

CS FOR SENATE BILL NO. 12(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/18/05

Referred: Judiciary

Sponsor(s): SENATORS DYSON, Davis, French, Bunde, Seekins, Wagoner, Elton, Kookesh, Huggins, Gary Stevens, Olson, Stedman, Ben Stevens, Cowdery, Therriault, Ellis, Wilken

REPRESENTATIVES Lynn, Ramras

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to financial relationships with persons conducting business in or
2 having headquarters in countries that support or ignore slavery and trafficking in
3 persons."

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

5 * **Section 1.** AS 36.30.020 is amended to read:

6 **Sec. 36.30.020. Legislature.** The legislative council shall adopt and publish
7 procedures to govern the procurement of supplies, services, professional services, and
8 construction by the legislative branch. The procedures must be based on the
9 competitive principles consistent with this chapter and must be adapted to the special
10 needs of the legislative branch as determined by the legislative council. **The**
11 **procedures must contain provisions for prohibiting or eliminating financial**
12 **relationships with a person that has headquarters in a country listed in Tier 3 of**
13 **the most recent Trafficking in Persons Report published by the United States**
14 **Secretary of State under 22 U.S.C. 7107(b)(1)(C).** The procedures may contain

1 **provisions for restricting financial relationships with a person that conducts**
 2 **business in but does not have headquarters in a country listed in Tier 3 of the**
 3 **most recent Trafficking in Persons Report published by the United States**
 4 **Secretary of State under 22 U.S.C. 7107(b)(1)(C).** The procedures must be
 5 consistent with the provisions of AS 36.30.080(c) - (e) and 36.30.085.
 6 Notwithstanding the other provisions of this section, the legislative agencies subject to
 7 the legislative council's regulations shall comply with AS 36.30.170(b).

8 * **Sec. 2.** AS 36.30.030 is amended to read:

9 **Sec. 36.30.030. Court system.** The administrative director of courts shall
 10 adopt and publish procedures to govern the procurement of supplies, services,
 11 professional services, and construction by the judicial branch. The procedures must be
 12 based on the competitive principles consistent with this chapter and must be adapted to
 13 the special needs of the judicial branch as determined by the administrative director of
 14 courts. **The procedures must contain provisions for prohibiting or eliminating**
 15 **financial relationships with a person that has headquarters in a country listed in**
 16 **Tier 3 of the most recent Trafficking in Persons Report published by the United**
 17 **States Secretary of State under 22 U.S.C. 7107(b)(1)(C).** The procedures may
 18 **contain provisions for restricting financial relationships with a person that**
 19 **conducts business in but does not have headquarters in a country listed in Tier 3**
 20 **of the most recent Trafficking in Persons Report published by the United States**
 21 **Secretary of State under 22 U.S.C. 7107(b)(1)(C).** The procedures must be
 22 consistent with the provisions of AS 36.30.080(c) - (e) and 36.30.085.
 23 Notwithstanding the other provisions of this section, the judicial branch shall comply
 24 with AS 36.30.170(b).

25 * **Sec. 3.** AS 36.30.040(a) is amended to read:

26 (a) The commissioner shall adopt regulations governing the procurement,
 27 management, and control of supplies, services, professional services, and construction
 28 by agencies. **The procedures must contain provisions for prohibiting or**
 29 **eliminating financial relationships with a person that has headquarters in a**
 30 **country listed in Tier 3 of the most recent Trafficking in Persons Report**
 31 **published by the United States Secretary of State under 22 U.S.C. 7107(b)(1)(C).**

1 **The procedures may contain provisions for restricting financial relationships**
2 **with a person that conducts business in but does not have headquarters in a**
3 **country listed in Tier 3 of the most recent Trafficking in Persons Report**
4 **published by the United States Secretary of State under 22 U.S.C. 7107(b)(1)(C).**

5 The commissioner may audit and monitor the implementation of the regulations and
6 the requirements of this chapter with respect to using agencies.

7 * **Sec. 4.** AS 37.10.071(c) is repealed and reenacted to read:

8 (c) In exercising investment, custodial, or depository powers or duties under
9 this section, the fiduciary of a state fund shall

10 (1) apply the prudent investor rule and exercise the fiduciary duty in
11 the sole financial best interest of the fund entrusted to the fiduciary;

12 (2) treat beneficiaries of the fund with impartiality; and

13 (3) restrict direct financial investments with countries listed in Tier 3
14 of the most recent Trafficking in Persons Report published by the United States
15 Department of State or other list of countries prepared by the United States Secretary
16 of State under 22 U.S.C. 7107(b)(1)(C).