Offered: 2/13/89 6-0013E
Referred: Judiciary and Finance

Original sponsors: Sturgulewski, Fischer, Kerttula, et al.

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE

2 CS FOR SENATE 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) Except as provided in (b) of
12 this section, private and substantive discussions or debates on legis-
13 lation under its jurisdiction by a quorum of a house of the legisla-
14 ture or of a committee are prohibited.

15 (b) The legislature or a committee of the legislature may meet
16 in executive sessions authorized by law.

17 (c) A court may not prescribe rules or procedures for the con-
18 duct of legislative business or invalidate legislation because of a
19 violation of this section.

20 (d) A court may impose a civil fine upon a member of the legis-
21 lature for a wilful violation of this section and may impose other
22 sanctions authorized by law.

23 (e) The legislature may implement this section.

24 * Sec. 2. INTENT. (a) The purpose of the amendment to art. I, Consti-
25 tution of the State of Alaska, proposed in sec. 1 of this resolution is to
26 make openness in government the rule and secrecy the exception. The amend-
27 ment ensures that the public is not excluded during the substantive delib-
28 erative and decision-making stages of the budgetary and lawmaking process.

29 (b) This amendment provides a basis for judicial enforcement of the

1 existing open meetings law (AS 44.62.310 - 44.62.312) or an amendment to
2 the extent that the provisions are consistent with the amendment proposed
3 in sec. 1 of this resolution, notwithstanding art. II, secs. 6 and 12,
4 Constitution of the State of Alaska. The amount of civil fines authorized
5 by this amendment may be established by law.
6 (c) This amendment is not intended to prevent the free flow of ideas
7 among legislators or their participation in public forums, community
8 events, site visitations, or social events.
9 (d) In the preparation of its neutral summary under AS 15.58.020(6)-
10 (C), the Legislative Affairs Agency shall consider the statement of legis-
11 lative intent contained in (a) - (c) of this section.
12 * Sec. 3. The amendment proposed by this resolution shall be placed
13 before the voters of the state at the next general election in conformity
14 with art. XIII, sec. 1, Constitution of the State of Alaska, and the elec-
15 tion laws of the state.