
Committee Report

CONSENT CALENDAR

February 16, 2017

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Judiciary to which was referred

HB 460,

AN ACT relative to minutes under the right-to-know law.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Jason Janvrin

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Judiciary
Bill Number:	HB 460
Title:	relative to minutes under the right-to-know law.
Date:	February 16, 2017
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 0155h

STATEMENT OF INTENT

This bill as amended provides that a committee or board of the state or any of its subdivisions must, when a member perceives a violation of any part of RSA 91-a, note in the minutes of that meeting that the member objected to the perceived violation. If the meeting is in non-public session, the same objection must appear in the public minutes of the body and cannot be sealed. The bill further provides that the person or persons who object are then immune to penalty under RSA 91-A:8 if the body over rules the objection and the violation continues even when the objecting party continues to participate in the meeting.

This is very similar to an objection in a court of law. When the objection is overruled, the objecting party may take "exception" and continue participating in the meeting without penalty.

Vote 11-2.

Rep. Jason Janvrin
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Judiciary

HB 460, relative to minutes under the right-to-know law. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Jason Janvrin for Judiciary. This bill as amended provides that a committee or board of the state or any of its subdivisions must, when a member perceives a violation of any part of RSA 91-a, note in the minutes of that meeting that the member objected to the perceived violation. If the meeting is in non-public session, the same objection must appear in the public minutes of the body and cannot be sealed. The bill further provides that the person or persons who object are then immune to penalty under RSA 91-A:8 if the body over rules the objection and the violation continues even when the objecting party continues to participate in the meeting.

This is very similar to an objection in a court of law. When the objection is overruled, the objecting party may take "exception" and continue participating in the meeting without penalty.

Vote 11-2.

COMMITTEE REPORT

CC

COMMITTEE: Judiciary
BILL NUMBER: HB 460
TITLE: Relative to minutes under the
right-to-know law.
DATE: 2.8.17 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.
01554

STATEMENT OF INTENT.

Sent from my MetroPCS 4G LTE Android device

On Feb 11, 2017 18:45, "Janvrin, Jason" <Jason.Janvrin@leg.state.nh.us> wrote:

HB460 as amended provides that a committee or board of the state or any of its subdivisions must, when a member perceives a violation of any part of RSA 91-a, note in the minutes of that meeting that the member objected to the perceived violation. If the meeting is in non-public session, the same objection must appear in the public minutes of the body and cannot be sealed. The bill further provides that the person or persons who object are then immune to penalty under RSA 91-A:8 if the body over rules the objection and the violation continues even when the objecting party continues to participate in the meeting. This is very similar to an objection in a court of law. When the objection is overruled, the objecting party may take "exception" and continue participating in the meeting without penalty.

Jason Janvrin

Sent from my MetroPCS 4G LTE Android device

Just
2/14/17

COMMITTEE VOTE: 11-2

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Jason Janvrin
For the Committee

