

**RIGHT TO KNOW ADVISORY COMMITTEE
RECOMMENDATIONS FROM 16th ANNUAL REPORT:**

- Request that the Public Access Ombudsman and Maine Municipal Association gather data to assess the changes made by Public Law 2021, chapter 375 and report back to the Advisory Committee no later than November 1, 2022**

Report backs to Advisory Committee are expected no later than November 1

- Request that a revised matrix be adopted for use by legislative committees, the Joint Standing Committee on Judiciary and the Right To Know Advisory Committee when considering and reviewing proposed or existing public records exceptions to increase awareness of the Archives law which removes confidentiality protection for records after 75 years**

Revised matrix adopted by staff for use by Judiciary Committee and other legislative committees in Second Regular Session

- Enact legislation to amend the public records exception in Title 12, section 6072, subsection 10**

LD 1972, An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions Related to Research and Aquaculture Leases; Public Law 2021, c. 581 (See attached)

- Recommend the use of standardized language in drafting legislation for confidential records by using the term “confidential” to designate records that would not be subject to disclosure under Freedom of Access Act**

Staff recommended update to the Revisor of Statutes Drafting Manual to incorporate Advisory Committee’s suggested standardized language to use the term “confidential” to designate records that would not be subject to disclosure under Freedom of Access Act

- Enact legislation to amend the remote participation law to address situations when a public body has not adopted a remote participation policy but the public body needs to meet**

LD 1971, An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation; Public Law 2021, c. 611 (See attached)

- Recommend that the Judiciary Committee convene an informal working group to study participation in the legislative process by residents of correctional facilities and the issues that must be resolved to allow participation**

No action taken by Judiciary Committee during Second Regular Session

- Encourage the Maine Municipal Association and the Maine County Commissioners Association to consider sending out annual reminders to their members about record retention schedules and available training resources; Maine State Archives could work on the language for guidance. Archives could consider including the federal policy and language adopted as amendments in 2014-15 to the Federal Records Act, as well as National Archives and Records Administration guidance relating to electronic messages into its guidance to local government**

Initial staff communication in January 2022; staff will follow up after November elections

- Encourage legislative committees to add to committee orientation additional freedom of access training, conducted by the Public Access Ombudsman and/or the State Archivist, that is specific to records management and includes a focus on digital record retention, including social media platforms**

No specific action taken during Second Regular Session; staff will communicate with Executive Director’s Office and leadership during orientation planning for 131st Legislature