

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 456
Version: First engrossment

DATE: March 3, 2009

Authors: Johnson

Subject: Open Meeting Law

Analyst: Deborah A. Dyson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

This bill allows state agencies generally to conduct meetings by telephone and other electronic means under the conditions stated. It is substantially similar to authority granted to specific public entities individually (listed below).

The specified conditions are to ensure openness and accessibility for those who wish to attend or monitor the meeting.

Section

1 Meetings by telephone or other electronic means.

Subd. 1. Application. Applies to state entities, not local governments.

Subd. 2. Conditions. Permits a meeting to be conducted by telephone or other electronic means if:

- All members of the body can hear one another and can hear all discussion and testimony.
- Members of the public at the regular meeting location can hear all discussion, testimony, and votes.
- At least one member of the body is physically present at the regular meeting place.
- All votes are by roll call.

Subd. 3. Quorum; participation. Deems members present for purposes of quorum and participation even if participating by telephone or other electronic means.

Subd. 4. Monitoring from remote site; costs. Requires the public entity to allow a person to monitor the meeting electronically from a remote location and permits the public entity to make the person monitoring pay for documented marginal costs incurred by the public entity.

Subd. 5. Notice. Requires the meeting notice to identify the regular meeting

location, state that some members may participate by other means, and that observers may monitor the meeting from a remote location, subject to paying marginal costs.

Current specific authority for conducting meetings by telephone or other electronic means:

Minn. Stat. §§ 13D.021 (all public bodies; health pandemic, other emergency); 35.0661 (Board of Animal Health during restricted travel for animal health reasons); 41A.0235 (Minnesota Agricultural and Economic Development Board); 41B.026 (Rural Finance Agency); 116J.68, subd. 5 (Small Business Development Center Advisory Board); 116L.03, subd. 8 (Minnesota Jobs Skills Partnership Board); 116L.665, subd. 2a (Governor's Workforce Development Council); 116M.15, subd. 5 (Urban Initiative Board); 116U.25 (Explore Minnesota Tourism Council); 129C.105 (Perpich Center for Arts Education); 248.10 (Rehabilitation Council for the Blind); 256.482, subd. 5b (Minnesota State Council on Disability); 256.975, subd. 2a. (Minnesota Board on Aging); 256C.28, subd. 7 (Commission of Deaf, DeafBlind, and Hard-of-Hearing Minnesotans); 268A.02, subd. 3 (State Rehabilitation Council and Statewide Independent Living Council); 326B.32, subd. 7 (Board of Electricity); 326B.435, subd. 7 (Board of Plumbing); 341.26 (Combative Sports Commission); 462A.041 (Minnesota Housing Finance Agency).