

SENATE JOINT RESOLUTION NO. 14
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATORS RODEY, Fischer, Sturgulewski

Introduced: 2/1/91
Referred: Senate Special Committee on Ethics Reform,
State Affairs, Judiciary and Finance

A RESOLUTION

1 Proposing an amendment to the Constitution of the State of Alaska relating to open
2 meetings.

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

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

6 SECTION 24. MEETINGS OPEN. (a) Except as provided in (b) of this section, private
7 and substantive discussions on legislation under its jurisdiction by a quorum of a house of the
8 legislature or of a committee of the legislature are prohibited.

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

11 (c) A court may not prescribe rules or procedures for the conduct of legislative business
12 or invalidate legislation because of a violation of this section.

13 (d) A court may impose a civil fine upon a member of the legislature for an intentional
14 violation of this section and may impose other sanctions authorized by law.

15 (e) The legislature may implement this section.

16 * Sec. 2. INTENT. (a) The purpose of the amendment to art. I, Constitution of the State of Alaska,

1 proposed in sec. 1 of this resolution is to make openness in government the rule and secrecy the
2 exception. The amendment ensures that the public is not excluded during the substantive deliberative
3 and decision-making stages of the budgetary and lawmaking process.

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

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

10 (d) In the preparation of its neutral summary under AS 15.58.020(6)(C), the Legislative Affairs
11 Agency shall consider the statement of legislative intent contained in (a) - (c) of this section.

12 * Sec. 3. The amendment proposed by this resolution shall be placed before the voters of the state
13 at the next general election in conformity with art. XIII, sec. 1, Constitution of the State of Alaska, and
14 the election laws of the state.