

ORAL FLUID TESTING WORKING GROUP REMOTE MEETING AND PARTICIPATION POLICY

Pursuant to Title 1, Section 403-B of the Maine Revised Statutes (“Section 403-B”), and after public notice and a hearing, the Maine Oral Fluid Testing Working Group (“the Working Group”) hereby adopts the following policy to govern the participation, via remote methods, in all public proceedings or meetings of the Working Group.

I. BACKGROUND

The Working Group was created by resolve of the Maine legislature, *see* Resolves 2025, ch. 87, and is subject to Maine public meeting law, *see* 1 M.R.S. § 402(2)(F). The members of the Working Group include individuals who work for state agencies, municipalities, county governments, and private companies. Each member is volunteering their time to the Working Group at the expense of fulfilling other duties, and many members are geographically distant from one another.

This Policy will set the guidelines for the Working Group’s remote participation. In order to further participation in meetings and minimize the impact of those meetings on the other duties of the Working Group members, the intent of this Policy is to allow for maximum possible remote participation.

II. LEGAL AUTHORITY

Title 1, Section 403-B of the Maine Revised Statutes was adopted on June 1, 2021, by emergency, and thus became immediately effective. This statute generally allows for remote participation by Working Group members and the public, and the statute allows members of a public body to attend remotely in circumstances that can be decided by the body itself. This Policy is intended to comply with Section 403-B and represents the Working Group’s decision on remote participation in its meetings.

III. REMOTE MEETINGS

Under state law, remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation cannot be by text-only means, such as e-mail, text messages, or chat functions. All meetings of the Working Group will be by use of internet-based meeting software (currently Zoom). This software will be used to hold meetings and offer public participation. An in-person meeting space will also be available, and that meeting space will have access to the internet-based software.

IV. NOTICE

Notice of all meetings will be provided in accordance with Title 1, Section 406 of the Maine Revised Statutes. The notice will include the means by which the public may access the meeting remotely and will include a place where the public may attend the meetings in person.

V. MEETING MATERIALS

All documents and materials to be considered by the Working Group during a meeting will be available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred. Generally, this will be done through the Maine Bureau of Highway Safety's website: <https://www.maine.gov/dps/bhs/>.

VI. VOTES

All votes taken during a meeting will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the public body and the public. A member of the Working Group who participates remotely will be considered present for purposes of establishing a quorum and voting.

VII. RECORDING

The Working Group will allow members of the public to record the proceeding remotely using the same electronic platform that is used to conduct the proceeding remotely as long as the electronic platform allows participants other than the host to record the proceeding remotely, additional costs are not incurred by the Working Group, and the recording of the proceeding does not interfere with the orderly conduct of the proceeding.

VIII. DURATION

This Policy will remain in effect indefinitely until repealed or amended by the Working Group or until the Working Group dissolves.