

HOUSE BILL NO. 194

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GARA, Berkowitz, Gardner

Introduced: 3/3/05

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act prohibiting a public officer from taking official action regarding a matter in**
2 **which the public officer has a significant financial interest; and defining 'official action'**
3 **for purposes of the chapter generally referred to as the Executive Branch Ethics Act."**

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

5 * **Section 1.** AS 39.52.110(b) is amended to read:

6 (b) Unethical conduct is prohibited, but there is no substantial impropriety if,
7 as to a specific matter, a public **officer has a**

8 **(1)** [OFFICER'S] personal or financial interest in the matter **and** [IS
9 INSIGNIFICANT, OR OF A TYPE THAT IS POSSESSED GENERALLY BY THE
10 PUBLIC OR A LARGE CLASS OF PERSONS TO WHICH THE PUBLIC
11 OFFICER BELONGS; OR (2)] action **taken** or influence **exercised by the public**
12 **officer** would have insignificant or conjectural effect on the matter;

13 **(2) personal interest in a matter that is insignificant or is possessed**
14 **by the public or by a large class of persons to which the public officer belongs; or**

1 **(3) financial interest in the matter**

2 **(A) that is an interest held by the public officer or an**
3 **immediate family member of the public officer;**

4 **(B) that includes an involvement or ownership of an**
5 **interest in a business, including a property ownership or a professional or**
6 **private relationship, that is a source of income or from which, or as a**
7 **result of which, a person has received or expects to receive a financial**
8 **benefit; and**

9 **(C) the value of which is less than \$5,000 or one percent of**
10 **the total value of the business, whichever is less.**

11 * **Sec. 2.** AS 39.52.960(14) is amended to read:

12 (14) "official action" means **performance of any duties in the course**
13 **and scope of a public official's employment, including review, advice,**
14 **participation, assistance, or another kind of involvement regarding a matter,**
15 **such as** a recommendation, decision, approval, disapproval, vote, or other similar
16 action, including inaction, by a public officer;