

CS FOR HOUSE BILL NO. 109(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/7/07

Referred: Judiciary

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to campaign financing and ethics, including disclosures, in state and
2 municipal government, to lobbying, and to employment, service on boards, and
3 disclosures by certain public officers and employees who leave state or municipal service
4 or leave certain positions in state or municipal government; restricting representation of
5 others by legislators and legislative employees; relating to blind trusts approved by the
6 Alaska Public Offices Commission; and providing for an effective date."

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

8 * **Section 1.** AS 15.13.040(g) is amended to read:

9 (g) The provisions of (a) and (l) of this section do not apply to a delegate to a
10 constitutional convention, a judge seeking electoral confirmation, or a candidate
11 for election to a municipal office under AS 15.13.010, if that delegate, judge, or
12 [IF A] candidate

13 (1) indicates, on a form prescribed by the commission, an intent not to

1 raise and not to expend more than \$5,000 in seeking election to office, including both
2 the primary and general elections;

3 (2) accepts contributions totaling not more than \$5,000 in seeking
4 election to office, including both the primary and general elections; and

5 (3) makes expenditures totaling not more than \$5,000 in seeking
6 election to office, including both the primary and general elections.

7 * **Sec. 2.** AS 15.13.040(m) is repealed and reenacted to read:

8 (m) Information required under this chapter shall be submitted to the
9 commission electronically, except that the following information may be submitted in
10 clear and legible black typeface or hand-printed in dark ink on paper in a format
11 approved by the commission or on forms provided by the commission:

12 (1) information submitted by a candidate for municipal office; in this
13 paragraph, "municipal office" means the office of an elected borough or city

14 (A) mayor;

15 (B) planning commissioner;

16 (C) utility board member; or

17 (D) assembly, council, or school board member;

18 (2) any information if the commission determines that circumstances
19 warrant an exception to the electronic submission requirement;

20 (3) information submitted before May 1, 2009, by a candidate for the
21 legislature.

22 * **Sec. 3.** AS 24.45.031(a) is amended to read:

23 (a) In addition to its other duties under this chapter, the commission shall

24 (1) prescribe the forms for registration, reports, statements, notices,
25 and other documents required by this chapter;

26 (2) prepare and publish instructions setting out the methods of
27 accounting, bookkeeping, and preservation of records required to facilitate compliance
28 with and enforcement of this chapter and explaining the duties of persons subject to
29 the provisions of this chapter; the instructions shall be updated periodically;

30 (3) provide assistance to persons in complying with the provisions of
31 this chapter;

1 (4) prepare and publish a biennial report of its activities, findings, and
 2 recommendations under this chapter, which shall be made available to the governor,
 3 legislature, and to the public by February 1 of each odd-numbered calendar year; the
 4 commission shall notify the legislature that the report is available;

5 (5) report suspected violations of this chapter to the attorney general;

6 **(6) administer an annually updated training course that promotes**
 7 **adherence to high ethical standards of professional conduct and teaches lobbyists**
 8 **and employers of lobbyists how to comply with laws that regulate lobbyists.**

9 * **Sec. 4.** AS 24.45.041(b) is amended to read:

10 (b) The registration form prescribed by the commission must include

11 (1) the lobbyist's full name and complete permanent residence and
 12 business address and telephone number, as well as any temporary residential and
 13 business address and telephone number in the state capital during a legislative session;

14 (2) the full name and complete address of each person by whom the
 15 lobbyist is retained or employed;

16 (3) whether the person from whom the lobbyist receives compensation
 17 employs the person solely as a lobbyist or whether the person is a regular employee
 18 performing other services for the employer that include but are not limited to the
 19 influencing of legislative or administrative action;

20 (4) the nature or form of the lobbyist's compensation for engaging in
 21 lobbying, including salary, fees, or reimbursement for expenses received in
 22 consideration for, or directly in support of or in connection with, the influencing of
 23 legislative or administrative action;

24 (5) a general description of the subjects or matters on which the
 25 registrant expects to lobby or to engage in the influencing of legislative or
 26 administrative action;

27 (6) the full name and complete address of the person, if other than the
 28 registrant, who has custody of the accounts, books, papers, bills, receipts, and other
 29 documents required to be maintained under this chapter;

30 (7) the identification of a [LEGISLATOR,] legislative employee [,] or
 31 public official to whom the lobbyist is married or who is the domestic partner of the

1 lobbyist; in this paragraph, "domestic partner" has the meaning given in
2 AS 39.50.200(a);

3 **(8) a sworn affirmation by the lobbyist that the lobbyist has**
4 **completed the training course administered by the commission under**
5 **AS 24.45.031(a) within the 12-month period preceding the date of registration or**
6 **registration renewal under this chapter, except this paragraph does not apply to**
7 **a person who is a representational lobbyist as defined under regulations of the**
8 **commission.**

9 * **Sec. 5.** AS 24.45.121(a) is amended to read:

10 (a) A lobbyist may not

11 (1) engage in any activity as a lobbyist before registering under
12 AS 24.45.041;

13 (2) do anything with the intent of placing a public official under
14 personal obligation to the lobbyist or to the lobbyist's employer;

15 (3) intentionally deceive or attempt to deceive any public official with
16 regard to any material fact pertinent to pending or proposed legislative or
17 administrative action;

18 (4) cause or influence the introduction of a legislative measure solely
19 for the purpose of thereafter being employed to secure its passage or its defeat;

20 (5) cause a communication to be sent to a public official in the name of
21 any fictitious person or in the name of any real person, except with the consent of that
22 person;

23 (6) accept or agree to accept any payment in any way contingent upon
24 the defeat, enactment, or outcome of any proposed legislative or administrative action;

25 (7) serve as a member of a state board or commission, if the lobbyist's
26 employer may receive direct economic benefit from a decision of that board or
27 commission;

28 (8) serve as a campaign manager or director, serve as a campaign
29 treasurer or deputy campaign treasurer on a finance or fund-raising committee, host a
30 fund-raising event, directly or indirectly collect contributions for, or deliver
31 contributions to, a candidate, or otherwise engage in the fund-raising activity of a

1 legislative campaign or campaign for governor or lieutenant governor if the lobbyist
 2 has registered, or is required to register, as a lobbyist under this chapter, during the
 3 calendar year; this paragraph does not apply to a representational lobbyist as defined
 4 in the regulations of the Alaska Public Offices Commission, and does not prohibit a
 5 lobbyist from making personal contributions to a candidate as authorized by AS 15.13
 6 or personally advocating on behalf of a candidate;

