HB
154

-- H 3/16/8

2nd CS for HB 154 (Rules)

SB 183

- sensible to combine
- include dentist w ph
- not a business relationship but a relationship of necessity
- unfairly aid a client/
- disclosure

Sherri Holmes

Theta Pittman

initial impetus

$5000

non-dep kids - college student

Amend time

Sec. 1 -

(1) state candidates - use April 15

(2) deadline

(3) municipal office

VF - categories?

MC - art - broad category - household effect

SH - difficulty of laying out method

TS - problem w/ threshold
not an accurate reflection -
who cares? - left

— fair market value on date
you filled out the report

VF - asset ~~of~~ or liability of $500
confusing

DE — $5000 threshold ↑ from $100
SH - obvious exchg of $

VF law only makes sense if combined
w/ good ethics law

VF
Provisions of House bill - tighter
than necessary

any other asset of liability valued
at over 5005

retail business don't

son who files a groundless complaint to pay reasonable costs and attorney fees incurred by the person charged with the violation. The commission shall meet no less often than every three months. Provides Act effective July 1, 1981.

Introduced February 13 and referred to State Affairs.

Financial Disclosure

HOUSE BILL NO. 154, by the Rules Committee. Expands on list of information to be included in conflict of interest statement filed by a public official or candidate for elective office. Adds to list found in AS 39.50.030(b):

--name of person known by the official or candidate to have been a lobbyist during the preceding calendar year who purchased goods or services in excess of $100 from a sole proprietorship owned by the official or candidate or in excess of $1,000 from a partner of the public official or candidate.

--name of a person from whom he received during the preceding year: (A) a gift of cash; (B) a single gift of cash having a reasonable value in excess of $100; (C) gifts other than cash having an aggregate reasonable value in excess of $250.

--name of a person known by the official or candidate to have been a lobbyist during the preceding year who is (A) a partner, officer, or director of a corporation in which the official or candidate is a partner, officer, director, or employee, with a description of the legislative matters which were the object of the activity of the lobbyist; or (B) a spouse, child, mother or father, brother or sister of the official or candidate.

Also adds to the same section:

--new subsection (d) which states that a campaign contribution which the public official or candidate has reported under AS 15.13 does not need to be reported under financial disclosure requirements of AS 39.50.030.

--new subsection (e) which states that a gift from a spouse, child, mother or father, brother or sister does not need to be reported under the section.

Act effective July 1, 1981.

Introduced February 13 and referred to State Affairs.

Legislative Committee Procedure

HOUSE BILL NO. 155, by the Rules Committee. Adds new chapter to AS 24 which establishes procedures for conducting legislative committee meetings. Among the procedures called for in the bill are:

--mandatory preparation of minutes of each committee meeting.

--a record of votes adopting amendments in committee.

--requirement that all meetings be taped or otherwise recorded

Financial Disclosure

HOUSE BILL NO. 154, (see page 232). Reported back to the House on March 23 by State Affairs with the committee recommending it be replaced with SUBSTITUTE(SA) (same title) and that it do pass. To Rules.

SUBSTITUTE(SA) also requires public official or candidate to report the name of any lobbyist who purchased goods or services in excess of $100 from a partnership in which the public official or candidate is a partner, or from a corporation over 50% of the stock of which is owned by the public official or candidate. Adds requirement that public official or candidate report the name of a contractor or vendor who does business with the state, or an employee of the state who is a partner, officer, or director of a corporation in which the public official or candidate is a partner, officer, director, or employee.

Legislative Committee Procedure

HOUSE BILL NO. 155, (see page 232). Reported back to the House on March 23 by State Affairs with the committee recommending it be replaced with SUBSTITUTE(SA)(same title) and that it do pass. To Rules.

SUBSTITUTE(SA) deletes requirement that the committee minutes contain a summary of the testimony of each witness appearing before the committee, requiring instead that the minutes contain a brief statement of the position of the witness on the subject before the committee. Specifically requires the committee to record its meetings "electronically." Deletes requirement that a log of the recording be published as a supplement to the minutes. Deletes requirement in original bill that testimony at committee meetings be taken under oath or affirmation. Remainder identical to original bill.

