

**Right to Know Advisory Committee:
Remote Participation Subcommittee Recommendations**

The Remote Participation Subcommittee is chaired by Justin Chenette. Subcommittee members are Amy Beveridge, Betsy Fitzgerald, Eric Stout and Vicky Wallack.

The Subcommittee met 3 times: October 19, November 10 and November 28. The Subcommittee reviewed the current law related to authorization for remote participation, including recent changes to remove limitations on the authority of a public body to determine the circumstances in which a member of a public body and the public may participate in a public proceeding using remote methods. The Subcommittee agreed that remote access has improved the participation of the public in public and discussed options to encourage remote access and to assist public bodies to facilitate proceedings using remote methods. Based on their discussions, the Subcommittee makes the following recommendations.

Recommendation One:

For FOAA training purposes, recommend that the Public Access Ombudsman review the Freedom of Access website, including the Frequently Asked Questions, and, for FOAA training purposes make any necessary revisions to add an information module on the law related to remote participation in public proceedings and to include guidance on best practices for conducting remote meetings to optimize public participation

Recommendation Two:

Communicate with the Maine Municipal Association, the Maine County Commissioners Association and the Maine School Management Association by letter to encourage these associations to develop guidance documents related to remote meetings on the following topics:

1. Outreach to members about the authority in current law for public bodies to adopt remote participation policies that provide remote access to the public in all public proceedings and consideration of broadening already adopted remote participation policies to include requirements for remote access to the public in all public proceedings;
2. Development of guidance documents that provide recommended technology and technical assistance for hardware, software and other technology platforms used to conduct remote meetings in a manner that optimizes public participation and facilitates effective communication with people of all abilities;
3. Development of guidance documents for best practices for conducting remote meetings that optimizes public participation and facilitates effective communication with people of all abilities; and
4. Request for data and other feedback from counties, municipalities and school districts on whether additional funding is needed to support technology to expand the capability for the public to participate in public proceedings using remote methods, what level of funding is needed and what specific technology resources are desired.

Recommendation Three:

Recommend that the Legislature amend 1 MRS Section 403-B to:

1. Clarify language related to the authority of a public body to adopt a remote participation policy that allows the public to participate in public proceedings using remote methods; and

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2. Clarify language related to authority for a municipality, county or regional or other subdivision to adopt a “blanket remote participation policy” applicable to all public bodies within a municipality, county or regional or other political subdivision

Recommendation Four:

Recommend that the Legislature direct funding to provide grants and technical assistance to all public bodies authorized to adopt remote participation policies, including counties, municipalities, school boards and regional or other political subdivisions, to enable all public bodies to adopt remote participation policies that provide the public remote access to all public proceedings in an optimal manner to facilitate effective public participation; to the extent possible, the subcommittee recommends that the Legislature leverage existing funding sources available for broadband access