

# FOAA Information for Boards and Committees

Inbox



**Debra Lane**

9:36 AM  
(3 hours  
ago)

to Clinton, Kathleen, Maureen, Perry, Chief, me, Rachel, Benjamin, Matthew

Dear Staff to Boards and Committees-

Attached please find two documents related to the Freedom of Access Act (FOAA). As municipal officials we are subject to FOAA, not FOIA. Federal employees are subject to FOIA.

These documents are to pass along and review with boards and committees. If the agenda for the first meeting of the year has already been distributed, please include this on the February agenda.

The document entitled State of Maine Freedom of Access Act (FOAA) is a document that I prepared related to public meetings and public documents. The document has not been updated to reflect the Governor's Order allowing remote meetings during the pandemic as it is temporary. If new laws are passed, the document will be updated.

Also included is an updated memo from Tom Leahy and Mike Hill relating to FOAA, conflict of interest and bias. This document does reflect the Governor's Order allowing remote meetings during the pandemic.

I think it's important to remember and remind board members that the allowance of remote meetings during this time does not relax the public noticing requirements, town business must still be done in public (e.g. via Zoom) and documents (unless protected by law) are still public and can be requested.

In the event the law changes to allow remote meetings, I anticipate we'd be provided policy direction from the town council. For example if remote meetings were generally allowed, would Cape Elizabeth continue remotely or would boards be asked to return in-person meetings. We'll keep you posted...

Thank you very much.

Debbie

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