Amendment to HB 460

1 Amend RSA 91-A:2, II as inserted by section 1 of the bill by replacing it with the following:

2

3 II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means
4 of telephone or electronic communication, or in any other manner, shall be open to the public.
5 Except for town meetings, school district meetings, and elections, no vote while in open session may
6 be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not
7 limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such
8 meetings, including nonpublic sessions, shall include the names of members, persons appearing
9 before the public bodies, and a brief description of the subject matter discussed and final decisions.
10 *Minutes of all such meetings, including nonpublic sessions, shall also include any*
11 *objections made to any discussion in a meeting of such body if a member of a public body*
12 *believes that the discussion in a meeting of such body is in violation of the provisions of*
13 *this chapter. If such an objection is made in nonpublic session, the same information*
14 *regarding such an objection shall also be specifically recorded in the public minutes. The*
15 *objection shall include the name of the person objecting to the discussion and a*
16 *description of the specific violation. If such member's objections to the discussion in the*
17 *meeting are overruled by the majority of those present, such member may continue to*
18 *participate in such meeting, provided he or she has complied with the duties imposed*
19 *upon him or her by this chapter, he or she shall not be subject to the penalties under RSA*
20 *91-A:8, IV for such action.* Subject to the provisions of RSA 91-A:3, minutes shall be promptly
21 recorded and open to public inspection not more than 5 business days after the meeting, except as
22 provided in RSA 91-A:6, and shall be treated as permanent records of any public body, or any
23 subordinate body thereof, without exception. Except in an emergency or when there is a meeting of
24 a legislative committee, a notice of the time and place of each such meeting, including a nonpublic
25 session, shall be posted in 2 appropriate places one of which may be the public body's Internet
26 website, if such exists, or shall be printed in a newspaper of general circulation in the city or town
27 at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency
28 shall mean a situation where immediate undelayed action is deemed to be imperative by the
29 chairman or presiding officer of the public body, who shall post a notice of the time and place of
30 such meeting as soon as practicable, and shall employ whatever further means are reasonably
31 available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly
32 spell out the need for the emergency meeting. When a meeting of a legislative committee is held,

Amendment to HB 460

- Page 2 -

1 publication made pursuant to the rules of the house of representatives or the senate, whichever
2 rules are appropriate, shall be sufficient notice. If the charter of any city or town or guidelines or
3 rules of order of any public body require a broader public access to official meetings and records
4 than herein described, such charter provisions or guidelines or rules of order shall take precedence
5 over the requirements of this chapter. For the purposes of this paragraph, a business day means
6 the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 460

BILL TITLE: relative to minutes under the right-to-know law.

DATE: February 16, 2017

LOB ROOM: 208

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Wuelper Seconded by Rep. Sylvia AM Vote: 12-1
Amendment # 0155h

Moved by Rep. Janvrin Seconded by Rep. Sylvia Vote: 11-2

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Sandra Keans, Clerk

HOUSE COMMITTEE ON JUDICIARY

Jasvrih ✓

EXECUTIVE SESSION on HB 460

BILL TITLE: relative to minutes under the right-to-know law.

DATE: 2.8.17

LOB ROOM: 208

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # 0155h (if offered)
- Interim Study (2nd year)

Moved by Rep. DWELPER Secoded by Rep. _____ Vote: 13-1

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. JANVRIN Secoded by Rep. SYLVIA Vote: 11-2

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Secoded by Rep. _____ Vote: _____

CONSENT CALENDAR: YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: SBKeans
Rep Sandra Keans, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/6/2017 8:28:02 AM
Roll Call Committee Registers
Report

2016 SESSION

JUDICIARY

Bill #: HB 460 Title: MINUTES IN RTK
PH Date: 1/24/17 Exec Session Date: 2/8/17
Motion: OTRA Amendment #: 01556

MEMBER	YEAS	NAYS
Hagan, Joseph M. Chariman	✓	
Rouillard, Claire A. Vice Chairman DARRIN	✓	
Hopper, Gary S.	ab	
Sylvia, Michael J.	✓	
Hull, Robert	✓	
Wuelper, Kurt F.	✓	
Graham, Robert V.	✓	
Ulery, Jordan G.		
Hynes, Dan	✓	
Janvrin, Jason A.	✓	
Leavitt, John A.	ab	
Wall, Janet G.	✓	
Horrigan, Timothy O.	ab	
Berch, Paul S.	ab	
Kenison, Linda B.	✓	
Keans, Sandra B.		✓
DiLorenzo, Charlotte I.		✓
deTreville, Andrew N.		
Mulligan, Mary Jane	✓	
TOTAL VOTE:		

