

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning a Public Records Exception for Proposed Legislation, Reports and Working Papers of the Governor**

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

**Sec. 1. 1 MRSA §402, sub-§3, ¶C-2** is enacted to read:

C-2. Proposed legislation and reports until publicly distributed and records, working papers, drafts and interoffice and intraoffice memoranda used or maintained by the Governor or any employee of the Governor's office to prepare proposed legislation or reports for consideration by the Legislature or any of its committees during the legislative session or sessions in which the proposed legislation or reports are prepared or considered or to which the proposed legislation or reports are carried over;

### **SUMMARY**

This bill is reported out by the Joint Standing Committee on Judiciary pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G. This bill incorporates recommendations of the majority of the Right To Know Advisory Committee.

The Joint Standing Committee on Judiciary has not taken a position on the substance of the recommendations or the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the Right To Know Advisory Committee's recommendations or this bill. The Joint Standing Committee on Judiciary is reporting the bill out for the sole purpose of turning the Right To Know Advisory Committee's majority proposal into a printed bill that can be referred to the Joint Standing Committee on Judiciary for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Judiciary is taking this action to ensure clarity and transparency in the legislative review of the study committee's majority proposal.

This bill creates a public records exception for proposed legislation, reports and working papers of the Governor and the Governor's office that is parallel to the Legislature's public records exception in existing law. The proposed legislation, reports and working papers do not become public records until they are publicly distributed or until the adjournment of the legislative session for which the proposed legislation, reports and working papers are prepared.