



VLCT LEGISLATIVE ACTION ALERT

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

Date April 19, 2016
To Selectboards, Managers, Mayors, Planning Commissions
From Karen Horn, Director Public Policy and Advocacy
Re S. 114, Amendments to Open Meeting Law

Tomorrow, April 20, the House will vote to pass [S.114](#), the bill to amend the Open Meeting Law. Rep. Jim McCullough will offer an amendment to require posting of minutes to a municipal website within seven calendar days of the meeting. The bill currently requires posting within five calendar days.

S.114 already passed the Senate. The House Government Operations Committee, recognizing the importance of the bill to local governments, voted S.114 out of committee last Thursday. As written, the bill states:

1. When a member of a public body is participating in a meeting by electronic or other means, a roll call vote is required only if the vote is *not* unanimous. Current law requires each vote be taken by roll call, even those that are not substantive and are purely procedural.
2. All references to “days” and “business days” in the Open Meeting Law are amended to read “calendar days,” which is a definition that leaves no room for misinterpretation.
3. Minutes posted to a municipal website must remain there for a minimum of one year, removing the uncertainty towns currently have because the law doesn’t specify how long they should remain posted.
4. In instances where a public body is curing a violation of the Open Meeting Law, the public body will no longer have to ratify or declare void *any and all* actions taken during the meeting, but instead only those actions that are most egregious. Specifically, ratification or declaring an action void must occur when:
 - a meeting is noticed improperly;
 - a person is wrongfully excluded from attending a meetings; or
 - a public body utilizes executive session, or a portion thereof, for reasons not authorized under 1 V.S.A. § 313(a)(1)-(10).

Contact your representatives immediately by email (their addresses are posted at <http://legislature.vermont.gov/people/search/2016>) or by calling the Sergeant at Arms (802-828-2228) and leaving a message in support of Rep. McCullough’s amendment allowing seven days for the posting of minutes to a municipal website.

Please copy VLCT on any correspondence you generate in this matter.

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