Legislative Contracts

HOUSE BILL NO. 156, (see page 233). Reported back to the House on March 23 by State Affairs with the committee recommending it be replaced with SUBSTITUTE(SA)(same title) and that it do pass. To Rules.

SUBSTITUTE(SA) makes provisions relating to legislative contracts applicable to all contracts over $5,000 ($10,000 in original bill). Adds: "A legislative agency or committee may not negotiate a contract or contracts with a person that exceed $5,000 in a 12-month period." Requires that Legislative Council, by a majority vote, approve any exemptions to requirement for requests for proposals. Adds that a request for proposals need not be extended if the contract is for services provided to the office of the ombudsman for an investigation. Adds: "Unless the contract is for services exempt . . . a contract for (1) the Legislative Affairs Agency shall be approved by the Legislative Council; (2) the legislative finance division or the legislative audit division shall be approved by the Legislative Budget and Audit Committee. Adds requirement that a legislative contract contain the amount of the contract stated on its first page. Requires a copy of the contract to be filed with the ombudsman. Adds new section to AS 24.55 to read: "The ombudsman shall adopt by regulations procedures consistent with AS 24.23 to be followed by the office of the ombudsman in contracting for services."

Sale of Fireworks (insur. req.)

HOUSE BILL NO. 158, (see page 234). Reported back to the House on March 24 by Judiciary with the committee recommending it be replaced the SUBSTITUTE(JUD) (same title) and that it do pass. Not concur-

Appropriation (state trust funds) — HOUSE BILL NO. 152, (see page 230). On March 30, the Speaker waived the HE&SS referral and added an additional referral to the Judiciary Committee. To Judiciary, then Finance.

Financial Disclosure — COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 154 (SA), (see pages 232;606). April 1, the bill was before the House in second reading and the State Affairs Committee SUBSTITUTE was adopted. A series of amendments offered separately by Reps: Cuddy, Martin, and Phillips was returned, along with the bill, to the Rules Committee for further deliberation. To Rules with amendments pending.

Appropriation (special) (Iditarod School) — HOUSE BILL NO. 188, (see pages 298;321;362). April 31, at the request of Rep. Meekins, the bill was taken from Rules and referred to Finance.

Appropriation (Litter Recycling & Reduction) — HOUSE BILL NO. 380, (see page 581). April 2, at the request of the Resources Committee Co-Chairman, the Resources referral was waived and the bill was sent to Finance.

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On March 30, the Speaker in a memo to the members of the House, stated that he was appointing a Special Committee on Telecommunications to serve as a "resource and support committee for the Committees on Labor and Commerce, Judiciary, and Finance." The committee will not receive bill referrals, and legislation in the telecommunications area will be referred to one or a combination of more than one of those three committees. The members are:

Rep. Hurlbert, Chairman
Rep. Brown, Vice Chairman
Rep. Adams
Rep. Martin
Rep. Phillips

****
This report is a simple compilation of information and is not, nor is it intended to present a legal interpretation.
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This report includes all bills and resolutions introduced and all action taken in the Alaska House and Senate from March 30 through April 5, 1981
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State Health Insurance — COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 41 (FIN) (E.D. FAILED), (see pages 144;239;313;664;745;802;847). Received in the Senate on April 30 and referred to Health, Education & Social Services, then to Finance.

Raw Fish (purchase) — COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 124 (RES), (see pages 186;847). Received in the Senate on May 1 and referred to Judiciary and Labor & Commerce.

Financial Disclosure — 2ND COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 154 (RULES), (see pages 232: 606;674;847). Received in the Senate on April 30 and referred to State Affairs and Finance.

Legislative Contracts — COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 156 (RLS)(AMENDED), (see pages 233;606;848). Received in the House on April 30 and referred to Judiciary and Finance.

