



1 nongroup entity for the purpose of influencing the outcome of an election as soon as
2 the total contributions and expenditures to that nongroup entity for the purpose of
3 influencing the outcome of an election reach \$500 in a year and for all subsequent
4 contributions and expenditures to that nongroup entity in a year whenever the total
5 contributions and expenditures to that nongroup entity for the purpose of influencing
6 the outcome of an election that have not been reported under this paragraph reach
7 \$500.

8 * Sec. 4. AS 24.60.080(e) is amended to read:

9 (e) A political contribution is not a gift under this section if it is reported under
10 AS 15.13.040 [OR IS EXEMPT FROM THE REPORTING REQUIREMENT
11 UNDER AS 15.13.040(g)]. The use of a bulk mailing permit owned by a legislator's
12 campaign committee or used in a legislator's election campaign is not a gift to that
13 legislator under this section.

14 * Sec. 5. AS 15.13.040(g) and 15.13.040(l) are repealed.

House State Affairs Committee
Ethics Subcommittee Meeting Minutes
Sat., Feb. 3, 2007, 10:06-10:35 a.m.

Rep coghill did not want to start without max ... keeps waiting

173 Coghill calls meeting to order, Roses and Coghill present. Gruenberg absent

We have a majority of subcommittee, missing max so not do anything. ... ill go through the explanation

We have a dozen bills that have been introduced, four of them by the senate... the governor bill is the one we will probably be focusing in on ... there are several titles we have to deal with ... we have one criminal code, title 15 which deals mostly with campaign issues ... title 24 which deals with legislative reporting issues and lobbyist reporting issues and then we have title 39 which deals primarily with executive ethics

186 what I did was I created a matrix and I (inaudible) in a packet for each one and the matrix will be like this ... for public information you can all get from me ... what I did was I outlined what had similar language options and so what I'm going to do is assign to each member of the subcommittee a title ... and what they're going to do is bring back a section like this that has what the language is in statute, what the proposed language sets are, and what they propose to do, and then any amendments that that particular individual proposes at the subcommittee level ... and what I'll do is I'll tab that language to this matrix and we'll just go down, starting with the lowest numbered title, which is title 11, would be title 15, title 24 and title 39 ... we'll go through and assemble a bill

202 My goal is to assemble an omnibus bill under the governor's title so we may end up having to propose a title amendment

(Rep. Gruenberg now present)

205 I went ahead and gavelled in, just to tell them what the purpose was max, and here's a packet for you ... went through the matrix ... matrix will be tabbed to the language ... and my next meeting will be to take not only the bills that are on this matrix, but we'll take all the amendments ... the reason we can't go into substance today is the last three days now our leg. Legal has been overheated taking amendments from everybody in the building ... they are near beside themselves with drafting language ... because of confidentiality they can't say to a member who has asked them that that's already been drafted so they have to do an individual draft for that individual member ... so I'm going to give time for that to kind of catch up with us ...

221 There are a bunch of amendments, not only from individuals, but the ethics committee brought several suggested language changes to us ... and we'll look at other proposed bills ... so the matrix may actually increase ... but it will be by title and what we'll do at the next meeting, we'll go through by title and we'll discuss the amendments

within the subcommittee members ... and then for those legislators who are here, who want to have any input, we'll ask for input ... but I'm going to keep it kind of tight ... I have a feeling that we could be here for ever and ever and ever .. I just want to (inaudible) and go back to the main committee, the state affairs committee ...

234 So the purpose today is to line out the process ... not to talk about the substance ... the goal is to head for an omnibus bill that we can fit in the title of house bill 109, which is the governor's bill ... the process is going to be an assignment to rep. Gruenberg, rep. roses and myself, to come back with suggested language in each title area ...

The assignments is going to be, I'm going to give rep. roses title 15 ... title 15 assignment is to come back with language that will fit under the governor's title as much as you can, I'm only interested in reporting issues, I'm not interested in campaign reform, so we're not going to go into term limits, or way out into other areas ... we're going to go to reporting issues that are primarily going to be viewed as ethical questions ... so this is the ethics subcommittee, not campaign reform committee ...

Same thing is going to be true for title 24 ... max have you got a preference on title 24 or title 39 ?

Max: your pleasure, mr. chairman

249 Coghill: O.K. I'll take title 24 and if you'll take title 39 ... title 39 is primarily the executive ethics ... the senate actually passed a couple of bills out of the state affairs committee yesterday ... it's kind of interesting to look at that ... in fact, they're actually in our matrix ... so we'll look at their suggested language ... I think ours is going to be a little more comprehensive than theirs, and so I'm going to allow that to happen .. remember that this goes to the full state affairs committee ... and then it goes to the judiciary committee .. and then it goes to the finance committee .. so we got quite a journey to go with this yet ..

259 My goal is to get them a bill in the state affairs committee ... if per chance the other body passes a bill over it may be that the titles naturally lend themselves to our work being amended into their bills ... and that's why I want to keep it as clean as I can between the titles ... because I think title 39 and title 24 lend themselves very cleanly to one set .. and title 15 is another set altogether .. they've been suggestions, I think Tom Brice got a suggestion to me that I'm now assimilating into language and so we'll take a look at it in the subcommittee ... the hope is to have a subcommittee that I can do amendments, as we're sitting at a table like this, where we can go through the title amendments, talk about them, say yes it goes into the bill, no it doesn't ... and so we'll have it in as clean a matrix as we can .. so that everyone in the room knows exactly what we're trying to shuffle into the bill ... we'll talk a little bit about the title before we get there .. and then we'll suggest that goes to the full committee ...

274 My hope is to get it so that you can have it in your committee on Friday (to state affairs committee chair Bob Lynn) .. I think you have a Friday caucus meeting, correct ...

that's a pretty aggressive schedule so forgive us if we don't hit that mark ... but that's going to be a goal, that's an aggressive goal so that means we're going to have to meet either tues night or wed night so that we can have a draft or finish it up ... so all of those of you who have been asking leg. Legal to draft things, I would suggest, that if you're in the House, head them toward this committee than leg. Legal at this point because we may already have something with regards to that so get us a note ... otherwise you're going to slow the process way down, we won't be able to get a bill before state affairs, which is our goal ... our goal is not to solve all the world's problems .. our goal is to get them in order, get the cleanest policy call you can before the committee, certainly there's going to be some debate, I can tell you for me, I want to make sure the principles of keeping people accountable, having bright lines wherever we can, where you'd be held accountable, but I don't want to necessarily put legislators in a cage, to put a shackle on them and say, that all of a sudden that they're the worst people in the world just because they happen to be a legislator ...or even a lobbyist ... so im going to be asking some pretty tough questions ...any questions from the committee ...

295 Max: why don't we introduce our staff who will be assigned ... Norman cohen

Coghill: for me rynnivea is going to be my staff who will receive it but Karen lidster will be also doing the typing, assimilating and research .. but rynneiver will be the person to go through to get to Karen at this point ..

Bob roses: my contact person will be josh applebee ...

Coghill ... and Im going to enlist berta gardner, who has a bill and so you can certainly have staff work with us to make sure your bill is represented well and your language is represente well ..also true with john harris

Berta: did you talk about somebody doing title 11

Coghill: Im going to do title 11 and were going to debate that in committee on whether it should even be included ... because it is a criminal code issue but it does get into an ethics issues ... so Im disposed to put it in but Im not disposed necessarily to vote for it .. . and the reason is, as we get into the substance of the debate the next time we meet, it's a criminal code and it doesn't properly belong to an ethics issue although it deals with bribery specifically which has an ethics component to it ... but at this point, im disposed to at least have it set up so that we can put it in ... and im going to come up with some suggested language that I will be looking at as we get to judiciary committee ... but I will not stop the bill .. If I think it does not properly belong in this I think we'll just move it on to judiciary, that's where it properly belong for discussion anyway, but I'll go with the will of the subcommittee on that ..

Rep. Lynn

321 As liaison to the full state affairs committee, you can work with staffer Mike sica

Coghill: In fact, we'll have Nancy Manly probably helping us keep track of the meeting ... I've asked that the minutes of the meeting be brought together .. I think they're recording it but it's really only for the benefit of her benefit ... way regular committees do it, we're all digitized in the world now, and we don't have access to that equipment here ... so, it's going to be recorded for the benefit of the subcommittee so that when we make our report to the full committee it's very clean what we did, that's the only reason we're recording it ... so Nancy will take care of the minutes, as to what transpired vote wise and today's mostly instruction ...

Max: one thing our staff would appreciate and we would appreciate .. if any legislators are thinking of putting in additional bills and would like to have them included, if they could just give the relevant staffer a heads up just as to the concept and if they have any idea if it's going to go in title 24, then they should talk to the chair subcommittee, etc. so we can have an idea of something that's coming down the pike ... and try to reserve some time and some space ...

Coghill ... that is not a request for more work though and the reason I'm saying that is we could probably rewrite the whole title ... 15, 24 and 39 in this venue ... that's not my intention ... and so if your work doesn't get in here, there's no disrespect ... but what I'm trying to do is, our title is fairly good, there's places where we can brighten the lines, making people more accountable and do policy calls that say we want a respectable, enforceable, transparent process ... I think there's a range of policy calls that can be made ... I don't think we're going to make them all in this particular committee ... but I'm going to try to have a bill that's clean enough to look at to where you can argue your policy call issue .. so if I try settle all the issues in this committee, we just couldn't get it done ...

352

Doogan: I just want to make sure that I understand all the procedures ... so if I were to have something I thought, an amendment to title 24, I'd write something down not worryin_g about the legal niceties of it, I'd get that to you ..

Coghill: I think that would be the best thing to do and we'll consider it ... they may already be an amendment in here with that ... and that's one of the reasons why I'm asking because we have literally overheated our legislative legal department ... and I've got to say somewhere along the line we have to have mercy on these folks .. so this would be the best way to do it ... head toward this committee ... and if it doesn't get in, there's other opportunities to debate that ... but I will have it in the matrix if at all possible ... and that's why I need time to get that done ... like I said, the ethics committee, several legislators, and even looking at the governor's bill, what amendments have happened on the other side that are in that same title, I think it's wise to look at that ... so Bob roses anything ..

Rep. Roses: No. It sounds pretty clear to me.

Coghill: So we got the purpose. The goal is to get an omnibus bill. The process is fairly well described. Any other legislators got a question.

Rep. Seaton: Are the individual ones with assignments. Is the requests for everybody to get the amendments to you guys and are the amendments going to be available to us so that we know whether it's covered or not, or we just have to submit an additional amendment even though there are three other amendments on the same thing?

Coghill: If you get it to the individual member of the subcommittee they'll be able to tell you if there's another proposed amendment of the same language in that title. So if you'd like to put it upon me in Title 24, if I know that there's something else, I'll have on the matrix what that is and then I'd be able to tell you how close it is or how far it is from that.

Max: Is the governor going to have a point person on this that the people can contact.

John bittney: Either contact myself or from the dept. of Law, Dave Jones.

Coghill: Thank you very much. That will be a good resource.

Each binder that I have here Im trying to keep tabbed here the same. So from my office I will continue to make sure that anything I get they get. And vice versa. So well keep our binders in the same tabbed order so what we have is not only the matrix, we'll have this, but every bill behind it and then for example the ethics committee actually submitted some recommendations which I think we'll go through the actual verbage of that in our next meeting.

Roses asks Josh about ethics committee meeting on March 6.

Coghill: These are recommendations that came from the board and they're from several advisory opinions. We'll talk about the advisory opinions they faxed us. As we get into that section, we'll probably slow down enough to look. But it will be by title number. So for example, here I have matrix title 15, section 13, paragraph 040, and then it would be sub c, b,e ... so that way there's no question as to where we're at in the statute. We start from the lowest number and go to the highest number, and work our way down.

406 If at the committee meeting, whether you agree with us or not, you'll be able to at least see what our disagreements are and when we get to the full committee, that's how the debate we'll happen. Amongst us three, we'll have to decide that, certainly with input from a lot of other people, but at the end of the day we have to make the decision, right or wrong, and then we get to our committee, the larger debate and then it has to go before two other committees anyway, so I think if we set up a template for it then it's clear enough where you know what part of the debate you want to get to and how we got there.

Tom Wright: Just one more thing. There's no fiscal not yet.

Coghill: Believe me, there's probably going to be a fiscal note.

Alright any other questions. We've given the assignments. Rep. Gruenberg is going to get title 39, which is the executive ethics, rep. roses is going to get title 15, which deals primarily with APOC reporting issues, Ill take title 24 with deals with lobbying and legislative ethics, so those of you who have any input that want to get to us, title 39 to max, title 24 to me and anything with campaign reporting to rep. roses.

