



# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 1947

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H.P. 1452

House of Representatives, January 26, 2022

### **An Act To Promote Electronic Filing of State Agency and Legislative Committee Publications**

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Reported by Representative MATLACK of St. George for the Joint Standing Committee on State and Local Government pursuant to Resolve 2021, chapter 19.

Reference to the Committee on State and Local Government suggested and ordered printed pursuant to Joint Rule 218.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

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

2 **Sec. 1. 1 MRSA §501-A, sub-§3**, as enacted by PL 1997, c. 299, §1, is amended  
3 to read:

4 **3. Annual or biennial reports.** Immediately upon receipt of any annual or biennial  
5 report that is not included in the Maine State Government Annual Report provided for in  
6 Title 5, sections 43 to 46, the State Purchasing Agent shall deliver at least ~~55~~ 4 copies of  
7 that annual or biennial report to the State Librarian for exchange and library use. The State  
8 Purchasing Agent shall deliver the balance of the number of each such report to the agency  
9 that prepared the report.

10 **Sec. 2. 1 MRSA §501-A, sub-§4**, as enacted by PL 1997, c. 299, §1, is amended  
11 to read:

12 **4. State agency and legislative committee publications.** Except as provided in  
13 subsection 5, any agency or legislative committee ~~issuing~~ publishing publications,  
14 including publications in an electronic format, shall deliver ~~18~~ 4 copies of the publications  
15 in the published format to the State Librarian. These copies must be furnished at the  
16 expense of the issuing agency. Publications not furnished upon request will be reproduced  
17 at the expense of the issuing agency. The agency or committee preparing a publication  
18 may determine the date on which a publication may be released, except as otherwise  
19 provided by law.

20 **Sec. 3. 1 MRSA §501-A, sub-§5**, as enacted by PL 1997, c. 299, §1, is amended  
21 to read:

22 **5. Electronic publishing.** An agency or committee ~~that electronically publishes~~  
23 ~~information to the public is only~~ required to provide the State Librarian with only one  
24 printed copy of an electronically published publication if the agency or committee provides  
25 the State Librarian with an electronically published copy for the State Librarian to upload  
26 to the online repository maintained by the Maine State Library pursuant to Title 27, section  
27 66 or the agency or committee uploads an electronically published copy to the online  
28 repository maintained by the Maine State Library pursuant to Title 27, section 66. An  
29 electronically published publication is not required to be provided to the State Librarian if  
30 the publication is also published in print or in an electronic format and is provided to the  
31 State Librarian in compliance with subsection 4 or the publication is:

32 A. Designed to provide the public with current information and is subject to frequent  
33 additions and deletions, such as current lists of certified professionals, daily updates of  
34 weather conditions or fire hazards; or

35 B. Designed to promote the agency's services or assist citizens in use of the agency's  
36 services, such as job advertisements, application forms, advertising brochures, letters  
37 and memos.

38 **Sec. 4. 5 MRSA §43, 4th ¶**, as repealed and replaced by PL 1975, c. 436, §3, is  
39 amended to read:

40 The Governor shall, no later than December 31st annually, consolidate such reports  
41 into a public document entitled "the Maine State Government Annual Report" and shall  
42 cause them it to be printed and published in convenient form for distribution and sale as a  
43 public document entitled "The Maine State Government Annual Report" ~~no later than~~

1 ~~December 31st published electronically in the online repository maintained by the State~~  
2 ~~Librarian pursuant to Title 27, section 66 for permanent digital access to government~~  
3 ~~documents. A minimum of 4 copies of the report must be printed and provided to the State~~  
4 ~~Librarian for retention in the Maine State Library government documents collection and~~  
5 ~~distribution to other libraries in the State for patron access.~~

6 **Sec. 5. 5 MRSA §43, 5th ¶**, as repealed and replaced by PL 1975, c. 436, §3, is  
7 repealed.

8 **Sec. 6. 27 MRSA §2, sub-§1, ¶F**, as enacted by PL 1979, c. 541, Pt. A, §185, is  
9 amended to read:

10 F. Full and complete sets of all the documents ~~printed~~ published by the State; and

11 **Sec. 7. 27 MRSA §66**, as amended by PL 2013, c. 82, §6, is further amended to  
12 read:

13 **§66. Reports of departments and institutions**

14 ~~The State Librarian shall distribute reports of the departments and institutions of the~~  
15 ~~State and other books and documents published or purchased by the State in such manner~~  
16 ~~as the law may direct. The State Librarian may transmit one copy of each published report~~  
17 ~~of each department of the State Government to each library in the State and to the libraries~~  
18 ~~of other states and territories, and make such other and further distribution as in the State~~  
19 ~~Librarian's judgment seems proper. The~~ For the purpose of permanent public access to all  
20 department reports and other publications of the State as defined in Title 1, section 501-A,  
21 the State Librarian shall maintain a ~~document room~~ government documents collection at  
22 the Maine State Library and an online repository for permanent digital access to  
23 government documents in which must be stored all department reports and other  
24 publications of the State intended for distribution and shall keep an accurate account of all  
25 books and documents received.

26 **SUMMARY**

27 This bill is reported out by the Joint Standing Committee on State and Local  
28 Government pursuant to Resolve 2021, chapter 19. It reduces the number of paper copies  
29 a state agency or legislative committee must provide to the State Librarian when the agency  
30 or legislative committee publishes a report or other publication. It requires the State  
31 Librarian to maintain an online repository for permanent digital access to government  
32 documents.

33 The committee has not taken a position on the substance of this bill. By reporting this  
34 bill out the committee is not suggesting and does not intend to suggest that it agrees or  
35 disagrees with any aspect of this bill. The committee is reporting the bill out for the sole  
36 purpose of having a bill printed that can be referred to the committee for an appropriate  
37 public hearing and subsequent processing in the normal course. The committee is taking  
38 this action to ensure clarity and transparency in the legislative review of the proposals  
39 contained in the bill.