

Original sponsor: Labor and
Commerce Committee

Offered: 4/6/82
Referred: Finance

1 IN THE HOUSE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR HOUSE BILL NO. 703 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the use of communications media
7 under the Administrative Procedure Act."

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

9 * Section 1. INTENT. The amendments in this Act are intended to allow
10 state agencies and the public to employ advances in communications media
11 technology that can increase the efficiency and convenience of transacting
12 business with or by a state agency. Nothing in this Act is intended to
13 diminish the constitutional or statutory rights of the parties or existing
14 procedural safeguards.

15 * Sec. 2. AS 44.62.210(a) is amended to read

16 (a) On the date and at the time and place designated in the notice
17 the agency shall give each interested person or his authorized repre-
18 sentative, or both, the opportunity to present statements, arguments, or
19 contentions in writing, with or without opportunity to present them
20 orally. The state agency may accept matter presented by means of any
21 form of communication and shall consider all relevant matter presented
22 to it before adopting, amending or repealing a regulation.

23 * Sec. 3. AS 44.62.310(a) is amended to read:

24 (a) All meetings of a legislative body, of a board of regents, or
25 of an administrative body, board, commission, committee, subcommittee,
26 authority, council, agency, or other organization, including subordinate
27 units of the above groups, of the state or any of its political sub-
28 divisions, including but not limited to municipalities, boroughs, school
29 boards, and all other boards, agencies, assemblies, councils, depart-

1 ments, divisions, bureaus, commissions or organizations, advisory or
2 otherwise, of the state or local government supported in whole or in
3 part by public money or authorized to spend public money, are open to
4 the public except as otherwise provided by this section. Attendance and
5 participation at meetings by the public or members of an agency may be
6 by communications media. Except when voice votes are authorized, the
7 vote shall be conducted in such a manner that the public may know the
8 vote of each person entitled to vote. This section does not apply to
9 any votes required to be taken to organize the afore-mentioned bodies.

10 * Sec. 4. AS 44.62.312(a) is amended by adding a new paragraph to read:

11 (6) the use of communications media under the provisions of
12 this chapter is for both the convenience of the public as well as the
13 agency and to provide the broadest dissemination of information as is
14 practicable.

15 * Sec. 5. AS 44.62.410 is amended by adding a new subsection to read:

16 (b) For the mutual convenience of the parties, the agency may use
17 communications media in the conduct of a hearing under this section.

18 * Sec. 6. AS 44.62.600 is amended to read:

19 Sec. 44.62.600. VOTING PROCEDURE [MAIL VOTE]. A member of an
20 agency qualified to vote on a question may vote by mail or by communica-
21 tions media. A vote by communications media shall be recorded in a
22 manner that identifies each person who has voted.

23 * Sec. 7. AS 44.62 is amended by adding a new section to read:

24 Sec. 44.62.635. COMMUNICATIONS MEDIA. In addition to the specific
25 authorizations in this chapter of the use of communications media, an
26 agency may use communications media for the benefit or convenience of
27 the parties or the public in connection with any proceeding or act
28 authorized under this chapter.

29 * Sec. 8. AS 44.62.640 is amended by adding a new subsection to read:

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(c) In this chapter "communications media" includes telecommunications equipment or services that provide for the exchange of information by audio, video, or computer teleconferencing.