11-2

Amendment to HB 460

1 Amend RSA 91-A:2, II as inserted by section 1 of the bill by replacing it with the following:

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7 limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such
8 meetings, including nonpublic sessions, shall include the names of members, persons appearing
9 before the public bodies, and a brief description of the subject matter discussed and final decisions.
10 *Minutes of all such meetings, including nonpublic sessions, shall also include any*
11 *objections made to any discussion in a meeting of such body if a member of a public body*
12 *believes that the discussion in a meeting of such body is in violation of the provisions of*
13 *this chapter. If such an objection is made in nonpublic session, the same information*
14 *regarding such an objection shall also be specifically recorded in the public minutes. The*
15 *objection shall include the name of the person objecting to the discussion and a*
16 *description of the specific violation. If such member's objections to the discussion in the*
17 *meeting are overruled by the majority of those present, such member may continue to*
18 *participate in such meeting, provided he or she has complied with the duties imposed*
19 *upon him or her by this chapter, he or she shall not be subject to the penalties under RSA*
20 *91-A:8, IV for such action.* Subject to the provisions of RSA 91-A:3, minutes shall be promptly
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29 chairman or presiding officer of the public body, who shall post a notice of the time and place of
30 such meeting as soon as practicable, and shall employ whatever further means are reasonably
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Amendment to HB 460

- Page 2 -

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2 rules are appropriate, shall be sufficient notice. If the charter of any city or town or guidelines or
3 rules of order of any public body require a broader public access to official meetings and records
4 than herein described, such charter provisions or guidelines or rules of order shall take precedence
5 over the requirements of this chapter. For the purposes of this paragraph, a business day means
6 the hours of 8 a.m. to 5 p.m. on Monday through Friday, excluding national and state holidays.

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 460

BILL TITLE: relative to minutes under the right-to-know law.

DATE: January 24, 2017

LOB ROOM: 208

Time Public Hearing Called to Order: 2:32 p.m.

Time Adjourned: 3:20 p.m.

Committee Members: Reps. Hagan, Rouillard, Hopper, Hull, Wuelper, R. Graham, Wall, Horrigan, Kenison and Mulligan

Bill Sponsors:

Rep. True

Rep. J. Edwards

Rep. Torosian

Rep. Brown

Rep. Comeau

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. True, prime sponsor, introduced the bill to the committee.

- This bill provides a way for a member of a public body to remain in the meeting despite believing the meeting is in violation of the right-to-know law without penalty.

Rep. Rouillard: Q. Why would they be subject to penalty? **Ans.** Under current law they would be under penalty because they participate.

Rep. Wuelper: Q. Are these objections not in minutes already? **Ans.** Up to the clerk of the meeting. This bill requires recording in both public and non-public meetings.

Rep. Rouillard: Q. Wouldn't this open non-public session to the public? **Ans.** No. The requirement to disclose only the objection not the non-public reasons.

***Donna Green, Sandown, NH, representing self - support**

- there are problems with non-public
 1. make minutes more honest
 2. encourage people to speak up
 3. let public know there were objection(s)
 4. requirement will put a damper on violations
- member who objects now many not have objection recorded.
- important to include all non-public objections in public minutes

Rep. Hooper: Q. Can one who objects to what happens in non-public discuss what wrongfully occurred in public? **Ans.** Not according to practice and legal advice

Cordell Johnston, New Hampshire Municipal Association - oppose

- not a terrible idea but one more thing to trip over
- member who objects per RTK should leave stay and participate
- member who objects may discuss violation of non-public in public

***David Taylor, Durham, NH, representing self - support**

- this allows members to fulfill their duty by raising objection, get even if over-ruled participate
- bill came from New Jersey statute

Rep. Rouillard: Q. Participate "without penalty" --- what does that mean? **Ans.** Better if this language were there to clarify.

Rep. Kenison: Q. Why should objector be allowed to participate? **Ans.** This balances need for official to do his work even if in the minority re RTK.

***David Saad, President, Right to Know New Hampshire - support**

- currently objector has a quandary if they continue in meeting --- possible legal penalty, but if they leave they cannot perform official duty and lose vote though no requirement to record objections currently
- many minutes are very skimpy
- important to inform public about board's non-compliance with RTK
- Part II Article 24 gives legislators right to have objections entered into the permanent record.
- data required by this bill to be recorded protects the proper stuff held in meeting
- even a private letter stating objections might not reach public because public look at official record --- the minutes.

