



24.60.210

May not be Needed

25-GH1059\K.19
Cook/Wayne
2/21/07

AMENDMENT 18

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to disclosures by legislators, public members of the Select
3 Committee on Legislative Ethics, and legislative directors;"

4
5 Page 16, following line 8:

6 Insert a new bill section to read:

7 "* Sec. 22. AS 24.60.210 is amended to read:

8 **Sec. 24.60.210. Deadlines for filing of disclosure statements.** (a) A person
9 required to file a disclosure statement under AS 24.60.200 shall file an annual report
10 with the Alaska Public Offices Commission, covering the previous calendar year,
11 containing the disclosures required by AS 24.60.200, on or before March 15 of each
12 year. On or before the 90th day after ending service as a legislator or legislative
13 director, a former legislator or legislative director shall file with the Alaska
14 Public Offices Commission a report containing the disclosures required by
15 AS 24.60.200, covering any period of that service for which the legislator or
16 legislative director has not previously filed a report.

17 (b) Notwithstanding (a) of this section, a public member and a public member
18 nominee of the committee shall file an annual report with the Alaska Public Offices
19 Commission, covering the previous calendar year, containing the disclosures required
20 by AS 24.60.200, on or before the second Monday in January of each year. On or
21 before the 90th day after ending service on the committee, a former public
22 member of the committee shall file with the Alaska Public Offices Commission a
23 report containing the disclosures required by AS 24.60.200, covering any period

1 of that service for which the public member has not already filed a report."

2

3 Renumber the following bill sections accordingly.

4

5 Page 22, line 9:

6 Delete "sec. 29"

7 Insert "sec. 30"

8

9 Page 22, line 10:

10 Delete "sec. 29"

11 Insert "sec. 30"

12

13 Page 22, line 11:

14 Delete "sec. 30"

15 Insert "sec. 31"

16

17 Page 22, line 14:

18 Delete "sec. 30"

19 Insert "sec. 31"

20

21 Page 22, line 15:

22 Delete "sec. 31"

23 Insert "sec. 32"

24

25 Page 22, line 18:

26 Delete "sec. 31"

27 Insert "sec. 32"

28

29 Page 22, line 19:

30 Delete "22, and 26"

31 Insert "23, and 27"

1

2 Page 22, line 20:

3 Delete "sec. 33"

4 Insert "sec. 34"

Amendment Passed

1 AS 24.60.210 Governor's Amendment ^{#3} (Electronic Legislative Filing - Title 24)

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, line 10, following "Commission":

7 Delete "may request"

8 Insert "shall require"

9
10 Page 16, line 11, following "but":

11 Delete "shall"

12 Insert "may, when circumstances warrant an exception,"

13
14 Page 22, following line 18:

15 Insert a new bill section to read:

16 **** Sec. 33. Section 22 of this Act takes effect July 1, 2008.****

17
18 Renumber the following bill sections accordingly.

19
20 Page 22, line 19, following "Sections 2,"

21 Delete "22"

Passed

*Bob's amend
is attached
failed*

Amendment Failed

AS 24.60.210 AMENDMENT to Governor's Amendment (Title 24)

OFFERED IN THE HOUSE
TO: CSHB 109 (STA)

BY REPRESENTATIVE BOB LYNN

1

2

Agree to the Governor's amendment but amend the effective date to July 1, 2007.

3

amend # 1 to amend # 3

*Coghill objects
Johnson maintains*

Failed

b-1

Uncodified

25-GH1059K.21
Wayne
2/22/07

AMENDMENT 19

OFFERED IN THE HOUSE

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

1 Page 22, following line 18:

2 Insert new subsections to read:

3 "(d) AS 24.60.020(a), as amended by sec. 6 of this Act, and AS 24.60.115, as
4 amended by sec. 15 of this Act, apply to a person who becomes a former legislator on
5 or after the effective date of this Act and to a former legislator who was a member of
6 the legislature between April 9, 2006, and the effective date of this Act.

7 (e) A former legislator who was a member of the legislature between April 9,
8 2006, and the effective date of this Act shall make the disclosure required by
9 AS 24.60.115, added by sec. 15 of this Act, within 30 days after the effective date of
10 secs. 6 and 15 of this Act."

Duplicate of Amend 12
See Amend 12 in Title 24 section

1 AS 39.50.030(b) Governor's Amendment (Details in Public Official Filing - Title 39)

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 17, line 21:

7 Delete "\$5,000"

8 Insert "\$1,000"

9

10 Page 17, line 31:

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

12

13 Page 18, line 10:

14 Delete "\$5,000"

15 Insert "\$1,000"

16

17 Page 18, line 17:

18 Delete "\$5,000"

19 Insert "\$1,000"

20

21 Page 18, line 20:

22 Delete "\$5,000"

23 Insert "\$1,000"

*This is the one
that related
to the title 24
amendment.*

1

2 Page 18, line 24:

3 Delete "\$5,000"

4 Insert "\$1,000"

5

6 Page 18, line 27:

7 Delete "\$5,000"

8 Insert "\$1,000"

A M E N D M E N T 20

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to blind trusts of certain public officials;"

3

4 Page 19, following line 9:

5 Insert a new bill section to read:

6 ** Sec. 26. AS 39.50.040(b) is amended to read:

7 (b) For a blind trust to qualify under this section, the following conditions
8 must be met:

9 (1) the trust may not contain investments or assets in which the
10 trustor's ownership right or interest is required to be recorded in a public office
11 or contain assets with permanency that makes transfer by the trustee improbable
12 or impractical, including businesses, real estate, security interests in personal
13 property, and mortgages [ASSETS TRANSFERRED TO THE TRUST SHALL BE
14 MARKETABLE];

15 (2) the trustee shall be a bank or other institutional fiduciary;

16 (3) the trustee shall have full authority to manage the trust, including
17 the purchase, sale, and exchange of its assets in accordance with fiduciary principles;

18 (4) information regarding the identity and the nature of its assets shall
19 be confidential from the trustor for the duration of the trust;

20 (5) the trustee shall be required to report any known breach of
21 confidentiality or the termination of the trust to the office where the trustor is required
22 to file statements under this chapter: [AND]

23 (6) the trustee shall

1 (A) prepare and file the trustor's personal income tax
2 returns, withholding from distribution of the trust's net income amounts
3 sufficient to pay the trustor's tax, and participate in the audit of the
4 trustor's returns during the period of the trust, with authority to
5 compromise the trustor's tax liability; or

6 (B) submit to the trustor, for income tax purposes, a
7 certification of income paid without identifying the assets producing the
8 income; and

9 (7) the trustee shall be prohibited from investing the trust
10 property in corporations or businesses that the trustee knows do a significant
11 amount of business with the state, and from knowingly making any investment in
12 a corporation, business, or venture over which the trustor has regulatory or
13 supervisory authority by virtue of the trustor's official position."

