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STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

*House Community & Regional Affairs
Committee*

2/15/85

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

OFFICE OF THE COMMISSIONER

BILL SHEFFIELD, GOVERNOR

POUCH B
JUNEAU, ALASKA 99811
PHONE: (907) 465-4700

949 E. 36TH AVENUE, SUITE 400
ANCHORAGE, ALASKA 99508
PHONE: (507) 563-1073

February 11, 1985

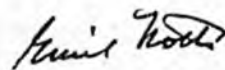
POSITION PAPER

RE: HB 158

SPONSORS: Rules Committee by Request of the Governor

The Department supports HB 158 which would automatically exempt public officials of small communities (less than 1000 population) from conflict of interest reporting requirements, unless local citizens voted to make those requirements applicable. Currently the relevant statutes apply to all communities unless an exemption is approved by voters of the municipality. The old procedures would still apply to larger municipalities.

Existing conflict of interest reporting requirements can create an undue hardship for small communities with a limited pool of qualified potential leaders and have limited value for those communities. Moreover, in most small communities, potential conflicts of interest by local officials are generally well known. In any case, local residents would always have the option to reinstate the reporting requirements. Passage of the bill would greatly simplify procedures for officials of small communities while maintaining the spirit and intent of the conflict of interest reporting requirements.



Emil Notti, Commissioner

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 158
 Title: Exempt certain municipalities from conflict of interest requirements

Sponsor: Rules Committee/Governor
 Requestor: _____
 Date of Request: 2/6/85

FISCAL DETAIL

Agency Affected: Community & Regional Affairs
 Program Category Affected: Community Development

BRU, Program or Subprogram(s) Affected:
BRU: Local Government Assistance
Training & Development

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		-0-	-0-	-0-		

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL		-0-	-0-	-0-		

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: Tom Lane, Planning Supervisor
 Division: Municipal & Regional Assistance

Phone: 465-4750
 Date: 2/6/85

Approved by Commissioner: *Luise West*
 Agency: Community & Regional Affairs

Date: 2/11/85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

7/1/84

Introduced: 2/1/85
Referred: Community & Regional
Affairs, Judiciary and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2

HOUSE BILL NO. 158

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act exempting certain municipalities from con-
7 flict of interest requirements imposed by law; and
8 providing for an effective date."

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

10 * Section 1. AS 39.50.145 is amended to read:

11 Sec. 39.50.145. PARTICIPATION BY MUNICIPALITIES. This chapter
12 does not apply to a municipality with a population of 1,000 or less.
13 Any other [A] municipality may exempt its municipal officers or candi-
14 dates for municipal office from the requirements of this chapter if a
15 majority of the voters voting on the question at any regular election,
16 as defined by AS 29.78.010(14), or a special municipality-wide elec-
17 tion, vote to exempt its municipal officers or candidates from the
18 requirements of this chapter. The question of exemption from the
19 requirements of this chapter may be submitted by the city council or
20 borough assembly by ordinance or by initiative ordinance. Municipal
21 officers or candidates for municipal office of a municipality with a
22 population of 1,000 or less are covered by this chapter if a majority
23 of the voters voting on the question at a regular election, as defined
24 by AS 29.78.010(14), or a special municipality-wide election, vote to
25 make the requirements of this chapter apply to its municipal officers.
26 For the purpose of this section, population must be determined in the
27 same manner as provided in AS 15.13.010.

28 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
29 10.070(c).

BILL SHEFFIELD
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 1, 1985

RECEIVED
1985 FEB 13 P 3:45
OFFICE OF ADMINISTRATION
COMMISSIONER

The Honorable Ben Grussendorf
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, AK 99811

Dear Representative Grussendorf:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill exempting certain municipalities from the reporting requirements of the conflict-of-interests laws of the state (AS 39.50). This bill was requested by the Alaska Public Offices Commission in an effort to simplify the conflict-of-interests reporting requirements for small municipalities. Often the smaller municipalities are unable to attract candidates for municipal office because the reporting requirements are too burdensome for would-be candidates. The exemption provided by this bill would permit a municipality to adopt conflict-of-interests procedures which are tailored to local circumstances.

