

32-LS1306I
Wallace
2/8/22

CS FOR SENATE BILL NO. 152(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATOR SHOWER

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the convening of the legislature at the capital and in the**
2 **Municipality of Anchorage; relating to the location of legislative sessions; and relating to**
3 **the emergency relocation of functions of state government."**

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

5 *** Section 1.** AS 15.13.072(d) is amended to read:

6 (d) While the legislature is convened in a regular or special legislative session,
7 a legislator or legislative employee may not solicit or accept a contribution to be used
8 for the purpose of influencing the outcome of an election under this chapter unless

9 (1) it is an election in which the legislator or legislative employee is a
10 candidate and the contribution is for that legislator's or legislative employee's
11 campaign;

12 (2) the solicitation or acceptance occurs during the 90 days
13 immediately preceding that election; and

14 (3) the solicitation or acceptance occurs in a place other than the

1 capital city or a municipality in which the legislature is convened in **a regular or**
2 special session if the legislature is convened in a municipality other than the capital
3 city.

4 * **Sec. 2.** AS 15.13.072(g) is amended to read:

5 (g) A candidate or an individual who has filed with the commission the
6 document necessary to permit that individual to incur election-related expenses under
7 AS 15.13.100 for election or reelection to the office of governor or lieutenant governor
8 may not solicit or accept a contribution in the capital city **or a municipality in which**
9 **the legislature is convened** while the legislature is convened in a regular or special
10 legislative session.

11 * **Sec. 3.** AS 24.05.090 is amended to read:

12 **Sec. 24.05.090. Duration of legislature; sessions.** The legislature shall
13 convene [AT THE CAPITAL] each year on the third Tuesday in January at 1:00 p.m.
14 Each legislature has a duration of two years and consists of a "First Regular Session"
15 that meets in the odd-numbered years, and a "Second Regular Session" that meets in
16 the even-numbered years, and any special session that the governor or legislature calls.
17 **The legislature shall convene at the capital for the first regular session, and, for**
18 **the second regular session, the Alaska Legislative Council shall designate a**
19 **location within the Municipality of Anchorage for the legislature to convene.**
20 **Nothing in this section changes the location of the capital under AS 44.06.010.**

21 * **Sec. 4.** AS 24.05.100(b) is amended to read:

22 (b) A special session may be held at any location in the state. If a special
23 session called under (a)(1) of this section is to be convened at a location other than at
24 the capital **or the location of the preceding session**, the governor shall designate the
25 location in the proclamation. If a special session called under (a)(2) of this section is to
26 be convened at a location other than at the capital **or the location of the preceding**
27 **session**, the presiding officers shall agree to and designate the location in the poll
28 conducted of the members of both houses.

29 * **Sec. 5.** AS 24.10.030 is amended to read:

30 **Sec. 24.10.030. Chief clerk and senate secretary.** Each house shall select
31 from outside its membership a person of known stenographic and administrative

1 ability to serve as chief administrative clerk; a chief clerk in the house of
2 representatives and a secretary in the senate. When nominated and elected in
3 conformity with the uniform rules, they continue to serve for the duration of the
4 legislature at the pleasure of the house to which assigned. Pending the organization of
5 a new legislature, they may continue to serve at the request and direction of the
6 legislative council until their respective houses formally reappoint or replace them.
7 The chief clerk and senate secretary are responsible for the performance of duties
8 provided for by law, the uniform rules, and orders of the house. They may be
9 requested to report to the legislative council for duty for a period not to exceed two
10 weeks immediately preceding the convening of the session and shall remain at the
11 capital or location of the session until the completion of their work is determined by
12 the director of the council.

13 * **Sec. 6.** AS 24.10.130(a) is amended to read:

14 (a) A member of the legislature may be entitled to reimbursement for the
15 expenses of moving between the member's place of residence and the capital city **or**
16 location of the session for the purpose of attending a regular session of the legislature.

17 * **Sec. 7.** AS 24.45.041(b) is amended to read:

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

19 (1) the lobbyist's full name and complete permanent residence and
20 business address and telephone number, as well as any temporary residential and
21 business address and telephone number in the state capital or location of the session
22 during a legislative session;

23 (2) the full name and complete address of each person by whom the
24 lobbyist is retained or employed;

25 (3) whether the person from whom the lobbyist receives compensation
26 employs the person solely as a lobbyist or whether the person is a regular employee
27 performing other services for the employer that include but are not limited to the
28 influencing of legislative or administrative action;

29 (4) the nature or form of the lobbyist's compensation for engaging in
30 lobbying, including salary, fees, or reimbursement for expenses received in
31 consideration for, or directly in support of or in connection with, the influencing of

1 legislative or administrative action;

2 (5) a general description of the subjects or matters on which the
3 registrant expects to lobby or to engage in the influencing of legislative or
4 administrative action;

5 (6) the full name and complete address of the person, if other than the
6 registrant, who has custody of the accounts, books, papers, bills, receipts, and other
7 documents required to be maintained under this chapter;

8 (7) the identification of a legislative employee or public official to
9 whom the lobbyist is married or who is the domestic partner of the lobbyist;

10 (8) a sworn affirmation by the lobbyist that the lobbyist has completed
11 the training course administered by the commission under AS 24.45.031(a) within the
12 12-month period preceding the date of registration or registration renewal under this
13 chapter, except that this paragraph does not apply to a person who is a representational
14 lobbyist as defined under regulations of the commission;

15 (9) a sworn affirmation by the lobbyist that the lobbyist has not been
16 previously convicted of a felony involving moral turpitude; in this paragraph, "felony
17 involving moral turpitude" has the meaning given in AS 15.80.010, and includes
18 convictions for a violation of the law of this state or a violation of the law of another
19 jurisdiction with elements similar to a felony involving moral turpitude in this state.