7 (9) offer, solicit, initiate, facilitate, or provide to or on behalf of a
 8 person covered by AS 24.60, during a legislative session, a gift, other than food or
 9 beverage for immediate consumption; however, this paragraph does not prohibit a
 10 lobbyist from providing, during a legislative session or at any other time of the year,
 11 tickets to a charity event described in AS 24.60.080(c)(10), or a contribution to a
 12 charity event under AS 24.60.080(c)(11);

13 (10) make or offer a gift or a campaign contribution whose acceptance
 14 by the person to whom it is offered would violate AS 24.60 **or AS 39.52.**

15 * **Sec. 6.** AS 24.45.121 is amended by adding a new subsection to read:

16 (d) Notwithstanding the limitations on lobbying activity in AS 39.52, a person
 17 who is a volunteer lobbyist under AS 24.45.161(a)(1) or a representational lobbyist, as
 18 defined in regulation by the commission, may engage in activity as a lobbyist as
 19 allowed by this chapter.

20 * **Sec. 7.** AS 24.60.020(a) is amended to read:

21 (a) Except as otherwise provided in this subsection, this chapter applies to a
 22 member of the legislature, to a legislative employee, and to public members of the
 23 committee. This chapter does not apply to

24 (1) a former member of the legislature or to a person formerly
 25 employed by the legislative branch of government unless **a** [THE] provision **of this**
 26 **chapter** specifically states that it applies;

27 (2) a person elected to the legislature who at the time of election is not
 28 a member of the legislature.

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

30 (a) A legislator or legislative employee may not

31 (1) solicit, agree to accept, or accept a benefit other than official

1 compensation for the performance of public duties; this paragraph may not be
2 construed to prohibit lawful solicitation for and acceptance of campaign contributions,
3 solicitation or acceptance of contributions for a charity event, as defined in
4 AS 24.60.080(c)(10), or the acceptance of a lawful gratuity under AS 24.60.080;

5 (2) use public funds, facilities, equipment, services, or another
6 government asset or resource for a nonlegislative purpose, for involvement in or
7 support of or opposition to partisan political activity, or for the private benefit of either
8 the legislator, legislative employee, or another person; this paragraph does not prohibit

9 (A) limited use of state property and resources for personal
10 purposes if the use does not interfere with the performance of public duties and
11 either the cost or value related to the use is nominal or the legislator or
12 legislative employee reimburses the state for the cost of the use;

13 (B) the use of mailing lists, computer data, or other information
14 lawfully obtained from a government agency and available to the general
15 public for nonlegislative purposes;

16 (C) telephone or facsimile use that does not carry a special
17 charge;

18 (D) the legislative council, notwithstanding AS 24.05.190,
19 from designating a public facility for use by legislators and legislative
20 employees for health or fitness purposes; when the council designates a facility
21 to be used by legislators and legislative employees for health or fitness
22 purposes, it shall adopt guidelines governing access to and use of the facility;
23 the guidelines may establish times in which use of the facility is limited to
24 specific groups;

25 (E) a legislator from using the legislator's private office in the
26 capital city during a legislative session, and for the 10 days immediately before
27 and the 10 days immediately after a legislative session, for nonlegislative
28 purposes if the use does not interfere with the performance of public duties and
29 if there is no cost to the state for the use of the space and equipment, other than
30 utility costs and minimal wear and tear, or the legislator promptly reimburses
31 the state for the cost; an office is considered a legislator's private office under

1 this subparagraph if it is the primary space in the capital city reserved for use
2 by the legislator, whether or not it is shared with others;

3 (F) a legislator from use of legislative employees to prepare
4 and send out seasonal greeting cards;

5 (G) a legislator from using state resources to transport
6 computers or other office equipment owned by the legislator but primarily used
7 for a state function;

8 (H) use by a legislator of photographs of that legislator;

9 (I) reasonable use of the Internet by a legislator or a legislative
10 employee except if the use is for election campaign purposes;

11 (J) a legislator or legislative employee from soliciting,
12 accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable
13 organization in a state facility;

14 (K) a legislator from sending any communication in the form of
15 a newsletter to the legislator's constituents **unless the communication is**

16 **(i) sent during the 30-day period immediately preceding a state election;**

17 **or**

18 **(ii)** [, EXCEPT] a communication expressly advocating the election or defeat
19 of a candidate or a newsletter or material in a newsletter that is clearly only for the
20 private benefit of a legislator or a legislative employee; or

21 (L) full participation in a charity event approved in advance by
22 the Alaska Legislative Council;

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

27 (4) require a legislative employee to perform services for the private
28 benefit of the legislator or employee at any time, or allow a legislative employee to
29 perform services for the private benefit of a legislator or employee on government
30 time; it is not a violation of this paragraph if the services were performed in an
31 unusual or infrequent situation and the person's services were reasonably necessary to

1 permit the legislator or legislative employee to perform official duties;

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

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

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

12 (C) telephone or facsimile use that does not carry a special
13 charge;

14 (D) storing or maintaining, consistent with (b) of this section,
15 election campaign records in a legislator's office;

16 (E) a legislator from using the legislator's private office in the
17 capital city during a legislative session, and for the 10 days immediately before
18 and the 10 days immediately after a legislative session, for nonlegislative
19 purposes if the use does not interfere with the performance of public duties and
20 if there is no cost to the state for the use of the space and equipment, other than
21 utility costs and minimal wear and tear, or the legislator promptly reimburses
22 the state for the cost; an office is considered a legislator's private office under
23 this subparagraph if it is the primary space in the capital city reserved for use
24 by the legislator, whether or not it is shared with others; or

25 (F) use by a legislator of photographs of that legislator.