Appropriation (special) (resurfacing Haul Road) — HOUSE BILL NO. 177 (AMENDED), (see pages 287;666;796;849). Received in the Senate on April 29 and referred to Transportation and Finance.

Agric. Action Council (grain term. & elevators) — COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 216 (FIN)(E.D. FAILED), (see pages 350;747;802). Received in the Senate on April 27 and referred to Resources and Finance.

Bd. of Parole (continuing) — COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 510 (HESS)(AMENDED), (see pages 743;800;803). Received in the Senate on April 27 and referred to Health, Education & Social Services.

Fisheries Rehab. & Enhancement (broodstocks) — COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 16 (RES), (see pages 662;800;849). Received in the Senate on May 1 and referred to Resources and Finance.

COMMITTEE REPORTS (Senate)

Alcoholic Beverages (misc. amend.) — SENATE BILL NO. 65, (see pages 35;570). Reported back to the Senate on May 1 by Judiciary with a majority of the committee recommending it be replaced with SUBSTITUTE(JUD)(new title) and that it do pass. To Rules.

SUBSTITUTE(JUD) adds new Sections 4 - 9 which amend provisions relating to local option elections regarding the sale of alcoholic beverages in a community. Statutes (AS 04.11.490 - 500) currently provide that: "AS of midnight December 31 of the year in which the results of the election are certified licenses which may not be renewed are void. The results of an election held under this section are not a ground for the suspension of a license during the year for which the license was issued or renewed." Bill would amend this to read: "Licenses which may not be

CSHB 34(HESS), (cont'd)

The bill may be taken up again on May 7 for reconsideration.

State Health Insurance

COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 41 (Finance)(effective date failed), (see pages 144;239;313;664;745; 802). On April 27 Rep. Randolph brought up his reconsideration on CSSSHB 41(Fin)(e.d.fld) (see page 802, original vote). An amendment by Rep. Martin was offered but the motion to return to second reading for the purpose of a specific amendment failed, and the bill was then held in third reading until April 29. On April 29 the bill was again before the House and several motions to return to second reading to amend the bill failed, and motions to adjourn also failed. The bill then passed on reconsideration, 22-14-4. Nays: Abood, Anderson, Bettisworth, Bylsma, Carney, Fanning, Halford, Haugen, Hayes, Montgomery, O'Connell, Phillips, Randolph and Sutcliffe. The effective date clauses failed to be adopted, lacking the necessary 27 votes.

Raw Fish (purchase)

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 124 (Resources), (see pages 186). Reported back to the House on April 28 by Resources recommending replace with a SUBSTITUTE (Res) and that it do pass. To Rules. The substitute authorizes the Commissioner of Labor to adopt regulations to carry out the provisions of AS 16.10.270 - 16.10.296 (Purchase of Fish). Adds a new subsection relating to filing evidence of compliance (AS 16.10.292) which states: "(b) The commissioner may, after investigation, grant a waiver from the bonding requirement of AS 16.10.290 - 16.10.296 for those operations that do not purchase fish or hire employees." Amends AS 16.10 (Fisheries and Fishing Regulations) by adding a new section relating to penalties which provides a person who is required to obtain the bond required to purchase fish and fails to obtain that bond is guilty of a class A misdemeanor. States that each day a violation occurs constitutes a separate offense. Deletes all other provisions contained in original bill. Provides for effective dates.

On April 30 the Resources substitute was adopted and the bill then passed the House, 36-0-4. Not voting: Barnes, Malone, Martin and Metcalfe. The effective date clauses were adopted.

