

JOINT CONFERENCE COMMITTEE
HOUSE BILL NO. 71
APRIL 14, 1981

The meeting of the Joint Conference Committee on HB 71 was called to order at 10:30 a.m. on Tuesday, April 14, 1981 in room 442. Representative Gene Donaldson chaired the meeting with Representatives Keedy and Lory and Senators Story, Muzurek and S. Brown also present.

Senator Story said that he thought the 48 hours public notice was too restrictive. He said that sometimes items come up at a meeting that have to be acted on immediately or within a certain time period. If this bill only addressed school boards and the M.E.A., he said, I would not bother with it but this concerned all kinds of public meetings.

Representative Keedy said that he was concerned that the courts would be faced with the problem of substantiating their decisions on violations if the reference to "section 1" is stricken from the "section 3".

Representative Keedy suggested that the committee ask for a free conference and amend the bill as follows:

Page 1, line 16 & 17.

Following: "NOTICE."

Insert: "However,"

Following: "notice" on line 17

Strike: " shall be"

Insert: "is ineffectve unless it is"

Following: "to" on line 17

Insert: "reasonably"

Page 1, line 18.

Following: "and,"

Strike: "shall include"

Insert: "includes"

Page 1, line 20.

Following: "AND"

Strike: "SHALL BE"

Insert: "is"

Senator Story said that if you put that in you have reinstated the agenda limitations.

Representative Keedy said that there is still a provision for that on page 1 line 21. He said this amendment does not add any new concepts.

Senator Story was concerned that there would be additional expenses for publishing the notices.

Senator Brown said that there is nothing in the bill that says there has to be newspaper publications. It would be up to the agencies to determine how they gave notice.

Representative Keedy said that the second amendment he would offer would be on page 4, line 8, to reinsert "OR SECTION 1".

Senator Story said that unless these things are better defined he would resist that amendment all the way.

Representative Keedy said that unless notice is given "closed door" meetings can be held which are in total violation of the constitution. He said that he does not have any problem understanding what constitutes a public meeting which seems to be the problem of some of the other members.

Senator Story said that there are just too many transactions between government agencies to have this type of restriction.

Senator Mazurek said that the problem is in the definition of public body and public meetings etc. and more attention should have been focused on that.

Senator Brown said that he has always interpreted public body to mean a multi-member group but there are those who will argue that an individual can be a public body.

Senator Mazurek suggested that the committee look at SB 154 in order to get some ideas of how the problem of public notice can be worked out.

Senator Story said that he would like a couple of questions answered before taking action on this bill. First, will each board, and there are hundreds of them, have to put out some type of general circulation notice and if so what will the cost of this be and second, what constitutes a proper agenda.

Senator Brown said that it could be written into the bill that items raised by the public would be proper agenda.

It was decided that the next meeting would be held at 10:30 a.m. on April 15, 1981 in room 442. Meeting was adjourned at 11:15 a.m.