14
15 Renumber the following bill sections accordingly.

16
17 Page 22, line 9:

18 Delete "sec. 29"

19 Insert "sec. 30"

20
21 Page 22, line 10:

22 Delete "sec. 29"

23 Insert "sec. 30"

24
25 Page 22, line 11:

26 Delete "sec. 30"

27 Insert "sec. 31"

28
29 Page 22, line 14:

30 Delete "sec. 30"

31 Insert "sec. 31"

*Max wants
to change
this
amendment*

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Page 22, line 15:

Delete "sec. 31"

Insert "sec. 32"

Page 22, line 18:

Delete "sec. 31"

Insert "sec. 32"

Page 22, line 19:

Delete "and 26"

Insert "26, and 27"

Page 22, line 20:

Delete "sec. 33"

Insert "sec. 34"

39.50.040 Blind Trusts
Amendment for Wrong Version (E)

25-GH1059\E.3
Wayne
2/20/07

AMENDMENT

21

OFFERED IN THE HOUSE

BY REPRESENTATIVE COGHILL

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

**Amendment withdrawn, will
be worked on in Judiciary**

Page 20, line 27:

Delete "or"

Page 20, following line 27:

Insert a new paragraph to read:

"(2) if the public officer's personal or financial interest is held in a blind trust and, in a matter substantially related to the personal or financial interest, the public officer delegates to another public officer every official duty and does not influence or attempt to influence decision-making or policy; or"

Renumber the following paragraph accordingly.

Page 22, following line 21:

Insert a new bill section to read:

"* Sec. 33. AS 39.52 is amended by adding a new section. To read:

Sec. 39.52.955. Blind trusts. (a) To qualify as a blind trust for purposes of AS 39.52.110(b)(2), a trust must meet the requirements of AS 39.50.040, and

(1) may not include an asset or investment that

(A) is of a permanency that makes transfer by the trustee improbable or impractical;

(B) is a security interest, a business, or real estate; or

(C) requires the public officer's ownership right or interest to be recorded in a public office; and

(2) the trustee of the blind trust shall, for income purposes,

(A) prepare and file the public officer's personal income tax returns, withholding from distribution of the trust's net income amounts sufficient to pay the public officer's tax and, for the duration of the trust, shall have authority to act on behalf of the public officer and to compromise the trustor's tax liability, in the event of an audit of the trustor's personal tax returns; or

(B) submit to the public officer a certification of income paid without identifying the assets producing the income."

Renumber the following bill sections accordingly.

Page 22, line 31:

Delete "sec. 34"

Insert "sec. 35"

39.50.040

25-GH1059K.43
Cook/Wayne
2/26/07

AMENDMENT 22

OFFERED IN THE HOUSE

BY REPRESENTATIVE SEATON

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

1 Page 1, line 4, following "government;":

2 Insert "relating to blind trusts approved by the Alaska Public Offices
3 Commission;"

4

5 Page 19, following line 9:

6 Insert a new bill section to read:

7 "§ Sec. 26. AS 39.50.040 is amended to read:

8 **Sec. 39.50.040. Blind trusts.** (a) A public official may transfer all or a portion
9 of the official's assets to a blind trust for the duration of service in public office. The
10 original assets placed in the blind trust shall be listed by the official in the statement
11 required to be filed under this chapter, together with a statement describing the
12 actual or potential conflicts of interest, or appearance of conflict, that the official
13 seeks to avoid by the use of the trust. A copy of the [THE] instrument creating the
14 blind trust must be included with the statement.

15 (b) For a blind trust to qualify under this section, the following conditions
16 must be met:

17 (1) the trust may not contain investments or assets in which the
18 trustor's ownership right or interest is required to be recorded in a public office
19 or contain assets with permanency that makes transfer by the trustee improbable
20 or impractical, including businesses, real estate, security interests in personal
21 property, and mortgages [ASSETS TRANSFERRED TO THE TRUST SHALL BE
22 MARKETABLE];

23 (2) the trustee shall be a bank or other institutional fiduciary;

25-GH1059K.43

- 1 (3) the trustee shall have full authority to manage the trust, including
2 the purchase, sale, and exchange of its assets in accordance with fiduciary principles;
- 3 (4) the trust instrument shall contain a clear statement that its
4 purpose is to remove from the trustor control and knowledge of investment of
5 trust assets so that conflicts between the trustor's responsibilities and duties as a
6 public official and the trustor's personal or financial interests will be eliminated
7 [INFORMATION REGARDING THE IDENTITY AND THE NATURE OF ITS
8 ASSETS SHALL BE CONFIDENTIAL FROM THE TRUSTOR FOR THE
9 DURATION OF THE TRUST];
- 10 (5) the trustee shall be directed not to disclose to the trustor any
11 information about any of the assets in the trust, and the trustee shall be required to
12 report any known breach of this confidentiality or the termination of the trust to the
13 commission [OFFICE WHERE THE TRUSTOR IS REQUIRED TO FILE
14 STATEMENTS UNDER THIS CHAPTER]; [AND]
- 15 (6) the trust shall be irrevocable and shall be terminated only upon
16 the death of the trustor, upon termination of the trustor's status as a public
17 official, or upon order of the commission;
- 18 (7) the trustee shall be required to
- 19 (A) prepare and file the trustor's personal income tax
20 returns, withholding from distribution of the trust's net income amounts
21 sufficient to pay the trustor's tax; and to participate in the audit of the
22 trustor's returns during the period of the trust, with authority to
23 compromise the trustor's tax liability; or
- 24 (B) submit to the trustor, for income tax purposes, a
25 certification of income paid without identifying the assets producing the
26 income;
- 27 (8) the trustee shall be prohibited from knowingly making any
28 investment in a corporation, business, or venture over which the trustor has
29 regulatory or supervisory authority by virtue of the trustor's official position;
- 30 (9) the trustor may not retain control over the trustee, and the
31 trustor is not permitted to make any recommendations or suggestions as to the

25-GH1059\R.43

1 trust property:

2 (10) the trust instrument agreement must provide that the trustee
3 will give the appropriate enforcement agency access to any records or
4 information related to the trust that is necessary when investigating an allegation
5 under AS 39.50 or AS 39.52;

6 (11) the trustee shall report to the commission the beginning and
7 ending value of the trust and, if the commission requests, the trustee shall
8 prepare under seal a detailed description of transactions and holdings of the
9 trust; the document prepared by the trustee under seal is not public information
10 unless an accusation under AS 39.50 or AS 39.52 relevant to the blind trust is
11 filed by the appropriate enforcement agency;

12 (12) the trust may not become effective until the trust instrument
13 is submitted and approved by the commission [REPEALED]."

