

SENATE BILL NO. 105

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE SELECT COMMITTEE ON
LEGISLATIVE ETHICS

Introduced: 2/25/97

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to legislative ethics; relating to the filing of disclosures by
2 certain legislative employees and officials; and providing for an effective date."

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

4 * **Section 1.** AS 24.25.010(e) is amended to read:

5 (e) This section does not apply to the legislative council, the Select
6 Committee on Legislative Ethics, or [NOR TO] the Legislative Budget and Audit
7 Committee.

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

9 (a) A legislator or legislative employee may not

10 (1) solicit, agree to accept, or accept a benefit other than official
11 compensation for the performance of public duties; this paragraph may not be
12 construed to prohibit lawful solicitation for and acceptance of campaign contributions
13 or the acceptance of a lawful gratuity under AS 24.60.080;

14 (2) use public funds, facilities, equipment, services, or another

1 government asset or resource for a nongovernmental purpose or for the private benefit
 2 of either the legislator, legislative employee, or another person; this paragraph does not
 3 prohibit

4 (A) limited use of state property and resources for personal
 5 purposes if the use does not interfere with the performance of public duties and
 6 the cost or value related to the use is nominal;

7 (B) the use of mailing lists, computer data, or other information
 8 lawfully obtained from a government agency and available to the general public
 9 for nongovernmental purposes; or

10 (C) telephone use that does not carry a special charge;

11 (3) knowingly seek, accept, use, allocate, grant, or award public funds
 12 for a purpose other than that approved by law, or make a false statement in connection
 13 with a claim, request, or application for compensation, reimbursement, or travel
 14 allowances from public funds;

15 (4) require a legislative employee to perform services for the private
 16 benefit of the legislator or employee at any time, or allow a legislative employee to
 17 perform services for the private benefit of a legislator or employee on government
 18 time; it is not a violation of this paragraph if the services were performed in an
 19 unusual or infrequent situation and the person's services were reasonably necessary to
 20 permit the legislator or legislative employee to perform official duties;

21 (5) use or authorize the use of state funds, facilities, equipment,
 22 services, or another government asset or resource for the purpose of political fund
 23 raising or campaigning; this paragraph does not prohibit

24 (A) limited use of state property and resources for personal
 25 purposes if the use does not interfere with the performance of public duties and
 26 the cost or value related to the use is nominal;

27 (B) the use of mailing lists, computer data, or other information
 28 lawfully obtained from a government agency and available to the general public
 29 for nongovernmental purposes; [OR]

30 (C) telephone use that does not carry a special charge; or

31 **(D) storing or maintaining, consistent with (b) of this**

1 **section, election campaign records in a legislator's office so long as the**
 2 **records are not displayed publicly.**

3 * **Sec. 3.** AS 24.60.030(c) is repealed and reenacted to read:

4 (c) Unless approved by the committee, during a campaign period for an
 5 election in which the legislator or legislative employee is a candidate, a legislator or
 6 legislative employee may not use or permit another to use state funds, other than funds
 7 to which the legislator is entitled as an office allowance, to print or distribute a
 8 political mass mailing to individuals eligible to vote for the candidate. In this
 9 subsection,

10 (1) a "campaign period" is the period that

11 (A) begins 90 days before the date of an election to the board
 12 of an electric or telephone cooperative organized under AS 10.25, a municipal
 13 election, or a primary election, or that begins on the date of the governor's
 14 proclamation calling a special election; and

15 (B) ends the day after the cooperative election, municipal
 16 election, or general or special election;

17 (2) a mass mailing is considered to be political if it is from or about
 18 a legislator, legislative employee, or another person who is a candidate for election or
 19 reelection to the legislature or another federal, state, or municipal office or to the board
 20 of an electric or telephone cooperative.

21 * **Sec. 4.** AS 24.60.030(d) is amended to read:

22 (d) A legislator, **legislative employee**, or another person on behalf of the
 23 legislator **or legislative employee**, or a campaign committee of the legislator **or**
 24 **legislative employee**, may not distribute or post campaign literature, placards, posters,
 25 **fund-raising notices**, or other communications intended to influence the election of
 26 a candidate in an election in public areas in a facility ordinarily used to conduct state
 27 government business. **This prohibition applies whether or not the election has been**
 28 **concluded. However, a legislator may post, in the legislator's private office,**
 29 **communications related to an election that has been concluded.**

30 * **Sec. 5.** AS 24.60.030(f) is amended to read:

31 (f) A legislative employee may not serve in a position that requires

1 confirmation by the legislature. A legislator or legislative employee may serve on a
 2 board of an organization, including a governmental entity, that regularly has a
 3 substantial interest in the legislative activities of the legislator or employee [,] if the
 4 legislator or employee discloses the board membership to the committee. **A legislator**
 5 **or legislative employee who is required to make a disclosure under this subsection**
 6 **shall file the disclosure with the committee by the deadlines set out in**
 7 **AS 24.60.105 stating the name of each organization on whose board the person**
 8 **serves. The committee shall maintain a public record of the disclosure and**
 9 **forward the disclosure to the appropriate house for inclusion in the journal. This**
 10 **subsection does not require a legislator or legislative employee who is appointed**
 11 **to a board by the presiding officer to make a disclosure of the appointment to the**
 12 **committee if the appointment has been published in the appropriate legislative**
 13 **journal during the calendar year.**

14 * **Sec. 6.** AS 24.60.030(g) is repealed and reenacted to read:

15 (g) A legislator or legislative employee who has a substantial financial interest
 16 that may be affected by official action may not take official action on the matter unless
 17 the financial interest has been disclosed as required by this subsection. In the case of
 18 a matter that is before a legislative committee or a house of the legislature, the
 19 legislator or legislative employee shall orally disclose the financial interest to the
 20 legislative committee or to the legislative house, as appropriate. The disclosure must
 21 be reported in the journal or in the committee minutes, as appropriate. In the case of
 22 a matter that is not before a legislative committee or a house of the legislature, the
 23 legislator or legislative employee shall disclose the financial interest to the ethics
 24 committee in writing, to be received by the committee within seven days after the
 25 legislator or legislative employee takes the action. This written disclosure is a public
 26 document. The committee shall promptly forward the disclosure to the clerk of the
 27 house or the senate secretary for publication in the journal. A disclosure under this
 28 subsection, whether written or oral, must include the nature of the financial interest and
 29 a short description of how the action taken affects the interest. In this subsection,

30 (1) "financial interest" includes

31 (A) an equity or ownership interest in a business, investment,

1 real property, lease, or other enterprise if the effect of the action on that interest
 2 is greater than the effect on a substantial class of persons to which the
 3 legislator or legislative employee belongs as a member of a profession,
 4 occupation, industry, or region;

5 (B) an interest based on employment of the legislator or
 6 legislative employee or the spouse, spousal equivalent, or dependent child of
 7 the legislator or legislative employee;

8 (C) an interest based on a contract, including a personal services
 9 contract, in which the legislator or legislative employee or the spouse, spousal
 10 equivalent, or dependent child of the legislator or legislative employee is
 11 entitled to receive a benefit from a business or other entity;

12 (D) an interest created by membership on the board of directors
 13 of a corporation regardless of whether the effect of the action on that interest
 14 is greater than the effect on a substantial class of persons to which the
 15 legislator or legislative employee belongs as a member of a profession,
 16 occupation, industry, or region;

17 (2) "official action" includes legislative, administrative, and political
 18 action.

