

MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 204

H. P. 166

House of Representatives, February 1, 1977

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

EDWIN H. PERT, Clerk

Presented by Mr. McMahon of Kennebunk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT to Define the Term "Meeting" in 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Sec. 1. 1 MRSA § 402, as repealed and replaced by PL 1975, c. 758, is amended by adding after subsection 1 a new subsection to read:

1-A. Meeting. The term "meeting" means a public proceeding that is conducted by a quorum of any committee, commission, board, council or other body of 3 or more persons that is authorized or directed by law to transact functions affecting any or all citizens of the State.

Sec. 2. 1 MRSA § 402, sub-§ 2, ¶ B, as repealed and replaced by PL 1975, c. 758, is amended to read:

B. Any board ~~or~~, commission, ~~of any state~~ agency or authority of the State, or the Board of Trustees of the University of Maine and the Board of Trustees of the Maine Maritime Academy; and

Sec. 3. 1 MRSA § 403, as repealed and replaced by PL 1975, c. 758, is amended to read:

§ 403. Meetings to be open to public

Except as otherwise provided by statute or by section 405, all ~~public proceedings~~ meetings shall be open to the public. ~~any~~ Any person shall be permitted to attend any ~~public proceeding meeting~~ and any record or minutes of such ~~proceedings~~ meetings that is required by law shall be made promptly and shall be open to public inspection.

Sec. 4. ~~1 MRSA § 404~~, as repealed and replaced by PL 1975, c. 758, is amended to read:

§ 404. Recorded or live broadcasts authorized

In order to facilitate the public policy so declared by the Legislature of opening the public's business to public scrutiny, all persons shall be entitled to attend ~~public proceedings meetings~~ and to make written, taped or filmed records of the ~~proceedings meetings~~, or to live broadcast the same, provided the writing, taping, filming or broadcasting does not interfere with the orderly conduct of ~~proceedings the meetings~~. The body ~~or agency~~ holding the ~~public proceedings meetings~~ may make reasonable rules and regulations governing these activities, so long as these rules or regulations do not defeat the purpose of this subchapter.

Sec. 5. ~~1 MRSA § 405, 1st ¶~~, as repealed and replaced by PL 1975, c. 758, is amended to read:

Those ~~bodies or agencies meetings~~ falling within this subchapter may hold executive sessions subject to the following conditions.

Sec. 6. ~~1 MRSA § 406, 1st sentence~~, as repealed and replaced by PL 1975, c. 758, is amended to read:

Public notice shall be given for ~~all public proceedings as defined in section 402, if these proceedings are a meeting of a body or agency consisting of 3 or more persons and the body or agency~~ any meeting which will deal with the expenditure of public funds or taxation, or will adopt policy at the meeting.

STATEMENT OF FACT

The purpose of this bill is to define the term "meeting" in the Right to Know Law.