

HB

109

SUBCOMM.

FILE #3

TITLE 24

(FILE 1)

<p>AS 24.60.130(n) Allows the chair of the committee or a subcommittee to designate the alternate legislative member to attend a meeting if the regular member is unable to attend. Currently the chair can only appoint the alternate if the regular member has a conflict with an item on the meeting agenda.</p>			<p>X</p>	<p>17</p>
<p>AS 24.60.150(a) Puts current practice into statute by deleting the requirement that summaries of public decisions and advisory opinions be published on a semi-annual basis. Public decisions have been published annually since 1999 and advisory opinions have been published annually since 1995.</p>			<p>X</p>	<p>18</p>
<p>AS 24.60.155 Makes annual ethics classes mandatory for legislators, legislative employees, and public members of the committee. New legislators, legislative employees, and public members of the ethics committee would be required to get the training within 30 days of from the first day of service.</p>			<p>X</p>	<p>19</p>
<p>AS 24.60.160 Allows the ethics committee and APOC to request an advisory opinion. Requires the committee to purge advisory opinions to prevent the disclosure of the identity of the person requesting the opinion and any other persons named in the opinion. Clarifies person requesting the opinion can waive confidentiality.</p>			<p>X</p>	<p>20</p>

AS 24.60.100 The purpose of this amendment is to prevent a legislator or legislative employee from being compensated by a client or constituent for representing them before a municipality or a legislative or executive branch agency, board, or commission. Such representation would fall within the boundaries of the legislator's or legislative employee's normal duties.

X

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AS 24.60.105(a) Filing dates for ethics disclosures are very confusing. Some disclosures are required within 30 days of association at certain times of the year, some annually, and no disclosure are required during the timeframe of 30 days prior to the end of the session.

This amendment requires all disclosures to be filed within 30 days of the association or interest.

X

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AS 24.60.115 new law requires a former legislator, legislative employee or public member of the Select Committee on Legislative Ethics to file disclosure information for all matters relevant to when that person was a legislator, legislative employee or public member of the Select Committee on Legislative Ethics even though they no longer hold that position.

X

X
Within
90 days

X

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AS 24.60.050(c) Deletes "written report" and replaces it with "disclosure" to make language consistent with other sections of statute.

Allows the committee to refrain from publishing disclosures that would be considered an invasion of the discloser's privacy. Currently a person who is a victim of violent crimes would have to disclose and the committee has determined they don't have the authority to withhold publication of the name.

Adds language requiring gift disclosures to be published in the journal along with other disclosures.

AS 24.60.070(c) Another amendment to the legislation prohibits a spouse or domestic partner of a legislator from lobbying eliminating the ability for a legislator to have close economic relationship

AS 24.60.080(c)(7) Special discounts are given to legislators and their staff to make the stay during session more affordable. An example is reduced rates at a local athletic club. This amendment adds the office of victims' rights to the list of legislative employees that do not qualify for the discounts

X

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X

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X

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TITLE 24.45 REGULATION OF LOBBYING - New Subsection AS 24.45.041

EXISTING STATUTE

1361C.5 - Harris Bullard

EXPLANATION

<p>AS 24.45.041(b) Registration Form Criteria for Lobbyists</p> <p>AS 24.45.041(b) requires certain disclosure on the registration form to be completed by a lobbyist and includes in subsection (7) the identification of a legislator, legislative employee, or public official to whom a lobbyist is related or who is the domestic partner of the lobbyist.</p>	<p>Sec. 1. Deletes the word [LEGISLATOR] from subsection (7)</p>			<p>The amendment on Tab #2 prohibits a spouse or domestic partner of a legislator from lobbying eliminating the requirement to report the relationship to a legislator.</p>
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TAB 1

TITLE 24.45 REGULATION OF LOBBYING - New subsection AS 24.45.121

EXISTING STATUTE	HB 20 - Harris	136C.5 - Harris/Bullard	10591A.1 Thomas/Cook	EXPLANATION
<p>Sec. 24.45.121, Prohibitions</p> <p>Existing language does not have restrictions for spouses or domestic partners of legislators to be paid lobbyists.</p>	<p>Sec. 4. AS 24.45.121 is amended by adding a new subsection to read:</p> <p>(d) A person who is married to or who is the domestic partner of a legislator may not receive any consideration for engaging in lobbying, and a person may not employ for pay or any consideration of pay or agree to pay consideration for engaging in lobbying to a person who is married to or who is the domestic partner of a legislator.</p>	<p>Sec. 2. AS 24.45.121 is amending the section by adding a new subsection to read:</p> <p>(d) The spouse or domestic partner of a legislator may not engage in an activity as a lobbyist. This subsection does not prohibit the spouse or domestic partner from acting as a volunteer lobbyist under AS 24.45.181 or a recreational lobbyist as defined under regulations of the commission.</p>	<p>Sec. 2. is amending AS 24.45.121 by adding a new subsection to read:</p> <p>(d) The spouse or domestic partner of a legislator may not engage in an activity as a lobbyist. This subsection does not prohibit the spouse or domestic partner from acting as a volunteer lobbyist under AS 24.45.181 or a recreational lobbyist as defined under regulations of the commission.</p>	<p>This new section of law would prohibit a spouse or domestic partner from engaging in lobbying and would prohibit a person from utilizing the services of a spouse or domestic partner as a lobbyist.</p>

