

HOUSE No. 3049

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Vallee

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act amending the open meeting law.

PETITION OF:

NAME:

James E. Vallee

DISTRICT/ADDRESS:

10th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE HOUSE, NO. 3260 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT AMENDING THE OPEN MEETING LAW..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 23B of Chapter 39 of the General Laws, as appearing in the 2004 Official Edition, is hereby
2 amended by inserting at the end of the second paragraph the following sentences:-

3 Members of a governmental body may be counted as part of the quorum and participate in a meeting of the body or
4 sub-committee by means of a conference telephone or similar communications equipment by means of which all
5 persons participating in or present at the meeting may simultaneously hear each other, and participation by these
6 means shall constitute presence in person at such a meeting. Members may transmit written documents that may be
7 referenced during the meeting by electronic or other commercially acceptable transmission.

8 SECTION 2. Sub-part (3) of Section 23B of chapter 39 is hereby amended by inserting after the word
9 “bargaining” in the first line, the following words: non-labor related contractual negotiations;

10 And inserting after the word “personnel” in the last line, the following words: , to conduct strategy sessions for and
11 negotiation sessions with public or private parties on non-labor or personnel related contractual matters.

12 SECTION 3. Sub-part (8) of Section 23B of chapter 39 is hereby amended by inserting the following sentence
13 thereto:

14 “A governmental body which is the appointing authority for said position may designate itself as the preliminary
15 screening committee or subcommittee hereunder and may enter into Executive Session as provided for herein.”

16 SECTION 4. Said section 23B is hereby amended by inserting after sub-part (9) the following sub-part:-
17 (10)To conduct periodic performance evaluations of managerial personnel based on a written evaluation.

18 SECTION 5. Said section 23B is hereby amended by inserting after the words “social meeting” in the first and
19 second sentence in the 14th paragraph the following words:- or the presence of a quorum of the members of a
20 government body at an event or meeting of another body