



GOVERNOR OF MISSOURI

JEFFERSON CITY

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JEREMIAH W. (JAY) NIXON  
GOVERNOR

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July 2, 2013

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 170 entitled:

AN ACT

To repeal section 610.015, RSMo, and to enact in lieu thereof one new section relating to the participation by members of public governmental bodies in roll call votes.

I disapprove of Senate Bill No. 170. My reasons for disapproval are as follows:

Under current law, public governmental bodies comprised entirely of elected members must physically attend meetings in order to cast a vote on matters under consideration. Members may participate in the meetings "via phone, facsimile, Internet, or any other voice or electronic means" but they may not cast any votes unless the meeting is called due to an emergency. Existing law emphasizes the duty appropriately imposed on elected officials to physically attend meetings and should not be changed.

Senate Bill No. 170, the stated purpose of which is to increase the opportunity for full participation by elected officials through videoconferencing, does not include any safeguards to protect against abuses that would have the opposite result. Under the bill, any member of an elected governmental body may participate and vote in public meetings via videoconference without demonstrating good cause for doing so. While it may be understandable to provide this tool to accommodate the occasional scheduling conflict, no limit is placed on the number of meetings a member could attend by videoconference. Nothing in this legislation would prevent officials from attending every meeting via videoconference. In fact, the bill would not prohibit every member of an elected board from attending all meetings via videoconference.

The statutory requirement that members of elected boards be physically present to vote represents the paramount responsibility they have been entrusted with by the voters. This provides assurances that our elected officials are, at a minimum, approachable and available to their constituents at public meetings. It also ensures their active engagement in the topics at hand

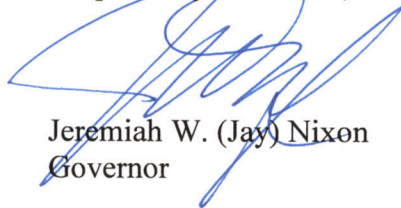
and provides an environment for open interaction and dialogue with colleagues, staff and the public in order to develop compromise and navigate difficult decisions.

Technology has bridged geographical gaps connecting citizens from all corners of our state to accomplish great work. But for local governmental bodies, the distances are quite short and easily navigated. Local government is designed to provide citizen representation that is close to home and readily accountable to its residents. Allowing attendance through videoconferencing places unnecessary and unwarranted 'virtual' distance between voters and their elected officials. Residents wishing to speak and interact with their elected officials would be forced to do so using video screens and broadband wires.

Serving in elected public office is a privilege and attending regularly scheduled public meetings is an important component of that service. Allowing elected members to join every public meeting by videoconference is not an acceptable proxy for responsible governance. Requiring elected members to be physically present is a small and reasonable obligation placed on office holders. Removing that requirement erodes this very basic level of engagement we must expect from our officials.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 170 without my approval.

Respectfully submitted,



Jeremiah W. (Jay) Nixon  
Governor