



	<i>Presented</i>
Date Action Taken:	9/13/10
Other:	
Verified by:	<i>ACC</i>

WASILLA CITY COUNCIL INFORMATIONAL MEMORANDUM

IM No. 10-24

TITLE: Informational flyer regarding City Ballot Proposition No. 1 that will be voted on at the October 5, 2010, Regular City Election; Proposition No. 1, exemption from Alaska Public Offices Commission requirements and creating a City Disclosure and Conflict of Interest Statement process.

Agenda of: September 13, 2010
Originator: Mayor Verne E. Rupright

Date: September 1, 2010

Route to:	Department	Signature/Date
X	City Attorney	
X	Finance Director	<i>[Signature]</i> 9-1-2010
X	Deputy Administrator	<i>[Signature]</i>
X	City Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR VERNE E. RUPRIGHT: *[Signature]*

FISCAL IMPACT: yes Not to exceed \$5,000 or no Funds Available yes no

Account name/number: 001-4115-411-50-81

Attachments: Informational Questions for City of Wasilla Ballot Proposition No. 1 (2 pp)
 Cover Letter from Mayor to Registered Voters (1 p)

SUMMARY STATEMENT: Attached is the informational flyer explaining Ballot Proposition No. 1 that will be mailed out to qualified City of Wasilla voters on September 15, 2010.



CITY OF WASILLA BALLOT PROPOSITION No. 1

INFORMATIONAL QUESTIONS

1. What would Ballot Proposition No. 1 do if passed?

Ballot Proposition No. 1 would exempt the City of Wasilla elected officials and planning commissioners from the State of Alaska Public Disclosure laws (AS 39.50).

Instead, the financial disclosures of public officials would be governed by City ordinance (WMC 2.10), which would be effective upon passage of the City voters and certification of election by the City Council. At that time, a City public disclosure form would be filed instead of a State Alaska Public Offices Commission (APOC) form.

2. Why be exempt from State rules?

Since 2008, when additional requirements were added to the State regulations, City residents have been discouraged to serve on the City Council and the Planning Commission.

For example, with recent changes in the State of Alaska Public Disclosure laws elected and appointed City officials will have their financial statements posted on the Internet. Publicizing personal financial information in this way has caused concern that these public officials and their families may be subject to identity theft. Some members of the public have indicated they are now not willing to serve in government because the new State rules.

The rules adopted by the State of Alaska also require more personal and family information to be reported. For example, the new rules require reporting not just sources of income over \$1,000, but also the total amount of income. Therefore a business owner wishing to serve as Mayor, a City Council Member or Planning Commissioner has to list exactly how much money his/her business makes.

Further, some business owners are also concerned that their patients, clients or customers names will also be posted on the internet or otherwise made public.

There has also been concerns raised that retirees will be required to report the amount they are drawing from their retirement funds, such as IRAs.

The following cities and boroughs have enacted their own financial disclosure legislation thereby opting out of the State of Alaska's public disclosure laws: Anvik, Delta Junction, Denali Borough, Egegik, City of Fairbanks, City of Ketchikan, Napaskiak, and City and Borough of Sitka. The Matanuska-Susitna Borough is also currently moving forward to opt out of the State's public disclosure law.

3. What are the main differences between the State rules and those proposed by the City?

As noted above, the State rules require the reporting to list the actual amount of their income instead of just sources of income over \$1,000. Under the proposed City's rules, he/she would report sources of income over \$5,000 rather than stating the amount of money made.

The State's reporting requirements also require reporting the amount of income from such things as rental property, retirement funds, and interest on bank accounts. The City rules do not require reporting of this type of income.

The State's rules require filing an "exit" report when a person leaves office even if they have already filed a financial disclosure form for that year. An exit report is a second reporting requirement of the government official's finances. The City's rules will not require an exit report.

The State of Alaska intends on posting the information contained in a person's financial disclosure form on its website. The City of Wasilla will not post them on the Internet, but will have them available upon request at the office of the City Clerk at Wasilla City Hall.

However, unlike the State, the City's rules would require municipal officers and candidates to report all contracts with the City of Wasilla and with other municipal officers of the City of Wasilla.

4. What happens if Proposition No. 1 passes?

The City of Wasilla will apply its own financial disclosure rules shown in Ordinance Serial No. 10-22(SUB)(AM) and in WMC 2.10, and would use its own financial disclosure form. The City financial disclosure forms would be available for inspection by the public at the Office of the City Clerk.

The City Council believes by adopting the City's own reporting requirements, that there will be a better balance between the public's right to know about the financial interests of municipal office holders and the office holders' rights of privacy.

