



- 1 (B) [(2)] one week before the election;
- 2 (C) [(3)] 105 days after a special election; and
- 3 (D) [(4)] February 15 for expenditures made [AND
- 4 CONTRIBUTIONS RECEIVED] that were not reported previously, including,
- 5 if applicable, all amounts expended from a public office expense term account
- 6 established under AS 15.13.116(a)(8) and all amounts expended from a
- 7 municipal office account under AS 15.13.116(a)(9), or when expenditures
- 8 were not made [OR CONTRIBUTIONS WERE NOT RECEIVED] during the
- 9 previous year.

10 * **Sec. 9.** AS 15.13.110(b) is amended to read:

11 (b) Notwithstanding (a)(1) of this section, each [EACH] contribution

12 (1) that [EXCEEDS \$250 AND THAT] is made within nine days of

13 the election shall be reported to the commission by date, amount, and contributor

14 within 24 hours of receipt by the candidate, group, campaign treasurer, or deputy

15 campaign treasurer; and

16 (2) [EACH CONTRIBUTION] to a nongroup entity for the purpose

17 of influencing the outcome of an election that [EXCEEDS \$250 AND THAT] is made

18 within nine days of the election shall be reported to the commission by date, amount,

19 and contributor within 24 hours of receipt by the nongroup entity.

20 * **Sec. 10.** AS 15.13.110(e) is amended to read:

21 (e) A group formed to sponsor an initiative, a referendum, or a recall shall

22 report 30 days after its first filing with the lieutenant governor. Thereafter each group

23 shall report

24 (1) contributions received under AS 15.13.040 in accordance with

25 (a) and (b) of this section; and

26 (2) expenditures made within 10 days after the end of each calendar

27 quarter on the [CONTRIBUTIONS RECEIVED AND] expenditures made during the

28 preceding calendar quarter until reports are due under (a)(2) [(a)] of this section.

29 * **Sec. 11.** AS 15.13.116(a) is amended to read:

30 (a) A candidate who, after the date of the general, special, municipal, or

31 municipal runoff election or after the date the candidate withdraws as a candidate,

1 whichever comes first, holds unused campaign contributions shall distribute the
2 amount held on February 1 for a general election or within 90 days after a special
3 election. The distribution may only be made to

4 (1) pay bills incurred for expenditures reasonably related to the
5 campaign and the winding up of the affairs of the campaign, including a victory or
6 thank you party, thank you advertisements, and thank you gifts to campaign
7 employees and volunteers, and to pay expenditures associated with post-election fund
8 raising that may be needed to raise funds to pay off campaign debts;

9 (2) make donations, without condition, to

10 (A) a political party;

11 (B) the state's general fund;

12 (C) a municipality of the state; or

13 (D) the federal government;

14 (3) make donations, without condition, to organizations qualified as
15 charitable organizations under 26 U.S.C. 501(c)(3) if the organization is not controlled
16 by the candidate or a member of the candidate's immediate family;

17 (4) repay loans from the candidate to the candidate's own campaign
18 under AS 15.13.078(b);

19 (5) repay contributions to contributors, but only if repayment of the
20 contribution is made pro rata in approximate proportion to the contributions made
21 using one of the following, as the candidate determines:

22 (A) to all contributors;

23 (B) to contributors who have contributed most recently; or

24 (C) to contributors who have made larger contributions;

25 (6) establish a fund for, and from that fund to pay, attorney fees or
26 costs incurred in the prosecution or defense of an administrative or civil judicial action
27 that directly concerns a challenge to the victory or defeat of the candidate in the
28 election;

29 (7) transfer all or a portion of the unused campaign contributions to an
30 account for a future election campaign; a transfer under this paragraph is limited to

31 (A) \$50,000, if the transfer is made by a candidate for governor

1 or lieutenant governor;

2 (B) \$10,000, if the transfer is made by a candidate for the state
3 senate;

4 (C) \$5,000, if the transfer is made by a candidate for the state
5 house of representatives; and

6 (D) \$5,000, if the transfer is made by a candidate for an office
7 not described in (A) - (C) of this paragraph;

8 (8) transfer all or a portion of the unused campaign contributions to a
9 public office expense term account or to a public office expense term account reserve
10 in accordance with (d) of this section; a transfer under this paragraph is subject to the
11 following:

12 (A) the authority to transfer is limited to candidates who are
13 elected to the state legislature;

14 (B) the public office expense term account established under
15 this paragraph may be used only for expenses associated with the candidate's
16 serving as a member of the legislature;

17 (C) all amounts expended from the public office expense term
18 account shall be annually accounted for under AS 15.13.110(a)(2)(D)
19 [AS 15.13.110(a)(4)]; and

20 (D) a transfer under this paragraph is limited to \$5,000
21 multiplied by the number of years in the term to which the candidate is elected
22 plus any accumulated interest; and

23 (9) transfer all or a portion of the unused campaign contributions to a
24 municipal office account; a transfer under this paragraph is subject to the following:

25 (A) the authority to transfer is limited to candidates who are
26 elected to municipal office, including a municipal school board;

27 (B) the municipal office account established under this
28 paragraph may be used only for expenses associated with the candidate's
29 serving as mayor or as a member of the assembly, city council, or school
30 board;

31 (C) all amounts expended from the municipal office account

1 shall be annually accounted for under AS 15.13.110(a)(2)(D)
2 [AS 15.13.110(a)(4)]; and

3 (D) a transfer under this paragraph is limited to \$5,000.

4 * **Sec. 12.** AS 15.13.116(d) is amended to read:

5 (d) After a general or special election, a candidate for the state legislature who
6 has been elected to the state legislature in that election may, from the amount retained
7 in the public office expense term account reserve under this subsection, transfer to a
8 public office expense term account not more than \$5,000 each calendar year for use
9 only for expenses associated with the candidate's serving as a member of the
10 legislature, except that a senator serving a two-year term may transfer not more than
11 \$10,000 each calendar year. A candidate for the senate may transfer up to \$20,000
12 from unused campaign contributions to a public office expense term account reserve.
13 A candidate for the house of representatives may transfer up to \$10,000 from unused
14 campaign contributions to a public office expense term account reserve. The public
15 office expense term account reserve may only be used to make transfers to the public
16 office expense term account. At the end of the candidate's term of office, a balance in
17 the public office expense term account reserve must be disposed of as provided in (a)
18 of this section but may not be disposed of as provided in (a)(1), (4), or (6) - (9) of this
19 section. All amounts expended under this subsection shall be annually accounted for
20 under AS 15.13.110(a)(2)(D) [AS 15.13.110(a)(4)].

21 * **Sec. 13.** AS 15.13.390(a) is amended to read:

22 (a) A person who fails to register when required by AS 15.13.050(a) or who
23 fails to file a properly completed and certified report within the time required by
24 AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), 15.13.110(a)(2)(A), (2)(C), or
25 (2)(D) [(3), OR (4)], (e), or (f) is subject to a civil penalty of not more than \$50 a day
26 for each day the delinquency continues as determined by the commission subject to
27 right of appeal to the superior court. A person who fails to file a properly completed
28 and certified report within the time required by AS 15.13.110(a)(2)(B)
29 [AS 15.13.110(a)(2)] or 15.13.110(b) is subject to a civil penalty of not more than
30 \$500 a day for each day the delinquency continues as determined by the commission
31 subject to right of appeal to the superior court. A person who violates a provision of

1 this chapter, except a provision requiring registration or filing of a report within a time
2 required as otherwise specified in this section, is subject to a civil penalty of not more
3 than \$50 a day for each day the violation continues as determined by the commission,
4 subject to right of appeal to the superior court. An affidavit stating facts in mitigation
5 may be submitted to the commission by a person against whom a civil penalty is
6 assessed. However, the imposition of the penalties prescribed in this section or in
7 AS 15.13.380 does not excuse that person from registering or filing reports required
8 by this chapter."
9

10 Remember the following bill sections accordingly.

AMENDMENT

OFFERED IN THE HOUSE

TO: HB 109

1 Page 1, line 3, following "**Commission**";:

2 Insert "**prohibiting the spouses and domestic partners of legislators and certain**
3 **state officials from engaging in certain activity as lobbyists;**"

4

5 Page 2, following line 8:

6 Insert new bill sections to read:

7 **"* Sec. 2.** AS 24.45.041(b) is amended to read:

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

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

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

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

18 (4) the nature or form of the lobbyist's compensation for engaging in
19 lobbying, including salary, fees, or reimbursement for expenses received in
20 consideration for, or directly in support of or in connection with, the influencing of
21 legislative or administrative action;

22 (5) a general description of the subjects or matters on which the
23 registrant expects to lobby or to engage in the influencing of legislative or

1 administrative action;

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

5 (7) the identification of a [LEGISLATOR,] legislative employee [.] or
6 public official to whom the lobbyist is married or who is the domestic partner of the
7 lobbyist; in this paragraph, "domestic partner" has the meaning given in
8 AS 39.50.200(a).

9 * **Sec. 3.** AS 24.45.121 is amended by adding a new subsection to read:

10 (d) The spouse or domestic partner of the governor, the lieutenant governor, a
11 legislator, an employee in the office of the governor, or a commissioner of a principal
12 department in the executive branch may not engage in an activity as a lobbyist. This
13 subsection does not prohibit the spouse or domestic partner from acting as a volunteer
14 lobbyist under AS 24.45.161 or a representational lobbyist as defined under
15 regulations of the commission.

16 * **Sec. 4.** AS 24.60.070(c) is amended to read:

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

27
28 Renumber the following bill sections accordingly.

29
30 Page 7, line 30:

31 Delete "Sections 10 and 11"

- 1 Insert "Sections 13 and 14"
- 2
- 3 Page 7, line 31:
- 4 Delete "secs. 10 and 11"
- 5 Insert "secs. 13 and 14"
- 6
- 7 Page 8, line 1:
- 8 Delete "Sections 1, 4, and 7"
- 9 Insert "Sections 1 - 4, 7, and 10"
- 10
- 11 Page 8, line 2:
- 12 Delete "sec. 13"
- 13 Insert "sec. 16"

AMENDMENT

OFFERED IN THE HOUSE

TO: HB 109

1 Page 1, line 6, following "financial";

2 Insert "or personal"

3

4 Page 7, following line 27:

5 Insert a new bill section to read:

6 "* **Sec. 12.** AS 39.52 is amended by adding a new section to read:

7 **Sec. 39.52.225. Disclosures in connection with executive clemency.** Before
8 granting executive clemency to a person, the governor shall disclose in writing to the
9 attorney general if granting the clemency would benefit a personal or financial interest
10 of the governor. The attorney general shall make a written determination whether
11 granting executive clemency to the person would violate AS 39.52.110 - 39.52.190. "

12

13 Renumber the following bill sections accordingly.

14

15 Page 8, line 2:

16 Delete "sec. 13"

17 Insert "sec. 14"

HB

109

2/15/07

SUB-

COMMITTEE

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

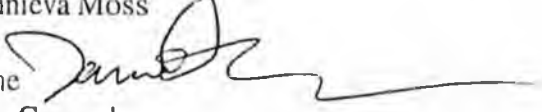
State Capitol
Juneau, Alaska 99801-1132
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 14, 2007

SUBJECT: Changes to language approved by the sub-committee
(CSHB 109(); Work Order No. 25-GH1059\C)

TO: Representative John Coghill
Attn: Rynniva Moss

FROM: Dan Wayne 
Legislative Counsel

Enclosed is the draft committee substitute you requested. There are a few new issues you should be aware of.

