

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Date: (Filing No. H-)

JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1466, L.D. 1971, “An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation”

Amend the bill by striking out everything after the enacting clause and inserting the following:

Sec. 1. 1 MRSA §403-B, sub-§2, ¶A, as enacted by PL 2021, c. 290, §1, is amended to read:

A. After notice and hearing the body has adopted a written policy governing the conditions upon which members of the body and the public may participate in a public proceeding of that body by remote methods;

(1) If a public body has not adopted a policy authorizing remote methods of participation under this section and if the chair of the body determines that an emergency or urgent issue exists that prevents the public body from meeting in person to adopt a policy, the chair may call a meeting of the body in which the members may participate by remote methods. Notice of the meeting must include information about how the public can participate in the meeting and the proposed policy or instructions on how to obtain a copy of the proposed policy in advance of the meeting. Once the meeting is convened, the members shall vote on whether to support the chair’s determination that an emergency or urgent issue exists that prevents the public body from meeting in person.

(2) If 2/3 of the members vote in support of the chair's determination under subparagraph (1), after an opportunity for hearing, the members may vote on whether to adopt a policy authorizing remote methods of participation in public proceedings of the body under this section;

Sec. 2. 1 MRSA §403-B, sub-§2, ¶H, as enacted by PL 2021, c. 290, §1, is amended to read:

COMMITTEE AMENDMENT

1 H. The public body must make all documents and other materials considered by the
2 public body available, electronically or otherwise, to the public who attend by remote
3 methods to the same extent customarily available to members of the public who attend
4 the proceedings of the public body in person, as long as additional costs are not incurred
5 by the public body. The public body must make the proposed policy regarding remote
6 participation available in advance of the meeting if meeting remotely under paragraph
7 A, subparagraphs (1) and (2).'

8 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
9 number to read consecutively.

10 **SUMMARY**

11 This amendment replaces the bill to add the requirement that the proposed remote
12 participation policy be included with the notice of the remote meeting called to adopt the
13 policy or that the notice include instructions on how to obtain a copy of the proposed policy
14 in advance of the meeting.

15 The amendment requires that 2/3 of the members of the public body vote to support
16 the chair’s determination that an emergency or urgent issue exists that requires the
17 convening of the remote meeting. The bill requires only a majority vote in support.

18 The amendment also amends the current law that applies to the obligation of public
19 bodies to make documents available to the public to ensure that access to the proposed
20 remote participation policy is provided in advance of the remote meeting called to adopt
21 the policy.