26 * **Sec. 9.** AS 24.60.030(f) is amended to read:

27 (f) A legislative employee may not serve in a position that requires
28 confirmation by the legislature. A legislator or legislative employee **who serves**
29 **[MAY SERVE]** on a board of an organization, including a governmental entity, **shall**
30 **disclose** **[THAT REGULARLY HAS A SUBSTANTIAL INTEREST IN THE**
31 **LEGISLATIVE ACTIVITIES OF THE LEGISLATOR OR EMPLOYEE IF THE**

1 LEGISLATOR OR EMPLOYEE DISCLOSES] the board membership to the
 2 committee. A person [A LEGISLATOR OR LEGISLATIVE EMPLOYEE WHO IS]
 3 required to make a disclosure under this subsection shall file the disclosure with the
 4 committee by the deadline [DEADLINES] set out in AS 24.60.105 stating the name
 5 of each organization on whose board the person serves. The committee shall maintain
 6 a public record of the disclosure and forward the disclosure to the appropriate house
 7 for inclusion in the journal. This subsection does not require a legislator or legislative
 8 employee who is appointed to a board by the presiding officer to make a disclosure of
 9 the appointment to the committee if the appointment has been published in the
 10 appropriate legislative journal during the calendar year.

11 * **Sec. 10.** AS 24.60.050(c) is amended to read:

12 (c) A legislator or legislative employee who participates in a program or
 13 receives a loan that is not exempt from disclosure under (a) of this section shall file [A
 14 WRITTEN REPORT] with the committee by the date required under AS 24.60.105 a
 15 disclosure stating the amounts of the loans outstanding or benefits received during the
 16 preceding calendar year from nonqualifying programs. If the committee requests
 17 additional information necessary to determine the propriety of participating in the
 18 program or receiving the loan, it shall be promptly provided. The committee shall
 19 promptly compile a list of the statements indicating the loans and programs and
 20 amounts and send it to the presiding officer of each house who shall have it published
 21 in the supplemental journals on or before the next regularly scheduled publication
 22 of ethics disclosures. If a [WITHIN THREE WEEKS AFTER THE FILING DATE.
 23 A] legislator or legislative employee asks [WHO BELIEVES THAT DISCLOSURE
 24 OF PARTICIPATION IN A PROGRAM WOULD BE AN INVASION OF THE
 25 PARTICIPANT'S RIGHT TO PRIVACY UNDER THE STATE CONSTITUTION
 26 MAY REQUEST] the committee to keep any part of the disclosure confidential and
 27 a quorum of the committee determines that making the entire disclosure public
 28 would cause an unjustifiable invasion of personal privacy, the committee may
 29 elect to [. IF THE COMMITTEE FINDS THAT PUBLICATION WOULD
 30 CONSTITUTE AN INVASION OF PRIVACY, THE COMMITTEE SHALL] publish
 31 only the fact that a person has participated in the program and the amount of benefit

1 that the unnamed person received. The committee shall maintain the disclosure of the
2 name of the person as confidential and may only use the disclosure in a proceeding
3 under AS 24.60.170. If the disclosure becomes part of the record of a proceeding
4 under AS 24.60.170, the disclosure may be made public as provided in that section.

5 * **Sec. 11.** AS 24.60.070(c) is amended to read:

6 (c) When making a disclosure under (a) of this section concerning a
7 relationship with a lobbyist to whom the [LEGISLATOR OR] legislative employee is
8 married or who is the [LEGISLATOR'S OR] legislative employee's domestic partner,
9 the [LEGISLATOR OR] legislative employee shall also disclose the name and address
10 of each employer of the lobbyist and the total monetary value received by the lobbyist
11 from the lobbyist's employer. The [LEGISLATOR OR] legislative employee shall
12 report changes in the employer of the spouse or domestic partner within 48 hours after
13 the change. In this subsection, "employer of the lobbyist" means the person from
14 whom the lobbyist received amounts or things of value for engaging in lobbying on
15 behalf of the person.

16 * **Sec. 12.** AS 24.60.080(c) is amended to read:

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

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

21 (A) with incidental transportation at the residence of a person;
22 however, a vacation home located outside the state is not considered a
23 residence for the purposes of this subparagraph; or

24 (B) at a social event or meal;

25 (2) discounts that are available

26 (A) generally to the public or to a large class of persons to
27 which the person belongs; or

28 (B) when on official state business, but only if receipt of the
29 discount benefits the state;

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

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

3 (5) gifts from the immediate family of the person;

4 (6) gifts that are not connected with the recipient's legislative status;

5 (7) a discount for all or part of a legislative session, including time
6 immediately preceding or following the session, or other gift to welcome a legislator
7 or legislative employee who is employed on the personal staff of a legislator or by a
8 standing or special committee to the capital city or in recognition of the beginning of a
9 legislative session if the gift or discount is available generally to all legislators and the
10 personal staff of legislators and staff of standing and special committees; this
11 paragraph does not apply to legislative employees who are employed by the
12 Legislative Affairs Agency, the office of the chief clerk, the office of the senate
13 secretary, the legislative budget and audit committee, the office of victims' rights, or
14 the office of the ombudsman;

15 (8) a gift of legal services in a matter of legislative concern and a gift
16 of other services related to the provision of legal services in a matter of legislative
17 concern;

18 (9) a gift of transportation from a legislator to a legislator if the
19 transportation takes place in the state on or in an aircraft, boat, motor vehicle, or other
20 means of transport owned or under the control of the donor; this paragraph does not
21 apply to travel described in (4) of this subsection or travel for political campaign
22 purposes;

23 (10) tickets from a lobbyist for a charity event at any time, including
24 during a legislative session, except that tickets to or gifts received at a charity event
25 under this paragraph are subject to the calendar year limit on the value of gifts
26 received by a legislator or legislative employee in (a) of this section; in this paragraph,
27 "charity event" means an event the proceeds of which go to a charitable organization
28 with tax-free status under 26 U.S.C. 501(c)(3) and that the Alaska Legislative Council
29 has approved in advance; the tickets may entitle the bearer to admission to the event,
30 to entertainment, to food or beverages, or to other gifts or services involved in the
31 charity event; or

1 (11) a contribution to a charity event from any person at any time; in
 2 this paragraph, "charity event" has the meaning given in (10) of this subsection.

