

Open meetings bill too hot to handle

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A House committee found a bill — lauded by the news media, but attacked by cities and towns — too hot to handle on Monday. It attempts to close a loophole in the Utah Open and Public Meetings Act.

The House Government Operations Committee debated HB111 for more than an hour, and then adjourned without taking a motion to pass or kill it.

Rep. Craig Frank, R-Pleasant Grove, sponsor of HB111, said some governmental bodies try to skirt the open meetings law by appointing subcommittees — which then meet without a formal quorum, so they do not need to give public notice, publish agendas, or keep minutes or recordings.

He pointed to a story by The Salt Lake Tribune about the Defined Contribution Risk Adjuster Board, which was doing that. When an assistant attorney general told the board that its subcommittees are subject to the open meetings law, she also told members they could skirt that simply by not having enough people attend to form legal quorums.

Under Frank's bill, if two or more members of a government body are assigned by it in a meeting to discuss an issue, they would be subject to the open meetings law.

Linda Petersen, managing editor of the Valley Journals newspapers, representing the Utah Media Coalition, said city councils and school boards often appoint subgroups to study issues.

"The rest of the body puts faith in those people ... and pretty much rubber stamps their recommendations most of the time. The public is unaware how those recommendations came to be," she testified.

But the Utah League of Cities & Towns, said HB111 would be too restrictive, and may make it difficult for any members of a city council to talk about much without becoming subject to the open meetings law.

For example, Holladay City Council member Lynn Pace said he and another member were recently asked to work with local schools to find a date for an annual education dinner. He said under the bill, they could not just get together and make phone calls — they would need to give

public notice of a meeting, have an agenda, and keep minutes. He said it would take days to do a simple task.

Frank said he would try to keep the bill alive, and see if tweaking it could bring support.