



MEMORANDUM

DISTRIBUTE TO: Members of the Finance Committee

FROM: Brendan T. O'Connell, Finance Director

DATE: August 2nd, 2018

SUBJECT: **Public Record of Proceedings: Meeting Minutes**

During the July 19th meeting of the City of Portland Finance Committee a question was raised about meeting minutes and what is required to be maintained. Under the Maine Revised Statutes (1 M.R.S. § 403) any public meeting is required to maintain a record. *“Unless otherwise provided by law, a record of each public proceeding for which notice is required...must be made within a reasonable period of time after the proceeding and must be open to public inspection.”*

1 M.R.S. § 403 further states that required details of the record include:

- A. *The date, time and place of the public proceeding*
- B. *The members of the body holding the public proceeding recorded as either present or absent; and*
- C. *All motions and votes taken, by individual member, if there is a roll call*

← §402-A

Title 1: GENERAL PROVISIONS
Chapter 13: PUBLIC RECORDS AND PROCEEDINGS
Subchapter 1: FREEDOM OF ACCESS

§404 →

§403. Meetings to be open to public; record of meetings

1. Proceedings open to public. Except as otherwise provided by statute or by section 405, all public proceedings must be open to the public and any person must be permitted to attend a public proceeding.

[2011, c. 320, Pt. C, §1 (NEW) .]

2. Record of public proceedings. Unless otherwise provided by law, a record of each public proceeding for which notice is required under section 406 must be made within a reasonable period of time after the proceeding and must be open to public inspection. At a minimum, the record must include:

- A. The date, time and place of the public proceeding; [2011, c. 320, Pt. C, §1 (NEW).]
- B. The members of the body holding the public proceeding recorded as either present or absent; and [2011, c. 320, Pt. C, §1 (NEW).]
- C. All motions and votes taken, by individual member, if there is a roll call. [2011, c. 320, Pt. C, §1 (NEW).]

[2011, c. 320, Pt. C, §1 (NEW) .]

3. Audio or video recording. An audio, video or other electronic recording of a public proceeding satisfies the requirements of subsection 2.

[2011, c. 320, Pt. C, §1 (NEW) .]

1 M.R.S. § 403 notes that *“an audio, video, or other electronic recording of a public proceeding satisfies the requirements”*. The City of Portland has undertaken the expense of recording all City Council meetings and Council Committee meetings which are live streamed and archived at the following location: http://townhallstreams.com/towns/portland_maine. This archive meets the requirement 1 M.R.S. § 403 and is an indisputable record of proceedings which may be viewed by any member of the public. Furthermore, City staff is always available to quickly respond to any specific questions or requests for additional information in regards to particular meeting proceedings.