3 * **Sec. 13.** AS 24.60.080(d) is amended to read:

4 (d) A legislator or legislative employee who accepts a gift under (c)(4) of this
 5 section that has a value of \$250 or more shall disclose to the committee, within 30
 6 days after receipt of the gift, the name and occupation of the donor and the
 7 approximate value of the gift. A legislator or legislative employee who accepts a gift
 8 under (c)(8) of this section that the recipient expects will have a value of \$250 or more
 9 in the calendar year shall disclose to the committee, within 30 days after receipt of the
 10 gift, the name and occupation of the donor, a general description of the matter of
 11 legislative concern with respect to which the gift is made, and the approximate value
 12 of the gift. The committee shall maintain a public record of the disclosures it receives
 13 relating to gifts under (c)(4), (c)(8), and (i) [AND (8)] of this section and shall
 14 forward the disclosures to the appropriate house for inclusion in the journal. The
 15 committee shall forward to the Alaska Public Offices Commission copies of the
 16 disclosures concerning gifts under (c)(4), (c)(8), and (i) [AND (8)] of this section that
 17 it receives from legislators and legislative directors. A legislator or legislative
 18 employee who accepts a gift under (c)(6) of this section that has a value of \$250 or
 19 more shall disclose to the committee annually on or before March 15 the name and
 20 occupation of the donor and a description of the gift. The committee shall maintain
 21 disclosures relating to gifts under (c)(6) of this section as confidential records and may
 22 only use, or permit a committee employee or contractor to use, a disclosure under
 23 (c)(6) of this section in the investigation of a possible violation of this section or in a
 24 proceeding under AS 24.60.170. If the disclosure under (c)(6) of this section becomes
 25 part of the record of a proceeding under AS 24.60.170, the confidentiality provisions
 26 of that section apply to the disclosure.

27 * **Sec. 14.** AS 24.60.080(i) is amended to read:

28 (i) A legislator or legislative employee who knows or reasonably should know
 29 that a family member has received a gift because of the family member's connection
 30 with the legislator or legislative employee shall **disclose for publication under (d) of**
 31 **this section** [REPORT] the receipt of the gift by the family member to the committee

1 if the gift would have to be **disclosed** [REPORTED] under this section if it had been
 2 received by the legislator or legislative employee or if receipt of the gift by a legislator
 3 or legislative employee would be prohibited under this section.

4 * **Sec. 15.** AS 24.60.085 is amended by adding a new subsection to read:

5 (c) During the term for which elected or appointed, a legislator may not,
 6 directly or by authorizing another to act on the legislator's behalf, accept or agree to
 7 accept compensation, except from the State of Alaska, for work associated with
 8 legislative action, administrative action, or political action. Notwithstanding
 9 AS 24.60.990, in this subsection, "administrative action" and "legislative action" have
 10 the meanings given in AS 24.45.171.

11 * **Sec. 16.** AS 24.60.100 is amended to read:

12 **Sec. 24.60.100. Representation.** A legislator or legislative employee **may not**
 13 **represent** [WHO REPRESENTS] another person for compensation before **a**
 14 **municipal, legislative, or executive branch** [AN] agency, board, or commission [OF
 15 THE STATE SHALL DISCLOSE THE NAME OF THE PERSON REPRESENTED,
 16 THE SUBJECT MATTER OF THE REPRESENTATION, AND THE BODY
 17 BEFORE WHICH THE REPRESENTATION IS TO TAKE PLACE TO THE
 18 COMMITTEE. THE DISCLOSURE SHALL BE MADE BY THE DEADLINES SET
 19 OUT IN AS 24.60.105. THE COMMITTEE SHALL MAINTAIN A PUBLIC
 20 RECORD OF A DISCLOSURE UNDER THIS SECTION AND FORWARD THE
 21 DISCLOSURE TO THE RESPECTIVE HOUSE FOR INCLUSION IN THE
 22 JOURNAL. A LEGISLATOR OR LEGISLATIVE EMPLOYEE MAY NOT
 23 REPRESENT ANOTHER PERSON FOR COMPENSATION BEFORE AN
 24 AGENCY, COMMITTEE, OR OTHER ENTITY OF THE LEGISLATIVE
 25 BRANCH].

26 * **Sec. 17.** AS 24.60.105 is amended to read:

27 **Sec. 24.60.105. Deadline [DEADLINES] for filing disclosures.** (a) When a
 28 legislator or legislative employee is required to file a disclosure under this chapter and
 29 a date by which the disclosure must be filed is not otherwise set by statute, the
 30 **deadline for filing disclosure shall be 30 days** [DEADLINES SET OUT IN THIS
 31 SECTION SHALL APPLY. FOR DISCLOSURE OF A MATTER OR AN

1 INTEREST THAT BEGAN OR WAS ACQUIRED DURING THE INTERIM
 2 BETWEEN REGULAR LEGISLATIVE SESSIONS, WHETHER OR NOT THE
 3 REGULAR SESSION IS EXTENDED OR THERE IS A SPECIAL SESSION, OR
 4 DURING THE LAST 30 DAYS OF A REGULAR SESSION, THE LEGISLATOR
 5 OR LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE MATTER BY MARCH
 6 15. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR
 7 WAS ACQUIRED DURING A REGULAR LEGISLATIVE SESSION, BUT NOT
 8 DURING THE LAST 30 DAYS OF THE REGULAR SESSION, THE
 9 DISCLOSURE MUST BE MADE WITHIN 30 DAYS] after the commencement of
 10 the matter or interest [OR REPRESENTATION].

11 (b) Disclosures under the following statutes are subject to the deadline
 12 [DEADLINES] set out in this section:

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

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

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

21 (4) formation or maintenance of a close economic association under
 22 AS 24.60.070 [;

23 (5) REPRESENTATION OF A CLIENT UNDER AS 24.60.100].

24 * **Sec. 18.** AS 24.60 is amended by adding a new section to article 2 to read:

25 **Sec. 24.60.115. Disclosure required of a legislator, legislative employee, or**
 26 **public member of the committee after final day of service.** A person serving as a
 27 legislator, legislative employee, or public member of the committee shall, not later
 28 than 90 days after the person's final day of service as a legislator, legislative employee,
 29 or public member, file a disclosure of every matter that was subject to disclosure under
 30 this chapter while the person was serving.

