

HB

368

Alaska State Legislature

Chairman
State Affairs Committee

Vice-Chairman
Economic Development, Trade & Tourism
Committee

Member
Judiciary Committee
Joint Armed Services Committee

Finance Subcommittees
Corrections
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety



A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

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To: Legal Services

Fax #: 2029

From: Nancy Manly x2794
Alaska State Capitol, room 104
Juneau, AK 99801-1182

of Pages (including cover): 1

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Re: Draft Final CS for HB 368 STA

Please draft a final CS for HB 368 (25-LS1326M) that passed out of the House State Affairs Committee with the following amendments.

Conceptual Amendment #1 (Gruenberg)
Page 5 Line 13 after the word "subsection" ~~delete shall~~ and *replace with may*

Conceptual Amendment #2 (Coghill)
Withdrawn

Amendment #2 (Coghill)
~~Delete~~ all of Section 8 (Page 5 Lines 15 - 23)

Conceptual Amendment #4 (Doll)
Withdrawn

Conceptual Amendment #5 (Gruenberg)
Withdrawn

Conceptual Amendment #6 (Gruenberg)
Withdrawn

Conceptual Amendment #7 (Gruenberg)
Withdrawn

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(b) Unethical conduct is prohibited, but there is no substantial impropriety if, as to a specific matter, a public officer's

(1) personal or financial interest in the matter is insignificant, or of a type that is possessed generally by the public or a large class of persons to which the public officer belongs; or

(2) action or influence would have insignificant or conjectural effect on the matter.

(c) The attorney general, designated supervisors, hearing officers, and the personnel board must be guided by this section when issuing opinions and reaching decisions. (§ 1 ch 87 SLA 1986)

NOTES TO DECISIONS

Significance of personal or financial interest.

— Substantial evidence supported the hearing officer's findings that Department of Corrections' official had neither a personal nor a financial interest in the awarding of a contract concerning the housing of

minimum security prisoners to a bidder for whom she had served as vice-president of operations KILA, Inc. v. State, Dept of Admin., 876 P.2d 1102 (Alaska 1994).

Cited in Gates v. City of Tenakee Springs, 822 P.2d 455 (Alaska 1991)

Sec. 39.52.120. Misuse of official position. (a) A public officer may not use, or attempt to use, an official position for personal gain, and may not intentionally secure or grant unwarranted benefits or treatment for any person.

(b) A public officer may not

(1) seek other employment or contracts through the use or attempted use of official position;

(2) accept, receive, or solicit compensation for the performance of official duties or responsibilities from a person other than the state;

(3) use state time, property, equipment, or other facilities to benefit personal or financial interests;

(4) take or withhold official action in order to affect a matter in which the public officer has a personal or financial interest;

(5) attempt to benefit a personal or financial interest through coercion of a subordinate or require another public officer to perform services for the private benefit of the public officer at any time; or

(6) use or authorize the use of state funds, facilities, equipment, services, or another government asset or resource for partisan political purposes; this paragraph does not prohibit use of the governor's residence for meetings to discuss political strategy and does not prohibit use of the communications equipment in the governor's residence so long as there is no special charge to the state for the use; in this paragraph, "for partisan political purposes"

(A) means having the intent to differentially benefit or harm a

(i) candidate or potential candidate for elective office; or

(ii) political party or group;

(B) but does not include having the intent to benefit the public interest at large through the normal performance of official duties.

(c) In addition to other provisions of this section, a public officer who is a member of the Board of Fisheries or the Board of Game may not act on a matter before the board if the public officer has not disclosed in the manner set out in AS 39.52.220 all personal or financial interests in a business or organization relating to fish or game resources.

(d) In this section, when determining whether a public officer is considered to be performing a task on government time, the attorney general and personnel board shall consider the public officer's work schedule as set by the public officer's immediate supervisor, if any. A public officer other than the governor and lieutenant governor who, during the work days, engages in political campaign activities other than minor, inconsequential, and unavoidable campaign activities shall take approved leave for the period of campaigning.

(e) Except for sup authority to make t by the hearing office final decision in the administrative hear hearing officer or i decision in the case

(1) contact is na representatives and

(2) fact and subst parties to the hearin am § 5 ch 121 SLA

Cross references. — otism, see AS 39.90.020

Official action not re hibiting use of official po not require "official actio use their position for pers ment. Skvore v. State Po (Alaska 2000)

Solicitation of com Since the ethics statute d

Sec. 39.52.130. I receive, directly or it entertainment, hosp to the officer's pers reasonably be inferr duties, actions, or ju

(b) Notice of the r including the name c must be provided to t

(1) if the public of

(2) if the gift is co

(c) In accordance from the attorney ge ited.