I changed the title to describe secs. 11, 24, and 25. I added "municipal" because of the reference in sec. 19.

Section 2 is language that was drafted for an amendment to a related bill, and its only purpose is to conform AS 24.45.041(b) to language banning lobbying by spouses and domestic partners in that other bill. In the context of the enclosed CS, it has little or no meaning since the language it conforms is absent. I left it in the CS because it is my understanding the other language is still under consideration for inclusion in the CS, and it was the sub-committee's wish to include all of the language approved so far in order to better evaluate what remains to be done on this lengthy document.

In sec. 8, I added all of AS 24.60.080(c) as amended, instead of the fragment requested, because of drafting requirements. I mention this because, in paragraph (c)(10), I restored the original language that requires approval of charity events to come from the Alaska Legislative Council (not the Select Committee on Legislative Ethics). According to my notes the sub-committee unanimously opposed shifting this responsibility to the Select Committee.

In secs. 9 and 10, wherever the word "deadlines" appeared I changed it to "deadline", to conform with the substantive change in sec. 10 establishing a single deadline for disclosures under AS 24.60. I also inserted a new term, "matter", to the last line of sec. 10, which now reads "after the commencement of the matter, interest, or representation. This more clearly defines the scope of what is disclosable under the requirements of AS 24.60, and I think it is a necessary addition.

Representative John Coghill

February 14, 2007

Page 2

In sec. 14, I made some drafting improvements to the bold/underlined language in AS 24.60.160(b). Most significantly, the last sentence of that section now says, "The committee's final vote on the advisory opinion shall be a public record."¹

I deleted from the bill sec. 3, relating to disclosure by former legislators, since the changes proposed in the Governor's sec. 3 (HB 109, page 3, lines 2-19) are replaced in the enclosed draft CS with the subcommittee's new statute, AS 24.60.115.

In sec. 24, I cleaned up the Governor's proposed amending language to address my concern that the deletion proposed at the end of that section would create ambiguity as to whether or not the consideration of "legislative measures" and changes affecting "administrative regulations" ought to be treated as a "matter." I spoke with the Governor's drafter, David Jones of the Department of Law, who agrees that my version achieves the same result the Governor's version intended, and he does not object to my version.

In sec. 26, regarding retroactivity of secs. 24 and 25, I have added new language to clarify whom those sections intend to affect. This was necessary because one section affects persons leaving state service, and the other affects specific persons (Governor, Lieutenant Governor, etc.) leaving a position (but not necessarily state service).

DCW:med
07-098.med

Enclosure

¹ It has been the committee's practice for some time to publish its final vote along with any published advisory opinion.

ALASKA STATE HOUSE OF REPRESENTATIVES



Contact:

Interim Address:

3340 Badger Road
North Pole, AK 99705
(907)-488-5725
Fax# (907)-488-4271

Session


(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 204

REPRESENTATIVE JOHN COGHILL

MEMORANDUM

Date: February 12, 2007

To: Dan Wayne, Legal Counsel

From: Representative Coghill, Chairman 
State Affairs Subcommittee on Ethics

Re: CS for HB 109

We would like a draft CS to present to the State Affairs Subcommittee on Ethics to reflect the amendments adopted by the subcommittee on Saturday, February 10th.

Page 2, line 9, after "Sec. 2." Insert:

AS 24.45.041(b) is amended to read:

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

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

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

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

(4) the nature or form of the lobbyist's compensation for engaging in lobbying, including salary, fees, or reimbursement for expenses received in consideration for, or directly in support of or in connection with, the influencing of legislative or administrative action;

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

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

(7) the identification of a [LEGISLATOR,] legislative employee [.] or public official to whom a lobbyist is married or who is the domestic partner of the lobbyist.

Sec. 3. AS 24.60.020(a(1)) 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 a [THE] provision of this chapter 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.

Sec. 4. AS 24.60.030(a) is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 5. AS 24.60.030(f) is amended to read:

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

Sec. 6. AS 24.60.050(c) is amended to read:

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

Sec. 7. AS 24.60.070(c) is amended to read:

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

Sec. 8. AS 24.60.080(c)(7) is amended to read:

AS 24.60.080(c)(7) a discount for all or part of a legislative session, including time immediately preceding or following the session, or other gift to welcome a legislator or legislative employee who is employed on the personal staff of a legislator or by a standing or special committee to the capital city or in recognition of the beginning of a legislative session if the gift or discount is available generally to all legislators and the personal staff of legislators and staff of standing and special committees; this paragraph does not apply to legislative employees who are employed by the Legislative Affairs Agency, the office of the chief clerk, the office of the senate secretary, the legislative budget and audit committee, the office of victims' rights, or the office of the ombudsman;

Sec. 9. AS 24.60.105(a) is amended to read:

AS 24.60.105(a) When a legislator or legislative employee is required to file a disclosure under this chapter and a date by which the disclosure must be filed is not otherwise set by statute, the deadline for filing disclosure shall be 30 days [DEADLINES SET OUT IN THIS SECTION SHALL APPLY. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR WAS ACQUIRED DURING THE INTERIM BETWEEN REGULAR LEGISLATIVE SESSIONS, WHETHER OR NOT THE REGULAR SESSION IS EXTENDED OR THERE IS A SPECIAL SESSION, OR DURING THE LAST 30 DAYS OF A REGULAR SESSION, THE LEGISLATOR OR LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE MATTER BY MARCH 15. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR WAS ACQUIRED DURING A REGULAR LEGISLATIVE SESSION, BUT NOT DURING THE LAST 30 DAYS OF THE REGULAR SESSION, THE DISCLOSURE MUST BE MADE WITHIN 30 DAYS] after the commencement of the interest or representation.

Sec. 10. AS 24.60 is amended by adding a new section to Article 2 to read:

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 final disclosure of every matter that was subject to disclosure under this chapter while the person was serving.

Sec. 11. AS 24.60.130(n) is amended to read:

AS 24.60.130(n) When appointing members of the legislature to serve on the committee, the speaker of the house or the president of the senate, as appropriate, shall appoint an alternate member for each regular member. An alternate must have the same qualifications as the regular member for whom the alternate stands as alternate and is subject to confirmation as required for the regular member. **If a regular legislative member of the committee or a subcommittee is unable to attend a meeting, the chair of the committee or a subcommittee shall designate the regular member's alternate to serve in place of the regular member at the meeting and the designed alternate shall serve unless unable to serve for any reason.** If a regular legislative member of the committee or a subcommittee is disqualified under (h) of this section from serving on the committee or the subcommittee concerning a proceeding under AS 24.60.170 **or if the regular member is unable to attend,** the chair of the committee or a subcommittee shall designate the regular member's alternate to serve in place of the regular member in the proceeding unless the alternate is also disqualified from serving. The designation shall be treated as confidential to the same extent that the identity of the subject of a complaint is required to be kept confidential.

Sec. 12. AS 24.60.150(a) is amended to read:

(a) The committee shall

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

(2) **publish advisory opinions annually;**

(3) publish [SEMI-] semi-annual summaries of decisions [AND ADVISORY OPINIONS] and advisory opinions with sufficient deletions in the summaries to prevent disclosing the identity of the persons involved in the decisions or opinions that have remained confidential.

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

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

Sec. 13. AS 24.60.160 is amended to read:

(a) On the request of the committee, the Alaska Public Offices Commission, a person to whom this chapter applies, or a person who has been newly elected to the legislature, the committee shall issue an advisory opinion within 60 days as to whether the facts and circumstances of a particular case constitute a violation of ethical standards. If it finds that it is advisable to do so, the committee may issue an opinion under this section on the request of a person who reasonably expects to become subject to this chapter within the next 45 days. The 60-day period for issuing an opinion may be extended by the committee if the person requesting the opinion consents.

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

Sec. 14. AS 24.60.176(b) is amended to read:

AS 24.60.176(b) In this section, "appointing authority" means

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

(9) the legislature for the victims' advocate.

Renumber sections accordingly.

Page 3, line 27:

Sec. 17. AS 24.60.250(c) is amended to read:

AS 24.60.250(c) In addition to the sanctions described in AS 24.60.260 , if the Alaska Public Offices Commission finds that a legislative director has failed or refused to file a report under AS 24.60.200 by a deadline established in AS 24.60.210 , it shall notify the Alaska Legislative Council or the Legislative Budget and Audit Committee, as appropriate. For the ombudsman **and the office of victims' rights,** the Alaska Legislative Council shall be notified.

Renumber sections accordingly.

25-GH1059C
Wayne
2/14/07

CS
HB 109

CS FOR HOUSE BILL NO. 109()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to campaign financing and ethics in state and municipal government;
2 relating to lobbying; relating to employment and disclosures by certain public officers
3 and employees who leave state service; and providing for an effective date."

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

5 * Section 1. AS 15.13.040(m) is amended to read:

6 (m) The commission shall require [MAY REQUEST] that the information
7 required under this chapter be submitted electronically but may, when extraordinary
8 circumstances warrant an exception, [SHALL] accept any information required
9 under this chapter that is typed in clear and legible black typeface or hand-printed in
10 dark ink on paper in a format approved by the commission or on forms provided by
11 the commission and that is filed with the commission.

12 * Sec. 2. AS 24.45.041(b) is amended to read:

13 (b) The registration form prescribed by the commission must include
14 (1) the lobbyist's full name and complete permanent residence and

1 business address and telephone number, as well as any temporary residential and
2 business address and telephone number in the state capital during a legislative session;

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

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

9 (4) the nature or form of the lobbyist's compensation for engaging in
10 lobbying, including salary, fees, or reimbursement for expenses received in
11 consideration for, or directly in support of or in connection with, the influencing of
12 legislative or administrative action;

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

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

19 (7) the identification of a [LEGISLATOR,] legislator employee [,] or
20 public official to whom the lobbyist is married or who is the domestic partner of the
21 lobbyist; in this paragraph, "domestic partner" has the meaning given in
22 AS 39.50.200(a).

