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Introduced: 3/25/69
Referred: Judiciary

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IN THE HOUSE

BY TILLION AND HOLM

HOUSE BILL NO. 331

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to legislative ethics."

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

* Section 1. AS 24 is amended by adding a new chapter to read:

CHAPTER 55. LEGISLATIVE ETHICS.

ARTICLE 1. CAMPAIGN CONTRIBUTIONS.

Sec. 24.55.010. ACCEPTABLE CONTRIBUTIONS. A person, whether an incumbent legislator or not, who has filed a declaration or petition of candidacy, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election under state law to legislative office, may accept a contribution from

(1) a fundraising event organized and held primarily in his behalf, if

(A) he has expressly given his approval of the fundraising event to the sponsors before any funds were raised; and

(B) he receives a complete and accurate accounting of the source, amounts, and disposition of the funds raised; or

(2) an individual or an organization, if the person makes a complete and accurate accounting of the source, amount, and disposition of the funds received; or

(3) his political party if this contribution was from a fundraising event sponsored by his party, without giving his express approval for the fundraising event when the fundraising event is for the purpose of providing contributions for candidates of his party and the contributions are reported by the candidate as provided in (2) of

1 this section.

2 Sec. 24.55.020. USE OF CONTRIBUTIONS. (a) The person may use
3 the contribution only to influence his nomination for election, or his
4 election, and may not use, directly or indirectly, any part of a con-
5 tribution for another purpose, except as otherwise provided in this
6 section.

7 (b) Nothing in this section prohibits the use of contributions to
8 defray expenses for travel to and from each legislator's home city;
9 for printing and other expenses in connection with the mailing of
10 speeches, newsletters, and reports to a legislator's constituents; for
11 expenses of radio, television, and news media methods of reporting to
12 a legislator's constituents; for telephone, telegraph, postage, and
13 stationery expenses in excess of allowance; and for newspaper subscrip-
14 tions from his home city.

15 ARTICLE 2. DISCLOSURE OF FINANCIAL INTERESTS.

16 Sec. 24.55.040. FILING OF DISCLOSURE AND CONTENTS. Each legis-
17 lator shall file with the executive director of the Legislative Affairs
18 Agency, in a sealed envelope marked "Confidential Personal Financial
19 Disclosure of [name]", before February 15 each year, the following
20 report of his personal financial interests:

21 (1) a copy of the state returns of taxes, declarations,
22 statements, or other documents which he, or he and his spouse jointly,
23 made for the preceding year in compliance with Alaska income tax law;

24 (2) the amount or value and source of each fee or compensa-
25 tion received by him or his spouse, parent, sibling or child during
26 the preceding year from a client, giving the name of the client;

27 (3) the name and address of each business or professional
28 corporation, firm, or enterprise in which he or his spouse, parent,
29 sibling or child was an officer, director, partner, proprietor, or

1 employee who received compensation during the preceding year and the
2 amount of the compensation;

3 (4) the identity of each interest in real or personal pro-
4 perty having a value of \$100 or more which he or his spouse, parent,
5 sibling or child owned at any time during the preceding year;

6 (5) the identity of each trust or other fiduciary relation
7 in which he or his spouse, parent, sibling or child held a beneficial
8 interest having a value of \$100 or more, and the identity, if known, of
9 each interest of the trust or other fiduciary relation in real or per-
10 sonal property in which the legislator or his spouse, parent, sibling
11 or child held a beneficial interest having a value of \$100 or more, at
12 any time during the preceding year; if he cannot obtain the identity
13 of the fiduciary interests, the legislator shall request the fiduciary
14 to report that information to the executive director in the same manner
15 that reports are filed under this section;

16 (6) the identity of each liability owed by him, or by him
17 and his spouse jointly, at any time during the preceding year;

18 (7) the source and value of all gifts in the aggregate value
19 of \$10 or more from any single source received by him or his spouse,
20 parent, sibling or child during the preceding year, except one received
21 from his spouse, parent or child and except a contribution received and
22 used under secs. 10 and 20 of this chapter; and

23 (8) all other categories of interest identified by the
24 legislature as potential sources of conflict.

25 Sec. 24.55.050. DISPOSITION OF FINANCIAL DISCLOSURE REPORT.(a) Ex-
26 cept as otherwise provided by this section, all papers filed under sec.
27 40 of this chapter shall be kept by the executive director for not less
28 than seven years, and while so kept shall remain sealed. Upon receipt
29 of a resolution of the Legislative Audit Committee, adopted by a

1 recorded majority vote of the full committee, requesting the transmis-
2 sion to the committee of a report filed by a member of the legislature,
3 the executive director shall transmit to the committee the envelope con-
4 taining the report. At the time of transmitting the envelope the
5 director shall inform the individual concerned of the vote to examine
6 and audit, and advise him of the nature and scope of the examination.

7 (b) When a sealed envelope containing the report is received by the
8 committee, the envelope may be opened and its contents may be examined
9 only by members of the committee in executive session. If, upon examin-
10 ation, the committee determines that further consideration by the commit-
11 tee is warranted and is within the jurisdiction of the committee, it may
12 make the contents of the envelope available for use by any member of the
13 committee, or any member of the staff of the committee which is required
14 for the discharge of his official duties. The committee may receive the
15 papers as evidence, after giving to the individual concerned due notice
16 and opportunity for hearing in a closed session.

17 (c) The executive director shall report to the committee not
18 later than March 1 in each year the names of members of that house who
19 have filed a report. A paper which has been filed with the executive
20 director for longer than seven years, in accordance with the provisions
21 of this subsection, shall be returned to the individual concerned or
22 his legal representative. In the event of the death or termination of
23 service of a member of the legislature, the papers shall be returned
24 unopened to the individual, or to the surviving spouse or legal rep-
25 resentative of the individual within one year of the death or termina-
26 tion of service.

27 Sec. 24.55.060. REQUIRED ADDITIONAL DISCLOSURES. (a) In addi-
28 tion to the reports required by sec. 40 of this chapter, each legisla-
29 tor shall file with the executive director, before February 15 in each

1 year, the following report:

2 (1) an accounting of all contributions received by him dur-
3 ing the preceding year, and an accounting of money spent by other
4 individuals and organizations in support of his candidacy or in provid-
5 ing services under sec. 20(b) of this chapter;

6 (2) a list of the persons constituting an organization which
7 campaigns in his behalf by buying advertising or taking other action in
8 support of his candidacy;

9 (3) an accounting of all oil leases held by him or his
10 spouse, parent, sibling or child on land in the state during the pre-
11 ceding year; and

12 (4) an accounting of all contracts with the state government
13 held by him or his spouse, parent, sibling or child during the preced-
14 ing year.

15 (b) Reports filed under sec. 60 of this chapter shall be kept by
16 the executive director for not less than three years and shall be made
17 available promptly for public inspection and copying.

18 Sec. 24.55.070. FILING OF REPORTS BY NONINCUMBENT CANDIDATES.
19 Each candidate for legislative office, other than an incumbent legis-
20 lator, shall file the reports required in secs. 40 and 60(a) of this
21 chapter no later than June 30 of the year in which he is seeking
22 nomination or election. The retention and confidentiality provisions
23 of secs. 50 and 60(b) of this chapter apply to these reports.
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