TAB 2 deferred next meeting

TITLE 24.60 STANDARDS OF CONDUCT - AS 24.60.020

EXISTING STATUTE	HB 10 - Lynn	SB 20 - Franch	S29A Ethics - Harris/ Wayne	EXPLANATION
<p>Applicability of Chapter Sec. 24.60.020</p> <p>...This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless the provision specifically states that it applies;</p>	<p>Sec. 1. AS 24.60.020 ...This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless a [THE] provision of this chapter specifically states that it applies;</p>	<p>Sec. 1. AS 24.60.020 is amended to read:</p> <p>This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless a [THE] provision of this chapter specifically states that it applies.</p>	<p>AS 24.60.020(a)(1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless a [THE] provision of this chapter specifically states that it applies.</p>	<p>Language clean up to clarify that this subsection applies to Chapter 60, Standards of Conduct.</p>

TAB 3

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.030(a)

EXISTING STATUTE	S291A Ethics - Harris/ Wayne			EXPLANATION
<p>AS 24.60.030(a)(2)(K) ... this paragraph does not prohibit</p> <p>(K) a legislator from sending any communication in the form of a newsletter to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee, or</p>	<p>AS 24.60.030(a)(K) ... this paragraph does not prohibit</p> <p>(K) a legislator from sending any communication in the form of a newsletter to the legislator's constituents, <u>unless</u></p> <p><u>L the communication is sent during the 30-day period immediately preceding a state election, or</u></p> <p><u>M M is [EXCEPT] a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee, or</u></p>			<p>This would prohibit the mailing of a legislative newsletter 30 days prior to an election.</p> <p><i>Prim or general</i></p>

TAB 4

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.030(a)

EXISTING STATUTE	B29A Ethics - Harris/ Wayne			EXPLANATION
<p>AS 24.60.030(a)(7)(L) ... this paragraph does not prohibit</p> <p>(L) full participation in a charity event approved in advance by the Alaska Legislative Council.</p>	<p>AS 24.60.030(a)(7)(L) ... this paragraph does not prohibit</p> <p>(L) full participation in a charity event approved in advance by the Select Committee on Legislative Ethics [ALASKA LEGISLATIVE COUNCIL].</p>			<p>This is language clean up for changes recommended by the Ethics Committee to transfer the sanctioning of charity events from the Alaska Legislative Council to the Select Committee on Legislative Ethics. See AS 24.60.000(c)(10) Gifts</p>

TAB 5

*Coghill believes
Auth. in leg. Council
should
be
leg. should be in discussion*

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.030(a)

EXISTING STATUTE	HB 20 - Harris	EXPLANATION		
<p>Sec. 24.60.030(a) Prohibitions related to conflicts of interest and unethical conduct.</p> <p>This subsection provides a list of things a legislator or an employee of a legislator cannot do such as solicit unofficial compensation, using public facilities for official purposes or, require a legislative employee to perform services for the private benefit of the legislator or employee, use public funds or facilities for campaign purposes, etc.</p> <p>AS 24.60.030 currently does not have a subsection (a)(6).</p>	<p>Sec. 4. AS 24.60.030(a) is amended to read:</p> <p>(a) A legislator or legislative employee may not</p> <p><u>(6) enter into a contract to provide consulting services.</u></p>			<p>Adds an additional restriction to Prohibitions related to conflicts of interest and unethical conduct prohibiting a legislator or legislative employee from entering into a consulting contract.</p>

Can we bring this into this part

per coghill

Other way to deal w/ it

TAB 1

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.030(f)

