


**The Alaska Open Meetings Act**

**What Boards Need to Know**

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AASB




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**The Open Meetings Act**

State Law **AS 44.62.310**

The Open Meetings Act was adopted as state law to ensure that **all meetings of a governmental body**, with some specific exceptions, **are held in public for the public to see and hear**. It is a fundamental principle of a transparent and open form of democratic governance.




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**The Open Meetings Act**

AS 44.62.310

(a) **All meetings** of a governmental body of a **public entity of the state are open to the public** except as otherwise provided by this section or another provision of the law.....




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### The Open Meetings Act

AS 44.62.310

(a) cont....Except when voice votes are authorized, the vote shall be conducted in a manner that **the public shall know the vote of each person entitled to vote**.....This section does not apply to any votes taken to organize a governmental body described in this section.



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### The Open Meetings Act

AS 44.62.310

(b)...**executive session**, the meeting must first be convened as a public meeting and the question of holding an executive session to **discuss matters listed in (c)** of this section shall be determined by a **majority vote of the governmental body**.



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### The Open Meetings Act

AS 44.62.310

(b)(cont.) (**Executive Session**)The motion to convene...must **clearly and with specificity** describe the subject and the purpose of addressing the subject.....**without defeating the purpose** of addressing the subject in private.



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### The Open Meetings Act

AS 44.62.310

(b)(cont.) **(Executive Session) Subjects** may **not be considered** at the executive session **except those mentioned** in the motion.....**action may not be taken** at an executive session, **except** to give **direction** to an **attorney or labor negotiator**.....



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### The Open Meetings Act

AS 44.62.310

(c)The following subjects may be considered in executive session:

(1)matter, the immediate knowledge of which would clearly have an **adverse effect upon** the the **finances** of the public entity.

(2)Subjects that tend to **prejudice the reputation and character of any person**. Provided that person may request a public discussion.



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### The Open Meetings Act

AS 44.62.310

(c)The following subjects may be considered in executive session:

(3)Matters which **by law**, municipal charter, or ordinance are **required to be confidential**.

(4)Matters involving the consideration of **government records** that by law are **not subject to public disclosure**.



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### The Open Meetings Act

AS 44.62.310

(e) **Reasonable** public notice shall be given **for all meetings** required to be open under this section. The notice must include the **date, time, and place** of the meeting and if, the meeting is by teleconference, the location of any teleconference facilities that will be used.



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### The Open Meetings Act

AS 44.62.310

(e) (cont.)... A governmental body that **violates** or is alleged to have violated this section **may cure the violation** or alleged violation **by holding another meeting in compliance with notice and other requirements** of this section and conducting a substantial and public reconsideration of the circumstances, .....



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### The Open Meetings Act

AS 44.62.310

(g) (Advisory Boards) Subsection (f) of this section **does not apply to** a governmental body that **has only authority to advise** or make recommendations to a public entity and **has no authority to establish policies** or make decisions for the public entity.

(i.e. advisory boards cannot meet in private or executive session no matter the item for consideration.)



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