Rep. Rouillard: Q. What is five or six members object? Why should we let them continue? **Ans.** Good question. How do we affect the greater good? Officials can walk away but cannot then do what they are there for.

***Hon. Harriet Cady, Deerfield, NH, representing self- support**

Respectfully submitted,



Rep. Kurt Wuelper

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 460

BILL TITLE: relative to minutes under the right-to-know law.

DATE: 1-24-17

ROOM: 208

Time Public Hearing Called to Order: 2:32

Time Adjourned: 3:20

(please circle if present)

Committee Members: Reps. Hagan, Rouillard, Hopper, Sylvia, Hull, Wuelper, R. Graham, Ulery, Hynes, Janvrin, Leavitt, Wall, Horrigan, Berch, Kenison, DiLorenzo, deTreville, Mulligan and Keans

Bill Sponsors:

Rep. True
Rep. Brown

Rep. J. Edwards
Rep. Comeau

Rep. Torosian

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep True: This bill provides a way for a member of a public body to remain in the meeting despite believing the meeting is in violation of RTK law, without penalty.

Rep Rouillard
Q. Why would they be subject to penalty

A. Under current law they would be under penalty because they participate

Q Rep Wuelper - are these ~~not~~ objections not in minutes already

A. Up to the clerk of the meeting. This bill requires recording in both public and non-public minutes.

Q: Rep Rouillard - Wouldn't this open non-public session to public?

A. No. The requirement to disclose only the objection, not the non-public reasons.

HB 460 1-24-17

* Donna Green - Supports - there are problems w/ non public

- 1. Make minutes more honest
- 2. Encourage people to speak up
- 3. Let public know there were objection(s)
- 4. Requirement will put a damper on violations

Member who objects now may not have objection recorded. Important to include non-public objections in Public minutes.

Q Rep Nepper - can one who objects to what happens in non public discuss what wrongfully occurred in public?

A. Not according to practice and legal advice

Cordell Johnston - WHMCA - Opposes

Not a terrible idea but ~~one~~ ^{one} more thing to trip over; Member who objects per RTK should leave since stay & participate. Member who objects may discuss violation from non-public in public

* David Taylor - Supports - This bill allows members to fulfill their duty by raising objection, yet even if overruled, participate. Bill come from N.J. statute.

Q. Rep Rauland: "participate without penalty" - what does that mean?

Refers to the ~~500~~ penalty prescribed in section 8. Better if this language ~~was~~ were there to clarify.

Q Rep Kemison: Why should objector be allowed to participate?

A. This balances need for official to do his work even if in minority re RTK

* David SAAD - Pres RTK WH - Supports - Currently - objector has a quandary ~~to~~ they continue in meeting - possible legal penalty - but if they leave they can't perform official duty and lose vote there

(Cont)

HB460 1-24-17

David
SAD
(cont)

No requirement to record objections currently. Many minutes are very skimpy. Important to inform public about board's (non) compliance with RTK.

Part II Article 24 gives legislators right to have objections entered into permanent record. Data required by this bill to be recorded protects the proper stuff held in meetings. Even a private letter stating objection might not reach public because public looks at official record - the minutes.

Q Rep Rouillard - What is 5 or 6 members object? Why should we let them continue?

A: Good Question - How do we affect the greater good? Officials can ~~not~~ walk away but can't then do what they are there for.

* Harriet Cady: Supports -

Testimony

Jan. 24, 2017

PRO HB 460

I'm Donna Green. Currently I represent Sandown on the Timberlane Regional School Board and have served in various capacities in local government for 9 years.

I'm in support of this bill.

There are four aspects of this change to the Right to Know law that I believe will improve local government in our state.

- 1) It will make minutes more honest by requiring the recording of 91-A objections by members present.
- 2) It will encourage members to speak up to save themselves from personal liability
- 3) It will allow members of the public to learn when something was done that did not seem in compliance with the law, at least in the judgment of one elected member
- 4) This requirement will in itself put a damper on willful violations because public bodies will be afraid of being called out by more conscientious members and having that necessarily captured in the minutes.

