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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 861, L.D. 1216, Bill, “An Act To Amend the Freedom of Access Act”

Amend the bill by striking out all of section 1 (page 1, lines 2 to 13 in L.D.) and inserting the following:

'Sec. 1. 1 MRSA §408-A, sub-§3, as enacted by PL 2011, c. 662, §5, is amended to read:

3. Acknowledgment; clarification; time estimate; cost estimate. The agency or official having custody or control of a public record shall acknowledge receipt of a request made according to this section within ~~a reasonable period of time~~, 5 working days of receiving the request and may request clarification concerning which public record or public records are being requested. ~~The~~ Within a reasonable time of receiving the request, the agency or official shall provide a good faith, nonbinding estimate of the time within which the agency or official will comply with the request, as well as a cost estimate as provided in subsection 9. The agency or official shall make a good faith effort to fully respond to the request within the estimated time.'

Amend the bill in section 2 in subsection 4 in the 4th line (page 1, line 19 in L.D.) by striking out the following: "~~working calendar~~" and inserting the following: 'working'

Amend the bill by striking out all of section 3 (page 1, lines 22 to 29 in L.D.)

Amend the bill by striking out all of section 5 (page 2, lines 1 to 10 in L.D.)

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment requires an agency or official to acknowledge a request to inspect or copy public records within 5 working days of receiving the request. Within a reasonable time of receiving the request, the agency or official must give a good faith, nonbinding

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1 estimate of the time to comply with the request and must also provide the cost estimate as
2 required in current law.

3 This amendment deletes the proposed requirement that the agency or official
4 responding to a request explain costs and the statutes requiring redaction. It also deletes
5 the changes to attorney's fees.