

Mike Donoghue

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H.910

Proposed legislation wording for H-910

As part of (3) (B) for "Meeting" and what it does not mean or include, the VPA would propose adding the following:

"No agenda item or issue of substance or the pre-planning/counting of votes shall be discussed."

As was noted in your committee hearing from a few people, this is a serious issue across Vermont currently. The problem is there is no way to tell the full extent of how often it happens. But clearly this goes on based on information we have learned in some cases or from just watching the lack of discussion and debate on some topics at meeting before votes.

Board members call other board members ahead of a meeting and talk about how they plan to vote and ask how the other board member plans to vote. They also sometimes ask if one side can count on their vote.

Unfortunately the VPA proposed wording may not fully address this issue because the final portion of the law provides for copies of records, but it is unlikely anybody would record the phone calls exchanged or even the per chance meetings (in the store or after church, in the days leading up to a public vote.)

But by including the VPA proposal as an affirmative statement within the Open Meeting law, the local and state officials are more likely to understand they are not to call and twist arms before a meeting until they have a majority. The purpose of the Open Meeting Law in Vermont is so business/debate is expected to take place at the publicly warned meeting.

(Perhaps at the end of the fourth line put a period after the words "discuss at a meeting." Insert the proposal: "No issue of substance or pre-planning/counting of votes shall be discussed."

And flip flop the remaining phrase, so that it says something like: "As set forth under the Public Records Act that such written correspondence or such an electronic....."

Hope that makes some sense.

Mike Donoghue
Executive Director
Vermont Press Association
(802) 310-7866