(d) The restriction contribution to a can regulations governin

(e) A public officer or from an official of: Office of the Govern appropriate dispositi foreign government c ity, or another jurisd

(f) A public officer received a gift becau the public officer sha officer's designated s it had been received be prohibited under t

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Anchorage Daily News

Michael J. Sexton President and Publisher
Patrick Dougherty Senior Vice President & Editor
Matt Zencey Editorial Page Editor

Founded in 1946 by Norman C. Brown

Walter A. Cowell, Publisher, 1993-1999
Kathenne Fanning, Editor and Publisher, 1971-1983
Walter E. Gaily, Publisher, 1984-1993
Lawrence Fanning, Editor and Publisher, 1967-1971

OPINION

OUR VIEW

Investigate

State can't rely on feds to pursue all corruption cases

ions in the Veco corruption
blic Offices Commission
nd launched an investiga-
but the chronically under-
is going to need help. Gov.
nt a special prosecutor to
vidence of potential crimes
isdiction.

o delve into the scandal
liculously short one-year
lies: after that, the agency
r campaign law violations.
r of angering legislators
budget. And the feds ap-
y to stay on the sidelines
eir investigations.
a role to play. While it can't
it can investigate and for-
osecutors. It is armed with
wly hired investigator.
stigate.

unions can, but the value of any poll information
can't exceed \$1,000. Polls are expensive, so it is not
easy to stay within that limit.

An obvious place for APOC to start asking ques-
tions is Dave Dittman. He admitted Veco paid him to
do at least two polls that sound like illegal corporate
in-kind contributions to a lawmaker.

MONEY LAUNDERING SCHEME

A second Veco scheme was illegally repaying exec-
utives for their donations to Veco's favored candi-
dates. Besides Bill Allen and Rick Smith, Veco's
prolific campaign contributors included executives
Thomas P. Corkran, Roger Chan, Pete Leathard and
James H. Slack. If the corporation repaid their dona-
tions, both Veco and those lower-ranking executives
broke Alaska law. They are relatively small fish who
may escape federal scrutiny, but they shouldn't get
a free pass if they had a role in campaign money
laundering.

SPECIAL PROSECUTOR NEEDED

Now that APOC is investigating, there's a
lot for it to do. The agency needs extra
horsepower from the attorney general's
office, especially since that's where any evi-
dence will end up anyway.

Attorney General Talis Colberg
says the feds asked the state to slay
clear of the federal investigation for
now. But Alaskans need visible reassur-
ance that state-level crimes in the cor-
ruption scandal will get proper attention.

Many of the potential crimes that have
come to light in the Veco scandal
are state-level misdemeanors
that the feds can't touch. The
longer the state waits to pursue
leads, the colder the trail of evi-
dence grows.

Gov. Palin should appoint a
special prosecutor who will pur-
sue state law violations and
other leads that don't pro-
duce federal charges. The
prosecutor should be full-

infected the Legislature runs much
wider and deeper than those cur-
rently charged. Alaska authorities
have to make sure lower-level perpe-
trators don't escape while the feds
are looking higher up the political
ladder.