23 * Sec. 3. AS 24.00.020(a) is amended to read:

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

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

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

1 * Sec. 4. 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 the communication is

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

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

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

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

31 (4) require a legislative employee to perform services for the private

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

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

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

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

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

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

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

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

30 * Sec. 5. AS 24.60.030(f) is amended to read:

31 (f) A legislative employee may not serve in a position that requires

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

15 * **Sec. 6.** AS 24.60.050(c) is amended to read:

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

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

9 * Sec. 7. AS 24.60.070(c) is amended to read:

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

20 * Sec. 8. AS 24.60.080(c) is amended to read:

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

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

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

28 (B) at a social event or meal;

29 (2) discounts that are available

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

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

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

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

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

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

(7) a discount for all or part of a legislative session, including time immediately preceding or following the session, or other gift to welcome a legislator or legislative employee who is employed on the personal staff of a legislator or by a standing or special committee to the capital city or in recognition of the beginning of a legislative session if the gift or discount is available generally to all legislators and the personal staff of legislators and staff of standing and special committees; this paragraph does not apply to legislative employees who are employed by the Legislative Affairs Agency, the office of the chief clerk, the office of the senate secretary, the legislative budget and audit committee, the office of victims' rights, or the office of the ombudsman;

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

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

(10) tickets from a lobbyist for a charity event at any time, including during a legislative session, except that tickets to or gifts received at a charity event under this paragraph are subject to the calendar year limit on the value of gifts received by a legislator or legislative employee in (a) of this section; in this paragraph, "charity event" means an event the proceeds of which go to a charitable organization

pg 57
Drafting
Manda

1 with tax-free status under 26 U.S.C. 501(c)(3) and that the Alaska Legislative Council
 2 has approved in advance; the tickets may entitle the bearer to admission to the event,
 3 to entertainment, to food or beverages, or to other gifts or services involved in the
 4 charity event; or

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

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

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

Deferred but

17 * **Sec. 10.** AS 24.60.105 is amended to read:

18 **Sec. 24.60.105. Deadline [DEADLINES] for filing disclosures.** (a) When a
 19 legislator or legislative employee is required to file a disclosure under this chapter and
 20 a date by which the disclosure must be filed is not otherwise set by statute, the
 21 deadline for filing disclosure shall be 30 days [DEADLINES SET OUT IN THIS
 22 SECTION SHALL APPLY. FOR DISCLOSURE OF A MATTER OR AN
 23 INTEREST THAT BEGAN OR WAS ACQUIRED DURING THE INTERIM
 24 BETWEEN REGULAR LEGISLATIVE SESSIONS, WHETHER OR NOT THE
 25 REGULAR SESSION IS EXTENDED OR THERE IS A SPECIAL SESSION, OR
 26 DURING THE LAST 30 DAYS OF A REGULAR SESSION, THE LEGISLATOR
 27 OR LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE MATTER BY MARCH
 28 15. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR
 29 WAS ACQUIRED DURING A REGULAR LEGISLATIVE SESSION, BUT NOT
 30 DURING THE LAST 30 DAYS OF THE REGULAR SESSION, THE
 31 DISCLOSURE MUST BE MADE WITHIN 30 DAYS] after the commencement of

Matter added in from page.

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the matter, interest, or representation.

(b) Disclosures under the following sta
[DEADLINES] set out in this section:

(1) service on the board of an _____ation as set out in AS 24.60.030(f);

(2) an interest in a state contract or lease under AS 24.60.040 and the renegotiation of the terms of a state contract or lease that materially affect the obligations of either party;

(3) participation in a state program or receipt of a state loan under AS 24.60.050 and the renegotiation of the terms of the program or loan if the renegotiation materially affects the obligations of either party;

(4) formation or maintenance of a close economic association under AS 24.60.070;

(5) representation of a client under AS 24.60.100.

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

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

* Sec. 12. AS 24.60.110(n) is amended to read:

(n) When appointing members of the legislature to serve on the committee, the speaker of the house or the president of the senate, as appropriate, shall appoint an alternate member for each regular member. An alternate must have the same qualifications as the regular member for whom the alternate stands as alternate and is subject to confirmation as required for the regular member. If a regular legislative member of the committee or a subcommittee is unable to attend a meeting, the chair of the committee or a subcommittee shall designate the regular member's alternate to serve in place of the regular member at the meeting and the designated alternate shall serve unless unable to serve for any reason. If a regular

1 legislative member of the committee or a subcommittee is disqualified under (h) of
2 this section from serving on the committee or the subcommittee concerning a
3 proceeding under AS 24.60.170 or if the regular member is unable to attend, the
4 chair of the committee or a subcommittee shall designate the regular member's
5 alternate to serve in place of the regular member in the proceeding unless the alternate
6 also disqualified from serving. The designation shall be treated as confidential to the
7 same extent that the identity of the subject of a complaint is required to be kept
8 confidential.

9 * Sec. 13. AS 24.60.150(a) is amended to read:

10 (a) The committee shall

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

13 (2) publish advisory opinions annually;

14 (3) publish annual [SEMI-ANNUAL] summaries of decisions [AND
15 ADVISORY OPINIONS] with sufficient deletions in the summaries to prevent
16 disclosing the identity of the persons involved in the decisions [OR OPINIONS] that
17 have remained confidential;

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

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

26 * Sec. 14. AS 24.60.160 is amended to read:

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

1 to do so, the committee may issue an opinion under this section on the request of a
2 person who reasonably expects to become subject to this chapter within the next 45
3 days. The 60-day period for issuing an opinion may be extended by the committee if
4 the person requesting the opinion consents.

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

17 * Sec. 15. AS 24.60.176(b) is amended to read:

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

19 (1) the legislative council for employees of the Legislative Affairs
20 Agency and of the legislative council and for legislative employees not otherwise
21 covered under this subsection;

22 (2) the Legislative Budget and Audit Committee for the legislative
23 fiscal analyst and employees of the division of legislative finance, the legislative
24 auditor and employees of the division of legislative audit, and employees of the
25 Legislative Budget and Audit Committee;

26 (3) the appropriate finance committee for employees of the senate or
27 house finance committees;

28 (4) the appropriate rules committee for employees of

29 (A) standing committees of the legislature, other than the
30 finance committees;

31 (B) the senate secretary's office and the office of the chief clerk

1 of the house of representatives; and

2 (C) house records and senate records;

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

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

8 (7) the legislature for the ombudsman;

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

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

12 * Sec. 16. AS 24.60.200 is amended to read:

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

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

22 (2) as to income in excess of \$1,000 received as compensation for
23 personal services, the name and address of the source of the income, the amount of
24 the income, the number of hours of services performed to earn that income, and a
25 statement describing in detail the nature of the services performed; [IF THE SOURCE
26 OF INCOME IS KNOWN OR REASONABLY SHOULD BE KNOWN TO HAVE
27 A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE, OR
28 POLITICAL ACTION AND THE RECIPIENT OF THE INCOME IS A
29 LEGISLATOR OR LEGISLATIVE DIRECTOR, THE AMOUNT OF INCOME
30 RECEIVED FROM THE SOURCE SHALL BE DISCLOSED;]

31 (3) as to each loan or loan guarantee over \$1,000 from a source with a

1 substantial interest in legislative, administrative, or political action, the name and
 2 address of the person making the loan or guarantee, the amount of the loan, the terms
 3 and conditions under which the loan or guarantee was given, the amount outstanding
 4 at the time of filing, and whether or not a written loan agreement exists.

5 * Sec. 17. AS 24.60.210 is amended by adding a new subsection to read:

6 (c) The Alaska Public Offices Commission shall require that the reports
 7 required under this section be submitted electronically but may, when extraordinary
 8 circumstances warrant an exception accept any information required under this
 9 section that is typed in clear and legible black typeface or hand-printed in dark ink on
 10 paper in a format approved by the commission or on forms provided by the
 11 commission and that is filed with the commission.

*Reflects
 deferment of
 Gov's House Bill 109*

12 * Sec. 18. AS 24.60.250(c) is amended to read:

13 (c) In addition to the sanctions described in AS 24.60.260, if the Alaska Public
 14 Offices Commission finds that a legislative director has failed or refused to file a
 15 report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify
 16 the Alaska Legislative Council or the Legislative Budget and Audit Committee, as
 17 appropriate. For the ombudsman and the office of victims' rights, the Alaska
 18 Legislative Council shall be notified.

19 * Sec. 19. AS 39.50.020 is amended to read:

20 **Sec. 39.50.020. Report of financial and business interests.** (a) A public
 21 official other than the governor or the lieutenant governor shall file a statement giving
 22 income sources and business interests, under oath and on penalty of perjury, within 30
 23 days after taking office as a public official. Candidates for state elective office other
 24 than a candidate who is subject to AS 24.60 shall file the statement with the director of
 25 elections at the time of filing a declaration of candidacy or a nominating petition or
 26 becoming a candidate by any other means. Candidates for elective municipal office
 27 shall file the statement at the time of filing a nominating petition, declaration of
 28 candidacy, or other required filing for the elective municipal office. Refusal or failure
 29 to file within the time prescribed shall require that the candidate's filing fees, if any,
 30 and filing for office be refused or that a previously accepted filing fee be returned and
 31 the candidate's name removed from the filing records. A statement shall also be filed

1 by public officials no later than March 15 in each following year. On or before the
2 90th day after leaving office, a former public official shall file a statement
3 covering any period during the official's service in that office for which the public
4 official has not already filed a statement. Persons who are members of boards or
5 commissions not named in AS 39.50.200(b) are not required to file financial
6 statements.

7 (b) A public official or former public official other than an elected or
8 appointed municipal officer shall file the statement with the Alaska Public Offices
9 Commission. Candidates for the office of governor and lieutenant governor and, if the
10 candidate is not subject to AS 24.60, the legislature shall file the statement under
11 AS 15.25.030 or 15.25.180. Municipal officers, former municipal officers, and
12 candidates for elective municipal office, shall file with the municipal clerk or other
13 municipal official designated to receive their filing for office. All statements required
14 to be filed under this chapter are public records.