14

15 Renumber the following bill sections accordingly.

16

17 Page 22, line 9:

18 Delete "sec. 29"

19 Insert "sec. 30"

20

21 Page 22, line 10:

22 Delete "sec. 29"

23 Insert "sec. 30"

24

25 Page 22, line 11:

26 Delete "sec. 30"

27 Insert "sec. 31"

28

29 Page 22, line 14:

30 Delete "sec. 30"

31 Insert "sec. 31"

25-GH1059K.43

- 1
- 2 Page 22, line 15:
- 3 Delete "sec. 31"
- 4 Insert "sec. 32"
- 5
- 6 Page 22, line 18:
- 7 Delete "sec. 31"
- 8 Insert "sec. 32"
- 9
- 10 Page 22, line 19:
- 11 Delete "and 26"
- 12 Insert "26, and 27"
- 13
- 14 Page 22, line 20:
- 15 Delete "sec. 33"
- 16 Insert "sec. 34"

Amendment Passed

1 AS 39.50.050(a) Governor's Amendment #4 (Electronic Public Official Filing - Title 39)

2

3

OFFERED IN THE HOUSE

passed
BY THE GOVERNOR

4

STATE AFFAIRS COMMITTEE

5

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

6

Page 19, line 16, following "commission":

7

Delete "may request"

8

Insert "shall require"

9

10

Page 19, line 17, following "chapter":

11

Insert ", unless it is information required of a municipal officer,"

12

13

Page 19, line 17, following "but":

14

Delete "shall"

15

Insert "may, when circumstances warrant an exception,"

16

17

Page 19, following line 20:

18

Insert "Municipal officers must submit information required under this chapter

19

electronically or in the typed or hand-printed form described in this subsection."

20

21

Page 19, lines 21 - 27:

22

Delete all material.

#23

AS 39.50.200(b) Governor's Amendment (Beards - Title 39)

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OFFERED IN THE HOUSE BY THE GOVERNOR
STATE AFFAIRS COMMITTEE

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

Page 19, following line 27:

Insert a new bill section to read:

** Sec. 27. AS 39.50.200(b) is amended by adding new paragraphs to read:

(59) Alaska Industrial Development and Export Authority (AS 44.88);

(60) the board of directors of the Knik Arm Bridge and Toll Authority

(AS 19.75.031 and 19.75.041);

(61) Alaska labor relations agency (AS 23.05.360 – 23.05.390);

(62) the Board of Trustees of the Alaska Mental Health Trust Authority

(AS 47.30.016);

(63) the board of directors of the Alaska Railroad Corporation

(AS 42.40.020 – 42.40.060)."

Renumber the following bill sections accordingly.

#24

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AS 39.52.110 Governor's Amendment (Insignificant Business Interest - Title 39)

Also same to 39.52.110(d) from pg 9 of Master

OFFERED IN THE HOUSE BY THE GOVERNOR
STATE AFFAIRS COMMITTEE

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

Page 19, following line 27:

Insert a new bill section to read:

** Sec. 27. AS 39.52.110 is amended by adding a new subsection to read:

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

Page 19, line 28, through page 20, line 26:

Delete all material.

39.52.110(b)

25-GH1059\K.18
Cook/Wayne
2/22/07

AMENDMENT #25

OFFERED IN THE HOUSE

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

1 Page 20, lines 11 - 18:

2 Delete all material and insert:

3 "(i) has, with regard to the business, an ownership
4 interest with a fair market value of more than \$5,000 or an option, the
5 fair market value of which is more than \$5,000, to buy an equity
6 interest;"

7
8 Renumber the following sub-subparagraphs accordingly.

39,52,110(d)

25-GH1059K.35
Kane
2/22/07

AMENDMENT #26

OFFERED IN THE HOUSE

REPRESENTATIVE COGHILL

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

- 1 Page 20, lines 11 - 18:
- 2 Delete all material and insert:
- 3 "(i) owns, or has options to buy, stock or any other equity interest in the business that,
- 4 when combined, have a fair market value of \$5,000 or more;"
- 5
- 6 Renumber the following sub-subparagraphs accordingly.

~~This is Coghill's
Amendment.
Is K 33 Complete?
It doesn't match
my master list.
Gov has amended on
this too that might address
this~~

#27

1 AS 39.52.180 Governor's Amendment (Policy Making Position - Title 39)

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 21, line 27, following "Commission.":

7

Insert

8

"In this subsection, 'policy-making position' has the same meaning as 'policy-

9

making position' in AS 39.50.200(a)(1)."

28

39.52.180 (a)

Gruenberg
Amendment

Waiting for Rep Gruenberg
Amendment

39.52,225

25-GH1059\K.28
Wayne
2/21/07

AMENDMENT #29

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to executive clemency;"

3

4 Page 22, following line 6:

5 Insert a new bill section to read:

6 "* Sec. 32. 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 an applicant for executive clemency, the governor
9 shall disclose in writing to the attorney general whether granting the clemency would
10 benefit a personal or financial interest of the governor. The attorney general shall
11 publish and make public a written determination whether granting executive clemency
12 to the applicant would violate AS 39.52.110 - 39.52.190. The written determination of
13 the attorney general under his section is not confidential, but information set out in
14 that determination identifying a person, other than the applicant, who is a victim or
15 witness in a criminal matter may not be made public."

16

17 Renumber the following bill sections accordingly.

18

19 Page 22, line 20:

20 Delete "sec. 33"

21 Insert "sec. 34"

39.52.225

25-GH1059K.23-A
Wayne
2/21/07

AMENDMENT #30

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

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

1 Page 22, following line 6:

2 Insert a new bill section to read:

3 *** Sec. 32.** AS 39.52 is amended by adding a new section to read:

4 **Sec. 39.52.225. Disclosures in connection with executive clemency.** Before
5 granting executive clemency to an applicant for executive clemency, the governor
6 shall disclose in writing to the attorney general whether granting the clemency would
7 benefit a personal or financial interest of the governor. The attorney general shall
8 publish ~~and make public~~ a written determination whether granting executive clemency
9 to the applicant would violate AS 39.52.110 - 39.52.190. The written determination of
10 the attorney general ~~(under this section)~~ is not confidential, but information set out in
11 that determination identifying ^{person other than the applicant for clemency who is a}
12 a victim or witness in a criminal matter may not be
13 made public."

