

HOUSE

12161

JUDICIARY

		officials (adds LLCs) P. 23, L. 9 Sec. 32 Blind trusts (adds LLCs)			
11	O.36	P.8, L. 25 Sec. 8 AS 24.60.030 Prohibitions related to conflicts of interest and unethical conduct. (Keeps the control over the legislature not on the spouse)	Gruenberg	3/21/07	Failed 1-5
12	O.31	P.9, L.10 Sec. 10. AS 24.60.040(a) Contracts and leases	Ramras/Ethics	3/21/07	Adopted
13	O.27	P.9, L. 27 Sec. 10 AS 24.60.050(c) State programs and loans (clean up language re: majority of committee members who are present)	Ramras/Ethics	3/21/07	Adopted as amended
14	O.30	P. 10, L.4 Sec. 11. AS 24.60.070(a) Disclosure of close economic association (Defines public official)	Ramras/Ethics	3/21/07	Adopted
15	O.17	P. 11, L. 18 AS 24.60.080(c)(9) Gifts (amends the prohibition of gifts of transportation between legislators and legislative employees, so that they may travel together for business)	Ramras/Ethics	3/21/07	Adopted
16	O.18	P.12, L.19 AS 24.60.080(d) Gifts (conforms timeline to 30-days after receipt of gift)	Ramras/Ethics	3/21/07	Adopted
17	O.19	P.13, L.30 Sec. 17 AS 24.60.105 (technical amendment)	Ramras/Ethics	3/21/07	Adopted
18	O.21	P.16, L. 17 Sec. 21 AS 24.60.150(a) Duties of the ethics committee (Clean up language)	Ramras/Ethics	3/21/07	Adopted
19	O.29	P.16, L.21 Secs. 21 and 22 AS 24.60.150 Duties of the ethics committee. (Conforming language sec. 21 and 22).	Ramras/Ethics	3/21/07	Adopted
20	O.15	P.16, L.23 Sec. 22 As 24.60.155 Legislative Ethics Course (Clean up language re: course)	Gruenberg	3/21/07	Withdrawn

21	O.34	P.25, L. 27 Sec. 34 AS 39.52.110 Scope of code (reinserts 1% of the total value of the business)	Gruenberg	3/21/07	Failed 2-5
22	Concep	P.25, L.27 Sec. 34 AS 39.52.110 Scope of code (change from value to the value of the stock or other ownership interest)	Coghill	3/21/07	Adopted
23	Concep	P.26, L. 22 AS 39.52.180(d) Restrictions on employment after leaving office. (Clarifies language re: policy-making position.)	Coghill	3/21/07	Adopted
24	O.24	P.27, L.26 AS 39.52.910 Applicability (Nepotism amendment)	Lynn	3/21/07 3/22/07	Tabled 3-4 Failed
25	O.6	Title, AS 14.25.37 Pension forfeiture	Ramras	3/21/07 3/23/07	Tabled 5-2 Adopted
26	O.42	P. 19 L. 20 Sec. 26 24.60.200 (2) Financial disclosure by legislators, public members of the committee, and legislative directors. (amends this section so that detailed information would only have to be reported if there is substantial interest in State business)	Ramras/Neuman	3/22/07	Withdrawn
27	Concep	P. 13, L. 12 Sec 24.60.100 Representation (Amended 3/23/07)	Holmes	3/22/07	Tabled
28	O.45	Sec. 32 Blind trusts	Ramras	3/23/07	Adopted
29	O.20	P. 15, L. 17 Sec. 20. AS 24.60.130(o) Select committee on legislative ethics (defines majority organizational caucus)	Ramras/Ethics	3/23/07	Adopted
30	O.40	P. 2 Sec. 3 AS 15.13.040 Contributions, expenditures, and supplying of services to be reported. (Municipal officials in towns more than 15,000 to file electronically, and municipals and legislators to take affect Jan. 2009	Gruenberg	3/23/07	Adopted

31	Concep	24.60.030 Newsletters	Ramras	3/23/07	Adopted
32	O.39	P. 26, following L. 7 insert new section 39.52.154 State contractor disclosure	Ramras	3/23/07	Withdrawn
33	O.41	P. 14, L. 29 AS 24.60.115 Disclosure required by a legislator, legislative employee, or public member of the committee after the final day of service (Clean-up language re: what must be included in the final report) P. 20, L.17 Sec. 27 AS 24.60.210(a) Deadlines for filing of disclosure statements (Conforms language to AS 24.60.115).	Ramras/Ethics	3/23/07	Adopted
34	O.46	Sec. 18 AS 24.60.105 Final disclosures	Ramras	3/23/07	Adopted
35	O.44	Spousal lobbying	Gruenberg	3/23/07	Failed/1-6
36	Concep	P. 13, L. 12-25 Representation	Samuels	3/23/07	Adopted
37	Concep	P.19, L. 18-26 Sec. 26 24.60.200 (2) Financial disclosures by legislators, public members of the committee, and legislative directors. (Amends income reporting requirements.)	Holmes	3/23/07	Adopted

Amendment # 1

Passed

Coshill

APOC

Page 2, Line 15 & 16

Delete

Planning & zoning commissioners are not candidates, they are appointed. Although they are subject to the financial disclosure laws (AS 39.50) they do not file campaign disclosure reports (AS 15.13).

The campaign disclosure laws apply only to municipalities with a population greater than 1000. No municipalities that are subject to the campaign disclosure law have utility boards.

Passed

AMENDMENT #2

OFFERED IN THE HOUSE

BY REPRESENTATIVE RAMRAS

TO: CSHB 109(STA)

1 Page 4, lines 1 - 2:

2 Delete "in this paragraph, "domestic partner" has the meaning given in
3 AS 39.50.200(a);"

4

5 Page 4, line 8, following "commission":

6 Insert "[IN THIS PARAGRAPH, "DOMESTIC PARTNER" HAS THE MEANING
7 GIVEN IN AS 39.50.200(a)]"

8

9 Page 5, line 15:

10 Delete "a new subsection"

11 Insert "new subsections"

12

13 Page 5, following line 19:

14 Insert new material to read:

15 "(e) The spouse or domestic partner of a legislator may not engage in activity
16 as a lobbyist. This subsection does not prohibit the spouse or domestic partner from
17 acting as a volunteer lobbyist under AS 24.45.161(a)(1) or a representational lobbyist,
18 as defined in regulation by the commission.

19 * Sec. 7. AS 24.45.171 is amended by adding a new paragraph to read:

20 (15) "domestic partner" has the meaning given in AS 39.50.200(a)."

21

22 Renumber the following bill sections accordingly.

23

- 1 Page 27, line 29:
- 2 Delete "sec. 36"
- 3 Insert "sec. 37"
- 4
- 5 Page 27, line 30:
- 6 Delete "sec. 36"
- 7 Insert "sec. 37"
- 8
- 9 Page 27, line 31:
- 10 Delete "sec. 37"
- 11 Insert "sec. 38"
- 12
- 13 Page 28, line 3:
- 14 Delete "sec. 37"
- 15 Insert "sec. 38"
- 16
- 17 Page 28, line 4:
- 18 Delete "sec. 38"
- 19 Insert "sec. 39"
- 20
- 21 Page 28, line 8:
- 22 Delete "sec. 38"
- 23 Insert "sec. 39"
- 24
- 25 Page 28, line 9:
- 26 Delete "Section 28"
- 27 Insert "Section 29"
- 28
- 29 Page 28, line 10:
- 30 Delete "Section 33"
- 31 Insert "Section 34"

1

2 Page 28, line 11:

3 Delete "secs. 42 and 43"

4 Insert "secs. 43 and 44"

AMENDMENT

#30 Passed

OFFERED IN THE HOUSE

BY REPRESENTATIVE COGHILL

JUDICIARY COMMITTEE

TO: CSHB 109(STA) (25-GH1059\O; 3/7/07)

1 Page 5, lines 16 - 19:

2 Delete all material and insert:

3 "(d) An individual may not, at any time that AS 39.52 prohibits that
4 individual from engaging in activity as a lobbyist, register as a lobbyist under this
5 chapter or engage in any activity as a lobbyist. This subsection does not prohibit
6 registration or service as a volunteer lobbyist described in AS 24.45.161(a)(1) or a
7 representational lobbyist as defined in the regulations of the Alaska Public Offices
8 Commission."

Intent / Explanation:

Prohibit legislators or legislative employees from receiving gifts from lobbyists at any time of the year. Also prohibit family members from receiving gifts from lobbyists. Family member as defined in AS 24.60.990(a)(6).

Brings together language in AS 24.60.080 regarding lobbyists and gifts into one section to provide clarity and ease of interpreting the gift statute.

Sec. 24.60.080. Gifts.

(a) Except as otherwise provided in this section, a legislator or legislative employee may not

(1) solicit, accept, or receive, directly or indirectly, a gift worth \$250 or more, whether in the form of money, services, a loan, travel, entertainment, hospitality, promise, or other form, or gifts from the same person worth less than \$250 that in a calendar year aggregate to \$250 or more in value[.];

(2) [EXCEPT FOR FOOD OR BEVERAGE FOR IMMEDIATE CONSUMPTION, A LEGISLATOR OR LEGISLATIVE EMPLOYEE MAY NOT SOLICIT,] accept, or receive [DURING A LEGISLATIVE SESSION] a gift with any monetary value from a lobbyist or, ~~or~~ an immediate family member of the lobbyist, or a person acting on behalf of a lobbyist except: [.]

(A) for food or beverage for immediate consumption; or

(B) 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.

(b) [Repealed, § 42 ch 127 SLA 1992.]

