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HOUSE STATE AFFAIRS COMMITTEE

NEXT COMMITTEE: JUDICIARY

BILL: HB 312

CURRENT VERSION:

SCHEDULED: MARCH 11, 1988

SPONSOR: POURCHOT

PHONE NO: 3879

CONTACT FILE: _____

BILL SUBJECT: STANDARDS OF CONDUCT FOR MEMBERS OF LEGISLATURE AND EMPLOYEES OF THE LEGISLATURE

SPONSOR BACKUP: SECTIONAL ANALYSIS

AFFECTED AGENCIES:

<u>DEPARTMENT</u>	<u>CONTACT/PHONE</u>	<u>COMMENT</u>
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LEG. AUDIT		
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FISCAL NOTES

<u>AGENCY</u>	<u>REQUESTED</u>	<u>DATED</u>	<u>FY 88 AMT</u>	<u>FY 89 AMT</u>
LEG AUDIT	3/4/88	3/9/88	-0-	-0-

ACTION

<u>DATE</u>	<u>COMMENT</u>
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3/11/88	HEARING - TO BE TAKEN UP ON 3/14/88
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3/14/88	PASSED FROM HOUSE STATE AFFAIRS
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STATE OF ALASKA
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY
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POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

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 State Affrs:

March 14, 1988

M E M O R A N D U M

February 24, 1988

SUBJECT: Standards of conducts under AS 24.60
[HB 312]

TO: Representative Pat Pourchot

FROM: Richard A. Bradley
Legislative Counsel

Kim Elton has requested a sectional analysis of the above described bill.

As a preliminary matter, please note that a sectional analysis of the bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1 of the bill amends AS 24.60.030(f). The section broadens the scope of the existing provision of law that prohibits fundraisers during the legislative session in Juneau; the existing provision permits fund-raising events outside of Juneau. The amendment prevents the acceptance of funds raised during the session. The amendment also broadens the prohibited purposes; existing law seems to prohibit only fundraisers for legislative campaign or legislative political purposes. The deletion of "state legislative" and addition of "political" means that a legislator cannot hold fund-raising events for a campaign for other offices.]

Note also that AS 24.60.030(g)-- the exception for members of the legislature elected from Juneau-- is repealed in section 8 of this bill.

Section 2 of the bill amends AS 24.60.050(b). The amendment delays until March 10 of each year (from existing law's February 1) the time for the reports from state agencies that have a loan to a person to whom this chapter applies. The amendment requires that the report go to the division of legislative audit rather than the presiding officer of each

house. The amendment requires the division of legislative audit to assemble the list by March 15 for delivery to the presiding officers and the publication on the journal.

Section 3 of the bill amends AS 24.60.050(e). The amendment requires the division of legislative audit to report to the legislature by April 15 (in place of April 1) on its review of the procedures used by executive branch agencies in granting or reviewing loan conditions imposed by the agencies. Apart from the change in the time of the report, the amendment provides that the findings reported to the committee are confidential until released by the committee.

Section 4 of the bill amends AS 24.60.130(d). The amendment requires that the chairman of the senate and the house subcommittee of the Select Committee must be a member of the legislature.

Section 5 of the bill amends AS 24.60.130(e) to deal with the situation where a vacancy in the membership of the Select Committee occurs at a time when it is awkward for the regular procedures on the filling of the vacancy to be followed. An individual appointed in this situation serves without confirmation or ratification.

Section 6 of the bill adds a new subsection (i) to AS 24.60.130. It makes explicit the requirements of a quorum for both the committee and its subcommittees.

Section 7 of the bill amends AS 24.60.170(d). The amendment amends that portion of the section that stays all proceedings that are pending before the committee on the 60th day preceding a state primary or general election until the certification of the election "unless the proceedings are based on a complaint initiated by two-thirds of the members of the committee". The amendment permits the continuation of a complaint initiated by a nonmember of the committee if two thirds of the members of the committee direct the continuation of the proceeding.

Section 8 of the bill repeals AS 24.60.020(a)(4) and AS 24.60.030(g). AS 24.60.020(a)(4) provides, in context:

Sec. 24.60.020. APPLICABILITY. (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature and to a person employed

public
members
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Representative Pat Pourchot
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by the legislative branch of government. This chapter does not apply to

* * *

(4) a person employed privately by a legislator if the person does not perform legislative duties.

AS 24.60.030(g) provides:

(g) Members of the legislature elected to represent the capital city are exempt from the requirements of (f) of this section.

The provision of AS 24.60.030(f) are amended in Section 1 of this bill.

Section 9 of the bill establishes an immediate effective date.

If I may be of further assistance, please advise.

RAB:gc
WKG2:03

PROPOSED AMENDMENTS TO HB 312
By REPRESENTATIVE PAT POURCHOT

March 11, 1988

1) To clarify that only legislative employees employed at or above the level of Step A, Range 18 are covered by the code of ethics.

AS 24.60.020(a)(3) is amended to read:

(3) a person employed by the legislative branch of government who [whose compensation] is below Step A, Range 18 of the state salary schedule established in AS 39.27.011(a);

2) To clarify the date at which the Senate subcommittee chair and the House subcommittee chair begin their tenure as chair of the full committee.

AS 24.60.130(d) is amended to read:

(d) The members of each subcommittee shall elect a chair. The chair selected by the senate subcommittee shall chair the full committee beginning the first day of the session in odd-numbered years and the chair selected by the house subcommittee shall chair the full committee beginning the first day of the session in even-numbered years.

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Standards of Conduct for Members
of the Legislature and Employees
Sponsor: Rep. Pourchot
Requestor: Rep. Ulmer, State Affairs

Agency Affected: Div. of Legislative Audit
BRU: Legislative Budget and
Audit Committee
Components: Legislative Audit

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

The requirements of the proposed legislation could be accomplished within the Division's existing budget.

Prepared by: Randy S. Welker
Division: Division of Legislative Audit

Phone: 465-3830
Date: 3/9/88

Approved by ~~Commissioner~~: Randy S. Welker
Agency: Division of Legislative Audit

Date: 3/9/88

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