14 Remember the following bill sections accordingly.

15

16 Page 22, line 20:

17 Delete "33"

18 Insert "34"

AMENDMENT #31

*Which amendment
does Max want*

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to executive clemency;"

3

4 Page 22, following line 6:

5 Insert a new bill section to read:

6 **** Sec. 32. 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 22, line 20:

16 Delete "sec. 33"

17 Insert "sec. 34

39.52.910 Nepotism

25-GH1059\K.36
Wayne
2/22/07

AMENDMENT #32

OFFERED IN THE HOUSE

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

1 Page 22, following line 6:

2 Insert a new bill section to read:

3 **** Sec. 32.** AS 39.52.910 is amended by adding a new subsection to read:

4 (d) Nothing in this chapter

5 (1) supersedes AS 39.90.020; or

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

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

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

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

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

17 (iii) grievance adjudication, including responding to a
18 first level grievance under a collective bargaining agreement."
19

20 Renumber the following bill sections accordingly.

21

22 Page 22, line 20:

23 Delete "sec. 33"

1

Insert "sec. 34"

39.52.960 definitions

25-GH1059\K.30
Wayne
2/22/07

AMENDMENT #33

OFFERED IN THE HOUSE

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

1 Page 22, following line 6:

2 Insert a new bill section to read:

3 "* Sec. 32. AS 39.52.960(14) is amended to read:

4 (14) "official action" means performance of any duties in the course
5 and scope of a public officer's employment, including review, advice,
6 participation, assistance, or other kind of involvement regarding a matter, such
7 as a recommendation, decision, approval, disapproval, vote, or other similar action,
8 including inaction, by a public officer;"

9

10 Renumber the following bill sections accordingly.

11

12 Page 22, line 20:

13 Delete "sec. 33"

14 Insert "sec. 34"

AMENDMENTS TO HB 109 DEFERRED BY THE ETHICS SUBCOMMITTEE

AS 11.56.135 Improper legislative campaign contributions Title 11 Gara 
K.8

* Section 1. AS 11.56 is amended by adding a new section to article 1 to read:
Sec. 11.56.135. Improper legislative campaign contribution and agreement. (a) A person commits the crime of improper legislative campaign contribution and agreement if the person
(1) explicitly agrees to make a campaign contribution to a member of the legislature or a candidate for the legislature, and makes that contribution, in exchange for an agreement by the legislator or the candidate to alter the legislator's or candidate's position on a legislative matter; or
(2) as a member of the legislature or a candidate for the legislature, accepts a campaign contribution and explicitly agrees, in exchange for that contribution, to alter the legislator's or candidate's position on a legislative matter.
(b) Improper legislative campaign contribution and agreement is a class B felony.

Failed

* Sec. 2. The uncodified law of the State of Alaska is amended by adding a new section to read:
APPLICABILITY. This Act applies to offenses occurring on or after the effective date of this Act.

AS 24.60.030(a)(2)(L) Title 24 Ethics/Harris 
K.14

...this paragraph does not prohibit
(L) full participation in a charity event approved in advance by the Select Committee on Legislative Ethics [ALASKA LEGISLATIVE COUNCIL.];

AS 24.60.030(f)

Title 24

Ethics/Harris

Lab

K.41

Part of 0529\A

(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 on 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.

AS 24.60.080 (c)(10)

Title 24

Ethics/Harris

Lab 10 B

K.14

AS 24.60.080(c)(10) tickets from a lobbyist for a charity event at any time, including during a legislative session, except that tickets to or gifts received at a charity event under this paragraph are subject to the calendar year limit on the value of gifts received by a legislator or legislative employee in (a) of this section; in this paragraph, "charity event" means an event the proceeds of which go to a charitable organization with tax-free status under 26 U.S.C. 501(c)(3) and that the Select Committee on Legislative Ethics [ALASKA LEGISLATIVE COUNCIL] has approved in advance; the tickets may entitle the bearer to admission to the event, to entertainment, to food or beverages, or to other gifts or services involved in the charity event; or

(a) A legislator or legislative employee may not

AS 24.60.080 (i)

Title 24

Harris/French

Lab 12 - A

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

K.15

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

AS 24.60.085

Title 24

Stevens

Lab 13

K.16

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

(c) A legislator may not, directly or by authorizing another to act on the legislator's behalf, provide consulting services to a person in the private sector or accept, or agree to accept, consulting fees from a person in the private sector.

AS 24.60.085

Title 24

Lynn

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

(c) During the term for which elected or appointed and for one year hereafter, a legislator may not, directly or by authorizing another to act on the legislator's behalf, accept or agree to accept compensation, except from the State of Alaska, for work associated with legislative, administrative, or political action.

AS 24.60.100

Title 24

Harris

Lab 14

K.17

AS 24.60.100 Representation. A legislator or legislative employee may not [WHO REPRESENTS] represent another person for compensation before a municipality or a legislative or executive branch [AN] agency, board, or commission of the state [SHALL DISCLOSE THE NAME OF THE PERSON REPRESENTED,

THE SUBJECT MATTER OF THE REPRESENTATION, AND THE BODY BEFORE WHICH THE REPRESENTATION IS TO TAKE PLACE TO THE COMMITTEE. 524.60.105 . THE COMMITTEE SHALL MAINTAIN A PUBLIC RECORD OF A DISCLOSURE UNDER THIS SECTION AND FORWARD THE DISCLOSURE TO THE RESPECTIVE HOUSE FOR INCLUSION IN THE JOURNAL. A LEGISLATOR OR LEGISLATIVE EMPLOYEE MAY NOT REPRESENT ANOTHER PERSON FOR COMPENSATION BEFORE AN AGENCY, COMMITTEE, OR OTHER ENTITY OF THE LEGISLATIVE BRANCH].

AS 24.60.200 Reporting dividend income 5 versions Title 24

Tab 23

K.20

Lynn, Gardner HB 27, Governor, French

(2) as to income in excess of \$1,000 received as compensation for personal services, and as to a dividend received 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 specific services performed, unless those services require the issuance of a state or federal professional license;

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

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

AS 24.60.210

Title 24

Governor

Tab 24

K.19

Sec. 24.60.210. Deadlines for filing of disclosure statements. (a) A person required to file a disclosure statement under AS 24.60.200 shall file an annual report with the Alaska Public Offices Commission, covering the previous calendar year, containing the disclosures required by AS 24.60.200, on or before March 15 of each year. On or before the 90th day after ending service as a legislator or legislative director, a

former legislator or legislative director shall file with the Alaska Public Offices Commission a report containing the disclosure required by AS 24.60.200, covering any period that service for which the legislator or legislative director has not already filed a report.

(b) Notwithstanding (a) of this section, a public member and a public member nominee of the committee shall file an annual report with the Alaska Public Offices Commission, on or before the second Monday in January of each year. **On or before the 90th day after ending service on the committee, a former public member of the committee shall file with the Alaska Public Offices Commission a report containing the disclosure required by AS 24.60.200, covering any period that service for which the legislator or legislative director has not already filed a report.**

AS 24.60.990(a)

Title 24

Gardner

Lab 27

K.20

AS 24.60.990(a) is amended by adding a new paragraph to read:

(17) "professional license" means a license required for a profession regulated by the federal government or by a state.