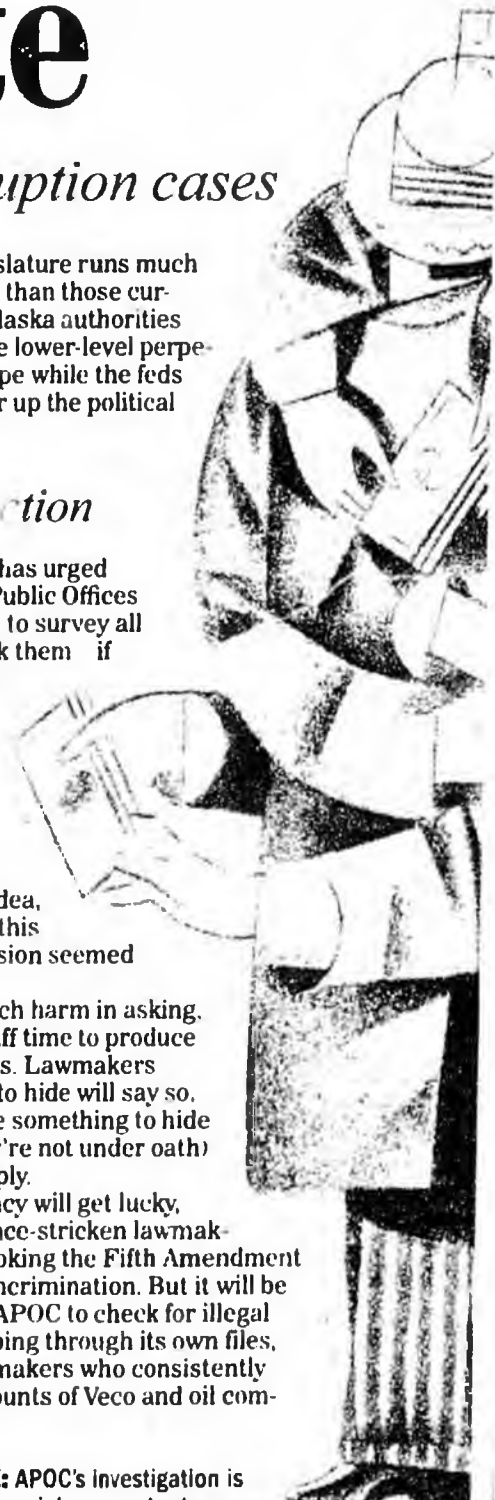
Distraction

Ray Metcalfe has urged
the Alaska Public Offices
Commission to survey all
legislators and ask them if
they would be so
kind as to volun-
tarily incrimi-
nate themselves
about illegal
campaign activi-
ties, like taking
free polls from
Veco. It's a goofy idea,
but at its meeting this
week, the commission seemed
eager to do it.

There's not much harm in asking,
except wasting staff time to produce
and mail the letters. Lawmakers
who have nothing to hide will say so.
Those who do have something to hide
will either lie (they're not under oath)
or not bother to reply.

Maybe the agency will get lucky,
and some conscience-stricken lawmak-
er will reply by invoking the Fifth Amend-
ment right against self-incrimination. But it will be
more effective for APOC to check for illegal
polling aid by combing through its own files,
and looking at lawmakers who consistently
received large amounts of Veco and oil com-
pany money.

BOTTOM LINE: APOC's investigation is
a start. Let's have a special prosecutor too.



...LING SCHEME

l Rick Smith says the com-
s of a hundred polls. If
l results with candi-
porate contribu-
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he only

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disclosure

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Los Angeles Times

<http://www.latimes.com/news/local/la-me-probe13nov13,1,7034417,print.story>
From the Los Angeles Times

State senator's spending probed

The Fair Political Practices Commission is looking into Democrat Carole Migden's political expenditures.

By Patrick McGreevy

Los Angeles Times Staff Writer

November 13, 2007

SACRAMENTO -- A top Democrat in the state Senate is being investigated for allegedly using credit cards to charge \$397,000 in political expenses without disclosing who was initially paid and for what, as required by campaign finance laws.

State Sen. Carole Migden (D-San Francisco), chairwoman of the Senate Democratic Caucus, said Friday that she was cooperating with the state Fair Political Practices Commission, which confirmed its investigation of her in a letter obtained by The Times.

Investigators are looking at the last seven years of credit card expenses. If found in violation, Migden could face up to \$60,000 in administrative fines.

Campaign finance experts say the failure to itemize expenses hides from the public whether the money received from campaign contributors is being spent on lavish meals, gifts or travel that improperly benefit the politician without meeting a legitimate campaign purpose.

"Expenses are required to be itemized so we can assure that campaign donations are going to expenses related to campaigns and not toward personal profit or other inappropriate expenses," said Kathay Feng, executive director of California Common Cause, a nonpartisan advocacy group.

Migden's campaign reports simply list the amount spent and the name of the credit card company.

The Fair Political Practices Commission launched an investigation of Migden's expenses after receiving a formal complaint from Assemblyman Mark Leno (D-San Francisco), who is a candidate to unseat her in the June 2008 election.

Migden, who as Senate Democratic Caucus chairwoman helps set legislative priorities, said there was no reason for anyone to file a formal complaint because she had been cooperating with the commission during the last eight months on a "top-to-bottom" audit of her campaign spending. She said any failings in her campaign reporting were inadvertent.

"We're working with the FPPC to address some issues, to resolve some errors that were self-reported," Migden said, adding that the lack of itemization of credit card expenses "would be part and parcel of that."