19 * **Sec. 7.** AS 24.60.030 is amended by adding a new subsection to read:

20 (h) In this section, when determining whether an employee is considered to be
 21 performing a task on government time, the committee shall consider the employee's
 22 work schedule as set by the employee's immediate supervisor. An employee who
 23 engages in political campaign activities other than incidental campaign activities as
 24 described in this subsection during the employee's work day shall take leave for the
 25 period of campaigning. Political campaign activities while on government time are
 26 permissible if the activities are part of the normal legislative duties of the employee,
 27 including answering telephone calls and handling incoming correspondence.

28 * **Sec. 8.** AS 24.60.031(a) is amended to read:

29 (a) A legislator or legislative employee may not

30 (1) on a day when either house of [WHILE] the legislature is in
 31 regular or special session, solicit or accept a contribution or a promise or pledge to

1 make a contribution for a state legislative campaign;

2 (2) accept money from an event held on a day when either house of
 3 the legislature is in regular or special [DURING A LEGISLATIVE] session if a
 4 substantial purpose of the event is [EITHER] to raise money on behalf of the member
 5 or legislative employee for [CAMPAIGN PURPOSES OR TO RAISE MONEY FOR]
 6 state legislative political purposes; or

7 (3) expend money in a state legislative campaign that was raised by or
 8 on behalf of a legislator on a day when either house of the legislature was in
 9 [DURING] a legislative session under a declaration of candidacy or a general letter
 10 of intent to become a candidate for public office.

11 * **Sec. 9.** AS 24.60.039 is amended by adding a new subsection to read:

12 (b) If a person files a complaint with the committee under AS 24.60.170
 13 alleging a violation of this section, the committee may refer the complainant to the
 14 State Commission for Human Rights and may defer its consideration of the complaint
 15 until after the complainant establishes to the satisfaction of the committee that the
 16 commission has completed its proceedings in the matter.

17 * **Sec. 10.** AS 24.60.040(a) is amended to read:

18 (a) A legislator or legislative employee, or a member of the immediate family
 19 of a legislator or legislative employee, may not be a party to or have an interest in a
 20 state contract or lease unless the contract or lease is let [THROUGH COMPETITIVE
 21 SEALED BIDDING] under AS 36.30 (State Procurement Code) or, for agencies that
 22 are not subject to AS 36.30, under similar procedures, or the total annual amount
 23 of the state contract or lease is \$5,000 [\$1,000] or less, or is a standardized contract
 24 or lease that was developed under publicly established guidelines and is generally
 25 available to the public at large, members of a profession, occupation, or group. A
 26 person has an interest in a state contract or lease under this section if the person
 27 receives direct or indirect financial benefits. A legislator or legislative employee who
 28 participates in, or who knows or reasonably should know that a family member
 29 is participating in, a state contract or lease that has an annual value of \$5,000 or
 30 more shall disclose the participation to the committee by the date required under
 31 AS 24.60.105. The legislator or legislative employee shall also disclose the

1 renegotiation of a state contract or lease if the original had to be disclosed under
 2 this section or if, as a result of renegotiation, disclosure is required under this
 3 section. The disclosure must state the amount of the contract or lease and the
 4 name of the state agency issuing the contract or lease and must identify the
 5 procedures under which the contract or lease was issued. If the disclosure
 6 concerns a contract or lease in which a family member of the discloser is
 7 participating, the disclosure must identify the relationship between the participant
 8 and the discloser.

9 * **Sec. 11.** AS 24.60.040 is amended by adding a new subsection to read:

10 (c) This section does not apply to a contract or lease issued under a state
 11 program or loan that is subject to AS 24.60.050. A grant that results in a contract but
 12 that is not subject to AS 24.60.050 is subject to this section.

13 * **Sec. 12.** AS 24.60.050(c) is amended to read:

14 (c) A legislator or legislative employee who participates in a program or
 15 receives a loan that is not exempt from disclosure under (a) of this section shall file
 16 a written report with the committee by the date required under AS 24.60.105
 17 [FEBRUARY 15 OF EACH YEAR] stating the amounts of the loans outstanding or
 18 benefits received during the preceding calendar year from nonqualifying programs. If
 19 the committee requests additional information necessary to determine the propriety of
 20 participating in the program or receiving the loan, it shall be promptly provided. The
 21 committee shall promptly compile a list of the statements indicating the loans and
 22 programs and amounts and send it to the presiding officer of each house who shall
 23 have it published in the supplemental journals within three weeks after [OF] the filing
 24 date. A legislator or legislative employee who believes that disclosure of
 25 participation in a program would be an invasion of the participant's right to
 26 privacy under the state constitution may request the committee to keep the
 27 disclosure confidential. If the committee finds that publication would constitute
 28 an invasion of privacy, the committee shall publish only the fact that a person has
 29 participated in the program and the amount of benefit that the unnamed person
 30 received. The committee shall maintain the disclosure of the name of the person
 31 as confidential and may only use the disclosure in a proceeding under

AS 24.60.170. If the disclosure becomes part of the record of a proceeding under AS 24.60.170, the disclosure may be made public as provided in that section.

* **Sec. 13.** AS 24.60.060 is amended by adding a new subsection to read:

(b) A legislator or legislative employee who is the subject of a complaint under AS 24.60.170 violates this section if the legislator or legislative employee violates a protective order issued under AS 24.60.170(i).

* **Sec. 14.** AS 24.60.070(b) is amended to read:

(b) **A legislator or legislative employee required to make a disclosure under this section shall make a disclosure by the date set under AS 24.60.105 of the legislator's or legislative employee's close economic associations then in existence.** A disclosure under this section must be sufficiently detailed that a reader of the disclosure can ascertain the nature of the association.