15 * Sec. 20. AS 39.50.030(b) is amended to read:

16 (b) Each statement filed by a public official or candidate under this chapter
17 must include the following:

18 (1) for [THE SOURCE OF] all income over \$1,000 [~~\$5,000~~] during
19 the preceding calendar year, including taxable and nontaxable capital gains, and each
20 gift with a value exceeding \$250, received by the person, the person's spouse or
21 domestic partner, or the person's dependent child,

22 (A) the source of the income or gift;

23 (B) the recipient of the income or gift;

24 (C) the amount of the income or value of the gift;

25 (D) the number of hours of services performed, if any, to
26 earn the income or for which the gift was given; and

27 (E) a detailed description of the nature of the services
28 performed [EXCEPT THAT A SOURCE OF INCOME THAT IS A GIFT
29 MUST BE INCLUDED IF THE VALUE OF THE GIFT EXCEEDS \$250];

30 (2) the identity, by name and address, of each business in which the
31 person, the person's spouse or domestic partner, or the person's dependent child has an

1 interest or was a stockholder, owner, officer, director, partner, proprietor, or employee
2 during the preceding calendar year, except that an interest of less than \$1,000 [\$5,000]
3 in the stock of a publicly traded corporation need not be included;

4 (3) the identity and nature of each interest in real property, including
5 an option to buy, owned at any time during the preceding calendar year by the person,
6 the person's spouse or domestic partner, or the person's dependent child;

7 (4) the identity of each trust or other fiduciary relation in which the
8 person, the person's spouse or domestic partner, or the person's dependent child held a
9 beneficial interest exceeding \$1,000 [\$5,000] during the preceding calendar year, a
10 description and identification of the property contained in each trust or relation, and
11 the nature and extent of the beneficial interest in it;

12 (5) any loan or loan guarantee of more than \$1,000 [\$5,000] made to
13 the person, the person's spouse or domestic partner, or the person's dependent child,
14 and the identity of the maker of the loan or loan guarantor and the identity of each
15 creditor to whom the person, the person's spouse or domestic partner, or the person's
16 dependent child owed more than \$1,000 [\$5,000]; this paragraph requires disclosure of
17 a loan, loan guarantee, or indebtedness only if the loan or guarantee was made, or the
18 indebtedness incurred, during the preceding calendar year, or if the amount still owing
19 on the loan, loan guarantee, or indebtedness was more than \$1,000 [\$5,000] at any
20 time during the preceding calendar year;

21 (6) a list of all contracts and offers to contract with the state or an
22 instrumentality of the state during the preceding calendar year held, bid, or offered by
23 the person, the person's spouse or domestic partner, or the person's dependent child, a
24 partnership or professional corporation of which the person is a member, or a
25 corporation in which the person or the person's spouse, domestic partner, or dependent
26 child [CHILDREN], or a combination of them, hold a controlling interest; and

27 (7) a list of all mineral, timber, oil, or any other natural resource lease
28 held, or lease offer made, during the preceding calendar year by the person, the
29 person's spouse or domestic partner, or the person's dependent child, a partnership or
30 professional corporation of which the person is a member, or a corporation in which
31 the person or the person's spouse, [OR] domestic partner, or dependent child

1 [CHILDREN], or a combination of them, holds a controlling interest.

2 * Sec. 21. AS 39.50.050(a) is amended to read:

3 (a) The Alaska Public Offices Commission created under AS 15.13.020(a)
4 shall administer the provisions of this chapter. The commission shall prepare and keep
5 available for distribution standardized forms on which the reports required by this
6 chapter shall be filed. The commission shall print the forms provided under this
7 section so that the front and back of each page have the same orientation when the
8 page is rotated on the vertical axis of the page. The commission **shall require** [MAY
9 REQUEST] that the information required under this chapter be submitted
10 electronically but **may, when extraordinary circumstances warrant an exception,**
11 [SHALL] accept any information required under this chapter that is typed in clear and
12 legible black typeface or hand-printed in dark ink on paper in a format approved by
13 the commission or on forms provided by the commission and that is filed with the
14 commission.

15 * Sec. 22. AS 39.52.110 is amended by adding a new subsection to read:

16 (d) Stock or other ownership interest in a business is presumed to be
17 insignificant if the value of the stock or other ownership interest is less than \$5,000.

18 * Sec. 23. AS 39.52.130(a) is amended to read:

19 (a) A public officer may not solicit, accept, or receive, directly or indirectly, a
20 gift, whether in the form of money, service, loan, travel, entertainment, hospitality,
21 employment, promise, or in any other form, that is a benefit to the officer's personal or
22 financial interests, under circumstances in which it could reasonably be inferred that
23 the gift is intended to influence the performance of official duties, actions, or
24 judgment. **A gift from a person required to register as a lobbyist under**
25 **AS 24.45.041 to a public officer or a public officer's immediate family member is**
26 **presumed to be intended to influence the performance of official duties, actions,**
27 **or judgment unless the giver is an immediate family member of the person**
28 **receiving the gift.**

29 * Sec. 24. AS 39.52.180(a) is amended to read:

30 (a) A public officer who leaves state service may not, for two years after
31 leaving state service, represent, advise, or assist a person for compensation regarding a

1 matter that was under consideration by the administrative unit served by that public
2 officer, and in which the officer participated personally and substantially through the
3 exercise of official action. For the purposes of this subsection, "matter" includes a
4 case, proceeding, application, contract, [OR] determination, [BUT DOES NOT
5 INCLUDE THE] proposal or consideration of a legislative bill [BILLS], a resolution,
6 a [RESOLUTIONS AND] constitutional amendment [AMENDMENTS], or other
7 legislative measure, [MEASURES;] or [THE] proposal, consideration, or adoption of
8 an administrative regulation [REGULATIONS].

9 * Sec. 25. AS 39.52.180(d) is amended to read:

10 (d) A former governor, lieutenant governor, [OR] head or deputy head of a
11 principal department in the executive branch, or employee of the Office of the
12 Governor in a policy-making position may not engage in activity as a lobbyist under
13 AS 24.45 for a period of one year after leaving service as the governor, lieutenant
14 governor, [OR] department head or deputy head, or employee of the Office of the
15 Governor in a policy-making position, as appropriate. This subsection does not
16 prohibit service as a volunteer lobbyist described in AS 24.45.161(a)(1) or a
17 representational lobbyist as defined under regulations of the Alaska Public Offices
18 Commission.

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

21 APPLICABILITY. AS 39.52.180(a), as amended by sec. 24 of this Act, applies to a
22 person who leaves state service on or after the effective date of sec. 24 of this Act.
23 AS 39.52.180(d), as amended by sec. 25 of this Act, applies to a person who leaves service as
24 governor, lieutenant governor, head or deputy head of a principal department in the executive
25 branch, or employee of the Office of the Governor in a policy-making position on or after the
26 effective date of sec. 25 of this Act.

27 * Sec. 27. Sections 1, 17, and 21 of this Act take effect July 1, 2007.

28 * Sec. 28. Except as provided in sec. 27 of this Act, this Act takes effect immediately under
29 AS 01.10.070(c).

ALASKA STATE HOUSE OF REPRESENTATIVES



Session

(907)-465-3719
FAX# (907)-465-3258
State Capitol
Room 204

Contact:

Interim Address:

3340 Badger Road
North Pole, AK 99705
(907)-488-5725
Fax# (907)-488-4271

REPRESENTATIVE JOHN COGHILL

MEMORANDUM

*Deferred
Tab 1*

Date: February 15, 2007
To: Dan Wayne, Legal Counsel
From: Rynniva Moss, Legislative Aide
Re: Amendment to HB 109

Please prepare an amendment to CSHB 109 as follows:

Page 1, line 1, after "Section 1.":

Insert:

AS 15.13.040(g) is amended to read:

(g) The provisions of (a)(2) [(a)] and (l) of this section do not apply to a delegate to a constitutional convention, a judge seeking electoral confirmation, or a candidate for election to a municipal office under AS 15.13.010, it that delegate, judge or [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 the primary and general elections; and

(3) makes expenditures totaling not more than \$5,000 in seeking election to office, including both the primary and general elections.

ALASKA STATE HOUSE OF REPRESENTATIVES



Session

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REPRESENTATIVE JOHN COGHILL

MEMORANDUM

Date: February 15, 2007
To: Dan Wayne, Legal Counsel
From: Rynniva Moss, Legislative Aide
Re: Amendment to HB 109

Deferred
Tab 6

Please prepare an amendment to CSIB 109 as follows:

Page 1, line 12, after "Sec. 2.":

Insert:

AS 24.45.031(a) is amended to read:

- (a) In addition to its other duties under this chapter, the commission shall
- (1) prescribe the forms for registration, reports, statements, notices, and other documents required by this chapter;
 - (2) prepare and publish instructions setting out the methods of accounting, bookkeeping, and preservation of records required to facilitate compliance with and enforcement of this chapter and explaining the duties of persons subject to the provisions of this chapter; the instructions shall be updated periodically;
 - (3) provide assistance to persons in complying with the provisions of this chapter;
 - (4) prepare and publish a biennial report of its activities, findings, and recommendations under this chapter, which shall be made available to the governor, legislature, and to the public by February 1 of each odd-numbered calendar year; the commission shall notify the legislature that the report is available;
 - (5) report suspected violations of this chapter to the attorney general;
 - (6) administer an annually updated training course that promotes adherence to high ethical standards of professional conduct and teaches lobbyists and employers of lobbyists how to comply with laws that regulate lobbyists.

Page 2, line 2,2 after "AS 39.50.200(a)":

Insert:

i
(8) a sworn affirmation by the lobbyist that the lobbyist has completed the training course administered by the commission under AS 24.45.031(a) within the 12-month period preceding the date of registration or registration renewal under this chapter.

Page 11, Delete lines 9 -- 25, and Insert:

* Sec. 13. AS 24.60.150(a) is amended to read:

(a) The committee shall

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

(2) publish semi-annual summaries of decisions and advisory opinions with sufficient deletions in the summaries to prevent disclosing the identity of the persons involved in the decisions or opinions that have remained confidential;

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

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

Page 11, line 26:

Insert a new Section 14 to read:

* Sec. 14. AS 24.60 is amended by adding a new section to read:

Sec. 24.60.155. A person who is a legislator, legislative employee, or public member of the committee shall complete the legislative ethics course administered by the committee under AS 24.60.150(a) within 10 days after the first day of the first legislative session of each legislature. However, a person who first takes office or begins employment after the 10th day of the first regular session of a legislature shall complete the course required by this section within 30 days after the person's first day of service. The committee may grant a person additional time to complete the course required by this section.

Title 24, Tab 8

(2) as to income in excess of \$1,000 received as compensation for personal services, and as to income, dividends, or any other kind of distribution from a limited liability company as compensation for personal services, the name and address of the source of the income, and a statement describing

- (A) the nature of the services performed, with a description sufficient to make clear to a person of ordinary understanding the work product agreed upon on when the services have been performed, unless those services are required to be kept confidential by law;
- (B) a description of how the income was paid (such as hourly, commission, fixed fee) and the approximate number of hours if services that are performed on an hourly basis;
- (C) the amount of income received from the source if the [SOURCE OF INCOME IS KNOWN OR REASONABLY SHOULD BE KNOWN TO HAVE 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];

*Members
Missed
the
Attachment
1/22*

*Deferred
Tab 8*

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE Gardner

TO: CS HB 109

1 Page 9, line 7, after the word "Sec. 9."

2 Insert:

3 AS 24.60.085 is amended by adding a new subsection to read:

4 (c) During the term for which elected or appointed and for one year thereafter, a
5 legislator may not, directly or by authorizing another to act on the legislator's behalf,
6 accept or agree to accept compensation, except from the State of Alaska, for work
7 associated with legislative action or administrative action, as those terms are defined
8 in AS 24.45.171, or political action as defined in AS 24.60.990.

