

31-LS0209\G
Wayne
4/16/19

CS FOR SENATE BILL NO. 89()

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): SENATE RULES COMMITTEE

A BILL

FOR AN ACT ENTITLED

"An Act relating to the Legislative Ethics Act; and providing for an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 24.60.010 is amended by adding a new paragraph to read:

(9) a fair and open government requires that constituents have unencumbered access to legislators about issues important to the state pursuant to art. I, secs. 5 and 6, Constitution of the State of Alaska, which protect the right of a legislator and a constituent to meet and the right of a person to petition the government, and this chapter is not intended to restrict those rights.

*** Sec. 2.** AS 24.60.030(e) is amended to read:

(e) A legislator may not directly, or by authorizing another to act on the legislator's behalf,

(1) agree to, threaten to, or state or imply that the legislator will take or withhold a legislative, administrative, or political action, including support for or opposition to a bill, employment, nominations, and appointments, as a result of a person's decision to provide or not provide a political contribution, donate or not

donate to a cause favored by the legislator, or provide or not provide a thing of value;

(2) state or imply that the legislator will perform or refrain from performing a lawful constituent service as a result of a person's decision to provide or not provide a political contribution, donate or not donate to a cause favored by the legislator, or provide or not provide a thing of value; or

(3) **unless required by the Uniform Rules of the Alaska State Legislature** [EXCEPT AS PROVIDED IN (g) OF THIS SECTION OR WHILE PARTICIPATING IN A PUBLIC DISCUSSION OR DEBATE], take or withhold **legislative** [OFFICIAL] action [OR EXERT OFFICIAL INFLUENCE] that **is likely to** [COULD] substantially benefit or harm the financial interest of **the legislator, the legislator's spouse, or** a person

[(A) WHO IS A MEMBER OF THE LEGISLATOR'S IMMEDIATE FAMILY;

(B) BY WHOM THE LEGISLATOR OR A MEMBER OF THE LEGISLATOR'S IMMEDIATE FAMILY IS EMPLOYED;

(C)] with whom the legislator **or the legislator's spouse is employed or** is negotiating for employment [;

(D) FROM WHOM THE LEGISLATOR OR A MEMBER OF THE LEGISLATOR'S IMMEDIATE FAMILY HAS, IN THE IMMEDIATELY PRECEDING 12-MONTH PERIOD, RECEIVED MORE THAN \$10,000 OF INCOME].

* **Sec. 3.** AS 24.60.030(g) is amended to read:

(g) Unless otherwise required by the Uniform Rules of the Alaska State Legislature, a legislator shall declare a conflict of interest before voting on a question before a committee of the legislature, and shall request to be excused from voting on a question before a house of the **legislature** [LEGISLATURE,] if the **effect of the vote is likely to substantially benefit or harm the financial interest of the legislator,** [LEGISLATOR OR A MEMBER OF] the legislator's **spouse, or a person with whom the legislator or the legislator's spouse is employed or is negotiating for employment** [IMMEDIATE FAMILY HAS A FINANCIAL INTEREST IN A BUSINESS, INVESTMENT, REAL PROPERTY, LEASE, OR OTHER

1 ENTERPRISE IF THE INTEREST IS SUBSTANTIAL AND THE EFFECT ON
2 THAT INTEREST OF THE ACTION TO BE VOTED ON IS GREATER THAN
3 THE EFFECT ON THE GENERAL PUBLIC OF THE STATE. HOWEVER,
4 NOTWITHSTANDING (e)(3) OF THIS SECTION AND THE LIMITATIONS OF
5 THIS SUBSECTION, A LEGISLATOR MAY VOTE ON AN APPROPRIATION
6 BILL THAT MEETS THE REQUIREMENTS OF AS 37.07.020(a) OR 37.07.100].

7 * **Sec. 4.** AS 24.60.030(j)(2) is amended to read:

8 (2) "substantially benefit or harm" means the effect on the person's
9 financial interest is greater than the effect on the financial interest of **a substantial**
10 **class of persons to which the person belongs as a member of a profession,**
11 **occupation, industry, or region** [THE GENERAL PUBLIC OF THE STATE].

12 * **Sec. 5.** AS 24.60.030(j) is amended by adding a new paragraph to read:

13 (3) "financial interest" means a substantial equity or ownership interest
14 in a business, investment, real property, lease, or other enterprise.

15 * **Sec. 6.** AS 24.60.990(a)(6) is repealed.

16 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).