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News Release

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New Law Requires Elected Officials to Get Training on Maine's Freedom of Access Laws

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 1st. Public officials elected after July 1st must complete the training within 120 days after the official takes the oath of office.

"Our elected officials are conducting the people's business and our citizens have the right to expect transparency of public records and public proceedings," said Senator Barry Hobbins, chair of the Right to Know Advisory Committee. "The way to ensure transparency is to make sure elected officials understand their obligations under the Freedom of Access laws."

Elected officials can meet the training requirement by reviewing the Frequently Asked Questions section on the State's Freedom of Access website or by completing a training course that includes instruction on the general legal requirements regarding public records and public proceedings, the procedures for complying with requests for access to public records and the penalties and other consequences for failure to comply with the law. Training must be designed to be completed in less than 2 hours. Statewide associations of elected officials like the Maine Municipal Association and Maine School Management Association are expected to provide training sessions for their members in October 2008.

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.

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.

"The requirement that public officials undergo freedom of access training is a real opportunity for everyone to better understand the law and better respond to constituent requests for access to records and meetings," said Judy Meyer, member of the Advisory Committee and chair of the Education and Training Subcommittee. "Anything we can do to facilitate public access and create greater government accountability boosts the public good, and we all benefit."

The Right to Know Advisory Committee is an on-going advisory council with oversight authority and responsibility for a broad range of activities associated with the purposes and principles underlying Maine's Freedom of Access laws. The Right to Know Advisory Committee was created to serve as a resource and advisor about Maine's Freedom of Access laws to State Government and the public.

More information about the training requirement and Maine's Freedom of Access laws can be found on the State's Freedom of Access website at www.maine.gov/foaa

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