* **Sec. 15.** AS 24.60.070 is amended by adding a new subsection to read:

(d) When making a disclosure under (a) of this section concerning a relationship with a lobbyist to whom the legislator or legislative employee is married or who is the legislator's or legislative employee's spousal equivalent, the legislator or legislative employee shall also disclose the name and address of each employer of the lobbyist and the total monetary value received from the lobbyist's employer. The legislator or legislative employee shall report changes in the employer of the spouse or spousal equivalent within 48 hours after the change. In this subsection, "employer of the lobbyist" means the person from whom the lobbyist received amounts or things of value for engaging in lobbying on behalf of the person.

* **Sec. 16.** AS 24.60.080(a) is amended to read:

(a) **Except as otherwise provided in this section, a** [A] legislator or legislative employee may not solicit, accept, or receive, directly or indirectly, a gift worth **\$250** [\$100] or more, whether in the form of money, services, a loan, travel, entertainment, hospitality, promise, or other form, or gifts from the same person worth less than **\$250** [\$100] that in a calendar year aggregate to **\$250** [\$100] or more in value. **Except for food or beverage for immediate consumption, a legislator or legislative employee** [, AND] may not solicit, accept, or receive during a legislative session a gift with any monetary value from a lobbyist or a person acting on behalf

1 of a lobbyist.

2 * **Sec. 17.** AS 24.60.080(c) is amended to read:

3 (c) Notwithstanding (a) of this section, it is not a violation of this section for
4 a legislator or legislative employee to accept

5 (1) hospitality, other than hospitality described in (4) of this subsection,

6 (A) with incidental transportation at the residence of a person;

7 **however, a vacation home located outside the state is not considered a**
8 **residence for the purposes of this subparagraph; or**

9 (B) at a social event or meal;

10 (2) discounts that are available

11 (A) generally to the public or to a large class of persons to
12 which the person belongs; **or**

13 (B) **when on official state business, but only if receipt of the**
14 **discount benefits the state;**

15 (3) food or foodstuffs indigenous to the state that are shared generally
16 as a cultural or social norm;

17 (4) travel and hospitality primarily for the purpose of obtaining
18 information on matters of legislative concern;

19 (5) gifts from the immediate family of the person; [OR]

20 (6) gifts that are not connected with the recipient's legislative status;
21 **or**

22 (7) **a discount for all or part of a legislative session, including time**
23 **immediately preceding or following the session, or other gift to welcome a**
24 **legislator or legislative employee who is employed on the personal staff of a**
25 **legislator or by a standing or special committee to the capital city or in**
26 **recognition of the beginning of a legislative session if the gift or discount is**
27 **available generally to all legislators and the personal staff of legislators and staff**
28 **of standing and special committees; this paragraph does not apply to legislative**
29 **employees who are employed by the Legislative Affairs Agency, the office of the**
30 **chief clerk, the office of the senate secretary, the legislative budget and audit**
31 **committee, or the office of the ombudsman.**

1 * **Sec. 18.** AS 24.60.080(d) is amended to read:

2 (d) A legislator or legislative employee who accepts a gift under (c)(4) [OR
3 (6)] of this section shall disclose the gift if it has a value of \$250 [\$100] or more; **the**
4 [. THE] disclosure must include the name and occupation of the person making the
5 gift, [AND] the approximate value of the gift, **and** [. A GIFT UNDER (c)(4) OF
6 THIS SECTION REQUIRED TO BE DISCLOSED UNDER THIS SUBSECTION]
7 shall be disclosed **to the committee** within 30 days **after** [OF] the receipt of the gift.
8 **Except as provided in (i) of this section, a gift** [TO THE COMMITTEE. GIFTS]
9 under (c)(6) of this section **that has a value of \$250 or more** shall be disclosed to the
10 committee annually on or before **February 15** [APRIL 15] of the following calendar
11 year; **the** [AND THE] disclosure needs to include **only a description of the gift and**
12 **the identity of the donor** [THE VALUE ONLY IF THE VALUE OF THE GIFT
13 EXCEEDS \$250]. The committee shall maintain a public record of the disclosure it
14 receives relating to gifts under (c)(4) of this section and shall forward the disclosure
15 to the appropriate house for inclusion in the journal. Disclosures relating to gifts under
16 (c)(6) of this section shall be maintained, but are confidential and may only be used
17 by the committee and its employees and contractors in the investigation of a possible
18 violation of this section or in a proceeding under AS 24.60.170. If the disclosures
19 become part of the record of a proceeding under AS 24.60.170, the confidentiality
20 provisions of that section apply to the disclosures. **The committee shall forward**
21 **copies of the disclosures it receives from legislators concerning gifts under (c)(4)**
22 **of this section to the Alaska Public Offices Commission.**

23 * **Sec. 19.** AS 24.60.080(e) is amended to read:

24 (e) A political contribution [THAT IS REPORTED UNDER AS 15.13.040] is
25 not a gift under this section **if it is reported under AS 15.13.040 or is exempt from**
26 **the reporting requirement under AS 15.13.040(g).**

27 * **Sec. 20.** AS 24.60.080(f) is amended to read:

28 (f) Notwithstanding (a) of this section, a legislator or legislative employee may
29 accept a gift of property worth \$250 [\$100] or more, other than money, from a foreign
30 government or from **the government of the United States or another state or from**
31 an official of a foreign government **or of the government of the United States or**

1 **another state** if the person accepts the gift on behalf of the legislature. The person
 2 shall, within 60 days **after** [OF] receiving the gift, deliver the gift to the legislative
 3 council, which shall determine the appropriate disposition of the gift.

4 * **Sec. 21.** AS 24.60.080(g) is amended to read:

5 (g) In this section, "immediate family" **or "family member" means**

6 **(1) the spouse of the person;**

7 **(2) the person's spousal equivalent;**

8 **(3) a child, including a stepchild and an adoptive child, of the**
 9 **person or of the person's spousal equivalent;**

10 **(4) a parent, sibling, grandparent, aunt, or uncle of the person; and**

11 **(5) a parent, sibling, grandparent, aunt, or uncle of the person's**
 12 **spouse or the person's spousal equivalent** [HAS THE MEANING GIVEN IN
 13 AS 24.60.990(a)(5) AND INCLUDES THE GRANDPARENTS, AUNTS, AND
 14 UNCLES OF A PERSON, AND ALSO INCLUDES A PERSON DESCRIBED IN
 15 THIS SUBSECTION OR AS 24.60.990(a)(5) WHO IS RELATED TO THE PERSON
 16 BY MARRIAGE].

