

Introduced: 3/11/69
Referred: Rules

1 IN THE SENATE

BY JOSEPHSON AND RADER

2 SENATE CONCURRENT RESOLUTION NO. 23

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 Establishing standards of conduct in
6 the Uniform Rules of the Alaska State
7 Legislature; and creating a standing
8 Committee on Standards and Conduct.

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

10 WHEREAS the concept of public office being a public trust signifies
11 that the officer has been entrusted with public power by the people, that
12 he holds this power in trust to be used only for their benefit and never for
13 the benefit of himself or of a few, and that he must never conduct his own
14 affairs so as to infringe on the public interest; and

15 WHEREAS all official conduct of members of the legislature should be
16 guided by this paramount concept of public office;

17 BE IT RESOLVED that Rule 22(a) of the Uniform Rules of the Alaska
18 State Legislature is amended to read:

19 RULE 22. (a) Each house has the following standing committees with
20 the jurisdiction indicated:

21 COMMERCE (the programs and activities of the Department of Commerce
22 in the regulation of business).

23 FINANCE (all appropriation, revenue, capital improvement, and
24 bonding measures, the executive budget, and the programs and activities
25 of the Department of Revenue).

26 HEALTH, WELFARE, AND EDUCATION (the programs and activities of
27 the Department of Health and Welfare, the Department of Education, and
28 the University of Alaska).

29 JUDICIARY (the programs and activities of the Alaska Court System

1 and the Department of Law, and the legal and substantive review of
2 bills referred to it for that purpose).

3 LABOR AND MANAGEMENT (the programs and activities of the Depart-
4 ment of Labor relating to labor-management relations, industrial safety,
5 unemployment compensation, and workmen's compensation).

6 LOCAL GOVERNMENT (the programs and activities of the Local Affairs
7 Agency and other matters relating to political subdivisions).

8 RESOURCES (the programs and activities of the Department of Fish
9 and Game and the Department of Natural Resources).

10 RULES (interpretation of the Uniform Rules, calendar, the internal
11 administration of the house and matters pertaining to the management
12 of the legislature as a whole).

13 STATE AFFAIRS (programs and activities of the Office of the
14 Governor and the Department of Administration, Economic Development,
15 Highways, Military Affairs, Public Safety, and Public Works).

16 STANDARDS AND CONDUCT (ethics and financial disclosure of
17 members).

18 and be it

19 FURTHER RESOLVED that the Uniform Rules of the Alaska State Legislature
20 are amended by adding new sections to read:

21 CONTRIBUTIONS

22 RULE 56. (a) A legislator who has filed a declaration or peti-
23 tion of candidacy, or who has otherwise, directly or indirectly,
24 manifested his intention to seek nomination or election, under state
25 law, to legislative office, may accept a contribution from

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

28 (A) he has expressly given his approval of the fund-
29 raising event to the sponsors before any funds were raised; and

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

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

6 (3) his political party when this contribution was from a
7 fundraising event sponsored by his party, without giving his express
8 approval for such fundraising event when the fundraising event is for
9 the purpose of providing contributions for candidates of his party and
10 the contributions are reported by the candidate as provided in (a)(2)
11 of this rule.

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

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

24 DISCLOSURE OF FINANCIAL INTERESTS

25 RULE 57. (a) Each legislator shall file with the executive
26 director of the Legislative Affairs Agency, in a sealed envelope marked
27 "Confidential Personal Financial Disclosure of [name]", before Febru-
28 ary 15 each year, the following report of his personal financial
29 interests:

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

4 (2) the amount or value and source of each fee or compensa-
5 tion of \$1,000 or more received by him during the preceding year from
6 a client;

7 (3) the name and address of each business or professional
8 corporation, firm, or enterprise in which he was an officer, director,
9 partner, proprietor, or employee who received compensation during the
10 preceding year and the amount of the compensation;

11 (4) the identity of each interest in real or personal proper-
12 ty having a value of \$10,000 or more which he owned at any time during
13 the preceding year;

14 (5) the identity of each trust or other fiduciary relation
15 in which he held a beneficial interest having a value of \$10,000 or
16 more, and the identity if known of each interest of the trust or other
17 fiduciary relation in real or personal property in which the legislator
18 held a beneficial interest having a value of \$10,000 or more, at any
19 time during the preceding year; if he cannot obtain the identity of
20 the fiduciary interests, the legislator shall request the fiduciary to
21 report that information to the executive director in the same manner
22 that reports are filed under this rule;

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

26 (7) the source and value of all gifts in the aggregate value
27 of \$50 or more from any single source received by him during the preced-
28 ing year, except one received from his spouse, child or parent, and
29 except a contribution received and used under Rule 56.

1 (b) Except as otherwise provided by this subsection, all papers
2 filed under (a) of this rule shall be kept by the executive director for
3 not less than seven years, and while so kept shall remain sealed. Upon
4 receipt of a resolution of the Committee on Standards and Conduct of
5 either house, adopted by a recorded majority vote of the full committee,
6 requesting the transmission to the committee of a report filed by a
7 member of that house, the executive director shall transmit to the
8 committee the envelope containing the report. Within a reasonable time
9 after the recorded vote has been taken, the individual concerned shall
10 be informed of the vote to examine and audit, and shall be advised of
11 the nature and scope of the examination. When a sealed envelope con-
12 taining such a report is received by the committee, the envelope may be
13 opened and its contents may be examined only by members of the committee
14 in executive session. If, upon examination, the committee determines
15 that further consideration by the committee is warranted and is within
16 the jurisdiction of the committee, it may make the contents of the en-
17 velope available for use by any member of the committee, or any member
18 of the staff of the committee, which is required for the discharge of
19 his official duties. The committee may receive the papers as evidence,
20 after giving to the individual concerned due notice and opportunity
21 for hearing in a closed session. The executive director shall report
22 to each Committee on Standards and Conduct not later than March 1 in
23 each year the names of members of that house who have filed a report.
24 A paper which has been filed with the executive director for longer than
25 seven years, in accordance with the provisions of this subsection, shall
26 be returned to the individual concerned or his legal representative. In
27 the event of the death or termination of service of a member of the
28 legislature, the papers shall be returned unopened to the individual,
29 or to the surviving spouse or legal representative of the individual

1 within one year of the death or termination of service.

2 (c) In addition to the reports required by (a) of this rule, each
3 legislator shall file with the executive director, before February 15
4 in each year, the following report of his personal financial interests:

5 (1) an accounting of all contributions received by him dur-
6 ing the preceding year, except that contributions in the aggregate
7 value of less than \$50 received from any single source during the re-
8 porting period may be totaled without further itemization;

9 (2) an accounting of all oil leases held on land within
10 the state during the preceding year; and

11 (3) an accounting of all contracts with the state govern-
12 ment held during the preceding year.

13 (d) Reports filed under (c) of this rule shall be kept by the
14 executive director for not less than three years and shall be made
15 available promptly for public inspection and copying.

16 and be it

17 FURTHER RESOLVED that the rules added by this Resolution do not take
18 effect until the Second Session of the Sixth State Legislature.