

HOUSE BILL NO. 58

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES GARA, GARDNER, KAWASAKI, DOOGAN, AND GRUENBERG, Buch,
Crawford**

Introduced: 1/16/07

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a public officer's taking official action regarding a matter in which**
2 **the public officer has a financial interest; and defining 'official action' under the Alaska**
3 **Executive Branch Ethics Act and related law."**

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's [(1)] personal or financial interest in the
8 matter

9 (1) is insignificant [,] or of a type that is possessed generally by the
10 public or a large class of persons to which the public officer belongs, **and** [; OR

11 (2)] action **taken** or influence **exercised by the public officer** would
12 have insignificant or conjectural effect on the matter; **or**

13 **(2) is in regard to a business and the public officer**

14 **(A) does not own a controlling interest in the business;**

1 **(B) does not own stock or options to buy stock that, when**
 2 **combined,**

3 **(i) equal more than one percent of the stock in the**
 4 **business; or**

5 **(ii) have a total value of more than \$5,000;**

6 **(C) owns or has an option to buy an equity interest in the**
 7 **business the value of which is not more than \$5,000 or one percent of the**
 8 **total value of the business, whichever is less;**

9 **(D) is not a member of the board of directors or another**
 10 **governing body of the business;**

11 **(E) is not an elected officer of the business;**

12 **(F) does not provide or have an option to provide personal**
 13 **or professional services to the business;**

14 **(G) does not have a contract or have an option for a**
 15 **contract with the business; and**

16 **(H) is not an employee of the business.**

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

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