(c) Notwithstanding (a)(1) of this section, it is not a violation of this section for a legislator or legislative employee to accept

(1) hospitality, other than hospitality described in (4) of this subsection,

(A) with incidental transportation at the residence of a person; however, a vacation home located outside the state is not considered a residence for the purposes of this subparagraph; or

(B) at a social event or meal;

(2) discounts that are available

(A) generally to the public or to a large class of persons to which the person belongs; or

(B) when on official state business, but only if receipt of the discount benefits the state;

(3) food or foodstuffs indigenous to the state that are shared generally as a cultural or social norm;

- (4) travel and hospitality primarily for the purpose of obtaining information on matters of legislative concern;
- (5) gifts from the immediate family of the person;
- (6) gifts that are not connected with the recipient's legislative status;
- (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 in 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;
- (8) a gift of legal services in a matter of legislative concern and a gift of other services related to the provision of legal services in a matter of legislative concern;
- (9) a gift of transportation from a legislator to a legislator if the transportation takes place in the state on or in an aircraft, boat, motor vehicle, or other means of transport owned or under the control of the donor; this paragraph does not apply to travel described in (4) of this subsection or travel for political campaign purposes;
- (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
- (11) a contribution to a charity event from any person at any time; in this paragraph, "charity event" has the meaning given in [(10)] (a)(2)(B) of this subsection.

office of Victim's rights

(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

(c)(8) and (11)

*(c)(8) and (11)
w/in 30-days
of receipt of
the gift.*

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.

(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 that legislator under this section.

(f) Notwithstanding (a) of this section, a legislator or legislative employee may accept a gift of property worth \$250 or more, other than money, from another government or from an official of another government if the person accepts the gift on behalf of the legislature. The person shall, within 60 days after receiving the gift, deliver the gift to the legislative council, which shall determine the appropriate disposition of the gift. In this subsection, "another government" means a foreign government or the government of the United States, another state, a municipality, or another jurisdiction.

(g) Notwithstanding (a) of this section, a legislator or legislative employee may solicit, accept, or receive a gift on behalf of a recognized, nonpolitical charitable organization.

(h) A legislator, a legislative committee other than the Select Committee on Legislative Ethics, or a legislative agency may accept

- (1) a gift of volunteer services for legislative purposes so long as the person making the gift of services is not receiving compensation from another source for the services; or
- (2) the services of a trainee who is participating in an educational program approved by the committee if the services are used for legislative purposes. The committee shall approve training under a program of the University of Alaska and training under 29 U.S.C. 2801 - 2945 (Workforce Investment Act of 1998). A legislative volunteer or educational trainee shall be considered to be a legislative employee for purposes of compliance with this section, AS 24.60.030 - 24.60.039, 24.60.060, 24.60.085, 24.60.158 - 24.60.170, 24.60.176, and 24.60.178. If a person believes that a legislative volunteer or educational trainee has violated the provisions of one of those sections, the person may file a complaint under AS 24.60.170 . The provisions of AS 24.60.170 apply to the proceeding.

(i) A legislator or legislative employee who knows or reasonably should know that [A] an immediate family member as defined in AS 24.60.990(a)(6) has received a gift because of the family member's connection with the legislator or legislative employee shall ~~report~~ report the receipt of the gift by the family member to the committee if the gift would have to be ~~reported~~ reported under this section if it had been received by the legislator or legislative employee. If receipt of the gift by a legislator or legislative employee would be prohibited under this section then receipt by an immediate family member is also prohibited.

(j) In this section, the value of a gift shall be determined by the fair market value of the gift to the extent that the fair market value can be determined.

(k) In [THIS] subsection (c)(6), "immediate family" [OR "FAMILY MEMBER"] means

- (1) the spouse of the person;
- (2) the person's domestic partner;

*disclose for publication
under (d) of this section
disclosed*

- (3) a child, including a stepchild and an adoptive child, of the person or of the person's domestic partner;
- (4) a parent, sibling, grandparent, aunt, or uncle of the person;
- (5) a parent, sibling, grandparent, aunt, or uncle of the person's spouse or the person's domestic partner; and
 - a stepparent, stepsister, stepbrother, step-grandparent, step-aunt, or step-uncle of the person, the person's spouse, or the person's domestic partner.

Amendment #5

2-5

FAILED

25-GH1059A0.8

Wayne

3/19/07

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 109(STA)

1 Page 1, lines 4 - 5:

2 Delete "restricting representation of others by legislators and legislative
3 employees;"

4

5 Page 13, lines 11 - 25:

6 Delete all material and insert:

7 "* Sec. 16. AS 24.60.100 is amended to read:

8 **Sec. 24.60.100. Representation.** A legislator or legislative employee who
9 represents another person for compensation before an agency, board, or commission of
10 the state shall disclose the name of the person represented, the subject matter of the
11 representation, and the body before which the representation is to take place to the
12 committee. The disclosure shall be made by the deadline [DEADLINES] set out in
13 AS 24.60.105. The committee shall maintain a public record of a disclosure under this
14 section and forward the disclosure to the respective house for inclusion in the journal.
15 A legislator or legislative employee may not represent another person for
16 compensation before an agency, committee, or other entity of the legislative branch."

AMENDMENT

#6

W/D

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

- 1 Page 14, line 29, following "a":
- 2 Insert "final"
- 3
- 4 Page 14, line 30, following "serving":
- 5 Insert ", unless the person previously disclosed the matter and, for that reason, the
- 6 matter is no longer subject to disclosure"

AMENDMENT

#7
Passed

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 109(STA)

1 Page 15, line 23:

2 Delete "part"

3 Insert "members"

4

5 Page 15, line 26:

6 Delete "part"

7 Insert "a member"

Passed

Amend # 8
"organizational" before caucus.

P.15.

Dan- This is the one
we discussed.
Jane

AMENDMENT

+9



9-2
Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE COGHILL

JUDICIARY COMMITTEE

TO: CSHB 109(STA) (25-GH1059\O; 3/7/07)

1 Page 21, line 21:

2 Delete "\$5,000"

3 Insert "\$1,000"

4

5 Page 21, line 31:

6 Delete "if the income was earned by the hour,"

7

8 Page 22, line 1, following "worked":

9 Insert "to earn the income"

10

11 Page 22, line 10:

12 Delete "\$5,000"

13 Insert "\$1,000"

14

15 Page 22, line 17:

16 Delete "\$5,000"

17 Insert "\$1,000"

71

1 Page 22, line 20:

2 Delete "\$5,000"

3 Insert "\$1,000"

4

5 Page 22, line 24:

6 Delete "\$5,000"

7 Insert "\$1,000"

8

9 Page 22, line 27:

10 Delete "\$5,000"

11 Insert "\$1,000"

#10
Passed

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 109(STA)

1 Page 23, line 1, following "partnership":

2 Insert "limited liability company,"

3

4 Page 23, line 6, following "partnership":

5 Insert "limited liability company,"

6

7 Page 23, following line 9:

8 Insert a new bill section to read:

9 **** Sec. 32. AS 39.50.030(h) is amended to read:**

10 (h) In this section,

11 (1) [REPEALED

12 (2) "close economic association" means a financial relationship that
13 exists between a public official required to disclose a close economic association
14 under (d) of this section and some other person or entity, including a relationship
15 where the public official serves as a consultant or advisor to, is a member or
16 representative of, or has a financial interest in an association, partnership, limited
17 liability company, business, or corporation;

18 (2) [(3)] "lobbyist" has the meaning given in AS 24.60.990(a);

19 (3) [(4)] "public officer" has the meaning given in AS 39.52.960. "

20

21 Renumber the following bill sections accordingly.

22

23 Page 25, following line 24:

1 Insert a new bill section to read:

2 **** Sec. 35. AS 39.50.200(a)(10) is amended to read:**

3 (10) "source of income" means the entity for which service is
4 performed or that is otherwise the origin of payment; if the person whose income is
5 being reported is employed by another, the employer is the source of income; but if
6 the person is self-employed by means of a sole proprietorship, partnership, limited
7 liability company, professional corporation, or a corporation in which the person, the
8 person's spouse or domestic partner, or the person's dependent children, or a
9 combination of them, hold a controlling interest, the "source" is the client or customer
10 of the proprietorship, partnership, limited liability company, or corporation, but, if
11 the entity that is the origin of payment is not the same as the client or customer for
12 whom the service is performed, both are considered the source."

13

14 **Renumber the following bill sections accordingly.**

15

16 **Page 27, line 29:**

17 Delete "sec. 36"

18 Insert "sec. 38"

19

20 **Page 27, line 30:**

21 Delete "sec. 36"

22 Insert "sec. 38"

23

24 **Page 27, line 31:**

25 Delete "sec. 37"

26 Insert "sec. 39"

27

28 **Page 28, line 3:**

29 Delete "sec. 37"

30 Insert "sec. 39"

31

- 1 Page 28, line 4:
- 2 Delete "sec. 38"
- 3 Insert "sec. 40"
- 4
- 5 Page 28, line 8:
- 6 Delete "sec. 38"
- 7 Insert "sec. 40"
- 8
- 9 Page 28, line 10:
- 10 Delete "sec. 33"
- 11 Insert "sec. 34"
- 12
- 13 Page 28, line 11:
- 14 Delete "secs. 42 and 43"
- 15 Insert "secs. 44 and 45"

11

1-5 failed

25-GH10590.36
Bullard\Wayne
3/21/67

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE GRUENBERG

1 Page 8, line 25, following "legislator":

2 Insert ";

3 (6) communicate directly with a spouse or domestic partner of a
4 legislator if the spouse or domestic partner is registered as a lobbyist under
5 AS 24.45.041 and the communication concerns legislative action; in this
6 paragraph, "legislative action" has the meaning given in AS 24.45.171"

#12

Adopted

25-GH1059A.31
Wayne
3/21/07

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 9, following line 10:

2 Insert a new bill section to read:

3 **** Sec. 10. AS 24.60.040(a) is amended to read:**

4 (a) A legislator or legislative employee, or a member of the immediate family
5 of a legislator or legislative employee, may not be a party to or have an interest in a
6 state contract or lease unless the contract or lease is let under AS 36.30 (State
7 Procurement Code) or, for agencies that are not subject to AS 36.30, under similar
8 procedures, or the total annual amount of the state contract or lease is \$5,000 or less,
9 or is a standardized contract or lease that was developed under publicly established
10 guidelines and is generally available to the public at large, members of a profession,
11 occupation, or group. A person has an interest in a state contract or lease under this
12 section if the person receives direct or indirect financial benefits. A legislator or
13 legislative employee who participates in, or who knows or reasonably should know
14 that a family member is participating in, a state contract or lease that has an annual
15 value of \$5,000 or more shall disclose the participation to the committee by the date
16 required under AS 24.60.105. The committee shall promptly forward the
17 disclosure to the appropriate house for inclusion in the journal, and the presiding
18 officer shall cause the disclosure to be published in the journal or in the
19 supplemental journal not later than the next regularly scheduled publication of
20 ethics disclosures. The legislator or legislative employee shall also disclose the
21 renegotiation of a state contract or lease if the original had to be disclosed under this
22 section or if, as a result of renegotiation, disclosure is required under this section. The
23 disclosure must state the amount of the contract or lease and the name of the state

1 agency issuing the contract or lease and must identify the procedures under which the
2 contract or lease was issued. If the disclosure concerns a contract or lease in which a
3 family member of the discloser is participating, the disclosure must identify the
4 relationship between the participant and the discloser."
5

6 Renumber the following bill sections accordingly.

7

8 Page 27, line 29:

9 Delete "sec. 36"

10 Insert "sec. 37"

11

12 Page 27, line 30:

13 Delete "sec. 36"

14 Insert "sec. 37"

15

16 Page 27, line 31:

17 Delete "sec. 37"

18 Insert "sec. 38"

19

20 Page 28, line 3:

21 Delete "sec. 37"

22 Insert "sec. 38"

23

24 Page 28, line 4:

25 Delete "sec. 38"

26 Insert "sec. 39"

27

28 Page 28, line 8:

29 Delete "sec. 38"

30 Insert "sec. 39"

31

1 Page 28, line 9:

2 Delete "Section 28"

3 Insert "Section 29"

4

5 Page 28, line 10:

6 Delete "Section 33"

7 Insert "Section 34"

8

9 Page 28, line 11:

10 Delete "secs. 42 and 43"

11 Insert "secs. 43 and 44"

AMENDMENT

#13 AS AMENDED
ADOPTED

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 9, line 27, following "determines":

2 Insert "by vote of a majority of committee members who are present"

3

4 Page 17, line 31, following "determines":

5 Insert "by vote of a majority of committee members who are present that"

AMENDMENT

#14 Adopted

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 10, following line 4:

2 Insert a new bill section to read:

3 **"* Sec. 11. AS 24.60.070(a) is amended to read:**

4 (a) A legislator or legislative employee shall disclose to the committee, which
5 shall maintain a public record of the disclosure and forward the disclosure to the
6 respective house for inclusion in the journal, the formation or maintenance of a close
7 economic association involving a substantial financial matter with

8 (1) a supervisor who is not a member of the legislature who has
9 responsibility or authority, either directly or indirectly, over the person's employment,
10 including preparing or reviewing performance evaluations, or granting or approving
11 pay raises or promotions; this paragraph does not apply to a public member of the
12 committee;

13 (2) legislators;

14 (3) a public official as that term is defined in [WHO IS REQUIRED
15 TO FILE A FINANCIAL DISCLOSURE STATEMENT UNDER] AS 39.50 [AND
16 IS NOT AN APPOINTED MUNICIPAL OFFICER];

17 (4) a registered lobbyist; or

18 (5) a legislative employee if the person required to make the disclosure
19 is a legislator."

20

21 Renumber the following bill sections accordingly.

22

23 Page 27, line 29:

- 1 Delete "sec. 36"
- 2 Insert "sec. 37"
- 3
- 4 Page 27, line 30:
- 5 Delete "sec. 36"
- 6 Insert "sec. 37"
- 7
- 8 Page 27, line 31:
- 9 Delete "sec. 37"
- 10 Insert "sec. 38"
- 11
- 12 Page 28, line 3:
- 13 Delete "sec. 37"
- 14 Insert "sec. 38"
- 15
- 16 Page 28, line 4:
- 17 Delete "sec. 38"
- 18 Insert "sec. 39"
- 19
- 20 Page 28, line 8:
- 21 Delete "sec. 38"
- 22 Insert "sec. 39"
- 23
- 24 Page 28, line 9:
- 25 Delete "Section 28"
- 26 Insert "Section 29"
- 27
- 28 Page 28, line 10:
- 29 Delete "Section 33"
- 30 Insert "Section 34"
- 31

- 1 Page 28, line 11:
- 2 Delete "secs. 42 and 43"
- 3 Insert "secs. 43 and 44"

AMENDMENT

#15
Adopted

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

- 1 Page 11, line 18:
- 2 Following "from a legislator":
- 3 Insert "or a legislative employee"
- 4 Following "to a legislator":
- 5 Insert "or a legislative employee"

AMENDMENT # 16

Adopted

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 12, line 19:

2 Following "shall":

3 Insert "within 30 days after receiving the gift."

4 Following "committee":

5 Delete "annually on or before March 15"

6 Insert "[ANNUALLY ON OR BEFORE MARCH 15]"

25-GH1059A.19

Wayne
3/20/07

AMENDMENT

#17

Adopted

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

- 1 Page 13, line 30, following "filling":
- 2 Insert "the"

Adopted

25-GH1059\O.21
Wayne
3/21/07

AMENDMENT #18

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

- 1 Page 16, line 17:
- 2 Delete "in January of each year"
- 3 Insert "within 10 days of the first day of each regular session of the legislature"

AMENDMENT

19
Adopted

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

- 1 Page 16, line 23, following "complete":
- 2 Delete "the"
- 3 Insert "a"
- 4
- 5 Page 16, line 24:
- 6 Delete "AS 24.60.150(a)"
- 7 Insert "AS 24.60.150(a)(4)"
- 8
- 9 Page 16, line 28, following "service":
- 10 Insert "and, thereafter, as otherwise required by this section"

AMENDMENT 20 W/D

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 109(STA)

- 1 Page 16, line 23, following "complete":
- 2 Delete "the legislative ethics course administered by the committee under
- 3 AS 24.60.150(a) within 10 days of the first day of the first regular session of each legislature"
- 4 Insert ", within 10 days of the first day of the first regular session of each legislature, a
- 5 legislative ethics course administered by the committee under AS 24.60.150(a)"

2-5 FAILED

25-GH1059A0.34
Luckhaupt/Wayne
3/20/07

#21

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 109(STA)

- 1 Page 25, line 27, following "\$5,000":
- 2 Insert "and less than one percent of the total value of the business"

S- 2
 L- 1
 H- 2
 G- 1
 D- 2
 C- 2
 R- 2

AMENDMENT

22
Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE COGHILL

JUDICIARY COMMITTEE

TO: CSHB 109(STA) (25-GH1059\O; 3/7/07)

1 Page 25, line 27:

2 Delete "its value"

3 Insert "the value of the stock or other ownership interest"

AMENDMENT

#23 Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE COGHILL

JUDICIARY COMMITTEE

TO: CSHB 109(STA) (25-GH1059\O; 3/7/07)

1 Page 26, line 22:

2 Delete "who is required to file a statement under AS 39.50.020"

3 Insert "in a policy-making position"

4

5 Page 26, lines 25 - 26:

6 Delete "who is required to file a statement under AS 39.50.020"

7 Insert "in a policy-making position"

8

9 Page 27, line 4:

10 Delete "who is required to file a statement under AS 39.50.020"

11 Insert "in a policy-making position"

12

13 Page 27, following line 7:

14 Insert a new bill section to read:

15 **** Sec. 39. AS 39.52.180 is amended by adding a new subsection to read:**

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(f) In this section, 'employee of the Office of the Governor in a policy-making position' means an employee required, by virtue of his or her position in the Office of the Governor, to file a statement under AS 39.50.020."

Renumber the following bill sections accordingly.

Page 28, line 11:

Delete "secs. 42 and 43"

Insert "secs. 43 and 44"

24
tabled 3/21/07
3-4 failed

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE LYNN

1 Page 27, following line 26:

2 Insert a new bill section to read:

3 **** Sec. 41.** AS 39.52.910 is amended by adding a new subsection to read:

4 (d) Nothing in this chapter

5 (1) supersedes AS 39.90.020; or

6 (2) precludes a person from being in an employment relationship with
7 a member of the person's immediate family if the person

8 (A) does not supervise the immediate family member; or

9 (B) supervises the immediate family member but exercise of
10 the supervision is only routine; under this subparagraph, supervision is routine
11 only if, as to a decision that requires the person's exercise of independent
12 judgment, the person may not act or recommend the family member's

13 (i) appointment to employment, including hiring,
14 transferring, laying off, and rehiring;

15 (ii) discipline, including suspension, discharge,
16 demotion, and issuance of written warnings; or

17 (iii) grievance adjudication, including responding to a
18 first level grievance under a collective bargaining agreement."

19

20 Renumber the following bill sections accordingly.

21

22 Page 28, line 11:

23 Delete "secs. 42 and 43"

1

Insert "secs. 43 and 44"

AMENDMENT

#25
tabled
5/23/07
5-2
Passel

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 1, line 1, following "Act":

2 Insert "denying public employee retirement pension benefits to certain legislators,
3 legislative directors, and public officers who commit certain offenses, and adding to the
4 duties of the Alaska Retirement Management Board and to the list of matters governed
5 by the Administrative Procedure Act concerning that denial;"

6

7 Page 1, following line 7:

8 Insert new bill sections to read:

9 * Section 1. AS 14.25 is amended by adding a new section to read:

10 Sec. 14.25.212. Pension forfeiture. The provisions of AS 37.10.310 apply to
11 pension benefits under AS 14.25.009 - 14.25.220.

