

Offered: 2/8/71
Referred: Judiciary

1 IN THE SENATE

BY CROFT AND MILLER

2 SENATE BILL NO. 96

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to disclosure of financial interests
7 by state officials; and providing for an effective
8 date."

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

10 * Section 1. AS 15.35 is amended by adding a new section to read:

11 ARTICLE 4. FINANCIAL INTERESTS.

12 Sec. 15.35.150. REPORT OF FINANCIAL INTERESTS. Each candidate
13 for the office of governor or lieutenant governor or for legislative
14 office, other than an incumbent, shall file, no later than June 1 of
15 the year in which he seeks election, the report of financial interests
16 required by AS 44.19.015 or AS 24.05.250, as appropriate. The candi-
17 date's filing of his declaration of candidacy or his nominating petition
18 is not complete and his name may not be placed on the ballot if he has
19 not met this requirement.

20 * Sec. 2. AS 22.05.010 is amended by adding a new subsection to read:

21 (c) The supreme court has original jurisdiction in an action
22 brought by a qualified Alaskan voter to compel enforcement of
23 AS 15.35.150, AS 22.20.015(e), AS 24.05.250(e), AS 39.05.105(f), or
24 AS 44.19.015.

25 * Sec. 3. AS 22.20 is amended by adding a new section to read:

26 Sec. 22.20.015. REPORT OF FINANCIAL INTERESTS. (a) Each judi-
27 cial officer shall file with the administrative director of courts, no
28 later than February 15 of each year, the following report of his personal
29 financial interests:

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

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

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

14 (4) the identity of each trust or other fiduciary relation
15 in which he, or his spouse or his minor child who lives with him, held
16 a beneficial interest having a value of \$5,000 or more, and the identity,
17 if known, of each interest in the trust or other fiduciary relation in
18 real or personal property in which the judicial officer, or his spouse
19 or his minor child who lives with him, held a beneficial interest having
20 a value of \$5,000 or more, at any time during the preceding calendar
21 year; if he cannot obtain the identity of the fiduciary interests, he
22 shall request the fiduciary to report that information to the adminis-
23 trative director in the same manner that reports are filed under this
24 section;

25 (5) the identity of each liability of \$5,000 or more owed
26 by him, or by him and his spouse jointly, at any time during the preced-
27 ing calendar year;

28 (6) the source and value of all gifts in the aggregate value
29 of \$100 or more from any single source received by him during the

1 preceding calendar year, except one received from his spouse, child or
2 parent;

3 (7) a listing of all contracts and offers to contract with
4 the state government held, by him or his spouse or his minor child who
5 lives with him, during the preceding calendar year; and

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

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

11 (c) The administrative director shall prepare and keep available
12 for distribution forms on which the reports required by (a) of this
13 section may be filed.

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

17 (e) A judicial officer who fails to file the report required by
18 (a) of this section within 30 days after it is due is no longer
19 entitled to his salary or per diem or travel allowances, and may not be
20 paid for any service nor reimbursed or paid for any travel after the
21 30th day. The office of a judicial officer who fails to file the report
22 within 60 days after it is due automatically becomes vacant at the end
23 of the 60th day.

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

25 ARTICLE 6. FINANCIAL INTERESTS.

26 Sec. 24.05.250. REPORT OF FINANCIAL INTERESTS. (a) Each legisla-
27 tor shall file with the administrative director of courts, no later
28 than February 15 of each year, the following report of his personal
29 financial interests:

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

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

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

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

24 (5) the identity of each liability of \$5,000 or more owed
25 by him or by him and his spouse jointly, at any time during the preced-
26 ing calendar year;

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

1 child or parent;

2 (7) a listing of all contracts and offers to contract with
3 the state government held, by him or his spouse or his minor child
4 who lives with him, during the preceding calendar year; and

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

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

10 (c) The administrative director shall prepare and keep available
11 for distribution forms on which the reports required by (a) of this
12 section may be filed.

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

16 (e) A legislator who fails to file the report required by (a)
17 of this section within 30 days after it is due is no longer entitled
18 to his salary or per diem or travel allowances, and may not be paid
19 for any service nor reimbursed or paid for any travel after the 30th
20 day. The office of a legislator who fails to file the report within
21 60 days after it is due automatically becomes vacant at the end of the
22 60th day.

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

24 Sec. 39.05.105. REPORT OF FINANCIAL INTERESTS BY DEPARTMENT
25 HEADS. (a) Except as provided in (e) of this section, each person
26 appointed as the head of a principal executive department of the state
27 government shall file with the administrative director of courts, no
28 later than 30 days after his appointment and thereafter no later than
29 February 15 of each year, the following report of his personal

1 financial interests:

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

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

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

14 (4) the identity of each trust or other fiduciary relation
15 in which he or his spouse or his minor child who lives with him held a
16 beneficial interest having a value of \$5,000 or more, and the identity,
17 if known, of each interest of the trust or other fiduciary relation in
18 real or personal property in which the department head or his spouse
19 or his minor child who lives with him held a beneficial interest having
20 a value of \$5,000 or more, at any time during the preceding calendar
21 year; if he cannot obtain the identity of the fiduciary interests, he
22 shall request the fiduciary to report that information to the adminis-
23 trative director in the same manner that reports are filed under this
24 section;

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

28 (6) the source and value of all gifts in the aggregate value
29 of \$100 or more from any single source received by him during the

1 preceding calendar year, except one received from his spouse, child or
2 parent;

3 (7) a listing of all contracts and offers to contract with
4 the state government held, by him or his spouse or his minor child
5 who lives with him, during the preceding calendar year; and

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

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

11 (c) The administrative director shall prepare and keep available
12 for distribution forms on which the reports required by (a) of this
13 section may be filed.

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

17 (e) A department head who properly files his initial report
18 after October 15 need not file again for the immediately succeeding
19 February 15 deadline.

20 (f) The name of a department head who has not filed the report
21 required by (a) of this section may not be submitted to the legislature
22 for confirmation and he may not be confirmed. If he fails to file the
23 report within 30 days after it is due he is no longer entitled to his
24 salary or per diem or travel allowances, and may not be paid for any
25 service nor reimbursed or paid for any travel after the 30th day. If
26 he fails to file the report within 60 days after it is due his office
27 automatically becomes vacant at the end of the 60th day. He may not
28 be reappointed for at least 12 months after the due date he failed to
29 meet.

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

2 Sec. 44.19.015. REPORT OF FINANCIAL INTERESTS. (a) The governor
3 and lieutenant governor shall file in the office of the administrative
4 director of courts, no later than February 15 of each year, the report
5 of financial interests which is required of department heads by AS 39.-
6 05.105.

7 (b) If the governor or lieutenant governor fails to file the
8 report required by (a) of this section within 30 days after it is due,
9 he is no longer entitled to his salary or per diem or travel allowances,
10 and may not be paid for any service nor reimbursed or paid for any
11 travel after the 30th day. If he fails to file the report within 60
12 days after it is due, his office automatically becomes vacant at the
13 end of the 60th day.

14 * Sec. 7. This Act takes effect January 1, 1972.
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