

MAINE STATE LEGISLATURE

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SMG
R. G. S.

Date: 3/10/10

(Filing No. H-704)

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JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1093, L.D. 1551, Bill, "An Act To Further Regulate the Communications of Members of Public Bodies"

Amend the bill by striking out the title and substituting the following:

'Resolve, Directing the Right To Know Advisory Committee To Examine Issues Related to Communications of Members of Public Bodies'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Sec. 1. Right To Know Advisory Committee review and recommendations. Resolved: That the Right To Know Advisory Committee shall examine the following issues and include recommendations in the annual report due January 15, 2011 under Title 1, section 411, subsection 10 concerning:

1. How the freedom of access laws can appropriately address the use of communication technologies, both existing and those to be developed in the future, to ensure that decisions are made in proceedings that are open and accessible to the public;

2. If penalties for violations of the freedom of access laws should be revised, including consideration of criminalizing violations and making the individual who violates the laws responsible for the penalty, rather than the governmental entity; and

3. If partisan party caucuses should be specifically excluded from the definition of "public proceedings."

SUMMARY

This amendment replaces the bill and changes it to a resolve.

This amendment directs the Right To Know Advisory Committee to examine and make recommendations on the following issues:

COMMITTEE AMENDMENT

R. 2 of 3.

COMMITTEE AMENDMENT "A" to H.P. 1093, L.D. 1551

- 1 1. How the freedom of access laws can appropriately address the use of
- 2 communication technologies, both existing and those to be developed in the future, to
- 3 ensure that decisions are made in proceedings that are open and accessible to the public;
- 4 2. If penalties for violations of the freedom of access laws should be revised,
- 5 including consideration of criminalizing violations and making the individual who
- 6 violates the laws responsible for the penalty, rather than the governmental entity; and
- 7 3. If partisan party caucuses should be specifically excluded from the definition of
- 8 "public proceedings."
- 9 The Right To Know Advisory Committee shall include its recommendations in its
- 10 annual report due January 15, 2011.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



124th MAINE LEGISLATURE

LD 1551

LR 2130(02)

An Act To Further Regulate the Communications of Members of Public Bodies

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional issues for review by the Right to Know Advisory Committee can be reviewed within the existing number of authorized and funded meetings of the committee. No additional funding is required.