EXISTING STATUTE	S29A Ethics-HarrisWayne	EXPLANATION
<p>AS 24.60.030(f)</p> <p>(f) A legislative employee may not serve in a position that requires confirmation by the legislature. A legislator or legislative employee may serve on a board of an organization, including a government entity, that regularly has a substantial interest in the legislative activities of the legislator or employee if the legislator or employee discloses the board membership to the committee. A legislator or legislative employee who is required to make a disclosure under this subsection shall file the disclosure with the committee by the deadlines set out in AS 24.60.105 stating the name of each organization on whose board the person serves. The committee shall maintain a public record of the disclosure and forward the disclosure to the appropriate house for inclusion in the journal. This subsection does not require a legislator or legislative employee who is appointed to a board by the presiding officer to make a disclosure of the appointment to the committee if the appointment has been published in the appropriate legislative journal during the calendar year.</p>	<p>AS 24.60.030(f)</p> <p>(f) A legislative employee may not serve in a position that requires confirmation by the legislature. A legislator or legislative employee <u>who serves</u> [MAY SERVE] on a board of an organization, including a government entity, <u>shall disclose</u> [THAT REGULARLY HAS A SUBSTANTIAL INTEREST IN THE LEGISLATIVE ACTIVITIES OF THE LEGISLATOR OR EMPLOYEE IF THE LEGISLATOR OR EMPLOYEE DISCLOSES] the board membership to the committee. <u>A person</u> [A LEGISLATOR OR A LEGISLATIVE EMPLOYEE WHO IS] required to make a disclosure under this subsection shall file the disclosure with the committee by the deadline [DEADLINES] set out in AS 24.60.105 stating the name of each organization on whose board the person serves. The committee shall maintain a public record of the disclosure and forward the disclosure to the appropriate house for inclusion in the journal. This subsection does not require a legislator or legislative employee who is appointed to a board by the presiding officer to make a disclosure of the appointment to the committee if the appointment has been published in the appropriate legislative journal during the calendar year.</p>	<p>Eliminates the subjective language for filing requirements for ethics disclosures and makes the filing inclusive, the same standard as APOC.</p> <p>Disclosures are on the Ethics website for public view.</p>

TAB *

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.6. 50(c)

EXISTING STATUTE

529A Ethics-HarrisWayne

EXPLANATION

AS 24.60.050(c) A legislator or legislative employee who participates in a program or receives a loan that is not exempt from disclosure under (a) of this section shall file a written report with the committee by the date required under AS 24.60.105 stating the amounts of the loans outstanding or benefits received during the preceding calendar year from nonqualifying programs. If the committee requests additional information necessary to determine the propriety of participating in the program or receiving the loan, it shall be promptly provided. The committee shall promptly compile a list of the statements indicating the loans and programs and amounts and send it to the presiding officer of each house who shall have it published in the supplemental journals within three weeks after the filing date. A legislator or legislative employee who believes that disclosure of participation in a program would be an invasion of the participant's right to privacy under the state constitution may request the committee to keep the disclosure confidential. If the committee finds that publication would constitute an invasion of privacy, the committee shall publish only the fact that a person has participated in the program and the amount of benefit that the unnamed person received. The committee shall maintain the disclosure of the name of the person as confidential and may only use the disclosure in a proceeding under AS 24.60.170. If the disclosure becomes part of the record of a proceeding under AS 24.60.170, the disclosure may be made public as provided in that section.

AS 24.60.050(c) A legislator or legislative employee who participates in a program or receives a loan that is not exempt from disclosure under (a) of this section shall file [A WRITTEN REPORT] with the committee by the date required under AS 24.60.105 a disclosure stating the amounts of the loans outstanding or benefits received during the preceding calendar year from nonqualifying programs. If the committee requests additional information necessary to determine the propriety of participating in the program or receiving the loan, it shall be promptly provided. The committee shall promptly compile a list of the statements indicating the loans and programs and amounts and send it to the presiding officer of each house who shall have it published in the supplemental journals on or before the next regularly scheduled publication of ethics disclosures [WITHIN THREE WEEKS AFTER THE FILING DATE]. [E.g. (A) legislator or legislative employee shall (WHO BELIEVES THAT DISCLOSURE OF PARTICIPATION IN A PROGRAM WOULD BE AN INVASION OF THE PARTICIPANT'S RIGHT TO PRIVACY UNDER THE STATE CONSTITUTION MAY REQUEST) the committee to keep any part of the disclosure confidential and a quorum of the committee determines that making the entire disclosure public would cause an unjustifiable invasion of personal privacy, the committee may elect to] IF THE COMMITTEE FINDS THAT PUBLICATION WOULD CONSTITUTE AN INVASION OF PRIVACY, THE COMMITTEE SHALL] publish only the fact that a person has participated in the program and the amount of benefit that the unnamed person received. The committee shall maintain the disclosure of the name of the person as confidential and may only use the disclosure in a proceeding under AS 24.60.170. If the disclosure becomes part of the record of a proceeding under AS 24.60.170, the disclosure may be made public as provided in that

Replaces the "written report" with "disclosure" to make language consistent with other sections of the statutes.

