

**CS FOR SENATE BILL NO. 19(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

**BY THE SENATE JUDICIARY COMMITTEE**

**Offered: 1/26/07**

**Referred: State Affairs, Finance**

**Sponsor(s): SENATORS FRENCH, ELTON, MCGUIRE, WIELECHOWSKI, THOMAS AND HUGGINS,  
Ellis, Stevens, Green, Kookesh, Davis, Olson, Hoffman, Cowdery, Stedman**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to a public officer's taking official action regarding, or influencing, a**  
2 **matter in which the public officer has a personal or financial interest; and defining**  
3 **'official action' under the Alaska 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5 **\* Section 1.** AS 39.52.110(b) is repealed and reenacted to read:

6 (b) Notwithstanding (a) of this section, a public officer's action or influence  
7 with respect to the officer's personal or financial interest in a specific matter is not a  
8 violation of public trust or a violation of this chapter

9 (1) if the public officer's action or influence in the matter would have  
10 only an insignificant or conjectural effect on the matter; or

11 (2) if the public officer's

12 (A) personal or financial interest is of a type that is possessed  
13 generally by the public or a large class of persons to which the public officer  
14 belongs;

- 1 (B) personal interest is insignificant; or
- 2 (C) financial interest is solely in regard to a business and
- 3 neither the public officer nor a member of the public officer's immediate
- 4 family
- 5 (i) owns a controlling interest in the business and the
- 6 controlling interest has a fair market value of \$5,000 or more;
- 7 (ii) owns stock or options to buy stock that, when
- 8 combined, equal more than one percent of the stock in the business or
- 9 have a total fair market value of more than \$5,000;
- 10 (iii) owns or has an option to buy an equity interest in
- 11 the business the fair market value of which is more than \$5,000 or one
- 12 percent of the total fair market value of the business, whichever is less;
- 13 (iv) is a member of the board of directors or another
- 14 governing body of the business;
- 15 (v) is an officer of the business;
- 16 (vi) provides or has an option to provide personal or
- 17 professional services to the business;
- 18 (vii) has a contract or an option for a contract with the
- 19 business; or
- 20 (viii) is an employee of the business.

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

22 (14) "official action" means **performance of any duties in the course**

23 **and scope of a public official's employment, including review, advice,**

24 **participation, assistance, or another kind of involvement regarding a matter,**

25 **such as** a recommendation, decision, approval, disapproval, vote, or other similar

26 action, including inaction, by a public officer;