SUBJECT MATRIX OF ETHICS LEGISLATION - TITLE 24

STATUTORY CHANGE	HB 5 Neuman	HB 6 Harris, etc	HB 10 Lynn, D's	HB 20 Harris	HB 27 Gardner	HB 38 Gara	HB 58 Gara	HB 109 Gov	SB 13 Stevens	SB 19 French	SB 20 French	SB 63 Bunde	Tab No.
24.45.121 prohibits spouse or domestic partner of legislator from being a lobbyist and prohibits anyone from hiring such a person.				X									1
24.60.020 Language cleanup to clarify that this subsection applies to this chapter.			X								X		2
24.60.030(a) prohibits a legislator or legislative employee from entering into a contract to provide consulting services.				X									3
24.60.080(e) Eliminates an exemption for a candidate who does not intend to raise more than \$5,000 in his campaign or expend more than \$5,000 in his campaign. All candidates will be required to report gifts per statute.				X								X	4
24.60.085 new section prohibiting a legislator from, directly or through any person, providing consulting services or accepting consulting fees from a person in the private sector while in office and for one year after leaving office.									X				5
24.60.115 new law requires a former legislator, legislative employee or public member of the Select Committee on Legislative Ethics to file disclosure information for all matters relevant to when that person was a legislator, legislative employee or public member of the Select Committee on Legislative Ethics even though they no longer hold that position.			X								X Within 90 days		6

STATUTORY CHANGE	HB 5	HB 6	HB 10	HB 20	HB 27	HB 38	HB 58	HB 109	SB 13	SB 19	SB 20	SB 63	Tab
	Neuman	Harris, etc	Lynn, D's	Harris	Gardner	Gara	Gara	Gov	Stevens	French	French	Bunde	No.
24.60.200 expands reporting of income in excess of \$1,000 to include dividends received from a LLC as compensation for personal services and requires the disclosure to include a description of services performed and the approximate number of hours spent performing services. Exceptions to comply with state and federal laws.			X		X			X			X		7 A - B
24.60.210(a) & (b) Requires former legislators, public members of Ethics Committee, & legislative directors to submit financial disclosures to APOC within 90 days after leaving those positions.								X					8
24.60.210(c) new subsection makes electronic reporting of Annual Reports to APOC mandatory except in extraordinary circumstances, which would have to comply with APOC requirements.								X					9
24.60.990(a) adds definition for "professional license" to mean a license required for a profession regulated by the federal government or a state.					X								10
UNCODIFIED LAW _ HB 10 Applicability of 24.60 changes to legislators in office between April 9, 2006 and July 1, 2007			X										11

TITLE 24.45 REGULATION OF LOBBYING - New Subsection AS 24.5.121

EXISTING STATUTE

HB 20 - Harris

EXPLANATION

<p>Sec. 24.45.121 Prohibitions.</p> <p><i>Existing language does not have restrictions for spouses or domestic partners of legislators to be paid lobbyists.</i></p>	<p>Sec. 4. AS 24.45.121 is amended by adding a new subsection to read:</p> <p>(d) A person who is married to or who is the domestic partner of a legislator may not receive any consideration for engaging in lobbying, and a person may not employ for pay or any consideration of pay or agree to pay consideration for engaging in lobbying to a person who is married to or who is the domestic partner of a legislator.</p>		<p>This new section of law would prohibit a spouse or domestic partner from engaging in lobbying and would prohibit a person from utilizing the services of a spouse or domestic as a lobbyist.</p>
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*Language Matrix
Title 24 Table 9*

TAB 1

8-4-9

TITLE 24.60 STANDARDS OF CONDUCT - AS 24.60.020

EXISTING STATUTE	HB 10 - Lynn	SB 20 - French	EXPLANATION
<p><i>Applicability of Chapter</i></p> <p>Sec. 24.60.020 (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature, to a legislative employee, and to public members of the committee. This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless the provisions specifically states that it applies; (2) a person elected to the legislature who at the time of election is not a member of the legislature.</p>	<p>Sec. 1. AS 24.60.020 is amended to read: (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature, to a legislative employee, and to public members of the committee. This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless <u>a [THE] provision of this chapter</u> specifically states that it applies; (2) a person elected to the legislature who at the time of election is not a member of the legislature.</p>	<p>Sec. 1. AS 24.60.020 is amended to read: (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature, to a legislative employee, and to public members of the committee. This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless <u>a [THE] provision of this chapter</u> specifically states that it applies; (2) a person elected to the legislature who at the time of election is not a member of the legislature.</p>	<p>Language clean up to clarify that this subsection applies to Chapter 60, Standards of Conduct.</p>

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.030

EXISTING STATUTE

HB 20 - Harris

EXPLANATION

<p>Sec. 24.60.030(a) Prohibitions related to conflicts of interest and unethical conduct.</p> <p>This subsection provides a list of things a legislator or an employee of a legislator cannot do such as solicit unofficial compensation, using public facilities for official purposes only, require a legislative employee to perform services for the private benefit of the legislator or employee, use public funds or facilities for campaign purposes, etc.</p> <p>AS 24.60.030 currently does not have a subsection (a)(6).</p>	<p>Sec. 4. AS 24.60.030(a) is amended to read:</p> <p>(a) A legislator or legislative employee may not</p> <p><u>(6) enter into a contract to provide consulting services.</u></p>		<p>Adds an additional restrictions to Prohibitions related to conflicts of interest and unethical conduct.</p>
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TAB 3

TITLE 24.60 STANDARDS OF CONDUCT - AMENDING AS 24.60.080

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

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.085

EXISTING STATUTE	SB 13 - Stevens	EXPLANATION
<p>AS 24.60.085. Restrictions on earned income and honoraria.</p> <p>This section prohibits a legislator or legislative employee from seeking or accepting unreasonable compensation for the services rendered, accepting anything other than actual travel expenditures for an appearance under normal course of legislative business, and prohibits payment for a speech or appearance if not connected to person's legislative status.</p> <p>It currently does not address consulting.</p>	<p>Sec. 1. AS 24.60.085 is amended by adding a new subsection to read:</p> <p>(c) A legislator may not, directly or by authorizing another to act on the legislator's behalf, provide consulting services to a person in the private sector or accept, or agree to accept, consulting fees from a person in the private sector.</p>	
		<p>The way written this one and only section of SB 13 would prohibit an legislator or his staff from providing consulting services to "a person in the private sector", including constituents because it is written in "either-or" language.</p> <p>Recommend amending language.</p>

<p>NONE</p>	<p>Sec. 3. AS 24.60 is amended by adding a new section to Article 2 to read:</p> <p>Sec. 24.60.115. Disclosures by a former legislator, legislative employee, or public member of the committee. When a person who is a legislator, legislative employee, or public member of the committee is required to file a disclosure under this chapter, that person, as a former legislator, legislative employee, or public member of the committee is also required to file a disclosure if the matter subject to disclosure existed while the person was a legislator, legislative employee, or public member of the committee.</p>	<p>Sec. 2. AS 24.60 is amended by adding a new section to Article 2 to read:</p> <p>Sec. 24.60.115. Disclosures required of a legislator, legislative employee or public member of the committee. A person serving as a legislator, legislative employee, or public member of the committee shall, no later than 90 days after the person's final day of service, file a disclosure of every matter that was subject to disclosure under this chapter while the person was serving.</p>	<p>Under existing law, once a person leaves service, they no longer are bound by disclosure laws. This new section would require them to report all matters subject to disclosure under 24.60 while they were in public service regardless of the fact they are no longer in service. SB 20 puts a time restraint on the reporting requirement.</p>
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TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.200(2)

EXISTING STATUTE	HB 10 - Lynn	HB 27 - Gardner	EXPLANATION
<p>AS 24.60.200. <i>Financial disclosure by legislators, public members of the committee, and legislative directors.</i></p> <p><i>They must provide the following information about income received by the discloser and by the discloser's spouse or domestic partner, dependent children, and nondependent children who live with discloser.</i></p> <p>AS 24.60.200(2) existing language:</p> <p>(2) as to income in excess of 1,000 received as compensation for personnel services, the name and address of the source of the income, and a statement describing the nature of the services performed; if the source of income or reasonably should be known to have a substantial interest in legislative, administrative, or political action and the recipient of the income is a legislator or legislative director, the amount of income received from the source shall be disclosed;</p>	<p>(2) as to income in excess of \$1,000 received as compensation for personnel services, <u>and as to a dividend received from a limited liability company as compensation for personal services</u>, the name and address of the source of the income, and a statement describing</p> <p><u>(A) the nature of the services performed with a description sufficient to make clear to a person of ordinary understanding the specific services performed unless and only to the extent those services are required to be kept confidential under a state or federal law, including the common law;</u></p> <p><u>(B) the approximate total number of hours that have been spent or will be spent performing the services; and</u></p> <p><u>(C) the amount of income received from the source if the [; IF THE SOURCE OF INCOME OR REASONABLY SHOULD BE KNOWN TO HAVE A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE, OR POLITICAL ACTION AND THE] recipient of the income is a legislator or legislative director [; THE AMOUNT OF INCOME RECEIVED FROM THE SOURCE SHALL BE DISCLOSED];</u></p>	<p>(2) as to income in excess of \$1,000 received as compensation for personnel services, <u>and as to a dividend received from a limited liability company as compensation for personal services</u>, the name and address of the source of the income, and a statement describing</p> <p><u>(A) the nature of the services performed with a description sufficient to make clear to a person of ordinary understanding the specific services performed, unless those services require the issuance of a state or federal professional license;</u></p> <p><u>(B) the approximate total number of hours that have been spent or will be spent performing the services; and</u></p> <p><u>(C) the amount of income received from the source if the [; IF THE SOURCE OF INCOME OR REASONABLY SHOULD BE KNOWN TO HAVE A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE, OR POLITICAL ACTION AND THE] recipient of the income is a legislator or legislative director [; THE AMOUNT OF INCOME RECEIVED FROM THE SOURCE SHALL BE DISCLOSED];</u></p>	<p>24.60.200(2) expands reporting of income in excess of \$1,000 to include dividends received from a LLC as compensation for personal services and requires the disclosure to include a description of services performed and the approximate number of hours spent performing services. Exceptions to comply with state and federal laws.</p>

TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.200(2)

EXISTING STATUTE

HB 109 - Governor

SB 20 - French

EXPLANATION

<p>Refer to previous tab</p>	<p>(2) as to income in excess of \$1,000 received as compensation for personnel services, name and address of the source of the income, <u>the amount of the income, the number of hours of services performed to earn that income,</u> and a statement describing <u>in detail</u> the nature of the services performed; [IF THE SOURCE OF INCOME OR REASONABLY SHOULD BE KNOWN TO HAVE A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE, OR POLITICAL ACTION AND THE THE RECIPIENT OF THE INCOME IS A LEGISLATOR OR LEGISLATIVE DIRECTOR, THE AMOUNT OF INCOME RECEIVED FROM THE SOURCE SHALL BE DISCLOSED;]</p>	<p>(2) as to income in excess of \$1,000 received as compensation for personnel services, <u>and as to dividend in excess of \$1,000 received from a limited liability company as compensation for personal services,</u> the name and address of the source of the income, and a statement describing</p> <p><u>(A) the nature of the services performed with sufficient to make clear to a person of ordinary understanding the specific services performed;</u></p> <p><u>(B) the approximate total number of hours that have been spent or will be spent performing the services; and</u></p> <p><u>(C) the amount of income received from the source if the</u> [; IF THE SOURCE OF INCOME OR REASONABLY SHOULD BE KNOWN TO HAVE A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE, OR POLITICAL ACTION AND THE] recipient of the income is a legislator or legislative director [, THE AMOUNT OF INCOME RECEIVED FROM THE SOURCE SHALL BE DISCLOSED];</p>	<p>24.60.200 expands reporting of income in excess of \$1,000 to include dividends received from a LLC as compensation for personal services and requires the disclosure to include a description of services performed and the approximate number of hours spent performing services. Exceptions to comply with state and federal laws.</p>
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TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.210(a) - (b)

EXISTING STATUTE

HB 109 - Governor

EXPLANATION

<p>Sec. 24.60.210. Deadlines for filing of disclosure statements. (a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year.</p> <p>(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, on or before the second Monday in January of each year.</p>	<p>Sec. 24.60.210. Deadlines for filing of disclosure statements. (a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year. <u>On or before the 90th day after ending service as a legislator or legislative director, a former legislator or legislative director shall file with the Alaska Public Offices Commission a report containing the disclosure required by AS 24.60.200, covering any period that service for which the legislator or legislative director has not already filed a report.</u></p> <p>(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, on or before the second Monday in January of each year. <u>On or before the 90th day after ending service on the committee, a former public member of the committee shall file with the Alaska Public Offices Commission a report containing the disclosure required by AS 24.60.200, covering any period that service for which the legislator or legislative director has not already filed a report.</u></p>	<p>24.60.210(a) places a deadline on when a legislator or legislative director who leaves service must report all unreported disclosures required by AS 24.60.200.</p> <p>AS 24.60.210(B) places a deadline on when an ethics committee member who leaves service must report all unreported disclosures required by AS 24.60.200.</p>
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TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.210 with new subsection (c)

