



✚ 2 AAC 50.990. Definitions

✚ In this chapter, unless the context requires otherwise:

(1) "agent"

(A) means a representative or one who is authorized to act for another;

(B) includes a contractor or subcontractor;

(2) "anything of value"

(A) except as provided in (B) of this paragraph, means any item, property, or services, tangible or intangible, that could reasonably be considered to be a material advantage, or of material worth, use, or service to a person receiving the item, property, or services;

(B) for a legislative branch filer, has the meaning given in AS 24.60.990 ;

(C) includes any facility, equipment, polling information, supplies, advertising service, membership list, mailing list, and the service of distributing information by means of electronic mail, unless the cost of doing so is minimal

(3) except as provided in 2 AAC 50.405, "candidate"

(A) means a candidate for state or municipal elective office;

(B) includes an individual who

(i) submits a letter of intent to the commission under 2 AAC 50.274; or

(ii) has publicly announced an intent to run as a write-in candidate;

(4) "child" has the meaning given in AS 39.50.200 ;

(5) "commission" means the Alaska Public Offices Commission;

(6) "complainant" means a person who files a complaint with the commission under 2 AAC 50.870;

(7) "contribution"

(A) has the meaning given in AS 15.13.400 ;

(B) includes (means "includes, but is not limited to")

(i) a subscription, advance, transfer, forgiveness of all or part of a debt, relaxation of credit, or anything of value made for or provided to a candidate or campaign by a person, group, or nongroup entity for the purpose set out in AS 15.13.400 (4)(A); and

← so it includes the requirement that it must be something "for which change is ordinarily made"

← In context this does not mean a forum (otherwise it would encompass everything for which change is ordinarily made)

(ii) a personal contribution as provided in 2 AAC 50.254;

(C) does not include

(i) costs that a media organization, including a broadcasting station, newspaper, or periodical of regular publication, incurs in covering or carrying a news story, editorial, or commentary; however, if the media organization is owned or controlled by a political party, group, or candidate, the cost of the news story, editorial, or commentary is a contribution, unless the media organization carries a bona fide news account as part of a general pattern of campaign-related news accounts that gives reasonably equal coverage to all opposing candidates in the circulation or listening area;

(ii) a non-monetary contribution or in-kind donation of a single item with a normal cost of \$50 or less;

(iii) a payment by an individual for the individual's own travel expenses, if the payment is voluntary and is made without an understanding that the payment will be directly or indirectly repaid;

(iv) costs that a business, corporation, trade association, labor union, or other organization not organized primarily to influence elections incurs to communicate directly with the organization's members, employees, or the families of members or employees, on any subject, if the communication is in the same format the organization has used in the past for communications on nonpolitical subjects, and does not solicit contributions or any action other than voting for or against a candidate or ballot proposition or question;

(v) a gift, loan, advance, or deposit of money or anything of value made with respect to a recount of a state or municipal election;

(vi) costs incurred to provide necessary administrative services associated with a payroll withholding plan, if the costs do not include expenses associated with soliciting contributions;

(vii) provision of a service or facility to a candidate, group, or nongroup entity if the entity providing the service or facility is paid at a commercially reasonable rate within a commercially reasonable time or makes the service or facility available to all candidates for a particular office;

(viii) provision of an organization's membership or mailing list to the group or nongroup entity affiliated with the organization;

(ix) the use of personal money or credit by a campaign treasurer or deputy treasurer for an expenditure allowable under AS 15.13.112, if the amount does not exceed \$500 and is repaid before the end of the report cycle in which the expenditure was made; or

(x) the use of personal money or credit by a candidate for an authorized campaign expenditure, if the amount is repaid no later than three days after the date of the expenditure;

(8) "creditor" includes a government authority that has a right by law to demand and recover money from a person or a person's family member;

(9) "deferred income" means money or anything of value that is earned in a reporting period, but is to be paid after the end of that reporting period;

(10) "disclosure statement" or "statement" means a disclosure statement required under AS 24.60.200 or AS 39.50.020 ;

(11) "domestic partner" has the meaning given in AS 39.50.200 ;

(12) "family member" means

(A) a spouse;

(B) a domestic partner;

(C) a dependent child; in this subparagraph, "dependent child" means an unmarried child of a person subject to this chapter who is dependent upon that person and who is either

