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ALASKA STATE LEGISLATURE

Session

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House Finance Committee

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Chairman

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REPRESENTATIVE JASON GRENN

SPONSOR STATEMENT

House Bill 44 and House Concurrent Resolution 1

Legislative Ethics: Voting & Conflicts

HB 44 and HCR 1 would help provide assurances that legislators are representing the public interest, would promote transparency within our state government, and bring Alaska's laws into conformity with most other states. HB 44 and HCR 1 would bring Alaska in line with most other states, which prohibit a legislator from voting on a bill if they have a substantial financial stake in its outcome. Roughly half of states ban legislators from voting when they have a significant financial conflict of interest. The other half set forth procedures for determining whether a legislator should vote or not, many calling for a vote of the full legislative body. Alaska appears to be the only state in the nation that requires unanimous consent of the House or Senate before a legislator with a substantial conflict can abstain from a particular vote. In effect, this current practice permits a single legislator to force another legislator with a significant conflict to vote. Additionally, when an objection is raised it is done so blindly, with no record of who raised the objection. In fact, it is not clear a legislator has ever been allowed to abstain in the state's history.

HB 44 contains provisions to ensure conflicts are "substantial" before a legislator would be required to abstain from voting. Any benefit a legislator or a member of the legislator's immediate family might receive from supporting a particular piece of legislation would have to be greater than the benefit a large group of Alaskans would receive in order to require abstention. The bill and resolution recognize the responsibility of legislators to vote, except in clear cases where the outcome of the vote would result in substantial personal financial gain. This includes cases where an immediate family member or a legislator's employer would receive a large and direct financial benefit.

HCR 1 would require a majority vote when a member seeks to abstain from voting due to a substantial conflict of interest. Currently, a single legislator can force another legislator with a serious conflict of interest to vote. Having more in-depth dialogue about the conflict in question and a vote on the record should be required before a conflict is deemed unsubstantial.

HB 44 and HCR 1 would bring Alaska in line with most other states, which prohibit a legislator from voting on a bill if they have a substantial financial stake in its outcome. For the purpose of rebuilding public trust and ensuring the Legislature is consistently working in the best interest of Alaskans, I urge your consideration and support of HB 44 and HCR 1.

