

1 IN THE HOUSE

BY MR. GREUEL

2 HOUSE BILL NO. 151

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring that certain records of
7 the state and its political subdivisions be
8 open for examination and inspection by citi-
9 zens of the state; authorizing such citi-
10 zens under certain conditions to make ex-
11 tracts, copies, photographs or photostats
12 of such records; providing for appeals to
13 the superior court; and providing for an
14 effective date."

15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

16 Section 1. For the purposes of this Act the following terms
17 shall have the following meanings:

18 (1) "Agency" means any department, board, or com-
19 mission of the executive branch of the state government, any po-
20 litical subdivision of the state, and any institution or authority
21 of the state government.

22 (2) "Public Record" means any account, voucher, or
23 contract dealing with the receipt or disbursement of funds by an
24 agency or its acquisition, use or disposal of services, or of
25 supplies, materials, equipment or other property, and any minute,
26 order or decision by an agency fixing the personal or property
27 rights, privileges, immunities, duties or obligations of any
28 person or group of persons, provided that the term "public records"
29 shall not mean any report, communication or other paper, the

1 publication of which would disclose the institution, progress or
2 result of an investigation undertaken by an agency in the per-
3 formance of its official duties, or any record, document, material,
4 exhibit, pleading, report, memorandum or other paper access to or
5 the publication of which is prohibited, restricted or forbidden
6 by statute, law or order or decree of court, or which would oper-
7 ate to the prejudice or impairment of a person's reputation or
8 personal security, or which would result in the loss by the state
9 or any of its political subdivisions or commissions or state or
10 municipal authorities of federal funds, excepting therefrom, how-
11 ever, the record of any conviction for any criminal act.

12 Sec. 2. Every public record of an agency shall at reasonable
13 times be open for examination and inspection by any citizen of the
14 State of Alaska.

15 Sec. 3. Any citizen of the state shall have the right to
16 take extracts or make copies of public records and to make photo-
17 graphs or photostats of the same while such records are in the
18 possession, custody and control of the lawful custodian thereof or
19 his authorized deputy. The lawful custodian of such records shall
20 have the right to adopt and enforce reasonable rules governing
21 the making of such extracts, copies, photographs or photostats.

22 Sec. 4. Any citizen of the state denied any right granted
23 to him by Sec. 2 or Sec. 3 of this Act may appeal from such denial
24 to the superior court. If such court determines that such denial
25 was not for just and proper cause under the terms of this Act, it
26 may enter such order for disclosure as it may deem proper.

27 Sec. 5. This Act shall take effect immediately upon its
28 passage and approval or upon its becoming law without such
29 approval.