

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 44(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/3/17

Referred: Rules

Sponsor(s): REPRESENTATIVES GRENN, LeDoux, Kawasaki, Tuck, Stutes, Spohnholz, Parish, Fansler, Tarr, Drummond, Gara, Ortiz, Josephson

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring a legislator to abstain from taking or withholding official action or**
2 **exerting official influence that could benefit or harm an immediate family member or**
3 **certain employers; and requiring a legislator to request to be excused from voting in an**
4 **instance where the legislator may have a financial conflict of interest."**

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

6 * **Section 1.** AS 24.60.030(e) is amended to read:

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

9 (1) agree to, threaten to, or state or imply that the legislator will take or
10 withhold a legislative, administrative, or political action, including support **for** or
11 opposition to a bill, employment, nominations, and appointments, as a result of a
12 person's decision to provide or not provide a political contribution, donate or not
13 donate to a cause favored by the legislator, or provide or not provide a thing of value;

14 (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) except as provided in (g) of this section or while participating in a public discussion or debate [UNLESS REQUIRED BY THE UNIFORM RULES OF THE ALASKA STATE LEGISLATURE], take or withhold official action or exert official influence that could substantially benefit or harm the financial interest of a [ANOTHER] person

(A) who is a member of the legislator's immediate family;

(B) by [WITH] whom the legislator or a member of the legislator's immediate family is employed;

(C) with whom the legislator 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. 2. 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 [MAY NOT VOTE] 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, if the legislator or a member of the legislator's immediate family has a financial [AN EQUITY OR OWNERSHIP] interest in a business, investment, real property, lease, or other enterprise if the interest is substantial and the effect on that interest of the action to be voted on is greater than the effect on the general public of the state. However, notwithstanding (e)(3) of this section and the limitations of this subsection, a legislator may vote on an appropriation bill that meets the requirements of AS 37.07.020(a) or 37.07.100 (Executive Budget Act) [A SUBSTANTIAL CLASS OF PERSONS TO WHICH THE LEGISLATOR BELONGS AS A MEMBER OF A PROFESSION, OCCUPATION, INDUSTRY, OR REGION].

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

(j) In this section,

1 **(1)** "administrative hearing" means a quasi-judicial hearing before an
2 agency; "administrative hearing" does not include an informal conference or review
3 held by an agency before a final decision is issued or a rate-making proceeding or
4 other nonadjudicative public hearing;

5 **(2)** "substantially benefit or harm" means the effect on the
6 **person's financial interest is greater than the effect on the financial interest of the**
7 **general public of the state.**

8 * **Sec. 4.** AS 24.60.990(a) is amended by adding a new paragraph to read:

9 (17) "financial interest" means ownership of an interest or an
10 involvement in a business, including a property ownership, or a professional or private
11 relationship, that is a source of income, or from which, or as a result of which, a
12 person has received or expects to receive a financial benefit.