Allows the committee to refrain from publishing disclosures that would be considered an invasion of the discloser's privacy.

Currently a person who is a participant of the Violent Crimes Compensation program would have to disclose and the committee has determined they don't have the authority to withhold publication of a name.

Adds language requiring gift disclosures to be published in the journal along with other with other disclosures.

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.070

EXISTING STATUTE	139C.6 - Harris/Bullard	1059A.1 Thomas/Cook		EXPLANATION
<p>AS 24.60.070(c) requires disclosure of close economic association a spouse or domestic partner of a legislator or legislative employee who is a lobbyist.</p>	<p>AS 24.60.070(c) Deletes the reference to [LEGISLATOR] in this subsection.</p>	<p>AS 24.60.070(c) Deletes the reference to [LEGISLATOR] in this subsection.</p>		<p>Another amendment to the legislation prohibits a spouse or domestic partner of a legislator from lobbying, eliminating the ability for a legislator to have close economic relationship.</p>

TAB 9

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.080(c)

EXISTING STATUTE

529A Ethics-HarrisWayne

EXPLANATION

Tab 10a

<p>AS 24.60.080(c)(7) a discount for all or part of a legislative session, including time immediately preceding or following the session, or other gift to welcome a legislator or legislative employee who is employed on the personal staff of a legislator or by a standing or special committee to the capital city or in recognition of the beginning of a legislative session if the gift or discount is available generally to all legislators and the personal staff of legislators and staff of standing and special committees; this paragraph does not apply to legislative employees who are employed by the Legislative Affairs Agency, the office of the chief clerk, the office of the senate secretary, the legislative budget and audit committee, or the office of the ombudsman;</p>	<p>AS 24.60.080(c)(7) a discount for all or part of a legislative session, including time immediately preceding or following the session, or other gift to welcome a legislator or legislative employee who is employed on the personal staff of a legislator or by a standing or special committee to the capital city or in recognition of the beginning of a legislative session if the gift or discount is available generally to all legislators and the personal staff of legislators and staff of standing and special committees; this paragraph does not apply to legislative employees who are employed by the Legislative Affairs Agency, the office of the chief clerk, the office of the senate secretary, the legislative budget and audit committee, <u>the office of victims' rights</u>, or the office of the ombudsman;</p>	<p>Special discounts are given to legislators and their staff to make the stay during session more affordable. An example is reduced rates at a local athletic club. This amendment adds the office of victims' rights to the list of legislative employees that do not qualify for the discounts.</p>
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EXISTING STATUTE

529A Ethics-HarrisWayne

EXPLANATION

Tab 10b

<p>AS 24.60.080(c)(10) tickets from a lobbyist for a charity event at any time, including during a legislative session, except that tickets to or gifts received at a charity event under this paragraph are subject to the calendar year limit on the value of gifts received by a legislator or legislative employee in (a) of this section; in this paragraph, "charity event" means an event the proceeds of which go to a charitable organization with tax-free status under 26 U.S.C. 501(c)(3) and that the Alaska Legislative Council has approved in advance; the tickets may entitle the bearer to admission to the event, to entertainment, to food or beverages, or to other gifts or services involved in the charity event; or</p>	<p>AS 24.60.080(c)(10) tickets from a lobbyist for a charity event at any time, including during a legislative session, except that tickets to or gifts received at a charity event under this paragraph are subject to the calendar year limit on the value of gifts received by a legislator or legislative employee in (a) of this section; in this paragraph, "charity event" means an event the proceeds of which go to a charitable organization with tax-free status under 26 U.S.C. 501(c)(3) and that the <u>Select Committee on Legislative Ethics</u> (ALASKA LEGISLATIVE COUNCIL) has approved in advance; the tickets may entitle the bearer to admission to the event, to entertainment, to food or beverages, or to other gifts or services involved in the charity event; or</p>	<p>This is language recommended by the Ethics Committee to transfer the sanctioning of charity events from the Alaska Legislative Council to the Select Committee on Legislative Ethics. The committee believes this will allow oversight from one area and provide consistency of information provided by Ethics and APOC.</p>
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TAB 10 make tab 10a Tab 10b

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.080(d)