Campaign spending has recently become a higher-profile issue after The Times reported that Assembly Speaker Fabian Nuñez spent tens of thousands of dollars from his political accounts on travel, meals and clothing.

State law, specifically Government Code Section 84211, requires that all campaign disbursements using credit cards include an itemization of any expenses over \$100, including the name and address of the vendor paid, the amount and "a brief description of the consideration for which each expenditure was

made."

For example, if a credit card bill for \$500 is to pay for flowers from a Sacramento florist, the campaign finance report filed by the elected official would have to disclose the name and address of the florist, the amount paid and the political or governmental purpose, such as for fundraising expenses.

The Fair Political Practices Commission has fined dozens of campaigns for violating the itemization rule in the last decade, averaging \$2,000 for each violation. One of the biggest cases occurred in 2001 when the state Republican and Democratic parties were fined for not itemizing millions of dollars in expenses.

Violations are normally caught by random, routine audits by the state Franchise Tax Board. However, commission officials said Migden's campaign reports had not been audited for at least three years.

Her campaign committee reports going back to 2000 include 30 instances in which credit card bills ranging from \$219 to \$236,431 are listed but lack itemization.

Migden said she had hired James C. Harrison, a prominent campaign attorney, to represent her in dealing with the state watchdog agency.

Harrison said the mistakes stemmed from the use of volunteer bookkeepers who were not familiar with all of the state requirements for campaign finance reporting.

In campaign finance reports filed in the last year, Migden is listed as serving as her own campaign treasurer.

Harrison said the itemized expenses were all proper campaign bills but said a list of them was being compiled for disclosure.

Leno said he had his attorneys file the formal complaint, which also objects to the transfer of funds between Migden's committees, because the lack of itemization of expenses had gone on unchecked for years.

"It goes right to the heart of the cynicism voters have about the political process," he said of the incomplete reporting of expenses.

Migden had previously been charged with violations by the Fair Political Practices Commission and fined a total of \$110,600 for failing to disclose donations by deadlines set in state law, including twice last year.

patrick.mcgreevy@latimes.com

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  **Hoy**

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HB 368 Ethics: Legislative & Gov./Lt. Gov. **Sponsor Statement for Version 25-LS1326\M**

No longer can a lobbyist blame the Legislature for not being allowed to buy their spouse a diamond ring!

Seriously, House Bill 368 makes common-sense changes to the state's ethics laws concerning gifts to and from legislators, legislative employees and lobbyists who are immediate family members.

This bill allows a legislator or legislative employee to accept a gift worth \$250 or more in value from anyone in a calendar year; and a gift of any monetary value from a lobbyist, an immediate family member of a lobbyist, or a person acting on behalf of a lobbyist if:

"the gift is unconnected with the recipient's legislative status and is from a member of the legislator's or legislative employee's immediate family."

Other proposed changes within HB 368 include:

- Modifying the restrictions on the location where candidates for governor and lieutenant governor can raise campaign funds when the legislature is in session;
- Modifying the restrictions on the location where legislators and legislative employees who are candidates for the state legislature can raise campaign funds when the legislature is in session;
- Establishing the fine for late disclosure filings that are "willful" at \$100 for each day to a maximum of \$2,500;
- Allowing the Select Committee on Legislative Ethics to publish official summaries of decisions and advisory opinions on an annual basis;

HB 368 enhances state campaign and ethics laws with fair and sensible code revisions based on recommendations from the Select Committee on Legislative Ethics and the Alaska Public Offices Commission.

###

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HB 368 Ethics: Legislative & Gov./Lt. Gov. **Sectional Analysis for Version 25-LS1326\M**

Sec. 1. Amends AS 15.13.072(g) to modify the location where a candidate for governor or lieutenant governor may not raise and spend campaign funds, changing it from the "capital city" to the "municipality in which the session is convened" when either house of the legislature is in regular or special session.

Sec. 2. Amends AS 24.60.031(a) to modify the location where a legislator or legislative employee who is a candidate for the state legislature may not raise and spend campaign funds, changing it from the "capital city" to the "municipality in which the session is convened" when either house of the legislature is in regular or special session.

Sec. 3. Amends AS 24.60.080(a) to allow a legislator or legislative employee to accept a gift worth \$250 or more in value from anyone in a calendar year; or accept a gift of any monetary value from a lobbyist, an immediate family member of a lobbyist, or a person acting on behalf of a lobbyist if:

"the gift is unconnected with the recipient's legislative status and is from a member of the legislator's or legislative employee's immediate family."

