

# Senate Oks measure to tighten loopholes in open-meeting laws

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SACRAMENTO — The state Senate has approved 34 to 0 a bill to tighten loopholes in the state's open-meeting laws and sent the measure to the Assembly.

The bill, SB 200 by Senate President Pro Tem David Roberti, D-Los Angeles, would limit the circumstances under which local and state agencies can go into executive session to discuss "pending litigation."

The bill is now expected to go to the Assembly Judiciary Committee, where Roberti aide Bob Forsyth said no substantial opposition is expected. The major opponents to the bill last year — the League of California Cities and the County Supervisors Association of California (CSAC) — have withdrawn their opposition and are taking no position on the bill.

Last year's bill, also sponsored by Roberti, was passed in the Legislature but vetoed by Gov. Deukmejian. This year's version does not affect government task forces, a provision that in part prompted Deukmejian's veto last year.

The bill is supported by the California Newspaper Publishers Association, the California Broadcasters Association and other major news

organizations, as well as the attorney general's office and the League of Women Voters. It is opposed by the Association of California Water Agencies and by some individual cities and counties.

The measure clarifies 1984 amendments to the Brown Act and specifies the circumstances under which local and state governing bodies can claim the so-called "pending litigation" exception to the act as a reason to enter executive session.

Proponents of the bill say local government officials are routinely using the pending litigation exception to go into executive session for discussion of virtually all matters that might be subject to future litigation.

"When invoking the attorney-client privilege which justifies a closed session, a local or state body must only discuss pending and possible litigation or a significant exposure to litigation," Roberti said in a statement. "The purpose of my bill is to dispel any ambiguous interpretation of the attorney-client privilege as intended by the open meeting laws."

The bill would apply to the Brown Act, which affects local government, as well as to the Bagley-Keene Act, which affects state

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