EXISTING STATUTE	5291A Ethics-HarrisWayne	EXPLANATION
<p>AS 24.60.080(d) A legislator or legislative employee who accepts a gift under (c)(4) of this section that has a value of \$250 or more shall disclose to the committee, within 30 days after receipt of the gift, the name and occupation of the donor and the approximate value of the gift. A legislator or legislative employee who accepts a gift under (c)(8) of this section that the recipient expects will have a value of \$250 or more in the calendar year shall disclose to the committee, within 30 days after receipt of the gift, the name and occupation of the donor, a general description of the matter of legislative concern with respect to which the gift is made, and the approximate value of the gift. The committee shall maintain a public record of the disclosures it receives relating to gifts under (c)(4) and (8) of this section and shall forward the disclosures to the appropriate house for inclusion in the journal. The committee shall forward to the Alaska Public Offices Commission copies of the disclosures concerning gifts under (c)(4) and (8) of this section that it receives from legislators and legislative directors. A legislator or legislative employee who accepts a gift under (c)(6) of this section that has a value of \$250 or more shall disclose to the committee annually on or before March 15 the name and occupation of the donor and a description of the gift. The committee shall maintain disclosures relating to gifts under (c)(6) of this section as confidential records and may only use, or permit a committee employee or contractor to use, a disclosure under (c)(6) of this section in the investigation of a possible violation of this section or in a proceeding under AS 24.60.170. If the disclosure under (c)(6) of this section becomes part of the record of a proceeding under AS 24.60.170, the confidentiality provisions of that section apply to the disclosure.</p>	<p>AS 24.60.080(d) A legislator or legislative employee who accepts a gift under (c)(4) of this section that has a value of \$250 or more shall disclose to the committee, within 30 days after receipt of the gift, the name and occupation of the donor and the approximate value of the gift. A legislator or legislative employee who accepts a gift under (c)(8) of this section that the recipient expects will have a value of \$250 or more in the calendar year shall disclose to the committee, within 30 days after receipt of the gift, the name and occupation of the donor, a general description of the matter of legislative concern with respect to which the gift is made, and the approximate value of the gift. The committee shall maintain a public record of the disclosures it receives relating to gifts under (c)(4), (c)(6), and (1) and (8) of this section and shall forward the disclosures to the appropriate house for inclusion in the journal. The committee shall forward to the Alaska Public Offices Commission copies of the disclosures concerning gifts under (c)(4), (c)(6), and (1) and (8) of this section that it receives from legislators and legislative directors. A legislator or legislative employee who accepts a gift under (c)(6) of this section that has a value of \$250 or more shall disclose to the committee annually on or before March 15 the name and occupation of the donor and a description of the gift. The committee shall maintain disclosures relating to gifts under (c)(6) of this section as confidential records and may only use, or permit a committee employee or contractor to use, a disclosure under (c)(6) of this section in the investigation of a possible violation of this section or in a proceeding under AS 24.60.170. If the disclosure under (c)(6) of this section becomes part of the record of a proceeding under AS 24.60.170, the confidentiality provisions of that section apply to the disclosure.</p>	<p>Adds gifts received by family members to the disclosures that are maintained for public record and forwarded to APOC.</p>

TAB 11 *Deferred* *Greenberg*

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.080(e)

EXISTING STATUTE	HB 20 - Harris	SB 20 - French	EXPLANATION
<p>Sec. 24.60.080(e) Gifts</p> <p>(e) A political contribution is not a gift under this section if it is reported under AS 15.13.040 or is exempt from the reporting requirement under AS 15.13.040(g). The use of a bulk mailing permit owned by a legislator's campaign committee or used in a legislator's election campaign is not a gift to the legislator under this section.</p>	<p>Sec. 6 AS 24.60.080(e) is amended to read:</p> <p>(e) A political contribution is not a gift under this section if it is reported under AS 15.13.040 [OR IS EXEMPT FROM THE REPORTING REQUIREMENT UNDER AS 15.13.040(g)]. The use of a bulk mailing permit owned by a legislator's campaign committee or used in a legislator's election campaign is not a gift to the legislator under this section.</p>	<p>Sec. 4. AS 24.60.080(e) is amended to read:</p> <p>(e) A political contribution is not a gift under this section if it is reported under AS 15.13.040 [OR IS EXEMPT FROM THE REPORTING REQUIREMENT UNDER AS 15.13.040(g)]. The use of a bulk mailing permit owned by a legislator's campaign committee or used in a legislator's election campaign is not a gift to the legislator under this section.</p>	<p>Eliminates an exemption for a candidate who does not intend to raise more than \$5,000 in his campaign or expend more than \$5,000 in his campaign. All candidates will be required to report gifts per statute.</p>

