



Fairbanks North Star Borough

Office of the Mayor

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March 3, 2009

Representative Cathy Munoz, Co-Chair
Representative Bob Herron, Co-Chair
House Community & Regional Affairs Committee
State Capitol
Juneau, Alaska 99801

Re: Support for HB 153

Dear Representatives Munoz & Herron

The Fairbanks North Star Borough (FNSB) appreciates the House Community & Regional Affairs Committee for introducing House Bill 153 which will help make the Open Meetings Act more workable for volunteer advisory boards and commissions while preserving the intent and purpose of the Act.

The Open Meetings Act requires that all meetings of public bodies are open to the public and that the public body must provide reasonable notice of its meetings. The FNSB strongly supports maintaining the essence of the Act which is to protect the public's right to know.

Currently, there are provisions in the open meetings law that exempt meetings of juries, parole boards, staff meetings of public employees, etc. There is no exemption, however, for members of advisory bodies that also have administrative and managerial responsibilities. This is causing hardship to volunteer advisory board members - such as the FNSB's service area commissioners - who often find that they must choose between complying with the Act or providing delayed or unresponsive services. The FNSB supports the provision in HB 153 that would allow a further exemption for volunteer advisory bodies when meeting solely to act on matters that are administrative or managerial in nature, such as calling out snow plows, clearing brush or fixing potholes as needs arise.

With regard to the definition of "meeting" for advisory-only bodies such as the FNSB's service area commissions, the law is currently *more* stringent than the law governing policy-making bodies. Our service area commissions perform duties that are administrative and managerial in nature, requiring some discussion between commissioners, thus making compliance with current state law difficult to comply with. The FNSB supports the provision in HB 153 that will allow members of an advisory board to meet as long as it does not result in a violation of the "three or a majority" rule applicable to policy-making bodies.

The Fairbanks North Star Borough strongly supports HB 153 in its purpose to amend state law to allow volunteer advisory boards and commissions to effectively conduct business within their areas, while maintaining the basic intent of the Open Meetings Act.

Sincerely,

Jim Whitaker, Mayor

Nadine Winters, Presiding Officer