

## Open Meeting Law Policy References

### The constitutional right of public participation before final decisions:

**Section 8. Right of participation.** The public has the right to expect governmental agencies to afford such reasonable opportunity for citizen participation in the operation of the agencies prior to the final decision as may be provided by law.

### The primary Right to Participate statute:

[https://leg.mt.gov/bills/mca/title\\_0020/chapter\\_0030/part\\_0010/section\\_0030/0020-0030-0010-0030.html](https://leg.mt.gov/bills/mca/title_0020/chapter_0030/part_0010/section_0030/0020-0030-0010-0030.html)

### The constitutional right to know (including to observe deliberations at open meetings) is:

**Section 9. Right to know.** No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure.

### The primary Open Meeting (Right to Know) statutes:

[https://leg.mt.gov/bills/mca/title\\_0020/chapter\\_0030/part\\_0020/section\\_0020/0020-0030-0020-0020.html](https://leg.mt.gov/bills/mca/title_0020/chapter_0030/part_0020/section_0020/0020-0030-0020-0020.html)

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### ECOS Comments:

Any procedure should address potential questions about whether and how some of the general statutes (as opposed to the Constitution) apply to University offices and officials as an “Agency.”

It should also address when and how meetings require notice and public participation, as well as the all important question of what is a meeting for both the right to know (triggering notice and open doors) and the right to participate (triggering an additional requirement of public participation).