

MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2168

H. P. 1978

House of Representatives, February 3, 1976

Referred to Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Hughes of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SIX

AN ACT Concerning the Definition of Public Proceedings and Concerning
the Keeping of Minutes Under the Right to Know Law.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 1 MRSA § 402, as repealed and replaced by PL 1975, c. 243, and as amended by PL 1975, c. 483, § 2, is repealed and the following enacted in place thereof:

§ 402. Public proceedings defined

The term "public proceedings" as used in this subchapter shall mean:

1. Transactions. The transactions of any functions affecting any or all citizens of the State by any administrative or legislative body of:

A. The State, including the Legislature and its committees or subcommittees;

B. Any of the counties or municipalities of the State;

C. Any other political subdivision of the State; or

D. The Board of Trustees of the University of Maine or of the Maine Maritime Academy,

with which function it is charged under any statute or under any rule or regulation of such administrative or legislative body or agency; or

2. Conference. The conference of a majority of the members of an administrative or legislative body listed in subsection 1 to discuss the transaction of any of the functions of that body.

Sec. 2. 1 MRSA § 403, first sentence, as repealed and replaced by PL 1975, c. 422, § 1, is amended to read:

Except as otherwise specifically provided by statute or by section 404, all public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of these bodies or agencies ~~and any minutes of such meetings as are required by law shall be promptly recorded and open to public inspection.~~ Minutes of any public proceedings shall be kept, shall be promptly recorded and open to public inspection. These minutes shall include the names of all members present, a record of all actions taken, a roll call of any votes which are not unanimous and a detailed record listing each subject discussed at the public proceeding whether or not the discussion led to a vote.

STATEMENT OF FACT

This bill clarifies the legislative purpose of the definition of public proceedings by ensuring that the definition applies to informal discussions by a majority of an administrative or legislative body when those discussion are held to further business of those bodies.

The bill also requires minutes to be kept of public meetings.