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R.S. 10:4-1 to 5

June 7, 1963

COPY NO. 2

LEGISLATIVE HISTORY OF R.S. 10:4-1 to 5

(Right to attend public meetings)

Bills to effect this purpose were introduced almost every year in the Legislature at least since 1954. Our index reveals from 1954 to 1960 the following bills introduced:

- 1954 - A-420 (Identical with A-96 of 1957)
- 1955 - A-153 " " " " "
- 1957 - A-96
- 1958 - A-217
- 1959 - A-316; S-148 (Reported, 2d reading)
- 1960 - A-210; A-357 (Passed both houses, amended; filed in State Library by Governor); S-62 (Passed Senate, amended, Recommitted by Assembly). (Copies of 1957-60 bills enclosed.)

Except as otherwise indicated, all the above bills died in Committee.

The bill which became law was:

Laws 1960, Chapter 173 - A-704 - Introduced November 28th by Messrs. Beadleston, Musto, Deamer, Halpin, Minotty, Stabler & Kyland.

Not amended during passage.

It had the following Statement:

The purpose of this bill is to further freedom of information to the public of the transaction of governmental business by insuring to the citizens of the State the right to attend public meetings.

This legislation was sponsored and partly drafted by the New Jersey Press Association. See: The New Jersey Publisher, December, 1960, January, 1961 and February, 1961 (copies enclosed). See also clipping from Trenton Times and Newark News account (attached).

Should you wish to consult Governor Meyner's files on the 1960 bills or earlier bills, please contact the Governor's Counsel directly.

"Right to Know" Measure Gains

The bill also retains the exemption of the State Legislature and the executive and judicial branches from provisions of the bill which were in a bill, A-357, which earlier had passed both houses. A new bill was drawn to include Meyner's suggested exemptions as an earlier alternative than amending the original bill.

Lloyd P. Burns, secretary-manager of the NJPA, said the bill will compel the opening of most meetings at which public business is conducted.

Questioned about the board area of state operations exemptions, Burns said working newsmen report less difficulty in obtaining access to public records and meetings at the state level than at the local level.

RS/jmk

Newark News, Nov. 29, 1960, p. 23

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ASSEMBLY, No. 96

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1957

By Assemblyman MUSTO

Referred to Committee on Judiciary

AN ACT concerning meetings of the board, commission, or members in control
of certain bodies which are public and corporate.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. All regular and special meetings of the board, commission, or mem-
2 bers in control of any body which is public and corporate and an instru-
3 mentality exercising public and essential governmental functions and created
4 by an act of the Legislature of the State of New Jersey or jointly by acts
5 of the respective Legislatures of the State of New Jersey and any sister
6 State or States, shall be open to the public.

1 2. This act shall take effect immediately in so far as it relates to such
2 bodies created solely by an act of the Legislature of the State of New
3 Jersey, and shall take effect upon the enactment of substantially similar
4 legislation adopted by any sister State or States in so far as it relates to such
5 bodies created jointly by acts of the respective Legislatures of the State of
6 New Jersey and any such sister State or States.

STATEMENT

In a democratic society an informed public is a necessity of good gov-
ernment and a safeguard of liberty. The citizen not only has a duty to be in-
formed on measures of public interest, but also has a right to be so informed.

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As representatives of their constituents and responsible to them, legislators have an obligation to have open and public discussions on all matters affecting public matters. Similarly any board or commission which is an agency of the Legislature has a public obligation to conduct its affairs in the public view.

It is the purpose of this bill, therefore, to make it mandatory upon instrumentalities of the Legislature to conduct all meetings open to the public.

ASSEMBLY, No. 217

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 17, 1958

By Assemblymen MUSTO and SABELLO

Referred to Committee on Judiciary

AN ACT concerning meetings of the board, commission, or members in control
of certain bodies which are public and corporate.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
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1 1. All regular and special meetings of the board, commission, or mem-
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ASSEMBLY, No. 316

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 2, 1959

By Assemblyman MUSTO

Referred to Committee on Judiciary

AN ACT concerning meetings of the board, commission, or members in control
of certain bodies which are public and corporate.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. All regular and special meetings of the board, commission, or mem-
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It is the purpose of this bill, therefore, to make it mandatory upon instrumentalities of the Legislature to conduct all meetings open to the public.

(CORRECTED COPY)

SENATE, No. 148

STATE OF NEW JERSEY

INTRODUCED MARCH 9, 1959

By Senators JONES and COWGILL

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning the right of citizens of the State to attend public meetings, defining "public meetings," and providing that violations shall be misdemeanors.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The Legislature finds and declares it to be the public policy of this
2 State to insure the right of the citizens of this State to attend public meet-
3 ings with certain exceptions, for the protection of the public interest.

