

The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

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February 2, 2016

Dear Sudbury Board of Selectmen,

As the second year of our 2015-2016 Legislative Session begins our state continues to face challenges that my colleagues and I will work to address. The budget process for FY17 is getting underway and it looks like we will be facing another gap between ongoing revenue and the cost of maintaining current services and commitments. As a result, the budget will dominate the legislative agenda for the next few months, as we make the hard choices as to which priorities we will continue to fund, what will be cut, and what new revenue, if any, we will seek out.

During the FY17 budget process, my priorities will be:

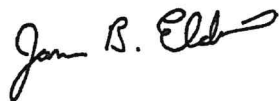
1. Protect local aid to my cities and towns, including Chapter 70, Chapter 90, SPED circuit breaker, lottery aid, and prioritizing full funding for regional school transportation.
2. Continue to work closely with my colleagues and Governor Baker to dramatically improve public transportation across Massachusetts, including the MBTA, RTAs, bus service, and roads and bridges.
3. Maintain funding for vital social safety net services, including programs to help the homeless, low-income families, at-risk children, those with disabilities, and the elderly.
4. Begin to fully fund the recommendations of the Foundation Budget Review Commission.
5. Continue to advocate for significant investments in capital infrastructure, including transportation, water, higher education, libraries, and public schools.
6. Protect the environment, including water infrastructure, such that 1 percent of the budget is dedicated to the environment.

Approving the annual budget is one of the Legislature's most important jobs. Please stay in touch with me regarding your priorities for funding as we move through the budget process.

I encourage you to call or email me with any inquiries, and if you do not receive email updates from my office about important pending legislation, please contact my office and provide me with your email. Finally, I would highlight that I have an e-newsletter that I regularly send out to all interested citizens, which you can sign up for at www.senatoreldridge.com.

As always, please do not hesitate to contact my office if I can be of any assistance to you or the Town of Sudbury as we progress through this legislative session. I have a strong commitment to getting back to municipal officials when they make an inquiry to my office, so please do not hesitate to call me directly.

Sincerely,

A handwritten signature in black ink, reading "James B. Eldridge" with a stylized flourish at the end.

James B. Eldridge

State Senator

Middlesex and Worcester District

S. 2120: An Act Improving the Administration and Enforcement of the Public Records Law

Public Access Officers

The bill requires state agencies and municipalities to designate at least one public records access officer.

Time to Comply with a Public Records Request

The bill requires a municipality or state agency to complete a request for public records within 15 days. If 15 days is not feasible, the municipality or state agency is authorized to extend the timeline by an additional 15 days, but the public access officer is required to issue a written response within 10 days of receiving the request and inform the requestor of the status of the request.

Should the request reasonably take longer than 30 days, the Supervisor of Records is able to grant a single, 30 day extension, ensuring all requests are complied with within 60 days total. The one exception to the 60 day total would be for requests clearly designed to harass, and in such a case the Supervisor could grant additional time.

Allowable Fees

The bill allows a records access officer to charge a reasonable fee for a public record, but establishes parameters for those fees. The bill requires state agencies to provide 4 free hours of employee time and municipalities to provide 2 free hours of employee time. Records requests that require more time may incur a fee equal to or less than the hourly rate attributed to the lowest paid employee who has the necessary skill to comply, but not more than \$25 per hour.

The bill limits charges for time spent redacting or segregating unless redaction or segregation is required by law. If a municipality or agency needs to make redactions not required by law, or if a municipality needs to charge over \$25 an hour, the municipality or agency must seek approval of the Supervisor of Records.

The bill authorizes a records access officer to waive or reduce the amount of any fee if the requested record is in the public interest and is not primarily in the commercial interest of the requestor.

Attorney Fees

The bill requires attorney fees to be awarded, except in certain defined situations.

Enforcement

The bill prohibits a records access officer from charging a fee if the agency or municipality does not provide the record within 15 days of the request or does not respond to the requestor within 10 days. It also requires punitive damages up to \$5,000 if the court determines the government entity did not act in good faith.

Modernization of Public Records

The bill requires state entities and encourages municipalities to post online many common public record documents. It also helps municipalities develop informational technology to foster best practices and facilitate compliance with public records requests.