

1 H BILL NO. 249
2 INTRODUCED BY South

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 82-3402, R.C.M. 1947, TO PROVIDE FOR CLOSED MEETINGS OF
6 PUBLIC BODIES WHEN THE DEMANDS OF PRIVACY CLEARLY EXCEED THE
7 MERITS OF PUBLIC DISCLOSURE FOR DISCUSSION OF COLLECTIVE
8 BARGAINING PROPOSALS PRIOR TO COLLECTIVE BARGAINING SESSIONS
9 AND FOR DISCUSSION OF PROSPECTIVE LAND ACQUISITION."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 82-3402, R.C.M. 1947, is amended to
13 read as follows:

14 "82-3402. Meetings of public agencies to be open to
15 public -- exceptions. All meetings of public or governmental
16 bodies, boards, bureaus, commissions or agencies of the
17 state or any political subdivision of the state, or
18 organization or agencies supported in whole or in part by
19 public funds, or expending public funds, at which any action
20 is taken by such public governmental body, board, bureau,
21 commission or agency of the state or any political
22 subdivision of the state shall be open to the public.
23 Provided, however, the presiding officer of any meeting may
24 close the meeting during the time any of the following items
25 are discussed, if, and only if, the presiding officer

1 determines that the demands of ~~individual~~ privacy clearly
2 exceed the merits of public disclosure:

3 (1) The disciplining of any public officer or
4 employee, or any hearing on, or of, a complaint against a
5 public officer or employee, unless the public officer or
6 employee requests an open meeting.

7 (2) The employment, appointment, promotion, dismissal,
8 demotion or resignation of any public officer or employee,
9 unless the public officer or employee requests an open
10 meeting.

11 (3) The revocation of a license of any person licensed
12 under the laws of the state or any political subdivision of
13 the state, unless the person licensed requests an open
14 meeting.

15 (4) Law enforcement, crime prevention, probation or
16 parole.

17 (5) Collective bargaining proposals to be discussed at
18 later negotiation sessions with public employees or their
19 representatives.

20 (6) Prospective land acquisitions."

-End-

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