

HB 181 – AS INTRODUCED

2015 SESSION

15-0096
01/04

HOUSE BILL **181**

AN ACT relative to the definition of “meeting” under the right-to-know law.

SPONSORS: Rep. Cali-Pitts, Rock 30

COMMITTEE: Judiciary

ANALYSIS

This bill declares that before a public body goes into a non-meeting pursuant to RSA 91-A:2, it must state the reason, limit discussion to the topic stated, take attendance, and keep a record of when the non-meeting begins and ends.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through.~~]
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the definition of “meeting” under the right-to-know law.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Right-to-Know; Definition of “Meeting.” Amend RSA 91-A:2, I to read as follows:

2 I.(a) For the purpose of this chapter, a “meeting” means the convening of a quorum of the
3 membership of a public body, as defined in RSA 91-A:1-a, VI, or the majority of the members of such
4 public body if the rules of that body define “quorum” as more than a majority of its members,
5 whether in person, by means of telephone or electronic communication, or in any other manner such
6 that all participating members are able to communicate with each other contemporaneously, subject
7 to the provisions set forth in RSA 91-A:2, III, for the purpose of discussing or acting upon a matter or
8 matters over which the public body has supervision, control, jurisdiction, or advisory power. A
9 chance, social, or other encounter not convened for the purpose of discussing or acting upon such
10 matters shall not constitute a meeting if no decisions are made regarding such matters.

11 (b)(1) “Meeting” shall also not include:

12 [~~(a)~~](A) Strategy or negotiations with respect to collective bargaining;

13 [~~(b)~~](B) Consultation with legal counsel;

14 [~~(c)~~](C) A caucus consisting of elected members of a public body of the same
15 political party who were elected on a partisan basis at a state general election or elected on a
16 partisan basis by a town or city which has adopted a partisan ballot system pursuant to RSA 669:12
17 or RSA 44:2; or

18 [~~(d)~~](D) Circulation of draft documents which, when finalized, are intended only
19 to formalize decisions previously made in a meeting; provided, that nothing in this subparagraph
20 shall be construed to alter or affect the application of any other section of RSA 91-A to such
21 documents or related communications.

22 (2) *A public body which holds a non-meeting for the purposes of*
23 *subparagraphs (1)(A)-(D) shall state the reason for the non-meeting, limit discussion to*
24 *only the stated topic, take attendance, and keep a record of when the non-meeting began*
25 *and ended.*

26 2 Effective Date. This act shall take effect January 1, 2016.