12 * Sec. 2. AS 14.25 is amended by adding a new section to read:

13 Sec. 14.25.532. Pension forfeiture. The provisions of AS 37.10.310 apply to
14 pension benefits under AS 14.25.310 - 14.25.590."

15

16 Page 1, line 8:

17 Delete "Section 1"

18 Insert "Sec. 3"

19

20 Renumber the following bill sections accordingly.

21

22 Page 2, following line 21:

23 Insert a new bill section to read:

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**** Sec. 5. AS 22.25 is amended by adding a new section to read:**

Sec. 22.25.800. Pension forfeiture. The provisions of AS 37.10.310 apply to pension benefits under this chapter."

Renumber the following bill sections accordingly.

Page 20, following line 21:

Insert new bill sections to read:

**** Sec. 33. AS 37.10.220(a) is amended by adding a new paragraph to read:**

(16) administer pension forfeitures required under AS 37.10.310 using the procedures of AS 44.62 (Administrative Procedure Act).

*** Sec. 34. AS 37.10 is amended by adding a new section to read:**

Sec. 37.10.310. Pension forfeiture to preserve public trust in government.

(a) A public officer, as defined in AS 39.52.960, a legislator, or a person employed as a legislative director, as that term is defined in AS 24.60.990, who is convicted of a federal or state felony offense of bribery, receiving a bribe, perjury, subornation of perjury, scheme to defraud, or fraud may not receive a state pension benefit if the offense was committed on or after the effective date of this section and was in connection with the person's official duties.

(b) Pension benefits and employee contributions that accrue to a person before the date of the person's commission of the offense described in (a) of this section are not diminished or impaired by that subsection.

(c) A state pension benefit under (a) of this section does not include

(1) insurance, voluntary wage reductions, involuntary wage reductions, or supplemental or health benefits under AS 39.30.090 - 39.30.495 or former AS 39.37.145;

(2) member or employee contributions under AS 14.25.050, 14.25.055, 14.25.075, 14.25.340, 14.25.360(a), AS 22.25.011, AS 39.35.160, 39.35.165(f), 39.35.180, 39.35.730, 39.35.760(a), or former AS 39.37.070.

(d) In a pension forfeiture matter under this section the board may award to a

1 spouse, dependent, or former spouse of the person governed by the limitations in (a) of
 2 this section some or all of the amount that, but for the forfeiture under (a) of this
 3 section, may otherwise be payable. In determining whether to make an award under
 4 this subsection, the board shall consider the totality of circumstances, including

5 (1) the role, if any, of the person's spouse, dependent, or former spouse
 6 in connection with the illegal conduct for which the person was criminally charged;

7 (2) the degree, if any, to which the person's spouse, dependent, or
 8 former spouse profited financially from the person's illegal conduct; and

9 (3) any restitution ordered by the court in the criminal case and the
 10 amount of restitution, if any, still owing.

11 * **Sec. 35.** AS 39.35 is amended by adding a new section to read:

12 **Sec. 39.35.672. Pension forfeiture.** The provisions of AS 37.10.310 apply to
 13 pension benefits under AS 39.35.095 - 39.35.680.

14 * **Sec. 36.** AS 39.35 is amended by adding a new section to read:

15 **Sec. 39.35.932. Pension forfeiture.** The provisions of AS 37.10.310 apply to
 16 pension benefits under AS 39.35.700 - 39.35.990."

17
 18 **Renumber the following bill sections accordingly.**

19
 20 **Page 27, following line 26:**

21 **Insert new bill sections to read:**

22 **** Sec. 48.** AS 44.62.330(a) is amended by adding a new paragraph to read:

23 (47) the Alaska Retirement Management Board for administration of
 24 pension forfeitures under AS 37.10.310.

25 * **Sec. 49.** The uncodified law of the State of Alaska is amended by adding a new section to
 26 read:

27 **APPLICABILITY TO ELECTED PUBLIC OFFICERS' RETIREMENT SYSTEM.**

28 The provisions of AS 37.10.310, added by sec. 34 of this Act, apply to benefits under former
 29 AS 39.37 (elected public officers' retirement system)."

30
 31 **Renumber the following bill sections accordingly.**

- 1
- 2 Page 27, line 29:
- 3 Delete "sec. 36"
- 4 Insert "sec. 43"
- 5
- 6 Page 27, line 30:
- 7 Delete "sec. 36"
- 8 Insert "sec. 43"
- 9
- 10 Page 27, line 31:
- 11 Delete "sec. 37"
- 12 Insert "sec. 44"
- 13
- 14 Page 28, line 3:
- 15 Delete "sec. 37"
- 16 Insert "sec. 44"
- 17
- 18 Page 28, line 4:
- 19 Delete "sec. 38"
- 20 Insert "sec. 45"
- 21
- 22 Page 28, line 8:
- 23 Delete "sec. 38"
- 24 Insert "sec. 45"
- 25
- 26 Page 28, line 9:
- 27 Delete "Section 28"
- 28 Insert "Section 31"
- 29
- 30 Page 28, line 10:
- 31 Delete "Section 33"

1 **Insert "Section 40"**

2

3 **Page 28, line 11:**

4 **Delete "secs. 42 and 43"**

5 **Insert "secs. 51 and 52"**

W/D

26

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE RAMRAS

TO: CSHB 109(STA)

1 Page 19, lines 18 - 26:

2 Delete all material and insert:

3 "(2) as to income in excess of \$1,000 received as compensation for
4 personal services if the source of the income is known or reasonably should be
5 known to have a substantial interest in legislative, administrative, or political
6 action and the recipient of the income is a legislator or legislative director, the
7 name and address of the source of the income, [AND] a statement describing in detail
8 the nature of the services performed, the amount of the income, and the
9 approximate number of hours of services performed to earn the income;
10 additional information regarding how the income was earned may [; IF THE
11 SOURCE OF INCOME IS KNOWN OR REASONABLY SHOULD BE KNOWN
12 TO HAVE A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE,
13 OR POLITICAL ACTION AND THE RECIPIENT OF THE INCOME IS A
14 LEGISLATOR OR LEGISLATIVE DIRECTOR, THE AMOUNT OF INCOME
15 RECEIVED FROM THE SOURCE SHALL] be disclosed;"

AMENDMENT

27 Amended
2-5 Failed

OFFERED IN THE HOUSE

BY REPRESENTATIVE LINDSEY HOLMES

JUDICIARY COMMITTEE

TO: CSHB 109 (STA) (25-GH1059\O)

1 Page 1, lines 4 -5:

2 Delete "restricting representation of others by legislators and legislative
3 employees;"

4

5 Page 13, lines 12 - 25:

6 Delete all material and insert:

7 Sec. 24.60.100. Representation. A legislator or legislative employee who
8 represents another person for compensation, other than compensation by the State
9 of Alaska, before a municipal, legislative, or executive branch agency, board, or
10 commission shall disclose to the committee the name of the person represented,
11 the subject matter of the representation, and the body before which the
12 representation takes place. The disclosure shall be made by the deadlines set out
13 in AS 24.60.105. The committee shall maintain a public record of a disclosure
14 under this section and forward the disclosure to the respective house for inclusion
15 in the journal. A legislator or legislative employee may not ~~also~~ represent another
16 person for compensation, other than compensation by the State of Alaska before
17 an agency, committee, or other entity of the legislative branch.

AMENDMENT

#28

As Amended.

Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE RAMRAS

TO: CSHB 109(STA)

1 Page 23, line 24:

2 Delete "businesses,"

3 Delete "and"

4

5 Page 23, line 25, following "mortgages":

6 Insert ", and interests in closely held businesses"

7

8 Page 23, line 27, following "bank":

9 Insert ", trust company,"

10

11 Page 23, line 29, following "principles":

12 Insert "and, without exception under any circumstances, notwithstanding this
13 section, the prudent investment rule set out in AS 13.36.230 - 13.36.290"

14

15 Page 24, lines 6 - 13:

16 Delete all material and insert.

17 "(5) during the term of the trust, a trustor or other beneficiary of
18 the trust may not communicate with the trustee except in writing and only
19 regarding (A) a request for a distribution in cash or another unspecified asset of
20 the trust, (B) the general financial requirements regarding distributions from the
21 trust as a whole, (C) direction to the trustee that, because a law, executive order,
22 or regulation prohibits the trustor from holding an asset, the asset may not be
23 held by the trust, (D) direction to the trustee to sell all of an asset initially placed

1 in the trust because the trustor has determined the sale is necessary to avoid a
 2 conflict of interest, the appearance of impropriety, or an ethical violation:
 3 quarterly the trustee may provide to the trustor a written report of the aggregate
 4 market value of the trust's assets and property but may not disclose to the trustor
 5 or other beneficiary of the trust, or any other interested party, any information
 6 about the identity and nature of any of the assets in the trust, and the trustee shall
 7 be required to report any known breach of this confidentiality [OR THE
 8 TERMINATION OF THE TRUST TO THE OFFICE WHERE THE TRUSTOR IS
 9 REQUIRED TO FILE STATEMENTS UNDER THIS CHAPTER]; [AND]

10 (6) the trust shall terminate only upon order of the commission,
 11 the death or incompetence of the trustor, the termination of the trustor's status as
 12 a public official, or upon revocation, if approved in advance by the commission,
 13 and the trustee shall be required to promptly report any termination of the trust
 14 to the commission;"

15
 16 Page 24, lines 14 - 22:

17 Delete all material and insert.

18 (7) the trustee shall prepare the income tax return of the trust and
 19 may participate in the audit of the trust's returns with authority to compromise a
 20 tax liability of the trust, but may not disclose the return or information related to
 21 the return, except promptly after the close of each taxable year of the trust the
 22 trustee shall provide the trustor with an annual report summarizing information
 23 concerning the trust, including net income or loss, expenses, capital gains, and
 24 capital losses of the trust, as necessary to enable the trustor to prepare and file
 25 tax returns required by law; however, the summary may not directly or
 26 indirectly identify a security or other property that is an asset or former asset of
 27 the trust;"

28
 29 Page 24, line 26, following "(9)":

30 Insert "for the duration of the trust, a trustor or other beneficiary may not pledge,
 31 mortgage, or otherwise encumber a person's interests in an asset that is part of the

1 trust."