EXISTING STATUTE

HB 109 - Governor

EXPLANATION

<p>NONE</p>	<p>Sec. 4. AS 24.60.210 is amended by adding a new subsection to read:</p> <p>(c) The Alaska Public Offices Commission shall require that the reports required under this section be submitted electronically but may, when extraordinary circumstances warrant an exception, accept any information required under this section that is typed in clear legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.</p>		<p>Makes electronic filing of disclosure statements mandatory.</p>
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TITLE 24.60 STANDARDS OF CONDUCT - Amending AS 24.60.990 New Definition

EXISTING STATUTE

HB 27 - Gardner

EXPLANATION

<p align="center">NONE</p>	<p>Sec. 2. AS 24.60.990(a) is amended by adding a new paragraph to read:</p> <p>(17) "professional license" means a license required for a profession regulated by the federal government or by a state.</p> <p align="center"><i>Language Matrix</i> <i>Title 24 Tab 10 & 11</i></p>		<p>This accomplishes the same goal as Rep. Lynn's HB 10 subsection (A) which stated a person must disclose services unless <i>"those services are required to be kept confidential under a state or federal law, including the common law;"</i></p> <p>Rep. Gardner requires disclosure of services unless those services require a professional license issued by the state or federal government. The question is, are there professional licenses that would not require confidentiality by the state or federal government? In addition there may be services that don't require a license but are not protected by the state or federal government for confidentiality.</p>
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8-4-07

TITLE 24.60 STANDARDS OF CONDUCT - UNCODIFIED LAW

EXISTING STATUTE

HB 10 - Lynn

EXPLANATION

<p>NONE</p>	<p>Sec. 5. The uncodified law of the State of Alaska is amended by adding a new section to read:</p> <p>APPLICABILITY. (a) Sections 1 and 3 of this Act apply to all persons who become former legislators on or after the effective date of this Act and to all former legislators who were members of the legislature between April 9, 2006, and the effective date of this Act.</p> <p>(b) Former legislators who were members of the legislature between April 9, 2006, and the effective date of this Act shall make the disclosure required by AS 24.60.115, added by sec. 3 of this Act, within 30 days after the effective date of this Act.</p>		<p>This requires former legislators to disclose all nonreported information to be reported within thirty days of leaving office.</p>
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Nancy Manly

From: Peg Warren
Sent: Wednesday, February 07, 2007 9:09 AM
To: Nancy Manly
Subject: RE: State Affairs Ethics Subcommittee Meeting

The state affairs room has a better room for sound. Rob will come over and dial you in and you will just take them off mute when you start. It will only be you online.

Sending the CD over to you.

1) How to take them off mute
2) How to hang up when were done

Peg

From: Nancy Manly
Sent: Wednesday, February 07, 2007 8:48 AM
To: Peg Warren
Subject: RE: State Affairs Ethics Subcommittee Meeting

Yes, you were on my list of people to talk with this morning. The STA room doesn't have a Polycom system so how would it work this week? Also, I had called last Saturday and asked that a CD be burned of that meeting. Do you know when we can expect to get that? Thanks Peg for being on top of this.

Nancy
x2794

From: Peg Warren
Sent: Wednesday, February 07, 2007 7:17 AM
To: Nancy Manly
Subject: RE: State Affairs Ethics Subcommittee Meeting

Did you want to use our system to capture a recording this week as well?

Peg

From: Nancy Manly [mailto:Nancy_Manly@legis.state.ak.us]
Sent: Tuesday, February 06, 2007 4:31 PM
Subject: State Affairs Ethics Subcommittee Meeting

(H)STATE AFFAIRS STANDING COMMITTEE *
Feb 10 Saturday 10:00 AM CAPITOL 106

State Affairs Ethics Subcommittee
Work Session on Ethics
Issues - Language - Amendments

We will not be teleconferencing this meeting and no public testimony at this time. This is strictly a work session. Contact Nancy Manly 465-2794 if you have any questions. Thanks.

25-LS0529\A
Wayne
2/3/07

HOUSE BILL NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HARRIS

Introduced:
Referred:

A BILL
FOR AN ACT ENTITLED

1 **"An Act relating to campaign financing and ethics in state government."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 15.13.040 is amended by adding a new subsection to read:

4 (p) A contribution is reportable under this section when it is received by the
5 candidate, group, or nongroup entity and the recipient is aware that it is a contribution
6 and has decided not to reject it or return it to the person that rendered it.

7 *** Sec. 2.** AS 24.60.020(a) is amended to read:

8 (a) Except as otherwise provided in this subsection, this chapter applies to a
9 member of the legislature, to a legislative employee, and to public members of the
10 committee. This chapter does not apply to

11 (1) a former member of the legislature or to a person formerly
12 employed by the legislative branch of government unless a [THE] provision of this
13 chapter specifically states that it applies:

14 (2) a person elected to the legislature who at the time of election is not
15 a member of the legislature.

1 * Sec. 3. AS 24.60.030(a) is amended to read:

2 (a) A legislator or legislative employee may not

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

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

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

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

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

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

28 (E) a legislator from using the legislator's private office in the
29 capital city during a legislative session, and for the 10 days immediately before
30 and the 10 days immediately after a legislative session, for nonlegislative
31 purposes if the use does not interfere with the performance of public duties and

1 if there is no cost to the state for the use of the space and equipment, other than
2 utility costs and minimal wear and tear, or the legislator promptly reimburses
3 the state for the cost; an office is considered a legislator's private office under
4 this subparagraph if it is the primary space in the capital city reserved for use
5 by the legislator, whether or not it is shared with others;

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

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

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

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

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

17 (K) a legislator from sending any communication in the form of
18 a newsletter to the legislator's constituents, unless

19 (i) the communication is sent during the 30-day
20 period immediately preceding a state election; or

21 (ii) it is [EXCEPT] a communication expressly
22 advocating the election or defeat of a candidate or a newsletter or
23 material in a newsletter that is clearly only for the private benefit of a
24 legislator or a legislative employee; or

25 (L) full participation in a charity event approved in advance by
26 the Select Committee on Legislative Ethics [ALASKA LEGISLATIVE
27 COUNCIL];

28 (3) knowingly seek, accept, use, allocate, grant, or award public funds
29 for a purpose other than that approved by law, or make a false statement in connection
30 with a claim, request, or application for compensation, reimbursement, or travel
31 allowances from public funds;

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

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

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

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

17 (C) telephone or facsimile use that does not carry a special
18 charge;

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

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

30 (F) use by a legislator of photographs of that legislator.

31 * **Sec. 4.** AS 24.60.030(f) is amended to read:

1 (f) A legislative employee may not serve in a position that requires
2 confirmation by the legislature. A legislator or legislative employee who serves
3 [MAY SERVE] on a board of an organization, including a governmental entity, shall
4 disclose [THAT REGULARLY HAS A SUBSTANTIAL INTEREST IN THE
5 LEGISLATIVE ACTIVITIES OF THE LEGISLATOR OR EMPLOYEE IF THE
6 LEGISLATOR OR EMPLOYEE DISCLOSES] the board membership to the
7 committee. A person [A LEGISLATOR OR LEGISLATIVE EMPLOYEE WHO IS]
8 required to make a disclosure under this subsection shall file the disclosure with the
9 committee by the deadline [DEADLINES] set out in AS 24.60.105 stating the name
10 of each organization on whose board the person serves. The committee shall maintain
11 a public record of the disclosure and forward the disclosure to the appropriate house
12 for inclusion in the journal. This subsection does not require a legislator or legislative
13 employee who is appointed to a board by the presiding officer to make a disclosure of
14 the appointment to the committee if the appointment has been published in the
15 appropriate legislative journal during the calendar year.

16 * Sec. 5. AS 24.60.050(c) is amended to read:

17 (c) A legislator or legislative employee who participates in a program or
18 receives a loan that is not exempt from disclosure under (a) of this section shall file [A
19 WRITTEN REPORT] with the committee by the date required under AS 24.60.105 a
20 disclosure stating the amounts of the loans outstanding or benefits received during the
21 preceding calendar year from nonqualifying programs. If the committee requests
22 additional information necessary to determine the propriety of participating in the
23 program or receiving the loan, it shall be promptly provided. The committee shall
24 promptly compile a list of the statements indicating the loans and programs and
25 amounts and send it to the presiding officer of each house who shall have it published
26 in the supplemental journals on or before the next regularly scheduled publication
27 of ethics disclosures [WITHIN THREE WEEKS AFTER THE FILING DATE]. If a
28 [A] legislator or legislative employee asks [WHO BELIEVES THAT DISCLOSURE
29 OF PARTICIPATION IN A PROGRAM WOULD BE AN INVASION OF THE
30 PARTICIPANT'S RIGHT TO PRIVACY UNDER THE STATE CONSTITUTION
31 MAY REQUEST] the committee to keep any part of the disclosure confidential and

1 a quorum of the committee determines that making the entire disclosure public
 2 would cause an unjustifiable invasion of personal privacy, the committee may
 3 elect to [. IF THE COMMITTEE FINDS THAT PUBLICATION WOULD
 4 CONSTITUTE AN INVASION OF PRIVACY, THE COMMITTEE SHALL] publish
 5 only the fact that a person has participated in the program and the amount of benefit
 6 that the unnamed person received. The committee shall maintain the disclosure of the
 7 name of the person as confidential and may only use the disclosure in a proceeding
 8 under AS 24.60.170. If the disclosure becomes part of the record of a proceeding
 9 under AS 24.60.170, the disclosure may be made public as provided in that section.

10 * Sec. 6. AS 24.60.080(c) is amended to read:

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

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

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

18 (B) at a social event or meal;

19 (2) discounts that are available

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

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

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

26 (4) travel and hospitality primarily for the purpose of obtaining
 27 information on matters of legislative concern;

28 (5) gifts from the immediate family of the person;

29 (6) gifts that are not connected with the recipient's legislative status;

30 (7) a discount for all or part of a legislative session, including time
 31 immediately preceding or following the session, or other gift to welcome a legislator

1 or legislative employee who is employed on the personal staff of a legislator or by a
2 standing or special committee to the capital city or in recognition of the beginning of a
3 legislative session if the gift or discount is available generally to all legislators and the
4 personal staff of legislators and staff of standing and special committees; this
5 paragraph does not apply to legislative employees who are employed by the
6 Legislative Affairs Agency, the office of the chief clerk, the office of the senate
7 secretary, the legislative budget and audit committee, the office of victims' rights, or
8 the office of the ombudsman;

9 (8) a gift of legal services in a matter of legislative concern and a gift
10 of other services related to the provision of legal services in a matter of legislative
11 concern;

12 (9) a gift of transportation from a legislator to a legislator if the
13 transportation takes place in the state on or in an aircraft, boat, motor vehicle, or other
14 means of transport owned or under the control of the donor; this paragraph does not
15 apply to travel described in (4) of this subsection or travel for political campaign
16 purposes;

17 (10) tickets from a lobbyist for a charity event at any time, including
18 during a legislative session, except that tickets to or gifts received at a charity event
19 under this paragraph are subject to the calendar year limit on the value of gifts
20 received by a legislator or legislative employee in (a) of this section; in this paragraph,
21 "charity event" means an event the proceeds of which go to a charitable organization
22 with tax-free status under 26 U.S.C. 501(c)(3) and that the Select Committee on
23 Legislative Ethics [ALASKA LEGISLATIVE COUNCIL] has approved in advance;
24 the tickets may entitle the bearer to admission to the event, to entertainment, to food or
25 beverages, or to other gifts or services involved in the charity event; or

26 (11) a contribution to a charity event from any person at any time; in
27 this paragraph, "charity event" has the meaning given in (10) of this subsection.

28 * Sec. 7. AS 24.60.080(d) is amended to read:

29 (d) A legislator or legislative employee who accepts a gift under (c)(4) of this
30 section that has a value of \$250 or more shall disclose to the committee, within 30
31 days after receipt of the gift, the name and occupation of the donor and the

1 approximate value of the gift. A legislator or legislative employee who accepts a gift
2 under (c)(8) of this section that the recipient expects will have a value of \$250 or more
3 in the calendar year shall disclose to the committee, within 30 days after receipt of the
4 gift, the name and occupation of the donor, a general description of the matter of
5 legislative concern with respect to which the gift is made, and the approximate value
6 of the gift. The committee shall maintain a public record of the disclosures it receives
7 relating to gifts under (c)(4), (c)(8), and (i) [AND (8)] of this section and shall
8 forward the disclosures to the appropriate house for inclusion in the journal. The
9 committee shall forward to the Alaska Public Offices Commission copies of the
10 disclosures concerning gifts under (c)(4), (c)(8), and (i) [AND (8)] of this section that
11 it receives from legislators and legislative directors. A legislator or legislative
12 employee who accepts a gift under (c)(6) of this section that has a value of \$250 or
13 more shall disclose to the committee annually on or before March 15 the name and
14 occupation of the donor and a description of the gift. The committee shall maintain
15 disclosures relating to gifts under (c)(6) of this section as confidential records and may
16 only use, or permit a committee employee or contractor to use, a disclosure under
17 (c)(6) of this section in the investigation of a possible violation of this section or in a
18 proceeding under AS 24.60.170. If the disclosure under (c)(6) of this section becomes
19 part of the record of a proceeding under AS 24.60.170, the confidentiality provisions
20 of that section apply to the disclosure.

