

**HOUSE CONCURRENT RESOLUTION NO. 16**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

**BY THE HOUSE RULES COMMITTEE BY REQUEST**

**Introduced: 4/11/01**

**Referred: State Affairs, Judiciary**

**A RESOLUTION**

1 **Approving the open meetings guidelines proposed by the Select Committee on**  
2 **Legislative Ethics.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS**, in sec. 10, ch. 69, SLA 1994, the Eighteenth Alaska State Legislature  
5 directed the Select Committee on Legislative Ethics to submit proposed initial guidelines  
6 applying the open meetings principles to the legislature; and

7 **WHEREAS** the committee submitted revised guidelines to the Nineteenth and  
8 Twenty-First Alaska State Legislatures, but they were not approved; and

9 **WHEREAS** the Select Committee on Legislative Ethics has submitted to the Twenty-  
10 Second Alaska State Legislature proposed initial guidelines that read as follows:

11 **Sec. 1. General rule.** Meetings of a legislative body shall be open to  
12 the public.

13 **Sec. 2. Meetings.** (a) For purposes of this guideline, a meeting occurs  
14 when a majority of the members of the legislative body is present and action is  
15 taken. A legislative body takes action when members of the body vote on or  
16 agree upon a course of action on a motion, bill, resolution, rule, or regulation.

1 (b) In this guideline, a legislative body

2 (1) includes

3 (A) the Senate;

4 (B) the House of Representatives;

5 (C) the Senate and the House of Representatives  
6 meeting in joint session;

7 (D) a committee of the legislature other than the  
8 Committee on Committees, including a standing committee, special  
9 committee, joint committee, conference or free conference committee,  
10 committee of the whole, or permanent interim committee;

11 (E) a delegation or caucus of legislators representing a  
12 geographic area or political subdivision;

13 (F) a legislative commission, task force, or other group;

14 or

15 (G) a caucus of members of one or more of the bodies  
16 set out in (A) - (F) of this paragraph; but

17 (2) does not include a Committee on Committees.

18 **Sec. 3. Executive sessions.** (a) A legislative body may call an  
19 executive session at which members of the public may be excluded.

20 (b) If permitted subjects are to be discussed at a meeting in executive  
21 session, the meeting must first be convened as a public meeting and the  
22 question of holding an executive session to discuss matters that are listed in (c)  
23 of this section shall be determined by a majority vote of the legislative body.  
24 The motion to convene in executive session must clearly and with specificity  
25 describe the subject of the proposed executive session without defeating the  
26 purpose of addressing the subject in private. Subjects may not be considered at  
27 the executive session except those mentioned in the motion calling for the  
28 executive session unless auxiliary to the main question. Except as otherwise  
29 provided in this section, a legislative body may not make a decision in  
30 executive session.

31 (c) An executive session may be held for discussion of a matter

1 (1) the immediate knowledge of which would adversely affect  
2 the finances of a government unit;

3 (2) that tends to prejudice the reputation and character of a  
4 person;

5 (3) that is, by law, required to be confidential;

6 (4) involving consideration of government records that by law  
7 are not subject to public disclosure;

8 (5) that is confidential as a privileged communication between  
9 an attorney and client under rules adopted by the supreme court; a legislative  
10 body may, in executive session, decide on and give instructions to an attorney  
11 representing the legislative body or the state on issues arising out of or related  
12 to the representation.

13 **Sec. 4. Closed meetings for political strategy.** Legislators may meet  
14 in closed caucus or in a private, informal meeting to discuss political strategy  
15 but those meetings are exempt from the requirements adopted under sec. 5(b)  
16 of these Guidelines. This section does not permit a joint meeting of the House  
17 and Senate majority caucuses or of the House and Senate minority caucuses to  
18 be conducted in a closed session.

19 **Sec. 5. Uniform Rules.** (a) The legislature shall adopt Uniform Rules  
20 to implement this guideline.

21 (b) The Uniform Rules of the Legislature shall provide for posting  
22 notices of meetings, recording proceedings, and making the recordings and  
23 votes available to the public. The Uniform Rules may set different notice  
24 requirements for meetings of

25 (1) permanent interim committees of the legislature;

26 (2) standing, special, or joint committees held during

27 (A) a regular legislative session, including different  
28 notice requirements for meetings held in the first week of the session or  
29 after the date a conference committee has been chosen to consider the  
30 operating budget;

31 (B) a special legislative session; and

1 (C) the interim between legislative sessions.

2 **BE IT RESOLVED** by the Alaska State Legislature that the open meetings guidelines  
3 proposed by the Select Committee on Legislative Ethics as set out in this resolution are  
4 approved.