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Gardner
Amend

24.60.
085

A M E N D M E N T

OFFERED IN THE HOUSE
TO: HB 38

BY REPRESENTATIVE GARDNER

1 Page 1, line 1:

2 Delete "legislators and candidates for the legislature"

3 Insert "state and municipal elected officials and candidates for state and
4 municipal elected office"

5

6 Page 1, line 5:

7 Delete "legislative"

8

9 Page 1, line 6:

10 Delete "legislative"

11

12 Page 1, lines 8 - 9:

13 Delete "member of the legislature or a candidate for the legislature"

14 Insert "state or municipal elected official or a candidate for a state or municipal elected
15 office"

16

17 Page 1, lines 10 - 11:

18 Delete "legislator or the candidate to alter the legislator's or candidate's position on a
19 legislative matter"

20 Insert "elected official or candidate to alter the official's or candidate's position on a
21 matter or issue related to the official duties of the statewide or municipal elected office held or
22 sought"

23

Gardner
Amend
11/10/07

1 Page 1, line 12:

2 Delete "member of the legislature or a candidate for the legislature"

3 Insert "state or municipal elected official or a candidate for state or municipal elected
4 office"

5

6 Page 1, line 14:

7 Delete "legislator's or candidate's position on a legislative matter"

8 Insert "official's or candidate's position on a matter or issue related to the official
9 duties of the statewide or municipal elective office held or sought"

10

11 Page 2, line 1:

12 Delete "legislative"

HOUSE BILL NO. 38

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES GARA, CRAWFORD, GARDNER, DOLL, KAWASAKI, BUCH, DOOGAN, AND
GRUENBERG

Introduced: 1/16/07

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to legislators and candidates for the legislature and to certain
2 campaign contributions made in exchange for certain agreements."

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

4 * Section 1. AS 11.56 is amended by adding a new section to article 11 to read:

5 Sec. 11.56.135. Improper legislative campaign contribution and
6 agreement. (a) A person commits the crime of improper legislative campaign
7 contribution and agreement if the person

8 (1) explicitly agrees to make a campaign contribution to a ~~member of~~ ^{state or municipal}
9 ~~the legislature or a candidate for the legislature~~, and makes that contribution, in
10 exchange for an agreement by the ~~legislator or the candidate~~ ^{election official or candidate} to alter the official's or
11 ~~candidate's position on a legislative matter~~, or ^{candidate's position on a legislative matter or issue related to the official}
12 ~~duties of the statewide or municipal elected office held or sought~~
13 (2) as a ~~member of the legislature or a candidate for the legislature~~,
14 ~~state or municipal) elected official or a candidate for state or municipal elected~~ office
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~~
~~official's or candidate's position on a matter or issue related to~~
~~the official duties of the statewide or municipal elective office~~
~~held or sought~~

1 (b) Improper ~~legislative~~ campaign contribution and agreement is a class B
2 felony.

3 * Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to
4 read:

5 APPLICABILITY. This Act applies to offenses occurring on or after the effective date
6 of this Act.

HB

109

2/22/07

Rep. Lynn opening remarks for Tues, Feb. 27, 2007

We have before us today the omnibus bill on ethics, House Bill 109. As I said previously, it is my intent to move this bill as expeditiously as possible on to the next committee, and by that, I mean today or Thursday.

I want to pick up where we left off at the last meeting, with the discussion on electronic filing in Title 15, and then continue Title by Title, Section by Section, and entertain amendments that pertain only to that section under consideration. There will be one exception to this procedure, which will be explained later.

When we hear each amendment, we will have a short discussion, if there is an objection. I want to avoid amendments to amendments. After the short discussion, we'll have a simple choice of three possible actions: remove the objection, withdraw the amendment, or to vote.

Then we'll proceed to the next amendment, and move on. Once we move on to the next title, I don't want any more amendments for the Title we've finished dealing with. Any future amendments on the already amended and completed titles, however wonderful they might be, can be taken care of in the next referral committee, House Judiciary. Three of us on this committee also serve on the Judiciary Committee, and we can let the chair of that committee deal with more amendments.

During the sub-committee process, we've had ample opportunity to discuss almost every issue and every amendment we are looking at now. So, I want to move ahead effectively, and move this bill as soon as possible – not chew the cud *ad infinitum ad naseum*.

The ethics subcommittee chairman, Rep. John Coghill, did a fine job of presenting the CS for HB 109 at our last meeting so I'd like to get right back to the amendment process. I want to begin where we left off, with state attorney Dave Jones and Brooke Miles addressing a Title 15 amendment on electronic filing.

But before we do that, I'd like to ask for public testimony online or from anyone in the committee room, so we can keep any testimony in mind before we vote. Public testimony will be limited to 3 minutes. OK, let's get with it.

HOUSE STATE
AFFAIRS
COMMITTEE
PACKET

February 22, 2007

1

HB 109
Disclosures and Ethics

2

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4

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6

7

25-GH1059\K
Wayne
2/21/07

CS FOR HOUSE BILL NO. 109()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to campaign financing and ethics in state and municipal government,
2 to lobbying, and to employment, service on governing boards, and disclosures by certain
3 public officers and employees who leave state service or leave certain positions in state
4 government; and providing for an effective date."

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

6 * Section 1. AS 15.13.040(g) is amended to read:

7 (g) The provisions of (a) and (i) of this section do not apply to a delegate to a
8 constitutional convention, a judge seeking electoral confirmation, or a candidate
9 for election to a municipal office under AS 15.13.010, if that delegate, iudge, or
10 [IF A] candidate

11 (1) indicates, on a form prescribed by the commission, an intent not to
12 raise and not to expend more than \$5,000 in seeking election to office, including both
13 the primary and general elections;

14 (2) accepts contributions totaling not more than \$5,000 in seeking

1 election to office, including both the primary and general elections; and

2 (3) makes expenditures totaling not more than \$5,000 in seeking
3 election to office, including both the primary and general elections.

4 * Sec. 2. AS 15.13.040(m) is amended to read:

5 (m) The commission may request that the information required under this
6 chapter be submitted electronically but shall accept any information required under
7 this chapter that is typed in clear and legible black typeface or hand-printed in dark ink
8 on paper in a format approved by the commission or on forms provided by the
9 commission and that is filed with the commission. However, a candidate for
10 governor or lieutenant governor shall submit the information required under this
11 chapter electronically, but the commission may, when extraordinary
12 circumstances warrant an exception, accept any information required from these
13 candidates under this chapter that is typed in clear and legible black typeface or
14 hand-printed in dark ink on paper in a format approved by the commission or on
15 forms provided by the commission and that is filed with the commission.

16 * Sec. 3. AS 24.45.031(a) is amended to read:

17 (a) In addition to its other duties under this chapter, the commission shall

18 (1) prescribe the forms for registration, reports, statements, notices,
19 and other documents required by this chapter;

20 (2) prepare and publish instructions setting out the methods of
21 accounting, bookkeeping, and preservation of records required to facilitate compliance
22 with and enforcement of this chapter and explaining the duties of persons subject to
23 the provisions of this chapter; the instructions shall be updated periodically;

24 (3) provide assistance to persons in complying with the provisions of
25 this chapter;

26 (4) prepare and publish a biennial report of its activities, findings, and
27 recommendations under this chapter, which shall be made available to the governor,
28 legislature, and to the public by February 1 of each odd-numbered calendar year; the
29 commission shall notify the legislature that the report is available;

30 (5) report suspected violations of this chapter to the attorney general;

31 (6) administer an annually updated training course that promotes

1 **adherence to high ethical standards of professional conduct and teaches lobbyists**
2 **and employers of lobbyists how to comply with laws that regulate lobbyists.**

3 * Sec. 4. AS 24.45.041(b) is amended to read:

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

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

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

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

14 (4) the nature or form of the lobbyist's compensation for engaging in
15 lobbying, including salary, fees, or reimbursement for expenses received in
16 consideration for, or directly in support of or in connection with, the influencing of
17 legislative or administrative action;

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

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

24 (7) the identification of a [LEGISLATOR,] legislative employee [,] or
25 public official to whom the lobbyist is married or who is the domestic partner of the
26 lobbyist; in this paragraph, "domestic partner" has the meaning given in
27 AS 39.50.200(a);

28 **(8) a sworn affirmation by the lobbyist that the lobbyist has**
29 **completed the training course administered by the commission under**
30 **AS 24.45.031(a) within the 12-month period preceding the date of registration or**
31 **registration renewal under this chapter, except this paragraph does not apply to**

1 a person who is a representational lobbyist as defined under regulations of the
2 commission.

3 * Sec. 5. AS 24.45.121 is amended by adding a new subsection to read:

4 (d) The spouse or domestic partner of a legislator may not engage in an
5 activity as a lobbyist. This subsection does not prohibit the spouse or domestic partner
6 from acting as a volunteer lobbyist under AS 24.45.161 or a representational lobbyist
7 as defined under regulations of the commission.

8 * Sec. 6. AS 24.60.020(a) is amended to read:

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

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

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

17 * Sec. 7. AS 24.60.030(a) is amended to read:

18 (a) A legislator or legislative employee may not

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

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

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

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

4 (C) telephone or facsimile use that does not carry a special
5 charge;

6 (D) the legislative council, notwithstanding AS 24.05.190,
7 from designating a public facility for use by legislators and legislative
8 employees for health or fitness purposes; when the council designates a facility
9 to be used by legislators and legislative employees for health or fitness
10 purposes, it shall adopt guidelines governing access to and use of the facility;
11 the guidelines may establish times in which use of the facility is limited to
12 specific groups;

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

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

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

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

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

30 (J) a legislator or legislative employee from soliciting,
31 accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable

1 organization in a state facility;

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

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

6 (ii) [, EXCEPT] a communication expressly advocating
7 the election or defeat of a candidate or a newsletter or material in a
8 newsletter that is clearly only for the private benefit of a legislator or a
9 legislative employee; or

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

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

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

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

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

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

1 (C) telephone or facsimile use that does not carry a special
2 charge;

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

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

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

15 * **Sec. 8.** AS 24.60.050(c) is amended to read:

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

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

9 * Sec. 9. AS 24.60.070(c) is amended to read:

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

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

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

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

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

28 (B) at a social event or meal;

29 (2) discounts that are available

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

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

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

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

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

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

9 (7) a discount for all or part of a legislative session, including time
10 immediately preceding or following the session, or other gift to welcome a legislator
11 or legislative employee who is employed on the personal staff of a legislator or by a
12 standing or special committee to the capital city or in recognition of the beginning of a
13 legislative session if the gift or discount is available generally to all legislators and the
14 personal staff of legislators and staff of standing and special committees; this
15 paragraph does not apply to legislative employees who are employed by the
16 Legislative Affairs Agency, the office of the chief clerk, the office of the senate
17 secretary, the legislative budget and audit committee, the office of victims' rights, or
18 the office of the ombudsman;

19 (8) a gift of legal services in a matter of legislative concern and a gift
20 of other services related to the provision of legal services in a matter of legislative
21 concern;

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

27 (10) tickets from a lobbyist for a charity event at any time, including
28 during a legislative session, except that tickets to or gifts received at a charity event
29 under this paragraph are subject to the calendar year limit on the value of gifts
30 received by a legislator or legislative employee in (a) of this section; in this paragraph,
31 "charity event" means an event the proceeds of which go to a charitable organization

1 with tax-free status under 26 U.S.C. 501(c)(3) and that the Alaska Legislative Council
2 has approved in advance; the tickets may entitle the bearer to admission to the event,
3 to entertainment, to food or beverages, or to other gifts or services involved in the
4 charity event; or

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

7 * Sec. 11. AS 24.60.080(d) is amended to read:

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

31 * Sec. 12. AS 24.60.080(i) is amended to read:

1 (i) A legislator or legislative employee who knows or reasonably should know
2 that a family member has received a gift because of the family member's connection
3 with the legislator or legislative employee shall disclose for publication under (d) of
4 this section [REPORT] the receipt of the gift by the family member to the committee
5 if the gift would have to be disclosed [REPORTED] under this section if it had been
6 received by the legislator or legislative employee or if receipt of the gift by a legislator
7 or legislative employee would be prohibited under this section.