1 2. The term "public meetings" shall mean the official meetings of any
2 commission, authority, board, agency or administrative body of the State or
3 of any governing body, commission, authority, board or agency of any po-
4 litical subdivision of the State when such body, commission, authority, board
5 or agency is convened in a session for the purpose of taking official action.

1 3. Except as otherwise provided by law, all such meetings shall be open
2 to the public and no official or other person shall deny the right of such
3 citizens to attend such meetings.

1 4. Nothing herein contained shall be construed to prevent such body,
2 commission, authority, board or agency from holding executive sessions from
3 which the public may be excluded, but no motion, resolution, rule, regulation,
4 ordinance, contract or appointment shall be adopted or approved at any such
5 executive session.

1 5. Any person who shall willfully violate any provision of this act shall
2 be guilty of a misdemeanor.

1 6. This act shall take effect immediately.

STATEMENT

The purpose of this bill is in the furtherance of freedom of information to the public of the transaction of governmental business by insuring to the citizens of this State the right to attend public meetings.

ASSEMBLY, No. 210

STATE OF NEW JERSEY

INTRODUCED JANUARY 25, 1960

By Assemblyman MUSTO

Referred to Committee on Judiciary

AN ACT concerning meetings of the board, commission, or members in control of certain bodies which are public and corporate.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. All regular and special meetings of the board, commission, or mem-
2 bers in control of any body which is public and corporate and an instru-
3 mentality exercising public and essential governmental functions and created
4 by an act of the Legislature of the State of New Jersey or jointly by acts
5 of the respective Legislatures of the State of New Jersey and any sister
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1 2. This act shall take effect immediately in so far as it relates to such
2 bodies created solely by an act of the Legislature of the State of New
3 Jersey, and shall take effect upon the enactment of substantially similar
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As representatives of their constituents and responsible to them, legislators have an obligation to have open and public discussions on all matters affecting public matters. Similarly any board or commission which is an agency of the Legislature, has a public obligation to conduct its affairs in the public view.

It is the purpose of this bill, therefore, to make it mandatory upon instrumentalities of the Legislature to conduct all meetings open to the public.

ASSEMBLY, No. 357

STATE OF NEW JERSEY

INTRODUCED JANUARY 25, 1960

By Assemblymen BEADLESTON, DEAMER, MUSTO and HYLAND

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning the right of citizens of the State to attend public meetings, defining "public meetings," and providing that violations shall be misdemeanors.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The Legislature finds and declares it to be the public policy of this
2 State to insure the right of the citizens of this State to attend public meet-
3 ings with certain exceptions, for the protection of the public interest.

1 2. The term "public meetings" shall mean the official meetings of any
2 commission, authority, board, agency or administrative body of the State or
3 of any governing body, commission, authority, board or agency of any po-
4 litical subdivision of the State when such body, commission, authority, board
5 or agency is convened in a session for the purpose of taking official action.

1 3. Except as otherwise provided by law, all such meetings shall be open
2 to the public and no official or other person shall deny the right of such
3 citizens to attend such meetings.

1 4. Nothing herein contained shall be construed to prevent such body,
2 commission, authority, board or agency from holding executive sessions from
3 which the public may be excluded, but no motion, resolution, rule, regulation,
4 ordinance, contract or appointment shall be adopted or approved at any such
5 executive session.

1 5. Any person who shall willfully violate any provision of this act shall
2 be guilty of a misdemeanor.

1 6. This act shall take effect immediately.

STATEMENT

The purpose of this bill is in the furtherance of freedom of information to the public of the transaction of governmental business by insuring to the citizens of this State the right to attend public meetings.

SENATE COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 357

STATE OF NEW JERSEY

ADOPTED APRIL 11, 1960

Amend page 1, after section 4, add a new section to read as follows:

“5. The provisions of this act shall be inapplicable to the office of the Governor or to the Judicial or Legislative Branches of State Government.”.

Amend page 2, section 5, line 1, delete “5.”, insert “6.”.

Amend page 2, section 6, line 1, delete “6.”, insert “7.”.

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ASSEMBLY, No. 357

STATE OF NEW JERSEY

INTRODUCED JANUARY 25, 1960

By Assemblymen BEADLESTON, DEAMER, MUSTO and HYLAND

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3 which the public may be excluded, but no motion, resolution, rule, regulation,
4 ordinance, contract or appointment shall be adopted or approved at any such
5 executive session.

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

1 5. *The provisions of this act shall be inapplicable to the office of the*
1 *Governor or to the Judicial or Legislative Branches of State Government.*

1 **[5.]** 6. Any person who shall willfully violate any provision of this act
2 shall be guilty of a misdemeanor.

1 **[6.]** 7. This act shall take effect immediately.

(CORRECTED COPY)
SENATE, No. 62

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1960

By Senators JONES, COWGILL and CRANE

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning the right of citizens of the State to attend public meetings, defining "public meetings," and providing that violations shall be misdemeanors.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
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