

# SENATE STATE GOVERNMENT, WAGERING, TOURISM & HISTORIC PRESERVATION COMMITTEE

## STATEMENT TO **SENATE, No. 106**

with committee amendments

# STATE OF NEW JERSEY

DATED: JUNE 14, 2018

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Senate Bill No. 106.

As amended by the committee, this bill revises the “Senator Byron M. Baer Open Public Meetings Act,” N.J.S.A.10:4-6 et seq., to provide greater public access to meetings of public bodies and information about those meetings. The bill clarifies and expands the public’s right to receive notice of meetings of public bodies, to be present at such meetings and, under certain circumstances, to be heard at meetings, as well as to have access to minutes of meetings. It extends the scope of the act to apply certain of its provisions to subcommittees and to include certain quasi-governmental entities. The bill also addresses issues relating to communications among members of a public body, the recording of meetings, the posting of meeting-related information on the Internet, the use of closed sessions, and penalties for violations.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

### COMMITTEE AMENDMENTS

The committee amended the bill to:

- permit members of public bodies to communicate privately with independent consultants or advisors about matters on an agenda;
- require that the Legislature keep comprehensive, rather than reasonably comprehensible, minutes of its meetings;
- clarify that minutes shall be made available to the public within 15 business days after its next meeting;
- provide that municipalities with 5,000 inhabitants or less, boards of education with 500 pupils or less, and public authorities with less than \$10 million in assets will have 20 business days after the next meeting to make the amendments available to the public;

- permit a public body to vote in favor of a reasonable delay in making the minutes available due to an emergency;
- require the Legislature to record its voting sessions;
- require subcommittees to prepare reports of meetings that are closed to the public; and
- remove language concerning a public body keeping reports of meetings of subcommittees.