21 * **Sec. 8.** AS 24.60.080(i) is amended to read:

22 (i) A legislator or legislative employee who knows or reasonably should know
23 that a family member has received a gift because of the family member's connection
24 with the legislator or legislative employee shall disclose for publication under (d) of
25 this section [REPORT] the receipt of the gift by the family member to the committee
26 if the gift would have to be disclosed [REPORTED] under this section if it had been
27 received by the legislator or legislative employee or if receipt of the gift by a legislator
28 or legislative employee would be prohibited under this section.

29 * **Sec. 9.** AS 24.60.100 is amended to read:

30 **Sec. 24.60.100. Representation.** A legislator or legislative employee who
31 represents another person for compensation before an agency, board, or commission of

1 the state shall disclose the name of the person represented, the subject matter of the
2 representation, and the body before which the representation is to take place to the
3 committee. The disclosure shall be made by the deadline [DEADLINES] set out in
4 AS 24.60.105. The committee shall maintain a public record of a disclosure under this
5 section and forward the disclosure to the respective house for inclusion in the journal.
6 A legislator or legislative employee may not represent another person for
7 compensation before an agency, committee, or other entity of the legislative branch.

8 * **Sec. 10.** AS 24.60.105(a) is amended to read:

9 (a) When a legislator or legislative employee is required to file a disclosure
10 under this chapter and a date by which the disclosure must be filed is not otherwise set
11 by statute, the deadline for filing disclosure shall be 30 days [DEADLINES SET
12 OUT IN THIS SECTION SHALL APPLY. FOR DISCLOSURE OF A MATTER OR
13 AN INTEREST THAT BEGAN OR WAS ACQUIRED DURING THE INTERIM
14 BETWEEN REGULAR LEGISLATIVE SESSIONS, WHETHER OR NOT THE
15 REGULAR SESSION IS EXTENDED OR THERE IS A SPECIAL SESSION, OR
16 DURING THE LAST 30 DAYS OF A REGULAR SESSION, THE LEGISLATOR
17 OR LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE MATTER BY MARCH
18 15. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR
19 WAS ACQUIRED DURING A REGULAR LEGISLATIVE SESSION, BUT NOT
20 DURING THE LAST 30 DAYS OF THE REGULAR SESSION, THE
21 DISCLOSURE MUST BE MADE WITHIN 30 DAYS] after the commencement of
22 the interest or representation.

23 * **Sec. 11.** AS 24.60 is amended by adding a new section to article 2 to read:

24 **Sec. 24.60.115. Disclosure required of a legislator, legislative employee, or**
25 **public member of the committee after final day of service.** A person serving as a
26 legislator, legislative employee, or public member of the committee shall, not later
27 than 90 days after the person's final day of service as a legislator, legislative employee,
28 or public member, file a disclosure of every matter that was subject to disclosure under
29 this chapter while the person was serving.

30 * **Sec. 12.** AS 24.60.130(n) is amended to read:

31 (n) When appointing members of the legislature to serve on the committee, the

1 speaker of the house or the president of the senate, as appropriate, shall appoint an
2 alternate member for each regular member. An alternate must have the same
3 qualifications as the regular member for whom the alternate stands as alternate and is
4 subject to confirmation as required for the regular member. If a regular legislative
5 member of the committee or a subcommittee is unable to attend a meeting, the
6 chair of the committee or a subcommittee shall designate the regular member's
7 alternate to serve in place of the regular member at the meeting and the
8 designated alternate shall serve unless unable to serve for any reason. If a regular
9 legislative member of the committee or a subcommittee is disqualified under (h) of
10 this section from serving on the committee or the subcommittee concerning a
11 proceeding under AS 24.60.170 or if the regular member is unable to attend, the
12 chair of the committee or a subcommittee shall designate the regular member's
13 alternate to serve in place of the regular member in the proceeding unless the alternate
14 is also disqualified from serving. The designation shall be treated as confidential to the
15 same extent that the identity of the subject of a complaint is required to be kept
16 confidential.

17 * **Sec. 13.** AS 24.60.130 is amended by adding a new subsection to read:

18 (p) Notwithstanding (h) and (n) of this section, if a complaint before the
19 committee alleges an ethics violation by a group of legislators that includes a
20 legislative member of the committee and that member's alternate, the member and
21 alternate member are disqualified from serving on the committee with regard to the
22 complaint. If the disqualified members are part of the majority caucus, the presiding
23 officer of the house in which the disqualified members serve shall appoint another
24 member of that house to serve on the committee with regard to the complaint.
25 Otherwise, the minority caucus leader shall appoint the member. If a complaint alleges
26 a violation that includes all legislative members of the majority caucus of one house,
27 the presiding officer of that house shall appoint from the other house a member to
28 serve with regard to the complaint. Otherwise, the minority caucus leader shall appoint
29 a member from the other house.

30 * **Sec. 14.** AS 24.60.150(a) is amended to read:

31 (a) The committee shall

1 (1) adopt procedures to facilitate the receipt of inquiries and prompt
2 rendition of its opinions;

3 (2) publish advisory opinions annually;

4 (3) publish [SEMI-] annual summaries of decisions [AND
5 ADVISORY OPINIONS] with sufficient deletions in the summaries to prevent
6 disclosing the identity of the persons involved in the decisions [OR OPINIONS] that
7 have remained confidential;

8 (4) publish legislative ethics materials, including an annually
9 updated handbook on standards of ethical conduct and a bimonthly legislative
10 newsletter, to help educate legislators, legislative employees, and public members
11 of the committee on the subject of legislative ethics;

12 (5) in January of each year and at other times determined by the
13 committee, administer a legislative ethics course that teaches strategies for
14 compliance with this chapter and understanding of this chapter's purpose under
15 AS 24.60.010.

16 * Sec. 15. AS 24.60 is amended by adding a new section to read:

17 Sec. 24.60.155. Ethics course. A person who is a legislator, legislative
18 employee, or public member of the committee shall complete the legislative ethics
19 course administered by the committee under AS 24.60.150(a) at some time after the
20 last day of each regular legislative session and before the 10th day of the next regular
21 legislative session. However, a person who first takes office or begins employment
22 after the 10th day of a regular legislative session shall complete the course required by
23 this section within 30 days after the person's first day of service. The committee may
24 grant a person additional time to complete the course required by this section.

25 * Sec. 16. AS 24.60.160 is amended to read:

26 Sec. 24.60.160. Advisory opinions. (a) On the request of the committee, the
27 Alaska Public Offices Commission, a person to whom this chapter applies, or a
28 person who has been newly elected to the legislature, the committee shall issue an
29 advisory opinion within 60 days as to whether the facts and circumstances of a
30 particular case constitute a violation of ethical standards. If it finds that it is advisable
31 to do so, the committee may issue an opinion under this section on the request of a

1 person who reasonably expects to become subject to this chapter within the next 45
2 days. The 60-day period for issuing an opinion may be extended by the committee if
3 the person requesting the opinion consents.

4 (b) An opinion issued under this section is binding on the committee in any
5 subsequent proceedings concerning the facts and circumstances of the particular case
6 unless material facts were omitted or misstated in the request for the advisory opinion.
7 All advisory opinions shall be issued with sufficient deletions to prevent
8 disclosing the identity of the persons involved. Advisory opinion discussions and
9 deliberations are confidential, unless the requester and anyone else named in the
10 request who is covered by the ethics code waives confidentiality. The committee
11 vote shall be a public record. [EXCEPT AS PROVIDED IN THIS CHAPTER, AN
12 ADVISORY OPINION IS CONFIDENTIAL BUT SHALL BE MADE PUBLIC IF A
13 WRITTEN REQUEST BY THE PERSON WHO REQUESTED THE OPINION IS
14 FILED WITH THE COMMITTEE.]

15 * Sec. 17. AS 24.60.170(j) is amended to read:

16 (j) If the committee has issued a formal charge under (h) of this section, and if
17 the person charged has not admitted the allegations of the charge, the committee shall
18 schedule a hearing on the charge. The committee may appoint an individual to present
19 the case against the person charged if that individual does not provide other [AND
20 HAS NOT PROVIDED] legal advice to the committee except in the course of
21 presenting cases under this subsection. The hearing shall be scheduled for a date more
22 than 20 and less than 90 days after service of the charge on the person charged, unless
23 the committee schedules [THE PERSON AGREES TO] a later hearing date. If the
24 complainant prevents the hearing from starting before the 90-day deadline passes
25 and a quorum of the committee determines the delay is not supported by a
26 compelling reason or will result in the person charged being deprived of a fair
27 hearing, the committee may dismiss the complaint with prejudice. At the hearing,
28 the person charged shall have the right to appear personally before the committee, to
29 subpoena witnesses and require the production of books or papers relating to the
30 proceedings, to be represented by counsel, and to cross-examine witnesses. A witness
31 shall testify under oath. The committee is not bound by the rules of evidence, but the

1 committee's findings must be based upon clear and convincing evidence. Testimony
2 taken at the hearing shall be recorded, and evidence shall be maintained.

3 * Sec. 18. AS 24.60.176(b) is amended to read:

4 (b) In this section, "appointing authority" means

5 (1) the legislative council for employees of the Legislative Affairs
6 Agency and of the legislative council and for legislative employees not otherwise
7 covered under this subsection;

8 (2) the Legislative Budget and Audit Committee for the legislative
9 fiscal analyst and employees of the division of legislative finance, the legislative
10 auditor and employees of the division of legislative audit, and employees of the
11 Legislative Budget and Audit Committee;

12 (3) the appropriate finance committee for employees of the senate or
13 house finance committees;

14 (4) the appropriate rules committee for employees of

15 (A) standing committees of the legislature, other than the
16 finance committees;

17 (B) the senate secretary's office and the office of the chief clerk
18 of the house of representatives; and

19 (C) house records and senate records;

20 (5) the legislator who made the hiring decision for employees of
21 individual legislators; however, the legislator may request the appropriate rules
22 committee to act in the legislator's stead;

23 (6) the ombudsman for employees of the office of the ombudsman,
24 other than the ombudsman;

25 (7) the legislature for the ombudsman;

26 (8) the victims' advocate for employees of the office of victims'
27 rights, other than the victims' advocate;

28 (9) the legislature for the victims' advocate.

29 * Sec. 19. AS 24.60.250(c) is amended to read:

30 (c) In addition to the sanctions described in AS 24.60.260, if the Alaska Public
31 Offices Commission finds that a legislative director has failed or refused to file a

1 report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify
2 the Alaska Legislative Council or the Legislative Budget and Audit Committee, as
3 appropriate. For the ombudsman and the office of victims' rights, the Alaska
4 Legislative Council shall be notified.

5 * Sec. 20. 2 AAC 50.317 is annulled.

