

1 This is not a change in the law as far as records are
2 concerned.

3 DELEGATE JAMES: Delegate Raley.

4 DELEGATE RALEY: Mr. Willoner, suppose that they
5 in an executive session, say the Board of Public Works or
6 the legislature, passed an extremely important emergency
7 money measure to meet a critical problem, and in the
8 meantime somebody filed an injunction against it.

9 Just what would happen then? Would the project
10 be able to go into effect, or would it have to wait until
11 the court ruled?

12 DELEGATE WILLONER: The only method of
13 enforcement of this provision would be unless otherwise
14 provided by the legislature. For example, criminal
15 penalties would be by way of mandamus or injunction to
16 open up the records not by way of stopping the provision.

17 DELEGATE JAMES: Any further questions?

18 DELEGATE WILLONER: I would make it clear that
19 the legislature could go further and provide for whatever
20 penalties they wish to establish. In some states they
21 have criminal penalties.