Sec. 4 and 5. Amends AS 24.60.080 to restructure language for the Legislative Ethics Act as it relates to legislative volunteers and trainees.

Sec. 6. Amends AS 24.60.150(a) to allow the publishing of official summaries of decisions and advisory opinions by the Select Committee on Legislative Ethics on an annual basis versus a semi-annual basis.

Sec. 7. Amends AS 24.60.260(c) to establish the fine for a "willful" late filing to \$100 for each day to a maximum of \$2,500. The fine remains the same at \$2 for each day to a maximum of \$100 for each late filing. If the filing was "inadvertent," the maximum fine is still \$25.

Sec. 8. Amends AS 24.60.990(a) to include a definition for "partisan political activity."

###

FISCAL NOTE

STATE OF ALASKA
2008 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 368
 () Publish Date: _____

Identifier (file name): HB368-DOA-APOC-2-11-08 Dept. Affected: Administration
 Title: "An act modifying the limitation on political fundraising..." RDU: AK Public Offices Commission
 Component: AK Public Offices Commission
 Sponsor: House State Affairs Committee
 Requester: House State Affairs Committee Component Number: 70

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
OPERATING EXPENDITURES								
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES ()								
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other Interagency Receipts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2008) cost: 0.0

POSITIONS

Full-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Part-time	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Temporary	0.0	0.0	0.0	0.0	0.0	0.0	0.0

ANALYSIS: (Attach a separate page if necessary)

This bill amends the campaign disclosure law by prohibiting the solicitation and acceptance of campaign contributions for candidates for governor and lieutenant governor on a day when either house of the legislature is in session in the municipality where the session is convened. It will not result in fiscal impact for the Alaska Public Offices Commission.

Prepared by: Brooke Miles
 Division: Alaska Public Offices Commission
 Approved by: Rachael Petro, Deputy Commissioner
Department of Administration

Phone: 907-334-1726
 Date/Time: 2/19/08 12:02 PM
 Date: 2/19/2008

Relevant Statutes for HB 368

Sec. 24.60.990. Definitions.

(a) In this chapter,

(1) "administrative action" means conduct related to the development, drafting, consideration, enactment, defeat, application, or interpretation of a rule, regulation, policy, or other action in a regulatory proceeding or a proceeding involving a license, permit, franchise, or entitlement for use;

(2) "anything of value," "benefit," or "thing of value" includes all matters, whether tangible or intangible, that could reasonably be considered to be a material advantage, of material worth, use, or service to the person to whom it is conferred; the terms are intended to be interpreted broadly and encompass all matters that the recipient might find sufficiently desirable to do something in exchange for; "anything of value," "benefit," or "thing of value" does not include

(A) an item listed in AS 24.60.080 (a)(2)(B) or (c);

(B) campaign contributions, pledges, political endorsements, support in a political campaign, or a promise of endorsement or support;

(C) contributions to a cause or organization, including a charity, made in response to a direct solicitation from a legislator or a person acting at the legislator's direction; or

(D) grants under AS 37.05.316 to named recipients;

(3) "committee" means the Select Committee on Legislative Ethics and includes, when appropriate, the senate or house subcommittee;

(4) "compensation" means remuneration for personal services rendered, including salary, fees, commissions, bonuses, and similar payments, but does not include reimbursement for actual expenses incurred by a person;

(5) "domestic partner" means a person who is cohabiting with another person in a relationship that is like a marriage but that is not a legal marriage;

(6) "immediate family" means

(A) the spouse or domestic partner of the person; or

(B) a parent, child, including a stepchild and an adoptive child, and sibling of a person if the parent, child, or sibling resides with the person, is financially dependent on the person, or shares a substantial financial interest with the person;

(7) "income" means an asset that a person has received or expects to receive, regardless of whether it is earned or unearned; inheritances and other gifts are not income;

(8) "knowingly" has the meaning given in AS 11.81.900 ;

(9) "legislative action" means conduct relating to the development, drafting, consideration, sponsorship, enactment or defeat, support or opposition to or of a law, amendment, resolution, report, nomination, or other matter affected by legislative action or inaction;

(10) "legislative director" means the director of the legislative finance division, the legislative auditor, the director of the legislative research agency, the ombudsman, the victims' advocate, the executive director of the Legislative Affairs Agency, and the directors of the divisions within the Legislative Affairs Agency;