2

3 Page 25, following line 9:

4 Insert a new bill section to read:

5 **"* Sec. 33. AS 39.50.040 is amended by adding new subsections to read:**

6 (c) A quarterly report of aggregate market value under this section may
7 include, in addition to the aggregate market value of the trust's assets and property, the
8 percentage of that aggregate market value attributable to the trustor and each
9 beneficiary, by name. Within 30 days after receipt from the trustee of the quarterly
10 report of aggregate market value, the trustor may, notwithstanding the limitations on a
11 communication's subject under (b) of this section, provide a written instruction to the
12 trustee that, with respect to the trust as a whole and not a particular asset or property of
13 the trust, the trustor prefers that the trustee adopt an investment approach that is
14 conservative, moderate, or aggressive.

15 (d) A person initiating a written communication under this section shall cause
16 a copy of the communication to be filed with the commission within five days after the
17 date of the communication.

18 (e) The trustee shall maintain and make available for inspection by the
19 commission at the commission's request the trust's tax returns, books of account, and
20 other records and, on or before May 15 of each year, shall file with the commission a
21 notarized document certifying compliance with this section for the preceding calendar
22 year.

23 (f) Except as permitted by this section, the trustee shall make no accounting to
24 the trustor until the date the trust terminates, and, following the termination, the trustee ~~or~~ ee
25 shall promptly make a full accounting to the trustor and turn over to the trustor all
26 assets remaining in the trust at termination.

27 (g) The trustee may not at any time be held liable for an act or omission of the
28 trustee or for any loss or depreciation of the value of an asset or property of the trust
29 unless the trustee fails to exercise good faith, due diligence, and the ordinary skill,
30 care, and judgment a prudent fiduciary would exercise."

31

- 1 Renumber the following bill sections accordingly.
- 2
- 3 Page 27, line 29:
 - 4 Delete "sec. 36"
 - 5 Insert "sec. 37"
 - 6
- 7 Page 27, line 30:
 - 8 Delete "sec. 36"
 - 9 Insert "sec. 37"
 - 10
- 11 Page 27, line 31:
 - 12 Delete "sec. 37"
 - 13 Insert "sec. 38"
 - 14
- 15 Page 28, line 3:
 - 16 Delete "sec. 37"
 - 17 Insert "sec. 38"
 - 18
- 19 Page 28, line 4:
 - 20 Delete "sec. 38"
 - 21 Insert "sec. 39"
 - 22
- 23 Page 28, line 8:
 - 24 Delete "sec. 38"
 - 25 Insert "sec. 39"
 - 26
- 27 Page 28, line 10:
 - 28 Delete "Section 33"
 - 29 Insert "Section 34"
 - 30
- 31 Page 28, line 11:

- 1 Delete "secs. 42 and 43"
- 2 Insert "secs. 43 and 44"

29
Adopted.

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 15, following line 17:

2 Insert a new bill section to read:

3 ** Sec. 20. AS 24.60.130(o) is amended to read:

4 (o) In this section,

5 (1) "majority organizational caucus" means a group of legislators
6 who have organized and elected a majority leader and constitute more than 50
7 percent of the total membership of the house or senate, as appropriate;

8 (2) "minority organizational caucus" means a group of legislators who
9 have organized and elected a minority leader and constitute at least 25 percent of the
10 total membership of the house or senate, as appropriate."

11

12 Renumber the following bill sections accordingly.

13

14 Page 15, line 23, following "majority":

15 Insert "organizational"

16

17 Page 15, line 26, following "majority":

18 Insert "organizational"

19

20 Page 15, line 27, following "minority":

21 Insert "organizational"

22

23 Page 15, line 30, following "majority":

1 Insert "organizational"

2

3 Page 16, line 1, following "minority":

4 Insert "organizational"

5

6 Page 16, line 2, following "minority":

7 Insert "organizational"

8

9 Page 16, lines 3 - 5:

10 Delete "In this paragraph, "minority caucus" has the meaning given to the term
11 "minority organizational caucus" in (o) of this section."

12

13 Page 27, following line 26:

14 Insert a new bill section to read:

15 ** Sec. 41. AS 24.60.037(d) is repealed."

16

17 Renumber the following bill sections accordingly.

18

19 Page 27, line 29:

20 Delete "sec. 36"

21 Insert "sec. 37"

22

23 Page 27, line 30:

24 Delete "sec. 36"

25 Insert "sec. 37"

26

27 Page 27, line 31:

28 Delete "sec. 37"

29 Insert "sec. 38"

30

31 Page 28, line 3:

- 1 Delete "sec. 37"
- 2 Insert "sec. 38"
- 3
- 4 Page 28, line 4:
- 5 Delete "sec. 38"
- 6 Insert "sec. 39"
- 7
- 8 Page 28, line 8:
- 9 Delete "sec. 38"
- 10 Insert "sec. 39"
- 11
- 12 Page 28, line 9:
- 13 Delete "Section 28"
- 14 Insert "Section 29"
- 15
- 16 Page 28, line 10:
- 17 Delete "Section 33"
- 18 Insert "Section 34"
- 19
- 20 Page 28, line 11:
- 21 Delete "secs. 42 and 43"
- 22 Insert "secs. 44 and 45"

AMENDMENT # 30

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE GRUENBERG

1 Page 2, following line 21:

2 Insert a new bill section to read:

3 "§ Sec. 3. AS 15.13.040(m), as amended by sec. 2 of this Act, is amended to read:

4 (m) Information required under this chapter shall be submitted to the
5 commission electronically, except that the following information may be submitted in
6 clear and legible black typeface or hand-printed in dark ink on paper in a format
7 approved by the commission or on forms provided by the commission:

8 (1) information submitted by a candidate for municipal office for a
9 municipality with a population of less than 15,000; in this paragraph, "municipal
10 office" means the office of an elected borough or city

11 (A) mayor, or

12 (B) [PLANNING COMMISSIONER;

13 (C) UTILITY BOARD MEMBER; OR

14 (D)] assembly, council, or school board member;

15 (2) any information if the commission determines that circumstances
16 warrant an exception to the electronic submission requirement [;

17 (3) INFORMATION SUBMITTED BEFORE MAY 1, 2009, BY A
18 CANDIDATE FOR THE LEGISLATURE]."

19

20 Renumber the following bill sections accordingly.

21

22 Page 25, following line 24:

23 Insert a new bill section to read:

1 **"* Sec. 35. AS 39.50.050(a), as amended by sec. 34 of this Act, is amended to read:**

2 **(a) The Alaska Public Offices Commission created under AS 15.13.020(a)**
 3 **shall administer the provisions of this chapter. The commission shall prepare and keep**
 4 **available for distribution standardized forms on which the reports required by this**
 5 **chapter shall be filed. The commission shall print the forms provided under this**
 6 **section so that the front and back of each page have the same orientation when the**
 7 **page is rotated on the vertical axis of the page. The commission shall require that the**
 8 **information required under this chapter [, UNLESS IT IS INFORMATION**
 9 **REQUIRED OF A MUNICIPAL OFFICER,] be submitted electronically but may,**
 10 **when circumstances warrant an exception, accept any information required under this**
 11 **chapter that is typed in clear and legible black typeface or hand-printed in dark ink on**
 12 **paper in a format approved by the commission or on forms provided by the**
 13 **commission and that is filed with the commission. A municipal officer for a**
 14 **municipality with a population of less than 15,000 shall submit information**
 15 **required under this chapter either electronically or typed or hand-printed in the manner**
 16 **described in this subsection."**

17

18 **Renumber the following bill sections accordingly.**

19

20 **Page 27, line 29:**

21 **Delete "sec. 36"**

22 **Insert "sec. 38"**

23

24 **Page 27, line 30:**

25 **Delete "sec. 36"**

26 **Insert "sec. 38"**

27

28 **Page 27, line 31:**

29 **Delete "sec. 37"**

30 **Insert "sec. 39"**

31

1 Page 28, line 3:

2 Delete "sec. 37"

3 Insert "sec. 39"

4

5 Page 28, line 4:

6 Delete "sec. 38"

7 Insert "sec. 40"

8

9 Page 28, line 8:

10 Delete "sec. 38"

11 Insert "sec. 40"

12

13 Page 28, lines 9 - 10:

14 Delete all material and insert:

15 "* Sec. 44. Sections 3, 29, and 35 of this Act take effect January 1, 2009."

16

17 Renumber the following bill section accordingly.

18

19 Page 28, line 11:

20 Delete "secs. 42 and 43"

21 Insert "sec. 44"

Amendment # 31
Conceptual – Rep. Ramras

P. 7, L.16-18 Delete “unless the communication is
(i) sent during the 30-day period immediately preceding a state
election; or
(ii)”

P. 7, L. 18 after old (ii) insert “except”

Sec. 9. AS 24.60.030 is amended

(A) begins 60 [90] days before the date of an election to the board of an electric or telephone cooperative organized under AS 10.25, a municipal election, [OR] a primary election, a general election, or that begins on the date of the governor’s proclamation calling a special session election, and....

AMENDMENT

#32
W/D

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

Offered by: Rep. Ramvas

1 Page 26, following line 7:

2 Insert a new bill section to read:

3 ^{36.30} * Sec. 36. AS 39.52 is amended by adding a new section to read:

4 **Sec. 39.52.154. State contractor disclosure.** A person seeking to enter into a
5 contract with an agency, public corporation, or quasi-public corporation to provide
6 supplies, services, professional services, or public construction, or who enters into a
7 contract with an agency, public corporation, or quasi-public corporation for one or
8 more of these purposes, shall disclose to the representative of the agency, public
9 corporation, or quasi-public corporation that is responsible for administration of the
10 contract the relationship between the person and an association, partnership, business,
11 company, corporation, or limited liability company if the person making the disclosure
12 serves as a consultant or advisor to, is a member or representative of, or has a financial
13 interest of greater than \$5,000 in the association, partnership, business, company,
14 corporation, or limited liability corporation."