17 * **Sec. 22.** AS 24.60.080 is amended by adding new subsections to read:

18 (h) Notwithstanding (a) of this section, a legislator or legislative employee may
 19 solicit, accept, or receive a gift on behalf of a recognized, nonpolitical charitable
 20 organization in accordance with guidelines adopted by the committee.

21 (i) A legislator or legislative employee who receives an inheritance worth \$250
 22 or more from a person other than a family member shall disclose the fact of the receipt
 23 of an inheritance and the identity of the decedent to the committee by the deadline set
 24 out in AS 24.60.105. The committee shall maintain a public record of the disclosure.
 25 This subsection does not require disclosure of the value of the inheritance.

26 (j) A legislator, a legislative committee other than the Select Committee on
 27 Legislative Ethics, or a legislative agency may accept (1) a gift of volunteer services
 28 for legislative purposes so long as the person making the gift of services is not
 29 receiving compensation from another source for the services or (2) a gift of the
 30 services of a trainee who is participating in an educational program approved by the
 31 committee if the services are used for legislative purposes. The committee shall

1 approve training under a program of the University of Alaska and training under 29
 2 U.S.C. 1501 - 1792b (Job Training Partnership Act). A legislative volunteer or
 3 educational trainee shall be considered to be a legislative employee for purposes of
 4 compliance with AS 24.60.030 - 24.60.039, 24.60.060, 24.60.080, 24.60.085, 24.60.158
 5 - 24.60.170, 24.60.176, and 24.60.178. If a person believes that a legislative volunteer
 6 or educational trainee has violated the provisions of one of those sections, the person
 7 may file a complaint under AS 24.60.170. The provisions of AS 24.60.170 apply to
 8 the proceeding. This subsection does not permit a legislator or legislative employee
 9 to accept a gift of services for nonlegislative purposes.

10 (k) A legislator or legislative employee who knows or reasonably should know
 11 that a family member has received a gift because of the family member's connection
 12 with the legislator or legislative employee shall report the receipt of the gift by the
 13 family member to the committee if the gift would have to be reported under this
 14 section if it had been received by the legislator or legislative employee or if receipt of
 15 the gift by a legislator or legislative employee would be prohibited under this section.

16 (l) In this section, the value of a gift shall be determined by the fair market
 17 value of the gift to the extent that the fair market value can be determined.

18 * **Sec. 23.** AS 24.60.085(a) is amended to read:

19 (a) A legislator or legislative employee may not

20 (1) seek or accept compensation for personal services that **is**
 21 **significantly greater than the value of** [INVOLVES PAYMENTS THAT ARE NOT
 22 COMMENSURATE WITH] the services rendered taking into account the higher rates
 23 generally charged by specialists in a profession; or

24 (2) accept a payment of anything of value, except for actual and
 25 necessarily incurred travel expenses, for an appearance or speech by the legislator or
 26 legislative employee; this paragraph does not apply to the salary paid to a legislator
 27 or legislative employee for making an appearance or speech as part of the legislator's
 28 or legislative employee's normal course of employment.

29 * **Sec. 24.** AS 24.60.100 is amended to read:

30 **Sec. 24.60.100. Representation.** A legislator or legislative employee who
 31 represents another person for compensation before an agency, board, or commission

1 of the state shall disclose the name of the person represented, the subject matter of the
 2 representation, and the body before which the representation is to take place to the
 3 committee. **The disclosure shall be made by the deadlines set out in AS 24.60.105.**

4 The committee shall maintain a public record of a [THE] disclosure **under this section**
 5 and forward the disclosure to the respective house for inclusion in the journal. A
 6 legislator or legislative employee may not represent another person for compensation
 7 before an agency, committee, or other entity of the legislative branch.

8 * **Sec. 25.** AS 24.60 is amended by adding a new section to read:

9 **Sec. 24.60.105. Deadlines for filing disclosures.** (a) When a legislator or
 10 legislative employee is required to file a disclosure under this chapter and a date by
 11 which the disclosure must be filed is not otherwise set by statute, the deadlines set out
 12 in this section shall apply. For disclosure of a matter or an interest that began or was
 13 acquired during the interim between regular legislative sessions, whether or not the
 14 regular session is extended or there is a special session, or during the last 30 days of
 15 a regular session, the legislator or legislative employee shall disclose the matter by
 16 February 15. For disclosure of a matter or an interest that began or was acquired
 17 during a regular legislative session, but not during the last 30 days of the regular
 18 session, the disclosure must be made within 30 days after the commencement of the
 19 interest or representation.

20 (b) Disclosures under the following statutes are subject to the deadlines set out
 21 in this section:

22 (1) service on the board of an organization as set out in
 23 AS 24.60.030(f);

24 (2) an interest in a state contract or lease under AS 24.60.040 and the
 25 renegotiation of the terms of a state contract or lease that materially affect the
 26 obligations of either party;

27 (3) participation in a state program or receipt of a state loan under
 28 AS 24.60.050 and the renegotiation of the terms of the program or loan if the
 29 renegotiation materially affects the obligations of either party;

30 (4) formation or maintenance of a close economic association under
 31 AS 24.60.070;

1 (5) receipt of an inheritance under AS 24.60.080(i);

2 (6) representation of a client under AS 24.60.100.

3 * **Sec. 26.** AS 24.60.130(f) is amended to read:

4 (f) The committee may contract for professional services and may employ staff
5 as it considers necessary. A committee employee, including a person who provides
6 personal services under a contract with the committee, may not be a legislator, an
7 elected or appointed official of a state or local governmental entity, an officer of a
8 political party, a candidate for public office, or a registered lobbyist. The legislative
9 council shall provide office space, equipment, and additional staff support for the
10 committee. The committee shall submit a budget for each fiscal year to the finance
11 committees of the legislature and shall annually submit an estimated budget to the
12 governor for information purposes in preparation of the state operating budget. **Public**
13 **members of the committee serve without compensation for their services, but are**
14 **entitled to per diem and travel expenses authorized for boards and commissions**
15 **under AS 39.20.180.**

16 * **Sec. 27.** AS 24.60.130(h) is amended to read:

