

Draft Amendment to HB 82 Communications Outside Meetings

Submitted by John A. Lassey, January 26, 2007

1 Proposal to amend HB 82 by inserting a new paragraph I, renumbering the succeeding paragraphs,
2 and making other changes so that the new section 91-A:2-a will read as follows:¹

3 **91-A:2-a Communications Outside Meetings**

4 ***I. When public bodies deliberate on matters over which they have supervision, control,***
5 ***jurisdiction, or advisory power, they shall do so only in meetings held pursuant to, and***
6 ***complying with, the provisions of RSA 91-A:2, II.***

7 ***II.*** Any communications, in whatever form, outside a meeting among a quorum of the
8 membership of a public body which bear upon matters over which such body has
9 supervision, control, jurisdiction, or advisory power shall be disclosed at the next meeting
10 of the body before any decision may be made, including a decision not to act. If such
11 communications are in writing, copies or printouts shall be made a part of the public record.
12 ~~***Communications among less than a quorum of members need not be disclosed.***~~

13 ***III.*** Communications outside a meeting, including, but not limited to, sequential communications
14 among members of a public body, shall not be used to circumvent the spirit ***and purpose*** of
15 this chapter ***as expressed in RSA 91-A:1.***

16 ***IV.*** The disclosure requirements of the preceding paragraphs shall not apply to communications
17 specifically exempted from the definition of a “meeting” under RSA 91-A:2, I.

¹ Proposed new language is in ***bold italics***; proposed deletions are in ~~***bold-stricken italics***~~.