UNCODIFIED

Title 24

Lynn/Harris

Lab 25

K.21

The uncodified law of the State of Alaska is amended by adding a new section to read:

APPLICABILITY. (a) Sections 1 and 3 of this Act apply to all persons who become former legislators on or after the effective date of this Act and to all former legislators who were members of the legislature between April 9, 2006, and the effective date of this Act.

(b) Former legislators who were members of the legislature between April 9, 2006, and the effective date of this Act shall make the disclosure required by AS 24.60.115, added by sec. 3 of this Act, within 30 days after the effective date of this Act.

Sec. 6. AS 39.50.030(b)(2-7) is amended to read:

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

(2) the identity, by name and address, of each business in which the person, the person's spouse or domestic partner, or the person's dependent child has an interest or was a stockholder, owner, officer, director, partner, proprietor, or employee during the preceding calendar year, except that an interest of less than \$1,000 [\$5,000] in the stock of a publicly traded corporation need not be included;

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

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

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

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

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

Green print is already in HB 109 Version "K"

Table
K.22

New Sections to add:

(i.) prepare and file trustor's personal income tax returns, withholding from distributing of the trust's net income amount sufficient to pay the trustor tax; and further to participate in the audit of the trustor's returns during the period of the trust with authority to compromise the trustor's tax liability; or

ii. submit to the trustor, for income tax purposes, a certification of income paid without identifying the assets producing such income.

A provision shall be included in the trust agreement prohibiting the trustee from investing the trust property in corporations or businesses which it knows to do a significant amount of business with the State of Alaska or from knowingly making any investment in a corporation, business or venture over which the trustor has regulator or supervisory authority by virtue of his or her official position.

The trust shall not contain investments or assets i which the holder's ownership right or interest is required to be recorded in a public office or those assets whose permanency makes transfer by the trustee improbable or impractical; these investments or assets would include, but not be limited to, businesses, real estate, security interests in personal property and mortgages.

Coghill XVI
E.3

Page 20, line 27:

Delete "or"

Page 20, following line 27:

Insert:

“(2) if the public officer’s personal or financial interest is held in a blind trust and, in a matter substantially related to the personal and financial interest, the public officer delegates to another public officer every official duty and does not influence or attempt to influence decision-making or policy; or”

Page 22, following line 21:

Insert a new bill section:

“**Sec. 39.52.955. Blind trusts.** (a) To Qualify as a blind trust for purposes of AS 39.52.110(b)(2), a trust must meet the requirements of AS 39.50.040, and

- (1) may not include as asset or investment that
 - (A) is of a permanency that makes transfer by the trustee improbable or impractical;
 - (B) is a security interest, a business, or real estate; or
 - (C) requires the public officer’s ownership right or interest to be recorded in a public office; and
- (2) the trustee of the blind trust shall, for income purposes,
 - (A) prepare and file the public officer’s personal income tax returns, withholding from distribution of the trust’s income amounts sufficient to pay the public officer’s tax and, for the duration of the trust shall have authority to act on behalf of the public officer and to compromise the trustor’s tax liability, in the event of an audit of the trustor’s personal tax returns.
 - (B) Submit to the public officer a certification of income paid without identifying the assets producing the income.”

AS 39.52.110(b)

Title 39

Coghill

K.18

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

{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]

AS 39.52.110(d) *Scope of Code*

Title 39

Leg Am

K.35

AS 39.52.110(b) is amended as follows:

(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 MOT 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 THAT \$5,000 OR ONE PERCENT OF THE TOTAL FAIR MARKET VALUE OF THE BUSINESS, WHICHEVER IS LESS;]

Insert:

(i) owns, or has options to buy, stock or any other equity interest in the business that, when combined, have a fair market value of \$5,000 or more;

AS 39.52.110(d) *Scope of Code*

Title 39

Governor

Lab 9 - A

AS 39.52.110 is amended by adding a new subsection to read:

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

Tam Cook said this amendment will work with AS 39.52.110 as it is now but will be redundant if adopted with the language changes made in AS 39.52.110(b).

AS 39.52.180(a)

Title 39

AS 39.52.180(a) Restrictions on Employment after leaving state service.

(a) a public officer who leaves state service may not, for two years after leaving state service, represent, advise, or assist a person for compensation regarding a matter that was under consideration by the administrative unit served by that public officer, and in which the officer participated personally and substantially through the exercise of official action. For the purposes of this subsection, "matter"

in ~~Gruenberg Amendment Cases~~ includes a case, proceeding, application, contract, [OR] determination, [BUT DOES NOT INCLUDE THE] proposal or consideration of legislative bills, resolutions and constitutional amendments, or other legislative measures, [;] or [THE] proposal, consideration, or adoption of administrative regulations.

AS 39.52.225 *Disclosures in connection with executive clemency.* Title 39

Lab 13

Lynn

K.28

Before granting executive clemency to a person, the governor shall disclose in writing to the attorney general if granting the clemency would benefit a personal or financial interest of the governor. The attorney general shall make a written determination whether granting executive clemency to the person would violate AS 39.52.110 - 39.52.190.

AS 39.52.225 *Executive clemency.* Title 39

Gruenberg Amendment

K.27

Before granting executive clemency to a person, the governor shall disclose in writing to the attorney general if granting the clemency would benefit a personal or financial interest of the governor. The attorney general shall make a written determination whether granting executive clemency to the person would violate AS 39.52.110 - 39.52.190. The attorney general's written determination is not confidential and shall be immediately made available to the public.

AS 39.52.910 Nepotism

Title 39

1015

K.36

New AS 39.52.910(d).

Nothing in this Act shall supersede the provisions of AS 39.90.020, nor preclude individuals from being in an employment relationship with an immediate family member where neither family member is a supervisor who has authority to act or to effectively recommend action in the interest of the public employer in one of the following supervisory functions, if the exercise of that authority is not merely routine but requires the exercise of independent judgment:

- (a) employing, including hiring, transferring, laying off, or recalling;
- (b) discipline, including suspension, discharge, demotion, or issuance of written warnings; or
- (c) grievance adjudication, including responding to a first level grievance under a collective bargaining agreement."