Company

15
16 Renumber the following bill sections accordingly.

17

18 Page 27, line 29:

19 Delete "sec. 36"

20 Insert "sec. 37"

21

22 Page 27, line 30:

23 Delete "sec. 36"

- 1 Insert "sec. 37"
- 2
- 3 Page 27, line 31:
- 4 Delete "sec. 37"
- 5 Insert "sec. 38"
- 6
- 7 Page 28, line 3:
- 8 Delete "sec. 37"
- 9 Insert "sec. 38"
- 10
- 11 Page 28, line 4:
- 12 Delete "sec. 38"
- 13 Insert "sec. 39"
- 14
- 15 Page 28, line 8:
- 16 Delete "sec. 38"
- 17 Insert "sec. 39"
- 18
- 19 Page 28, line 11:
- 20 Delete "secs. 42 and 43"
- 21 Insert "secs. 43 and 44"

33

Adopted
As Amend

Wayne
3/22/07

AMENDMENT

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 14, line 29:

2 Following "file a "

3 Insert "final"

4 Following "matter"

5 Insert "or interest, except for a matter or interest subject to disclosure under
6 AS 24.60.200,"

7

8 Page 14, line 30, following "serving":

9 Insert ", unless the person previously disclosed the matter or interest and, for that
10 reason, the matter or interest is no longer subject to disclosure. Nothing in this section excuses
11 the filing of a disclosure or report as may be required by another section of this chapter"

12

13 Page 20, line 7, following "appointment":

14 Insert "In addition, a person subject to this subsection

15 (1) shall, within 90 days after leaving service as a legislator,
16 legislative director, or public member of the committee, file a final report
17 containing the disclosures required of the person by AS 24.60.200 for the period
18 that begins on the last day of the last period for which the person filed a report
19 required by that section and ends on the date of the person's last day of service:

20 (2) who makes a disclosure required by AS 24.60.200 shall include
21 that disclosure in every subsequent report under this section unless the matter or
22 interest disclosed ceases to exist during a period for which a report has already
23 been filed"

AMENDMENT

#34
Adopted

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE RAMRAS

1 Page 14, line 10, following "interest":

2 Insert "or the date the legislator or legislative employee first becomes subject to
3 this chapter, whichever comes first"

4

5 Page 14, following line 23:

6 Insert a new bill section to read:

7 "* Sec. 18. AS 24.60.105 is amended by adding a new subsection to read:

8 (c) In addition to the filing requirements under (a) and (b) of this section, the
9 disclosures under (b) of this section shall be made annually, in a report filed with the
10 committee within 30 days after the first day of the regular legislative session."

11

12 Renumber the following bill sections accordingly.

13

14 Page 27, line 29:

15 Delete "sec. 36"

16 Insert "sec. 37"

17

18 Page 27, line 30:

19 Delete "sec. 36"

20 Insert "sec. 37"

21

22 Page 27, line 31:

23 Delete "sec. 37"

- 1 Insert "sec. 38"
- 2
- 3 Page 28, line 3:
- 4 Delete "sec. 37"
- 5 Insert "sec. 38"
- 6
- 7 Page 28, line 4:
- 8 Delete "sec. 38"
- 9 Insert "sec. 39"
- 10
- 11 Page 28, line 8:
- 12 Delete "sec. 38"
- 13 Insert "sec. 39"
- 14
- 15 Page 28, line 9:
- 16 Delete "Section 28"
- 17 Insert "Section 29"
- 18
- 19 Page 28, line 10:
- 20 Delete "Section 33"
- 21 Insert "Section 34"
- 22
- 23 Page 28, line 11:
- 24 Delete "secs. 42 and 43"
- 25 Insert "secs. 43 and 44"

AMENDMENT

35

1-6
FAILS

OFFERED IN THE HOUSE
TO: CSHB 109(STA)

BY REPRESENTATIVE GRUENBERG

1 Page 4, lines 1 - 2:

2 Delete "in this paragraph, "domestic partner" has the meaning given in
3 AS 39.50.200(a);"

4

5 Page 4, line 8, following "commission":

6 Insert "[IN THIS PARAGRAPH, "DOMESTIC PARTNER" HAS THE MEANING
7 GIVEN IN AS 39.50.200(a)]"

8

9 Page 4, following line 8:

10 Insert a new bill section to read:

11 "* Sec. 5. AS 24.45.041(b), as amended by sec. 4 of this Act, is amended to read:

12 (b) The registration form prescribed by the commission must include

13 (1) the lobbyist's full name and complete permanent residence and
14 business address and telephone number, as well as any temporary residential and
15 business address and telephone number in the state capital during a legislative session;

16 (2) the full name and complete address of each person by whom the
17 lobbyist is retained or employed;

18 (3) whether the person from whom the lobbyist receives compensation
19 employs the person solely as a lobbyist or whether the person is a regular employee
20 performing other services for the employer that include but are not limited to the
21 influencing of legislative or administrative action;

22 (4) the nature or form of the lobbyist's compensation for engaging in
23 lobbying, including salary, fees, or reimbursement for expenses received in

1 consideration for, or directly in support of or in connection with, the influencing of
2 legislative or administrative action;

3 (5) a general description of the subjects or matters on which the
4 registrant expects to lobby or to engage in the influencing of legislative or
5 administrative action;

6 (6) the full name and complete address of the person, if other than the
7 registrant, who has custody of the accounts, books, papers, bills, receipts, and other
8 documents required to be maintained under this chapter;

9 (7) the identification of a legislator, legislative employee, or public
10 official to whom the lobbyist is married or who is the domestic partner of the lobbyist;

11 (8) a sworn affirmation by the lobbyist that the lobbyist has completed
12 the training course administered by the commission under AS 24.45.031(a) within the
13 12-month period preceding the date of registration or registration renewal under this
14 chapter, except this paragraph does not apply to a person who is a representational
15 lobbyist as defined under regulations of the commission."
16

17 Renumber the following bill sections accordingly.

18

19 Page 5, line 15:

20 Delete "a new subsection"

21 Insert "new subsections"

22

23 Page 5, following line 19:

24 Insert new material to read:

25 "(e) The spouse or domestic partner of a legislator may not engage in activity
26 as a lobbyist. This subsection does not prohibit the spouse or domestic partner from
27 acting as a volunteer lobbyist under AS 24.45.161(a)(1) or a representational lobbyist,
28 as defined in regulation by the commission.

29 * Sec. 8. AS 24.45.171 is amended by adding a new paragraph to read:

30 (15) "domestic partner" has the meaning given in AS 39.50.200(a)."
31

1 Renumber the following bill sections accordingly.

2

3 Page 8, following line 25:

4 Insert a new bill section to read:

5 **"* Sec. 11. AS 24.60.030(a), as amended by sec. 10 of this Act, is amended to read:**

6 (a) A legislator or legislative employee may not

7 (1) solicit, agree to accept, or accept a benefit other than official
8 compensation for the performance of public duties; this paragraph may not be
9 construed to prohibit lawful solicitation for and acceptance of campaign contributions,
10 solicitation or acceptance of contributions for a charity event, as defined in
11 AS 24.60.080(c)(10), or the acceptance of a lawful gratuity under AS 24.60.080;

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

16 (A) limited use of state property and resources for personal
17 purposes if the use does not interfere with the performance of public duties and
18 either the cost or value related to the use is nominal or the legislator or
19 legislative employee reimburses the state for the cost of the use;

20 (B) the use of mailing lists, computer data, or other information
21 lawfully obtained from a government agency and available to the general
22 public for nonlegislative purposes;

23 (C) telephone or facsimile use that does not carry a special
24 charge;

25 (D) the legislative council, notwithstanding AS 24.05.190,
26 from designating a public facility for use by legislators and legislative
27 employees for health or fitness purposes; when the council designates a facility
28 to be used by legislators and legislative employees for health or fitness
29 purposes, it shall adopt guidelines governing access to and use of the facility;
30 the guidelines may establish times in which use of the facility is limited to
31 specific groups;

1 (E) a legislator from using the legislator's private office in the
2 capital city during a legislative session, and for the 10 days immediately before
3 and the 10 days immediately after a legislative session, for nonlegislative
4 purposes if the use does not interfere with the performance of public duties and
5 if there is no cost to the state for the use of the space and equipment, other than
6 utility costs and minimal wear and tear, or the legislator promptly reimburses
7 the state for the cost; an office is considered a legislator's private office under
8 this subparagraph if it is the primary space in the capital city reserved for use
9 by the legislator, whether or not it is shared with others;

10 (F) a legislator from use of legislative employees to prepare
11 and send out seasonal greeting cards;

12 (G) a legislator from using state resources to transport
13 computers or other office equipment owned by the legislator but primarily used
14 for a state function;

15 (H) use by a legislator of photographs of that legislator;

16 (I) reasonable use of the Internet by a legislator or a legislative
17 employee except if the use is for election campaign purposes;

18 (J) a legislator or legislative employee from soliciting,
19 accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable
20 organization in a state facility;

21 (K) a legislator from sending any communication in the form of
22 a newsletter to the legislator's constituents unless the communication is

23 (i) sent during the 30-day period immediately preceding
24 a state election; or

25 (ii) a communication expressly advocating the election
26 or defeat of a candidate or a newsletter or material in a newsletter that
27 is clearly only for the private benefit of a legislator or a legislative
28 employee; or

29 (L) full participation in a charity event approved in advance by
30 the Alaska Legislative Council;

31 (3) knowingly seek, accept, use, allocate, grant, or award public funds

1 for a purpose other than that approved by law, or make a false statement in connection
2 with a claim, request, or application for compensation, reimbursement, or travel
3 allowances from public funds;

