

**HOUSE BILL NO. 288**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**SEVENTEENTH LEGISLATURE - FIRST SESSION**

**BY REPRESENTATIVES MOYER, Ellis, Boyer, Gruenberg, Finkelstein**

**Introduced: 4/19/91**

**Referred: State Affairs, Judiciary, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the giving of cash by public officers."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 39.90 is amended by adding a new section to read:

4           Sec. 39.90.030. **CASH PAYMENTS BY PUBLIC OFFICERS.** (a) While carrying out  
5 the functions of the public officer's position, a public officer may not give, offer to give, agree  
6 to give, or authorize the giving of cash to a person for the purpose of influencing the person to

7                   (1) perform an act that would be useful to a state agency; or

8                   (2) refrain from performing an act that would be detrimental to a state agency.

9           (b) This section does not apply to incentive awards made under AS 39.51.

10           (c) A violation of (a) of this section is a class A misdemeanor.

11           (d) In this section,

12                   (1) "cash" includes checks and money orders;

13                   (2) "public officer" means a state agency employee, a state legislator, and a  
14 member of a state board or commission;

1 (3) "state agency" means

2 (A) a department, institution, board, commission, division, authority,  
3 public corporation, or other administrative unit of the executive branch, including the  
4 University of Alaska and the Alaska Railroad Corporation;

5 (B) a committee, division, or administrative unit of the legislative branch,  
6 including the Alaska Legislative Council, the leadership of each house, and the office of  
7 the ombudsman;

8 (C) an administrative unit of the judicial branch, including the Alaska  
9 Judicial Council and the Commission on Judicial Conduct.

10 \* Sec. 2. AS 42.40.710 is amended to read:

11 Sec. 42.40.710. CORPORATION EMPLOYEES. Employees of the Alaska Railroad are  
12 employees of the corporation and not of the state. Except for AS 39.90.030, the [THE]  
13 provisions of AS 39 do not apply to employees of the corporation. However, no later than  
14 January 1, 1987, the corporation shall adopt a code of ethics for its directors and employees that  
15 is substantially equivalent to that adopted in AS 39.

16 \* Sec. 3. AS 39.90.030(b), enacted by sec. 1 of this Act, is repealed July 1, 1993.