STATUTORY CHANGE	HB 5 Neuman	HB 6 Harris, etc	HB 10 Lynn, D's	HB 20 Harris	HB 27 Gardner	HB 38 Gara	HB 58 Gara	HB 109 Gov.	SB 13 Stevens	SB 19 French	SB 20 French	SB 63 Bunde
11.56.135 new section under 11.56 Criminal Law for "Improper legislative campaign contribution and agreement" and makes violation of the law by either a candidate or a contributor a Class B Felony.						X			SB 64			
15.13.040(a)(1)(C) adds reporting requirement of principle occupation and employer information for contributor and specifies this is for each contribution of each contributor and repeals (D) because they now require the information for all contributions not just those over \$250. Amends (b) & (j) from "the" to "each".				X								
15.13.040(g) repealed \$5,000 exemption	X			X								X
15.13.040(l) repealed exempt fundraisers				X								X
15.13.040(m) requires electronic filing with APOC but allows APOC to allow exceptions in extraordinary circumstances.								X				
15.13.070(c) reduced annual contributions of groups other than political party from \$1,000 to \$500.		X										
24.45.121 prohibits spouse or domestic partner of legislator from being a lobbyist and prohibits anyone from hiring such a person.				X								
24.60.020 Language cleanup to clarify that this subsection applies to this chapter.			X								X	

STATUTORY CHANGE	HB 5 Neuman	HB 6 Harris, etc	HB 10 Lynn, D's	HB 20 Harris	HB 27 Gardner	HB 38 Gara	HB 58 Gara	HB 109 Gov	SB 13 Stevens	SB 19 French	SB 20 French	SB 63 Bunde
24.60.030(a) prohibits a legislator or legislative employee from entering into a contract to provide consulting services.				X								
24.60.080(e) eliminate exempt language from report of gifts. All gifts which are not reported as contributions to APOC must be reported to Legislative Ethics.				X								X
24.60.085 new section prohibiting a legislator from, directly or through any person, providing consulting services or accepting consulting fees from a person in the private sector while in office and for one year after leaving office.									X			
24.60.115 new law requires a former legislator, legislative employee or public member of the Select Committee on Legislative Ethics to file disclosure information for all matters relevant to when that person was a legislator, legislative employee or public member of the Select Committee on Legislative Ethics even though they no longer hold that position.			X								X Within 90 days	
24.60.200 expands reporting of income in excess of \$1,000 to include dividends received from a LLC as compensation for personal services and requires the disclosure to include a description of services performed and the approximate number of hours spent performing services. Exceptions to comply with state and federal laws.			X		X			X			X	

STATUTORY CHANGE	HB 5 Neuman	HB 6 Harris, etc	HB 10 Lynn, D's	HB 20 Harris	HB 27 Gardner	HB 38 Gara	HB 58 Gara	HB 109 Gov	SB 13 Stevens	SB 19 French	SB 20 French	SB 63 Bunde
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UNCODIFIED LAW _ HB 10 Applicability of 24.60 changes to legislators in office between April 9, 2006 and July 1, 2007			X									
24.60.210(a) & (b) Requires former legislators, public members of Ethics Committee, & legislative directors to submit financial disclosures to APOC within 90 days after leaving those positions.								X				
24.60.210(c) new subsection makes electronic reporting of Annual Reports to APOC mandatory except in extraordinary circumstances, which would have to comply with APOC requirements.								X				
24.60.990(a) adds definition for "professional license" to mean a license required for a profession regulated by the federal government or a state.					X							
39.50.020 Would require the governor, high-ranking executive branch officials judges and other judicial officers, and certain municipal officers to file a financial disclosure report with APOC within 90 days of leaving service.								X				
39.50.030(b) Requires financial disclosure of income and interest, and stock holdings, trust or similar interests, loans, loan guarantees, and indebtedness exceeding \$1,000, a reduction from \$5,000. And required more detail in financial disclosures.								X				

STATUTORY CHANGE	HB 5	HB 6	HB 10	HB 20	HB 27	HB 38	HB 58	HB 109	SB 13	SB 19	SB 20	SB 63
	Neuman	Harris, etc	Lynn, D's	Harris	Gardner	Gara	Gara	Gov.	Stevens	French	French	Bunde
39.50.050(a) Conforms section for APOC administration and inspection to comply with mandatory electronic filing.									X			
39.52.110(b) amends Executive Branch Ethics Act to draw a bright line for interest in and ownership of a business of not more than one percent or \$5,000; cannot be a member of the board or have a contract or an option for a contract with a business; cannot employed by the business.									X		X	
39.52.110(d) New subsection to "Scope of Code" clarifies stock or ownership interest in a business is presumptively insignificant if the value of the interest is less than \$5,000.									X			
39.52.130(a) establishes an assumption that all gifts from a lobbyist to a public officer, or a member of the officer's immediate family, are improper unless the lobbyist is an immediate family member of the gift's recipient.									X			
39.52.180(a) Makes limitations for post-employment by public officials covered under the Executive Branch Ethics Act more restrictive by precluding former public officials from working on particular legislation or regulations for two-years after leaving state service if they personally and substantially participated in work on the same legislation or regulations during their state service.									X			

STATUTORY CHANGE	HB 5 Neuman	HB 6 Harris, etc	HB 10 Lynn, D's	HB 20 Harris	HB 27 Gardner	HB 38 Gara	HB 58 Gara	HB 109 Gov	SB 13 Stevens	SB 19 French	SB 20 French	SB 63 Bunde
39.52.180(d) Extends the existing one-year ban on lobbying on certain public officials to include deputy heads of principal departments and those holding policy-making positions in the Office of the Governor, lieutenant governor, and heads of principal departments.								X			X	
UNCODIFIED LAW - Applicability of restrictions for one-year ban on lobbying and the two-year restriction for working on legislation or regulations to those leaving service on or after the effective date of the law.								X				
EFFECTIVE DATE of mandatory electronic filing of APOC reports is July 1, 2007								X				
EFFECTIVE DATE of all other provisions of Governor's Bill would be immediate.								X				
39.52.960(14) amends definition for "official action" broadening it to include <u>performance of any duties in the course and scope of a public official's employment review, advice, participation and assistance</u> in making a recommendation, decision, approval, disapproval, vote other similar action, including, inaction, by a public officer <u>regarding a matter</u> that could have an effect on the financial interests of that public officer.							X			X		

HB 109



SARAH PALIN
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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 24, 2007

RULES

The Honorable John Harris
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801 1182

Dear Speaker Harris:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to reports to the Alaska Public Offices Commission and relating to the Alaska Executive Branch Ethics Act.

This bill would (1) generally require candidates, groups, legislators, public officials, and others to submit required reports electronically to the Alaska Public Offices Commission; (2) require legislators and other public officials to make financial disclosures when they leave office; (3) require candidates, legislators, and other public officials to disclose information about services performed for compensation and about certain income, gifts, and other financial matters; (4) establish a presumption that an interest of less than \$5,000 in a business is an "insignificant" interest for purposes of the Alaska Executive Branch Ethics Act; (5) establish a presumption that gifts from a lobbyist to a public officer and the public officer's immediate family members are prohibited under the Alaska Executive Branch Ethics Act, unless the lobbyist is an immediate family member of the gift recipient; and (6) tighten certain restrictions on employment after leaving state service for purposes of the Alaska Executive Branch Ethics Act.

The public's confidence in its government and governmental officials is essential. This bill would foster the openness in government that I have advocated as one means to increase that confidence.

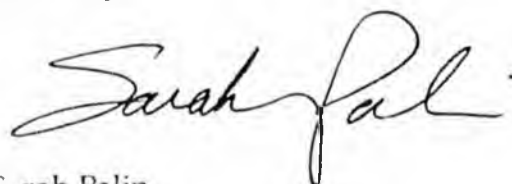
In preparing this bill, I have taken into consideration the advice and counsel of numerous individual Alaskans. The issues addressed by the provisions within this bill have largely been publicly discussed, and may even be addressed in other bills currently pending in the Legislature. For example, provisions to establish a

The Honorable John Harris
January 24, 2007
Page 2

presumption regarding "insignificant" interests were addressed in legislation last year that passed the Senate and moved all the way to the House Rules Committee.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Palin". The signature is written in black ink and is positioned to the right of the typed name.

Sarah Palin
Governor

Sectional Analysis of Governor's Ethics Bill

Section 1: This section would amend AS 15.13.040(m) to require electronic filing of campaign disclosure reports that candidates, groups, and others file with the Alaska Public Offices Commission. The section would allow the APOC to grant an exception in extraordinary circumstances.

Section 2: This section would amend AS 24.60.200 to require more detail in the financial disclosures that legislators, public members of the Select Committee on Legislative Ethics, and legislative directors file with the APOC. It would require that, for all income exceeding \$1,000, the disclosures describe the amount received, the number of hours spent to earn the income, and details regarding the services provided.

Section 3: This section would amend AS 24.60.210 to require former legislators, former public members of the Select Committee on Legislative Ethics, and former legislative directors to file financial disclosures with the APOC within 90 days of leaving service in those positions.

Section 4: This section would amend AS 24.60.210 to require electronic filing of financial disclosures that legislators, public members of the Select Committee on Legislative Ethics, and legislative directors file with the APOC, but would allow the APOC to grant an exception in extraordinary circumstances.

Section 5: This section would amend AS 39.50.020 to require financial disclosures from former public officials within 90 days of leaving service in their official positions. This requirement would apply to the governor and other high-ranking executive branch officials, judges and other judicial officers, and certain municipal officers, as well as some others.

Section 6: This section would amend AS 39.50.030(b) to require more detail in the financial disclosures that candidates and public officials file with the APOC. The current law requires reporting of income and interests exceeding \$5,000 in value; this section would require more extensive reporting by reducing that reporting threshold to \$1,000. In addition, it would require that, for all income exceeding \$1,000, the disclosures describe the source of the income, the amount received, the number of hours spent to earn the income, and details regarding the services provided. It would also require disclosure of all stock holdings, trust or similar interests, loans, loan guarantees, and indebtedness exceeding \$1,000 in value.

Section 7: This section would amend AS 39.50.050(a) to require electronic filing of candidates' and public officials' financial disclosures with the APOC. The section would allow the APOC to grant an exception in extraordinary circumstances.

Section 8: This section would amend AS 39.52.110 by defining an "insignificant financial interest" for purposes of the Executive Branch Ethics Act. It would make stock or an ownership interest in a business presumptively insignificant if the value of the interest is less than \$5,000.

Section 9: This section would amend the Executive Branch Ethics Act (AS 39.52.130(a)) to establish a presumption that all gifts from a lobbyist to a public officer (or a member of the officer's immediate family) are improper unless the lobbyist is an immediate family member of the gift's recipient.

Section 10: This section would amend the Executive Branch Ethics Act (AS 39.52.180(a)) by deleting some of the language defining "matter" for purposes of the two-year restrictions that apply to employment after leaving state service. The deleted language excludes work on legislation and regulations from the definition of "matter." The effect of this section would be to make the post-state employment limitations more restrictive by precluding former public officials from working on particular legislation or regulations after leaving state service if they personally and substantially participated in work on the same legislation or regulations during their state service.

Section 11: This section would amend the Executive Branch Ethics Act (AS 39.52.180(d)) to extend the existing one-year ban on lobbying to include deputy heads of principal departments and those holding policy-making positions in the Office of the Governor. Currently, the one-year lobbying ban applies only to the governor, lieutenant governor, and heads of principal departments.

Section 12: This section would restrict application of sections 10 (deletion of the legislation and regulations language from the post-state employment restrictions) and 11 (extension of the lobbying restrictions) to those who leave state service on or after the effective date of this enactment.

Section 13: This section would make sections 1, 4, and 7 (the sections addressing electronic filing with the APOC) effective on July 1, 2007.

Section 14: This section would make the remaining sections of the enactment effective immediately.

Bill History/Action Display



BILL: HB 109

SHORT TITLE: DISCLOSURES & ETHICS

BILL VERSION:

CURRENT STATUS: (H) STA

STATUS DATE: 01/25/07

THEN JUD

SPONSOR(s): RLS BY REQUEST OF THE GOVERNOR

HEARING: (H) STA Jan 30 8:00 AM CAPITOL 106 -- No Public Testimony -- TELECONFERENCE

TITLE: "An Act relating to the requirement for candidates, groups, legislators, public officials, and other persons to submit reports electronically to the Alaska Public Offices Commission; relating to disclosures by legislators, public members of the Select Committee on Legislative Ethics, legislative directors, public officials, and certain candidates for public office concerning services performed for compensation and concerning certain income, gifts, and other financial matters; requiring legislators, public members of the Select Committee on Legislative Ethics, legislative directors, public officials, and municipal officers to make certain financial disclosures when they leave office; relating to insignificant ownership interest in a business and to gifts from lobbyists for purposes of the Alaska Executive Branch Ethics Act; relating to certain restrictions on employment after leaving state service for purposes of the Alaska Executive Branch Ethics Act; and providing for an effective date."