AS 39.52.960 Definitions

Title 39

French/Gruenberg

K.30

(14) "official action" means performance of any duties in the course and scope of a public officer's employment, including review, advice, participation, assistance, or **other** kind of involvement regarding a matter, such as a recommendation, decision, approval, disapproval, vote or other similar action, including inaction, by a public officer:

AMENDMENT # 1

OFFERED IN THE HOUSE

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

*Amendment #1
Failed*

1 Page 1, line 1, following "relating":

2 Insert "to legislators and candidates for the legislature,"

3

4 Page 1, following line 5:

5 Insert a new bill section to read:

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

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

10 (1) explicitly agrees to make a campaign contribution to a member of
11 the legislature or a candidate for the legislature, and makes that contribution, in
12 exchange for an agreement by the legislator or the candidate to alter the legislator's or
13 candidate's position on a legislative matter; or

14 (2) as a member of the legislature or a candidate for the legislature,
15 accepts a campaign contribution and explicitly agrees, in exchange for that
16 contribution, to alter the legislator's or candidate's position on a legislative matter.

17 (b) Improper legislative campaign contribution and agreement is a class B
18 felony."

19

20 .Renumber the following bill sections accordingly.

21

22 Page 22, following line 18:

23 Insert a new subsection to read:

1 "(d) AS 11.56.135, as added by sec. 1 of this Act, applies to offenses occurring on or
2 after the effective date of sec. 1 of this Act."

3

4 Renumber the following bill sections accordingly.

5

6 Page 22, line 9:

7 Delete "sec. 29"

8 Insert "sec. 30"

9

10 Page 22, line 10:

11 Delete "sec. 29"

12 Insert "sec. 30"

13

14 Page 22, line 11:

15 Delete "sec. 30"

16 Insert "sec. 31"

17

18 Page 22, line 14:

19 Delete "sec. 30"

20 Insert "sec. 31"

21

22 Page 22, line 15:

23 Delete "sec. 31"

24 Insert "sec. 32"

25

26 Page 22, line 18:

27 Delete "sec. 31"

28 Insert "sec. 32"

29

30 Page 22, line 19:

31 Delete "Sections 2, 22, and 26"

1 Insert "Sections 3, 23, and 27"

2

3 Page 22, line 20:

4 Delete "sec. 33"

5 Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 6, line 11:

2 Delete "Alaska Legislative Council"

3 Insert "committee [ALASKA LEGISLATIVE COUNCIL];

4

5 Page 10, line 1:

6 Delete "Alaska Legislative Council"

7 Insert "committee [ALASKA LEGISLATIVE COUNCIL]"

Can't separate

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 7, following line 14:

2 Insert a new bill section to read:

3 **** Sec. 8. AS 24.60.030(f) is amended to read:**

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

19

20 Renumber the following bill sections accordingly.

21

22 Page 22, line 9:

23 Delete "sec. 29"

- 1 Insert "sec. 30"
- 2
- 3 Page 22, line 10:
- 4 Delete "sec. 29"
- 5 Insert "sec. 30"
- 6
- 7 Page 22, line 11:
- 8 Delete "sec. 30"
- 9 Insert "sec. 31"
- 10
- 11 Page 22, line 14:
- 12 Delete "sec. 30"
- 13 Insert "sec. 31"
- 14
- 15 Page 22, line 15:
- 16 Delete "sec. 31"
- 17 Insert "sec. 32"
- 18
- 19 Page 22, line 18:
- 20 Delete "sec. 31"
- 21 Insert "sec. 32"
- 22
- 23 Page 22, line 19:
- 24 Delete "22, and 26"
- 25 Insert "23, and 27"
- 26
- 27 Page 22, line 20:
- 28 Delete "sec. 33"
- 29 Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 10, following line 30:

2 Insert a new bill section to read:

3 ** Sec. 12. AS 24.60.080(e) is amended to read:

4 (c) A political contribution is not a gift under this section if it is reported under
5 AS 15.13.040 [OR IS EXEMPT FROM THE REPORTING REQUIREMENT
6 UNDER AS 15.13.040(g)]. The use of a bulk mailing permit owned by a legislator's
7 campaign committee or used in a legislator's election campaign is not a gift to that
8 legislator under this section."

9

10 Renumber the following bill sections accordingly.

11

12 Page 22, line 9:

13 Delete "sec. 29"

14 Insert "sec. 30"

15

16 Page 22, line 10:

17 Delete "sec. 29"

18 Insert "sec. 30"

19

20 Page 22, line 11:

21 Delete "sec. 30"

22 Insert "sec. 31"

23

1 Page 22, line 14:

2 Delete "sec. 30"

3 Insert "sec. 31"

4

5 Page 22, line 15:

6 Delete "sec. 31"

7 Insert "sec. 32"

8

9 Page 22, line 18:

10 Delete "sec. 31"

11 Insert "sec. 32"

12

13 Page 22, line 19:

14 Delete "22, and 26"

15 Insert "23, and 27"

16

17 Page 22, line 20:

18 Delete "sec. 33"

19 Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 11, following line 7

2 Insert a new bill section to read:

3 "* Sec. 13. AS 24.60.085 is amended by adding a new subsection to read:

4 (c) A legislator may not, directly or by authorizing another to act on the
5 legislator's behalf, provide consulting services to a person in the private sector or
6 accept, or agree to accept, consulting fees from a person in the private sector."
7

8 Page 22, line 9:

9 Delete "sec. 29"

10 Insert "sec. 30"

11

12 Page 22, line 10:

13 Delete "sec. 29"

14 Insert "sec. 30"

15

16 Page 22, line 11:

17 Delete "sec. 30"

18 Insert "sec. 31"

19

20 Page 22, line 14:

21 Delete "sec. 30"

22 Insert "sec. 31"

23

1 Page 22, line 15:

2 Delete "sec. 31"

3 Insert "sec. 32"

4

5 Page 22, line 18:

6 Delete "sec. 31"

7 Insert "sec. 32"

8

9 Page 22, line 19:

10 Delete "22, and 26"

11 Insert "23, and 27"

12

13 Page 22, line 20:

14 Delete "sec. 33"

15 Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

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

4

5 Page 11, lines 9 - 17:

6 Delete all material and insert:

7 "Sec. 24.60.100. Representation. A legislator or legislative employee may
8 not represent [WHO REPRESENTS] another person for compensation before a
9 municipal, legislative, or executive branch [AN] agency, board, [OR] commission,
10 or other entity [OF THE STATE SHALL DISCLOSE THE NAME OF THE
11 PERSON REPRESENTED, THE SUBJECT MATTER OF THE
12 REPRESENTATION, AND THE BODY BEFORE WHICH THE
13 REPRESENTATION IS TO TAKE PLACE TO THE COMMITTEE. THE
14 DISCLOSURE SHALL BE MADE BY THE DEADLINES SET OUT IN
15 AS 24.60.105. THE COMMITTEE SHALL MAINTAIN A PUBLIC RECORD OF A
16 DISCLOSURE UNDER THIS SECTION AND FORWARD THE DISCLOSURE TO
17 THE RESPECTIVE HOUSE FOR INCLUSION IN THE JOURNAL. A
18 LEGISLATOR OR LEGISLATIVE EMPLOYEE MAY NOT REPRESENT
19 ANOTHER PERSON FOR COMPENSATION BEFORE AN AGENCY,
20 COMMITTEE, OR OTHER ENTITY OF THE LEGISLATIVE BRANCH]."

