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Freshman Caucus Leads on Conflict Resolution

Juneau, AK – This morning, Rep. Donna Mears, along with every member of the Freshman Caucus of the Alaska Legislature, introduced a concurrent resolution, HCR 2, that would reform Alaska’s broken process for addressing conflicts of interest.

Under the current rules, a member with a financial conflict of interest must declare that conflict before voting, but a member can be excused from voting only by unanimous consent (Rule 34(b)). In other words, only one member must object to require a conflicted member to vote. Alaska is the only state that handles conflicts of interest this way, allowing abstention only by unanimous consent.

In reality, this happens every single time. This system has the appearance of guarding against conflicts of interest, but in practice it does no such thing. When asked, the Legislative Affairs Agency’s Legislative Research Service was unable to find a single instance under the current rules, in place since 1969, in which a member was excused from voting for a conflict.

Rep. Donna Mears (D-Anchorage) said of the resolution, “I knew that the conflict of interest process was lenient before I got here, but I was surprised at what a farce it is in practice. It’s past time to make it right, so here we are, making it right.”

This rule change would simply change the threshold for excusing a member from voting from unanimous consent to a majority vote and require that members explain their conflict on the record. Under the new rule, after a member rises to declare and explain a conflict, the other members of the body would vote on that conflict. This process would allow for meaningful consideration of the significance of any conflict and provide a check against legislators that might vote in their own financial interest.

“Local assemblies hold themselves to much stricter standards. There’s no reason for the Legislature to have a lower threshold for conflicts,” said Rebecca Himschoot (NA-Sitka). “More transparency will help build the public’s trust in our work.”

“It is imperative to build trust in the legislative process and this bill would be an important step in that direction,” said Justin Ruffridge (R-Soldotna), co-chair of the Freshman Caucus.

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