From my own personal experience, especially in non-public meetings, I can object all I want about a topic not being permissible for a non-public discussion, for instance, and that objection will never be noted in the minutes - nor will the minutes disclose the nature of the non-permissible discussion.

When public bodies do not function well, their minutes become highly political and less than fully honest. It is a sad fact that legislation needs to protect those who are trying to comply with the law but this bill has the happy consequence of protecting those while encouraging others to comply.

To be maximally effective, this bill should say that all objections will be noted in the public minutes even when the objection takes place in a non-public meeting. This is to prevent less than conscientious public bodies from sealing minutes simply because a member objected to a 91-A violation.

Thank you.

HB460

Testimony of David K. Taylor before the House Judiciary Committee
January 24, 2017

Honorable Members of the House Judiciary Committee

Thank you very much for allowing me to testify on bill HB460 today. I support this bill. I am David Taylor of Durham and I served for 12 years on the Oyster River School Board.

A few years ago, the Oyster River School Board had a problem. They had invited 2 out of town candidates for superintendent for public interviews. But, just before the meeting, they learned that the notice, due to a clerical error, had only been posted in one place, not two. The chair who was later found to have violated the Right-to-Know Law in many ways, decided to continue with the meeting. What should a board member do if they were uncomfortable with this decision? Since it was a clear intentional violation of the law, could each member be at risk of a \$2,000 personal penalty? Should the member leave the meeting and lose their voice?

The purpose of this bill is to allow a board member to fulfill his or her duty in situations like this. First, it supports the member's duty to the citizen's Right to Know. It provides a way for the member to open a debate when they believe there is a violation. Hopefully, most boards will acknowledge the issue and change their course. But, secondly, if they don't, then the concerned member can still serve those who elected him or her by remaining at the board table. To be able to avoid a possible penalty, should the violation go to court, there should be a record, in the minutes, of the specific objections. Of course, recognizing one violation should not absolve a member of all violations, so the language requires the member to otherwise comply with the Right-to-Know Law.

This idea is not new. In fact, the language of this bill is adopted from the New Jersey Open Public Meetings Act, N.J.S.A . §10:4-17. The New Jersey statute is available here:

<http://ogtf.lpcnj.org/OPMA.htm>

Please vote that HB460 ought to pass.

Sincerely,
David K. Taylor
Durham, NH

To: Honorable Members of the Judiciary Committee

Re: HB460

My name is David Saad. I live in Rumney NH. I am also the President of Right-to-Know New Hampshire.

I ask you to support HB 460 which makes changes to the right-to-know law.

When a member of a public body witnesses a violation of the RTK law during a meeting, they are put in a legally precarious position. If they speak up and the violation is not corrected, they could become a party to any legal action filed because of the alleged violation and suffer the consequences of personal liability including civil fines. Alternatively, the member could decide to leave the meeting and not be a party to any violation of the law. However, should they leave the meeting, they would be in no position to monitor and attempt to minimize the negative impact of the violation or thwart any further violations. This bill will provide that a member who reports open meeting violations will have immunity from personal penalty regarding the violation they reported.

Furthermore, the public body is currently not required to record in the official meeting minutes any violations brought to their attention during a meeting.

I currently serve on the Rumney planning board. Prior to one of our planning board meetings, I discovered that the meeting had not been properly noticed. At the start of the meeting, I made the board aware of this fact. While this lack of notice was admitted, the board chose to continue with the meeting. Nothing was recorded in the minutes to reflect the fact that I informed the board of the violation and that they chose to continue the meeting anyway. I had no way to insure that this alleged violation would be recorded in the official meeting minutes even though I was the only member who felt this violation was worthy of public disclosure. While the board is free to continue the meeting and ignore any alleged violation brought to their attention, the member should have the ability to insist that their allegation be recorded in the official record so that the public record does not omit this important information.