Bill Root: [Display Bill Root](#) [Next Bill](#)

[Full Text](#) [Fiscal Notes](#)

[Committee Action with Bill History](#)

Jm-Date	Jm-Page	Action
5/07	0108	(H) READ THE FIRST TIME - REFERRALS
1/25/07	0108	(H) STA, JUD
01/25/07	0108	(H) FN1: ZERO(ADM)
01/25/07	0108	(H) FN2: ZERO(LAW)
01/25/07	0108	(H) GOVERNOR'S TRANSMITTAL LETTER
01/25/07	0108	(H) REFERRED TO STATE AFFAIRS

Similar Subject Match or Exact Subject Match

- [CAMPAIGNS](#)
- [CONFLICT OF INTEREST](#)
- [DISCLOSURE](#)
- [ETHICS](#)
- [EXECUTIVE BRANCH](#)
- [LEGISLATIVE COMMITTEES](#)
- [LEGISLATORS](#)
- [LOBBYISTS](#)
- [MUNICIPALITIES](#)
- [PUBLIC EMPLOYEES](#)
- [PUBLIC OFFICERS](#)

Bill Root: [Display Bill Root](#) [Next Bill](#)

[To Report Problems with Basis Inquiry](#)

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[Return to Basis Main Menu \(25 Legislature\)](#)

[Return to Legislature Home Page](#)

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bill Version: HB 109
 (H) Publish Date: 1/25/07

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
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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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 lightens 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
 Division: Alaska Public Offices Commission
 Approved by: Melanie Millhorn, Deputy Commissioner
 Agency: Department of Administration

Phone: 907-334-1726
 Date/Time: 1/23/07 12:00 AM
 Date: 1/23/2007

STATUTE – original language	HB – 109 Amends	HB – 10	HB - 27
<p>AS 15.13.040 (m)</p>	<p>AS 15.13.040 (m)</p>		
<p>* Section 1. (m) The commission may request that the information required under this chapter be submitted electronically but shall accept any information required under this chapter that is typed in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.</p>	<p>* Section 1. (m) The commission <u>shall require</u> that the information required under this chapter be submitted electronically but <u>may, when extraordinary circumstances warrant an exception,</u> accept any information required under this chapter that is typed in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.</p>		

AS 24.60.200	HB - 109 Amends AS 24.60.200	HB - 10 Amends AS 24.60.200	HB - 27 Amends AS 24.60.200
<p>* Section 1 (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature, to a legislative employee, and to public members of the committee. This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless the provision <u>of this chapter</u> specifically states that it applies; (2) a person elected to the legislature who at the time of election is not a member of the legislature.</p> <p>* Sec. 2. Sec. 24.60.200. Financial disclosure by legislators, public members of the committee, and legislative directors. A legislator, a public member of the committee, and a legislative director shall file a disclosure statement, under oath and on penalty of perjury, with the</p>	<p>* Sec. 2. Sec. 24.60.200. Financial disclosure by legislators, public members of the committee, and legislative directors. A legislator, a public member of the committee, and a legislative director shall file a disclosure statement, under oath and on penalty of perjury,</p>	<p>* Section 1. (a) Except as otherwise provided in this subsection, this chapter applies to a member of the legislature, to a legislative employee, and to public members of the committee. This chapter does not apply to (1) a former member of the legislature or to a person formerly employed by the legislative branch of government unless <u>a provision of this chapter</u> specifically states that it applies; (2) a person elected to the legislature who at the time of election is not a member of the legislature.</p>	<p>Sec. 24.60.200. Financial disclosure by legislators, public members of the committee, and legislative directors. A legislator, a public member of the committee, and a legislative director</p>

<p>Alaska Public Offices Commission giving the following information about the income received by the discloser, the discloser's spouse or domestic partner, the discloser's dependent children, and the discloser's nondependent children who are living with the discloser:</p> <p>(1) the information that a public official is required to report under AS 39.50.030, other than information about gifts;</p> <p>(2) as to income in excess of \$1,000 received as compensation for personal services, the name and address of the source of the income, and a statement describing the nature of the services performed; if the source of income is known or reasonably should be known to have as substantial interest in legislative, administrative or political action and the recipient of the income is a legislator or a legislative director, the amount of income received from the source shall be disclosed;</p>	<p>with the Alaska Public Offices Commission giving the following information about the income received by the discloser, the discloser's spouse or domestic partner, the discloser's dependent children, and the discloser's nondependent children who are living with the discloser:</p> <p>(1) the information that a public official is required to report under AS 39.50.030, other than information about gifts;</p> <p>(2) as to income in excess of \$1,000 received as compensation for personal services, the name and address of the source of the income, <u>the amount of the income, the number of hours of services performed to earn that income,</u> and a statement describing <u>in detail</u> the nature of the services performed.</p>		<p>shall file a disclosure statement, under oath and on penalty of perjury, with the Alaska Public Offices Commission giving the following information about the income received by the discloser, the discloser's spouse or domestic partner, the discloser's dependent children, and the discloser's nondependent children who are living with the discloser:</p> <p>(1) the information that a public official is required to report under AS 39.50.030, other than information about gifts;</p> <p>(2) as to income in excess of \$1,000 received compensation as for personal services, <u>and as to a dividend received from a limited liability company as compensation for personal services,</u> the name and address of the source of the income, and a statement describing</p> <p>(A) the nature of the</p>
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<p>(3) as to each loan or loan guarantee over \$1,000 from a source with a substantial interest in legislative, administrative, or political action, the name and address of the person making the loan or guarantee, the amount of the loan, the terms and conditions under which the loan or guarantee was given, the amount outstanding at the time of filing, and whether</p>	<p>(3) as to each loan or loan guarantee over \$1,000 from a source with a substantial interest in legislative, administrative, or political action, the name and address of the person making the loan or guarantee, the amount of the loan, the terms and conditions under which the loan or guarantee was given, the amount outstanding at the time of filing,</p>		<p>services performed, <u>with sufficient description to make clear to a person of ordinary understanding the specific services performed, unless those services require the issuance of a state or federal professional license;</u> <u>(B) the approximate total number of hours that have been spent or will be spent performing the services and;</u> <u>(C) the amount of income received from the source, if the</u> recipient of the income is a legislator or legislative director; (3) as to each loan or loan guarantee over \$1,000 from a source with a substantial interest in legislative, administrative, or political action, the name and address of the person making the loan or guarantee, the amount of the loan, the terms and conditions under which the loan or</p>
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<p>or not a written loan agreement exists.</p>	<p>and whether or not a written loan agreement exists.</p>		<p>guarantee was given, the amount outstanding at the time of filing, and whether or not a written loan agreement exists.</p>
<p>AS 24.60.210 * Sec. 3. Sec. 24.60.210. Deadlines for filing of disclosure statements. (a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year.</p> <p>(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, covering</p>	<p>HB 109- Amends AS 24.60.210 * Sec. 3. Sec. 24.60.210. Deadlines for filing of disclosure statements. (a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year. <u>On or before the 90th day after ending service as a legislator or legislative director a former legislator, or legislative director shall file with the Alaska Public Offices Commission a report containing the disclosures required by AS 24.60.200, covering any period of that service for which the legislator or legislative director has not already filed a report.</u></p> <p>(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission covering,</p>		

<p>the previous calendar year, containing the disclosures required by AS 24.60.200, on or before the second Monday in January of each year.</p>	<p>the previous calendar year, containing the disclosures required by AS 24.60.200, on or before the second Monday in January of each year. <u>On or before the 90th day after ending service on the committee, a former public member of the committee shall file with the Alaska Public Offices Commission a report containing disclosures required by AS 24.60.200, covering any period of that service for which the public member has not already filed a report.</u></p>		
<p>AS 24.60.210</p>	<p>HB 109 – AS 24.60.210</p>		
<p>New subsection added →</p>	<p>* Sec. 4. AS 24.60.210 is amended by adding a new subsection to read: (c) The Alaska Public Offices Commission shall require that the reports required under this section be submitted electronically but may, when extraordinary circumstances warrant an exception, accept any information required under this section that is typed in clear and</p>		

	<p>legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.</p>		
<p>AS 39.50.020</p>	<p>HB 109 - AS 39.50.020</p>		
<p>* Sec. 5. Sec. 39.50.020. Report of financial and business interests. (a) A public official other than the governor or the lieutenant governor shall file a statement giving income sources and business interests, under oath and on penalty of perjury, within 30 days after taking office as a public official. Candidates for state elective office other than a candidate who is subject to AS 24.60 shall file the statement with the director of elections at the time of filing a declaration of candidacy or a nominating petition or becoming a candidate by any other means. Candidates for elective municipal office shall file the statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted filing</p>	<p>* Sec. 5. Sec. 39.50.020. Report of financial and business interests. (a) A public official other than the governor or the lieutenant governor shall file a statement giving income sources and business interests, under oath and on penalty of perjury, within 30 days after taking office as a public official. Candidates for state elective office other than a candidate who is subject to AS 24.60 shall file the statement with the director of elections at the time of filing a declaration of candidacy or a nominating petition or becoming a candidate by any other means. Candidates for elective municipal office shall file the statement at the time of filing a petition nominating, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted</p>		

<p>fee be returned and the candidate's name removed from the filing records. A statement shall also be filed by public officials no later than March 15 in each following year. Persons who are members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.</p> <p>(b) A public official other than an elected or appointed municipal officer shall file the statement with the Alaska Public Offices Commission. Candidates for the office of governor and lieutenant governor and, if the candidate is not subject to AS 24.60, the legislature shall file the statement under AS 15.25.030 or 15.25.180. Municipal officers, and candidates for elective municipal office, shall file with the municipal clerk or other municipal official designated to receive their filing for office. All statements required to be filed under this chapter are public records.</p>	<p>filing fee be returned and the candidate's name removed from the filing records. A statement shall also be filed by public officials no later than March 15 in each following year. <u>On or before the 90th day after leaving office, a former public official shall file a statement covering any period during the official's service in that office for which the public official has not already filed a statement.</u> Persons who are members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.</p> <p>(b) A public official <u>or former public official</u> other than an elected or appointed municipal officer shall file the statement with the Alaska Public Offices Commission. Candidates for the office of governor and lieutenant governor and, if the candidate is not subject to AS 24.60, the legislature shall file the statement under AS 15.25.030 or 15.25.180. Municipal officers, <u>former municipal officers,</u> and candidates for elective municipal office, shall file with the municipal clerk or other municipal official designated to receive their filing for office. All statements required to be filed under this chapter are public records.</p>		
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AS 39.50.030(b)	HB 109 amends AS 39.50.030(b)		
<p>* Sec. 6.</p> <p>(b) Each statement filed by a public official or candidate under this chapter must include the following:</p> <p>(1) the source of all income over \$5,000 during the preceding calendar year, including taxable and nontaxable capital gains, received by the person, the person's spouse or domestic partner, or the person's dependent child, except that a source of income that is a gift must be included if the value of the gift exceeds \$250;</p> <p>(2) the identity, by name and address, of each business in which the person, the person's spouse or domestic partner, or the person's dependent child has an interest or was a stockholder, owner, officer, director, partner, proprietor, or employee during the preceding</p>	<p>(b) Each statement filed by a public official or candidate under this chapter must include the following:</p> <p>(1) the source of all income over \$5,000 during the preceding calendar year, including taxable and nontaxable capital gains, <u>and each gift with a value exceeding \$250</u>, received by the person, the person's spouse or domestic partner, or the person's dependent child,</p> <p><u>(A) the source of the income or gift;</u></p> <p><u>(B) the recipient of the income or gift;</u></p> <p><u>(C) the amount of the income or value of the gift;</u></p> <p><u>(D) the number of hours of services performed, if any, to earn the income or for which the gift was given; and</u></p> <p><u>(E) a detailed description of the nature of the services performed;</u></p> <p>(2) the identity, by name and address, of each business in which the person, the person's spouse or domestic partner, or the person's dependent child has an interest or was a stockholder, owner, officer, director, partner, proprietor, or employee during</p>		

<p>calendar year, except that an interest of less than \$5,000 in the stock of a publicly traded corporation need not be included;</p> <p>(3) the identity and nature of each interest in real property, including an option to buy, owned at any time during the preceding calendar year by the person, the person's spouse or domestic partner, or the person's dependent child;</p> <p>(4) the identity of each trust or other fiduciary relation in which the person, the person's spouse or domestic partner, or the person's dependent child held a beneficial interest exceeding \$5,000 during the preceding calendar year, a description and identification of the property contained in each trust or relation, and the nature and extent of the beneficial interest in it;</p> <p>(5) any loan or loan guarantee of more than \$5,000 made to the person, the person's spouse or domestic partner, or the person's dependent child, and the identity of the maker of the loan or loan guarantor and the identity of each creditor to whom the person, the person's spouse or domestic partner, or the person's dependent child owed more than \$5,000; this paragraph requires disclosure of a loan, loan guarantee, or</p>	<p>the preceding calendar year, except that an interest of less than \$5,000 in the stock of a publicly traded corporation need not be included;</p> <p>(3) the identity and nature of each interest in real property, including an option to buy, owned at any time during the preceding calendar year by the person, the person's spouse or domestic partner, or the person's dependent child;</p> <p>(4) the identity of each trust or other fiduciary relation in which the person, the person's spouse or domestic partner, or the person's dependent child held a beneficial interest exceeding <u>\$1,000</u> during the preceding calendar year, a description and identification of the property contained in each trust or relation, and the nature and extent of the beneficial interest in it;</p> <p>(5) any loan or loan guarantee of more than <u>\$1,000</u> made to the person, the person's spouse or domestic partner, or the person's dependent child, and the identity of the maker of the loan or loan guarantor and the identity of each creditor to whom the person, the person's spouse or domestic partner, or the person's dependent child owed more than <u>\$1,000</u> this paragraph requires disclosure of a loan, loan</p>		
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<p>indebtedness only if the loan or guarantee was made, or the indebtedness incurred, during the preceding calendar year, or if the amount still owing on the loan, loan guarantee, or indebtedness was more than \$5,000 at any time during the preceding calendar year;</p>	<p>guarantee, or indebtedness only if the loan or guarantee was made, or the indebtedness incurred, during the preceding calendar year, or if the amount still owing on the loan, loan guarantee, or indebtedness was more than <u>\$1,000</u> at any time during the preceding calendar year;</p>		
<p>(6) a list of all contracts and offers to contract with the state or an instrumentality of the state during the preceding calendar year held, bid or offered by the person, the person's spouse or domestic partner, or the person's dependent child, a partnership or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse, domestic partner, or dependent children, or a combination of them, hold a controlling interest; and</p>	<p>(6) a list of all contracts and offers to contract with the state or an instrumentality of the state during the preceding calendar year held, bid, or offered by the person, the person's spouse or domestic partner, or the person's dependent child, a partnership or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse, domestic partner, or dependent children, or a combination of them, hold a controlling interest; and</p>		
<p>(7) a list of all mineral, timber, oil, or any other natural resource lease held, or lease offer made, during the preceding calendar year by the person, the person's spouse or domestic partner, or the person's dependent child, a partnership or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse or domestic partner or dependent children, or a combination of them, holds a</p>	<p>(7) a list of all mineral, timber, oil, or any other natural resource held, lease or lease offer made, during the preceding calendar year by the person, the person's spouse or domestic partner, or the person's dependent child, a partnership or professional corporation of which the person is a member, or a corporation in which the person or the person's spouse or domestic partner or dependent children, or a combination of them, holds a</p>		