4 (4) require a legislative employee to perform services for the private
5 benefit of the legislator or employee at any time, or allow a legislative employee to
6 perform services for the private benefit of a legislator or employee on government
7 time; it is not a violation of this paragraph if the services were performed in an
8 unusual or infrequent situation and the person's services were reasonably necessary to
9 permit the legislator or legislative employee to perform official duties;

10 (5) use or authorize the use of state funds, facilities, equipment,
11 services, or another government asset or resource for the purpose of political fund
12 raising or campaigning; this paragraph does not prohibit

13 (A) limited use of state property and resources for personal
14 purposes if the use does not interfere with the performance of public duties and
15 either the cost or value related to the use is nominal or the legislator or
16 legislative employee reimburses the state for the cost of the use;

17 (B) the use of mailing lists, computer data, or other information
18 lawfully obtained from a government agency and available to the general
19 public for nonlegislative purposes;

20 (C) telephone or facsimile use that does not carry a special
21 charge;

22 (D) storing or maintaining, consistent with (b) of this section,
23 election campaign records in a legislator's office;

24 (E) a legislator from using the legislator's private office in the
25 capital city during a legislative session, and for the 10 days immediately before
26 and the 10 days immediately after a legislative session, for nonlegislative
27 purposes if the use does not interfere with the performance of public duties and
28 if there is no cost to the state for the use of the space and equipment, other than
29 utility costs and minimal wear and tear, or the legislator promptly reimburses
30 the state for the cost; an office is considered a legislator's private office under
31 this subparagraph if it is the primary space in the capital city reserved for use

1 by the legislator, whether or not it is shared with others; or

2 (F) use by a legislator of photographs of that legislator;

3 **(6) communicate directly with a spouse or domestic partner of a**
 4 **legislator if the spouse or domestic partner is registered as a lobbyist under**
 5 **AS 24.45.041 and the communication concerns legislative action; in this**
 6 **paragraph, "legislative action" has the meaning given in AS 24.45.171."**

7
 8 Renumber the following bill sections accordingly.

9
 10 Page 10, following line 15:

11 Insert a new bill section to read:

12 **"* Sec. 15. AS 24.60.070(c), as amended by sec. 14 of this Act, is amended to read:**

13 (c) When making a disclosure under (a) of this section concerning a
 14 relationship with a lobbyist to whom the legislator or legislative employee is married
 15 or who is the legislator's or legislative employee's domestic partner, the legislator or
 16 legislative employee shall also disclose the name and address of each employer of the
 17 lobbyist and the total monetary value received by the lobbyist from the lobbyist's
 18 employer. The legislator or legislative employee shall report changes in the employer
 19 of the spouse or domestic partner within 48 hours after the change. In this subsection,
 20 "employer of the lobbyist" means the person from whom the lobbyist received
 21 amounts or things of value for engaging in lobbying on behalf of the person."

22
 23 Renumber the following bill sections accordingly.

24
 25 Page 27, following line 26:

26 Insert a new bill section to read:

27 **"* Sec. 45. AS 24.45.121(e) is repealed."**

28
 29 Renumber the following bill sections accordingly.

30
 31 Page 27, line 29:

1 Delete "sec. 36"

2 Insert "sec. 40"

3

4 Page 27, line 30:

5 Delete "sec. 36"

6 Insert "sec. 40"

7

8 Page 27, line 31:

9 Delete "sec. 37"

10 Insert "sec. 41"

11

12 Page 28, line 3:

13 Delete "sec. 37"

14 Insert "sec. 41"

15

16 Page 28, line 4:

17 Delete "sec. 38"

18 Insert "sec. 42"

19

20 Page 28, line 8:

21 Delete "sec. 38"

22 Insert "sec. 42"

23

24 Page 28, following line 8:

25 Insert new bill sections to read:

26 **"* Sec. 47.** The uncodified law of the State of Alaska is amended by adding a new section to
27 read:

28 **CONDITIONAL EFFECT.** Sections 5, 11, 15, and 45 of this Act take effect only if a
29 court of competent jurisdiction enters a final judgment on the merits that is no longer subject
30 to appeal or petition for certiorari holding AS 24.45.121(e), as enacted by sec. 7 of this Act, to
31 be unconstitutional.

1 * **Sec. 48.** If secs. 5, 11, 15, and 45 of this Act take effect under sec. 47 of this Act, they take
2 effect on the day after the last day on which an appeal of or petition for certiorari for the
3 judgment described in sec. 47 of this Act could have been filed."

4

5 Renumber the following bill sections accordingly.

6

7 Page 28, line 9:

8 Delete "Section 28"

9 Insert "Section 29"

10

11 Page 28, line 10:

12 Delete "Section 33"

13 Insert "Section 37"

14

15 Page 28, line 11:

16 Delete "secs. 42 and 43"

17 Insert "secs. 48 - 50"

Amendment # 36
By Rep. Samuels

Offered in the House Judiciary Committee
AMENDED

5-2 Adopted

To: CSHB 109 (STA)

Page 13, lines 12-25;
Delete all materials and insert:

Sec. 24.60.100. Representation. A legislator or legislative employee who represents another person for compensation, unless that person is controlled by the legislator or legislative employee, other than compensation by the State of Alaska, before a municipal board or commission shall disclose to the committee the name of the person represented, the subject matter of the representation, and the body before which the representation takes place. 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, unless that person is controlled by the legislator or legislative employee, other than compensation by the State of Alaska, before an agency, committee, or other entity of the legislative or executive branches.

AMENDMENT

37

Adopted

OFFERED IN THE HOUSE

BY REPRESENTATIVE LINDSEY HOLMES

JUDICIARY COMMITTEE

TO: CSHB 109 (STA) (25-GH1059\O)

1 Page 19, Lines 18-26:
2 Delete all materials

3

4 Insert:

5 (2) as to income or deferred income in excess of \$1,000 earned or received as
6 compensation for personal services, and as to dividend income or deferred compensation
7 in excess of \$1,000 received from a limited liability company as compensation or
8 deferred compensation for personal services, a statement describing:

9 (A) name and address of the source of the income;

10 (B) the amount of the of the income;

11 (C) a brief statement describing whether the income was earned by commission,
12 by the job, by the hour, or by some other method;

13 (D) the dates and approximate number of hours worked to earn the income; and

14 (E) unless required by law to be kept confidential, a description sufficient to make
15 clear to a person of ordinary understanding the nature of each service performed
16 and the ~~ate~~ the service was performed.

date

(B) - The receipt of the income;

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number _____
Bill Version LL07-59-LAW-OAE-1-24
() Publish Date _____

Revision Date/Time (Note if correction): _____ Dept. Affected Law
Title An Act relating to disclosures to the APOC and RDU Civil Division
Legislative and Executive Branch ethics Component Opinions, Appeals & Ethics
Sponsor Rules Committee
Requester Governor Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 00
Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill amends the state's election campaign laws, legislative standards of conduct, public official financial disclosure laws, and the Executive Branch Ethics Act in an effort to require more detailed disclosures from current and former legislators and public officials, restrict public officers' receipt of gifts from lobbyists, and extend existing restrictions on public employees' employment after leaving state service. It is unclear whether these amendments will change the department's workload. The amendments may result in increased assistance to the APOC or executive branch client agencies, however, the budget impact is indeterminable since it is impossible to predict with any certainty how many complaints or questions will arise.

Prepared by: Robert Meiners, Acting Director Phone 465-5427
Division: Administrative Services Division Date/Time 1/24/07 1:29 PM
Approved by: Robert Meiners for Talis Colberg, Attorney General Date 1/24/2007
Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: 0059-DOA-APOC-1-23-07
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title An Act relating to the requirement for candidates, RDU AK Public Offices Commission
groups, legislators, public officials.. Component AK Public Offices Commission
Sponsor Rules by Request
Requester Governor's Office Component No 70

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	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
Contractual	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
Equipment	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
Grants & Claims	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
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	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
1004 GF	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
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	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

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill requires candidates, groups, legislators, public officials, and others to submit required reports electronically; requires legislators and public officials to file financial disclosures after leaving office; requires financial disclosure filers to provide a detailed description about services performed for compensation and about certain income, gifts, and other financial matters; establishes a presumption that an interest of less than \$5000 in a business is an "insignificant" interest for the purposes of the Executive Branch Ethics Act; prohibits gifts from lobbyists to public officers or the immediate family members of public officers; and tightens the restrictions on employment after leaving state service. It is not anticipated that this measure will add to the costs of the Public Offices Commission.

Prepared by: Brooke Miles, Executive Director Phone 907-334-1726
Division Alaska Public Offices Commission Date/Time 1/23/07 12:00 AM
Approved by: Melanie Millhorn, Deputy Commissioner Date 1/23/2007
Agency Department of Administration

3/3/2007

From the HB 109 – K Version

Attached is everything that passed the STA Committee for HB 109. The amendments for the final CS was compiled by Title number, then Section number not necessarily by amendment number.

