

Original sponsor: State Affairs Committee

Offered: 4/7/82
Referred: Judiciary

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR HOUSE BILL NO. 852 (State Affairs)
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; and
8 providing for an effective date."

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

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

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

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

17 * Sec. 2. AS 39.50.030(a) is repealed and reenacted to read:

18 (a) Each statement shall be an accurate representation of the
19 financial affairs of the public official or candidate and shall contain
20 the information specified in this section concerning each member of his
21 family to the extent that it is ascertainable by the public official or
22 candidate. Household goods and personal effects need not be identified.

23 * Sec. 3. AS 39.50.030(b) is amended to read:

24 (b) Each statement filed by a public official or candidate under
25 this chapter shall include:

26 (1) the source of all income over \$5,000 [\$100], including
27 capital gains, whether or not taxable, received by him or his spouse or
28 dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH
29 HIM.] during the preceding calendar year;

1 (2) the identity, by name and address, of each business in
2 which he or his spouse or dependent child of his [OR NONDEPENDENT CHILD
3 OF HIS WHO IS LIVING WITH HIM] was a stockholder, owner, officer, direc-
4 tor, partner, proprietor, or employee during the preceding calendar
5 year;

6 (3) the identity and nature of each interest owned by him or
7 his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO
8 IS LIVING WITH HIM,] in any business during the preceding calendar year;

9 (4) the identity and nature of each interest in real prop-
10 erty, including an option to buy, owned by him or his spouse or depen-
11 dent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH HIM,
12 AT ANY TIME] during the preceding calendar year;

13 (5) the identity of each trust or other fiduciary relation in
14 which he or his spouse or dependent child of his [OR NONDEPENDENT CHILD
15 OF HIS WHO IS LIVING WITH HIM,] held a beneficial interest during the
16 preceding calendar year, a description and identification of the prop-
17 erty contained in each trust or relation, and the nature and extent of
18 the beneficial interest in it;

19 (6) any loan or loan guarantee over \$5,000 made to him or his
20 spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS
21 LIVING WITH HIM,] and the identity of the maker of the loan or loan
22 guarantor and the identity of each creditor to whom he or his spouse or
23 dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH
24 HIM] owed over \$5,000 [\$500 OR MORE];

25 (7) a list of all contracts and offers to contract with the
26 state, or an instrumentality of the state, during the preceding calendar
27 year, held, bid or offered by him, his spouse, dependent child of his or
28 nondependent child of his who is living with him, his mother or father
29 or a partnership or professional corporation of which he is a member, or

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a corporation in which he or his spouse or his children, or a combination of them, hold a controlling interest; and

(8) a list of all mineral, timber, oil, or any other natural resource lease held, or lease offer made, during the preceding calendar year by him, his spouse, a dependent child of his or nondependent child of his who is living with him, his mother or father or a partnership or professional corporation of which he is a member, or a corporation in which he or his spouse or his children, or a combination of them, hold a controlling interest.

* Sec. 4. AS 39.50.200(a)(6) is amended to read:

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

* Sec. 5. AS 39.50.200(a) is amended by adding a new paragraph to read:

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

* Sec. 6. Sections 1 - 3 of this Act take effect January 1, 1983.

* Sec. 7. Sections 4 and 5 of this Act take effect July 1, 1982.