

**Senate Community & Regional Affairs
March 9, 2021**

SB 15 – Open Meetings Act Penalties – Sen. Mia Costello (R-Anchorage)

Good Afternoon Madam Chair and members of the Senate Community & Regional Affairs Committee. My name is Norm Wooten and I am the Director of Advocacy for the Association of Alaska School Boards.

I am here this afternoon to speak in opposition to SB 15 – Open Meetings Act Penalties.

The Association of Alaska School Boards is in full support of the current AS 44.62.310 Government Meetings Public, or as it is more commonly known, “The Alaska Open Meetings Act.” At AASB we get, on a routine month, 25 to 30 requests from school boards and school districts for questions on a variety of topics. Typically, about ½ of those queries are about the Open Meetings Act. School boards are cognizant of the Act and are wary of violating the Act and that is the reason they ask for our assistance. AASB routinely includes in our workshops instructions on the Open Meetings Act. Our conferences always include a session on the Open Meetings Act. School boards are well versed on the Open Meetings Act.

Additionally, at the onset of the COVID-19 pandemic, we consulted with our attorney and developed processes that would permit digital meetings and still comply with the ACT. We held webinars to make certain our boards would remain compliant. We also amended our model board policies so boards could make those changes and ensure their policies were also in compliance with the Act.

The Act is clear on the requirements:

- Meeting materials must be made available to the public;**
- Votes must be taken so the public knows how each person voted;**
- Reasonable public notice must be provided for meetings;**
- Protocols for executive sessions must be followed:**
 - The meeting must be initially convened in public;**

- **The subject to be considered must be one of the four allowable topics;**
- **No additional topics may be considered in executive session;**
- **Action may not be taken in executive session.**

Violations are voidable. That is, they must be corrected by the elected body in a manner that meets the Act.

My point is that school boards clearly understand their responsibility for compliance with the Act and take appropriate steps to ensure compliance.

It is my belief there needs to be a clear purpose for any new law. I see no need for amending the Act to financially and personally threaten volunteer, elected officials with a civil penalty of up to \$1000. These folks are doing good work as elected officials. They are law-abiding and I find it disingenuous to question their adherence to the law.

Thank you Madam Chair.