

Introduced: 1/26/70  
Referred: State Affairs  
and Judiciary

1 IN THE SENATE

BY BEGICH

2 SENATE BILL NO. 412

3 IN THE LEGISLATURE OF THE STATE OF ALASKA  
4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to a code of ethics for public  
7 officers and public employees; and providing for an  
8 effective date."

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

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

11 ARTICLE 4. CODE OF ETHICS FOR PUBLIC  
12 OFFICERS AND PUBLIC EMPLOYEES.

13 Sec. 15.35.150. PURPOSE. It is declared that the high moral and  
14 ethical standards among the public servants are essential to the conduct  
15 of free government; that a code of ethics for the guidance of public  
16 officers and employees is necessary in order to eliminate conflicts of  
17 interest in public office, improve standards of public service, and  
18 promote and strengthen the faith and confidence of the people of Alaska  
19 in their government.

20 Sec. 15.35.160. ACTIVITIES IN CONFLICT WITH DISCHARGE OF DUTIES  
21 PROHIBITED. No officer, employee of a state agency, legislative  
22 employee, or other public official shall have any interest, financial  
23 or otherwise, direct or indirect, or shall engage in any business or  
24 transaction or professional activity, or shall incur any obligation  
25 of any nature, which is in conflict with the proper discharge of his  
26 duties in the public interest.

27 Sec. 15.35.170. PROHIBITED PRACTICES. (a) No officer or  
28 employee of a state agency, legislative employee, or other public  
29 officer shall use his position to secure special privileges or

1 or exemptions for himself or others.

2 (b) No legislative employee shall directly or indirectly give  
3 or receive or agree to receive any compensation, gift, reward, or  
4 gratuity from any source except the State of Alaska for any matter  
5 connected with or related to the legislative process unless otherwise  
6 provided for by law.

7 (c) No officer or employee of a state agency, or other public  
8 officer shall, directly or indirectly, give or receive or agree to  
9 receive any compensation, gift, reward, or gratuity from any source  
10 except the State of Alaska, its political subdivisions, or employing  
11 municipal government, for any matter connected with or related to his  
12 services as such an officer or employee unless otherwise provided for  
by law.

14 (d) No person who has served as an officer or employee of a  
15 state agency shall, within a period of two years after the termina-  
16 tion of such service or employment, appear before the agency to receive  
17 compensation for any services rendered on behalf of any person, firm,  
18 corporation, or association in relation to any case, proceeding, or  
19 application with respect to which the person was directly concerned  
20 and in which he personally participated during the period of his service  
21 or employment.

22 (e) No officer or employee of a state agency, legislative em-  
23 ployee, or public official shall accept employment or engage in any  
24 business or professional activity which he might reasonably expect  
25 would require or induce him to disclose confidential information  
26 acquired by him by reason of his official position.

27 (f) No officer or employee of a state agency, legislative em-  
28 ployee, or public official shall disclose confidential information  
29 gained by reason of his official position nor shall he otherwise use

1 such information for his personal gain or benefit.

2 (g) No officer or employee of a state agency shall transact any  
3 business in his official capacity with any business entity of which  
4 he is an officer, agent, employee, or member, or in which he owns  
5 an interest.

6 (h) The head of each state agency shall publish for the guidance  
7 of its officers and employees a code of public service ethics appropri-  
8 ate to the specific needs of each agency.

9 (i) No officer or employee of a state agency nor any firm,  
10 corporation, or association, or other business entity in which the  
11 officer or employee of a state agency is a member, agent, officer,  
12 or employee, or in which he owns a controlling interest, or any interest  
13 acquired after the acceptance of state employment, accept any gratuity  
14 or funds from any employee or shall sell goods or services to any  
15 person, firm, corporation, or association which is licensed by or  
16 regulated in any manner by the state agency in which the officer or  
17 employee serves.

18 Sec. 15.35.180. SWORN STATEMENT REQUIRED. Each legislative employee,  
19 agency head and such employees as the agency head may by regulation  
20 provide, who is an officer, agent, member or attorney for, or who owns  
21 an interest in any firm, corporation, association, or other business  
22 entity which is subject to state regulation shall file a sworn state-  
23 ment with the secretary of state disclosing the nature and extent  
24 of his relationship or interest, the statement to be kept in confidence  
25 and to be disclosed only to members of the legislature or any legis-  
26 lative committee which may be organized for the purpose of ascertaining  
27 a breach of this code, and the same also to be disclosed to any other  
28 authority having the power of removal of any public official or servant.

29 Sec. 15.35.190. LIBERAL CONSTRUCTION. This chapter shall be

1 construed liberally to effectuate its purposes and policy as set out in  
2 AS 15.35.150.

3 Sec. 15.35.200. DEFINITIONS. In secs. 150 - 200 of this chapter

4 (1) "confidential information" means information as is  
5 declared confidential by law.

6 (2) "legislative employee" means any officer or employee of  
7 the legislature including the legislators.

8 (3) "personal and private interest" means any interest  
9 which pertains to a person, firm, corporation, or association whereby  
10 the person, firm, corporation, or association would gain a special  
11 benefit or advantage as distinguished from a general or public benefit  
12 or advantage.

13 (4) "state agency" means any state board, commission, bureau,  
14 department, division, or tribunal.

15 Sec. 15.35.200. PENALTIES. A person who violates any provisions  
16 of AS 35 is guilty of a misdemeanor and upon conviction is punishable  
17 by a fine not to exceed \$1,000 or by imprisonment for not more than  
18 one year, or by both.

19 \* Sec. 2. This Act takes effect on January 1, 1971.  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29