

LeBlanc proposal would require officials be at meetings to vote

Elected or appointed officials would be required to be physically present to vote and participate in meetings subject to the Open Meetings Act under a resolution introduced by a local state legislator.

Referred to the House Government Operations Committee, the resolution introduced by state Rep. Richard LeBlanc, D-Westland, would express the intent that the law be interpreted to prohibit officials from using electronic methods, such as Skype, to participate and vote at public meetings.

Short of a House bill, said the resolution serves as an introduction to the issue which arose at a Wayne-Westland Community Schools Board of Education meeting last year.

"It was brought to my attention that an elected official was casting votes while not physically at the board meeting," LeBlanc said. "The law prohibits round robin calling. When the Open Meetings Act was approved, the Internet was in its infancy. I would like more clarity. The Legislature doesn't vote absentee."

Using Skype or similar technology could

allow an elected official to be gone from the for months, he said, such as spending the winter out of the state.

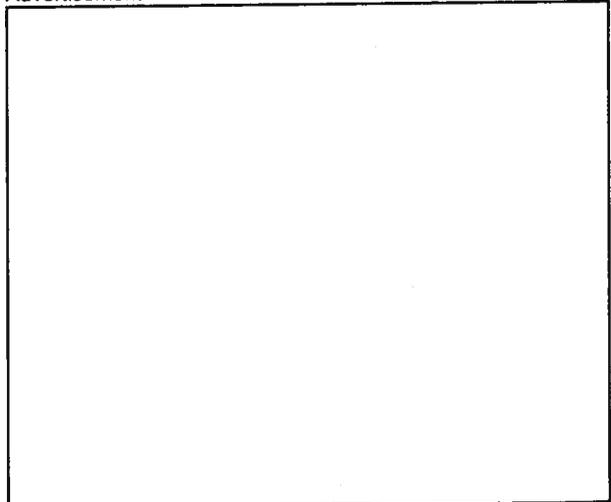
"A government official seems to need to be there to participate in the meeting," said LeBlanc, who also requested an attorney general's opinion on whether the participation via Skype is legal. "Some things make elected officials sweat and people should see that."

After a couple of conversations with Michigan Attorney General Bill Schuette, LeBlanc said he began working with AG staff for a legislative solution prior to the opinion being released.

"The attorney general offered to be the co-pilot to advance this," LeBlanc said.

As a courtesy, LeBlanc said he had called Wayne-Westland school board Vice President John Goci to let him know that the opinion was being requested. LeBlanc reached Goci, who was still out of the country, on his .

Advertisement



Print Powered By  Format Dynamics

HOMETOWNlife.com

For his part, Goci defended using Skype to participate in board meetings while he was out of the country. It's a question of whether to use technology to fulfill your board duties or just be absent, he said.

"I would think that Richard (LeBlanc) should be focusing on more important things. People are struggling to put food on the table and keep a roof over their heads," Goci said. "The future is very technology-oriented. People conduct business all over the world every day using this technology."

Using Skype or a similar technology isn't a problem, Goci said, so there isn't a need to write a law to remedy the situation.

In conversations with a number of elected officials, LeBlanc said none disagreed with his proposal.

"One official said they didn't want an absentee government," he said. "People want to see the body language. Sometimes it's beneficial for people to fully see officials."

The Wayne-Westland school board will follow whatever the law is regarding electronic participation in public meetings, board President Carol Middel said.

"I have no problem with electronic communications as long as it is not being abused," she said. "Things come up in your private life that mean you could miss a meeting here or there for family reasons or your job. That shouldn't preclude you from serving."

Middel added that she doesn't have a problem with LeBlanc's proposal.

"Someone needs to make up their mind (regarding absentee participation) and then I'll follow it," Middel said.

irogers@hometownlife.com (313) 222-5428

AdChoices

Ads by Pulse 360

"Strange Fruit Burns Fat"

Study: Sheds 8.9 Pounds & 2 Inches in 28 Days. Can It Work for You?

www.HLifestyles.com

51-Year-Old Now Looks 27 Again!

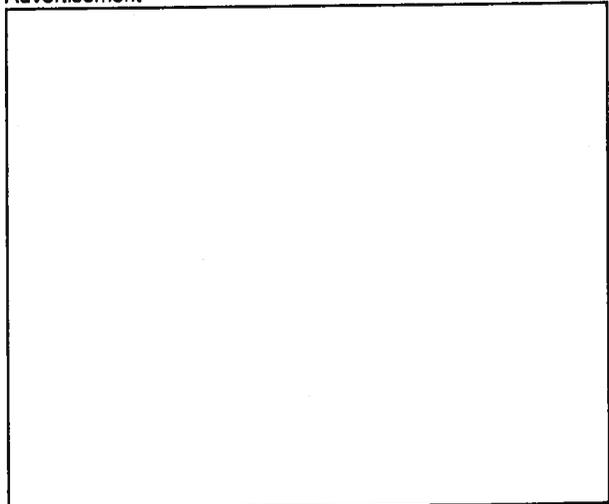
Mom Reveals Clever \$5 Wrinkle Therapy That Makes Botox Doctors Furious Read More
consumerlifestyletrends.com/

New Policy in Michigan

Drivers with no DUI's can get auto insurance for only \$9/wk.

www.insurance-compare-save.com

Advertisement



Print Powered By  Dynamics

Jun 27 2011, 09:45
PM Post #1

<http://www.hometownlife.com/article/20110626/NEWS24/106260429/Skype-Do-elected-officials-need-physically-present-public-meetings-?odyssey=mod|mostcom>

Skype: Do elected officials need to be physically present for public meetings?

Can a member of a public body be considered present and participate in a public meeting without being physically present by using Skype video technology or it is a violation of the Open Meetings Act?

That's the question asked of the Michigan Attorney General's Office after a recent Wayne-Westland Board of Education meeting in which board trustee John Goci, who is out of the country, took part in the meeting connected via Skype.

"I'm not making it a huge deal but I initiated an inquiry of the Attorney General's Office. I wanted to consult someone with expertise," said State Rep. Richard LeBlanc (D-Westland). "At that point, if there is case law I could ask for an opinion. I think you must have a physical body present to participate in the meeting under the Open Meetings Act."

After the board meeting, LeBlanc said he received a complaint about the use of Skype at the board meeting and he shares the concern about the lack of openness and interaction when officials aren't physically present at public meetings.

"Some people say the television monitor is on - it's the same thing. I can't vote in Lansing with a laptop from across the street let alone if I'm absent," said LeBlanc, a former Wayne-Westland Schools board member. "I think overwhelmingly people expect those who govern to be present to govern."

Not available for comment, Goci had requested using Skype to participate in the June 13 meeting. Wayne-Westland Schools Superintendent Greg Baracy said the request had been cleared with the district's legal counsel and the Michigan Association of School Boards.

"They said it was perfectly acceptable. We were perfectly comfortable that we were working within the law," said Baracy. "It's been done in other districts. It's the first time we've used Skype for a board meeting but we use it for meetings with districts we partner with and to meetings in China."

Noting Skype is a different type of technology with two-way audio and video, Baracy agreed that public servants have an obligation to be physically present. "I don't think this will become a common practice," he said.

Beside concerns about openness, LeBlanc said he could see other problems with officials not being physically present at public meetings.

"If it's allowed, it's such dangerous territory. What if someone doesn't want me to speak and keeps hanging up?" said LeBlanc. "I asked about this in front of my (Democratic) caucus and all of the members who approached me said it was illegal. There are not too many people who think it is legal, even less who think it's proper."

Even if video conferencing is found to be legal, LeBlanc said he thought bodies should adopt policies against using the technology.