17 (h) A member is disqualified from participating as a member in any
18 proceeding before the committee involving a complaint against the member **or an**
19 **employee whose work is supervised by the member** or an advisory opinion
20 requested by the member. If **a regular legislative member of the committee is**
21 **disqualified under this subsection from participating in a proceeding involving a**
22 **complaint, an alternate shall be appointed under (o) of this section** [THE
23 LEGISLATURE IS IN SESSION WHEN A LEGISLATIVE MEMBER IS
24 DISQUALIFIED UNDER THIS SUBSECTION, THE PRESIDING OFFICER OF
25 THAT MEMBER'S HOUSE SHALL, WITH THE CONCURRENCE BY ROLL
26 CALL VOTE OF TWO-THIRDS OF THE FULL MEMBERSHIP OF THAT HOUSE,
27 APPOINT ANOTHER MEMBER FROM THAT HOUSE TO ACT AS A MEMBER
28 OF THE COMMITTEE IN THE PROCEEDING. IF THE LEGISLATURE IS NOT
29 IN SESSION WHEN A LEGISLATIVE MEMBER IS DISQUALIFIED, THE
30 PRESIDING OFFICER OF THE HOUSE OF WHICH THE DISQUALIFIED
31 LEGISLATOR IS A MEMBER SHALL APPOINT ANOTHER MEMBER FROM

1 THAT HOUSE, WITH A RECORDED CONCURRENCE OF A MAJORITY VOTE
 2 OF THE SUBCOMMITTEE OF THAT HOUSE, TO ACT AS A MEMBER OF THE
 3 COMMITTEE IN THE PROCEEDING].

4 * **Sec. 28.** AS 24.60.130 is amended by adding a new subsection to read:

5 (o) When appointing members of the legislature to serve on the committee, the
 6 speaker of the house or the president of the senate, as appropriate, shall appoint an
 7 alternate member for each regular member. An alternate must have the same
 8 qualifications as the regular member for whom the alternate stands as alternate and is
 9 subject to confirmation as required for the regular member. If a regular legislative
 10 member of the committee or a subcommittee is disqualified under (h) of this section
 11 from serving on the committee or the subcommittee concerning a proceeding under
 12 AS 24.60.170, the chair of the committee or a subcommittee shall designate the regular
 13 member's alternate to serve in place of the regular member in the proceeding unless
 14 the alternate is also disqualified from serving. The designation shall be treated as
 15 confidential to the same extent that the identity of the subject of a complaint is
 16 required to be kept confidential.

17 * **Sec. 29.** AS 24.60.134(a) is amended to read:

18 (a) **Except as provided in (c) of this section, in** [IN] addition to **complying**
 19 **with** the requirements of this chapter, a public member of the committee, an employee
 20 of the committee, or a person under contract to provide personal services to the
 21 committee may not, **during the person's term of office or employment or during**
 22 **the life of the contract, participate in**

23 (1) [PARTICIPATE IN] political management or in a political
 24 campaign **for a candidate for election to federal, state, or local office, regardless**
 25 **of whether the campaign is partisan or nonpartisan, or for passage or defeat of**
 26 **a ballot measure of any type** [DURING THE PERSON'S TERM OF OFFICE,
 27 EMPLOYMENT, OR CONTRACT];

28 (2) [PARTICIPATE IN] the campaign of, attend campaign fund-raising
 29 events for, or make a financial contribution to

30 (A) a candidate for the legislature;

31 (B) an incumbent legislator or legislative employee who is a

1 candidate for another public office; or

2 (C) a person running for another office against an incumbent
3 legislator or legislative employee; [OR]

4 (3) **a fund-raising event held on behalf of a political party or attend**
5 **a political party fund-raising event; or**

6 (4) [PARTICIPATE IN] lobbying activities that would require the
7 person to register as a lobbyist except as required to inform the legislature concerning
8 legislation requested by the committee or other matters related to the committee.

9 * **Sec. 30.** AS 24.60.134 is amended by adding a new subsection to read:

10 (c) A person under contract to provide personal services to the committee who
11 is part of a corporation or partnership that includes individuals who will not be
12 participating directly in the work performed by the entity for the committee may
13 request the committee to exclude members of the entity from some or all of the
14 provisions of this section. The committee may grant the request if it finds that doing
15 so will not lead to the appearance that the committee is subject to undue political
16 influence and if there is no appearance of impropriety.

17 * **Sec. 31.** AS 24.60.150(b) is amended to read:

18 (b) The committee may

19 (1) recommend [LEGISLATION] to the legislature **legislation that** the
20 committee considers desirable or necessary to promote and maintain high standards of
21 ethical conduct in government;

22 (2) subpoena witnesses, administer oaths, and take testimony relating
23 to matters before the committee, and may require the production for examination of
24 any books or papers relating to any matter under investigation before the committee;

25 (3) **adopt guidelines to implement this chapter; in adopting**
26 **guidelines, the committee shall provide notice of its intended action and an**
27 **opportunity for public comment; the committee may not penalize a person who**
28 **reasonably relies on a guideline adopted by the committee for having violated a**
29 **conflicting provision of this chapter.**

30 * **Sec. 32.** AS 24.60.160 is amended to read:

31 **Sec. 24.60.160. Advisory opinions. (a) On the request of a person to**

1 **whom this chapter applies or who has been newly elected to the legislature, the**
 2 [THE] committee shall issue an advisory opinion within **60** [30] days [ON THE
 3 REQUEST OF A PERSON TO WHOM THE CHAPTER APPLIES OR A PERSON
 4 ELECTED TO THE LEGISLATURE WHO AT THE TIME OF ELECTION IS NOT
 5 A MEMBER OF THE LEGISLATURE] as to whether the facts and circumstances of
 6 a particular case constitute a violation of ethical standards. **If it finds that it is**
 7 **advisable to do so, the committee may issue an opinion under this section on the**
 8 **request of a person who reasonably expects to become subject to this chapter**
 9 **within the next 45 days.** The **60-day** [30-DAY] period for issuing an opinion may
 10 be extended by the committee if the person requesting the opinion consents.