Financial Disclosure

2nd COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 154 (Rules), (see pages 232;606;674). On April 27 the bill was reported back to the House by the Rules Committee recommending it be replaced with a 2nd SUBSTITUTE (Rules) and that it do pass. Not concurring: Phillips has no recommendation. The substitute makes technical changes and adds language stating a public official or candidate must disclose the name of a person from whom he received a gift of cash "in excess of $100." Also states a gift from a grandparent or grandchild does not need to be reported. Adds new section amending AS 39.50.030(a) (Conflict of Interest. Contents of statement) to read: "(a) Each statement shall be an accurate representation of the financial affairs fo the public official or candidate and shall contain the [SAME] information [FOR EACH MEMBER OF HIS FAMILY, AS] specified in (b) of this section [,] to the extent that it is ascertainable by the public official or candidate. An asset or liability under $500, household goods, and personal effects need not be identified." (bracketed language deleted). Adds new section 4 to the bill which states: "Information that is required to be reported under the

2dCSHB 154 (Rls), (cont'd)

amendments to AS 39.50.030 enacted in this Act need not be reported in a statement due under AS 39.50 on or before December 31, 1982."

Changes effective date to January 1, 1982 (State Affairs substitute was July 1, 1981).

On April 28 the bill was before the House and Speaker Duncan stated that the pending amendments (see page 674) were incorporated in the proposed 2d committee substitute by the Rules Committee. The substitute was then adopted and the bill passed the House, 22-15-3. Nays: Abood, Beirne, Bettisworth, Bylsma, Cuddy, Fanning, Halford, Hayes, Hurlbert, Martin, Montgomery, O'Connell, Phillips, Randolph and Sutcliffe. Not voting: Barnes, Haugen and Metcalfe. Rep. Hurlbert changed his vote from "yea" to "nay". The effective date clause was adopted. Rep. Randolph gave notice of reconsideration, but it was not taken up and the bill was transmitted to the Senate for its consideration.

Legislative Contracts

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 156 (Rules)(Amended), (see pages 233;606). Reported back to the House on April 27 by Rules recommending replace with a SUBSTITUTE (Rules) and that it do pass. Not concurring: Phillips recommends do pass "if amended". The Rules substitute makes changes regarding the legislative contract procedure, providing the chapter applies to contracts for services to be provided to a legislative agency or committee unless "(1) the total amount of a contract or contracts awarded to a person in a 12 month period does not exceed $5,000;. . ." (SA substitute provided "(1) the contract amount does not exceed $5,000;. . ."). Adds subsection (5) which states: "the service is to be provided by an agency or department of the state government or by a municipality." Deletes subsection (b) which stated: "A legislative agency or committee may not negotiate a contract or contracts with a person that exceed $5,000 in a 12-month period." Deletes provision of section dealing with requests for proposals which stated: "A request for proposals need not be extended if (1) the contract amount does not exceed $5,000;. . .". Adds language providing "A request for proposals need not be extended if (2) the services required are professional services which may, by law or regulation, be performed only by a person licensed to perform the service;"

On April 28 the bill was before the House and the Rules substitute was adopted. Amendment 3 by Randolph was adopted, adding language relating to the application of legislative contract procedure: "This chapter applies to contracts for services to be provided to a legislative agency or committee unless (3) the contract is for construction, repair, or maintenance of a structure and does not exceed $5,000; . . .". Amendment 7 by Randolph was adopted, deleting section relating to requests for proposals which stated: "A request for proposals need not be extended if (2) the services required are professional services which may, by law or regulation, be performed only by a person licensed to perform the service;". Amendment 10 by Malone was adopted, adding a new section to read: "Sec. 24.23.035. EVALUATION. (a) If a contract is awarded by a legislative committee, the committee or the project director must provide a written evaluation of the services provided under the contract before final payment may be made. The evaluation is open for public inspection."

STATE OF ALASKA
THE LEGISLATURE
LEGISLATIVE AFFAIRS AGENCY

POUCH Y · STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

M E M O R A N D U M

March 18, 1982

SUBJECT: Financial disclosure
(SCS CSHB 154 (SA))

TO: Senator Vic Fischer
Chairman, Senate State
Affairs Committee

FROM: Richard A. Bradley
Legislative Counsel

The committee substitute for HB 154 requested has been delivered.