8 * Sec. 13. AS 24.60.100 is amended to read:

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

18 * Sec. 14. AS 24.60.105 is amended to read:

19 **Sec. 24.60.105. Deadline [DEADLINES] for filing disclosures.** (a) When a
20 legislator or legislative employee is required to file a disclosure under this chapter and
21 a date by which the disclosure must be filed is not otherwise set by statute, the
22 deadline for filing disclosure shall be 30 days [DEADLINES SET OUT IN THIS
23 SECTION SHALL APPLY. FOR DISCLOSURE OF A MATTER OR AN
24 INTEREST THAT BEGAN OR WAS ACQUIRED DURING THE INTERIM
25 BETWEEN REGULAR LEGISLATIVE SESSIONS, WHETHER OR NOT THE
26 REGULAR SESSION IS EXTENDED OR THERE IS A SPECIAL SESSION, OR
27 DURING THE LAST 30 DAYS OF A REGULAR SESSION, THE LEGISLATOR
28 OR LEGISLATIVE EMPLOYEE SHALL DISCLOSE THE MATTER BY MARCH
29 15. FOR DISCLOSURE OF A MATTER OR AN INTEREST THAT BEGAN OR
30 WAS ACQUIRED DURING A REGULAR LEGISLATIVE SESSION, BUT NOT
31 DURING THE LAST 30 DAYS OF THE REGULAR SESSION, THE

1 DISCLOSURE MUST BE MADE WITHIN 30 DAYS] after the commencement of
2 the matter, interest, or representation.

3 (b) Disclosures under the following statutes are subject to the deadline
4 [DEADLINES] set out in this section:

5 (1) service on the board of an organization as set out in
6 AS 24.60.030(f);

7 (2) an interest in a state contract or lease under AS 24.60.040 and the
8 renegotiation of the terms of a state contract or lease that materially affect the
9 obligations of either party;

10 (3) participation in a state program or receipt of a state loan under
11 AS 24.60.050 and the renegotiation of the terms of the program or loan if the
12 renegotiation materially affects the obligations of either party;

13 (4) formation or maintenance of a close economic association under
14 AS 24.60.070;

15 (5) representation of a client under AS 24.60.100.

16 * Sec. 15. AS 24.60 is amended by adding a new section to article 2 to read:

17 **Sec. 24.60.115. Disclosure required of a legislator, legislative employee, or**
18 **public member of the committee after final day of service.** A person serving as a
19 legislator, legislative employee, or public member of the committee shall, not later
20 than 90 days after the person's final day of service as a legislator, legislative employee,
21 or public member, file a disclosure of every matter that was subject to disclosure under
22 this chapter while the person was serving.

23 * Sec. 16. AS 24.60.130(n) is amended to read:

24 (n) When appointing members of the legislature to serve on the committee, the
25 speaker of the house or the president of the senate, as appropriate, shall appoint an
26 alternate member for each regular member. An alternate must have the same
27 qualifications as the regular member for whom the alternate stands as alternate and is
28 subject to confirmation as required for the regular member. If a regular legislative
29 member of the committee or a subcommittee is unable to attend a meeting, the
30 chair of the committee or a subcommittee shall designate the regular member's
31 alternate to serve in place of the regular member at the meeting and the

1 designated alternate shall serve unless unable to serve for any reason. If a regular
2 legislative member of the committee or a subcommittee is disqualified under (h) of
3 this section from serving on the committee or the subcommittee concerning a
4 proceeding under AS 24.60.170 or if the regular member is unable to attend, the
5 chair of the committee or a subcommittee shall designate the regular member's
6 alternate to serve in place of the regular member in the proceeding unless the alternate
7 is also disqualified from serving. The designation shall be treated as confidential to the
8 same extent that the identity of the subject of a complaint is required to be kept
9 confidential.

10 * Sec. 17. AS 24.60.150(a) is amended to read:

11 (a) The committee shall

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

14 (2) publish semi-annual summaries of decisions and advisory opinions
15 with sufficient deletions in the summaries to prevent disclosing the identity of the
16 persons involved in the decisions or opinions that have remained confidential;

17 (3) publish legislative ethics materials, including an annually
18 updated handbook on standards of ethical conduct and a bimonthly legislative
19 newsletter, to help educate legislators, legislative employees, and public members
20 of the committee on the subject of legislative ethics;

21 (4) in January of each year and at other times determined by the
22 committee, administer a legislative ethics course that teaches means of
23 compliance with this chapter and an understanding of this chapter's purpose
24 under AS 24.60.010.

25 * Sec. 18. AS 24.60 is amended by adding a new section to read:

26 Sec. 24.60.155. A person who is a legislator, legislative employee, or public
27 member of the committee shall complete the legislative ethics course administered by
28 the committee under AS 24.60.150(a) within 10 days of the first day of the first
29 regular session of each legislature. However, a person who first takes office or begins
30 employment after the 10th day of the first regular session of a legislature shall
31 complete the course required by this section within 30 days after the person's first day

1 of service. The committee may grant a person additional time to complete the course
2 required by this section.

3 * Sec. 19. AS 24.60.160 is amended to read:

4 **Sec. 24.60.160. Advisory opinions.** (a) On the request of the committee, the
5 Alaska Public Offices Commission, a person to whom this chapter applies, or a
6 person who has been newly elected to the legislature, the committee shall issue an
7 advisory opinion within 60 days as to whether the facts and circumstances of a
8 particular case constitute a violation of ethical standards. If it finds that it is advisable
9 to do so, the committee may issue an opinion under this section on the request of a
10 person who reasonably expects to become subject to this chapter within the next 45
11 days. The 60-day period for issuing an opinion may be extended by the committee if
12 the person requesting the opinion consents.

13 (b) An opinion issued under this section is binding on the committee in any
14 subsequent proceedings concerning the facts and circumstances of the particular case
15 unless material facts were omitted or misstated in the request for the advisory opinion.
16 An opinion issued under this section must be issued with sufficient deletions to
17 prevent disclosing the identity of the person or persons involved. Advisory
18 opinion discussions and deliberations are confidential, unless the requester and
19 anyone else named in the request who is covered by this chapter waives
20 confidentiality. The committee's final vote on the advisory opinion is a public
21 record [EXCEPT AS PROVIDED IN THIS CHAPTER, AN ADVISORY OPINION
22 IS CONFIDENTIAL BUT SHALL BE MADE PUBLIC IF A WRITTEN REQUEST
23 BY THE PERSON WHO REQUESTED THE OPINION IS FILED WITH THE
24 COMMITTEE].

25 * Sec. 20. AS 24.60.170(j) is amended to read:

26 (j) If the committee has issued a formal charge under (h) of this section, and if
27 the person charged has not admitted the allegations of the charge, the committee shall
28 schedule a hearing on the charge. The committee may appoint an individual to present
29 the case against the person charged if that individual does not provide other [AND
30 HAS NOT PROVIDED] legal advice to the committee except in the course of
31 presenting cases under this subsection. The hearing shall be scheduled for a date more

1 than 20 and less than 90 days after service of the charge on the person charged, unless
2 the committee schedules [THE PERSON AGREES TO] a later hearing date. **If the**
3 **complainant prevents the hearing from starting before the 90-day deadline passes**
4 **and a quorum of the committee determines the delay is not supported by a**
5 **compelling reason or will result in the person charged being deprived of a fair**
6 **hearing, the committee may dismiss the complaint with prejudice or enter some**
7 **other order the committee determines is appropriate.** At the hearing, the person
8 charged shall have the right to appear personally before the committee, to subpoena
9 witnesses and require the production of books or papers relating to the proceedings, to
10 be represented by counsel, and to cross-examine witnesses. A witness shall testify
11 under oath. The committee is not bound by the rules of evidence, but the committee's
12 findings must be based upon clear and convincing evidence. Testimony taken at the
13 hearing shall be recorded, and evidence shall be maintained.

14 * Sec. 21. AS 24.60.176(b) is amended to read:

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

16 (1) the legislative council for employees of the Legislative Affairs
17 Agency and of the legislative council and for legislative employees not otherwise
18 covered under this subsection;

19 (2) the Legislative Budget and Audit Committee for the legislative
20 fiscal analyst and employees of the division of legislative finance, the legislative
21 auditor and employees of the division of legislative audit, and employees of the
22 Legislative Budget and Audit Committee;

23 (3) the appropriate finance committee for employees of the senate or
24 house finance committees;

25 (4) the appropriate rules committee for employees of

26 (A) standing committees of the legislature, other than the
27 finance committees;

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

30 (C) house records and senate records;

31 (5) the legislator who made the hiring decision for employees of

1 individual legislators; however, the legislator may request the appropriate rules
2 committee to act in the legislator's stead;

3 (6) the ombudsman for employees of the office of the ombudsman,
4 other than the ombudsman;

5 (7) the legislature for the ombudsman;

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

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

9 * Sec. 22. AS 24.60.210 is amended by adding a new subsection to read:

10 (c) The Alaska Public Offices Commission may request that the reports
11 required under this section be submitted electronically but shall accept any
12 information required under this section that is typed in clear and legible black typeface
13 or hand-printed in dark ink on paper in a format approved by the commission or on
14 forms provided by the commission and that is filed with the commission.

15 * Sec. 23. AS 24.60.250(c) is amended to read:

16 (c) In addition to the sanctions described in AS 24.60.260, if the Alaska Public
17 Offices Commission finds that a legislative director has failed or refused to file a
18 report under AS 24.60.200 by a deadline established in AS 24.60.210, it shall notify
19 the Alaska Legislative Council or the Legislative Budget and Audit Committee, as
20 appropriate. For the ombudsman and the office of victims' rights, the Alaska
21 Legislative Council shall be notified.