EXISTING STATUTE	529A Ethics-Harris\Wayne	EXPLANATION
<p>AS 24.60.080(i) A legislator or legislative employee who knows or reasonably should know that a family member has received a gift because of the family member's connection with the legislator or legislative employee shall report the receipt of the gift by the family member to the committee if the gift would have to be reported under this section if it had been received by the legislator or legislative employee or if receipt of the gift by a legislator or legislative employee would be prohibited under this section.</p>	<p>AS 24.60.080(i) A legislator or legislative employee who knows or reasonably should know that a family member has received a gift because of the family member's connection with the legislator or legislative employee shall <u>disclose for publication under (d) of this section</u> [REPORT] the receipt of the gift by the family member to the committee if the gift would have to be <u>disclosed</u> [REPORTED] under this section if it had been received by the legislator or legislative employee or if receipt of the gift by a legislator or legislative employee would be prohibited under this section.</p>	<p>This language puts disclosers on notice that they must disclose gifts of family members' and the disclosure will be published</p>

12/2

12/2

in file
11/16/1

TAB 12

tab 12a

tab 12 b deferred

Greater
wanted to
pick up that
language

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.100

EXISTING STATUTE

1361C.5 - Harris/Bullard

EXPLANATION

AS 24.60.100 Representation. A legislator or legislative employee who represents another person for compensation before an agency, board, or commission of the state shall disclose the name of the person represented, the subject matter of the representation, and the body before which the representation is to take place to the committee. The disclosure shall be made by the deadlines set out in AS 24.60.105. The committee shall maintain a public record of a disclosure under this section and forward the disclosure to the respective house for inclusion in the journal. A legislator or legislative employee may not represent another person for compensation before an agency, committee, or other entity of the legislative branch.

AS 24.60.100 Representation. A legislator or legislative employee may not (WHO REPRESENTS) another person for compensation before a municipality or a legislative or executive branch [AN] agency, board, or commission of the state SHALL DISCLOSE THE NAME OF THE PERSON REPRESENTED, THE SUBJECT MATTER OF THE REPRESENTATION, AND THE BODY BEFORE WHICH THE REPRESENTATION IS TO TAKE PLACE TO THE COMMITTEE. THE DISCLOSURE SHALL BE MADE BY THE DEADLINES SET OUT IN AS 24.60.105. THE COMMITTEE SHALL MAINTAIN A PUBLIC RECORD OF A DISCLOSURE UNDER THIS SECTION AND FORWARD THE DISCLOSURE TO THE RESPECTIVE HOUSE FOR INCLUSION IN THE JOURNAL. A LEGISLATOR OR LEGISLATIVE EMPLOYEE MAY NOT REPRESENT ANOTHER PERSON FOR COMPENSATION BEFORE AN AGENCY, COMMITTEE, OR OTHER ENTITY OF THE LEGISLATIVE BRANCH].

The purpose of this amendment is to prevent a legislator or legislative employee from being compensated by a client or constituent for representing them before a municipality or a legislative or executive branch agency, board, or commission. Such representation would fall within the boundaries of the legislator's or legislative employee's normal duties.

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.105

EXISTING STATUTE

1361C.5 - Harris/Wayne

EXPLANATION

<p>AS 24.60.105(a) When a legislator or legislative employee is required to file a disclosure under this chapter and a date by which the disclosure must be filed is not otherwise set by statute, the deadlines set out in this section shall apply. For disclosure of a matter or an interest that began or was acquired during the interim between regular legislative sessions, whether or not the regular session is extended or there is a special session, or during the last 30 days of a regular session, the legislator or legislative employee shall disclose the matter by March 15. For disclosure of a matter or an interest that began or was acquired during a regular legislative session, but not during the last 30 days of the regular session, the disclosure must be made within 30 days after the commencement of the interest or representation.</p>	<p>AS 24.60.105(a) When a legislator or legislative employee is required to file a disclosure under this chapter and a date by which the disclosure must be filed is not otherwise set by statute, the <u>deadline for filing disclosure shall be 30 days</u> [DEADLINE SET OUT IN THIS SECTION SHALL APPLY. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR WAS ACQUIRED DURING THE INTERIM BETWEEN REGULAR LEGISLATIVE SESSIONS, WHETHER OR NOT THE REGULAR SESSION IS EXTENDED OR THERE IS A SPECIAL SESSION, OR DURING THE LAST 30 DAYS OF A REGULAR SESSION, THE LEGISLATOR OR LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE MATTER BY MARCH 15. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR WAS ACQUIRED DURING A REGULAR LEGISLATIVE SESSION, BUT NOT DURING THE LAST 30 DAYS OF THE REGULAR SESSION, THE DISCLOSURE MUST BE MADE WITHIN 30 DAYS] after the commencement of the interest or representation.</p>	<p>Filing dates for ethics disclosures are very confusing. Some disclosures are required within 30 days of association at certain times of the year, some annually, and no disclosure are required during the timeframe of 30 days prior to the end of the session.</p> <p>This amendment requires all disclosures to be filed within 30 days of the association or interest.</p>
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TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.115

