

FREE CONFERENCE CS FOR SENATE BILL NO. 89

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE FREE CONFERENCE COMMITTEE

Offered: 4/22/19

Sponsor(s): SENATE RULES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the Legislative Ethics Act; and providing for an effective date."**

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

3 * **Section 1.** AS 24.60.010 is amended by adding a new paragraph to read:

4 (9) a fair and open government requires that constituents have
5 unencumbered access to legislators about issues important to the state pursuant to art.
6 I, secs. 5 and 6, Constitution of the State of Alaska, which protect the right of a
7 legislator and a constituent to meet and the right of a person to petition the
8 government, and this chapter is not intended to restrict those rights.

9 * **Sec. 2.** AS 24.60.030(e) is amended to read:

10 (e) A legislator may not directly, or by authorizing another to act on the
11 legislator's behalf,

12 (1) agree to, threaten to, or state or imply that the legislator will take or
13 withhold a legislative, administrative, or political action, including support for or
14 opposition to a bill, employment, nominations, and appointments, as a result of a
15 person's decision to provide or not provide a political contribution, donate or not

1 donate to a cause favored by the legislator, or provide or not provide a thing of value;

2 (2) state or imply that the legislator will perform or refrain from
3 performing a lawful constituent service as a result of a person's decision to provide or
4 not provide a political contribution, donate or not donate to a cause favored by the
5 legislator, or provide or not provide a thing of value; or

6 (3) **unless required by the Uniform Rules of the Alaska State**
7 **Legislature** [EXCEPT AS PROVIDED IN (g) OF THIS SECTION OR WHILE
8 PARTICIPATING IN A PUBLIC DISCUSSION OR DEBATE], take or withhold
9 **legislative** [OFFICIAL] action [OR EXERT OFFICIAL INFLUENCE] that **is likely**
10 **to** [COULD] substantially benefit or harm the financial interest of **the legislator, the**
11 **legislator's spouse, or** a person

12 [(A) WHO IS A MEMBER OF THE LEGISLATOR'S
13 IMMEDIATE FAMILY;

14 (B) BY WHOM THE LEGISLATOR OR A MEMBER OF
15 THE LEGISLATOR'S IMMEDIATE FAMILY IS EMPLOYED;

16 (C) with whom the legislator **or the legislator's spouse is**
17 **employed or** is negotiating for employment [;

18 (D) FROM WHOM THE LEGISLATOR OR A MEMBER OF
19 THE LEGISLATOR'S IMMEDIATE FAMILY HAS, IN THE
20 IMMEDIATELY PRECEDING 12-MONTH PERIOD, RECEIVED MORE
21 THAN \$10,000 OF INCOME].

22 * **Sec. 3.** AS 24.60.030(g) is amended to read:

23 (g) Unless otherwise required by the Uniform Rules of the Alaska State
24 Legislature, a legislator shall declare a conflict of interest before voting on a question
25 before a committee of the legislature, and shall request to be excused from voting on a
26 question before a house of the **legislature** [LEGISLATURE,] if the **effect of the vote**
27 **is likely to substantially benefit or harm the financial interest of the legislator,**
28 **[LEGISLATOR OR A MEMBER OF] the legislator's spouse, or a person with**
29 **whom the legislator or the legislator's spouse is employed or is negotiating for**
30 **employment** [IMMEDIATE FAMILY HAS A FINANCIAL INTEREST IN A
31 BUSINESS, INVESTMENT, REAL PROPERTY, LEASE, OR OTHER

1 ENTERPRISE IF THE INTEREST IS SUBSTANTIAL AND THE EFFECT ON
2 THAT INTEREST OF THE ACTION TO BE VOTED ON IS GREATER THAN
3 THE EFFECT ON THE GENERAL PUBLIC OF THE STATE. HOWEVER,
4 NOTWITHSTANDING (e)(3) OF THIS SECTION AND THE LIMITATIONS OF
5 THIS SUBSECTION, A LEGISLATOR MAY VOTE ON AN APPROPRIATION
6 BILL THAT MEETS THE REQUIREMENTS OF AS 37.07.020(a) OR 37.07.100].

7 * **Sec. 4.** AS 24.60.030(j)(2) is amended to read:

8 (2) "substantially benefit or harm" means the effect on the person's
9 financial interest is greater than the effect on the financial interest of **a substantial**
10 **class of persons to which the person belongs as a member of a profession,**
11 **occupation, industry, or region** [THE GENERAL PUBLIC OF THE STATE].

12 * **Sec. 5.** AS 24.60.030(j) is amended by adding a new paragraph to read:

13 (3) "financial interest" means a substantial equity or ownership interest
14 in a business, investment, real property, lease, or other enterprise.

15 * **Sec. 6.** AS 24.60.990(a)(6) is repealed.

16 * **Sec. 7.** This Act takes effect immediately under AS 01.10.070(c).