31 * **Sec. 19.** AS 24.60.130(n) is amended to read:

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

18 * **Sec. 20.** AS 24.60.130 is amended by adding a new subsection to read:

19 (p) Notwithstanding (h) and (n) of this section, if a complaint before the
 20 committee alleges a violation of this chapter by a group of legislators that includes a
 21 legislative member of the committee and that member's alternate, the member and
 22 alternate member are disqualified from serving on the committee with regard to the
 23 complaint. If the two disqualified members of the committee are part of the majority
 24 caucus, the presiding officer of the house in which the two disqualified members serve
 25 shall appoint from that house an alternate to serve with regard to the complaint. If one
 26 of the two disqualified legislative members of the committee is not part of the majority
 27 caucus, the leader of the minority caucus with the greatest number of members shall
 28 appoint from that house an alternate to serve with regard to the complaint. If a
 29 complaint alleges a violation of this chapter that includes all legislative members of
 30 the majority caucus of one house, the presiding officer of that house shall appoint from
 31 the other house an alternate to serve with regard to the complaint. If the complaint

1 alleges a violation of this chapter that includes all legislative members of a minority
 2 caucus of one house, the leader of that minority caucus shall appoint from the other
 3 house an alternate to serve with regard to the complaint. In this paragraph, "minority
 4 caucus" has the meaning given to the term "minority organizational caucus" in (o) of
 5 this section.

6 * **Sec. 21.** AS 24.60.150(a) is amended to read:

7 (a) The committee shall

8 (1) adopt procedures to facilitate the receipt of inquiries and prompt
 9 rendition of its opinions;

10 (2) publish semi-annual summaries of decisions and advisory opinions
 11 with sufficient deletions in the summaries to prevent disclosing the identity of the
 12 persons involved in the decisions or opinions that have remained confidential;

13 (3) publish legislative ethics materials, including an annually
 14 updated handbook on standards of ethical conduct and a bimonthly legislative
 15 newsletter, to help educate legislators, legislative employees, and public members
 16 of the committee on the subject of legislative ethics;

17 (4) in January of each year and at other times determined by the
 18 committee, administer a legislative ethics course that teaches means of
 19 compliance with this chapter and an understanding of this chapter's purpose
 20 under AS 24.60.010.

21 * **Sec. 22.** AS 24.60 is amended by adding a new section to read:

22 **Sec. 24.60.155. Legislative ethics course.** A person who is a legislator,
 23 legislative employee, or public member of the committee shall complete the legislative
 24 ethics course administered by the committee under AS 24.60.150(a) within 10 days of
 25 the first day of the first regular session of each legislature. However, a person who
 26 first takes office or begins employment after the 10th day of the first regular session of
 27 a legislature shall complete the course required by this section within 30 days after the
 28 person's first day of service. The committee may grant a person additional time to
 29 complete the course required by this section.

30 * **Sec. 23.** AS 24.60.160 is amended to read:

31 **Sec. 24.60.160. Advisory opinions.** (a) On the request of the committee, the

1 **Alaska Public Offices Commission**, a person to whom this chapter applies, or a
 2 **person** who has been newly elected to the legislature, the committee shall issue an
 3 advisory opinion within 60 days as to whether the facts and circumstances of a
 4 particular case constitute a violation of ethical standards. If it finds that it is advisable
 5 to do so, the committee may issue an opinion under this section on the request of a
 6 person who reasonably expects to become subject to this chapter within the next 45
 7 days. The 60-day period for issuing an opinion may be extended by the committee if
 8 the person requesting the opinion consents.

9 (b) An opinion issued under this section is binding on the committee in any
 10 subsequent proceedings concerning the facts and circumstances of the particular case
 11 unless material facts were omitted or misstated in the request for the advisory opinion.
 12 **An opinion issued under this section must be issued with sufficient deletions to**
 13 **prevent disclosing the identity of the person or persons involved. Advisory**
 14 **opinion discussions and deliberations are confidential, unless the requester and**
 15 **anyone else named in the request who is covered by this chapter waives**
 16 **confidentiality. The committee's final vote on the advisory opinion is a public**
 17 **record** [EXCEPT AS PROVIDED IN THIS CHAPTER, AN ADVISORY OPINION
 18 IS CONFIDENTIAL BUT SHALL BE MADE PUBLIC IF A WRITTEN REQUEST
 19 BY THE PERSON WHO REQUESTED THE OPINION IS FILED WITH THE
 20 COMMITTEE].

21 * **Sec. 24.** AS 24.60.170(j) is amended to read:

22 (j) If the committee has issued a formal charge under (h) of this section, and if
 23 the person charged has not admitted the allegations of the charge, the committee shall
 24 schedule a hearing on the charge. The committee may appoint an individual to present
 25 the case against the person charged if that individual does not provide **other** [AND
 26 HAS NOT PROVIDED] legal advice to the committee except in the course of
 27 presenting cases under this subsection. The hearing shall be scheduled for a date more
 28 than 20 and less than 90 days after service of the charge on the person charged, unless
 29 **the committee schedules** [THE PERSON AGREES TO] a later hearing date. **If the**
 30 **complainant prevents the hearing from starting before the 90-day deadline passes**
 31 **and a quorum of the committee determines the delay is not supported by a**

1 **compelling reason or will result in the person charged being deprived of a fair**
 2 **hearing, the committee may dismiss the complaint with prejudice or enter some**
 3 **other order the committee determines is appropriate.** At the hearing, the person
 4 charged shall have the right to appear personally before the committee, to subpoena
 5 witnesses and require the production of books or papers relating to the proceedings, to
 6 be represented by counsel, and to cross-examine witnesses. A witness shall testify
 7 under oath. The committee is not bound by the rules of evidence, but the committee's
 8 findings must be based upon clear and convincing evidence. Testimony taken at the
 9 hearing shall be recorded, and evidence shall be maintained.

10 * **Sec. 25.** AS 24.60.176(b) is amended to read:

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

12 (1) the legislative council for employees of the Legislative Affairs
 13 Agency and of the legislative council and for legislative employees not otherwise
 14 covered under this subsection;

15 (2) the Legislative Budget and Audit Committee for the legislative
 16 fiscal analyst and employees of the division of legislative finance, the legislative
 17 auditor and employees of the division of legislative audit, and employees of the
 18 Legislative Budget and Audit Committee;

19 (3) the appropriate finance committee for employees of the senate or
 20 house finance committees;

21 (4) the appropriate rules committee for employees of

22 (A) standing committees of the legislature, other than the
 23 finance committees;

24 (B) the senate secretary's office and the office of the chief clerk
 25 of the house of representatives; and

26 (C) house records and senate records;

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

30 (6) the ombudsman for employees of the office of the ombudsman,
 31 other than the ombudsman;

1 (7) the legislature for the ombudsman;

2 **(8) the victims' advocate for employees of the office of victims'**
 3 **rights, other than the victims' advocate;**

4 **(9) the legislature for the victims' advocate.**

5 * **Sec. 26.** AS 24.60.200 is amended to read:

6 **Sec. 24.60.200. Financial disclosure by legislators, public members of the**
 7 **committee, and legislative directors.** A legislator, a public member of the committee,
 8 and a legislative director shall file a disclosure statement, under oath and on penalty of
 9 perjury, with the Alaska Public Offices Commission giving the following information
 10 about the income received by the discloser, the discloser's spouse or domestic partner,
 11 the discloser's dependent children, and the discloser's nondependent children who are
 12 living with the discloser:

13 (1) the information that a public official is required to report under
 14 AS 39.50.030, other than

15 **(A) income received as compensation for a personal service;**

16 **(B) a loan or loan guarantee;**

17 **(C) information about gifts;**

18 (2) as to income in excess of \$1,000 received as compensation for
 19 personal services, the name and address of the source of the income, and a statement
 20 describing **in detail** the nature of the services performed; if the source of income is
 21 known or reasonably should be known to have a substantial interest in legislative,
 22 administrative, or political action and the recipient of the income is a legislator or
 23 legislative director, **the amount of the income and the approximate number of**
 24 **hours of services performed to earn the income** [THE AMOUNT OF INCOME
 25 RECEIVED FROM THE SOURCE] shall be disclosed, **and additional information**
 26 **regarding how the income was earned may be disclosed;**

27 (3) as to each loan or loan guarantee over \$1,000 from a source with a
 28 substantial interest in legislative, administrative, or political action, the name and
 29 address of the person making the loan or guarantee, the amount of the loan, the terms
 30 and conditions under which the loan or guarantee was given, the amount outstanding
 31 at the time of filing, and whether or not a written loan agreement exists.

1 * **Sec. 27.** AS 24.60.210(a) is amended to read:

2 (a) A person required to file a disclosure statement under AS 24.60.200 shall
3 file an annual report with the Alaska Public Offices Commission, covering the
4 previous calendar year, containing the disclosures required by AS 24.60.200, on or
5 before March 15 of each year, **except that a person appointed as a legislator under**
6 **AS 15.40, a public member of the committee, or a legislative director must file**
7 **within 30 days after the person's appointment.**

8 * **Sec. 28.** AS 24.60.210 is amended by adding a new subsection to read:

9 (c) The Alaska Public Offices Commission shall require that the reports
10 required under this section be submitted electronically but may, when circumstances
11 warrant an exception, accept any information required under this section that is typed
12 in clear and legible black typeface or hand-printed in dark ink on paper in a format
13 approved by the commission or on forms provided by the commission and that is filed
14 with the commission.

15 * **Sec. 29.** AS 24.60.250(c) is amended to read:

16 (c) In addition to the sanctions described in AS 24.60.260, if the Alaska Public
17 Offices Commission finds that a legislative director has failed or refused to file a
18 report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify
19 the Alaska Legislative Council or the Legislative Budget and Audit Committee, as
20 appropriate. For the ombudsman **and the office of victims' rights**, the Alaska
21 Legislative Council shall be notified.

22 * **Sec. 30.** AS 39.50.020 is amended to read:

23 **Sec. 39.50.020. Report of financial and business interests.** (a) A public
24 official other than the governor or the lieutenant governor shall file a statement giving
25 income sources and business interests, under oath and on penalty of perjury, within 30
26 days after taking office as a public official. Candidates for state elective office other
27 than a candidate who is subject to AS 24.60 shall file the statement with the director of
28 elections at the time of filing a declaration of candidacy or a nominating petition or
29 becoming a candidate by any other means. Candidates for elective municipal office
30 shall file the statement at the time of filing a nominating petition, declaration of
31 candidacy, or other required filing for the elective municipal office. Refusal or failure

1 to file within the time prescribed shall require that the candidate's filing fees, if any,
 2 and filing for office be refused or that a previously accepted filing fee be returned and
 3 the candidate's name removed from the filing records. A statement shall also be filed
 4 by public officials no later than March 15 in each following year. **On or before the**
 5 **90th day after leaving office, a former public official shall file a final statement**
 6 **covering any period during the official's service in that office for which the public**
 7 **official has not already filed a statement.** Persons who are members of boards or
 8 commissions not named in AS 39.50.200(b) are not required to file financial
 9 statements.

10 (b) A public official **or former public official** other than an elected or
 11 appointed municipal officer shall file the statement with the Alaska Public Offices
 12 Commission. Candidates for the office of governor and lieutenant governor and, if the
 13 candidate is not subject to AS 24.60, the legislature shall file the statement under
 14 AS 15.25.030 or 15.25.180. Municipal officers, **former municipal officers,** and
 15 candidates for elective municipal office, shall file with the municipal clerk or other
 16 municipal official designated to receive their filing for office. All statements required
 17 to be filed under this chapter are public records.

18 * **Sec. 31.** AS 39.50.030(b) is amended to read:

19 (b) Each statement filed by a public official or candidate under this chapter
 20 must include the following:

21 (1) **for** [THE SOURCE OF] all **sources of** income over \$5,000 during
 22 the preceding calendar year, including taxable [AND NONTAXABLE] capital gains,
 23 **and for all gifts from a single source with a cumulative value exceeding \$250 in a**
 24 **calendar year,** received by the person, the person's spouse or domestic partner, or the
 25 person's dependent child,

26 **(A) each source of the income or gift;**

27 **(B) the recipient of the income or gift;**

28 **(C) the amount of the income or value of the gift;**

29 **(D) a brief statement describing whether the income was**
 30 **earned by commission, by the job, by the hour, or by some other method;**

31 **(E) if the income was earned by the hour, the approximate**

1 **number of hours worked; and**

2 **(F) unless required by law to be kept confidential, a**
 3 **description sufficient to make clear to a person of ordinary understanding**
 4 **the nature of each service performed and the date the service was**
 5 **performed** [EXCEPT THAT A SOURCE OF INCOME THAT IS A GIFT
 6 MUST BE INCLUDED IF THE VALUE OF THE GIFT EXCEEDS \$250];

7 (2) the identity, by name and address, of each business in which the
 8 person, the person's spouse or domestic partner, or the person's dependent child has an
 9 interest or was a stockholder, owner, officer, director, partner, proprietor, or employee
 10 during the preceding calendar year, except that an interest of less than \$5,000 in the
 11 stock of a publicly traded corporation need not be included;

