

HOUSE BILL NO. 153

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE BY REQUEST

Introduced: 2/25/09

Referred: Community and Regional Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

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

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

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

7 (d) This section does not apply to

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

11 (2) juries;

12 (3) parole or pardon boards;

13 (4) meetings of a hospital medical staff;

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

1 when holding a meeting solely to act upon matters of professional qualifications,
2 privileges, or discipline;

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

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

12 (8) meetings by municipal boards, committees, commissions, or
13 other similar bodies when meeting solely to act on matters that are
14 administrative or managerial in nature.

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

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

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

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