

Amendment to HB 108-FN-LOCAL

1 Amend RSA RSA 91-A:3, III as inserted by section 1 of the bill by replacing it with the following:

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3 III. Minutes of meetings in nonpublic session shall be kept and the record of all actions shall
4 be promptly made available for public inspection, except as provided in this section. Minutes of such
5 sessions shall record all actions in such a manner that the vote of each member is ascertained and
6 recorded. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72
7 hours of the meeting, unless, by recorded vote of 2/3 of the members present taken in public session,
8 it is determined that divulgence of the information likely would affect adversely the reputation of
9 any person other than a member of the public body itself, or render the proposed action ineffective,
10 or pertain to terrorism, more specifically, to matters relating to the preparation for and the carrying
11 out of all emergency functions, developed by local or state safety officials that are directly intended
12 to thwart a deliberate act that is intended to result in widespread or severe damage to property or
13 widespread injury or loss of life. This shall include training to carry out such functions. In the event
14 of such circumstances, information may be withheld until, in the opinion of a majority of members,
15 the aforesaid circumstances no longer apply. ***For all meetings held in nonpublic session, where
16 the minutes or decisions were determined to not be subject to full public disclosure, a list of
17 such minutes or decisions shall be kept and this list shall be promptly made available for
18 public disclosure. This list shall identify the public body and include the date and time of
19 the meeting in nonpublic session, the specific exemption under paragraph II on its face
20 which is relied upon as foundation for the nonpublic session, the date of the decision to
21 withhold the minutes or decisions from public disclosure, and the date of any subsequent
22 decision, if any, to make the minutes or decisions available for public disclosure. This list
23 shall be maintained in the same location as the public records of the public body.***