22 * Sec. 24. AS 39.50.020 is amended to read:

23 **Sec. 39.50.020. Report of financial and business interests.** (a) A public
24 official other than the governor or the lieutenant governor shall file a statement giving
25 income sources and business interests, under oath and on penalty of perjury, within 30
26 days after taking office as a public official. Candidates for state elective office other
27 than a candidate who is subject to AS 24.60 shall file the statement with the director of
28 elections at the time of filing a declaration of candidacy or a nominating petition or
29 becoming a candidate by any other means. Candidates for elective municipal office
30 shall file the statement at the time of filing a nominating petition, declaration of
31 candidacy, or other required filing for the elective municipal office. Refusal or failure

1 to file within the time prescribed shall require that the candidate's filing fees, if any,
2 and filing for office be refused or that a previously accepted filing fee be returned and
3 the candidate's name removed from the filing records. A statement shall also be filed
4 by public officials no later than March 15 in each following year. On or before the
5 90th day after leaving office, a former public official shall file a final statement
6 covering any period during the official's service in that office for which the public
7 official has not already filed a statement. Persons who are members of boards or
8 commissions not named in AS 39.50.200(b) are not required to file financial
9 statements.

10 (b) A public official or former public official other than an elected or
11 appointed municipal officer shall file the statement with the Alaska Public Offices
12 Commission. Candidates for the office of governor and lieutenant governor and, if the
13 candidate is not subject to AS 24.60, the legislature shall file the statement under
14 AS 15.25.030 or 15.25.180. Municipal officers, former municipal officers, and
15 candidates for elective municipal office, shall file with the municipal clerk or other
16 municipal official designated to receive their filing for office. All statements required
17 to be filed under this chapter are public records.

18 * Sec. 25. AS 39.50.030(b) is amended to read:

19 (b) Each statement filed by a public official or candidate under this chapter
20 must include the following:

21 (1) for [THE SOURCE OF] all sources of income over \$5,000 during
22 the preceding calendar year, including taxable [AND NONTAXABLE] capital gains,
23 and for all gifts from a single source with a cumulative value exceeding \$250 in a
24 calendar year, received by the person, the person's spouse or domestic partner, or the
25 person's dependent child,

26 (A) each source of the income or gift;

27 (B) the recipient of the income or gift;

28 (C) the amount of the income or value of the gift;

29 (D) a brief statement describing whether the income was
30 earned by commission, by the job, by the hour, or by some other method;

31 (E) if the income was earned by the hour, the approximate

1 number of hours worked; and

2 (F) unless required by law to be kept confidential, a
3 description sufficient to make clear to a person of ordinary understanding
4 the nature of each service performed and the date the service was
5 performed [EXCEPT THAT A SOURCE OF INCOME THAT IS A GIFT
6 MUST BE INCLUDED IF THE VALUE OF THE GIFT EXCEEDS \$250];

7 (2) the identity, by name and address, of each business in which the
8 person, the person's spouse or domestic partner, or the person's dependent child has an
9 interest or was a stockholder, owner, officer, director, partner, proprietor, or employee
10 during the preceding calendar year, except that an interest of less than \$5,000 in the
11 stock of a publicly traded corporation need not be included;

12 (3) the identity and nature of each interest in real property, including
13 an option to buy, owned at any time during the preceding calendar year by the person,
14 the person's spouse or domestic partner, or the person's dependent child;

15 (4) the identity of each trust or other fiduciary relation in which the
16 person, the person's spouse or domestic partner, or the person's dependent child held a
17 beneficial interest exceeding \$5,000 during the preceding calendar year, a description
18 and identification of the property contained in each trust or relation, and the nature and
19 extent of the beneficial interest in it;

20 (5) any loan or loan guarantee of more than \$5,000 made to the person,
21 the person's spouse or domestic partner, or the person's dependent child, and the
22 identity of the maker of the loan or loan guarantor and the identity of each creditor to
23 whom the person, the person's spouse or domestic partner, or the person's dependent
24 child owed more than \$5,000; this paragraph requires disclosure of a loan, loan
25 guarantee, or indebtedness only if the loan or guarantee was made, or the indebtedness
26 incurred, during the preceding calendar year, or if the amount still owing on the loan,
27 loan guarantee, or indebtedness was more than \$5,000 at any time during the
28 preceding calendar year;

29 (6) a list of all contracts and offers to contract with the state or an
30 instrumentality of the state during the preceding calendar year held, bid, or offered by
31 the person, the person's spouse or domestic partner, or the person's dependent child, a

1 partnership or professional corporation of which the person is a member, or a
2 corporation in which the person or the person's spouse, domestic partner, or dependent
3 **child** [CHILDREN], or a combination of them, hold a controlling interest; and

4 (7) a list of all mineral, timber, oil, or any other natural resource lease
5 held, or lease offer made, during the preceding calendar year by the person, the
6 person's spouse or domestic partner, or the person's dependent child, a partnership or
7 professional corporation of which the person is a member, or a corporation in which
8 the person or the person's spouse, [OR] domestic partner, or dependent **child**
9 [CHILDREN], or a combination of them, holds a controlling interest.

10 * Sec. 26. AS 39.50.050(a) is amended to read:

11 (a) The Alaska Public Offices Commission created under AS 15.13.020(a)
12 shall administer the provisions of this chapter. The commission shall prepare and keep
13 available for distribution standardized forms on which the reports required by this
14 chapter shall be filed. The commission shall print the forms provided under this
15 section so that the front and back of each page have the same orientation when the
16 page is rotated on the vertical axis of the page. The commission may request that the
17 information required under this chapter be submitted electronically but shall accept
18 any information required under this chapter that is typed in clear and legible black
19 typeface or hand-printed in dark ink on paper in a format approved by the commission
20 or on forms provided by the commission and that is filed with the commission.
21 However, the governor or lieutenant governor shall submit the information
22 required under this chapter electronically, but the commission may, when
23 extraordinary circumstances warrant an exception, accept any information
24 required from these public officers under this chapter that is typed in clear and
25 legible black typeface or hand-printed in dark ink on paper in a format approved
26 by the commission or on forms provided by the commission and that is filed with
27 the commission.

28 * Sec. 27. AS 39.52.110(b) is repealed and reenacted to read:

29 (b) Notwithstanding (a) of this section, a public officer's action or influence
30 with respect to the officer's personal or financial interest in a specific matter is not a
31 violation of public trust or a violation of this chapter

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(1) if the public officer's action or influence in the matter would have only an insignificant or conjectural effect on the matter; or

(2) if the public officer's

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

(B) personal interest is insignificant; or

(C) financial interest is solely in regard to a business and neither the public officer nor a member of the public officer's immediate family

(i) owns a controlling interest in the business and the controlling interest has a fair market value of \$5,000 or more;

(ii) owns stock or options to buy stock that, when combined, equal more than one percent of the stock in the business or have a total fair market value of more than \$5,000;

(iii) owns or has an option to buy an equity interest in the business the fair market value of which is more than \$5,000 or one percent of the total fair market value of the business, whichever is less;

(iv) is a member of the board of directors or another governing body of the business;

(v) is an officer of the business;

(vi) provides or has an option to provide personal or professional services to the business;

(vii) has a contract or an option for a contract with the business; or

(viii) is an employee of the business.

* Sec. 28. AS 39.52.130(a) is amended to read:

(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

1 the gift is intended to influence the performance of official duties, actions, or
2 judgment. A gift from a person required to register as a lobbyist under
3 AS 24.45.041 to a public officer or a public officer's immediate family member is
4 presumed to be intended to influence the performance of official duties, actions,
5 or judgment unless the giver is an immediate family member of the person
6 receiving the gift.

7 * Sec. 29. AS 39.52.180(a) is amended to read:

8 (a) A public officer who leaves state service may not, for two years after
9 leaving state service, represent, advise, or assist a person for compensation regarding a
10 matter that was under consideration by the administrative unit served by that public
11 officer, and in which the officer participated personally and substantially through the
12 exercise of official action. For the purposes of this subsection, "matter" includes a
13 case, proceeding, application, contract, [OR] determination, [BUT DOES NOT
14 INCLUDE THE] proposal or consideration of a legislative bill [BILLS], a resolution,
15 a [RESOLUTIONS AND] constitutional amendment [AMENDMENTS], or other
16 legislative measure, [MEASURES;] or [THE] proposal, consideration, or adoption of
17 an administrative regulation [REGULATIONS].

18 * Sec. 30. AS 39.52.180(d) is amended to read:

19 (d) A former governor, lieutenant governor, [OR] head or deputy head of a
20 principal department in the executive branch, or employee of the Office of the
21 Governor in a policy-making position may not engage in activity as a lobbyist under
22 AS 24.45 for a period of one year after leaving service as the governor, lieutenant
23 governor, [OR] department head or deputy head, or employee of the Office of the
24 Governor in a policy-making position, as appropriate. This subsection does not
25 prohibit service as a volunteer lobbyist described in AS 24.45.161(a)(1) or a
26 representational lobbyist as defined under regulations of the Alaska Public Offices
27 Commission.

28 * Sec. 31. AS 39.52.180 is amended by adding a new subsection to read:

29 (e) A former head of a principal department in the executive branch may not,
30 for a period of one year after leaving service as the head of that department, serve on
31 the governing board of a company, organization, or other entity that was regulated by

1 that department or with which the former department head worked as part of an
2 official duty as the department head. A former employee of the Office of the Governor
3 in a policy-making position may not, for a period of one year after leaving
4 employment in that office, serve on the governing board of a company, organization,
5 or other entity with which the former employee worked as part of an official duty for
6 the Office of the Governor.

7 * **Sec. 32.** The uncodified law of the State of Alaska is amended by adding a new section to
8 read:

9 **APPLICABILITY.** (a) AS 39.52.180(a), as amended by sec. 29 of this Act, applies to
10 a person who leaves state service on or after the effective date of sec. 29 of this Act.

11 (b) AS 39.52.180(d), as amended by sec. 30 of this Act, applies to a person who
12 leaves service as governor, lieutenant governor, head or deputy head of a principal department
13 in the executive branch, or employee of the Office of the Governor in a policy-making
14 position on or after the effective date of sec. 30 of this Act.

15 (c) AS 39.52.180(e), as added by sec. 31 of this Act, applies to a department head or
16 employee of the Office of the Governor in a policy-making position who leaves employment
17 as a department head or employee of the Office of the Governor in a policy-making position
18 on or after the effective date of sec. 31 of this Act.

19 * **Sec. 33.** Sections 2, 22, and 26 of this Act take effect July 1, 2007.

20 * **Sec. 34.** Except as provided in sec. 33 of this Act, this Act takes effect immediately under
21 AS 01.10.070(c).

CSHB 109(STA) Version K
Sectional

Sec. 1. Eliminates the exemption from disclosure for candidates raising less than and spending less than \$5,000, but retains exemption for delegates to a constitutional convention, a judge seeking electoral confirmations, or a municipal candidate.

