



STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

February 10, 2017

Sigmund D. Schutz
PretiFlaherty
sschultz@preti.com
P.O. Box 9546
Portland, ME 04112-9546

Dear Mr. Schutz,

Our office has received your correspondence dated January 25, 2017 requesting agency policies or procedures applicable to the Freedom of Access Act.

The Department of Marine Resources does not have a formal policy currently in place that is used when responding to requests under the Freedom of Access Act, (FOAA) 1 M.R.S. § 401 et seq. However, the Department is currently evaluating policies used by other agencies and considering implementing such a policy.

Currently, when a request is received, it is documented by our FOAA Officer, Amy Sinclair, Secretary Specialist, and a letter is sent acknowledging the request within five working days. Staff members responsible for locating the information are advised of the request and they provide Ms. Sinclair with a good faith estimate of the time it will take to provide the records. If numerous people are being asked to query email records, I will work with Ms. Sinclair to establish search parameters so that all searches are performed the same way.

The date of completion and cost estimates are then sent to the requestor for approval or modification of the request. If the requestor approves the estimates, the information is gathered and reviewed to determine if any documents are protected under confidentiality provisions in law. Responsive records are typically sent electronically or through the mail to the requestor along with a letter of completion. If the estimated cost exceeds \$100 or the requestor has previously failed to pay for a request, payment may be requested prior to the records being provided.

I hope this addresses your question sufficiently. If you have additional questions or concerns, please do not hesitate to contact me at 624-6553.

Sincerely,

Meredith Mendelson
Deputy Commissioner

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