

TRAINING FOR ELECTED OFFICIALS ON MAINE'S FREEDOM OF ACCESS LAW

TRAINING RELATED TO PUBLIC RECORDS AND PUBLIC PROCEEDINGS

Beginning July 1, 2008, certain elected state and local officials must complete training on the requirements of Maine's Freedom of Access laws relating to public records and proceedings. The law, enacted upon the recommendation of the Right to Know Advisory Committee, requires that those elected officials serving in office on July 1, 2008 must complete the training by November 1, 2008. Public officials elected after July 1st must complete the training within 120 days after the official takes the oath of office.

MINIMUM REQUIREMENTS FOR TRAINING

At a minimum, the training must be designed to be completed in less than 2 hours and include instruction in:

- the general legal requirements regarding public records and public proceedings;
- the procedures and requirements regarding complying with a request for a public record; and
- the penalties and other consequences for failure to comply with the law.

Elected officials can meet the training requirement by conducting a thorough review of the Frequently Asked Questions section on the State's Freedom of Access website or by completing another training course that meets the minimum requirements. The Frequently Asked Questions section of the State's Freedom of Access website can be found at www.maine.gov/foaa/faq

ELECTED OFFICIALS REQUIRED TO COMPLETE TRAINING

The following elected officials are required to complete the training:

- the Governor;
- Attorney General, Secretary of State, Treasurer of State and State Auditor;
- Legislators elected after November 1, 2008;
- Commissioners, treasurers, district attorneys, registers of deeds, registers of probate and budget committee members of any county;
- Municipal officers, clerks, treasurers, assessors and budget committee members of municipal governments;
- Officials of school units and school boards; and
- Officials of regional or other political subdivisions, including officials of water districts, sanitary districts, hospital districts, transit districts or regional transportation districts.

CERTIFICATION AND RECORD OF COMPLETED TRAINING

After completing the training, elected officials are required to make a written or electronic record attesting that the training has been completed. The record, which will be available to the public, must be kept by the elected official or filed with the public entity to which the official was elected. A sample training completion form will be available on the State's FOAA website for use by elected officials.