EXISTING STATUTE	HB 10 Lynn	SB 20 French	1361C.5 - Harris/Bullard	EXPLANATION
<p align="center">NONE</p>	<p>Sec. 3. AS 24.60 is amended by adding a new section to Article 2 to read:</p> <p>Sec. 24.60.115. Disclosures by a former legislator, legislative employee, or public member of the committee. When a person who is a legislator, legislative employee, or public member of the committee is required to file a disclosure under this chapter, that person, as a former legislator, legislative employee, or public member of the committee is also required to file a disclosure if the matter subject to disclosure existed while the person was a legislator, legislative employee, or public member of the committee.</p>	<p>Sec. 2. AS 24.60 is amended by adding a new section to Article 2 to read:</p> <p>Sec. 24.60.115. Disclosures required of a legislator, legislative employee or public member of the committee. A person serving as a legislator, legislative employee, or public member of the committee shall, no later than 90 days after the person's final day of service, file a disclosure of every matter that was subject to disclosure under this chapter while the person was serving.</p>	<p>AS 24.60.115 Disclosures by a former legislator, legislative employee, or public member of the committee. Requires a person leaving service as a legislator, legislative employee, or public member of the committee to, within 60 days, report all disclosures required under AS 24.60 105(a) but not yet reported.</p> <p>Retroactively requirement to April 9, 2006.</p>	<p>Under existing law, once a person leaves service, they no longer are bound by disclosure laws. This new section would require them to report all matters subject to disclosure under 24.60 while they were in public service regardless of the fact they are no longer in service. SB 20 puts a time restraint on the reporting requirement.</p>

*Suggested
Next 5Comm
mtg on Thursday
5pm*

*W/4/11
HB 109 has Sec. 3
Similar -
no dup.
24.60.210 - who should
disclose
Title 39 150?
note re.
LC recorded.*

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TAB 16

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.130(n)

EXISTING STATUTE

529A Ethics-HarrisWayne

EXPLANATION

<p>AS 24.60.130(n) When appointing members of the legislature to serve on the committee, the speaker of the house or the president of the senate, as appropriate, shall appoint an alternate member for each regular member. An alternate must have the same qualifications as the regular member for whom the alternate stands as alternate and is subject to confirmation as required for the regular member. If a regular legislative member of the committee or a subcommittee is disqualified under (h) of this section from serving on the committee or the subcommittee concerning a proceeding under AS 24.60.170, the chair of the committee or a subcommittee shall designate the regular member's alternate to serve in place of the regular member in the proceeding unless the alternate is also disqualified from serving. The designation shall be treated as confidential to the same extent that the identity of the subject of a complaint is required to be kept confidential.</p>	<p>AS 24.60.130(n) When appointing members of the legislature to serve on the committee, the speaker of the house or the president of the senate, as appropriate, shall appoint an alternate member for each regular member. An alternate must have the same qualifications as the regular member for whom the alternate stands as alternate and is subject to confirmation as required for the regular member. <u>If a regular legislative member of the committee or a subcommittee is unable to attend a meeting, the chair of the committee or a subcommittee shall designate the regular member's alternate to serve in place of the regular member at the meeting and the designated alternate shall serve unless unable to serve for any reason.</u> If a regular legislative member of the committee or a subcommittee is disqualified under (h) of this section from serving on the committee or the subcommittee concerning a proceeding under AS 24.60.170 <u>or if the regular member is unable to attend,</u> the chair of the committee or a subcommittee shall designate the regular member's alternate to serve in place of the regular member in the proceeding unless the alternate is also disqualified from serving. The designation shall be treated as confidential to the same extent that the identity of the subject of a complaint is required to be kept confidential.</p>	<p>Allows the chair of the committee or a subcommittee to designate the alternate legislative member to attend a meeting if the regular member is unable to attend. Currently the chair can only appoint the alternate if the regular member has a conflict with an item on the meeting agenda.</p>
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TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.150(a)

