

Introduced: 3/15/71
Referred: State Affairs;
Judiciary

1 IN THE SENATE

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 163

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

20 (b) Any qualified Alaska voter may bring a civil action to
21 enforce this section.

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

23 Sec. 22.20.015. REPORT OF FINANCIAL INTERESTS. (a) No later
24 than March 1 of each year each judicial officer shall file with the
25 administrative director of courts a report of his personal financial
26 interests including:

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

1 (2) the name and address of each business or professional
2 corporation, firm, or enterprise in which he, or his spouse or his
3 minor child who lives with him, was an officer, director, partner,
4 proprietor, or employee who received compensation of \$1,000 or more
5 during the preceding calendar year;

6 (3) the identity of each interest in real or personal
7 property, including securities, having a value of \$1,000 or more which
8 he, or his spouse or his minor child who lives with him, owned at any
9 time during the preceding calendar year;

10 (4) the identity of each trust or other fiduciary relation
11 in which he, or his spouse or his minor child who lives with him, held
12 a beneficial interest having a value of \$1,000 or more, and the
13 identity, if known, of each interest in the trust or other fiduciary
14 relation in real or personal property in which the judicial officer,
15 or his spouse or his minor child who lives with him, held a beneficial
16 interest having a value of \$1,000 or more, at any time during the
17 preceding calendar year; if he cannot obtain the identity of the
18 fiduciary interests, he shall request the fiduciary to report that
19 information to the administrative director in the same manner that
20 reports are filed under this section;

21 (5) the identity of each liability of \$1,000 or more owed
22 by him, or his spouse or by them jointly, at any time during the
23 preceding calendar year;

24 (6) the source and value of all gifts in the aggregate value
25 of \$100 or more from any single source received by him during the pre-
26 ceding calendar year, except one received from his spouse, child or
27 parent;

28 (7) a listing of all contracts and offers to contract with
29 the state government or an instrumentality of the state held, by him

1 or his spouse or his minor child who lives with him, during the
2 preceding calendar year;

3 (8) a listing of all mineral and oil leases or lease offers
4 held by him, his spouse or his minor child on land in Alaska during
5 the preceding calendar year;

6 (9) any interests listed in (1) - (8) of this subsection
7 which he reasonably anticipates will become reportable in the next
8 ensuing year; and

9 (10) any other information on an interest which he might
10 consider appropriate to report.

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

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

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

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

24 (f) Any qualified Alaska voter may bring a civil action to enforce
25 this section.

26 * Sec. 3. AS 24.05 is amended by adding a new section to read:

27 ARTICLE 6. FINANCIAL INTERESTS

28 Sec. 24.05.250. REPORT OF FINANCIAL INTERESTS. (a) No later
29 than March 1 of each year each legislator shall file with the lieutenant

1 governor a report of his personal financial interests including:

2 (1) the amount or value and source of each fee or compensa-
3 tion of \$1,000 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
7 minor child who lives with him was an officer, director, partner,
8 proprietor, or employee who received compensation of \$1,000 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 \$1,000 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 \$1,000 or more, and the
17 identity, if known, of each interest in the trust or other fiduciary
18 relation in real or personal property in which the legislator or his
19 spouse or his minor child who lives with him held a beneficial interest
20 having a value of \$1,000 or more, at any time during the preceding
21 calendar year; if he cannot obtain the identity of the fiduciary
22 interests, the legislator shall request the fiduciary to report that
23 information to the administrative director in the same manner that
24 reports are filed under this section;

25 (5) the identity of each liability of \$1,000 or more owed
26 by him or his spouse or by them jointly, at any time during the
27 preceding 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
2 or 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;

6 (8) a listing of all mineral and oil leases or lease offers
7 held by him, his spouse or his minor child on land in Alaska during
8 the preceding calendar year;

9 (9) Any interests listed in (1) - (8) of this subsection
10 which he reasonably anticipates will become reportable in the next
11 ensuing year; and

12 (10) any other information on an interest which he might
13 consider appropriate to report.

14 (b) Reports filed under (a) of this section shall be kept in
15 the office of the lieutenant governor for at least six years and shall
16 be made available promptly for public inspection and copying.

