

Original Sponsors: Brown, Ellis
Boucher, et al.

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR HOUSE JOINT RESOLUTION NO. 1 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - FIRST SESSION

5 Proposing an amendment to the Constitu-
6 tion of the State of Alaska relating to
7 open meetings.

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

9 * Section 1. Article I, Constitution of the State of Alaska, is amended
10 by adding a new section to read:

11 SECTION 24. MEETINGS OPEN. (a) Unless the legislature or a
12 committee of the legislature is meeting in executive session to con-
13 sider matters authorized by law, the discussions and debates of each
14 house of the legislature and its committees shall be open to the
15 public.

16 (b) Except as provided in (a) of this section, private and
17 formal or informal discussions that lead to promises, agreements, or
18 votes on legislation under its jurisdiction by a quorum of a house of
19 the legislature or a committee are prohibited. A court may not pre-
20 scribe rules or procedures for the conduct of legislative business or
21 invalidate legislation because of a violation of this section. A
22 court may impose a civil fine upon a member of the legislature for a
23 wilful violation of this section.

24 (c) The provisions of this section do not apply to a subcommit-
25 tee of a committee of the legislature.

26 (d) The legislature may implement this section.

27 * Sec. 2. INTENT. (a) The purpose of the amendment to art. I, Consti-
28 tution of the State of Alaska, proposed in sec. 1 of this resolution is to
29 make openness in government the rule and secrecy the exception. The

1 amendment ensures that the public is not excluded during the substantive
2 deliberative and decision-making stages of the budgetary and lawmaking
3 process.

4 (b) This amendment provides a basis for judicial enforcement of the
5 existing open meetings law (AS 44.62.310 - 44.62.312) or an amendment to it
6 to the extent that the provisions are consistent with the amendment pro-
7 posed in sec. 1 of this resolution, notwithstanding art. II, secs. 6 and
8 12, Constitution of the State of Alaska. The amount of civil fines au-
9 thorized by this amendment may be established by law.

10 (c) This amendment is not intended to prevent the free flow of ideas
11 among legislators or their participation in public forums, community
12 events, site visitations, or social events.

13 (d) In the preparation of its neutral summary under AS 15.58.-
14 020(6)(C), the Legislative Affairs Agency shall consider the statement of
15 legislative intent contained in (a) - (c) of this section.

16 * Sec. 3. The amendment proposed by this resolution shall be placed
17 before the voters of the state at the next general election in conformity
18 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
19 tion laws of the state.