11 (b) **An** [THE] opinion issued **under this section** is binding on the committee
 12 in any subsequent proceedings concerning the facts and circumstances of the particular
 13 case unless material facts were omitted or misstated in the request for the advisory
 14 opinion. Except as provided in this chapter, an advisory opinion is confidential but
 15 shall be made public if a written request by the person who requested the opinion is
 16 filed with the committee. **A person who requested an opinion, including a**
 17 **legislator, may not require admittance to an executive session of the committee**
 18 **when it is deliberating concerning the advisory opinion.**

19 * **Sec. 33.** AS 24.60.170(a) is amended to read:

20 (a) The committee shall consider a complaint alleging a violation of this
 21 chapter if the alleged violation occurred within five years **before** [OF] the date that the
 22 complaint is filed with the committee and, when the subject of the complaint is a
 23 former member of the legislature, the complaint is filed within one year **after** [OF] the
 24 subject's departure from the legislature. The committee may not consider a complaint
 25 filed against **all members of the legislature, against all members of one house of**
 26 **the legislature, or against** a person employed by the legislative branch of government
 27 after the person has terminated legislative service. **However, the committee may**
 28 **reinstitute proceedings concerning a complaint that was closed because a former**
 29 **employee terminated legislative service or because a legislator left the legislature**
 30 **if the former employee or legislator resumes legislative service, whether as an**
 31 **employee or a legislator, within five years after the alleged violation.** The

1 committee may also initiate complaints on its own motion, subject to the same time
2 limitations. The time limitations of this subsection do not bar proceedings against a
3 person who intentionally prevents discovery of a violation of this chapter.

4 * **Sec. 34.** AS 24.60.170(b) is amended to read:

5 (b) A complaint may be initiated by any person. The complaint must be in
6 writing and signed under oath by the person making the complaint **and must contain**
7 **a statement that the complainant has reason to believe that a violation of this**
8 **chapter has occurred and describe any facts known to the complainant to support**
9 **that belief.** The committee shall upon request provide a form for a complaint to a
10 person wishing to file a complaint. **Upon receiving a complaint, the committee shall**
11 **advise the complainant that the committee or the subject of the complaint may**
12 **ask the complainant to testify at any stage of the proceeding as to the**
13 **complainant's belief that the subject of the complaint has violated this chapter.**

14 The committee shall immediately provide a copy of the complaint to the person who
15 is the subject of the complaint.

16 * **Sec. 35.** AS 24.60.170(c) is amended to read:

17 (c) When the committee receives a complaint under (a) of this section, it **may**
18 **assign the complaint to a staff person. The staff person shall conduct a**
19 **preliminary examination of the complaint and advise the committee whether the**
20 **allegations of the complaint, if true, constitute a violation of this chapter and**
21 **whether there is credible information to indicate that a further investigation and**
22 **proceeding is warranted. The staff recommendation shall be based on the**
23 **information and evidence contained in the complaint as supplemented by the**
24 **complainant and by the subject of the complaint, if requested to do so by the staff**
25 **member. The committee shall consider the recommendation of the staff member,**
26 **if any, and** shall determine whether the allegations of the complaint, if true, constitute
27 a violation of this chapter. If the committee determines that the allegations, if proven,
28 would not give rise to a violation, **that the complaint is frivolous on its face, that**
29 **there is insufficient credible information that can be uncovered to warrant further**
30 **investigation by the committee,** or **that** [IF] the committee's lack of jurisdiction is
31 apparent on the face of the complaint, the committee shall dismiss the complaint [.]

1 and shall notify the complainant and the subject of the complaint of the dismissal.
 2 The committee may ask the complainant to provide clarification or additional
 3 information before it makes a decision under this subsection and may request
 4 information concerning the matter from the subject of the complaint. Neither the
 5 complainant nor the subject of a complaint is obligated to provide the
 6 information. A proceeding conducted under this subsection, documents that are
 7 part of a proceeding, and a dismissal under this subsection are confidential as
 8 provided in (l) of this section unless the subject of the complaint waives
 9 confidentiality as provided in that subsection.

10 * **Sec. 36.** AS 24.60.170(f) is amended to read:

11 (f) If the committee determines after investigation that there is not probable
 12 cause to believe that the subject of the complaint has violated this chapter, the
 13 committee shall dismiss the complaint. The committee may also dismiss portions of
 14 a complaint if it finds no probable cause to believe that the subject of the complaint
 15 has violated this chapter as alleged in those portions. The committee shall issue a
 16 decision explaining its dismissal. Committee deliberations and vote on the
 17 dismissal order and decision are not open to the public or to the subject of the
 18 complaint. A copy of the dismissal order and decision shall be sent to the
 19 complainant and to the subject of the complaint. Notwithstanding (l) of this section,
 20 a dismissal order and decision is open to inspection and copying by the public.

21 * **Sec. 37.** AS 24.60.170(g) is amended to read:

22 (g) If the committee investigation determines that a probable violation of this
 23 chapter exists that may be corrected by action of the subject of the complaint and that
 24 does not warrant sanctions other than correction, the committee may issue an opinion
 25 recommending corrective action. This opinion shall be provided to the complainant
 26 and to the subject of the complaint, and is open to inspection by the public. The
 27 subject of the complaint may comply with the opinion or may request a hearing before
 28 the committee under (j) of this section. After the hearing, the committee may amend
 29 or affirm the opinion. If the subject of the complaint agrees to comply with the
 30 opinion but later fails to complete the corrective action in a timely manner, the
 31 committee may formally charge the person as provided in (h) of this section or

1 may refer the matter to the appropriate house of the legislature, in the case of a
 2 legislator, or, in the case of a legislative employee, to the employee's appointing
 3 authority. The appropriate house of the legislature or the appointing authority,
 4 as appropriate, may take action to enforce the corrective action or may decline
 5 to take action and refer the matter to the committee. In either case, the
 6 committee may formally charge the person under (h) of this section.

7 * **Sec. 38.** AS 24.60.170(h) is amended to read:

8 (h) If the subject of a complaint fails to comply with an opinion **and the**
 9 **committee decides** [ISSUED] under (g) of this section **to charge the person**, or if the
 10 committee determines after investigation that there is probable cause to believe that the
 11 subject of the complaint has committed a violation of this chapter that may require
 12 sanctions instead of or in addition to corrective action, the committee shall formally
 13 charge the person. The charge shall be served on the person charged, in a manner
 14 consistent with the service of summons under the rules of civil procedure, and a copy
 15 of the charge shall be sent to the complainant. The person charged may file a
 16 responsive pleading to the committee admitting or denying some or all of the
 17 allegations of the charge.

