The Alaska Open Meetings Act

What Boards Need to Know

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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.

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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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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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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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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(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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(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 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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(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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(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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(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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(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.)