

**CS FOR HOUSE BILL NO. 153(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

**BY THE HOUSE JUDICIARY COMMITTEE**

**Offered: 4/2/09**

**Referred: Rules**

**Sponsor(s): HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE BY REQUEST**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act exempting municipal service area boards from the requirements of conducting**  
2 **meetings open to the public when a meeting is administrative or managerial in nature;**  
3 **and amending the definition of 'meeting' as it relates to public governmental meetings."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** AS 44.62.310(d) is amended to read:

6 (d) This section does not apply to

7 (1) a governmental body performing a judicial or quasi-judicial  
8 function when holding a meeting solely to make a decision in an adjudicatory  
9 proceeding;

10 (2) juries;

11 (3) parole or pardon boards;

12 (4) meetings of a hospital medical staff;

13 (5) meetings of the governmental body or any committee of a hospital

14 when holding a meeting solely to act upon matters of professional qualifications,

1 privileges, or discipline;

2 (6) staff meetings or other gatherings of the employees of a public  
3 entity, including meetings of an employee group established by policy of the Board of  
4 Regents of the University of Alaska or held while acting in an advisory capacity to the  
5 Board of Regents; [OR]

6 (7) meetings held for the purpose of participating in or attending a  
7 gathering of a national, state, or regional organization of which the public entity,  
8 governmental body, or member of the governmental body is a member, but only if no  
9 action is taken and no business of the governmental body is conducted at the  
10 meetings; or

11 (8) meetings of municipal service area boards established under  
12 AS 29.35.450 - 29.35.490 when meeting solely to act on matters that are  
13 administrative or managerial in nature.

14 \* Sec. 2. AS 44.62.310(h)(2) is amended to read:

15 (2) "meeting" means a gathering of members of a governmental body  
16 when

17 (A) more than three members or a majority of the members,  
18 whichever is less, are present, a matter upon which the governmental body is  
19 empowered to act is considered by the members collectively, and the  
20 governmental body has the authority to establish policies or make decisions for  
21 a public entity; or

22 (B) more than three members or a majority of the  
23 members, whichever is less, are present, the gathering is prearranged for the  
24 purpose of considering a matter upon which the governmental body is  
25 empowered to act, and the governmental body has only authority to advise or  
26 make recommendations for a public entity but has no authority to establish  
27 policies or make decisions for the public entity;