

Senate Education, Health and Environmental Affairs Committee
Se, Paul B. Pinsky, Chair

Testimony in SUPPORT of HB 246
Open Meetings Act – Notices, Closed Sessions, and Minutes – Retention Periods,
Online Posting, and Public Inspection
March 24, 2022

Existing law allows a citizen to walk into an office and read approved minutes of a public meeting. Existing law allows a citizen to read a written closing statement *at the time of a vote to close a meeting*. But it is silent on the electronic documents required for meetings.

Many government functions have moved away from paper-only. The pandemic has very clearly pointed out that the Open Meetings Act is years behind the times. If Zoom can be used for remote public meetings in real time, the computer files that make up agendas, minutes and closing statements can be available much sooner to the public through email. Eventually, documents wind up on websites, but the timing differs widely among public bodies.

Minutes, for example, are universally prepared in MS Word and circulated as file attachments by email to members of a board or committee. They are usually adopted as presented. **There is nothing more than a few mouse clicks involved in sending them to a requester a day or two after approval at the meeting.** If paper minutes are not on file, the staff will wind up printing them for someone who walks in. Let's cut out that step.

Language in the Open Meetings Act should control the availability of electronically-produced and circulated meeting documents, rather than leaving it up to a cumbersome PIA process based on paper copies. That process does not work well for basic meeting materials. With this change, the result will be better information in the public's hands sooner.

It is a fact that local news coverage by newspapers has nearly vanished. Electronic access to what's happened in government meetings is ever more essential to an informed public.

It is also efficient. Open Meetings Act complaints often focus on delays in posting minutes on a website. It consumes far more time and money for a board or committee to answer an OMA complaint than it would to email minutes. Such complaints, of course, use up the Open Meetings Compliance Board's limited time.

Chances are very good that the typical public body will see at most a handful of requests for such documents by email.

I request a favorable report.

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