controlling interest.	controlling interest.		
AS 39.50.050(a)	HB 109 amends AS 39.50.050(a)		
<p>* Sec. 7. (a) The Alaska Public Offices Commission created under AS 15.13.020(a) shall administer the provisions of this chapter. The commission shall prepare and keep available for distribution standardized forms on which the reports required by this chapter shall be filed. The commission shall print the forms provided under this section so that the front and back of each page have the same orientation when the page is rotated on the vertical axis of the page. The commission may request that the information required under this chapter be submitted electronically but shall accept any information required under this chapter that is typed in clear legible and black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.</p>	<p>* Sec. 7. AS 39.50.050(a) is amended to read: (a) The Alaska Public Offices Commission created under AS 15.13.020(a) shall administer the provisions of this chapter. The commission shall prepare and keep available for distribution standardized forms on which the reports required by this chapter shall be filed. The commission shall print the forms provided under this section so that the front and back of each page have the same orientation when the page is rotated on the vertical axis of the page. The commission <u>shall require</u> that the information required under this chapter be submitted electronically but <u>may, when extraordinary circumstances warrant an exception,</u> accept any information required under this chapter that is typed in clear and legible black typeface or hand-printed in dark ink on paper in a format approved by the commission or on forms provided by the commission and that is filed with the commission.</p>		

<p>AS 39.52.110 New Subsection added →</p>	<p>HB 109 – AS 39.52.110(d) subsection * Sec. 8. AS 39.52.110 is amended by adding a new subsection to read: (d) Stock or other ownership interest in a business is presumed to be insignificant if the value of the stock or other ownership interest is less than \$5,000.</p>		
<p>AS 39.52.130(a) Sec. 9. (a) A public officer may not solicit, accept, or receive, directly or indirectly, a gift, whether in the form of money, service, loan, travel, entertainment, hospitality, employment, promise, or in any other form, that is a benefit to the officer's personal or financial interests, under circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment.</p>	<p>HB 109 amends AS 39.52.130(a) Sec. 9. (a) A public officer may not solicit, accept, or receive, directly or indirectly, a gift, whether in the form of money, service, loan, travel, entertainment, hospitality, employment, promise, or in any other form, that is a benefit to the officer's personal or financial interests, under circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment. <u>A gift from a person required to register as a lobbyist under AS 24.45.041 to a public officer or a public officer's immediate family member is presumed to be intended to influence the performance of official duties, actions, or judgment unless the giver is an immediate family member of the person receiving the gift.</u></p>		

<p>AS 39.52.180(a) Sec. 10. (a) A public officer who leaves state service may not, for two years after leaving state service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the administrative unit served by that public officer, and in which the officer participated personally and substantially through the exercise of official action. For the purposes of this subsection, "matter" includes a case, proceeding, application, contract, or determination, but does not include the proposal or consideration of legislative bills, resolutions and Constitutional amendments, or other legislative measures; or the proposal, consideration or adoption of administrative regulations.</p>	<p>HB 109 – amends AS 39.52.180(a) Sec. 10. (a) A public officer who leaves state service may not, for two years after leaving state service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the administrative unit served by that public officer, and in which the officer participated personally and substantially through the exercise of official action. For the purposes of this subsection, "matter" includes a case, proceeding, application, contract, or determination.</p>		
<p>AS 39.52.180(d) * Sec. 11. (d) A former governor, lieutenant governor, or head of a principal department in the executive branch may not engage in activity as a lobbyist under AS 24.45 for a period of one year after leaving service as the governor, lieutenant governor, or department head, as appropriate. This subsection does not prohibit service as a volunteer lobbyist described in AS</p>	<p>HB 109 – amends AS 39.52.180(d) * Sec. 11. (d) A former governor, lieutenant governor, head <u>or deputy head</u> of a principal department in the executive branch, <u>or employee of the Office of the Governor in a policy-making position</u> may not engage in activity as a lobbyist under AS 24.45 for a period of one year after leaving service as the governor, lieutenant governor, department head <u>or deputy head,</u></p>		

<p>24.45.161(a)(1) or a representational lobbyist as defined under regulations of the Alaska Public Offices Commission.</p> <p>New Section Added →</p> <p>* Sec. 13. Sections 1, 4, and 7 of this Act take effect July 1, 2007. * Sec. 14. Except as provided in sec. 13 of this Act, this Act takes effect immediately under AS 01.10.070(c).</p>	<p><u>or employee of the Office of the Governor in a policy-making position</u>, as appropriate. This subsection does not prohibit service as 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.</p> <p>* Sec. 12. The uncodified law of the State of Alaska is amended by adding a new section to read: APPLICABILITY. Sections 10 and 11 of this Act apply to a person who leaves state service on or after the effective date of secs. 10 and 11 of this Act.</p> <p>* Sec. 13. Sections 1, 4, and 7 of this Act take effect July 1, 2007. * Sec. 14. Except as provided in sec. 13 of this Act, this Act takes effect immediately under AS 01.10.070(c).</p>		
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<p>STATUTE – AS 15.13.040(a)</p>	<p>HB 5 – amends AS 15.13.040(a)</p>	<p>HB 5 - repeals AS 15.13.040(g)</p>	<p>accomplishes</p>
<p>(a) Except as provided in (g) and (l) of this section, each candidate shall make a full report, upon a form prescribed by the commission,</p>	<p>(a) Except as provided in (l) of this section, each candidate shall make a full report, upon a form prescribed by the commission,</p>	<p>(g) The provisions of (a) and (l) of this section do not apply if a candidate (1) indicates, on a form prescribed by the commission, an intent not to raise and not to expend more than \$5,000 in seeking election to office, including both the primary and general elections; (2) accepts contributions totaling not more than \$5,000 in seeking election to office, including both primary and general elections. (3) makes expenditures totaling not more than \$5,000 in seeking election to office, including both the primary and general elections. (h) The provisions of (d) of this section do not apply to one or more expenditures made by an individual acting independently of any group or nongroup entity and independently of any other individual if the expenditures (1) cumulatively do not exceed \$500 during a calendar year; and (2) are made only for billboards, signs, or printed material concerning a ballot proposition as that term is defined by AS 15.13.065(c).</p>	<p>Requires all candidates to report contributions and expenses to APOC, removing exceptions for candidates raising or spending less than \$5,000.</p>
<p>STATUTE - AS 24.60.080 (e)</p>	<p>HB 5 – amends AS 24.60.080 (e)</p>		
<p>Sec. 2. (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.</p>	<p>Sec. 2. (e) A political contribution is not a gift under this section if it is reported under AS 15.13.040. 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.</p>		<p>NOTE: This bill amends and repeals the same statutes as HB 20 – but does not go as far.</p>

Alaska State Legislature

Session: (Jan-May)
State Capitol, Room 208
Juneau, AK 99801-1182
(907) 465-4859
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John Harris
Speaker of the House

SECTIONAL ANALYSIS CS for HOUSE BILL 6 (), Draft LS0055\K

An Act relating to political contributions; and providing for an effective date.

Section 1: Amends AS 15.13.040(a), Contributions, expenditures and supplying of services to be reported. Adds language that refers to elections for state offices only; candidates file a report in accordance with AS 15.13.110 (Filing of Reports); and, requires candidates to list, in addition to name, address and amount of the contribution, the principal occupation and employer of each contributor. Those not governed under subsection (1), which includes judges up for retention, constitutional convention delegates and municipal candidates, are required to provide certain information and for contributions totaling over \$250 to list the principal occupation and employer of the contributor.

Section 2: Amends AS 15.13.040(b), Contributions, expenditures and supplying of services to be reported. Requires groups to report all contributions.

Section 3: Amends AS 15.13.040(g), Contributions, expenditures and supplying of services to be reported. Lists those who are not required to file reports unless more than \$5000 is to be received or expended.

Section 4: Amends AS 15.13.040(j), Contributions, expenditures and supplying of services to be reported. Adds language requiring all nongroup entities to list the principal occupation and employer of each contributor. Deletes language for contributions in excess of \$250. Deletes language for contributions in excess of \$500 from one nongroup entity to another nongroup entity that are used to influence the outcome of an election. Deletion of this language requires nongroup entities to report all contributions and expenditures.

Section 5: Amends AS 15.13.070(c), Limitations on amount of political contributions. Reduces group contributions from \$1,000 to \$500.

Section 6: Immediate effective date.

**CAMPAIGN
INCOME**

30 Day Report 7 Day Report Year End Report
 Municipal Primary General Final



NAME OF CANDIDATE OR GROUP:

Report all contributions up to \$250 by Date, Check Number, Contributor Name and Address. Report all contributions in excess of \$250 by Date, Check Number, Contributor Name, Address, Principal Occupation and Employer.

Date	Check # Non-Mon Description Loan	Contributor, Address, Zip	Occupation, Employer	Amount this Period
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:
				Annual Total:

**Total Income This Period:
(Including Income from
Exempt Fundraising)**

Include subtotals from any
Additional Income sheets.

Attach all Exempt fundraising forms

<p>AS 11.56.100. Bribery.</p> <p>(a) A person commits the crime of bribery if the person confers, offers to confer, or agrees to confer a benefit upon a public servant with the intent to influence the public servant's vote, opinion, judgment, action, decision, or exercise of official discretion.</p> <p>(b) In a prosecution under this section, it is not a defense that the person sought to be influenced was not qualified to act in the desired way, whether because that person had not assumed office, lacked jurisdiction, or for any other reason.</p> <p>(c) Bribery is a class B felony.</p>	<p>Proposed new section – AS 11.56.135</p> <p>Improper legislative campaign contribution and agreement.</p> <p>(a) A person commits the crime of improper legislative campaign contribution and agreement if the person</p> <p>(1) <i>explicitly</i> agrees to make a campaign contribution to a member of the legislature or a candidate for the legislature, and makes that contribution, in exchange for an agreement by the legislator <i>or the candidate</i> to alter the legislator's <i>or candidate's</i> position on a legislative matter; or</p> <p>2) as a member of the legislature or a candidate for the legislature, accepts a campaign contribution and explicitly agrees, in exchange for that contribution, to alter the legislator's <i>or candidate's</i> position on a legislative matter.</p> <p>(b) Improper legislative campaign contribution and agreement is a class B felony.</p> <p>* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to read:</p> <p>APPLICABILITY. This Act applies to offenses occurring on or after the effective date of this Act.</p>
<p>AS 11.56.110. Receiving a Bribe.</p> <p>(a) A public servant commits the crime of receiving a bribe if the public servant</p> <p>(1) solicits a benefit with the intent that the public servant's vote, opinion, judgment, action, decision, or exercise of discretion as a public servant will be influenced; or</p> <p>(2) accepts or agrees to accept a benefit upon an agreement or understanding that the public servant's vote, opinion, judgment, action, decision, or exercise of discretion as a public servant will be influenced.</p> <p>(b) Receiving a bribe is a class B felony.</p>	<p>↑ Q: What does <i>explicitly</i> mean?</p> <p>Comment: The new section would make a 'candidate' liable for accepting a contribution – <i>before</i> he/she is elected – for what he/she may be able to influence – without yet having the capacity to influence anything. This is interesting because a candidate is still a private citizen – unless he/she is running as an incumbent, in which case he/she would still be a legislator. How would this be enforceable?</p> <p>It would also make a contributor a felon for giving a contribution to a candidate in exchange for possibly influencing a vote before he has the power to do anything.</p>
<p>AS 15.13.065. Contributions.</p> <p>(a) Individuals, groups, nongroup entities, and political parties may make contributions to a candidate. An individual, group, or nongroup entity may make a contribution to a group, to a nongroup entity, or to a political party.</p> <p>(b) A political party may contribute to a subordinate unit of the political party, and a subordinate unit of a political party may contribute to the political party of which it is a subordinate unit.</p>	