17 (c) The lieutenant governor shall prepare and keep available for
18 distribution forms on which the reports required by (a) of this section
19 may be filed.

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

23 (e) A legislator who fails to file the report required by (a)
24 of this section within 30 days after it is due is no longer entitled
25 to his salary or per diem or travel allowances, and may not be paid for
26 any service nor reimbursed or paid for any travel after the 30th day.

27 (f) Any qualified Alaska voter may bring a civil action to
28 enforce this chapter.

29 * Sec. 4. AS 39.05 is amended by adding a new section to read:

1 Sec. 39.05.105. REPORT OF FINANCIAL INTERESTS BY DEPARTMENT

2 HEADS. (a) Except as provided in (e) of this section, each person
3 appointed as the head of a principal executive department of the state
4 government shall file with the lieutenant governor, no later than 30
5 days after his appointment and thereafter no later than March 1 of
6 each year, a report of his personal financial interests including:

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

11 (2) the name and address of each business or professional
12 corporation, firm, or enterprise in which he or his spouse or his
13 minor child who lives with him was an officer, director, partner,
14 proprietor, or employee who received compensation of \$1,000 or more
15 during the preceding calendar year;

16 (3) the identity of each interest in real or personal
17 property, including securities, having a value of \$1,000 or more,
18 which he or his spouse or his minor child who lives with him owned at
19 any time during the preceding calendar year;

20 (4) the identity of each trust or other fiduciary relation
21 in which he or his spouse or his minor child who lives with him held
22 a beneficial interest having a value of \$1,000 or more, and the
23 identity, if known, of each interest of the trust or other fiduciary
24 relation in real or personal property in which the department head
25 or his spouse or his minor child who lives with him held a beneficial
26 interest having a value of \$1,000 or more, at any time during the
27 preceding calendar year; if he cannot obtain the identity of the
28 fiduciary interests, he shall request the fiduciary to report that
29 information to the administrative director in the same manner that

1 reports are filed under this section;

2 (5) the identity of each liability of \$1,000 or more owed
3 by him, by his spouse or by them jointly, at any time during the
4 preceding calendar year;

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

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

12 (8) a listing of all mineral and oil leases or lease
13 offers held by him, his spouse or his minor child on land in Alaska
14 during the preceding calendar year;

15 (9) any interests listed in (1) - (8) of this subsection
16 which he reasonably anticipates will be reported in the next ensuing
17 year; and

18 (10) any other information on an interest which he might
19 consider appropriate to report.

20 (b) Reports filed under (a) of this section shall be kept by
21 the office of the lieutenant governor for at least six years and shall
22 be made available promptly for public inspection and copying.

23 (c) The lieutenant governor shall prepare and keep available
24 for distribution forms on which the reports required by (a) of this
25 section may be filed.

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

29 (e) A department head who properly files his initial report

1 after October 15 need not file again for the immediately succeeding
2 March 1 deadline.

3 (f) The name of a department head who has not filed the report
4 required by (a) of this section may not be submitted to the legislature
5 for confirmation and he may not be confirmed. If he fails to file
6 the report within 30 days after it is due he is no longer entitled to
7 his salary or per diem or travel allowances, and may not be paid for
8 any service nor reimbursed or paid for any travel after the 30th day.

9 (g) Any qualified Alaska voter may bring a civil action to
10 enforce this section.

11 * Sec. 5. AS 44.19 is amended by adding a new section to read:

12 Sec. 44.19.015. REPORT OF FINANCIAL INTERESTS. (a) The governor
13 and lieutenant governor shall file in the office of the administrative
14 director of courts, no later than March 1 of each year, the report
15 of financial interests which is required of department heads by
16 AS 39.05.105.

17 (b) If the governor or lieutenant governor fails to file the
18 report required by (a) of this section within 30 days after it is due,
19 he is no longer entitled to his salary or per diem or travel allowances.
20 and may not be paid for any service nor reimbursed or paid for any
21 travel after the 30th day.

22 (c) Any qualified Alaska voter may bring a civil action to
23 enforce this section.

24 * Sec. 6. This Act takes effect January 1, 1972.
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