Introduced: 1/16/70
Referred: State Affairs and Judiciary

IN THE SENATE BY BEGICH

SENATE BILL NO. 379

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to campaign contributions and disclosure of financial interests by public officials; and providing for an effective date."

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

* Section 1. AS 15.35 is amended by adding new sections to read:

ARTICLE 4. CAMPAIGN CONTRIBUTIONS AND FINANCIAL INTERESTS.

Sec. 15.35.150. ACCEPTANCE OF CONTRIBUTIONS. (a) Except for a judicial officer seeking to succeed himself, a person who has filed a declaration or petition of candidacy for state office, or who has otherwise, directly or indirectly, manifested his intention to seek nomination or election under state law, 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 candidate makes a complete and accurate accounting of the source, amount, and disposition of the funds received; or

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

by the candidate as provided in (a)(2) of this section.

(b) The candidate may use the contributions only to influence his nomination for election, or his election, and may not use, directly or indirectly, any part of a contribution for another purpose, except as otherwise provided in this rule.

(c) Nothing in this rule prohibits the use of contributions to defray a legislator's expenses for travel to and from his home city; for printing and other expenses in connection with the mailing of speeches, newsletters, and reports to a legislator's constituents; for expenses of radio, television, and news media methods of reporting to a legislator's constituents; for telephone, telegraph, postage, and stationery expenses in excess of allowance; and for newspaper subscriptions from his home city.

Sec. 15.35.160. DISCLOSURE OF CONTRIBUTIONS. (a) Each candidate for the office of governor or secretary of state or for legislative office shall file, no later than December 31 of the year in which he seeks election, an accounting of all contributions received by him during that year and the preceding year, except that contributions in the aggregate value of less than $100 received from any single source during the reporting period may be totaled without further itemization. This accounting shall show the value and the source of the contribution

(b) Each person or committee accepting contributions on behalf of or in opposition to the candidacy of a person covered by (a) of this section, or spending money for advertising or for printing and distribution of pamphlets or information sheets relating to the candidacy of a person covered by (a) of this section, shall file, no later than December 31 of the year of the election involved, an accounting of all contributions received and money spent for these purposes during that year and the preceding year.

(c) Reports required by (a) and (b) of this section, relating to a candidate for the office of governor or secretary of state, shall be filed in the office of the secretary of state, and ones relating to a candidate for legislative office shall be filed in the office of the executive director of the Legislative Affairs Agency. These reports shall be kept by the secretary of state and the executive director, respectively, for at least three years and shall be made available promptly for public inspection and copying.

Sec. 15.35.170. REPORT OF FINANCIAL INTERESTS. Each candidate for the office of governor or secretary of state or for legislative office, other than an incumbent, shall file, no later than June 1 of the year in which he seeks election, the report of financial interests required by AS 44.19.015 or AS 24.05.250, as appropriate.

* Sec. 2. AS 22.20 is amended by adding a new section to read:

Sec. 22.20.015. REPORT OF FINANCIAL INTERESTS. (a) Each judicial officer shall file with the secretary of state, no later than February 15 of each year, the following report of his personal financial interests:

(1) the amount or value and source of each fee or compensation of $2,000 or more received by him, or his spouse or his minor child who lives with him, during the preceding calendar year from a client;

(2) the name and address of each business or professional corporation, firm, or enterprise in which he, or his spouse or his minor child who lives with him, was an officer, director, partner, proprietor, or employee who received compensation of $2,000 or more during the preceding calendar year;

(3) the identity of each interest in real or personal property, including securities, having a value of $5,000 or more which he, or his spouse or his minor child who lives with him, owned at any

time during the preceding calendar year;

(4) the identity of each trust or other fiduciary relation in which he, or his spouse or his minor child who lives with him, held a beneficial interest having a value of $5,000 or more, and the identity, if known, of each interest in the trust or other fiduciary relation in real or personal property in which the judicial officer, or his spouse or his minor child who lives with him, held a beneficial interest having a value of $5,000 or more, at any time during the preceding calendar year; if he cannot obtain the identity of the fiduciary interests, he shall request the fiduciary to report that information to the secretary of state in the same manner that reports are filed under this section.

(5) the identity of each liability of $5,000 or more owed by him, or by him and his spouse jointly, at any time during the preceding calendar year; and

(6) the source and value of all gifts in the aggregate value of $100 or more from any single source received by him during the preceding calendar year, except one received from his spouse, child or parent;

(7) a listing of all oil and mineral leases or lease offers held, by him or his spouse or his minor child who lives with him, on land within the state during the preceding calendar year;

(8) a listing of all contracts with the state government held, by him or his spouse or his minor child who lives with him, during the preceding calendar year; and

(9) any other information on an interest which he considers a potential source of conflict.

(b) Reports filed under (a) of this section shall be kept by the secretary of state for at least three years and shall be made available promptly for public inspection and copying.

(c) The secretary of state, in cooperation with the executive director of the Legislative Affairs Agency, shall prepare and keep available for distribution forms on which the reports required by (a) of this section may be filed. A judicial officer is not required to use this form in filing the report.

(d) A judicial officer whose spouse refuses to furnish the information required by (a) of this section pertaining to the spouse shall file a statement to that effect at the time he files his report.

* Sec. 3. AS 24.05.180 is amended by adding a new subsection to read:

(c) Each house shall have a standing committee on legislative standards and conduct. It shall consist of the majority leader, the minority leader, and two other members of the house, each of the leaders appointing one of the members from among his own party. The committee's jurisdiction is the ethics and financial disclosure of the members of its house. The committee may, by a recorded majority vote, request a member of its house to submit to the committee a copy of the state returns of taxes, declarations, statements, or other documents which he, or he and his spouse jointly, made for the preceding year in compliance with Alaska income tax law.