21

22 Page 12, line 2:

23 Delete "matter, interest, or representation"

1 Insert "matter or interest [OR REPRESENTATION]"

2

3 Page 12, lines 14 - 15:

4 Delete all material.

5 Insert "AS 24.60.070 [;

6 (5) REPRESENTATION OF A CLIENT UNDER AS 24.60.100]."

A M E N D M E N T

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to disclosure of information about certain income received as
3 compensation for personal services by legislators, public members of the Select
4 Committee on Legislative Ethics, and legislative directors;"

5

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 committee,
11 and a legislative director shall file a disclosure statement, under oath and on penalty of
12 perjury, with the Alaska Public Offices Commission giving the following information
13 about the income received by the discloser, the discloser's spouse or domestic partner,
14 the discloser's dependent children, and the discloser's nondependent children who are
15 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, and as to a dividend received from a limited liability company
20 as compensation for personal services, the name and address of the source of the
21 income, and a statement describing

22 (A) the nature of the services performed, with sufficient
23 description to make clear to a person of ordinary understanding the

1 specific services performed, unless those services require the issuance of a
2 state or federal professional license; for purposes of this subparagraph,
3 "professional license" means a license required for a profession regulated
4 by the federal government or by a state;

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

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

13 (3) as to each loan or loan guarantee over \$1,000 from a source with a
14 substantial interest in legislative, administrative, or political action, the name and
15 address of the person making the loan or guarantee, the amount of the loan, the terms
16 and conditions under which the loan or guarantee was given, the amount outstanding
17 at the time of filing, and whether or not a written loan agreement exists."
18

19 Renumber the following bill sections accordingly.

20
21 Page 22, line 9:

22 Delete "sec. 29"

23 Insert "sec. 30"

24
25 Page 22, line 10:

26 Delete "sec. 29"

27 Insert "sec. 30"

28
29 Page 22, line 11:

30 Delete "sec. 30"

31 Insert "sec. 31"

- 1
- 2 Page 22, line 14:
 - 3 Delete "sec. 30"
 - 4 Insert "sec. 31"
 - 5
- 6 Page 22, line 15:
 - 7 Delete "sec. 31"
 - 8 Insert "sec. 32"
 - 9
- 10 Page 22, line 18:
 - 11 Delete "sec. 31"
 - 12 Insert "sec. 32"
 - 13
- 14 Page 22, line 19:
 - 15 Delete "22, and 26"
 - 16 Insert "23, and 27"
 - 17
- 18 Page 22, line 20:
 - 19 Delete "sec. 33"
 - 20 Insert "sec. 34"

A M E N D M E N T

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to disclosures by legislators, public members of the Select
3 Committee on Legislative Ethics, and legislative directors;"

4

5 Page 16, following line 8:

6 Insert a new bill section to read:

7 "* Sec. 22. AS 24.60.210 is amended to read:

8 **Sec. 24.60.210. Deadlines for filing of disclosure statements.** (a) A person
9 required to file a disclosure statement under AS 24.60.200 shall file an annual report
10 with the Alaska Public Offices Commission, covering the previous calendar year,
11 containing the disclosures required by AS 24.60.200, on or before March 15 of each
12 year. On or before the 90th day after ending service as a legislator or legislative
13 director, a former legislator or legislative director shall file with the Alaska
14 Public Offices Commission a report containing the disclosures required by
15 AS 24.60.200, covering any period of that service for which the legislator or
16 legislative director has not already filed a report.

17 (b) Notwithstanding (a) of this section, a public member and a public member
18 nominee of the committee shall file an annual report with the Alaska Public Offices
19 Commission, covering the previous calendar year, containing the disclosures required
20 by AS 24.60.200, on or before the second Monday in January of each year. On or
21 before the 90th day after ending service on the committee, a former public
22 member of the committee shall file with the Alaska Public Offices Commission a
23 report containing the disclosures required by AS 24 60.200, covering any period

1 of that service for which the public member has not already filed a report."

2

3 Renumber the following bill sections accordingly.

4

5 Page 22, line 9:

6 Delete "sec. 29"

7 Insert "sec. 30"

8

9 Page 22, line 10:

10 Delete "sec. 29"

11 Insert "sec. 30"

12

13 Page 22, line 11:

14 Delete "sec. 30"

15 Insert "sec. 31"

16

17 Page 22, line 14:

18 Delete "sec. 30"

19 Insert "sec. 31"

20

21 Page 22, line 15:

22 Delete "sec. 31"

23 Insert "sec. 32"

24

25 Page 22, line 18:

26 Delete "sec. 31"

27 Insert "sec. 32"

28

29 Page 22, line 19:

30 Delete "22, and 26"

31 Insert "23, and 27"

1

2 Page 22, line 20:

3 Delete "sec. 33"

4 Insert "sec. 34"

A M E N D M E N T

OFFERED IN THE HOUSE

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

1 Page 22, following line 18:

2 Insert new subsections to read:

3 "(d) AS 24.60.020(a), as amended by sec. 6 of this Act, and AS 24.60.115, as
4 amended by sec. 15 of this Act, apply to a person who becomes a former legislator on
5 or after the effective date of this Act and to a former legislator who was a member of
6 the legislature between April 9, 2006, and the effective date of this Act.

7 (e) A former legislator who was a member of the legislature between April 9,
8 2006, and the effective date of this Act shall make the disclosure required by
9 AS 24.60.115, added by sec. 15 of this Act, within 30 days after the effective date of
10 secs. 6 and 15 of this Act."