EXISTING STATUTE	§291A Ethics-Harris/Wayne	EXPLANATION
<p>AS 24.60.150(a) Duties of the committee.</p> <p>(a) The committee shall</p> <p>(1) adopt procedures to facilitate the receipt of inquiries and prompt rendition of its opinions;</p> <p>(2) publish semi-annual summaries of decisions and advisory opinions with sufficient deletions in the summaries to prevent disclosing the identity of the persons involved in the decisions or opinions that have remained confidential.</p>	<p>AS 24.60.150(a) Duties of the committee.</p> <p>(a) The committee shall</p> <p>(1) adopt procedures to facilitate the receipt of inquiries and prompt rendition of its opinions;</p> <p>(2) <u>publish advisory opinions annually;</u></p> <p>(3) publish [SEMI-] semi-annual summaries of decisions [AND ADVISORY OPINIONS] and advisory opinions with sufficient deletions in the summaries to prevent disclosing the identity of the persons involved in the decisions or opinions that have remained confidential.</p> <p>(4) <u>publish legislative ethics materials, including an annually updated handbook on standards of ethical conduct and a bi-monthly legislative newsletter, to help educate legislators, legislative employees, and public members of the committee on the subject of legislative ethics;</u></p> <p>(5) <u>in January of each year and at other times determined by the committee, administer a legislative ethics course that teaches strategies for compliance with this chapter and understanding of this chapter's purpose under AS 24.60.010.</u></p>	<p>Puts current practice into statute by deleting the requirement that summaries of public decisions and advisory opinions be published on a semi-annual basis. Public decisions have been published annually since 1990 and advisory opinions have been published annually since 1995.</p> <p><i>old members' comments here get from tape</i></p>

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.155

EXISTING STATUTE

529VA Ethics-HarrisWayne

EXPLANATION

<p>NONE</p>	<p>AS 24.60.155 is amended by adding a new section to read:</p> <p>Sec. 24.60.155. Ethics course. A person who is a legislator, legislative employee, or public member of the committee shall complete the legislative ethics course administered by the committee under AS 24.60.150(a) at some time after the last day of each regular legislative session and before the 10th day of the next regular legislative session. However, a person who first takes office or begins employment after the 10th day of a regular legislative session shall complete the course required by this section within 30 days after the person's first day of service. The committee may grant a person additional time to complete the course required by this section.</p>	<p>Makes annual ethics classes mandatory for legislators, legislative employees, and public members of the committee. Now legislators, legislative employees, and public members of the ethics committee would be required to get the training within 30 days of the first day of service.</p>
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deferred

FEB 19

TITLE 24.80 STANDARDS OF CONDUCT - Amending AS 24.80.160

EXISTING STATUTE

529A Ethics-HarrietWayne

EXPLANATION

<p>Sec. 24.80.160. Advisory opinions.</p> <p>(a) On the request of a person to whom this chapter applies or who has been newly elected to the legislature, the committee shall issue an advisory opinion within 60 days as to whether the facts and circumstances of a particular case constitute a violation of ethical standards. If it finds that it is advisable to do so, the committee may issue an opinion under this section on the request of a person who reasonably expects to become subject to this chapter within the next 45 days. The 60-day period for issuing an opinion may be extended by the committee if the person requesting the opinion consents.</p> <p>(b) An opinion issued under this section is binding on the committee in any subsequent proceedings concerning the facts and circumstances of the particular case unless material facts were omitted or misstated in the request for the advisory opinion. Except as provided in this chapter, an advisory opinion is confidential but shall be made public if a written request by the person who requested the opinion is filed with the committee.</p>	<p>Sec. 24.80.160. Advisory opinions</p> <p>(a) On the request of the committee, the Alaska Public Offices Commission, a person to whom this chapter applies, or a person who has been newly elected to the legislature, the committee shall issue an advisory opinion within 60 days as to whether the facts and circumstances of a particular case constitute a violation of ethical standards. If it finds that it is advisable to do so, the committee may issue an opinion under this section on the request of a person who reasonably expects to become subject to this chapter within the next 45 days. The 60-day period for issuing an opinion may be extended by the committee if the person requesting the opinion consents.</p> <p>(b) An opinion issued under this section is binding on the committee in any subsequent proceedings concerning the facts and circumstances of the particular case unless material facts were omitted or misstated in the request for the advisory opinion. <u>All advisory opinions shall be issued with sufficient deletions to prevent disclosing the identity of the persons involved. Advisory opinion discussions and deliberations are confidential, unless the requester and anyone else named in the request who is covered by the ethics code waives confidentiality. The committee vote shall be a public record. [EXCEPT AS PROVIDED IN THIS CHAPTER, AN ADVISORY OPINION IS CONFIDENTIAL, BUT SHALL BE MADE PUBLIC IF A WRITTEN REQUEST BY THE PERSON WHO REQUESTED THE OPINION IS FILED WITH THE COMMITTEE.]</u></p>	<p>Extends the authority to request an advisory opinion to the ethics committee and APOC.</p> <p>Required the committee to make deletions to advisory opinions that prevent the disclosure of the identity of the person requesting the opinion and any other persons named in the opinion.</p> <p>Clarifies that advisory opinions are confidential unless the person requesting the opinion waives confidentiality.</p>
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*Per Corfield
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