

## **Legality of MSL awarding funds to an entity that may be in violation of the open meeting law**

*Original question:* Thank you, Jim. Helpful as always. FYI, the vote on the bylaws has not been publicly announced nor has there been any opportunity for public comment.

With regard to the question of whether or not MSL can withhold funds for a violation of open meeting laws, I understand the ARM pertaining to the Federation plans of service. I do want to confirm that we would not be violating any other, more general public law regarding public funds, if we paid them their federation funds knowing that a question related to open meeting laws exists. In others, I don't want to get the State Library in trouble.

*Response from Jim Scheier, July 11, 2012:* I again reviewed the open meetings laws and the laws providing for public participation in governmental operations. I also reviewed the laws establishing the authority of the State Library Commission to administer funding for libraries and specifically for federations. In addition to these laws I searched for any other laws that might be applicable to your inquiry. My research has not disclosed any specific or more general laws that would place the State Library in any jeopardy if it disburses funds to a federation that may have pending or unresolved issues related to the open meetings laws.