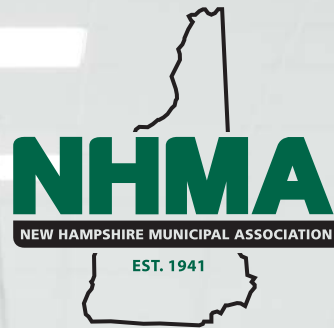


Right

to

Know

Law



RSA
Chapter 91-A

MEETINGS
(RSA 91-A:1 through 91-A:3)

BASIC RULE: Every meeting of a public body must have proper notice and be open to the public.

- **What Is a Meeting?** The convening of a quorum (majority) of any public body to discuss or act on any of that body's business, including work sessions. What is *not* a meeting? Consultation with legal counsel; chance or social meetings neither planned nor intended to discuss official matters and at which no decisions are made; strategy or negotiations regarding collective bargaining.
- **What Is a Public Body?** All committees, subcommittees, boards, commissions, agencies, etc., that perform a governmental function, including all informal advisory committees.
- **What Notice Is Required?** Minimum of 24 hours (not including Sundays or holidays), either published in a local newspaper or posted in two prominent public places. Other statutes or local rules may require more notice in certain cases.
- **What Is Open to the Public?** Anyone, not just local residents, may attend, and may take notes, record or photograph the meeting. However, except for certain people at public hearings, the public is not guaranteed the right to speak.

MINUTES: Minutes must be kept of all public meetings and must be made available to the public upon request within 5 business days after the meeting. Minutes must include the names of members present, others participating, a brief summary of subject matter discussed, and any final decisions or votes.

NONPUBLIC SESSIONS: Meetings or portions of meetings that the public may not attend.

- Allowed only for reasons listed in RSA 91-A:3, II, including:
 - Dismissal, promotion, compensation, disciplining, investigation, or hiring of any public employee
 - Matters that would adversely affect the reputation of a non-board member
 - Buying, selling or leasing property if public discussion would give someone an unfair advantage over the municipality
 - Lawsuits actually filed or threatened in writing against or by the municipality, until fully adjudicated or settled
 - Preparation for and carrying out of emergency functions including anti-terrorism issues
 - Consideration of legal advice provided by legal counsel even where counsel is not present.
- Entering nonpublic session: Begin in a properly-noticed public meeting. A motion must be made and seconded to enter nonpublic session, citing the reason from the statute, and a majority roll-call vote is required. Once in nonpublic session, only the reason(s) cited in the original motion may be discussed.
- Minutes of nonpublic sessions must include the names of members present, others participating, a brief summary of subject matter discussed, and any final decisions on votes. All votes while in nonpublic sessions must be taken and recorded in such a manner that the vote of each member is ascertained and recorded. Unless the board votes to seal the minutes, they must be made available to the public upon request within 72 hours after the meeting.

Important note: This is a very simplified overview of the Right to Know Law. It is not intended to be legal advice and is provided for convenience only.

Please refer to RSA Chapter 91-A or legal counsel for further information.

New Hampshire Municipal Association
25 Triangle Park Drive
Concord, New Hampshire 03301
Tel: 603.224.7447
Members Only: 800.852.3358
E-mail: nhmainfo@nhmunicipal.org
Web site: www.nhmunicipal.org