

Introduced: 2/16/82
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 852

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the filing of conflict of interest
7 statements by public officials and candidates."

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

9 * Section 1. AS 39.50.020(a) is amended to read:

10 (a) A judicial officer, commissioner, chairman or member of a
11 state commission or board specified in AS 39.50.200(b), person hired or
12 appointed as head or deputy head of, or director of a division within, a
13 department in the executive branch, person appointed as assistant to the
14 governor, and a municipal officer, shall file a statement giving his
15 income sources and business interests, under oath and on penalty of
16 perjury, within 30 days after he takes office as a public official. An
17 individual who files a declaration of candidacy or a nominating petition
18 or who becomes a candidate by any other means for state elective office
19 between January 1 and April 15 shall file the statement no later than
20 April 15. A candidate [CANDIDATES] for state elective office who files
21 after April 15 shall file the [SUCH A] statement at the time of filing a
22 declaration of candidacy or within 30 days of the filing of a [ANY]
23 nominating petition, or within 30 days of becoming a candidate by any
24 other means. If an individual files or becomes a candidate for state
25 elective office during a calendar year other than the year in which the
26 election is held, he shall file an updated statement on or before
27 April 15 of each succeeding year in which he remains a candidate. Can-
28 didates for elective municipal office shall file the [SUCH A] statement
29 at the time of filing a nominating petition, declaration of candidacy,

1 or other required filing for the elective municipal office. A public
2 official who has a current statement on file with the commission who
3 files for state elective office is not required to file a statement at
4 the time he becomes a candidate, but a municipal officer who files for
5 state elective office shall file a copy of the statement that he has
6 filed for municipal office with the commission. Refusal or failure to
7 file within the time prescribed shall require that the candidate's
8 filing fees, if any, and filing for office be refused or that his
9 previously accepted filing fee be returned and his name removed from the
10 filing records. A statement shall also be filed by public officials no
11 later than April 15 [OR 15 DAYS AFTER THE PERSON FILES HIS FEDERAL
12 INCOME TAX RETURN] in each following year [, WHICHEVER SHALL COME FIRST].
13 Persons who are [, ON OR AFTER DECEMBER 11, 1974, WERE] members of
14 boards or commissions not named in AS 39.50.200(b) are not required to
15 file financial statements.

16 * Sec. 2. AS 39.50.030 is repealed and reenacted to read:

17 Sec. 39.50.030. CONTENTS OF STATEMENTS. (a) Each statement shall
18 be an accurate representation of the financial affairs of the public
19 official or candidate and shall contain the information specified in
20 this section concerning each member of his family to the extent that it
21 is ascertainable by the public official or candidate. An asset or
22 liability reasonably valued by the public official or candidate at
23 \$5,000 or less and household goods and personal effects need not be
24 identified. An asset or liability reasonably valued by the public
25 official or candidate at an amount in excess of \$5,000 shall be reported
26 as follows:

27 (1) category I: assets or liabilities with a reasonable
28 value between \$5,001 and \$10,000;

29 (2) category II: assets or liabilities with a reasonable

1 value between \$10,001 and \$25,000;

2 (3) category III: assets or liabilities with a reasonable
3 value between \$25,001 and \$50,000;

4 (4) category IV: assets or liabilities with a reasonable
5 value in excess of \$50,000.

6 (b) Each statement filed by a public official or candidate under
7 this chapter shall include each source of income over \$5,000, including
8 capital gains, whether or not taxable, received by the public official
9 or candidate or the spouse or dependent child of the public official or
10 candidate during the preceding calendar year.

11 (c) Each statement filed by the public official or candidate under
12 this chapter shall include the name and address of each business in
13 which the public official or candidate or the spouse or dependent child
14 of the public official or candidate was a stockholder, owner, officer,
15 director, partner, proprietor, or employee during the preceding calendar
16 year.

17 (d) Each statement of a public official or candidate shall include
18 the category and the nature and description of an asset or liability
19 listed in (e) of this section that was owned during the preceding
20 calendar year by the public official or candidate or by the spouse or
21 dependent child of a public official or candidate and that is reasonably
22 valued by the public official or candidate at more than \$5,000.

23 (e) As used in this section, an asset or liability means

- 24 (1) an interest in a business;
25 (2) an interest in real property, including an option to buy;
26 (3) a trust or fiduciary relationship;
27 (4) a loan or a guarantee for a loan;
28 (5) a credit relationship;
29 (6) a contract and offer to contract with the state or an

1 instrumentality of the state and each mineral, timber, oil, or other
2 natural resource lease owned or lease offer made by

3 (A) a public official or candidate;

4 (B) the spouse or dependent child of the public official
5 or candidate;

6 (C) a partnership or professional corporation of which
7 the public official or candidate is a member;

8 (D) a corporation in which the public official or candi-
9 date or the spouse or dependent child or a combination of them held
10 a controlling interest during the preceding calendar year.

11 * Sec. 3. AS 39.50.200(a)(6) is amended to read:

12 (6) "municipal officer" includes a borough or city mayor,
13 borough assemblyman, city councilman, school board member, elected
14 utility board member, city or borough manager, charter commission member,
15 members of a city or borough planning or zoning commission within a home
16 rule or general law city or borough, including but not limited to a
17 unified municipality under AS 29.68;

18 * Sec. 4. AS 39.50.200(a) is amended by adding a new paragraph to read:

19 (10) "elective municipal office" means the office of borough
20 or city mayor, borough assemblyman, city councilman, school board member,
21 elected utility board member, city or borough manager, charter commission
22 member, city or borough planning or zoning commission member within a
23 home rule or general law city or borough, including but not limited to a
24 unified municipality under AS 29.68.

25 * Sec. 5. Sections 1 and 2 of this Act take effect January 1, 1983.

26 * Sec. 6. Sections 3 and 4 of this Act take effect July 1, 1982.

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