

CS FOR HOUSE BILL NO. 153(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 4/2/09

Referred: Rules

Sponsor(s): HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

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

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

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

6 (d) This section does not apply to

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

10 (2) juries;

11 (3) parole or pardon boards;

12 (4) meetings of a hospital medical staff;

13 (5) meetings of the governmental body or any committee of a hospital
14 when holding a meeting solely to act upon matters of professional qualifications,

1 privileges, or discipline;

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

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

11 **(8) meetings of municipal service area boards established under**
12 **AS 29.35.450 - 29.35.490 when meeting solely to act on matters that are**
13 **administrative or managerial in nature.**

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

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

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

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