1

2 Page 18, line 24:

3 Delete "\$5,000"

4 Insert "\$1,000"

5

6 Page 18, line 27:

7 Delete "\$5,000"

8 Insert "\$1,000"

A M E N D M E N T

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to blind trusts of certain public officials;"

3

4 Page 19, following line 9:

5 Insert a new bill section to read:

6 "* Sec. 26. AS 39.50.040(b) is amended to read:

7 (b) For a blind trust to qualify under this section, the following conditions
8 must be met:

9 (1) the trust may not contain investments or assets in which the
10 trustor's ownership right or interest is required to be recorded in a public office
11 or contain assets with permanency that makes transfer by the trustee improbable
12 or impractical, including businesses, real estate, security interests in personal
13 property, and mortgages [ASSETS TRANSFERRED TO THE TRUST SHALL BE
14 MARKETABLE];

15 (2) the trustee shall be a bank or other institutional fiduciary;

16 (3) the trustee shall have full authority to manage the trust, including
17 the purchase, sale, and exchange of its assets in accordance with fiduciary principles;

18 (4) information regarding the identity and the nature of its assets shall
19 be confidential from the trustor for the duration of the trust;

20 (5) the trustee shall be required to report any known breach of
21 confidentiality or the termination of the trust to the office where the trustor is required
22 to file statements under this chapter; [AND]

23 (6) the trustee shall

1 (A) prepare and file the trustor's personal income tax
2 returns, withholding from distribution of the trust's net income amounts
3 sufficient to pay the trustor's tax, and participate in the audit of the
4 trustor's returns during the period of the trust, with authority to
5 compromise the trustor's tax liability; or

6 (B) submit to the trustor, for income tax purposes, a
7 certification of income paid without identifying the assets producing the
8 income; and

9 (7) the trustee shall be prohibited from investing the trust
10 property in corporations or businesses that the trustee knows do a significant
11 amount of business with the state, and from knowingly making any investment in
12 a corporation, business, or venture over which the trustor has regulatory or
13 supervisory authority by virtue of the trustor's official position."

14

15 Renumber the following bill sections accordingly.

16

17 Page 22, line 9:

18 Delete "sec. 29"

19 Insert "sec. 30"

20

21 Page 22, line 10:

22 Delete "sec. 29"

23 Insert "sec. 30"

24

25 Page 22, line 11:

26 Delete "sec. 30"

27 Insert "sec. 31"

28

29 Page 22, line 14:

30 Delete "sec. 30"

31 Insert "sec. 31"

1

2 Page 22, line 15:

3 Delete "sec. 31"

4 Insert "sec. 32"

5

6 Page 22, line 18:

7 Delete "sec. 31"

8 Insert "sec. 32"

9

10 Page 22, line 19:

11 Delete "and 26"

12 Insert "26, and 27"

13

14 Page 22, line 20:

15 Delete "sec. 33"

16 Insert "sec. 34"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE COGHILL

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

Page 20, line 27:

Delete "or"

Page 20, following line 27:

Insert a new paragraph to read:

"(2) if the public officer's personal or financial interest is held in a blind trust and, in a matter substantially related to the personal or financial interest, the public officer delegates to another public officer every official duty and does not influence or attempt to influence decision-making or policy; or"

Renumber the following paragraph accordingly.

Page 22, following line 21:

Insert a new bill section to read:

"* Sec. 33. AS 39.52 is amended by adding a new section to read:

Sec. 39.52.955. Blind trusts. (a) To qualify as a blind trust for purposes of AS 39.52.110(b)(2), a trust must meet the requirements of AS 39.50.040, and

(1) may not include an asset or investment that

(A) is of a permanency that makes transfer by the trustee improbable or impractical;

(B) is a security interest, a business, or real estate; or

(C) requires the public officer's ownership right or interest to be recorded in a public office; and

(2) the trustee of the blind trust shall, for income purposes,

(A) prepare and file the public officer's personal income tax returns, withholding from distribution of the trust's net income amounts sufficient to pay the public officer's tax and, for the duration of the trust, shall have authority to act on behalf of the public officer and to compromise the trustor's tax liability, in the event of an audit of the trustor's personal tax returns; or

(B) submit to the public officer a certification of income paid without identifying the assets producing the income."

Renumber the following bill sections accordingly.

Page 22, line 31:

Delete "sec. 34"

Insert "sec. 35"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 20, lines 11 - 18:

2 Delete all material and insert:

3 "(i) has, with regard to the business, an ownership
4 interest with a fair market value of more than \$5,000 or an option, the
5 fair market value of which is more than \$5,000, to buy an equity
6 interest;"

7

8 Renumber the following sub-subparagraphs accordingly.

AMENDMENT

OFFERED IN THE HOUSE

REPRESENTATIVE COGHILL

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

- 1 Page 20, lines 11 - 18:
- 2 Delete all material and insert:
- 3 "(i) owns, or has options to buy, stock or any other equity interest in the business that,
- 4 when combined, have a fair market value of \$5,000 or more;"
- 5
- 6 Renumber the following sub-subparagraphs accordingly.

A M E N D M E N T

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to executive clemency;"

3

4 Page 22, following line 6:

5 Insert a new bill section to read:

6 **** Sec. 32.** 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 an applicant for executive clemency, the governor
9 shall disclose in writing to the attorney general whether granting the clemency would
10 benefit a personal or financial interest of the governor. The attorney general shall
11 publish and make public a written determination whether granting executive clemency
12 to the applicant would violate AS 39.52.110 - 39.52.190. The written determination of
13 the attorney general under this section is not confidential, but information set out in
14 that determination identifying a person, other than the applicant, who is a victim or
15 witness in a criminal matter may not be made public."

16

17 Renumber the following bill sections accordingly.

18

19 Page 22, line 20:

20 Delete "sec. 33"

21 Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 1, line 4, following "government;":

2 Insert "relating to executive clemency;"

3

4 Page 22, following line 6:

5 Insert a new bill section to read:

6 **"* Sec. 32. 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 22, line 20:

16 Delete "sec. 33"

17 Insert "sec. 34"

A M E N D M E N T

OFFERED IN THE HOUSE

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

1 Page 22, following line 6:

2 Insert a new bill section to read:

3 *** Sec. 32. AS 39.52.910 is amended by adding a new subsection to read:

4 (d) Nothing in this chapter

5 (1) supersedes AS 39.90.020; or

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

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

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

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

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

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

19

20 Renumber the following bill sections accordingly.

21

22 Page 22, line 20:

23 Delete "sec. 33"

1

Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 22, following line 6:

2 Insert a new bill section to read:

3 **** Sec. 32. AS 39.52.960(14) is amended to read:**

4 (14) "official action" means performance of any duties in the course
5 and scope of a public officer's employment, including review, advice,
6 participation, assistance, or other kind of involvement regarding a matter, such
7 as a recommendation, decision, approval, disapproval, vote, or other similar action,
8 including inaction, by a public officer;"

9
10 Renumber the following bill sections accordingly.

11

12 Page 22, line 20:

13 Delete "sec. 33"

14 Insert "sec. 34"



Amendments Offered
by the
Department of Law

2/22/07

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”

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

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

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

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

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

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.

1 AMENDMENT

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

1 POLITICAL ACTION AND THE RECIPIENT OF THE INCOME IS A
2 LEGISLATOR OR A LEGISLATIVE DIRECTOR, THE AMOUNT OF INCOME
3 RECEIVED FROM THE SOURCE SHALL BE DISCLOSED;]

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

9

10 Renumber the following bill sections accordingly.