With the adoption of Proposition No. 1 by the voters, it is believed there will be an increase in the number of people willing to serve in local government.

5. What happens if Proposition No. 1 does not pass?

The City of Wasilla would be required to follow the current State of Alaska financial disclosure rules and the State financial disclosure form would be used. The financial information reported on those forms would be posted on the State's internet site.

**REMEMBER, NO MATTER HOW YOU VOTE ON THIS ISSUE, PLEASE VOTE!
THANK YOU FOR THE TIME YOU HAVE TAKEN TO BECOME INFORMED ON THIS
ISSUE.**

This informational item was paid for by the City of Wasilla, 290 E. Herning Avenue,
Wasilla, AK 99654.

September 15, 2010

Dear Registered Voter:

At the upcoming October 5, 2010, Regular City Election you will be asked to vote on Proposition No. 1 - Exemption from Alaska Public Offices Commission Requirements and creating a City Disclosure and Conflict of Interest Statement process.

The question that you will be asked to vote on is: "Shall the City of Wasilla municipal officers and candidates for municipal office be exempt from the State of Alaska requirements under Alaska Statutes 39.50, regarding reporting financial disclosure requirements, business and conflicts of interests provisions and INSTEAD, be required to file a City of Wasilla Disclosure and Conflict of Interest Statement, according to Wasilla Municipal Code 2.10, that will be subject to public disclosure, as well as be subject to local laws regarding conflicts of interest?" [Ordinance Serial No. 10-22 (SUB)(AM)]

As an example, the following cities and boroughs have enacted their own financial disclosure legislation thereby opting out of the State of Alaska's public disclosure laws: Anvik, Delta Junction, Denali Borough, Egegik, City of Fairbanks, City of Ketchikan, Napaskiak, Palmer, and the City and Borough of Sitka. The Matanuska-Susitna Borough is also currently moving forward to opt out of the State's public disclosure law. For a complete of the cities and boroughs that have opted out of the State of Alaska's public disclosure laws, please refer to the back of this letter.

Attached is an informational questionnaire with questions and answers about Proposition No. 1 that will help you to make an informed decision.

If you should have any further questions or need more information, please do not hesitate to contact me at (907) 373-9055.

Sincerely,

Mayor Verne E. Rupright
City of Wasilla

EXEMPT LOCAL GOVERNMENTS

EXEMPT from FILING FINANCIAL DISCLOSURE

AS 39.50.145. Participation by municipalities. A municipality may exempt its municipal officers from the requirements of this chapter if a majority of those voting on the question at a regular election, as defined by AS 29.71.800 (20), or a special municipality-wide election, vote to exempt its municipal officers from the requirements of this chapter. The question of exemption from the requirements of this chapter may be submitted by the city council or borough assembly by ordinance or by initiative election.

Akhiok	Gambell	Nunapitchuk
Akiak	Golovin	Old Harbor
Akutan	Goodnews Bay	Ouzinkie
Alakunuk	Grayling	Palmer
Aleknagik	Gustavus*	Pelican
Allakaket	Homer	Petersburg
Ambler	Houston	Pilot Point
Anaktuvuk Pass	Hughes	Pilot Station
Anderson	Huslia	Platinum
Aniak	Kachemak	Point Hope
*Anvik	Kake	Port Alexander
Atka	Kaktovik	Port Heiden
Atqasuk	Kaltag	Port Lions
Bettles	Kasaan	Quinhagak
Brevig Mission	*Kenai, City of	Ruby
Bristol Bay Borough	*Ketchikan, City of	Russian Mission
Buckland	Kiana	Savoonga
Cherfornak	King Cove	Saxman
Chevak	Kivalina	Scammon Bay
Chignik	Klawock	Seldovia*
Chuathbaluk	Kobuk	Shageluk
Clarks Point	Kodiak (city)	Shaktoolik
Cold Bay	Kotlik	Sheldon Point
Cordova	Koyuk	Shishmaref
Craig	Koyukuk	Shungnak
Deering	Kupreanof	*Sitka, City & Borough
*Delta Junction	Larson Bay	St. George Is.
*Denali Borough	Marshall	St. Mary's
Dillingham	Metlakatla	Tanana
Diomedede	Napakiak,	Teller
Eagle	*Napaskiak	Tenakee Springs
Eek	Nenana	Toksook Bay
*Egegik	Newtok	Unalakleet
Ekwok	Nightmute	Upper Kalskag
Elim	Nikolai	Valdez
Emmonak	Nondalton	Wales
False Pass	Noorvik	White Mountain
*Fairbanks, City of	Nuiqsut	Whittier
Galena	Nulato	

*Recent additions to the list.

June 2010