

ALASKA STATE LEGISLATURE

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Committee Substitute for Senate Bill 15—Open Meetings Act; Penalty

Sectional Analysis

"An Act relating to the Open Meetings Act; establishing a civil penalty for violations of the open meeting requirements by members of governmental bodies; and relating to the duties of the Alaska Public Offices Commission and the attorney general."

Sec. 1 – AS 15.13 Page 1, Lines 5-14

Is amended by adding a new section AS 15.13.395 outlining the duties of the Alaska Public Offices Commission with regards to hearing and enforcing complaints of violations of section 4 of this bill AS 44.62.310(i). This section also excludes members of the commission from being subject to enforcement of AS 44.62.310(i) under this section.

Sec. 2 – AS 44.23.020 Page 2, Lines 1-10

Is amended by adding a new subsection AS 44.23.020(*l*) outlining the duties of the Alaska Attorney General with regard to hearing and enforcing complaints of violations of section 4 of this bill AS 44.62.310(i) directed toward members of the Alaska Public Offices Commission.

Sec. 3 – AS 44.62.310(h) Page 2, Lines 11-14

Is amended to define the terms “knowingly” and “public official.” Under this section, “knowingly” has the meaning given in AS 11.81.900(a)(2). “Public official” has the meaning given in AS 39.50.200(a)(9) but excludes “judicial officers” with regard to this bill.

Sec. 4 – AS 44.62.310 Page 2, Lines 15-23

Is amended by adding subsection AS 44.62.310(i) which adds a civil penalty of up to \$1,000 for elected or appointed members of a governmental body who knowingly attend a meeting that violates the Open Meetings Act. This section specifies that the Alaska Public Offices Commission will enforce this penalty in all cases except when a member of the commission is accused of a violation. This section also explicitly excludes community councils from the types of governmental bodies subject to this section.

Sec 5 – Page 2, Lines 24-29

Provides that the penalties added by this bill apply to conduct occurring on or after the effective date of this Act.