* Sec. 4. AS 24.05 is amended by adding a new section to read:

ARTICLE 6. FINANCIAL DISCLOSURE.

Sec. 24.05.250. REPORT OF FINANCIAL INTERESTS. (a) Each legislator shall file with the executive director of the Legislative Affairs Agency, no later than February 15 of each year, the following report of his personal financial interests:

(1) the amount or value and source of each fee or compensation of $2,000 or more received by him or his spouse or his minor child who lives with him during the preceding calendar year from a client;

(2) the name and address of each business or professional

corporation, firm, or enterprise in which he or his spouse or his minor child who lives with him was an officer, director, partner, proprietor, or employee who received compensation of $2,000 or more during the preceding calendar year;

(3) the identity of each interest in real or personal property, including securities having a value of $5,000 or more which he or his spouse or his minor child who lives with him owned at any time during the preceding calendar year;

(4) the identity of each trust or other fiduciary relation in which he or his spouse or his minor child who lives with him held a beneficial interest having a value of $5,000 or more, and the identity, if known, of each interest in the trust or other fiduciary relation in real or personal property in which the legislator or his spouse or his minor child who lives with him held a beneficial interest having a value of $5,000 or more, at any time during the preceding calendar year; if he cannot obtain the identity of the fiduciary interests, the legislator shall request the fiduciary to report that information to the executive director in the same manner that reports are filed under this section;

(5) the identity of each liability of $5,000 or more owed by him or by him and his spouse jointly, at any time during the preceding calendar year; and

(6) the source and value of all gifts in the aggregate value of $100 or more from any single source received by him during the preceding calendar year, except one received from his spouse, child or parent, and except a contribution received and used under AS 15.35.150 and reported under AS 15.35.160;

(7) a listing of all oil and mineral leases or lease offers held, by him or his spouse or his minor child who lives with him, on

land within the state during the preceding calendar year;

(8) a listing of all contracts with the state government held, by him or his spouse or his minor child who lives with him, during the preceding calendar year; and

(9) any other information on an interest which the legislature considers a potential source of conflict.

(b) Reports filed under (a) of this section shall be kept by the executive director for at least three years and shall be made available promptly for public inspection and copying.

(c) The executive director, in cooperation with the secretary of state, shall prepare and keep available for distribution forms on which the reports required by (a) of this section may be filed. A legislator is not required to use this form in filing the report.

(d) A legislator whose spouse refuses to furnish the information required by (a) of this section pertaining to the spouse shall file a statement to that effect at the time he files his report.

* Sec. 5. AS 39.05 is amended by adding a new section to read:

Sec. 39.05.105. REPORT OF FINANCIAL INTERESTS BY DEPARTMENT HEADS. (a) Each person appointed as the head of a principal executive department of the state government shall file with the secretary of state, no later than February 15 of each year, the following report of his personal financial interests:

(1) the amount or value and source of each fee or compensation of $2,000 or more received by him or his spouse or his minor child who lives with him during the preceding calendar year from a client;

(2) the name and address of each business or professional corporation, firm, or enterprise in which he or his spouse or his minor child who lives with him was an officer, director, partner, proprietor, or employee who received compensation of $2,000 or more during the

preceding calendar year;

(3) the identity of each interest in real or personal property, including securities, having a value of $5,000 or more, which he or his spouse or his minor child who lives with him owned at any time during the preceding calendar year;

(4) the identity of each trust or other fiduciary relation in which he or his spouse or his minor child who lives with him held a beneficial interest having a value of $5,000 or more, and the identity, if known, of each interest of the trust or other fiduciary relation in real or personal property in which the department head or his spouse or his minor child who lives with him held a beneficial interest having a value of $5,000 or more, at any time during the preceding calendar year; if he cannot obtain the identity of the fiduciary interests, he shall request the fiduciary to report that information to the secretary of state in the same manner that reports are filed under this section;

(5) the identity of each liability of $5,000 or more owed by him, or by him and his spouse jointly, at any time during the preceding calendar year; and

(6) the source and value of all gifts in the aggregate value of $100 or more from any single source received by him during the preceding calendar year, except one received from his spouse, child or parent, and in the case of the governor and the secretary of state filing under AS 44.19.015, except a contribution received and used under AS 15.35.150 and reported under AS 15.35.160;

(7) a listing of all oil and mineral leases or lease offers held, by him or his spouse or his minor child who lives with him, on land within the state during the preceding calendar year;

(8) a listing of all contracts with the state government held, by him or his spouse or his minor child who lives with him, during

the preceding calendar year; and

(9) any other information on an interest which he considers a potential source of conflict.

(b) Reports filed under (a) of this section shall be kept by the secretary of state for at least three years and shall be made available promptly for public inspection and copying.

(c) The secretary of state, in cooperation with the executive director of the Legislative Affairs Agency, shall prepare and keep available for distribution forms on which the reports required by (a) of this section may be filed. It is not required that these forms be used in filing a report.

(d) A department head whose spouse refuses to furnish the information required by (a) of this section pertaining to the spouse shall file a statement to that effect at the time he files his report.

* Sec. 6. AS 44.19 is amended by adding a new section to read:

Sec. 44.19.015. REPORT OF FINANCIAL INTERESTS. The governor and secretary of state shall file in the office of the secretary of state, no later than February 15 of each year, the report of financial interests which is required of department heads by AS 39.05.105. All provisions of that section apply to the reports filed by the governor and secretary of state.

* Sec. 7. This Act takes effect January 1, 1971.