

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act Regarding Coordinated Access to Public Records of State Agencies

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

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

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

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

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

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

Sec. 3. Development of centralized methods for public record requests; report.

The Department of the Attorney General, with input from the Department of Administrative and Financial Services, Office of Information Technology and state agency public access officers as defined in the Maine Revised Statutes, Title 1, section 402, subsection 5, shall:

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

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

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

SUMMARY

This bill directs the Public Access Ombudsman within the Department of the Attorney General to coordinate state agency compliance with the Freedom of Access Act. The bill directs the Department of the Attorney General to review the feasibility of developing a centralized system that includes a single website address and a single e-mail address for the public to use to make requests for public records of all state agencies. The report must be submitted to the Joint Standing Committee on Judiciary by January 5, 2014 and the committee is authorized to report out a bill relating to the subject matter of the report.