Title 15

- 1) Amendment #2 by the Governor 15.13.040(m)
- 2) Amendment 3 to Amendment #2 (K.49)

Title 24

- 1) Amendment #6 by the Governor 24.45.121(a)
- 2) New Amendment #9 (K.54). This was amended as follows: Page 1 line 6 – 8 after the word "entity", DELETE "that regularly has a substantial interest in the legislative activities of the legislator or employee"
- 3) Amendment #10 (K.40)
- 4) New Amendment #11 (Representative Gardner)
- 5) New Amendment #13 (Representative Gruenberg) Please note grammatical change in subsection (2) - the crossed out comma after the word "income" – see arrow
- 6) Amendment #14 (K.17). This was amended. Page 1 Line 10 DELETE the first three words, "or other entity"
- 7) Amendment #17 (K.45)
- 8) Amendment #3 by the Governor 24.60.210

Title 39

- 1) Amendment #4 by the Governor 39.50.050(a)
- 2) Amendment #22 (K.50)
- 3) Amendment #23 by the Governor 39.50.200(b)
- 4) Amendment #24 by the Governor 39.52.110
- 5) Amendment #35 (Representative Roses) Page 21 Line 21 after "position", ADD "who is required to file a financial disclosure with APOC"
- 6) Amendment #30 (K.28-A) (Please note the changes to K.28 on lines 8, 10 and 11)

HB 109 (Version K) Final Checklist (as of 3/3/07)

Amendment 1 (A.4)	Title 11	Failed
Amendment 2 (Gov.)	Title 15	Passed as Amended
Amend 1 to Amendment 2	Title 15	Failed
Amend 2 to Amendment 2 (K.42)	Title 15	Passed
Amend 3 to Amendment 2 (K.49)	Title 15	Passed
Amendment 3 (Gov.)	Title 24	Passed
Amend 1 to Amendment 3	Title 24	Failed
Amendment 4 (Gov.)	Title 39	Passed
Amendment 5 (K.6)	Title 15	Withdrawn, for Judiciary
Amendment 6 (Gov.)	Title 24	Passed
Amendment 7	Title 24	Withdrawn
Amendment 8 (K.14)	Title 24	Withdrawn
Amendment 9 (K.41)	Title 24	Tabled
New Amendment 9 (K.54)	Title 24	Passed as Amended
Amend 1 to Amendment 9	Title 24	Passed
Amendment 10 (K.40)	Title 24	Passed
Amendment 11	Title 24	Tabled
New Amendment 11	Title 24	Passed
Amendment 12 (Gov.)	Title 39	Failed
Amendment 13 (Gov.)	Title 24	Passed as Amended
Amend 1 to Amendment 13	Title 24	Withdrawn
Amend 2 to Amendment 13	Title 24	Failed
Amend 3 to Amendment 13	Title 24	Passed
New Amendment 13	Title 24	Passed
Amendment 14 (K.17)	Title 24	Passed as Amended
Amend 3 to Amendment 14	Title 24	Passed
Amendment 15 (K.20)	Title 24	Withdrawn
Amendment 16	Title 24	Not Offered
Amendment 17 (K.45)	Title 24	Passed
Amendment 18 (K.19)	Title 24	Withdrawn
Amendment 19	Title 24	Withdrawn
Amendment 20 (K.22)	Title 39	Not Offered
Amendment 21 (E.3)	Title 39	Not Offered
Amendment 22 (K.50)	Title 39	Passed
Amendment 23 (Gov.)	Title 39	Passed
Amendment 24 (Gov.)	Title 39	Passed
Amendment 25 (K.18)	Title 39	Not Offered
Amendment 26 (K.35)	Title 39	Not Offered
Amendment 27 (Gov.)	Title 39	Withdrawn
Amendment 28	Title 39	Not Offered
Amendment 29 (K.28)	Title 39	Not Offered
Amendment 30 (K.28-A)	Title 39	Passed
Amendment 31 (K.27)	Title 39	Not Offered
Amendment 32 (K.36)	Title 39	Not Offered
Amendment 33 (K.30)	Title 39	Withdrawn
Amendment 34	Title 39	Withdrawn
Amendment 35	Title 39	Passed

From the HB 109 – K Version

Attached is everything that passed the STA Committee for HB 109. We will compile the information by Title number, then Section number not necessarily by amendment number.

Title 15

- 1) Amendment #2 by the Governor 15.13.040(m)
- 2) Amendment 3 to Amendment #2 (K.49)

Title 24

- 1) Amendment #6 by the Governor 24.45.121(a)
- 2) New Amendment #9 (K.54). This was amended as follows: Page 1 line 6 – 8 after the word "entity", DELETE "that regularly has a substantial interest in the legislative activities of the legislator or employee"
- 3) Amendment #10 (K.40)
- 4) New Amendment #11 (Representative Gardner)
- 5) New Amendment #13 (Representative Gruenberg) Please note grammatical change in subsection (2) - the crossed out comma after the word "income" – see arrow
- 6) Amendment #14 (K.17). This was amended. Page 1 Line 10 DELETE the first three words, "or other entity"
- 7) Amendment #17 (K.45)
- 8) Amendment #3 by the Governor 24.60.210

Title 39

- 1) Amendment #4 by the Governor 39.50.050(a)
- 2) Amendment #22 (K.50)
- 3) Amendment #23 by the Governor 39.50.200(b)
- 4) Amendment #24 by the Governor 39.52.110
- 5) Amendment #35 (Representative Roses) Page 21 Line 21 after "position", ADD "who is required to file a financial disclosure with APOC"
- 6) Amendment #30 (K.28-A) (Please note the changes to K.28 on lines 8, 10 and 11)

Amendment Passed as Amended

1 AS 15.13.040(m) Governor's Amendment #2 Electronic Campaign Filing - Title 15

2
3 OFFERED IN THE HOUSE BY THE GOVERNOR
4 STATE AFFAIRS COMMITTEE

5 TO: CSHB 109() (25-GH1059K; 2/21/07)

6 Page 2, line 5, following "commission":

7 Delete "may request"

8 Insert "shall require"

9
10 Page 2, line 6, following "chapter":

11 Insert " unless it is information required of a candidate for election to municipal
12 elective office,"

13
14 Page 2, line 6, following "but":

15 Delete "shall"

16 Insert "may, when circumstances warrant an exception or when the information is
17 required of a candidate for election to municipal elective office,"

18
19 Page 2, line 9, following "with the commission.", through line 15

20 Delete all material and insert:

21 "Candidates for election to municipal elective office must submit information
22 required under this chapter electronically or in the typed or hand-printed form described in
23 this subsection. In this subsection, 'municipal elective office' means the office of an

Passed as Amended

1 elected borough or city mayor, elected member of a city or borough planning commission,
2 elected utility board member, or elected member of a borough assembly, city council, or
3 school board.”

4

5 Page 22, following line 18:

6 Insert a new bill section to read:

7 **“* Sec. 33. Section 2 of this Act takes effect May 1, 2009.”**

8

9 Renumber the following bill sections accordingly.

10

11 Page 22, line 19, following “Sections”

12 Delete “2”

Cleaner Version - Title 15 Fix

25-GH1059\K.49

Wayne

2/28/07

Amendment 3 to Gov Amend 2

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 109(), Draft Version "K"

1 Page 2, lines 4 - 15:

2 Delete all material and insert:

3 "* Sec. 2. AS 15.13.040(m) is repealed and reenacted to read:

4 (m) Information required under this chapter shall be submitted to the
5 commission electronically, except that the following information may be submitted in
6 clear and legible black typeface or hand-printed in dark ink on paper in a format
7 approved by the commission or on forms provided by the commission:

8 (1) information submitted by a candidate for municipal office; in this
9 paragraph, "municipal office" means the office of an elected borough or city

10 (A) mayor;

11 (B) planning commissioner;

12 (C) utility board member; or

13 (D) assembly, council, or school board member;

14 (2) any information if the commission determines that circumstances
15 warrant an exception to the electronic submission requirement;

16 (3) information submitted before May 1, 2009, by a candidate
17 for the legislature."

18

19 Page 22, line 19:

20 Delete "Sections 2, 22, and 26"

21 Insert "Sections 22 and 26"

Amendment Passed

Amend # 6

1 AS 24.45.121(a) Governor's Amendment ⁴⁵ (Parallel Positions for Lobbyists - Title 24)

2

3

OFFERED IN THE HOUSE

BY THE GOVERNOR

4

STATE AFFAIRS COMMITTEE

5

TO: CSHB 109() (25-GH1059K; 2/21/07)

6

Page 4, following line 2:

7

Insert new bill sections to read:

8

“* Sec. 3. AS 24.45.121(a) is amended to read:

9

(a) A lobbyist may not

10

(1) engage in any activity as a lobbyist before registering under

11

AS 24.45.041;

12

(2) do anything with the intent of placing a public official under personal

13

obligation to the lobbyist or to the lobbyist's employer;

14

(3) intentionally deceive or attempt to deceive any public official with

15

regard to any material fact pertinent to pending or proposed legislative or

16

administrative action;

17

(4) cause or influence the introduction of a legislative measure solely for

18

the purpose of thereafter being employed to secure its passage or its defeat;

19

(5) cause a communication to be sent to a public official in the name of

20

any fictitious person or in the name of any real person, except with the consent of

21

that person;

22

(6) accept or agree to accept any payment in any way contingent upon the

23

defeat, enactment, or outcome of any proposed legislative or administrative action;

1 (7) serve as a member of a state board or commission, if the lobbyist's
2 employer may receive direct economic benefit from a decision of that board or
3 commission;

4 (8) serve as a campaign manager or director, serve as a campaign
5 treasurer or deputy campaign treasurer on a finance or fund-raising committee,
6 host a fund-raising event, directly or indirectly collect contributions for, or deliver
7 contributions to, a candidate, or otherwise engage in the fund-raising activity of a
8 legislative campaign or campaign for governor or lieutenant governor if the
9 lobbyist has registered, or is required to register, as a lobbyist under this chapter,
10 during the calendar year; this paragraph does not apply to a representational
11 lobbyist as defined in the regulations of the Alaska Public Offices Commission,
12 and does not prohibit a lobbyist from making personal contributions to a candidate
13 as authorized by AS 15.13 or personally advocating on behalf of a candidate;

14 (9) offer, solicit, initiate, facilitate, or provide to or on behalf of a person
15 covered by AS 24.60, during a legislative session, a gift, other than food or
16 beverage for immediate consumption; however, this paragraph does not prohibit a
17 lobbyist from providing, during a legislative session or at any other time of the
18 year, tickets to a charity event described in AS 24.60.080(c)(10), or a contribution
19 to a charity event under AS 24.60.080(c)(11);

20 (10) make or offer a gift or a campaign contribution whose acceptance by
21 the person to whom it is offered would violate AS 24.60 or AS 39.52."

22 *** Sec. 6. AS 24.45.121 is amended by adding a new subsection to read: