

HOUSE BILL NO. 309

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE LEDOUX

Introduced: 1/15/08

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring a legislator to abstain from voting on questions affecting an
2 enterprise if the legislator or a member of the legislator's immediate family has an
3 equity or ownership interest in the enterprise that is substantial, and requiring a
4 legislator to abstain from taking or withholding official action or exerting official
5 influence in certain matters in which the legislator's action or influence could benefit or
6 harm the financial interest of a person by whom the legislator or a member of the
7 legislator's immediate family is employed or with whom the legislator or a member of
8 the legislator's immediate family is negotiating for employment; making the Act
9 conditionally effective; and providing for an effective date."

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

11 * **Section 1.** AS 24.60.030(e) is amended to read:

12 (e) A legislator may not directly, or by authorizing another to act on the

1 legislator's behalf,

2 (1) agree to, threaten to, or state or imply that the legislator will take or
3 withhold a legislative, administrative, or political action, including support **for** or
4 opposition to a bill, employment, nominations, and appointments, as a result of a
5 person's decision to provide or not provide a political contribution, donate or not
6 donate to a cause favored by the legislator, or provide or not provide a thing of value;

7 (2) state or imply that the legislator will perform or refrain from
8 performing a lawful constituent service as a result of a person's decision to provide or
9 not provide a political contribution, donate or not donate to a cause favored by the
10 legislator, or provide or not provide a thing of value; or

11 (3) [UNLESS REQUIRED BY THE UNIFORM RULES OF THE
12 ALASKA STATE LEGISLATURE,] take or withhold official action or exert official
13 influence that could substantially benefit or harm the financial interest of another
14 person with whom the legislator **or a member of the legislator's immediate family** is
15 negotiating for employment **or by whom the legislator or a member of the**
16 **legislator's immediate family is employed.**

17 * **Sec. 2.** AS 24.60.030(g) is amended to read:

18 (g) **A** [UNLESS REQUIRED BY THE UNIFORM RULES OF THE
19 ALASKA STATE LEGISLATURE, A] legislator may not vote on a question if the

20 (1) legislator **or a member of the legislator's immediate family** has
21 an equity or ownership interest in a business, investment, real property, lease, or other
22 enterprise if the interest is substantial and the effect on that interest of the action to be
23 voted on is greater than the effect on a substantial class of persons to which the
24 legislator **or the family member, whichever one has the equity or ownership**
25 **interest,** belongs as a member of a profession, occupation, industry, or region; **or**

26 (2) **legislator's voting could substantially benefit or harm the**
27 **financial interest of another person with whom the legislator or a member of the**
28 **legislator's immediate family is negotiating for employment or by whom the**
29 **legislator or a member of the legislator's immediate family is employed.**

30 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 CONDITIONAL EFFECT. This Act takes effect only if Rule 34(b), Uniform Rules of
2 the Alaska State Legislature, is amended to require a member to abstain from voting when the
3 member reasonably believes that casting a vote would violate a specific provision of
4 AS 24.60.030 that requires the member's abstention.

5 * **Sec. 4.** If, under sec. 3 of this Act, this Act takes effect, it takes effect on the later of the
6 effective date of the amendment made to Rule 34(b), Uniform Rules of the Alaska State
7 Legislature, as described in sec. 3 of this Act or the date described in AS 01.10.070(c).