12 (3) the identity and nature of each interest in real property, including
 13 an option to buy, owned at any time during the preceding calendar year by the person,
 14 the person's spouse or domestic partner, or the person's dependent child;

15 (4) the identity of each trust or other fiduciary relation in which the
 16 person, the person's spouse or domestic partner, or the person's dependent child held a
 17 beneficial interest exceeding \$5,000 during the preceding calendar year, a description
 18 and identification of the property contained in each trust or relation, and the nature and
 19 extent of the beneficial interest in it;

20 (5) any loan or loan guarantee of more than \$5,000 made to the person,
 21 the person's spouse or domestic partner, or the person's dependent child, and the
 22 identity of the maker of the loan or loan guarantor and the identity of each creditor to
 23 whom the person, the person's spouse or domestic partner, or the person's dependent
 24 child owed more than \$5,000; this paragraph requires disclosure of a loan, loan
 25 guarantee, or indebtedness only if the loan or guarantee was made, or the indebtedness
 26 incurred, during the preceding calendar year, or if the amount still owing on the loan,
 27 loan guarantee, or indebtedness was more than \$5,000 at any time during the
 28 preceding calendar year;

29 (6) a list of all contracts and offers to contract with the state or an
 30 instrumentality of the state during the preceding calendar year held, bid, or offered by
 31 the person, the person's spouse or domestic partner, or the person's dependent child, a

1 partnership or professional corporation of which the person is a member, or a
 2 corporation in which the person or the person's spouse, domestic partner, or dependent
 3 **child** [CHILDREN], or a combination of them, hold a controlling interest; and

4 (7) a list of all mineral, timber, oil, or any other natural resource lease
 5 held, or lease offer made, during the preceding calendar year by the person, the
 6 person's spouse or domestic partner, or the person's dependent child, a partnership or
 7 professional corporation of which the person is a member, or a corporation in which
 8 the person or the person's spouse, [OR] domestic partner, or dependent **child**
 9 [CHILDREN], or a combination of them, holds a controlling interest.

10 * **Sec. 32.** AS 39.50.040 is amended to read:

11 **Sec. 39.50.040. Blind trusts.** (a) A public official may transfer all or a portion
 12 of the official's assets to a blind trust for the duration of service in public office. The
 13 original assets placed in the blind trust shall be listed by the official in **a** [THE]
 14 statement [REQUIRED TO BE] filed under this **section, together with a description**
 15 **of the actual or potential conflicts of interest, or appearance of conflict, that the**
 16 **official seeks to avoid by the use of the trust. A copy of the** [CHAPTER. THE]
 17 instrument creating the blind trust must be included with the statement.

18 (b) For a **blind** trust to qualify under this section, **the following conditions**
 19 **must be met:**

20 (1) **the trust may not contain investments or assets in which the**
 21 **ownership right or interest is required to be recorded in a public office other**
 22 **than with the Alaska Public Offices Commission, or contain assets with**
 23 **permanency that makes transfer by the trustee improbable or impractical,**
 24 **including businesses, real estate, security interests in personal property, and**
 25 **mortgages** [ASSETS TRANSFERRED TO THE TRUST SHALL BE
 26 MARKETABLE];

27 (2) the trustee shall be a bank or other institutional fiduciary;

28 (3) the trustee shall have full authority to manage the trust, including
 29 the purchase, sale, and exchange of its assets in accordance with fiduciary principles;

30 (4) **the trust instrument shall contain a clear statement that its**
 31 **purpose is to remove from the trustor control and knowledge of investment of**

1 trust assets so that conflicts between the trustor's responsibilities and duties as a
2 public official and the trustor's personal or financial interests will be eliminated
3 [INFORMATION REGARDING THE IDENTITY AND THE NATURE OF ITS
4 ASSETS SHALL BE CONFIDENTIAL FROM THE TRUSTOR FOR THE
5 DURATION OF THE TRUST];

6 (5) the trustee shall be directed not to disclose to the trustor any
7 information about the identity and nature of any of the assets in the trust, and the
8 trustee shall be required to report any known breach of this confidentiality or the
9 termination of the trust to the commission [OFFICE WHERE THE TRUSTOR IS
10 REQUIRED TO FILE STATEMENTS UNDER THIS CHAPTER]; [AND]

11 (6) the trust shall be irrevocable and shall be terminated only upon
12 the death of the trustor, upon termination of the trustor's status as a public
13 official, or upon order of the commission;

14 (7) the trustee shall be required to

15 (A) prepare and file the trustor's personal income tax
16 returns, withholding from distribution of the trust's net income amounts
17 sufficient to pay the trustor's tax; and to participate in the audit of the
18 trustor's returns during the period of the trust, with authority to
19 compromise the trustor's tax liability; or

20 (B) submit to the trustor, for income tax purposes, a
21 certification of income paid without identifying the assets producing the
22 income;

23 (8) the trustee shall be directed to avoid knowingly making any
24 investment in a corporation, business, or venture over which the trustor is likely
25 to take action by virtue of the trustor's official position;

26 (9) the trustor may not retain control over the trustee, and the
27 trustor is not permitted to make any recommendations or suggestions as to the
28 trust property;

29 (10) the trust instrument agreement must provide that the trustee
30 will give the attorney general or personnel board access to any records or
31 information related to the trust that is necessary when investigating or hearing

1 **an accusation alleging a violation of AS 39.52;**

2 **(11) the trustee shall report to the commission the beginning and**
 3 **ending value of the trust and, if the commission requests, the trustee shall**
 4 **prepare under seal a detailed description of transactions and holdings of the**
 5 **trust; the document prepared by the trustee under seal is not public information**
 6 **unless an accusation under AS 39.52 relevant to the blind trust is filed by the**
 7 **attorney general or the personnel board, and**

8 **(12) the trust may not become effective until the trust instrument**
 9 **is submitted and approved by the commission** [REPEALED].