PART II [Art.] 24 of the NH Constitution states "The journals of the proceedings, and all public acts of both houses, of the legislature, shall be printed and published... And any member of the senate, or house of representatives, shall have a right, on motion made at the time for that purpose to have his protest, or dissent, with the reasons, against any vote, resolve, or bill passed, entered on the journal"

As legislators, you have the right to have your objection heard and entered into the record. Members of a public body should have that right too.

"Sunlight is said to be the best of disinfectants" - **Justice Louis Brandeis**

Please support this bill and add further sunshine to our sunshine law.

David L. Saad 184 Wheeler Lane, Rumney NH 03266

President
Right To Know New Hampshire (RTKNH) Promoting Open Government

460

In testifying for RSA 91-A changes I always ask for support based on how well it will serve the citizen.

Article 8 of the NH Constitution calls for the transparency at all times and HB 460 only makes more transparency in government. By the amount of citizens who show up at the legislature you have a real indication of how few people think they need to be here to speak to legislators.

Even for me a technology challenged individual I have a difficult time every time I go into the General Court web site to find information, just imagine someone who doesn't even know the General Court has a web site to find out.

More importantly most citizens think they elect the representatives to work for them and put forth the reasons they should or shouldn't be under certain laws your representative will vote for.

So I ask you to think how would you feel as a citizen if you thought something and couldn't get the information because your representatives haven't put it into law, PLEASE VOTE Ought to Pass.

Sincerely

Harriet E. Cady

Deerfield

Bill as Introduced

HB 460 - AS INTRODUCED

2017 SESSION

17-0538
01/03

HOUSE BILL

460

AN ACT

relative to minutes under the right-to-know law.

SPONSORS:

Rep. True, Rock. 4; Rep. J. Edwards, Rock. 4; Rep. Torosian, Rock. 14; Rep. Brown, Graf. 16; Rep. Comeau, Carr. 5

COMMITTEE:

Judiciary

ANALYSIS

This bill requires any objection to a discussion taking place in a meeting of a public body, including nonpublic sessions, under the right-to-know law to be recorded in the minutes of the meeting.

Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to minutes under the right-to-know law.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Right-to-Know Law; Nonpublic Sessions. Amend RSA 91-A:2, II to read as follows:

2 II. Subject to the provisions of RSA 91-A:3, all meetings, whether held in person, by means
3 of telephone or electronic communication, or in any other manner, shall be open to the public.
4 Except for town meetings, school district meetings, and elections, no vote while in open session may
5 be taken by secret ballot. Any person shall be permitted to use recording devices, including, but not
6 limited to, tape recorders, cameras, and videotape equipment, at such meetings. Minutes of all such
7 meetings, including nonpublic sessions, shall include the names of members, persons appearing
8 before the public bodies, and a brief description of the subject matter discussed and final decisions.
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10 *objections made to any discussion in a meeting of such body if a member of a public body*
11 *believes that the discussion in a meeting of such body is in violation of the provisions of*
12 *this chapter. The objection shall include the name of the person objecting to the*
13 *discussion and a description of the specific violation. If such member's objections to the*
14 *discussion in the meeting are overruled by the majority of those present, such member may*
15 *continue to participate in such meeting without penalty, provided he or she has complied*
16 *with the duties imposed upon him or her by this chapter.* Subject to the provisions of RSA 91-
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26 notice of the time and place of such meeting as soon as practicable, and shall employ whatever
27 further means are reasonably available to inform the public that a meeting is to be held. The
28 minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting
29 of a legislative committee is held, publication made pursuant to the rules of the house of
30 representatives or the senate, whichever rules are appropriate, shall be sufficient notice. If the
31 charter of any city or town or guidelines or rules of order of any public body require a broader public

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1 access to official meetings and records than herein described, such charter provisions or guidelines
2 or rules of order shall take precedence over the requirements of this chapter. For the purposes of
3 this paragraph, a business day means the hours of 8 a.m. to 5 p.m. on Monday through Friday,
4 excluding national and state holidays.
5 2 Effective Date. This act shall take effect January 1, 2018.