18 * **Sec. 39.** AS 24.60.170(i) is amended to read:

19 (i) A person charged under **(h)** [(b)] of this section may engage in discovery
 20 in a manner consistent with the Alaska Rules of Civil Procedure. The committee may
 21 **adopt procedures that**

22 **(1) impose reasonable restrictions on the time for this discovery and on**
 23 **the materials that may be discovered;**

24 **(2) permit a person who is the subject of a complaint to engage in**
 25 **discovery at an earlier stage of the proceedings;**

26 **(3) impose reasonable restrictions on the release of information that**
 27 **the subject of a complaint acquires from the committee in the course of discovery,**
 28 **or on information obtained by use of the committee's authority, in order to**
 29 **protect the privacy of persons not under investigation to whom the information**
 30 **pertains.**

31 * **Sec. 40.** AS 24.60.170(1) is amended to read:

1 (l) Proceedings of the committee relating to complaints before it are
 2 confidential until the committee determines that there is probable cause to believe that
 3 a violation of this chapter has occurred. The complaint and all documents produced
 4 or disclosed as a result of the committee investigation are confidential and not subject
 5 to inspection by the public. If in the course of an investigation or probable cause
 6 determination the committee finds evidence of probable criminal activity, the
 7 committee shall transmit a statement and factual findings limited to that activity to the
 8 appropriate law enforcement agency. If the committee finds evidence of a probable
 9 violation of AS 15.13, the committee shall transmit a statement to that effect and
 10 factual findings limited to the probable violation to the Alaska Public Offices
 11 Commission. All meetings of the committee before the determination of probable
 12 cause are closed to the public and to legislators who are not members of the
 13 committee. However, the committee may permit the subject of the complaint to
 14 attend a meeting other than the deliberations on probable cause. The
 15 confidentiality provisions of this subsection may be waived by the subject of the
 16 complaint, except that the subject of the complaint may not waive the
 17 confidentiality duty the committee owes to others and may not require the
 18 committee to deliberate in public.

19 * **Sec. 41.** AS 24.60.174(a) is amended to read:

20 (a) If the person found to have violated this chapter is or was a member of the
 21 legislature, the committee's recommendations shall be forwarded by the chair of the
 22 committee to the presiding officer of the appropriate house of the legislature. If the
 23 committee recommends sanctions other than expulsion from the legislature, the
 24 committee recommendation

25 (1) must include a suggested timetable for the compliance reports
 26 required under (e) of this section, if any; and

27 (2) may include recommended fines that the legislature may impose
 28 if the legislator who was found to have violated this chapter does not comply with
 29 the sanctions imposed by the legislature in a timely manner.

30 * **Sec. 42.** AS 24.60.174 is amended by adding a new subsection to read:

31 (e) When a house of the legislature imposes a sanction other than expulsion

1 on a member or former member, it shall advise the committee at the time of imposing
 2 the sanction of the terms it has imposed and of the timetable for compliance adopted
 3 with the sanctions. A legislator or former legislator on whom sanctions other than
 4 expulsion have been imposed shall report to the committee as required by the
 5 timetable. If the committee determines that the legislator or former legislator has not
 6 complied fully and in a timely manner with the sanctions imposed by the legislature,
 7 the committee may recommend that the legislature impose a fine or additional
 8 sanctions.

9 * **Sec. 43.** AS 24.60.176 is amended to read:

10 **Sec. 24.60.176. Recommendations where violator is a legislative employee.**

11 If the person found to have violated this chapter is or was a legislative employee, the
 12 committee's recommendations shall be forwarded to the appropriate appointing
 13 authority that shall, as soon as is reasonably possible, determine the sanctions, if any,
 14 to be imposed. The appointing authority may not question the committee's findings
 15 of fact. The appointing authority shall assume the validity of the committee's findings
 16 [,] and determine and impose the appropriate sanctions. **The appointing authority**
 17 **has the power to impose a sanction recommended by the committee or to impose**
 18 **a different sanction. The appointing authority shall enforce the sanction and shall**
 19 **report to the committee at a time specified by the committee concerning the**
 20 **employee's compliance with the sanction.**

21 * **Sec. 44.** AS 24.60.176 is amended by adding a new subsection to read:

22 (b) In this section, "appointing authority" means

23 (1) the legislative council for employees of the Legislative Affairs
 24 Agency and of the legislative council and for legislative employees not otherwise
 25 covered under this subsection;

26 (2) the Legislative Budget and Audit Committee for the legislative
 27 fiscal analyst and employees of the division of legislative finance, the legislative
 28 auditor and employees of the division of legislative audit, and employees of the
 29 Legislative Budget and Audit Committee;

30 (3) the appropriate finance committee for employees of the senate or
 31 house finance committees;

1 (4) the appropriate rules committee for employees of standing
 2 committees of the legislature, other than the finance committees, and employees of the
 3 senate secretary's office and the office of the chief clerk of the house of
 4 representatives;

5 (5) the legislator who made the hiring decision for employees of
 6 individual legislators; however, the legislator may request the appropriate rules
 7 committee to act in the legislator's stead;

8 (6) the ombudsman for employees of the office of the ombudsman,
 9 other than the ombudsman;

10 (7) the legislature for the ombudsman.

11 * **Sec. 45.** AS 24.60 is amended by adding a new section to read:

12 **Sec. 24.60.178. Recommended sanctions.** (a) When the committee finds that
 13 a person has violated this chapter, the committee may recommend appropriate
 14 sanctions, including sanctions set out in (b) of this section.

15 (b) The sanctions that the committee may recommend include

16 (1) imposition of a civil penalty of not more than \$5,000 for each
 17 offense or twice the amount improperly gained, whichever is greater;

18 (2) divestiture of specified assets or withdrawal from specified
 19 associations;

20 (3) additional, detailed disclosure, either as a public disclosure or as a
 21 confidential disclosure to the committee;

22 (4) in the case of a legislative employee, suspension of employment
 23 with or without pay for a stated period of time or until stated conditions are met, or
 24 termination from legislative employment;

25 (5) restitution of property or reimbursement of improperly received
 26 benefits;

27 (6) public or private written reprimand;

28 (7) censure, including, in the case of a legislator, removal from a
 29 leadership position or committee membership and a determination that the legislator
 30 will not be appointed to serve in a leadership position or on a committee during the
 31 remainder of that legislature;

- 1 (8) placing the person on probationary status;
- 2 (9) in the case of a legislator, expulsion from the house of the
- 3 legislature;
- 4 (10) any other appropriate measure.

5 (c) In addition to or in place of a sanction recommended under (b) of this

6 section, the committee may recommend that the subject of a complaint be required to

7 pay all or a portion of the costs related to the investigation and adjudication of a

8 complaint.

