



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
DEVELOPMENT**

**Division of Community and Regional Affairs**

# **Alaska Municipal League Meetings & Open Meetings Act**

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# Introduction: Topics Covered

Division of Community and Regional Affairs  
(DCRA)

Open Meetings Act

Parliamentary Procedures

How to be Effective



# The Constitution of the State of Alaska



## Article 10, Section 14:

“An agency shall be established by law in the executive branch of state government to advise and assist local governments. It shall review their activities, collect and publish local government information, and perform other duties prescribed by law.”

That’s DCRA!



## Division of Community and Regional Affairs



**DCCED Mission: Promote a healthy economy, strong communities, and protect consumers in Alaska.**

**DCRA Mission: Helping Alaska's communities build sustainable economies and a means of self-governance.**



# Division of Community and Regional Affairs

Grants & Funding

Bulk Fuel Revolving  
Loan Program

Serve Alaska

Floodplain  
Management

Community  
Resilience &  
Climate Adaptation  
Programs

Alaska Native  
Language  
Preservation

Alaska Regional  
Development  
Organizations

Office of the State  
Assessor

ANCSA Municipal  
Land Trust

Local Boundary  
Commission

Made in Alaska

Research and  
Analysis

Mapping & GIS

Local Government  
Assistance

Rural Utility  
Business Advisors

# Meetings



**Regular  
Meetings**

**Special  
Meetings**

**Emergency  
Meetings**

**Work  
Sessions**

**4 types of meetings**

## **Regular Meetings**

- **At least once a month, per city code**
- **Specify date, time, and place**
- **Can be cancelled by vote of at least 4 councilmembers**



## **Special Meetings**

- **Don't take the place of regular meetings**
- **Same requirements, different time**
- **May be called by mayor or by two council members**
- **Notice explains nature of items to consider**
- **Only those items may be considered**

## Emergency Meetings

- Special meeting with 24 hours notice or less
- Held to address urgent, pressing issues
- 24+ hours oral or written notice to a majority of members (reasonable notice given to all)
- 24> hours notice if all members present or if absent members waive in writing (waiver can be made after meeting)
- Ordinances adopted to address an emergency, only effective for 60 days

- **(Committee of the whole)**
- **Allow for more informal discussion and closer study of issues**
- **No action can be taken, but recommendations can be made**

**Regular  
Meetings**



**At least 5  
days**

**Special  
Meetings**



**At least  
24 Hours**

**Emergency  
Meetings**



**24 Hours  
or Less**

**Work  
Sessions**



**At least 24  
hours**

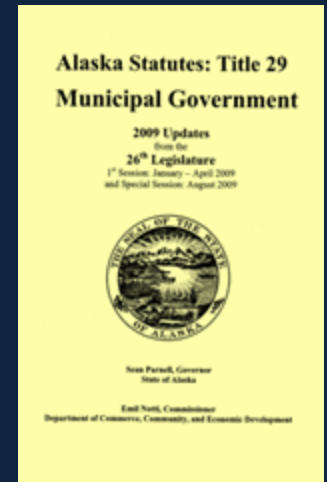
## **Notice Requirements**

**Note: OMA court rulings: in some cases,  
“reasonable notice” may be longer!**

# Open Meetings Act



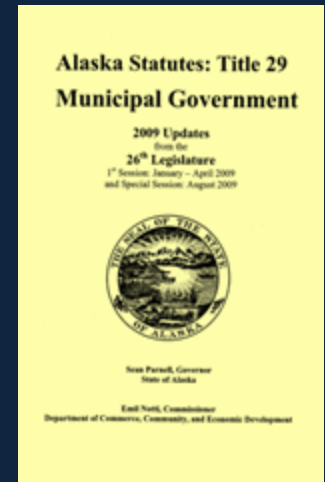
# Open Meetings



## AS 44.62.310: Open Meetings Act (OMA)

**“All meetings of a governmental body of a public entity of the state are open to the public...”**

# Open Meetings



## AS 44.62.310: Open Meetings Act (OMA)

- Ensures public participation
- Mandates all meetings of governmental body be public
- Broadly interpreted

# Who's covered?

**OMA**





# Who's **not** covered?

OMA

Individuals

Employees  
& Staff

Membership  
Organizations

Governmental bodies

Private  
Corporations

Public Entities

U.S. Government

Native Entities



# What's a “meeting”?

## Policy-Making Meetings

## Advisory-Only Meetings

A gathering of a majority of the governing body where a matter upon which that body is empowered to act is considered collectively by the members.

A gathering of members of a governing body where the purpose is considering a matter to advise, and upon which the governmental body is empowered to act.

# The Public's Rights

- OMA aids the people's business
- The people do not yield their sovereignty
- Representatives don't decide what is good for the public to know
- Right to remain informed
- Right to be heard
- Reasonable notice and opportunity to attend

# What's “reasonable”?

“Reasonable public notice shall be given for all meetings.”