10 * **Sec. 33.** AS 39.50.050(a) is amended to read:

11 (a) The Alaska Public Offices Commission created under AS 15.13.020(a)
 12 shall administer the provisions of this chapter. The commission shall prepare and keep
 13 available for distribution standardized forms on which the reports required by this
 14 chapter shall be filed. The commission shall print the forms provided under this
 15 section so that the front and back of each page have the same orientation when the
 16 page is rotated on the vertical axis of the page. The commission **shall require** [MAY
 17 REQUEST] that the information required under this chapter, **unless it is information**
 18 **required of a municipal officer,** be submitted electronically but **may, when**
 19 **circumstances warrant an exception,** [SHALL] accept any information required
 20 under this chapter that is typed in clear and legible black typeface or hand-printed in
 21 dark ink on paper in a format approved by the commission or on forms provided by
 22 the commission and that is filed with the commission. **A municipal officer shall**
 23 **submit information required under this chapter either electronically or typed or**
 24 **handprinted in the manner described in this subsection.**

25 * **Sec. 34.** AS 39.52.110 is amended by adding a new subsection to read:

26 (d) Stock or other ownership interest in a business is presumed insignificant if
 27 its value is less than \$5,000.

28 * **Sec. 35.** AS 39.52.130(a) is amended to read:

29 (a) A public officer may not solicit, accept, or receive, directly or indirectly, a
 30 gift, whether in the form of money, service, loan, travel, entertainment, hospitality,
 31 employment, promise, or in any other form, that is a benefit to the officer's personal or

1 financial interests, under circumstances in which it could reasonably be inferred that
 2 the gift is intended to influence the performance of official duties, actions, or
 3 judgment. **A gift from a person required to register as a lobbyist under**
 4 **AS 24.45.041 to a public officer or a public officer's immediate family member is**
 5 **presumed to be intended to influence the performance of official duties, actions,**
 6 **or judgment unless the giver is an immediate family member of the person**
 7 **receiving the gift.**

8 * **Sec. 36.** AS 39.52.180(a) is amended to read:

9 (a) A public officer who leaves state service may not, for two years after
 10 leaving state service, represent, advise, or assist a person for compensation regarding a
 11 matter that was under consideration by the administrative unit served by that public
 12 officer, and in which the officer participated personally and substantially through the
 13 exercise of official action. For the purposes of this subsection, "matter" includes a
 14 case, proceeding, application, contract, [OR] determination, [BUT DOES NOT
 15 INCLUDE THE] proposal or consideration of **a** legislative **bill** [BILLS], **a resolution,**
 16 **a** [RESOLUTIONS AND] constitutional **amendment** [AMENDMENTS], or other
 17 legislative **measure,** [MEASURES;] or [THE] proposal, consideration, or adoption of
 18 **an** administrative **regulation** [REGULATIONS].

19 * **Sec. 37.** AS 39.52.180(d) is amended to read:

20 (d) A former governor, lieutenant governor, [OR] head **or deputy head** of a
 21 principal department in the executive branch, **or employee of the Office of the**
 22 **Governor who is required to file a statement under AS 39.50.020** may not engage
 23 in activity as a lobbyist under AS 24.45 for a period of one year after leaving service
 24 as the governor, lieutenant governor, [OR] department head **or deputy head, or**
 25 **employee of the Office of the Governor who is required to file a statement under**
 26 **AS 39.50.020,** as appropriate. This subsection does not prohibit service as a volunteer
 27 lobbyist described in AS 24.45.161(a)(1) or a representational lobbyist as defined
 28 under regulations of the Alaska Public Offices Commission.

29 * **Sec. 38.** AS 39.52.180 is amended by adding a new subsection to read:

30 (e) A former head of a principal department in the executive branch may not,
 31 for a period of one year after leaving service as the head of that department, serve on

1 the governing board of a company, organization, or other entity that was regulated by
 2 that department or with which the former department head worked as part of an
 3 official duty as the department head. A former employee of the Office of the Governor
 4 who is required to file a statement under AS 39.50.020 may not, for a period of one
 5 year after leaving employment in that office, serve on the governing board of a
 6 company, organization, or other entity with which the former employee worked as part
 7 of an official duty for the Office of the Governor.

8 * **Sec. 39.** AS 39.50.200(b) is amended by adding new paragraphs to read:

9 (59) Alaska Industrial Development and Export Authority (AS 44.88);

10 (60) the board of directors of the Knik Arm Bridge and Toll Authority
 11 (AS 19.75.031 and 19.75.041);

12 (61) Alaska labor relations agency (AS 23.05.360 - 23.05.390);

13 (62) the Board of Trustees of the Alaska Mental Health Trust
 14 Authority (AS 47.30.016);

15 (63) the board of directors of the Alaska Railroad Corporation
 16 (AS 42.40.020 - 42.40.060).

17 * **Sec. 40.** AS 39.52 is amended by adding a new section to read:

18 **Sec. 39.52.225. Disclosures in connection with executive clemency.** Before
 19 granting executive clemency to an applicant for executive clemency, the governor
 20 shall disclose in writing to the attorney general whether granting the clemency would
 21 benefit a personal or financial interest of the governor. The attorney general shall
 22 publish a written determination whether granting executive clemency to the applicant
 23 would violate AS 39.52.110 - 39.52.190. The written determination of the attorney
 24 general is not confidential, but information set out in that determination identifying a
 25 person, other than the applicant for clemency, who is a victim or witness in a criminal
 26 matter may not be made public.

27 * **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to
 28 read:

29 **APPLICABILITY.** (a) AS 39.52.180(a), as amended by sec. 36 of this Act, applies to
 30 a person who leaves state service on or after the effective date of sec. 36 of this Act.

31 (b) AS 39.52.180(d), as amended by sec. 37 of this Act, applies to a person who

1 leaves service as governor, lieutenant governor, head or deputy head of a principal department
2 in the executive branch, or employee of the Office of the Governor who is required to file a
3 statement under AS 39.50.020 on or after the effective date of sec. 37 of this Act.

4 (c) AS 39.52.180(e), as added by sec. 38 of this Act, applies to a department head or
5 employee of the Office of the Governor who is required to file a statement under
6 AS 39.50.020 who leaves employment as a department head or employee of the Office of the
7 Governor who is required to file a statement under AS 39.50.020 on or after the effective date
8 of sec. 38 of this Act.

9 * **Sec. 42.** Section 28 of this Act takes effect July 1, 2008.

10 * **Sec. 43.** Section 33 of this Act takes effect July 1, 2007.

11 * **Sec. 44.** Except as provided in secs. 42 and 43 of this Act, this Act takes effect
12 immediately under AS 01.10.070(c).