

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2020

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Legislative Document

No. 2102

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H.P. 1497

House of Representatives, February 11, 2020

### **An Act To Implement the Recommendations of the Right To Know Advisory Committee**

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Reported by Representative BAILEY of Saco for the Joint Standing Committee on  
Judiciary pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph  
G.

Reference to the Committee on Judiciary suggested and ordered printed pursuant to Joint  
Rule 218.

A handwritten signature in cursive script that reads "Robert 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 §411, sub-§2, ¶M**, as amended by PL 2015, c. 250, Pt. A, §1, is  
3 further amended to read:

4 M. The Attorney General or the Attorney General's designee; ~~and~~

5 **Sec. 2. 1 MRSA §411, sub-§2, ¶N**, as enacted by PL 2015, c. 250, Pt. A, §2, is  
6 amended to read:

7 N. One member with broad experience in and understanding of issues and costs in  
8 multiple areas of information technology, including practical applications concerning  
9 creation, storage, retrieval and accessibility of electronic records; use of  
10 communication technologies to support meetings, including teleconferencing and  
11 Internet-based conferencing; databases for records management and reporting; and  
12 information technology system development and support, appointed by the  
13 Governor; ~~and~~

14 **Sec. 3. 1 MRSA §411, sub-§2, ¶O** is enacted to read:

15 O. One representative having legal or professional expertise in the field of data and  
16 personal privacy, appointed by the Governor.

17 **Sec. 4. 1 MRSA §412, sub-§1**, as amended by PL 2019, c. 300, §1, is further  
18 amended to read:

19 **1. Training required.** A public access officer and an official subject to this section  
20 shall complete a course of training on the requirements of this chapter relating to public  
21 records and proceedings. The official or public access officer shall complete the training  
22 not later than the 120th day after the date the official ~~takes the oath of office to assume~~  
23 assumes the person's duties as an official or the person is designated as a public access  
24 officer pursuant to section 413, subsection 1.

25 **Sec. 5. 1 MRSA §412, sub-§4, ¶F**, as enacted by PL 2007, c. 576, §2, is  
26 amended to read:

27 F. Municipal officers; municipal clerks, treasurers, managers or administrators,  
28 assessors, code enforcement officers and deputies for those positions; and planning  
29 board members and budget committee members of municipal governments;

30 **Sec. 6. 1 MRSA §412, sub-§4, ¶G**, as amended by PL 2011, c. 662, §7, is further  
31 amended to read:

32 G. ~~Officials~~ Superintendents, assistant superintendents and school board members of  
33 school administrative units; and

1 **SUMMARY**

2 This bill implements the statutory recommendations of the Right To Know Advisory  
3 Committee as included in Appendix F in the Fourteenth Annual Report of the Right to  
4 Know Advisory Committee.

5 This bill adds a member to the Right To Know Advisory Committee who has legal or  
6 professional expertise in the field of data and personal privacy, to be appointed by the  
7 Governor.

8 This bill makes the following changes to the requirements for freedom of access  
9 training.

10 1. It clarifies that an official must complete training within 120 days of assuming the  
11 duties of the position.

12 2. It expands the municipal officials required to complete training to include code  
13 enforcement officers, town and city managers and administrators and planning board  
14 members and clarifies that deputies of municipal clerks, treasurers, managers or  
15 administrators, assessors and code enforcement officers must also complete training.

16 3. It clarifies that school superintendents, assistant superintendents and school board  
17 members are required to complete training.