

CHAPTER 278 (HB 471)

[1983]

AN ACT CONCERNING THE EFFECTIVE DATE OF CERTAIN LAWS.

Be it Enacted by the Senate and House of Representatives in General Court convened:

278:1 Statement of Intent. The general court finds that it is in the public interest to have the widest possible circulation and notice of all laws prior to their effective dates. This enables those directly affected by the laws and those who must administer and use the laws to have adequate notice and time to uniformly and effectively respond to them. To further this public interest, laws concerning criminal or civil penalties, judicial practice and procedure, and statutory rights and limits of actions should become effective on January 1 following passage, as far as practicable.

278:2 Effective Dates. Amend RSA 14 by inserting after section 9 the following new section:

14:9-a Effective Dates.

I. Each law passed by the general court shall take effect 60 calendar days following passage, excluding the date on which it is signed by the governor, or the last date on which the general court acts on the matter, as the case may be, except:

(a) If the general court specifically provides otherwise.

(b) If the law is a resolution.

(c) Each law affecting criminal or civil penalties, judicial practice and procedure, limitations of actions, and statutory rights and remedies shall take effect on the January 1 following passage.

II. The secretary of state shall record the date each law was enacted and its effective date on all enrolled and printed copies of such law, and such record shall be conclusive.

278:3 Repeal. RSA 21:41 and 42, relative to effective dates, are hereby repealed.

278:4 Effective Date. This act shall take effect August 1, 1983.

[Approved June 18, 1983.]

[Effective Date August 1, 1983.]

CHAPTER 279 (HB 477)

AN ACT RELATIVE TO THE RIGHT-TO-KNOW LAW.

Be it Enacted by the Senate and House of Representatives in General Court convened:

279:1 Availability of Minutes. Amend RSA 91-A:2, II (supp) as inserted by 1977, 540:3 by striking out in said paragraph and inserting in place thereof the following:

II. All public proceedings shall be open to the public, and all persons shall be permitted to attend any meetings of those bodies or agencies. Except for town meetings, school district meetings and elections, no vote while in open session may be taken by secret ballot. Any person shall be permitted to use recording devices, including but not limited to, tape recorders, cameras and videotape equipment, at such meetings. Minutes of all such meetings, including names

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of members, persons appearing before the bodies or agencies, and a brief description of the subject matter discussed and final decisions shall be promptly recorded and open to public inspection within 144 hours of the public meeting, except as provided in RSA 91-A:6, and shall be treated as permanent records of any body or agency, or any subordinate body thereof, without exception. Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including an executive session, shall be posted in 2 appropriate places or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the body or agency who shall employ whatever means are available to inform the public that a meeting is to be held. The minutes of the meeting shall clearly spell out the need for the emergency meeting. When a meeting of a legislative committee is held, publication made pursuant to the rules of the house of representatives shall be sufficient notice. If the charter of any city or guidelines or rules of order of any body or agency described in RSA 91-A:1-a requires a broader public access to official meetings and records than herein described, such charter provisions or guidelines or rules of order shall take precedence over the requirements of this chapter.

279:2 Public Inspection of Records. Amend RSA 91-A:4 as inserted by 1967, 251:1 by striking out said section and inserting in place thereof the following:

91-A:4 Minutes and Records Available for Public Inspection.

I. Every citizen during the regular or business hours of all such bodies or agencies, and on the regular business premises of such bodies or agencies, has the right to inspect all public records, including minutes of meetings of the bodies or agencies, and to make memoranda, abstracts, photographic or photostatic copies of the records or minutes so inspected, except as otherwise prohibited by statute or RSA 91-A:5.

II. After the completion of a meeting of such bodies or agencies, every citizen, during the regular or business hours of all such bodies or agencies, and on the regular business premises of such bodies or agencies, has the right to inspect all notes, materials, tapes or other sources used for compiling the minutes of such meetings, and to make memoranda, abstracts, photographic or photostatic copies, or tape record such notes, materials, tapes or sources inspected, except as otherwise prohibited by statute or RSA 91-A:5.

279:3 Effective Date. This act shall take effect 60 days after its passage.

[Approved June 18, 1983.]

[Effective Date August 17, 1983.]

CHAPTER 280 (HB 480)

AN ACT RELATIVE TO THE ADOPTION OF A NEW ENGLAND TRUCKERS COMPACT.

Be it Enacted by the Senate and House of Representatives in General Court convened:

280:1 New England Truckers Compact. Amend RSA by inserting after chapter 266 the following new chapter: