



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, 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"

1 AMENDMENT

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

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

6 Page 19, following line 27:

7 Insert a new bill section to read:

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

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

11
12 Page 19, line 28, through page 20, line 26:

13 Delete all material.

1 A M E N D M E N T

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 19, following line 27:

7 Insert a new bill section to read:

8 **** Sec. 27.** AS 39 50.200(b) is amended by adding new paragraphs to read:

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

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

11 (AS 19.75.031 and 19.75.041);

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

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

14 (AS 47.30.016);

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

16 (AS 42.40.020 – 42.40.060).”

17
18 Renumber the following bill sections accordingly

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.

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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.

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

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

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

7 Delete "may request"

8 Insert "shall require"

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

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

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

15 Delete "shall"

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

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

20 Delete all material and insert:

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

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 39.52 "

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.

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.

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"

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"

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 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.

1 AS 39.50.200(b) Governor's Amendment (Boards - 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 19, following line 27:

7 Insert a new bill section to read:

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

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

10 (60) the board of directors of the Knik Arm Bridge and Toll Authority
11 (AS 19.75.031 and 19.75.041);

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

13 (62) the Board of Trustees of the Alaska Mental Health Trust Authority
14 (AS 47.30.016);

15 (63) the board of directors of the Alaska Railroad Corporation
16 (AS 42.40.020 – 42.40.060).”

17
18 Renumber the following bill sections accordingly.

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

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

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

OFFERED IN THE HOUSE BY THE GOVERNOR
STATE AFFAIRS COMMITTEE

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

Page 21, line 27, following "Commission.":

Insert

"In this subsection, 'policy-making position' has the same meaning as 'policy-making position' in AS 39.50.200(a)(1)."

AMENDMENTS TO HB 109 REJECTED BY THE ETHICS SUBCOMMITTEE

***AS 11.56.135 Improper legislative campaign contributions* Title 11**

Tab 1

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

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

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

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

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

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

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

***AS 15.13.040(a)(1)(C) Disclosure of Contributions* Title 15**

Tab 1

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

(a) Each [EXCEPT AS PROVIDED IN (g) AND (l) OF THIS SECTION, EACH] candidate shall make a full report, upon a form prescribed by the commission,

(1) listing

(A) the date and amount of all expenditures made by the candidate;

(B) the total amount of all contributions, including all funds contributed by the candidate; and

(C) the name, address, principal occupation, and employer of each contributor and the date [,] and amount of each contribution from [CONTRIBUTED BY] each contributor [; AND

(D) FOR CONTRIBUTIONS IN EXCESS OF \$250 IN THE AGGREGATE DURING A CALENDAR YEAR, THE PRINCIPAL OCCUPATION AND EMPLOYER OF THE CONTRIBUTOR]; and

AS 15.13.040(b) Disclosure of Contributions

Title 15

Tab 2

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

(b) Each group shall make a full report upon a form prescribed by the commission, listing

(2) the aggregate amount of all contributions made to it [; AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR], the name, address, principal occupation, and employer of each [THE] contributor, and the date and amount of each contribution from [CONTRIBUTED BY] each contributor; for purposes of this paragraph, "contributor" means the true source of the funds, property, or services being contributed; and

AS 15.13.040(l) Exempt Fundraisers

Deferred 2/15

Tab 2

* AS 15.13.040(l) is repealed.

AS 24.60.030(a)(2)(L)

Title 24

Tab 5

....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(a)(6)

Title 24

Tab 6

AS 24.60.030(a) is amending by adding a new subsection:

(a) A legislator or legislative employee may not

(6) enter into a contract to provide consulting services.

AS 24.60.080 (c)(10)

Title 24

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

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

(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

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 24.60.100

Title 24

Tab 14

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 39.52.110(b)

Title 24

1059\E.1 Cog

(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]

Tab 8

AS 24.60.200 Reporting dividend income 5 versions Deferred

(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

Tab 24

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

Tab 27

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

Tab 28

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.

AS 39.50.040 Blind Trusts

Title 39

Tab 6

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 in 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.

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

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

(1) for [THE SOURCE OF] all income over \$1,000 [\$5,000] during the preceding calendar year, including taxable [AND NONTAXABLE] capital gains, and gifts from a single source with a cumulative value exceeding \$250 during a calendar year, received by the person, the person's spouse or domestic partner, or the person's dependent child, [EXCEPT THAT A SOURCE OF INCOME THAT IS A GIFT MUST BE INCLUDED IF THE VALUE OF THE GIFT EXCEEDS \$250]

(A) [THE] each source of the income or gift;

(B) the recipient of the income or gift;

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

(D) a description of how the income was paid, such as hourly, commission, fixed fee, and the approximate number of hours it services are performed on an hourly basis [THE NUMBER OF HOURS OF SERVICES PERFORMED, IF ANY, TO EARN THE INCOME OR FOR WHICH THE GIFT WAS GIVEN]; and

(E) the nature of the services performed, with a description sufficient to make clear to a person of ordinary understanding the work product agreed upon when the services have been performed, unless those services are required to be kept confidential by law [A DETAILED DESCRIPTION OF THE NATURE OF THE SERVICES PERFORMED];

(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.

AS 39.52.110 Scope of Code

Title 39

Tab 8 - A

*Section 1. AS 39.52110(b) is amended to read:

(b) Unethical conduct is prohibited, but there is not substantial impropriety if, as to a specific matter, a public officer's [(1)] personal or financial interest in the matter **(1)** is insignificant [,] or of a type that is possessed generally by the public or a large class of persons to which the public officer belongs, **and** [; OR (2)] action **taken** or influence **exercised by the public officer** would have insignificant or conjectural effect on the matter; **or (2) is in regard to a business and the public officer (A) does not own controlling interest in the business; (B) does not own stock or options to buy stock that, when combined,**

(i) equal more than one percent of the stock in the business; or

(ii) have a total value of more than \$5,000;

(C) or has an option to buy an equity interest in the business the value of which is not more than \$5,000 or one percent of the total value of the business, whichever is less;

(D) is not a member of the board of directors or another governing body of the business;

(E) is not an elected officer of the business;

(F) does not provide or have an option to provide personal or professional services to the business;

(G) does not have a contract or have an option for a contract with the business; and

(H) is not an employee of the business

AS 39.52.110(d) Scope of Code

Title 39

Tab 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.

AS 39.52.180(a)

Title 39

Gruenberg Amendment

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" 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 39.52.255 Disclosures in connection with executive clemency. **Title 39, Tab 13**

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 39.52.255 Executive clemency. Title 39

Gruenberg Amendment

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 39.52.960 Definitions Title 39

Tab 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 another kind of involvement regarding a matter, such as, a recommendation, decision, approval, disapproval, vote or other similar action, including inaction, by a public officer;

AS 39.52.960 Definitions Title 39

Gruenberg Amendment

(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;

AS 39.52.910 Nepotism Title 39

Tab 15

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."

2119
We will further discuss in full committee

CSHB 109(STA) Version M Sectional

OK 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.

OK Sec. 2. Requires candidates for governor and lieutenant governor to file campaign disclosure reports to APOC electronically. Amended twice by Gruenberg ←

OK 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.

OK 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.

OK Sec. 5. Prohibits a spouse or domestic partner of a legislator from lobbying for pay. Gruenberg added - further legal research

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

OK 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. This is language clean up for changes recommended by the Ethics Committee to transfer the sanctioning of charity events from the Alaska Legislative Council to the Select Committee on Legislative Ethics. See AS 24.60.080(c)(10) Gifts. Gruenberg has recommended a select committee - Gruenberg

OK Sec. 9. Replaces it "written report" with "disclosure" to make language consistent with other sections of the statutes. Gruenberg has recommended a select committee - Gruenberg

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.

OK Sec. 10. 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 Confirms leg employees

OK

Sec. 20. 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.

OK

Sec. 21. 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.

OK
No change

Sec. 22. 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.

*an insurance say they are the boss
24.60.170 A insurance question say how wayne*

some question of language Pg 16 Line 18

Sec. 23. AS 24.60.200(2) expands reporting of income in excess of \$1,000 to include the amount of the income and the number of hours of services performed to earn that income. The amendment also requires a detailed description of services performed.

OK
Amend
OK
OK

Sec. 24. Leaves electronic reporting for all reporters other than Governor and Lt. Governor as optional. Candidates for governor and lieutenant governor will be required to file electronically.

needs to be reviewed Pg 17 and 18 after Commission date can add way

OK

Sec. 25. 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.

OK

Sec. 26. 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.

OK
Amend
OK
OK
OK

Sec. 27. Applies to public officials and candidates. This section would require more detail in the financial disclosures reporting of income and interests exceeding \$1,000 in value, which is a reduction from \$5,000. The disclosures must describe the source of the income, the amount received, the number of hours spent to earn the income, and details regarding the service provided. Clarifies that the official or candidate must report the gift if the cumulative value over the course of a year is more than \$250.

OK
Amend
OK

Sec. 28. This section would provide for electronic filing of candidates' and public officials' financial disclosures with APOC.

OK
Amend
OK
OK
OK

Missing Sec. AS 39.52.110(b): 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 t.

912016

*on the record
blind trust
Coughlin spec to discussion
Gover. Leg. will bring up in full committee*

crossing the line in making decisions that could result in a financial gain for them or their immediate family.

OK **Sec. 29.** Applies to all state employees. Establish 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.

OK **Sec. 30.** 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.

OK **Sec. 31.** 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.

OK **Sec. 32.** 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.

OK **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.

legislator from lobbying, eliminating the ability for a legislator to have close economic relationship.

OK **Sec. 11.** 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.

OK **Sec. 12.** 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. *Confirming language*

OK **Sec. 13.** Requires Ethics Committee gifts to family members because of their relationship with a legislator to be disclosed and maintained for public record and forwarded to APOC. *Cooper's willing to discuss at this point*

OK **Sec. 14.** Cleanup language *deadline language confirm in 90 days*

OK **Sec. 15.** 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.

OK **Sec. 16.** 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.

OK **Sec. 17.** 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.

OK **Sec. 18.** 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. *1994 1995 2 delete 30 days for*

OK **Sec. 19.** Makes annual ethics classes mandatory for legislators, legislative employees, and public members of the committee. New legislators, legislative employees, and public members of the ethics committee would be required to get the training within 30 days of the first day of service. *1994 1995 3 add means of*

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

crossing the line in making decisions that could result in a financial gain for them or their immediate family.

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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.

Titles 15, 24
39 Last

Gara asks me
Title 11 HB 58 reconsider ~~decision~~ not to include it in this bill (Bribery)

Gruenberg has no problem conceptually including
in this bill

Coghill - its criminal not civil

at full committee Coghill might be convinced,

Gruenberg tabs 9410 dealing with
Title 24. We never really considered them.

Gruenberg used the Express on this Title 24
going thru it in his office so hope Don Wayne
will flag any big changes!

29.54.10

legislator from lobbying, eliminating the ability for a legislator to have close economic relationship.

OK **Sec. 11.** 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.

OK **Sec. 12.** 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.

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Cognate willing to be in at this point.*

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conform to today*

OK **Sec. 15.** 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.

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OK **Sec. 18.** 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. *1999 was delete, advisory
1995 was delete, advisory*

OK **Sec. 19.** Makes annual ethics classes mandatory for legislators, legislative employees, and public members of the committee. New legislators, legislative employees, and public members of the ethics committee would be required to get the training within 30 days of the first day of service.

25-GH1059M
Wayne
2/19/07

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 relating to lobbying; relating to employment, service on governing boards, and
3 disclosures by certain public officers and employees who leave state service or leave
4 certain positions in state 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 (l) 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, judge, 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

*Tabl
Deferred
2/15*

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 *OK* (m) The commission ^{*may request*} ~~shall require~~ [MAY REQUEST] that the information
6 required under this chapter be submitted electronically but may, when extraordinary
7 circumstances warrant an exception, [SHALL] accept any information required
8 under this chapter that is typed in clear and legible black typeface or hand-printed in
9 dark ink on paper in a format approved by the commission or on forms provided by
10 the commission and that is filed with the commission. *However, a candidate*
for gov & Lt Gov shall submit the info electronically

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

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

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

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

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

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

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

26 (6) administer an annually updated training course that promotes
27 adherence to high ethical standards of professional conduct and teaches lobbyists
28 and employers of lobbyists how to comply with laws that regulate lobbyists.

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

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

31 (1) the lobbyist's full name and complete permanent residence and

*Needs
Corrected
see Am #1
Cogn. 11
adopted
2/19*

*Tab 6
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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 the lobbyist is married or who is the domestic partner of the lobbyist; in this paragraph, "domestic partner" has the meaning given in AS 39.50.200(a);

(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, except this paragraph does not apply to a person who is a representational lobbyist as defined under regulations of the commission.

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

(d) The spouse or domestic partner of a legislator may not engage in an activity as a lobbyist. This subsection does not prohibit the spouse or domestic partner

Tab 1
Title 24
2/3

Tab 3
Deferred
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from acting as a volunteer lobbyist under AS 24.45.161 or a representational lobbyist as defined under regulations of the commission.

* Sec. 6. AS 24.60.020(a) 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. 7. AS 24.60.030(a) is amended to read:

(a) A legislator or legislative employee may not

(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;

Tab 3
Title 24
2/3

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

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

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

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

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

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

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

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

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

Tab 4
Title 24
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(ii) [, 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

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

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

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

(5) use or authorize the use of state funds, facilities, equipment, services, or another government asset or resource for the purpose of political fund raising or campaigning; 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) storing or maintaining, consistent with (b) of this section, election campaign records in a legislator's office;

(E) a legislator from using the legislator's private office in the

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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; or

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

* Sec. 8. 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 governmental 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 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.

* Sec. 9. AS 24.60.050(c) is amended to read:

(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

Tab 7
Title 24
2/3

Tab 8
Title 24
2/3

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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. If a [WITHIN THREE WEEKS AFTER THE FILING DATE. 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. 10. 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. 11. AS 24.60.080(c) is amended to read:

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

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

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

(B) at a social event or meal;

(2) discounts that are available

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

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

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

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

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

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

(7) a discount for all or part of a legislative session, including time immediately preceding or following the session, or other gift to welcome a legislator or legislative employee who is employed on the personal staff of a legislator or by a standing or special committee 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

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concern;

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

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

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

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

(d) A legislator or legislative employee who accepts a gift under (c)(4) of this section that has a value of \$250 or more shall disclose to the committee, within 30 days after receipt of the gift, the name and occupation of the donor and the approximate value of the gift. A legislator or legislative employee who accepts a gift under (c)(8) of this section that the recipient expects will have a value of \$250 or more in the calendar year shall disclose to the committee, within 30 days after receipt of the gift, the name and occupation of the donor, a general description of the matter of legislative concern with respect to which the gift is made, and the approximate value of the gift. The committee shall maintain a public record of the disclosures it receives relating to gifts under (c)(4), (c)(8), and (i) [AND (8)] of this section and shall forward the disclosures to the appropriate house for inclusion in the journal. The committee shall forward to the Alaska Public Offices Commission copies of the disclosures concerning gifts under (c)(4), (c)(8), and (i) [AND (8)] of this section that

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it receives from legislators and legislative directors. A legislator or legislative employee who accepts a gift under (c)(6) of this section that has a value of \$250 or more shall disclose to the committee annually on or before March 15 the name and occupation of the donor and a description of the gift. The committee shall maintain disclosures relating to gifts under (c)(6) of this section as confidential records and may only use, or permit a committee employee or contractor to use, a disclosure under (c)(6) of this section in the investigation of a possible violation of this section or in a proceeding under AS 24.60.170. If the disclosure under (c)(6) of this section becomes part of the record of a proceeding under AS 24.60.170, the confidentiality provisions of that section apply to the disclosure.

* Sec. 13. AS 24.60.080(i) is amended to read:

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

* Sec. 14. AS 24.60.100 is amended to read:

Sec. 24.60.100. Representation. A legislator or legislative employee who represents another person for compensation before 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. The disclosure shall be made by the deadline [DEADLINES] set out in AS 24.60.105. The committee shall maintain a public record of a disclosure under this section and forward the disclosure to the respective house for inclusion in the journal. A legislator or legislative employee may not represent another person for compensation before an agency, committee, or other entity of the legislative branch.

* Sec. 15. AS 24.60.105 is amended to read:

Sec. 24.60.105. Deadline [DEADLINES] for filing disclosures. (a) When a legislator or legislative employee is required to file a disclosure under this chapter and

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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 matter, interest, or representation.

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

- (1) service on the board of an organization 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. 16. 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,

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1 or public member, file a disclosure of every matter that was subject to disclosure under
2 this chapter while the person was serving.

3 * Sec. 17. AS 24.60.130(n) is amended to read:

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

21 * Sec. 18. AS 24.60.150(a) is amended to read:

22 (a) The committee shall

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

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

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

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(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 ^{an} understanding of this chapter's purpose under AS 24.60.010.

* Sec. 19. 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 of the first day of the first regular 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.

* Sec. 20. AS 24.60.160 is amended to read:

Sec. 24.60.160. Advisory opinions. (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. An opinion issued under this section must be issued with sufficient deletions to prevent disclosing the identity of the person or persons involved. Advisory opinion discussions and deliberations are confidential, unless the requester and anyone else named in the request who is covered by this chapter waives confidentiality. The committee's final vote on the advisory opinion shall be a

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1 public record [EXCEPT AS PROVIDED IN THIS CHAPTER, AN ADVISORY
 2 OPINION IS CONFIDENTIAL BUT SHALL BE MADE PUBLIC IF A WRITTEN
 3 REQUEST BY THE PERSON WHO REQUESTED THE OPINION IS FILED WITH
 4 THE COMMITTEE].

5 * Sec. 21. AS 24.60.170(j) is amended to read:

6 (j) If the committee has issued a formal charge under (h) of this section, and if
 7 the person charged has not admitted the allegations of the charge, the committee shall
 8 schedule a hearing on the charge. The committee may appoint an individual to present
 9 the case against the person charged if that individual does not provide other [AND
 10 HAS NOT PROVIDED] legal advice to the committee except in the course of
 11 presenting cases under this subsection. The hearing shall be scheduled for a date more
 12 than 20 and less than 90 days after service of the charge on the person charged, unless
 13 the committee schedules [THE PERSON AGREES TO] a later hearing date. If the
 14 complainant prevents the hearing from starting before the 90-day deadline passes
 15 and a quorum of the committee determines the delay is not supported by a
 16 compelling reason or will result in the person charged being deprived of a fair
 17 hearing, the committee may dismiss the complaint with prejudice or enter some
 18 other order the committee determines is appropriate. At the hearing, the person
 19 charged shall have the right to appear personally before the committee, to subpoena
 20 witnesses and require the production of books or papers relating to the proceedings, to
 21 be represented by counsel, and to cross-examine witnesses. A witness shall testify
 22 under oath. The committee is not bound by the rules of evidence, but the committee's
 23 findings must be based upon clear and convincing evidence. Testimony taken at the
 24 hearing shall be recorded, and evidence shall be maintained.

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25 * Sec. 22. AS 24.60.176(b) is amended to read:

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

27 (1) the legislative council for employees of the Legislative Affairs
 28 Agency and of the legislative council and for legislative employees not otherwise
 29 covered under this subsection;

30 (2) the Legislative Budget and Audit Committee for the legislative
 31 fiscal analyst and employees of the division of legislative finance, the legislative

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auditor and employees of the division of legislative audit, and employees of the Legislative Budget and Audit Committee;

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

(4) the appropriate rules committee for employees of

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

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

(C) house records and senate records;

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

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

(7) the legislature for the ombudsman;

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

(9) the legislature for the victims' advocate.

* Sec. 23. AS 24.60.200 is amended to read:

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

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

(2) as to income in excess of \$1,000 received as compensation for personal services, the name and address of the source of the income, the amount of

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the income, the number of hours of services performed to earn that income, and a statement describing in detail the nature of the services performed; [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;]

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

* Sec. 24. AS 24.60.210 is amended by adding a new subsection to read:

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

Needs Corrected
see Am #1
Coyhill adopted
2/19

* Sec. 25. AS 24.60.250(c) is amended to read:

(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.

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* Sec. 26. AS 39.50.020 is amended to read:

Sec. 39.50.020. Report of financial and business interests. (a) A public official other than the governor or the lieutenant governor shall file a statement giving income sources and business interests, under oath and on penalty of perjury, within 30 days after taking office as a public official. Candidates for state elective office other

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than a candidate who is subject to AS 24.60 shall file the statement with the director of elections at the time of filing a declaration of candidacy or a nominating petition or becoming a candidate by any other means. Candidates for elective municipal office shall file the statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted filing fee be returned and the candidate's name removed from the filing records. A statement shall also be filed by public officials no later than March 15 in each following year. On or before the 90th day after leaving office, a former public official shall file a final statement covering any period during the official's service in that office for which the public official has not already filed a statement. Persons who are members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.

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

* Sec. 27. AS 39.50.030(b) is amended to read:

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

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

(A) each source of the income or gift;

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(B) the recipient of the income or gift;

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

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

(E) if the income was earned by the hour, the approximate number of hours worked; and

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

(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

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1 on the loan, loan guarantee, or indebtedness was more than \$1,000 [\$5,000] at any
2 time during the preceding calendar year;

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

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

15 * Sec. 28. AS 39.50.050(a) is amended to read:

16 (a) The Alaska Public Offices Commission created under AS 15.13.020(a)
17 ~~shall~~ ^{may} administer the provisions of this chapter. The commission shall prepare and keep
18 available for distribution standardized forms on which the reports required by this
19 chapter shall be filed. The commission shall print the forms provided under this
20 section so that the front and back of each page have the same orientation when the
21 page is rotated on the vertical axis of the page. The commission shall require [MAY
22 REQUEST] that the information required under this chapter be submitted
23 electronically but may, when extraordinary circumstances warrant an exception,
24 [SHALL] accept any information required 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 by
26 the commission or on forms provided by the commission and that is filed with the
27 commission.

39.52.110(b) is missing

28 * Sec. 29. AS 39.52.130(a) is amended to read:

29 (a) A public officer may not solicit, accept, or receive, directly or indirectly, a
30 gift, whether in the form of money, service, loan, travel, entertainment, hospitality,
31 employment, promise, or in any other form, that is a benefit to the officer's personal or

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*Tab 9-B
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financial interests, under circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment. A gift from a person required to register as a lobbyist under AS 24.45.041 to a public officer or a public officer's immediate family member is presumed to be intended to influence the performance of official duties, actions, or judgment unless the giver is an immediate family member of the person receiving the gift.

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

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

Tab 10
Title 39
2/19

* Sec. 31. AS 39.52.180(d) is amended to read:

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

Tab 11
Title 39
2/19

* Sec. 32. AS 39.52.180 is amended by adding a new subsection to read:

(e) A former head of a principal department in the executive branch may not, for a period of one year after leaving service as the head of that department, serve on

Tab 12
Title 39
2/19

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

8 * **Sec. 33.** The uncodified law of the State of Alaska is amended by adding a new section to
 9 read:

10 **APPLICABILITY.** (a) AS 39.52.180(a), as amended by sec. 30 of this Act, applies to
 11 a person who leaves state service on or after the effective date of sec. 30 of this Act.

12 (b) AS 39.52.180(d), as amended by sec. 31 of this Act, applies to a person who
 13 leaves service as governor, lieutenant governor, head or deputy head of a principal department
 14 in the executive branch, or employee of the Office of the Governor in a policy-making
 15 position on or after the effective date of sec. 31 of this Act.

16 (c) AS 39.52.180(e), as added by sec. 32 of this Act, applies to a department head or
 17 employee of the Office of the Governor in a policy-making position who leaves employment
 18 as a department head or employee of the Office of the Governor in a policy-making position
 19 on or after the effective date of sec. 32 of this Act.

20 * **Sec. 34.** Sections 2, 24, and 28 of this Act take effect July 1, 2007.

21 * **Sec. 35.** Except as provided in sec. 34 of this Act, this Act takes effect immediately under
 22 AS 01.10.070(c).

Nancy Master list

~~Repeals~~

updated as of 2/22/07 -
CSHB 109(STA) Version K
Analysis of Governor's Amendments

Discard earlier
Version. Amend #
Will be filled in
as we go along

²
(15)Amendment 1: 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.

(24)Amendment 2: 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.

(24)Amendment 3: 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.

(24)Amendment 4: 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.

(39)Amendment 5: 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.

(39)Amendment 6: 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.

(39)Amendment 7: 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).

(39)Amendment 8: 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.

(39)Amendment 9: 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.

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

TITLE

- 15 **Amendment 1:** 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.
- 24 **Amendment 2:** 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.
- 24 **Amendment 3:** 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.
- 24 **Amendment 4:** 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.
- 39 **Amendment 5:** 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.
- 39 **Amendment 6:** 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.
- 39 **Amendment 7:** 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).
- 39 **Amendment 8:** 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.
- 39 **Amendment 9:** 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.

New Amend #9
AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

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, that
7 regularly has a substantial interest in the legislative activities of the legislator or
8 employee shall disclose [IF THE LEGISLATOR OR EMPLOYEE DISCLOSES] the
9 board membership to the committee. A person [A LEGISLATOR OR
10 LEGISLATIVE EMPLOYEE WHO IS] required to make a disclosure under this
11 subsection shall file the disclosure with the committee by the deadline [DEADLINES]
12 set out in AS 24.60.105 stating the name of each organization on whose board the
13 person serves. The committee shall maintain a public record of the disclosure and
14 forward the disclosure to the appropriate house for inclusion in the journal. This
15 subsection does not require a legislator or legislative employee who is appointed to a
16 board by the presiding officer to make a disclosure of the appointment to the
17 committee if the appointment has been published in the appropriate legislative journal
18 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"

Revised Version of
Amendment # 22 (K.43)

25-GH1059\K.50
Cook/Wayne
3/2/07

AMENDMENT

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 a [THE]
11 statement [REQUIRED TO BE] filed under this section, together with a description
12 of the actual or potential conflicts of interest, or appearance of conflict, that the
13 official seeks to avoid by the use of the trust. A copy of the [CHAPTER. THE]
14 instrument creating the 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 ownership right or interest is required to be recorded in a public office other
19 than with the Alaska Public Offices Commission, or contain assets with
20 permanency that makes transfer by the trustee improbable or impractical,
21 including businesses, real estate, security interests in personal property, and
22 mortgages [ASSETS TRANSFERRED TO THE TRUST SHALL BE
23 MARKETABLE];

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

1 trustor is not permitted to make any recommendations or suggestions as to the
2 trust property;

3 (10) the trust instrument agreement must provide that the trustee
4 will give the attorney general or personnel board access to any records or
5 information related to the trust that is necessary when investigating or hearing
6 an accusation alleging a violation of AS 39.52;

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

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

15
16 Renumber the following bill sections accordingly.

17
18 Page 22, line 9:

19 Delete "sec. 29"

20 Insert "sec. 30"

21
22 Page 22, line 10:

23 Delete "sec. 29"

24 Insert "sec. 30"

25
26 Page 22, line 11:

27 Delete "sec. 30"

28 Insert "sec. 31"

29
30 Page 22, line 14:

31 Delete "sec. 30"

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

AMENDMENT

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} a victim or witness in a criminal matter may not be
12 made public."
13

14 Renumber the following bill sections accordingly.

15

16 Page 22, line 20:

17 Delete "33"

18 Insert "34"

AMENDMENT

OFFERED IN THE HOUSE

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

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 1, following line 5:

2 Insert a new bill section to read:

3 **** Section 1.** AS 15.13.040(a) is amended to read:

4 (a) Each [EXCEPT AS PROVIDED IN (g) AND (l) OF THIS SECTION,
5 EACH] candidate shall make a full report, upon a form prescribed by the commission,

6 (1) listing

7 (A) the date and amount of all expenditures made by the
8 candidate;

9 (B) the total amount of all contributions, including all funds
10 contributed by the candidate; and

11 (C) the name, address, principal occupation, and employer of
12 each contributor and the date [,] and amount of each contribution from
13 [CONTRIBUTED BY] each contributor [; AND

14 (D) FOR CONTRIBUTIONS IN EXCESS OF \$250 IN THE
15 AGGREGATE DURING A CALENDAR YEAR, THE PRINCIPAL
16 OCCUPATION AND EMPLOYER OF THE CONTRIBUTOR]; and

17 (2) filed in accordance with AS 15.13.110 and certified correct by the
18 candidate or campaign treasurer."

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 "Sections 2, 22, and 26"
- 25 Insert "Sections 3, 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"

Page 1, following line 5:

Insert a new bill section to read:

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

(b) Each group shall make a full report upon a form prescribed by the commission, listing

(1) the name and address of each officer and director;

(2) the aggregate amount of all contributions made to it [; AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR], the name, address, principal occupation, and employer of **each** [THE] contributor, and the date and amount **of each contribution from** [CONTRIBUTED BY] each contributor; for purposes of this paragraph, "contributor" means the true source of the funds, property, or services being contributed; and

(3) the date and amount of all contributions made by it and all expenditures made, incurred, or authorized by it."

Renumber the following bill sections accordingly.

Page 22, line 9:

Delete "sec. 29"

Insert "sec. 30"

Page 22, line 10:

Delete "sec. 29"

Insert "sec. 30"

Page 22, line 11:

Delete "sec. 30"

Insert "sec. 31"

Page 22, line 14:

Delete "sec. 30"

Insert "sec. 31"

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 "Sections 2, 22, and 26"

Insert "Sections 3, 23, and 27"

Page 22, line 20:

Delete "sec. 33"

Insert "sec. 34"

AMENDMENT

OFFERED IN THE HOUSE

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

1 Page 7, line 14, following "photographs of that legislator":

2 Insert ";

3 **(6) enter into a contract to provide consulting services"**

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 Inse. "committee [ALASKA LEGISLATIVE COUNCIL]"

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 (e) 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"

A M E N D M E N T

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"

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 "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 materia'.

5 Insert "AS 24.60.070 [;

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