(11) "legislative employee" means a person, other than a legislator, who is compensated by the legislative branch in return for regular or substantial personal services, regardless of the person's pay level or technical status as a full-time or part-time employee, independent contractor, or consultant; it includes public members and staff of the committee; it does not include individuals who perform functions that are incidental to legislative functions, including security, messenger, maintenance, and print shop employees, and other employees designated by the committee;

(12) "lobbyist" means a person who is required to register under AS 24.45.041 and is described under AS 24.45.171 , but does not include a volunteer lobbyist described in AS 24.45.161 (a)(1) or a representational lobbyist as defined under regulations of the Alaska Public Offices Commission;

(13) "political action" means conduct in which public officials, including legislators or legislative employees, use their official position or political contacts to exercise influence on state and local government employees or entities; it includes but is not limited to endorsing and pledging support or actively supporting a legislative matter, a nominee, or a candidate for public office;

(14) "registered lobbyist" means a person who is required to register under AS 24.45.041 ;

(15) "representation" means action taken on behalf of another, whether for compensation or not, including but not limited to telephone calls and meetings and appearances at proceedings or meetings;

(16) "state office" includes the office of governor, lieutenant governor, member of the legislature, or similar state office.

(b) A person has a substantial interest in legislative, administrative, or political action if the person (1) is not a natural person and will be directly and substantially affected financially by a legislative, administrative, or political action; (2) is a natural person and will be directly and substantially affected financially by a legislative, administrative, or political action in a way that is greater than the effect on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry, or region; (3) has or seeks contracts in excess of \$10,000 annually for goods or services with the legislature or with an agency of the state; or (4) is a lobbyist. For the purpose of this subsection, the state, the federal government, and an agency, corporation, or other entity of or owned by the state or federal government do not have a substantial interest in legislative, administrative, or political action.

Sec. 24.60.030. Prohibitions related to conflicts of interest and unethical conduct.

(a) A legislator or legislative employee may not

(1) solicit, agree to accept, or accept a benefit other than official compensation for the performance of public duties; this paragraph may not be construed to prohibit lawful solicitation for and acceptance of campaign contributions, solicitation or acceptance of contributions for a charity event, as defined in AS 24.60.080 (a)(2)(B), or the acceptance of a lawful gratuity under AS 24.60.080 ;

(2) use public funds, facilities, equipment, services, or another government asset or resource for a nonlegislative purpose, for involvement in or support of or opposition to partisan political activity, or for the private benefit of either the legislator, legislative employee, or another person; this paragraph does not prohibit

Nancy Manly

From: Will Vandergriff
Sent: Wednesday, February 20, 2008 12:44 PM
Subject: Press Release - Committee Proposes Ethics Changes (HB 368)
Attachments: PR - Committee Proposes Ethics Changes (HB 368).doc

FOR IMMEDIATE RELEASE: Feb. 20, 2008

CONTACT: Rep. Bob Lynn, 907-465-4931

Committee Proposes Ethics Changes State Affairs' HB 368 Expands Restrictions on Campaigning During Session, Other Changes

(Juneau) – The House State Affairs Committee introduced ethics legislation yesterday aimed at strengthening the State's campaign laws and rewriting sections of the law concerning gifts from lobbyists and the role of legislative interns and volunteers. The bill, HB 368, makes common-sense changes to the state's ethics laws concerning gifts involving legislators, legislative employees and lobbyists who are immediate family members.

"No longer can a lobbyist blame the Legislature for not being allowed to buy their spouse a diamond ring," joked Rep. Bob Lynn (R-Anchorage), chairman of the State Affairs Committee.

"Seriously, if something doesn't make sense, it's probably not sensible," Lynn added. "Hopefully, this bill brings us back to a fair middle ground for reasonable accountability."

HB 368 allows a legislator or legislative employee to accept a gift worth \$250 or more in value from anyone, and a gift of any monetary value from a lobbyist, as long as: the gift is unconnected with the recipient's legislative status and is from a member of the legislator's or legislative employee's immediate family.

Changes proposed within HB 368 also include:

- Modifying the restriction on campaigning during the legislative session from the Capital City to any municipality where a legislative session is taking place
- Increasing the fine for willfully failing to file disclosures by deadlines to \$100 per day up to a maximum of \$2,500; and
- Changing the frequency of publishing summaries of decisions and advisory opinions by the state Ethics Committee from semi-annually to annually.

HB 368 has been referred to the State Affairs Committee for consideration.

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