

# MAINE STATE LEGISLATURE

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DMC  
ROES

Report C

L.D. 1805

Date: 4/2/12

Report C

(Filing No. H-883)

JUDICIARY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 1331, L.D. 1805, Bill, "An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning a Public Records Exception for Proposed Legislation, Reports and Working Papers of the Governor"

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

'An Act Concerning the Public Records Exception for Legislative Working Papers'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 1 MRSA §402, sub-§3, ¶C, as amended by PL 1991, c. 773, §2, is repealed.

Sec. 2. 4 MRSA §1701, sub-§7, as enacted by PL 1995, c. 451, §1, is amended to read:

7. Meeting; quorum; concurrence. The Executive Director of the Legislative Council shall call the first meeting of the commission no later than 5 days after the appointments are made. For all subsequent meetings, the commission shall meet, either in person or by teleconference, on the call of the chair or on the request of at least 2 members. The presence of at least 2 members is required to conduct a meeting. The concurrence of at least 2 members is required for any formal action taken by the commission. ~~The working papers, draft reports and other papers of the commission in the possession of a legislative employee are excepted from the definition of public records in accordance with Title 1, section 402, subsection 3, paragraph C.~~

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

LEGISLATURE

Legislature 0081

COMMITTEE AMENDMENT

ROFS

COMMITTEE AMENDMENT "B" to H.P. 1331, L.D. 1805

1 Initiative: Provides funds for one additional clerical position to handle the projected  
2 increase in the number of requests for information resulting from the repeal of  
3 confidentiality for certain legislative records.

4	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
6	Personal Services	\$0	\$44,239
7	All Other	\$0	\$1,500
8			
9	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$45,739</u>
10			

11 **SUMMARY**

12 This amendment is a minority report of the Joint Standing Committee on Judiciary.

13 This amendment replaces the bill. It repeals the public records exception that applies  
14 to working papers and other records of Legislators. Its also adds an appropriations and  
15 allocations section.

16 **FISCAL NOTE REQUIRED**

17 (See attached)

**COMMITTEE AMENDMENT**



# 125th MAINE LEGISLATURE

LD 1805

LR 2687(03)

**An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning a Public Records Exception for Proposed Legislation, Reports and Working Papers of the Governor**

Fiscal Note for Bill as Amended by Committee Amendment "B" (H-883)

Committee: Judiciary

Fiscal Note Required: Yes

## Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$45,739	\$63,434	\$66,531
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$45,739	\$63,434	\$66,531

### Fiscal Detail and Notes

The Legislature will incur additional costs and require additional clerical staff to respond to requests for certain legislative documents. The bill includes an appropriation of \$45,739 in fiscal year 2012-13 for one additional clerical position and related All Other expenses to handle the increased workload.