

MAINE STATE LEGISLATURE

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JOSEPH E. BRENNAN
ATTORNEY GENERAL



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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333
March 1, 1976

Honorable Joseph Sewall
President of the Senate
Maine Senate
State House
Augusta, Maine

Honorable John L. Martin
Speaker of the House
House of Representatives
State House
Augusta, Maine

Gentlemen:

I understand that you have orally asked my office whether meetings of the legislative "leadership" are subject to requirements of the Freedom of Access Law, 1 M.R.S.A. § 401-406. I assume that the "leadership" for this purpose consists of the presiding officer of each House, the Majority and Minority leaders of each House, and on occasion their assistants. I also assume that your question does not refer to any statutory functions performed by members of this group ex officio, such as membership on the Legislative Council and the Committee on Legislative ethics.

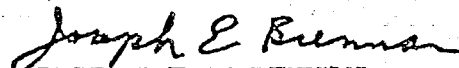
With the foregoing exclusions, meetings of the "leadership" are clearly not "public proceedings" as used in the Freedom of Access Law and thus are not subject to the requirements of that law. The leadership as such is not even mentioned let alone defined as an administrative or legislative body of the State in the Constitution or statutes of Maine or rules of the Legislature. Except for the coincident membership of officers comprising the leadership of such bodies as the Legislative Council and the Ethics Committee, the leadership is not charged with any functions under the Constitution, any statute, or any

Honorable Joseph Sewall
Honorable John L. Martin
March 1, 1976
Page two

rule or regulation of the Legislature. Consequently, its meetings are not "public proceedings" as defined in Section 402 of Chapter 1.

It goes without saying that when officers of the Legislature, as a group, transact business of the Legislative Council or the Legislative Ethics Committee, both of which are legislative bodies of the State, their activities are subject to the Freedom of Access Law.

Very truly yours,


JOSEPH E. BRENNAN
Attorney General

JEB:we