

# 31<sup>st</sup> Alaska State Legislature



## Senate Rules Committee

### **SPONSOR STATEMENT**

Senate Bill 89 (SB 89) - "An Act relating to the Legislative Ethics Act; and providing for an effective date."

SB 89 clarifies uncertainties that have emerged after the 2018 passage of SCS CSSSHB 44(STA) (known as "House Bill 44" or "HB 44"). Specifically, certain portions of HB 44 eroded Alaskans' ability to have full, constitutionally required representation by a citizen legislature. In some cases, conflict provisions are currently so restrictive that a legislator can't live in "the real world," with a family, and do the duties that they were elected to do.

For example, successful miners can't carry a mining bill. Successful commercial fishermen can't carry a fishing bill. The alleged "conflicted" subject matter can only be discussed in a public forum, including a committee and the floor, and only upon declaring a conflict to the legislature.

In addition: A legislator's spouse or immediate family cannot be connected to the alleged "conflicted" subject matter either. In essence, legislators that have a certain expertise in a field, or that are most knowledgeable, or because of broad family connections, can't talk about multiple subject areas that are important to the state of Alaska, except under, essentially, unreasonably tight conditions.

Those elements combined damage the legislative process. Currently there can be no private meetings on any "conflicted" subject matter. There are severe restrictions on "official action," in multiple forms (including drafting of legislation and mere discussion). A vast "net" of alleged "conflict" now exists because of the bill's language extending "conflict" to immediate family members. "Conflicts" have been expanded to "financial interests" and measured against "the general public."

What are the proposed changes?

1. Definitions are being changed back to the way they existed, prior to HB 44 (2018).
2. The "committee process" language is being removed.
3. "Financial interest" is being changed to back to "equity or ownership interest."
4. "General public" is being returned to "substantial class of persons to which the legislator belongs as a member of a profession, occupation, industry, or region."
5. There is an immediate effective date.

Please join the Senate Rules Chair in supporting this necessary legislation.