

1 IN THE HOUSE BY MR. STEVENS

2 HOUSE BILL NO. 170

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act requiring that the meetings of  
7 agencies of the state and its subdivisions be  
8 open to the public with certain exceptions."

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

10 \* Section 1. AS 44.62.310 is repealed and re-enacted to read:

11 Sec. 44.62.310. AGENCY MEETINGS PUBLIC. (a) All  
12 meetings of an administrative or legislative body, board,  
13 commission, committee, subcommittee, authority, council,  
14 agency, or other organization, including subordinate units of  
15 the above groups, of the state or any of its political sub-  
16 divisions, including but not limited to municipalities,  
17 boroughs, school boards, and all other boards, agencies,  
18 assemblies, councils, departments, divisions, bureaus, com-  
19 missions or organizations, advisory or otherwise, of the  
20 state or local government supported in whole or in part by  
21 public money or authorized to spend public money, are open  
22 to the public except as otherwise provided by this section.

23 (b) If excepted subjects are to be discussed at a  
24 meeting, the meeting must first be convened as a public  
25 meeting and the question of holding an executive session to  
26 discuss matters that come within the exceptions contained in  
27 (c) of this section shall be determined by a majority vote of  
28 the agency. No subjects may be considered at the executive  
29 session except those mentioned in the motion calling for the

1 executive session. No action may be taken at the executive  
2 session.

3 (c) The following excepted subjects may be discussed  
4 in an executive session:

5 (1) matters, the immediate knowledge of which  
6 would adversely affect the finances of the government unit;

7 (2) subjects that tend to prejudice the reputation  
8 and character of a person other than a member of the group  
9 itself, provided the person may request a public discussion;  
10 and

11 (3) matters which by law are required to be con-  
12 fidential.

13 (d) This section does not apply to judicial or quasi-  
14 judicial bodies when holding a meeting solely to make a  
15 decision in an adjudicatory proceeding, or to juries, or to  
16 parole or pardon boards.

17 (e) Reasonable public notice shall be given for all  
18 meetings required to be open under this section.

19 (f) Any action taken contrary to this section is void.

20 (g) Any member of a body who participates in a meeting  
21 which violates this section, knowing the meeting to consti-  
22 tute a violation, is guilty of a misdemeanor and is punish-  
23 able by a fine of not more than \$1,000.

24 (h) Twenty-five registered voters of the political  
25 subdivision within which a governing body has jurisdiction  
26 may petition the superior court for an injunction to prevent  
27 violation of this section. The petition shall be given  
28 priority on the calendar of the court.  
29