The bill was reviewed quickly and prepared for delivery at a time when we were not able to give the bill a better review; because of this situation, I believe that some comments on the bill that has been delivered to you are appropriate.

(1) I believe that the deletion of the phrase "at the time the municipal officer becomes a candidate" on page 2, line 7 of the bill introduces an element of uncertainty into the bill; as a general rule, if an individual is required to do something on the pain of sanction, the time at which the event must occur is significant and should be stated in the law.

(2) The phrase "a spouse" added to paragraph (8) on page 4, line 18 of the bill is unmodified unlike the similar phrase at, for example, page 4 line 8. As such, it is impossible to determine with certainty whose spouse is involved.

(3) Finally, AS 39.50.030(b)(9) is incomplete. Note that there is essentially no pattern to the requirements for disclosure in sec. 30(b); if there were, the pattern might be available to supply the ommissions in (9). The assets of "mother and father" are required to be disclosed under sec. 30(8) but not otherwise. In some cases assets of

"nondependent child(ren) who is living with the public official or candidate" are required to be disclosed [e.g., sec. 30(7)]; more usually it is not. In some cases the assets of a professional corporation in which the public official or candidate is associated are required to be disclosed; does "any other asset or liability" of a professional corporation involved need to be reported?

I regret that these questions were not called to your attention earlier.

RAB:ljb

PLEASE NOTE: THE FOLLOWING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT

MEMORANDUM

State of Alaska

MAIL STOP: L-P

TO: Ms. Nancy Groszek
Senate State Affairs

DATE: February 28, 1982

FILE NO:

TELEPHONE NO: 276-4176

FROM: Theda Pittman TSP
APOC
610 C St., Suite 211
Anchorage, AK 99501

SUBJECT: Revisions to 2d CSHB 154(Rls)

Attached are the results of my most recent effort with APOC Chairperson Shari T. Holmes to make some sense out of the Commission's recommendations on revisions to AS 39.50, Conflict of Interest.

Vic — Please review!
TVG

02-001B(Rev.4/80)

Original sponsor: Rules Committee

Offered: 4/27/81
Referred: Rules

IN THE HOUSE BY THE RULES COMMITTEE

2d CS FOR HOUSE BILL NO. 154 (Rules)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to financial disclosure; and providing for an effective date."

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

* Section 1. AS 39.50.030(a) is amended to read:

(a) Each statement shall be an accurate representation of the financial affairs of the public official or candidate and shall contain the [SAME] information [FOR EACH MEMBER OF HIS FAMILY, AS] specified in (b) of this section [,] to the extent that it is ascertainable by the public official or candidate. An asset or liability under $500, household goods, and personal effects need not be identified.

* Sec. 2. AS 39.50.030(b) is amended by adding new paragraphs to read:

(9) the name of a person known by the public official or candidate to have been a lobbyist during the preceding calendar year who entered into a contract to purchase goods or services

(A) in excess of $100 from a

(i) sole proprietorship owned by the public official or candidate;

(ii) partnership in which the public official or candidate is a general partner;

(B) in excess of $1,000 from a person who is a general partner of a firm of which the public official or candidate is a general partner; or

(C) in excess of $100 from a corporation over 50 percent of the stock of which is owned by the public official or candidate;

(10) the name of a person from whom the public official or candidate received during the preceding calendar year

(A) a gift of cash in excess of $100;

(B) a single gift other than cash having a reasonable value in excess of $100;

(C) gifts other than cash having an aggregate reasonable value in excess of $250;

(11) the name of a person known by the public official or candidate to have been a lobbyist, or a contractor or vendor who does business with the state, or an employee of the state during the preceding calendar year who is

(A) a general partner, officer, or director of a corporation in which the public official or candidate is a general partner, officer, director, or employee, with a description of the legislative or administrative matters which were the object of the activity of the lobbyist, the contractor or vendor who does business with the state, or employee of the state; or

(B) a spouse, child, mother or father, brother or sister of the public official or candidate.