(i) under 19 years of age; or

(ii) under 23 years of age and registered at and attending on a full-time basis an accredited educational or technical institution recognized by the Department of Education and Early Development; age restrictions set out in this subparagraph do not apply to a child who is totally and permanently disabled;

(13) "gift"

(A) means a payment or item received without consideration of equal or greater value;

(B) for a person subject to AS 25.45, has the meaning given in AS 24.45.171 ;

(C) includes

(i) satisfaction of a loan or debt by forgiveness or payment by a third party, or a third party's enforceable promise to pay the loan or satisfy the debt obligation if the person obligated does not give full and adequate consideration;

(ii) accommodations, including housing, a hotel room, and a vacation rental;

(iii) a ticket for travel or an entertainment event;

(iv) food or beverages not intended for immediate consumption;

(v) a discount or rebate for goods and services if the discount or rebate is not available to the public generally;

(vi) goods or services provided or loaned for personal or professional use, including office expenses connected with holding public office;

(vii) a scholarship to pay costs of an educational or recreational program;

(D) does not include

(i) a political contribution;

(ii) a commercially reasonable loan made in the ordinary course of business in exchange for consideration of equal or greater value;

(iii) an inheritance;

(iv) an item of value received without consideration from a family member or a parent, nondependent child, sibling, grandparent, aunt, uncle, niece, or nephew;

(14) "income"

(A) has the meaning given in AS 24.60.990 ;

(B) includes money or anything of value, including deferred income, earned or received

(i) in exchange for labor or services;

(ii) from the sale of goods or property;

(iii) as profit from a financial investment;

(iv) as alimony;

(v) as child support;

(vi) as a government entitlement; or

(vii) as an honorarium;

(15) "individual" means a natural person;

(16) "judicial officer" has the meaning given in AS 39.50.200 ;

(17) "labor union" means a local, national, or international union, a labor council, or any other labor organization recognized under state or federal law;

(18) "legislative branch filer" means

(A) a legislator;

(B) a legislative director;

(C) a member of the Select Committee on Legislative Ethics;

(19) "loan or loan guarantee" means a business or personal

(A) loan signed or co-signed by the legislative branch filer, public official, or candidate, or a family member of the legislative branch filer, public official or candidate; or

(B) loan guarantee made on behalf of the legislative branch filer, public official, or candidate, or a family member of the legislative branch filer, public official, or candidate;

(20) "lobbyist" has the meaning given in AS 24.45.171 ;

(21) "minor" means an individual who is under 18 years of age;

(22) "money" means currency of the United States or of a foreign nation, checks, money orders, or negotiable instruments payable on demand;

(23) "municipality" has the meaning given in AS 01.10.060 ;

(24) "municipal officer" has the meaning given in AS 39.50.200 ;

(25) "nondependent child" is a child that is not a dependent for purposes of the definition of "family member" in this section;

(26) "person"

(A) has the meaning given in AS 15.13.400 ;

(B) includes an initiative committee that is designated as provided in AS 15.45.030 ;

(27) "political action" has the meaning given in AS 24.60.990 ;

(28) "public official" or "public officer" has the meaning given in AS 39.50.200 ;

(29) "resident of the state" or "resident of this state"

(A) means an individual who meets the requirements of AS 01.10.055 ; and

(B) includes each individual who is registered to vote in the state;

(30) "respondent" means a person against whom a complaint has been made or an investigation has been initiated under 2 AAC 50.870 - 2 AAC 50.875;

(31) "sibling" means a brother or sister, including a stepbrother, stepsister, and adopted brother or sister;

(32) "source of income" has the meaning given in AS 39.50.200 ;

(33) "staff"

(A) means the staff of the Alaska Public Offices Commission, employed under AS 15.13.020 (i);

(B) includes any individual hired as a contractor to provide specific services to the commission;

(C) does not include a member of the commission;

(34) "taking office" means the earlier of

(A) the day on which the public official first earns compensation for work; or

(B) the day on which the public official takes the oath of office;

(35) "working day" means a day other than Saturday, Sunday, or a state holiday;

(36) "zero report" means a report filed under AS 15.13, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50 that shows the person filing the report had no reportable activity during the period of time covered by the report.

✚ **History:** Eff. 12/22/2011, Register 200

✚ **Authority:** AS 15.13.030

AS 24.45.021

AS 24.60.220

AS 39.50.050

