



130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1772

H.P. 1323

House of Representatives, December 2, 2021

**An Act To Amend the Remote Meeting Law in Maine's Freedom of
Access Act**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on November 30, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

Handwritten signature of Robert B. Hunt in cursive.

ROBERT B. HUNT
Clerk

Presented by Representative HARNETT of Gardiner.
Cosponsored by Senator BAILEY of York and
Representatives: CUDDY of Winterport, DODGE of Belfast, GRAMLICH of Old Orchard
Beach, MORIARTY of Cumberland, WHITE of Waterville.

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

2 **Sec. 1. 1 MRSA §403-B, sub-§2, ¶B**, as enacted by PL 2021, c. 290, §1, is
3 repealed.

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

6 E. Notice of the proceeding must be provided in accordance with section 406. When
7 the public may attend by remote methods pursuant to paragraphs C and D, the notice
8 must include the means by which members of the public may access the proceeding
9 using remote methods. The notice must also identify a location for members of the
10 public to attend in person. The body may ~~not determine that limit~~ public attendance at
11 a proceeding ~~will be limited solely to remote methods except under the conditions in~~
12 paragraph B, subparagraph (1) if there is an emergency or urgent situation that requires
13 the body to meet only by remote methods;

14 **Sec. 3. 1 MRSA §403-B, sub-§4**, as enacted by PL 2021, c. 290, §1, is amended to
15 read:

16 **4. Application.** This section applies to a board or committee under the jurisdiction of
17 a public body that has adopted a written policy pursuant to subsection 2, paragraph A. This
18 section does not apply to:

19 A. The Legislature; or

20 B. A public body to which specific statutory provisions for remote participation apply.

21 **SUMMARY**

22 This bill amends the law governing remote participation in public meetings in the
23 Freedom of Access Act to remove the requirement that a remote meeting policy adopted
24 by a public body must include an expectation that members of the public body be physically
25 present. It allows the public body to limit public attendance at a proceeding solely to
26 remote methods if there is an emergency or urgent situation that requires the public body
27 to meet only by remote methods. It also provides that the law governing remote
28 participation in public meetings applies to a board or committee within the jurisdiction of
29 a public body adopting a written remote meeting policy.