* Sec. 3. AS 39.50.030 is amended by adding new subsections to read:

(d) A campaign contribution reported by a public official or candidate under AS 15.13 does not need to be reported under this section.

(e) A gift from a spouse, child, mother or father, brother or sister, grandparent, or grandchild does not need to be reported under this section.

SAVE

* Sec. 4. Information that is required to be reported under the amendments to AS 39.50.030 enacted in this Act need not be reported in a statement due under AS 39.50 on or before December 31, 1982.

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

IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

HOUSE BILL NO. 852

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

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

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

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

(a) A judicial officer, commissioner, chairman or member of a state commission or board specified in AS 39.50.200(b), person hired or appointed as head or deputy head of, or director of a division within, a department in the executive branch, person appointed as assistant to the governor, and a municipal officer, shall file a statement giving his income sources and business interests, under oath and on penalty of perjury, within 30 days after he takes office as a public official. <u>An individual who files a declaration of candidacy or a nominating petition or who becomes a candidate by any other means for state elective office between January 1 and April 15 shall file the statement no later than April 15. A candidate</u> [CANDIDATES] for state elective office <u>who files after April 15</u> shall file <u>the</u> [SUCH A] statement at the time of filing a declaration of candidacy or within 30 days of the filing of <u>a</u> [ANY] nominating petition, or within 30 days of becoming a candidate by any other means. <u>If an individual files or becomes a candidate for state elective office during a calendar year other than the year in which the election is held, he shall file an updated statement on or before April 15 of each succeeding year in which he remains a candidate.</u> Candidates for elective municipal office shall file <u>the</u> [SUCH A] statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. A public official who has a current statement on file with the commission who files for state elective office is not required to file a statement at the time he becomes a candidate, but a municipal officer who files for state elective office shall file a copy of the statement that he has filed for municipal office with the commission. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that his previously accepted filing fee be returned and his name removed from the filing records. A statement shall also be filed by public officials no later than April 15 [OR 15 DAYS AFTER THE PERSON FILES HIS FEDERAL INCOME TAX RETURN] in each following year [, WHICHEVER SHALL COME FIRST]. Persons who are [, ON OR AFTER DECEMBER 11, 1974, WERE] members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.

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

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

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

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

~~value between $10,001 and $25,000;~~

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

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

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

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

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

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

(1) an interest in a business;

(2) an interest in real property, including an option to buy;

(3) a trust or fiduciary relationship;

(4) a loan or a guarantee for a loan;

(5) a credit relationship;

~~(6) a contract and offer to contract with the state or an~~

*Section . AS 39.50.030(b) is amended to read:

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

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

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

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

(4) the identity and nature of each interest in real property, including an option to buy, owned by him or his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH HIM,] at any time during the preceding calendar year;

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

(6) any loan or loan guarantee made to him or his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH HIM,] and the identity of the maker of the loan or loan guarantor and the

identity of each creditor to whom he or his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH HIM] owed over <u>$5,000</u> [$500] or more;

(7) a list of all contracts and offers to contract with the state, or an instrumentality of the state, during the preceding calendar year, held, bid or offered by him, his spouse, dependent child of his or nondependent child of his who is living with him, his mother or father or or a partnership or professional corporation of which he is a member, or a corporation in which he or [illegible] 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 by him, <u>his spouse,</u> 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.

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

(A) a public official or candidate;

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

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

(D) a corporation in which the public official or candidate or the spouse or dependent child or a combination of them held ~~a controlling interest during the preceding calendar year.~~

* Sec. 3. 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, <u>charter commission member,</u> 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. 4. 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. 5. Sections 1, 2 and 3 of this Act take effect January 1, 1983.

* Sec. 6. Section 4 of this Act takes effect July 1, 1982.

