

# MAINE STATE LEGISLATURE

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# 124th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2010

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Legislative Document

No. 1791

H.P. 1279

House of Representatives, February 23, 2010

### **An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Records of Public Proceedings**

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Reported by Representative PRIEST of Brunswick 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.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

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

2 **Sec. 1. 1 MRSA §403**, as amended by PL 2009, c. 240, §1, is repealed and the  
3 following enacted in its place:

4 **§403. Meetings to be open to public; record of meetings**

5 **1. Open to public.** Except as otherwise provided by statute or by section 405, all  
6 public proceedings must be open to the public, any person must be permitted to attend a  
7 public proceeding and any public record or minutes of such proceedings that are required  
8 by law must be made within a reasonable period of time after the proceeding and must be  
9 open to public inspection.

10 **2. Record of public proceedings.** Unless otherwise provided by law, records of all  
11 public proceedings for which notice is required under section 406 must be made within a  
12 reasonable period of time after the proceedings and be open to public inspection. At a  
13 minimum, a record must include:

14 **A.** The date, time and place of the public proceeding;

15 **B.** The members of the body holding the public proceeding recorded as either present  
16 or absent;

17 **C.** The general substance of all matters proposed, discussed or decided; and

18 **D.** All motions and votes taken, by individual member if there is a roll call.

19 **3. Audio or video recording.** An audio, video or other electronic recording of a  
20 public proceeding satisfies the requirements of subsection 2.

21 **SUMMARY**

22 This bill is a recommendation of a majority of the Right To Know Advisory  
23 Committee as described in its 4th annual report.

24 This bill requires that a record of all public proceedings for which notice is required  
25 under the Maine Revised Statutes, Title 1, section 406 must be made within a reasonable  
26 period of time after the proceeding. The record is a public record and must be open to  
27 public inspection. At a minimum, the record must include: the date, time and place of  
28 the public proceeding; the members of the body recorded as either present or absent; the  
29 general substance of all matters proposed, discussed or decided; and all motions and votes  
30 taken, by individual member if there is a roll call. An audio, video or other electronic  
31 recording of a public proceeding is sufficient.

32 This bill is not intended to change current practices of public bodies that are regularly  
33 keeping a record or minutes, but to require that a minimum record of meetings must be  
34 kept for those bodies that do not already do so.