

## CHAPTER 154—S.F.No. 755

*An act relating to meetings of governmental bodies; authorizing meetings by interactive television if certain criteria are met; amending Minnesota Statutes 1996, sections 3.055, by adding a subdivision; and 471.705, subdivision 1.*

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1996, section 3.055, is amended by adding a subdivision to read:

Subd. 1a. MEETINGS BY ELECTRONIC MEANS. (a) A meeting governed by this section may be conducted by interactive television so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body; and

(3) at least one member of the body is physically present at the regular meeting location.

(b) Each member of a body participating in a meeting by interactive television is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If interactive television is used to conduct a meeting, to the extent practical, a body shall allow a person to monitor the meeting electronically from a remote location. The body may require the person making such a connection to pay for documented marginal costs that the body incurs as a result of the additional connection.

(d) House and senate rules governing notice of meetings must provide for giving notice that interactive television will be used to conduct a meeting.

Sec. 2. Minnesota Statutes 1996, section 471.705, subdivision 1, is amended to read:

Subdivision 1. PRESUMPTION OF OPENNESS. (a) Except as otherwise expressly provided by statute, all meetings, including executive sessions, of any a state agency, board, commission, or department, when required or permitted by law to transact public business in a meeting, and the governing body of any a school district however organized, unorganized territory, county, statutory or home rule city, town, or other public body, and of any committee, subcommittee, board, department, or commission thereof, shall of a public body must be open to the public, except meetings of the commissioner of corrections. The votes of the members of such the state agency, board, commission, or department or of such the governing body, committee, subcommittee, board, department, or commission on any an action taken in a meeting herein required by this subdivision to be open to the public shall must be recorded in a journal kept for that purpose, and the journal shall must be open to the public during all normal business hours where such records of the public body are kept. The vote of each member shall must be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute. This section shall does not apply to any a state agency, board, or commission when it is exercising quasi-judicial functions involving disciplinary proceedings.

New language is indicated by underline, deletions by strikeout.

(b) A meeting governed by this subdivision may be conducted by interactive television so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;

(3) at least one member of the body is physically present at the regular meeting location; and

(4) each location at which a member of the body is present is open and accessible to the public.

(c) Each member of a body participating in a meeting by electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(d) If interactive television is used to conduct a meeting, to the extent practical, a public body shall allow a person to monitor the meeting electronically from a remote location. The body may require the person making such a connection to pay for documented marginal costs that the public body incurs as a result of the additional connection.

(e) If interactive television is used to conduct a regular, special, or emergency meeting, the public body shall provide notice of the regular meeting location and notice of any site where a member of the public body will be participating in the meeting by interactive television. The timing and method of providing notice must be as described in subdivision 1c.

### **Sec. 3. RURAL FINANCE AUTHORITY.**

(a) Notwithstanding Minnesota Statutes, section 471.705, subdivision 1, the rural finance authority may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the authority participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the authority can hear all discussion and testimony and all votes of members of the authority;

(3) at least one member of the authority is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the authority participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the authority, to the extent practical, shall allow a person to monitor the meeting electronically from a

**New language is indicated by underline, deletions by strikeout.**

remote location. The authority may require the person making such a connection to pay for documented marginal costs that the authority incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the authority shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by Minnesota Statutes, section 471.705, subdivision 1c.

#### **Sec. 4. HOUSING FINANCE AGENCY.**

(a) Notwithstanding Minnesota Statutes, section 471.705, subdivision 1, the housing finance agency may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the agency participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the agency can hear all discussion and testimony and all votes of members of the agency;

(3) at least one member of the agency, the commissioner, the deputy commissioner, or an attorney for the agency is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the agency participating in a meeting by electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or another electronic means is used to conduct a meeting, the agency to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The agency may require the person making such a connection to pay for documented marginal costs that the agency incurs as a result of the additional connection.

(d) If telephone or another electronic means is used to conduct a regular, special, or emergency meeting, the agency shall provide notice of the regular meeting location, of the fact that some members may participate by electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by Minnesota Statutes, section 471.705, subdivision 1c.

#### **Sec. 5. EXPIRATION DATE.**

Sections 3 and 4 expire June 30, 1998.

#### **Sec. 6. EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

Presented to the governor May 14, 1997

Signed by the governor May 15, 1997, 3:30 p.m.

**New language is indicated by underline, deletions by strikeout.**