AS 44.62.310(e)

- Notice has date, time, and place
- At least 24 hours notice, but...
- Posted in three public places
- Reasonable ■ Print or broadcast
- Must be consistent

# Some Particulars

- **Serial Communications**
- **Polling Council Members**
- **E-mail Correspondences between Council Members**
- **E-mail Correspondences with Staff Members**
- **“Alaska’s Open Meetings Law”**

**by Gordon J. Tans**

# Executive Sessions



The diagram consists of a large light blue rectangle. In the bottom right corner of this rectangle is a smaller, darker purple rectangle. The text 'Public Meeting' is centered in the light blue area, and the text 'Executive Session' is centered in the purple area.

**Public Meeting**

**Executive  
Session**

## Must begin and end in a public meeting

**Public temporarily excluded due to the subject matter**

# No action can be taken

## Executive Session

## Only certain topics may be discussed

- Adverse financial impact
  - Reputation and character
  - Matters required to be kept confidential
  - Confidential records
  - Attorney-client privilege
- Only certain topics  
may be discussed



# How to be Effective



# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

**Come to Meetings**

# How to Be Effective:

Study

Prepare

Listen

Contribute

## Specifically:

**Request & Read  
your Packets**

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

Don't be a single  
issue member

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

Take part in  
Debate

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

Debate,  
But don't fight

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

Don't  
Micromanage

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

**Know all sides  
of the issues**



# How to Be Effective:

Study

Prepare

Listen

Contribute

## Specifically:

**Rely on Facts  
Not Opinions**

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

**Maintain good  
relations with staff**

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

**Be familiar with Title 29,  
ACC, Bylaws**

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

Share  
Information

# How to Be Effective:

Study

Prepare

Listen

Contribute

Specifically:

Ask  
Questions

# How to Be Effective:

Study

Prepare

Listen

Contribute

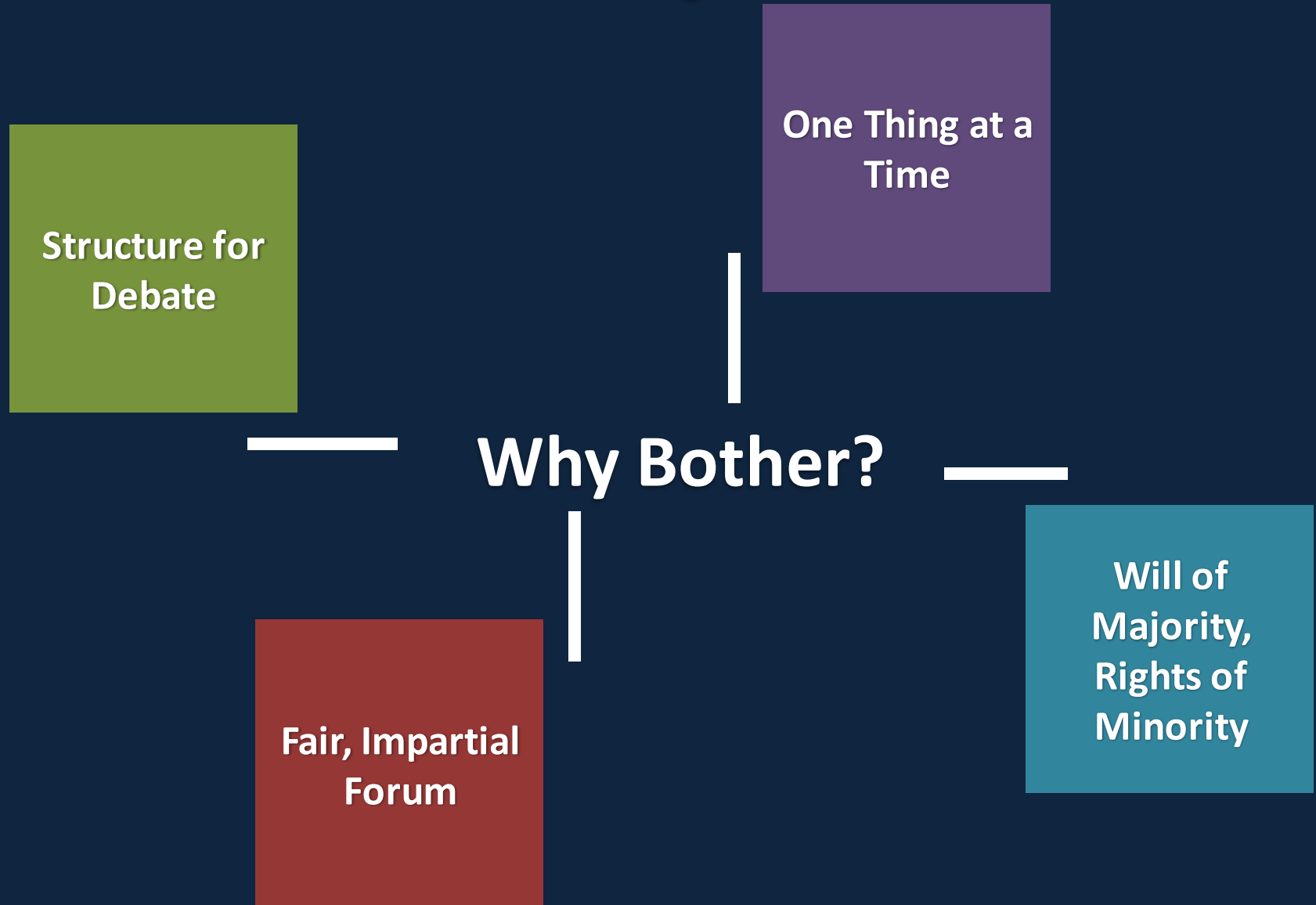
Specifically:

Other  
Ideas??