9 * **Sec. 46.** AS 24.60.200 is amended to read:

10 **Sec. 24.60.200. Financial disclosure by legislators, [AND] legislative**

11 **directors, public members of the committee, and certain legislative employees.** A

12 legislator, [AND A] legislative director, **public member of the committee and**

13 **legislative employee who is required to disclose** shall file a disclosure statement,

14 under oath and on penalty of perjury, with the Alaska Public Offices Commission

15 giving the following information about the income received by **the person filing the**

16 **disclosure, the person's spouse or spousal equivalent, the person's** [THEM, THEIR

17 SPOUSES, THEIR] dependent children, and **the person's** [THEIR] nondependent

18 children who are living with **the discloser** [THEM]:

19 (1) the information that a public official is required to report under

20 AS 39.50.030; **however, a person subject to disclosure requirements is not**

21 **required to report any gifts** [, EXCEPT THAT SOURCES OF INCOME OTHER

22 THAN GIFTS OF \$1,000 OR LESS, AND LOANS OF \$1,000 OR LESS NEED NOT

23 BE REPORTED];

24 (2) as to income in excess of \$1,000 received as compensation for

25 personal services, the name and address of the source of the income, and a statement

26 describing the nature of the services performed; if the source of income is known or

27 reasonably should be known to have a substantial interest in legislative, administrative,

28 or political action and the recipient of the income is a **person subject to disclosure**

29 **requirements** [LEGISLATOR OR A LEGISLATIVE DIRECTOR], the amount of

30 income received from the source shall be disclosed;

31 (3) as to each loan or loan guarantee over \$1,000 from a source with

1 a substantial interest in legislative, administrative, or political action, the name and
 2 address of the person making the loan or guarantee, the amount of the loan, the terms
 3 and conditions under which the loan or guarantee was given, the amount outstanding
 4 at the time of filing, and whether or not a written loan agreement exists [;

5 (4) THE SOURCE OF A GIFT, OTHER THAN AN INHERITANCE,
 6 RECEIVED DURING THE PRECEDING CALENDAR YEAR BY THE PERSON,
 7 THE PERSON'S SPOUSE OR DEPENDENT CHILD, OR A NONDEPENDENT
 8 CHILD OF THE PERSON WHO IS LIVING WITH THE PERSON, IF THE
 9 AMOUNT OF THE GIFT EXCEEDS \$100 AND IS RECEIVED FROM A PERSON
 10 WHO IS NOT A MEMBER OF THE RECIPIENT'S FAMILY].

11 * **Sec. 47.** AS 24.60.210 is amended to read:

12 **Sec. 24.60.210. Deadlines for filing of disclosure statements.** A **person**
 13 **subject to disclosure requirements** [LEGISLATOR AND A LEGISLATIVE
 14 DIRECTOR] shall file an annual report with the Alaska Public Offices Commission,
 15 covering the previous calendar year, containing the disclosures required by
 16 AS 24.60.200, on or before **February** [APRIL] 15 of each year.

17 * **Sec. 48.** AS 24.60.240 is amended to read:

18 **Sec. 24.60.240. Civil penalty for late filing.** A **person subject to disclosure**
 19 **requirements** [LEGISLATOR OR A LEGISLATIVE DIRECTOR] who fails to file
 20 a properly completed report under AS 24.60.200 is subject to a civil penalty of not
 21 more than \$10 a day for each day the delinquency continues as the Alaska Public
 22 Offices Commission determines, subject to appeal to the superior court. An affidavit
 23 stating facts in mitigation may be submitted to the Alaska Public Offices Commission
 24 by the person against whom the civil penalty is assessed. However, the imposition of
 25 the penalties prescribed in this section does not excuse the person from filing reports
 26 required by AS 24.60.200.

27 * **Sec. 49.** AS 24.60.250 is amended to read:

28 **Sec. 24.60.250. Effect of failure to file by legislative candidate.** In addition
 29 to the sanctions described in AS 24.60.260, if the Alaska Public Offices Commission
 30 finds that a candidate for the legislature who is **a person subject to disclosure**
 31 **requirements** [AN INCUMBENT LEGISLATOR OR A LEGISLATIVE DIRECTOR]

1 has failed or refused to file a report under AS 24.60.200 by a deadline established in
 2 AS 24.60.210, it shall notify the lieutenant governor. The candidate shall forfeit
 3 nomination to office and may not be seated in office. The lieutenant governor may
 4 not certify the person's nomination for office or election to office, and nomination to
 5 the office shall be certified as provided in AS 39.50.060(b).

6 * **Sec. 50.** AS 24.60.260(a) is amended to read:

7 (a) A person required to make a disclosure under this chapter may not
 8 knowingly make a false or deliberately misleading or incomplete disclosure to the
 9 committee or to the Alaska Public Offices Commission. **A person who files** [, OR
 10 FILE] a disclosure after a deadline set by this chapter or by a regulation adopted by
 11 the committee or by the Alaska Public Offices Commission **has violated this chapter**
 12 **and may be subject to imposition of a fine as provided in (c) of this section or**
 13 **AS 24.60.240.**

14 * **Sec. 51.** AS 24.60.260 is amended by adding a new subsection to read:

15 (c) The committee may impose a fine on a person who files a disclosure after
 16 a deadline set by this chapter. The amount of the fine imposed under this subsection
 17 may not exceed \$2 for each day to a maximum of \$100 for each disclosure for a late
 18 disclosure. However, if the committee finds that a late filing was inadvertent, the
 19 maximum fine the committee may impose under this subsection is \$25.

20 * **Sec. 52.** AS 24.60.990(a)(5) is amended to read:

21 (5) "immediate family" means

22 **(A) the spouse or spousal equivalent of the person; or**

23 **(B) a parent, child** [, PARENTS, CHILDREN], including a
 24 stepchild and an adoptive child, and **sibling** [SIBLINGS] of a person **if the**
 25 **parent, child, or sibling resides with the person, is financially dependent**
 26 **on the person, or shares a substantial financial interest with the person;**

27 * **Sec. 53.** AS 24.60.990(a) is amended by adding new paragraphs to read:

28 (15) "legislative employee who is required to disclose" means a
 29 legislative employee, other than a legislator or a legislative director, who is
 30 compensated at Range 19 or above of the state salary schedule under AS 39.27.011;

31 (16) "person subject to disclosure requirements" means a legislator,

1 legislative director, public member of the committee, or legislative employee who is
2 required to disclose;

3 (17) "spousal equivalent" means a person who is cohabiting with
4 another person in a relationship that is like a marriage but that is not a legal marriage.

5 * **Sec. 54.** This Act takes effect January 1, 1998.