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

fair market value at time of filing report

IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE

HOUSE BILL NO. 852

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

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

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

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

(a) A judicial officer, commissioner, chairman or member of a state commission or board specified in AS 39.50.200(b), person hired or appointed as head or deputy head of, or director of a division within, a department in the executive branch, person appointed as assistant to the governor, and a municipal officer, shall file a statement giving his income sources and business interests, under oath and on penalty of perjury, within 30 days after he takes office as a public official. An individual who files a declaration of candidacy or a nominating petition or who becomes a candidate by any other means for state elective office between January 1 and April 15 shall file the statement no later than April 15. A candidate [CANDIDATES] for state elective office who files after April 15 shall file the [SUCH A] statement at the time of filing a declaration of candidacy or within 30 days of the filing of a [ANY] nominating petition, or within 30 days of becoming a candidate by any other means. If an individual files or becomes a candidate for state elective office during a calendar year other than the year in which the election is held, he shall file an updated statement on or before April 15 of each succeeding year in which he remains a candidate. Candidates for elective municipal office shall file the [SUCH A] statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. A public official who has a current statement on file with the commission who files for state elective office is not required to file a statement at the time he becomes a candidate, but a municipal officer who files for state elective office shall file a copy of the statement that he has filed for municipal office with the commission. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that his previously accepted filing fee be returned and his name removed from the filing records. A statement shall also be filed by public officials no later than April 15 [OR 15 DAYS AFTER THE PERSON FILES HIS FEDERAL INCOME TAX RETURN] in each following year [, WHICHEVER SHALL COME FIRST]. Persons who are [, ON OR AFTER DECEMBER 11, 1974, WERE] members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.

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

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

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

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

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

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

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

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

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

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

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

Should be define [illegible]

(1) an interest in a business;

(2) an interest in real property, including an option to buy;

(3) a trust or fiduciary relationship;

(4) a loan or a guarantee for a loan;

debit owed

(5) a credit relationship;

(6) a contract and offer to contract with the state or an

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

(A) a public official or candidate;

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

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

(D) a corporation in which the public official or candidate or the spouse or dependent child or a combination of them held a controlling interest during the preceding calendar year.

* Sec. 3. 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. 4. 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. 5. Sections 1 and 2 of this Act take effect January 1, 1983.

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

... for House and Senate State Affairs and Dick Bradley

BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWELFTH LEGISLATURE - SECOND SESSION

A BILL

FOR AN ACT ENTITLED: "An Act relating to the filing of conflict of interest statements by public officials and candidates."

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

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

(a) A judicial officer, commissioner, chairman or member of a state commission or board specified in AS 39.50.200(9), person hired or appointed as head or deputy head of, or director of a division within, a department in the executive branch, person appointed as assistant to the governor, and a municipal officer, shall file ~~a~~ statement giving his income sources and business interests, under oath and on penalty of perjury, within 30 days after he takes office as a public official. An individual who files a declaration of candidacy or a nominating petition or who becomes a candidate by any other means for state elective office between January 1 and April 15 shall file the statement no later than April 15. A candidate [CANDIDATES] for state elective office who files after April 15 shall file the [SUCH A] statement at the time of filing a declaration of candidacy or within 30 days of the filing of a [ANY] nominating petition, or within 30 days of becoming a candidate by any other means. If an individual files or becomes a candidate for state elective office during a calendar year other than the year in which he seeks nomination or election, he shall file an updated statement on or before April 15 of each succeeding year he remains a candidate. Candidates for elective municipal office shall file the [SUCH A] statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. A public official

... has a current statement on file with the commission who files for ... elective office is not required to file a statement at the time he ... a candidate, but a municipal officer who files for state elective office shall file a copy of the statement which he has filed for municipal office with the commission. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that his previously accepted filing fee be returned and his name removed from the filing records. A statement shall also be filed by public officials no later than April 15 [OR 15 DAYS AFTER THE PERSON FILES HIS FEDERAL INCOME TAX RETURN] in each following year [, WHICHEVER SHALL COME FIRST. PERSONS WHO, ON OR AFTER DECEMBER 11, 1974, WERE MEMBERS OF BOARDS OR COMMISSIONS NOT NAMED IN AS 39.50.200(9) ARE NOT REQUIRED TO FILE FINANCIAL STATEMENTS].