Sec. 2. Requires candidates for governor and lieutenant governor to file campaign disclosure reports to APOC electronically.

Sec. 3. Requires the APOC Committee to administer annually updated ethics courses to teach lobbyists and employers of lobbyists how to comply with laws regulating lobbyists.

Sec. 4. When lobbyists register with APOC, they must sign a sworn affirmation that they have completed a training course on disclosure laws within the last 12 months.

Sec. 5. Prohibits a spouse or domestic partner of a legislator from lobbying for pay.

Sec. 6. Language clean up to clarify that this subsection applies to Chapter 60, Standards of Conduct.

Sec. 7. Adds a prohibition to a legislator preventing him from sending a newsletter to constituents within a 30-day window prior to a state election.

Sec. 8. Replaces it "written report" with "disclosure" to make language consistent with other sections of the statutes.

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

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

Sec. 9. Eliminates the requirement of a legislator to file a close economic relationship with a lobbyist. Section 5 prohibits a spouse or domestic partner of a legislator from lobbying, eliminating the ability for a legislator to have close economic relationship.

Sec. 10. Special discounts are given to legislators and their staff to make the stay during session more affordable. An example is reduced rates at a local athletic club.

This amendment adds the office of victims' rights to the list of legislative employees that do not qualify for the discounts.

Sec. 11. Adds gifts of legal services and gifts to family members because of their relationship with a legislator to the disclosures that are maintained for public record and forwarded to APOC.

Sec. 12. Requires a legislator or legislative employee to disclose to the Ethics Committee gifts received by family members because of their relationship with a legislator or legislative employee. The disclosure is to be maintained for public record by the Ethics Committee and forwarded to APOC for online public disclosure.

Sec. 13. Cleanup language

Sec. 14. This amendment requires all disclosures to be filed within 30 days of the association or interest. Filing dates for ethics disclosures are very confusing. Some disclosures are required within 30 days of association at certain times of the year, some annually, and no disclosure are required during the timeframe of 30 days prior to the end of the session.

Sec. 15. 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. The ethics committee issued an advisory opinion on December 4, 2006 that sets policy consistent with this change in statute.

Sec. 16. Allows the chair of the committee or a subcommittee to designate the alternate legislative member to attend a meeting if the regular member is unable to attend. Currently the chair can only appoint the alternate if the regular member has a conflict with an with an item on the meeting agenda.

Sec. 17. Puts current practice into statute by deleting the requirement that summaries of public decisions and advisory opinions be published on a semi-annual basis. Public decisions have been published annually since 1999 and advisory opinions have been published annually since 1995.

Sec. 18. Makes ethics classes mandatory for legislators, legislative employees, and public members of the committee. Legislators, legislative employees, and public members of the ethics committee would be required to get the training within 10 days of the first day of the first regular session. If service begins after the tenth day, the legislator, legislative employee, or public member of the ethics committee would be required to get ethics training within 30 days of the first day of service.

Sec. 19. Extends the authority to request an advisory opinion to the ethics committee and APOC. It also requires the committee to make deletions to advisory

opinions that prevent the disclosure of the identity of the person requesting the opinion and any other persons named in the opinion. Finally, it clarifies that advisory opinions are confidential unless the person requesting the opinion waives confidentiality.

Sec. 20. This amendment grants authority to the committee to approve the change date of a hearing. Currently, if a complainant exercises his authority to change the date of a public hearing and requests a six-month extension, the committee cannot extend the hearing for more than 90 days. In addition, the committee may need to extend the hearing beyond the 90-day limit because they lacked a quorum.

Sec. 21. Adds to the list of "appointing authority" the victims' advocate for employees of the office of victims' rights and the legislature for the victims' advocate. When the ethics committee determines an employee has violated standards of conduct, the committee forwards its findings of fact to the employee's appointing authority" or supervisor to determine sanctions for the employee.

Sec. 22 Leaves electronic reporting for all reporters other than Governor and Lt. Governor as optional but adds some requirements for APOC to accept non-electronic disclosures. Candidates for governor and lieutenant governor will be required to file electronically.

Sec. 23. Adds language to address who will be notified if the director of the office of victim's rights fails to file an annual financial report. It requires the APOC to notify the Legislative Council if the director of the office of victim's rights fails to file a financial disclosure report with APOC.

Sec. 24. This makes it clear that former public officials have to file a final disclosure statement after leaving his/her position within 90 days of terminating service. Subsection (b) clarifies former public officials and former municipal officers must comply with disclosure requirements.

Sec. 25. Applies to public officials and candidates. This section would require more detail in the financial disclosures reporting of income and interests exceeding \$5,000 in value. The disclosures must describe the source of the income, the amount received, the number of hours spent to earn the income if reimbursed on an hourly basis, and details regarding the services provided. It also clarifies that the official or candidate must report the gift if the cumulative value over the course of a year is more than \$250

Sec. 26. This section would provide for permissive electronic filing of candidates' and public officials' financial disclosures with APOC, but makes it mandatory to file electronically for candidates filing for the office of governor or lieutenant governor.

Sec. 27. This section allows action on what is defined as significant business interests where the effect of the action is insignificant or conjectural. It attempts to draw

a bright line for a public officer to know when he or she could be crossing the line in making decisions that could result in a financial gain for them or their immediate family.

Sec. 28. This applies to all state employees a presumption that all gifts from a lobbyist to a public officer or members of the officer's immediate family are improper unless the lobbyist is an immediate family member of the gift's recipient.

Sec. 29. This section would make the post-state employment limitation more restrictive by precluding former public officers from working on particular legislation or regulations, if they personally and substantially participated in work on the same legislation or regulations during their state service.

Sec. 30. Sec. 30 extends 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.

Sec. 31. Prohibits for one-year after leaving a position as a former head of a department in the executive branch from serving on a board or other entity that was regulated by that department which the former department head worked.

Sec. 33. Applicability clause provides that new laws enacted in HB 109 would apply to elected officials and public officers who leave office after the effective date of HB 109.

Sec. 34. The sections of HB 109 that change reporting requirements with APOC have an effective date of July 1, 2007.

Sec. 35. The remainder of the bill becomes effective immediately.

CSHB 109(STA) Version K
Analysis of Governor's Amendments

AS 15.13.040(m): Would amend section 2 to make electronic filing mandatory for all campaign reports except those from candidates for municipal offices, and to allow exceptions when circumstances warrant them. It would delay the effective date for this section until May 1, 2009.

AS 24.45.121(a): Would add new sections to the lobbying statutes to give the APOC authority to enforce against lobbyists some restrictions that appear elsewhere in the bill. The new sections would prohibit lobbyists from offering or making gifts to members of the executive branch that the Executive Branch Ethics Act prohibits the members from accepting, and would prohibit individuals from lobbying when the Ethics Act prohibits them from working as lobbyists.

AS 24:60:200: Would reinsert a section from the governor's original bill to require additional details in the financial disclosures that legislators, legislative directors, and public members of the Select Committee on Legislative Ethics file with the APOC.

AS 24:60:210: Would amend section 22 to make electronic filing mandatory for legislative financial disclosures, and to allow exceptions when circumstances warrant them. It would also delay the effective date for this section until July 1, 2008.

AS 39:50:030(b): Would amend section 25 to make \$1,000 – rather than \$5,000 – the reporting threshold for financial disclosures that “public officials” (i.e., high-level executive branch officials, judicial officers, certain municipal officers, and some others) must file with the APOC, and to require reporting of the approximate number of hours of services performed for the reported income regardless of whether the income was earned by the hour.

AS 39:50:050(a): Would amend section 26 to make electronic filing of financial disclosures mandatory for all public officials except municipal officers, and to allow exceptions when circumstances warrant them. The effective date for this section would remain July 1, 2007.

AS 39:50:200(b): Would add a new section to supplement the list of boards' members that must file annual financial disclosures with the APOC. The Alaska Industrial Development and Export Authority, the Knik Arm Bridge and Toll Authority, the Alaska labor relations agency, the Alaska Mental Health Trust Authority, and the Alaska Railroad Corporation would be added to the existing list in AS 39.50.200(b).

AS 39:52:110: Would replace section 27, which defines an “insignificant” business interest, with a provision from the governor's original bill. The amendment would establish a presumption that stock or other ownership interest in a business is insignificant if the value of the stock or interest is less than \$5,000.

AS 39:52:180: Would amend section 30 to define the “policy-making positions” in the Governor's Office that are restricted from lobbying for one year after leaving state service. The “policy-making positions” restricted from lobbying would be the same “policy-making positions” that must file annual financial disclosures with the APOC.

2

3 OFFERED IN THE HOUSE BY THE GOVERNOR

4 STATE AFFAIRS COMMITTEE

5 TO: CSHB 109() (25-GH1059\K; 2/21/07)

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

7 Delete "may request"

8 Insert "shall require"

9

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

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

13

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

15 Delete "shall"

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

18

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

20 Delete all material and insert:

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

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

4

5 Page 22, following line 18:

6 Insert a new bill section to read:

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

8

9 Renumber the following bill sections accordingly.

10

11 Page 22, line 19, following “Sections”

12 Delete “2”

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

5 TO: CSHB 109() (25-GH1059\K; 2/21/07)

6 Page 4, following line 2:

7 Insert new bill sections to read:

8 **** Sec. 5.** AS 24.45.121(a) is amended to read:

9 (a) A lobbyist may not

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

11 AS 24.45.041;

12 (2) do anything with the intent of placing a public official under personal
13 obligation to the lobbyist or to the lobbyist's employer;

14 (3) intentionally deceive or attempt to deceive any public official with
15 regard to any material fact pertinent to pending or proposed legislative or
16 administrative action;

17 (4) cause or influence the introduction of a legislative measure solely for
18 the purpose of thereafter being employed to secure its passage or its defeat;

19 (5) cause a communication to be sent to a public official in the name of
20 any fictitious person or in the name of any real person, except with the consent of
21 that person;

22 (6) accept or agree to accept any payment in any way contingent upon the
23 defeat, enactment, or outcome of any proposed legislative or administrative action;

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

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

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

20 (10) make or offer a gift or a campaign contribution whose acceptance by
21 the person to whom it is offered would violate AS 24.60 or AS 39.2."

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

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

6

7 Renumber the following bill sections accordingly.

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

5 TO: CSHB 109() (25-GH1059\K; 2/21/07)

6 Page 16, following line 8:

7 Insert a new bill section to read:

8 **** Sec. 22.** AS 24.60.200 is amended to read:

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

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

18 (2) as to income in excess of \$1,000 received as compensation for
19 personal services, the name and address of the source of the income, the amount of
20 the income, the number of hours of services performed to earn that income, and a
21 statement describing in detail the nature of the services performed; [IF THE SOURCE
22 OF INCOME IS KNOWN OR REASONABLY SHOULD BE KNOWN TO HAVE
23 A SUBSTANTIAL INTEREST IN LEGISLATIVE, ADMINISTRATIVE, OR