

**SENATE BILL NO. 19**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY SENATORS FRENCH, ELTON, MCGUIRE, WIELECHOWSKI, THOMAS AND HUGGINS, Ellis,  
Stevens, Green, Kookesh, Davis, Olson, Hoffman, Cowdery, Stedman

Introduced: 1/16/07

Referred: Judiciary, State Affairs, Finance

**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;