The population limit set in the bill was chosen so that most of the smaller municipalities could benefit. Perhaps the legislature will determine that a smaller population limit would better serve the public interest. I am not set on a particular size limitation. I am only concerned that the smaller municipalities be given a chance to attract the best qualified citizens to serve in municipal office.

Sincerely,

A handwritten signature in cursive script that reads "Bill Sheffield".

Bill Sheffield
Governor

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

Page 1 of 2

REQUEST

Bill/Resolution No.: HB 158
 Title: Exempting Certain Municipalities from Conflict of Interest
 Sponsor: _____
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: Independent Operations
 BRU, Program or Subprogram(s) Affected: Alaska Public Offices Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		4.7	4.7	4.7	4.7	4.7
200 TRAVEL		1.0	1.1	1.1	1.1	1.1
300 CONTRACTUAL		3.7				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		9.4	5.8	5.8	5.8	5.8
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		9.4	5.8	5.8	5.8	5.8
FEDERAL FUNDS						
OTHER						
TOTAL		9.4	5.8	5.8	5.8	5.8

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Prepared By: Jane Barosa Pittman Phone: 276-4176
 Division: Alaska Public Offices Commission Date: 12/18/84

Approved by Commissioner: Lisa Rudd Date: 12-28-84
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor

House Bill
 Fiscal Note Analysis
 Prepared by Division of Alaska Public Offices Commission
 Department of Administration
 December 18, 1984

Bill: Exempting Certain Municipalities from Conflict of Interest

This fiscal note reflects costs for the initial year revision of the statute and Manual of Instructions, distribution of public information on the change, and audit support for larger municipalities.

<u>Categories</u>	<u>FY 86</u>
(100) Personnel	
Clerk 1V, Range 9A	4.7
Extend seasonal clerk/auditor position for two months to provide audit support to larger municipalities	
(200) Travel	1.0
Provide one annual auditing and information seminar to city clerks in Juneau and Fairbanks	
(300) Contractual	
Printing	1.4
Revise the statute and Manual of Instructions	
Advertisements	.6
Semiannual advertisements in four regional newspapers on the changes in the Law and the regional information seminars	
Professional Services	
37 hours typing for Manual and statute revisions	1.7
	3.7
TOTAL	9.4

February 15, 1985

Jane Barcott
Associate Coordinator
Alaska Public Offices Commission

HB 158 Comments

The Alaska Public Offices Commission recommended this proposed language to the Governor and supports HB 158. The Conflict of Interest Law, AS 39.50, was passed as a citizen initiative in 1975. Currently, 104 cities and boroughs are subject to the Law. Seventy nine cities have populations of less than 1,000.

The statute has two aspects: financial disclosure and "prohibited acts." The primary purpose of the Law is financial disclosure. In small communities, financial interests are widely known. As such, the disclosure requirements serve little public purpose, are poorly understood, and compliance is minimally monitored. The Commission believe the state's interest would be better served by recognizing that the financial disclosure provisions are not appropriate to many localities and by concentrating compliance efforts in communities where disclosure provides the public with information not readily available through other sources.

We surveyed city clerks in January. One question related to exemption of small communities from AS 39.50 unless the area voted otherwise. Of the 46 clerks who responded, 15 indicated they believed their community would support this proposal, 4 replied negatively, and 26 responded they did not know. When asked if such communities should be able to vote to be subject to the Law, 24 answered affirmatively, 3 negatively, and 18 that they did not know.

The provision allowing small communities to vote to require compliance is meant to provide a safeguard for those localities where local citizens believe the requirements of AS 39.50 are suitable.



RECORDS CERTIFICATION

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James O. Smith
Signature of Camera Operator

7/25/89
Date