

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 44(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/3/17

Referred: Rules

Sponsor(s): REPRESENTATIVES GRENN, LeDoux, Kawasaki, Tuck, Stutes, Spohnholz, Parish, Fansler, Tarr, Drummond, Gara, Ortiz, Josephson

SENATOR Wielechowski

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring a legislator to abstain from taking or withholding official action or
2 exerting official influence that could benefit or harm an immediate family member or
3 certain employers; and requiring a legislator to request to be excused from voting in an
4 instance where the legislator may have a financial conflict of interest."

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

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

7 (e) A legislator may not directly, or by authorizing another to act on the
8 legislator's behalf,

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

14 (2) state or imply that the legislator will perform or refrain from

1 performing a lawful constituent service as a result of a person's decision to provide or
 2 not provide a political contribution, donate or not donate to a cause favored by the
 3 legislator, or provide or not provide a thing of value; or

4 (3) **except as provided in (g) of this section or while participating**
 5 **in a public discussion or debate** [UNLESS REQUIRED BY THE UNIFORM
 6 RULES OF THE ALASKA STATE LEGISLATURE], take or withhold official
 7 action or exert official influence that could substantially benefit or harm the financial
 8 interest of **a** [ANOTHER] person

9 (A) **who is a member of the legislator's immediate family;**

10 (B) **by** [WITH] whom the legislator **or a member of the**
 11 **legislator's immediate family is employed;**

12 (C) **with whom the legislator** is negotiating for employment;

13 (D) **from whom the legislator or a member of the**
 14 **legislator's immediate family has, in the immediately preceding 12-month**
 15 **period, received more than \$10,000 of income.**

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

17 (g) Unless **otherwise** required by the Uniform Rules of the Alaska State
 18 Legislature, a legislator **shall declare a conflict of interest before voting** [MAY
 19 NOT VOTE] on a question **before a committee of the legislature, and shall request**
 20 **to be excused from voting on a question before a house of the legislature,** if the
 21 legislator **or a member of the legislator's immediate family** has **a financial** [AN
 22 EQUITY OR OWNERSHIP] interest in a business, investment, real property, lease, or
 23 other enterprise if the interest is substantial and the effect on that interest of the action
 24 to be voted on is greater than the effect on **the general public of the state. However,**
 25 **notwithstanding (e)(3) of this section and the limitations of this subsection, a**
 26 **legislator may vote on an appropriation bill that meets the requirements of**
 27 **AS 37.07.020(a) or 37.07.100 (Executive Budget Act)** [A SUBSTANTIAL CLASS
 28 OF PERSONS TO WHICH THE LEGISLATOR BELONGS AS A MEMBER OF A
 29 PROFESSION, OCCUPATION, INDUSTRY, OR REGION].

30 * **Sec. 3.** AS 24.60.030(j) is amended to read:

31 (j) In this section,

1 **(1)** "administrative hearing" means a quasi-judicial hearing before an
2 agency; "administrative hearing" does not include an informal conference or review
3 held by an agency before a final decision is issued or a rate-making proceeding or
4 other nonadjudicative public hearing;

5 **(2)** "**substantially benefit or harm**" means the effect on the
6 **person's financial interest is greater than the effect on the financial interest of the**
7 **general public of the state.**

8 * **Sec. 4.** AS 24.60.990(a) is amended by adding a new paragraph to read:

9 (17) "financial interest" means ownership of an interest or an
10 involvement in a business, including a property ownership, or a professional or private
11 relationship, that is a source of income, or from which, or as a result of which, a
12 person has received or expects to receive a financial benefit.