

RIGHT TO KNOW ADVISORY COMMITTEE

AGENDA

June 22, 2016

10:00 a.m.

Room 438, State House, Augusta

Convene

1. Welcome and Introductions
2. Summary of the Right To Know Advisory Committee duties and powers
3. Summary of Second Regular Session, 127th Legislature's FOAA actions in 2016
 - A. RTKAC recommendations
 - LD 1586, An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Remote Participation in Public Proceedings
 - LD 1241, An Act To Increase Government Efficiency
 - B. Proposed public records exceptions reviewed by Judiciary Committee
 - LD 466, An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market
 - LD 1467, An Act Regarding Maine Spirits
 - LD 1498, An Act To Clarify Medicaid Managed Care Ombudsman Services
 - LD 1499, An Act To Increase the Safety of Social Workers
 - LD 1578, An Act To Update Maine's Solid Waste Management Laws
4. Public records exceptions statutory review schedule for public records exceptions enacted from 2005- 2012 pursuant to Public Law 2015, chapter 250 (due by 2017)
5. Potential topics and projects for 2016
 - Judiciary Committee request - review the public records exception enacted in LD 484, which relates to hazardous material transported by railroads. (*See letter.*)
 - Judiciary Committee request - develop comprehensive recommendations for the treatment of personal contact information for professions and occupations regulated by the State (LD 1499) (*See letter.*)
 - Ken Capron request - funding FOAA cases by indigent people and the possibility of developing a court form for a pro se complainant. (*See email.*)
 - Jack Comart (Maine Equal Justice Partners) suggestions – agency time and cost estimates, fee waiver policies, remedies for requestors. (*See email.*)
6. Discussion of any additional topics and projects for 2016
7. Discussion of Subcommittees
8. Scheduling of future meetings

Adjourn

RIGHT TO KNOW ADVISORY COMMITTEE

AGENDA

July 20, 2016

1:00 p.m.

Room 438, State House, Augusta

Convene

1. Welcome and Introductions
2. Review of public records exception enacted in LD 484 (Public Law 2015, chapter 161) relating to hazardous material transported by railroads
3. Review and potentially develop recommendations for treatment of personal contact information for professions and occupations licensed by the State
4. Update on meeting between Sen. Burns and Rep. Monaghan and presiding officers relating to Freedom of Access requests made to Maine Warden Service; Advisory Committee request to Colin Woodard and Sigmund Schutz for input and suggestions for changes in policy or law or for the development of best practices
5. Review subcommittee recommendations relating to existing public records exceptions
6. *Potential topic for future discussion*- Consider legislation requiring local boards and committees to record their executive sessions and to preserve these records so that they may be legally discoverable if there is a later dispute about either the content or propriety of the discussion held during these sessions
7. *Potential topic for future discussion* - Review of 10 factors for estimating time to respond to a request under the Freedom of Access Act suggested by Eric Stout
8. Other items?

Adjourn

RIGHT TO KNOW ADVISORY COMMITTEE

AGENDA

August 17, 2016

1:00 p.m.

Room 438, State House, Augusta

Convene

1. Welcome and Introductions
2. Review of draft letter to Judiciary Committee regarding public records exception enacted in LD 484 (Public Law 2015, chapter 161) relating to hazardous material transported by railroads
3. Discussion regarding public access to personal contact information for professions and occupations licensed by the State
4. Public Access Ombudsman update & recap of Public Access Officer training
 - Brenda Kiely, Public Access Ombudsman
5. Discussion regarding potential Right to Know Advisory Committee public hearing
6. Review subcommittee recommendations relating to existing public records exceptions
7. Discussion regarding Criminal History Record Information Act (CHRIA) and the Judicial Branch
8. Discussion regarding proposal to require local boards and committees to record executive sessions and preserve these records so that they may be legally discoverable in case of a dispute about the content or propriety of the discussion held during these sessions
9. Discussion regarding anonymous FOAA requests and the extent to which an agency can ask the purpose of a FOAA request
10. Other issues or questions

Adjourn

RIGHT TO KNOW ADVISORY COMMITTEE

AGENDA

September 14, 2016

1:00 p.m.

Room 228, State House, Augusta

Convene

1. Welcome and Introductions
2. Public Hearing – Maine’s Freedom of Access Act
3. Review of draft letter to Judiciary Committee regarding public access to personal contact information for professions and occupations licensed by the State
4. Review subcommittee recommendations relating to existing public records exceptions
5. Annual Report – preliminary draft
6. Other issues or questions
7. Future meetings

Adjourn

RIGHT TO KNOW ADVISORY COMMITTEE

AGENDA

October 5, 2016

1:00 p.m.

Room 438, State House, Augusta

Convene

1. Welcome and Introductions
2. Discussion related to public hearing on Maine's Freedom of Access Act held September 14, 2016
3. Review proposed rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention: Data Release Rule, 10-144 CMR, Ch. 175
4. Review subcommittee recommendations relating to existing public records exceptions
5. Discussion regarding the recent Superior Court case, *Flanders v. State et. al.*, as it relates to (1) requiring advance payment for FOAA requests; and, (2) repeated requests for records that have lawfully been withheld by a government entity
6. Discussion regarding potential formation of a subcommittee of the Right to Know Advisory Committee in 2017 to focus on technology issues
7. Review Annual Report – preliminary draft
8. Other issues or questions

Adjourn