions to accurately
represent the electronic services provided by InforME and the
services available to those who pay the subscriber fee. This
38 bill also clarifies the manner in which funds are collected and
distributed by InforME to data custodians or agencies.