<p>(c) Except for reports required by AS <u>15.13.040</u> and <u>15.13.110</u> and except for the requirements of AS <u>15.13.050</u> , <u>15.13.060</u>, and <u>15.13.112</u> - <u>15.13.114</u>, the provisions of AS <u>15.13.010</u> - <u>15.13.116</u> do not apply to limit the authority of a person to make contributions to influence the outcome of a ballot proposition. In this subsection, in addition to its meaning in AS <u>15.60.010</u> , "proposition" includes an issue placed on a ballot to determine whether</p> <ol style="list-style-type: none"> (1) a constitutional convention shall be called; (2) a debt shall be contracted; (3) an advisory question shall be approved or rejected; or (4) a municipality shall be incorporated. 	<p>Q: What influence can a legislator have on the outcome of a ballot proposition?</p> <p>← HB 38 would seem to eliminate this exception, but does not mention it in the proposed bill language.</p>
<p>AS 11.56.120. Receiving Unlawful Gratuities.</p> <p>(a) A public servant commits the crime of receiving unlawful gratuities if, for having engaged in an official act which was required or authorized and for which the public servant was not entitled to any special or additional compensation, the public servant</p> <ol style="list-style-type: none"> (1) solicits a benefit, regardless of value; or (2) accepts or agrees to accept a benefit having a value of \$50 or more. <p>(b) Receiving unlawful gratuities is a class A misdemeanor.</p>	<p>← HB 38 essentially restates AS <u>11.56.110</u>. and AS <u>11.56.120</u>, adding 'candidates' and making it a class B felony to solicit, accept or agree to accept a benefit - and includes contributions that would result in giving or getting a vote as a benefit - (HB 38 does not address the definition of benefit)</p>
<p>AS 11.56.130. Definition.</p>	
<p>In AS <u>11.56.100</u> - <u>11.56.130</u>, "benefit" has the meaning ascribed to it in AS <u>11.81.900</u> but does not include:</p> <ol style="list-style-type: none"> (1) political campaign contributions reported in accordance with AS <u>15.13</u>; (2) concurrence in official action in the cause of legitimate compromise between public servants; or (3) support, including a vote, solicited by a public servant or offered by any person in an election. 	<p>AS 11.81.900</p> <p>(4) "benefit" means present or future gain or advantage to the beneficiary or to a third person pursuant to the desire or consent of the beneficiary;</p> <p>← HB 38 would eliminate this exception - but does not mention it in the proposed bill language.</p> <p>← HB 38 would eliminate this exception - but does not mention it in the proposed bill language.</p>

(24) "felony" means a crime for which a sentence of imprisonment for a term of more than one year is authorized;

STATUTE – original language	HB 38 - amends	
AS 11.56	AS 11.56	Results:
<p>New Section added →</p>	<p>* Section 1. AS 11.56 is amended by adding a new section to article 1 to read: Sec. 11.56.135. Improper legislative campaign contribution and agreement. (a) A person commits the crime of improper legislative campaign contribution and agreement if the person (1) explicitly agrees to make a campaign contribution to a member of the legislature or a candidate for the legislature, and makes that contribution, in exchange for an agreement by the legislator or the candidate to alter the legislator's or candidate's position on a legislative matter; or (2) as a member of the legislature or a candidate for the legislature, accepts a campaign contribution and explicitly agrees, in exchange for that contribution, to alter the legislator's or candidate's position on a legislative matter. (b) Improper legislative campaign contribution and agreement is a class B felony. * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to read: APPLICABILITY. This Act applies to offenses occurring on or after the effective date of this Act.</p>	<p>Makes giving or accepting campaign contributions in exchange for votes a class B felony.</p>

STATUTE - original language	HB 58 - amends
AS 39.52.110(b)	AS 39.52.110(b)
<p>* Section 1.</p> <p>(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</p> <p>(2) action or influence would have insignificant or conjectural effect on the matter.</p>	<p>* Section 1. AS 39.52.110(b) is amended to read:</p> <p>(b) Unethical conduct is prohibited, but there is no substantial impropriety if, as to a specific matter, a public officer's personal or financial interest in the matter</p> <p><u>(1) 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, and action taken or influence exercised by the public officer would have insignificant or conjectural effect on the matter; or</u></p> <p><u>(2) is in regard to a business and the public officer</u></p> <p><u>(A) does not own a controlling interest in the business;</u></p> <p><u>(B) does not own stock or options to buy stock that, when combined,</u></p> <p><u>(i) equal more than one percent of the stock in the business; or</u></p> <p><u>(ii) have a total value of more than \$5,000;</u></p> <p><u>(C) owns or has an option to buy an equity interest in the business the value of which is not more than \$5,000 or one percent of the total value of the business, whichever is less;</u></p> <p><u>(D) is not a member of the board of directors or another governing body of the business;</u></p> <p><u>(E) is not an elected officer of the business;</u></p> <p><u>(F) does not provide or have an option to provide personal or professional services to the business;</u></p> <p><u>(G) does not have a contract or have an option for a contract with the business; and</u></p> <p><u>(H) is not an employee of the business.</u></p>

HB 58

AS 39.52.960(14)	HB 58 - amends AS 39.52.960(14)
Sec. 2. (14) "official action" means a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer;	Sec. 2. AS 39.52.960(14) is amended to read: (14) "official action" means <u>performance of any duties in the course and scope of a public official's employment, including review, advice, participation, assistance, or another kind of involvement regarding a matter, such as</u> recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer;

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB019-LAW-OAE-1-18-0
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Law
Title An Act relating to Executive branch ethics and RDU Civil Division
the financial interests of public officers. Component Opinions, Appeals & Ethics
Sponsor Senator French
Requester Senate Judiciary 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						
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CHANGE IN REVENUES ()						
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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 (FY2006) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2007 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill amends the Ethics Act. It is unclear whether these amendments will change the department's workload. The amendments may result in increased detailed evaluation of the business interests of public officers; 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 1/18/07 11:07 AM
Approved by: Robert Meiners for Talis Colberg, Attorney General Date 1/18/2007
Agency Department of Law

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB019-DOA-DOP-1-22-07
() Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title Exec Branch Ethics: Interests & Actions RDU Central Administrative Services
Component Personnel
Sponsor Senator(s) French, Elton, Mcguire, Wielechowski..
Requester Senate Judiciary Component No. 56

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
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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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 will have no fiscal impact on the Division of Personnel. May require personnel board review.

Prepared by: Dianne Kiesel, Director
Division: Division of Personnel & Labor Relations
Approved by: Kevin Brooks, Deputy Commissioner
Agency: Department of Administration

Phone 465-4429
Date/Time 1/22/2007 8:25 a.m.
Date 1/22/2007

SENATE COMMITTEE REPORT

DATE: 1/26/07

FURTHER: Finance

DATE TURNED
IN TO OFFICE: _____

State Affairs Committee considered SENATE BILL NO. 19

SB 19 EXEC. BRANCH ETHICS: INTERESTS & ACTIONS

"An Act relating to a public officer's taking official action regarding a matter in which the public officer has a financial interest; and defining 'official action' under the Alaska Executive Branch Ethics Act and related law."

and recommends:

- be replaced with SCS or CS SB 19 (STA)
- adopt previous SCS or CS _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
LAW				✓	
ADMM				✓	

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	Do PASS	Do NOT PASS	No REC	AMEND
		X			
				X	
		✓			
				✓	
CHAIR:	McLeure	X			

CS FOR SENATE BILL NO. 20(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS FRENCH, ELTON, MCGUIRE, WIELECHOWSKI, THOMAS AND HUGGINS,
Ellis, Stevens, Cowdery, Olson, Hoffman, Kookesh, Davis, Green, Stedman

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to disclosures by legislators, legislative employees, public members of
2 the Select Committee on Legislative Ethics, and legislative directors subject to the
3 Legislative Ethics Act; relating to the applicability of the Legislative Ethics Act; and
4 providing for an effective date."

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

6 * Section 1. AS 24.60.020(a) is amended to read:

7 (a) Except as otherwise provided in this subsection, this chapter applies to a
8 member of the legislature, to a legislative employee, and to public members of the
9 committee. This chapter does not apply to

10 (1) a former member of the legislature or to a person formerly
11 employed by the legislative branch of government unless a [THE] provision of this
12 chapter specifically states that it applies;

13 (2) a person elected to the legislature who at the time of election is not
14 a member of the legislature.

1 * Sec. 2. AS 24.60 is amended by adding a new section to article 2 to read:

2 Sec. 24.60.115 Disclosure ^[FORMER] required of a legislator, legislative employee or
3 public member of the committee after final day of service. A person serving as a
4 legislator, legislative employee, or public member of the committee shall, not later
5 than 90 days after the person's final day of service, file a disclosure of every matter
6 that was subject to disclosure under this chapter while the person was serving.

7 * Sec. 3. AS 24.60.200 is amended to read:

8 Sec. 24.60.200. Financial disclosure by legislators, public members of the
9 committee, and legislative directors. A legislator, a public member of the committee,
10 and a legislative director shall file a disclosure statement, under oath and on penalty of
11 perjury, with the Alaska Public Offices Commission giving the following information
12 about the income received by the discloser, the discloser's spouse or domestic partner,
13 the discloser's dependent children, and the discloser's nondependent children who are
14 living with the discloser:

15 (1) the information that a public official is required to report under
16 AS 39.50.030, other than information about gifts;

17 (2) as to income in excess of \$1,000 received as compensation for
18 personal services, and as to dividend income in excess of \$1,000 received from a
19 limited liability company "as compensation" for personal services, the name and
20 address of the source of the income, and a statement describing ^[a description]

21 (A) the nature of the services performed, with sufficient
22 description to make clear to a person of ordinary understanding the
23 specific services performed; ^{[unless and only to the extent those services}
24 ^{are required to be kept confidential under state or federal law, including the}

25 (B) the approximate total number of hours that have been
26 spent or will be spent performing the services; and

27 (C) the amount of income received from the source, if the [;
28 IF THE SOURCE OF INCOME IS KNOWN OR REASONABLY SHOULD
29 BE KNOWN TO HAVE A SUBSTANTIAL INTEREST IN LEGISLATIVE,
30 ADMINISTRATIVE, OR POLITICAL ACTION AND THE] recipient of the
31 income is a legislator or legislative director [, THE AMOUNT OF INCOME
RECEIVED FROM THE SOURCE SHALL BE DISCLOSED];

1 (3) as to each loan or loan guarantee over \$1,000 from a source with a
2 substantial interest in legislative, administrative, or political action, the name and
3 address of the person making the loan or guarantee, the amount of the loan, the terms
4 and conditions under which the loan or guarantee was given, the amount outstanding
5 at the time of filing, and whether or not a written loan agreement exists.

6 * Sec. 4. The uncodified law of the State of Alaska is amended by adding a new section to
7 read:

8 APPLICABILITY. (a) Section 2 of this Act applies to a person serving as a legislator
9 who leaves service on or after the effective date of this Act, and to a person who is not a
10 legislator but served as a legislator between April 9, 2006, and the effective date of this Act.

11 (b) A person who is not a legislator on the effective date of this Act but who served as
12 a legislator between April 9, 2006, and the effective date of this Act shall make the disclosure
13 required by AS 24.60.115, added by sec. 2 of this Act, within 90 days after the effective date
14 of this Act.

15 * Sec. 5. This Act takes effect July 1, 2007.

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB020-DOA-APOC-1-22-07
 () Publish Date: 1/16/2007

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title: An Act relating to disclosure to the Alaska Public RDU: AK Public Offices Commission
Offices Commission of information about... Component: AK Public Offices Commission
 Sponsor: Senators French, Elton, McGuire, et al.
 Requester: Senate Judiciary 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
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CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
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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 that dividends received from a limited liability company must be reported as a source of income on a legislator's financial disclosure statement. It also requires that when a legislator performs services, such as consulting services, he or she must provide a description of the services provided and the total number of hours that are spent performing the services. Lastly, it removes the requirement that amount of income need only be disclosed for sources that have a substantial interest in legislative, administrative, or political action. Rather amounts will be required for all income in excess of \$1000.

Prepared by: Brooke Miles, Executive Director
 Division: Alaska Public Offices Commission
 Approved by: Melanie Millhorn, Deputy Commissioner
 Agency: Department of Administration

Phone 465-2200
 Date/Time 1/22/2007 11:10 a.m.
 Date 1/22/2007