# Parliamentary Procedures

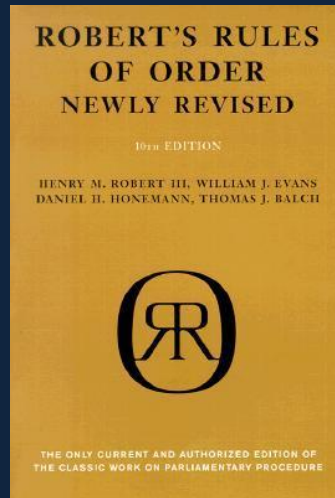


# Parliamentary Procedure





# It's about the motions.



- How they're made
- How they're disposed of
- Types of motions
- Relationship between motions

# Motions

## Types of motions

Classified into four types take  
certain actions

# Motions

Classified into four types:

- Main Motion
- Subsidiary Motions
- Privileged Motions
- Incidental Motions

**Main**

**Subsidiary**

**Main Motion**

**Subsidiary Motions**

**Privileged**

**Privileged Motions**

**Incidental Motions**

**Incidental**

## **Main**

**Main motions bring business before the body.**

- **Motion to consider a new law**
- **Motion to adopt a resolution**
- **Motion to amend the city code**

**Subsidiary motions modify or dispose of the main motion.**

**Subsidiary**

- **Motion to amend the main motion**
- **Motion to postpone**
- **Motion to “lay on the table”**
- **Motion to refer to a committee**

- **Motion to adjourn**
- **Motion to take a recess**
- **Motion to call for orders of the day**
- **Motion to raise a question of privilege**

**Privileged**

**Privileged motions deal with matters of immediate importance.**

- **Motion to rise to a point of order**
- **Motion to rise to parliamentary inquiry**
- **Motion to withdraw another motion**
- **Motion to suspend the rules**

**Incidental motions deal with questions of procedure and are unrelated.**

**Incidental**



Subsidiary

Motion to adjourn for lunch

Privileged

## Order of Precedence

Motion to amend the main motion  
and specify “chocolate ice cream”

Subsidiary

Incidental

Motion to eat ice cream

Privileged



Seek  
Recognition

**1. Member Making a Motion**  
recognition from the chair.

**“Mr. Chairman.”**

Seek  
Recognition

**2. Member is recognized by  
the chair and “has the floor.”**

**“Council Member Jane.”**

Recognized

Seek  
Recognition

Recognized

Make  
Motion

### 3. Member makes a motion.

**“I move to eat ice cream.”**

Seek  
Recognition

Recognized

Make  
Motion

Motion  
Seconded

## 4. Motion is seconded.

“I second the motion.”

Seek  
Recognition

## 5. Chair restates motion to the body.

Recognized

“Motion to eat ice cream. Is  
there any discussion?”

Make  
Motion

Motion  
Seconded

Motion  
Restated

Seek  
Recognition

Recognized

Make  
Motion

Motion  
Seconded

Motion  
Restated

Debate

## 6. Council debates the motion.

“Ice cream’s delicious!”

“I don’t like ice cream.”

“I’m lactose intolerant.”

Seek  
Recognition

Recognized

Make  
Motion

Motion  
Seconded

Motion  
Restated

Debate

Vote

## 7. Council votes on the motion.

“All in favor of the motion say  
‘Yes’. Those opposed say ‘No’.”



Seek  
Recognition

## 8. Chair announces the result.

**“The motion is carried.”**

Recognized

Make  
Motion

Motion  
Seconded

Motion  
Restated

Debate

Vote

Result  
Announced

**Raise a  
Question of  
Privilege**

**Point of  
Order**

**— A few particulars —**

**Suspend  
the Rules**

**Addressing  
the Chair**

## **Raise a Question of Privilege**

- **Questions relating to the rights and privileges of the assembly or an individual**
- **Includes matters of comfort, amplification, or safety**
- **Matters of urgency**

## Point of Order

- To correct a breach in the rules
- A tool for ensuring rules and laws are being followed, both parliamentary and otherwise
- Does not end a debate, but brings the debate into accordance with parliamentary procedure

## **Suspend the Rules**

- **Temporarily sets aside rules of the assembly**
- **Primarily used to take up a particular item of business out of regular agenda order**
- **Must ensure fundamental rules and rights of minority still respected**

## Addressing the Chair

- **Members address the chair directly:  
“Mr. Chairman; Madam Chairman”**
- **Members may speak after the chair  
has assigned them the floor**
- **Ensures there is only one person  
speaking at a time, and everyone  
has an opportunity to speak**



# Questions?

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