

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 1511

S.P. 566

In Senate, May 7, 2013

**An Act Regarding Coordinated Access to Public Records of State
Agencies**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator CAIN of Penobscot.

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

2 **Sec. 1. 5 MRSA §200-I, sub-§2, ¶¶D and E**, as enacted by PL 2007, c. 603, §1,
3 are amended to read:

4 D. Furnish, upon request, advisory opinions regarding the interpretation of and
5 compliance with the State's freedom of access laws to any person or public agency or
6 official in an expeditious manner. The ombudsman may not issue an advisory
7 opinion concerning a specific matter with respect to which a lawsuit has been filed
8 under Title 1, chapter 13. Advisory opinions must be publicly available after
9 distribution to the requestor and the parties involved; ~~and~~

10 E. Make recommendations concerning ways to improve public access to public
11 records and proceedings; and

12 **Sec. 2. 5 MRSA §200-I, sub-§2, ¶F** is enacted to read:

13 F. Coordinate with the state agency public access officers the compilation of data
14 through the development of a uniform log to facilitate record keeping and annual
15 reporting of the number of requests for information, the average response time and
16 the costs of processing requests.

17 **Sec. 3. Development of centralized methods for public record requests;**
18 **report.** The Department of the Attorney General, with input from the Department of
19 Administrative and Financial Services, Office of Information Technology and state
20 agency public access officers as defined in the Maine Revised Statutes, Title 1, section
21 402, subsection 5, shall:

22 1. Review the current system used by state agencies for receiving and responding to
23 requests for public records in accordance with Title 1, chapter 13, subchapter 1; and

24 2. Review the feasibility of developing a centralized system for coordinating the
25 receipt of and response to requests to state agencies for public records in accordance with
26 Title 1, chapter 13, subchapter 1.

27 A centralized system developed by the Department of the Attorney General must
28 include a single website address, a single e-mail address and a directory for the public to
29 use to make requests for public records of all state agencies. By January 5, 2014, the
30 Department of the Attorney General shall submit to the Joint Standing Committee on
31 Judiciary a report relating to the reviews under this section, including findings and
32 recommendations and suggested statutory changes needed to implement the
33 recommendations. The Joint Standing Committee on Judiciary may report out a bill
34 relating to the subject matter of the report to the Second Regular Session of the 126th
35 Legislature.

36 **SUMMARY**

37 This bill directs the Public Access Ombudsman within the Department of the
38 Attorney General to coordinate state agency compliance with the Freedom of Access Act.

1 The bill directs the Department of the Attorney General to review the feasibility of
2 developing a centralized system that includes a single website address and a single e-mail
3 address for the public to use to make requests for public records of all state agencies. The
4 report must be submitted to the Joint Standing Committee on Judiciary by January 5,
5 2014 and the committee is authorized to report out a bill relating to the subject matter of
6 the report.