see HB164

* Section 2. AS 39.50.030(a) is amended to read:

Sec. 39.50.030. CONTENTS OF STATEMENTS. (A) Each statement shall be an accurate representation of the financial affairs of the public official or candidate and shall contain the same information for each member of his family, as specified in (b) of this section, to the extent that it is ascertainable by the public official or candidate. An asset or liability of $5,000 or less [under $500], household goods, and personal effects need not be identified. Assets and liabilities over $5,000 shall be reported in categories as follows: $5,001 - $10,000; $10,001 - $25,000; $25,001 - $50,000; or more than $50,000.

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

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

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

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

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

(4) the identity and nature of each interest in real property, including an option to buy, owned by him or his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS WHO IS LIVING WITH HIM,] at any time during the preceding calendar year;

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

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

(7) a list of all contracts and offers to contract with the state, or an instrumentality of the state, during the preceding calendar year, held, bid or offered by him, his spouse, dependent child of his or nondependent child of his who is living with him, his mother or father or 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; and

(8) a list of all mineral, timber, oil, or any other natural resource lease held, or lease offer made, during the preceding calendar 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.

*Section 4. AS 39.50.200(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;

*Section 5. AS 39.50.200 is amended by adding a new paragraph to read:

(11) "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.

*Section 6. Sections 1, ~~and~~ and 2 of this Act take effect on January 1, 1983.

*Section 7. Sections 4 and 5 of this Act takes effect on July 1, 1982.

2-9-82

NANCY RE APOC

call Sally Smith 4930/4941

ATTACHED FROM THEDA LOOKS OK

MY THOUGHT IS TO MAKE A CS FOR HB 154.

154 GOES FROM SA TO FINANCE.

NEED TO REVIEW 154 WITH WHOEVER WAS BEHIND IT IN OLD HOUSE. PLS FIND OUT WHO, IF YOU CAN.... I WOULD LIKE TO CHECK OUT DOLLAR FIGURES, IN THEIR VERSIONS; THEY SEEM SMALL. I DON'T WANT TO STUMBLE OVER THEM IN SENATE. ONE THE OTHER HAND, AS WILL WANT TO NEGOTIATE THIS,BEFORE WE LET IT OUT, WITH DANKWORTH AND WITH RICK HALFORD OR SOMEONE IN HOUSE, MIGHT KEEP 154 VERSION IN, FOR TIME BEEING AT LEAST....

OK: PLS ASK BRADLEY TO MELD 154 AND APOC VERSIONS AND PROVIDE TO US. CAN WAIT TIL HE IS PAST PERSONAL BILL DEADLINE.
HOW SOON DOES THEDA, APOC, NEED THIS, IN TIME FOR NEXT ELECTION CAMPAIGN?????

(NO NEED TO WORRY ABOUT METCALFE. LET HIM INTRODUCE, BE PROUD OF IT, AND DON'T TELL HIM YET WHAT WE ARE DOING.)

Introduce in H

TO: Juneau Info FOR: (1) Rep. Metcalfe, Chm. (H) State Aff. PHONE:
(2) Sen. Fischer, Chm, Sen. State Affairs
FROM: Theda Pittman (3) Dick Bradley (Div. of Legal Serv.) PHONE:
APOC

ADDITIONAL INSTRUCTIONS:

DATE/TIME SENT: 2/8/82 5:00 PLEASE ACK. RECEIPT: XX

DISPOSAL OF ORIGINAL: XX THROW AWAY

HOLD FOR PICK UP

NUMBER OF PAGES: 4 (NOT COUNTING COVER SHEET)

BY: Carol

PLEASE NOTE: THE PRECEDING PAGES WERE TREATED AS A UNIT IN THE ORIGINAL DOCUMENT.