

Introduced: 4/21/77
Referred: State Affairs

1 IN THE HOUSE

BY MALONE

2 HOUSE BILL NO. 495

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to conflict of interest reports."

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

8 * Section 1. AS 39.50.020 is amended to read:

9 Sec. 39.50.020. REPORT OF FINANCIAL AND BUSINESS INTERESTS. (a) A
10 judicial officer, commissioner, chairman or member of a state commission
11 or board specified in sec. 200(9) of this chapter, person hired or
12 appointed as head or deputy head of, or director of a division within,
13 a department or agency in the executive or legislative branch, person
14 appointed as assistant to the governor, and a municipal officer, shall
15 file a statement giving his income sources and business interests, under
16 oath and on penalty of perjury, within 30 days after he takes office as
17 a public official. Candidates for state elective office shall file such
18 a statement at the time of filing a declaration of candidacy or within
19 30 days of the filing of any nominating petition, or within 30 days of
20 becoming a candidate by any other means. Candidates for elective
21 municipal office shall file such a statement at the time of filing a
22 nominating petition, declaration of candidacy, or other required filing
23 for the elective municipal office. Refusal or failure to file within
24 the time prescribed shall require that the candidate's filing fees, if
25 any, and filing for office be refused or that his previously accepted
26 filing fee be returned and his name removed from the filing records. A
27 statement shall also be filed by public officials no later than April 15
28 or 15 days after the person files his federal income tax return in each
29 following year, whichever shall come first. Persons who, on or after

1 December 11, 1974, were members of boards or commissions not named in
2 sec. 200(9) of this chapter are not required to file financial state-
3 ments.

4 (b) The governor, lieutenant governor, members of the legislature
5 and candidates for these offices, judicial officers, each commissioner,
6 head or deputy head of, or director of a division within, a department
7 or agency in the executive or legislative branch, assistant to the
8 governor or chairman or member of a commission or board required to
9 report under this chapter, shall file the statement with the Alaska
10 Public Offices Commission. Municipal officers, and candidates for
11 elective municipal office, shall file with the municipal clerk or other
12 municipal official designated to receive their filing for office. All
13 statements required to be filed under this chapter are public records.

14 * Sec. 2. AS 39.50.070 is amended to read:

15 Sec. 39.50.070. FAILURE TO REPORT BY DEPARTMENT, DIVISION, OR
16 DEPUTY DEPARTMENT HEADS. A person hired or appointed as the head or
17 deputy head of, or director of a division within, a department or
18 agency in the executive or legislative branch who refuses or fails to
19 file a report of financial interests required under this chapter when
20 due may not hold office or have his name submitted to the legislature
21 for confirmation until he complies. He may not be confirmed, hired, or
22 appointed, and he forfeits and may not be paid any salary or per diem
23 and travel expenses until he complies. If, after installation as the
24 head or deputy head of, or director of a division within, a department
25 or agency, he refuses or fails to file the required statement when due,
26 he is guilty of a misdemeanor and upon conviction is punishable by a
27 fine of not less than \$100 nor more than \$1,000 and shall be removed
28 from office if compliance is not made within 30 days after the due date
29 of the report.

1 * Sec. 3. AS 39.50.200(1) is amended to read:

2 (1) "public official" means a judicial officer, a member of
3 the legislature, the governor, the lieutenant governor, a person hired
4 or appointed as the head or deputy head of, or director of a division
5 within, a department or agency in the executive or legislative branch,
6 an assistant to the governor, chairman or member of a state commission
7 or board, and each appointed or elected municipal officer;

8 * Sec. 4. Notwithstanding the provisions of AS 39.50.020, a person hold-
9 ing the position of head or deputy head of, or director of a division within,
10 an agency of the legislative branch at the time of the effective date of this
11 Act shall file a statement of financial and business interests within 30
12 days after the effective date of this Act. A person who continues to hold a
13 position as head or deputy head of, or director of a division within an
14 agency of the legislative branch and who fails to file a statement of finan-
15 cial and business interest within 30 days after the effective date of this
16 Act is punishable as provided in AS 39.50.070.

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