

## Public Meeting & Notice Requirement Policy

**Background:** The Executive Branch operates under the Open Meeting Act (AS 44.62.310) which covers the work of “all meetings of a governmental body of a public entity of the state.” The definition of a governmental body means

*an assembly, council, board, commission, committee, or other similar body of a public entity with the authority to establish policies or make decisions for the public entity or with the authority to advise or make recommendations to the public entity;  
“governmental body” includes the members of a subcommittee or other subordinate unit of a governmental body if the subordinate unit consists of two or more members;”*

And the definition of a public entity means

*an entity of the state or of a political subdivision of the state including an agency, a board or commission, the University of Alaska, a public authority or corporation, a municipality, a school district, and other governmental units of the state or a political subdivision of the state; it does not include the court system or the legislative branch of state government.*

Public notice must be given in a “reasonable time” and on the Alaska Public Notice System website.

The legislature operates under the Uniform Rules, specifically Rules 22 and 23 which speak to open meetings generally and committee meetings, respectively. Rule 22 provides that all meetings of the legislature, except Executive Sessions, are open to the public.

Rule 23 directs the notice and records requirements of legislative committees. Subsection (a) of Rule 23 directs that public notice of committees must be provided to Secretary and Chief Clerk by 4:00pm the Thursday preceding the week of the meeting. 24 hours’ notice is required for committee meetings during interim per subsection (e)(3). Notice for the legislative branch appears on the legislature’s website.

The question is whether the Redistricting Board is subject to notice requirements of AS 44.62.310, or the Uniform Rules of the legislature. The definition of “governmental body” and “public entity” are broad and could be construed to include the Redistricting Board.

Adoption of either the legislative or executive branch procurement code differed from this example in that the executive branch procurement code is specific in its applicability to “agencies”. The Alaska Redistricting Board is established by the constitution and is not an agency of the executive branch and can therefore “choose” to adopt a hybrid code that includes pieces of both the legislative and executive branch open meetings and public notice rules.

**Staff Recommendation:** Redistricting Board should adopt Alaska Open Meetings law, AS 44.62.310, as its public notice requirements. This action directs staff to ensure notice of the

meeting, its location, attachments, and teleconference options, would be posted to the Alaska Public Notice System website within a “reasonable time”. Staff will further make notice of its meetings available on the legislative website.

*It is the policy of the Alaska Redistricting Board that the board comply with the Alaska Open Meetings act and seek to provide 72 hours of public notice prior to board meetings with 24 hours notice being allowable. Notices shall be posted to the State of Alaska Public Notice System.*

***Adopted by unanimous consent, January 26, 2021***