RIGHT TO KNOW ADVISORY COMMITTEE
LEGISLATIVE SUBCOMMITTEE

DRAFT AGENDA
September 9, 2013
10:00 a.m.
Room 438, State House, Augusta

Convene

1. Welcome and Introductions
   Judy Meyer, Chair

2. Review Subcommittee tasks
   1. Issues raised in LD 258, An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Meetings of Public Bodies;
   2. Issues raised by enacted amendments to FOAA & Ombudsman laws:
      - LD 104, An Act to Amend the Laws Governing Public Records (PL 2013, c. 339);
      - LD 1216, An Act to Amend the Freedom of Access Act (PL 2013, c. 350); and
      - LD 1511, An Act Regarding Coordinated Access to Public Records of State Agencies (PL 2013, c. 229);
   3. Encryption of emergency communications – see letter from Maine Criminal Justice Academy;
   4. AFA Committee Meetings---party caucuses during budget discussions?
   5. Whether government records containing "personal information" that is protected under 10 MRSA Chapter 210-B, Notice of Risk to Personal Data, also ought to be protected from public disclosure;
   6. Whether the Maine Revised Statutes also ought to be reviewed at regular intervals to determine whether currently publicly accessible records ought to instead be protected from public disclosure due to personal privacy-related concerns;
   7. In light of the United States Supreme Court's recent decision in *McBurney v. Young*, 569 U.S. ____ (2013), whether the FOAA ought to be clarified to state that it is available for use by Maine citizens/residents as a means to access Maine, county and municipal government records and proceedings;
   8. As a matter of clarification of policy, whether the exceptions listed in the definition of "public records" are intended to be permissive or mandatory;
   9. Whether the law needs to be made clearer that public employees' date of birth information is not subject to public disclosure;
   10. Whether a formal, standardized policy ought to be developed governing the storage, retention, and disposition of government emails;
   11. Whether government records containing personal information about private citizens ought to be generally protected from public disclosure; (overlapping issue with Bulk Records Subcommittee);
   12. Issues raised by LD 549 as amended, An Act To Provide for Special Restrictions on Dissemination and Use of Criminal History Record Information for Class E Crimes Committed by an Adult under 21 Years of Age (carried over); and
   13. Post all FOAA requests made to State agencies to a searchable online database (inform private citizens who are subject of FOAA requests, misuse of FOAA, lack of transparency about who is making requests)

3. Other?

Next scheduled Legislative Subcommittee meeting: Thursday, October 3, 2013, 10:00 a.m.

Adjourn