20 * **Sec. 8.** AS 24.45.041(e) is amended to read:

21 (e) Within 15 days after the convening of each regular session of the
22 legislature, the commission shall publish a directory of registered lobbyists, containing
23 the information prescribed in (b) of this section for each lobbyist and the photograph,
24 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter,
25 the commission shall publish those supplements to the directory that in the
26 commission's judgment may be necessary. The directory shall be made available to
27 public officials and to the public at the following locations: a public place adjacent to
28 the legislative chambers in the state capitol building or location of the session, the
29 office of the lieutenant governor, the legislative reference library of the Legislative
30 Affairs Agency, and the commission's central office.

31 * **Sec. 9.** AS 24.50.010 is amended to read:

1 **Sec. 24.50.010. Annual student guests.** The legislature may each year, while
 2 in session, serve as host to one member of each high school in the state for a stay of
 3 one week in the capital **or location of the session** to observe and learn the legislative
 4 process.

5 * **Sec. 10.** AS 24.50.040 is amended to read:

6 **Sec. 24.50.040. Essay contest.** Before leaving the state capital **or location of**
 7 **the session**, each legislative guest **hosted under AS 24.50.010** shall prepare and
 8 submit to the director of the Legislative Affairs Agency a paper of not less than 1,000
 9 words entitled "The Legislature Should". Each paper shall be examined
 10 and judged as to content by the governor, the president of the senate, the speaker of
 11 the house of representatives, the minority leader of the senate, and the minority leader
 12 of the house. The author of the paper determined best by majority vote shall receive a
 13 one-year scholarship to the University of Alaska.

14 * **Sec. 11.** AS 24.60.030(a) is amended to read:

15 (a) A legislator or legislative employee may not

16 (1) solicit, agree to accept, or accept a benefit other than official
 17 compensation for the performance of public duties; this paragraph may not be
 18 construed to prohibit lawful solicitation for and acceptance of campaign contributions,
 19 solicitation or acceptance of contributions for a charity event, as defined in
 20 AS 24.60.080(a)(2)(B), or the acceptance of a gift under AS 24.60.075 or 24.60.080;

21 (2) use public funds, facilities, equipment, services, or another
 22 government asset or resource for a nonlegislative purpose, for involvement in or
 23 support of or opposition to partisan political activity, or for the private benefit of the
 24 legislator, legislative employee, or another person; this paragraph does not prohibit

25 (A) limited use of state property and resources for personal
 26 purposes if the use does not interfere with the performance of public duties and
 27 either the cost or value related to the use is nominal or the legislator or
 28 legislative employee reimburses the state for the cost of the use;

29 (B) the use of mailing lists, computer data, or other information
 30 lawfully obtained from a government agency and available to the general
 31 public for nonlegislative purposes;

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

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

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

19 (F) 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 (G) use by a legislator of photographs of that legislator;

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

25 (I) 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 (J) a legislator from sending any communication in the form of
29 a newsletter to the legislator's constituents, except a communication expressly
30 advocating the election or defeat of a candidate or a newsletter or material in a
31 newsletter that is clearly only for the private benefit of a legislator or a

1 legislative employee; or

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

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

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

14 (5) use or authorize the use of state funds, facilities, equipment,
15 services, or another government asset or resource for the purpose of political fund
16 raising or campaigning; this paragraph does not prohibit

17 (A) limited use of state property and resources for personal
18 purposes if the use does not interfere with the performance of public duties and
19 either the cost or value related to the use is nominal or the legislator or
20 legislative employee reimburses the state for the cost of the use;

21 (B) the use of mailing lists, computer data, or other information
22 lawfully obtained from a government agency and available to the general
23 public for nonlegislative purposes;

24 (C) storing or maintaining, consistent with (b) of this section,
25 election campaign records in a legislator's office;

26 (D) a legislator from using the legislator's private office in the
27 capital city **or location of the session** during a legislative session, and for the
28 10 days immediately before and the 10 days immediately after a legislative
29 session, for nonlegislative purposes if the use does not interfere with the
30 performance of public duties and if there is no cost to the state for the use of
31 the space and equipment, other than utility costs and minimal wear and tear, or

1 the legislator promptly reimburses the state for the cost; an office is considered
2 a legislator's private office under this subparagraph if it is the primary space in
3 the capital city or location of the session reserved for use by the legislator,
4 whether or not it is shared with others; or

5 (E) use by a legislator of photographs of that legislator.

6 * **Sec. 12.** AS 24.60.031(a) is amended to read:

7 (a) A legislative employee may not

8 (1) on a day when either house of the legislature is in regular or special
9 session, solicit or accept a contribution or a promise or pledge to make a contribution
10 for a campaign for state or municipal office; however, a legislative employee may,
11 except in the capital city or in the municipality in which the legislature is convened in
12 a regular or special session [IF THE LEGISLATURE IS CONVENED IN A
13 MUNICIPALITY OTHER THAN THE CAPITAL CITY], solicit or accept a
14 contribution, promise, or pledge for a campaign for state or municipal office that
15 occurs during the 90 days immediately preceding the election for that office; or

16 (2) accept money from an event held on a day when either house of the
17 legislature is in regular or special session if a substantial purpose of the event is to
18 raise money on behalf of the legislative employee for political purposes; however, this
19 paragraph does not prohibit a legislative employee from accepting money from an
20 event held in a place other than the capital city or a municipality in which the
21 legislature is convened in a regular or special session [IF THE LEGISLATURE IS
22 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during
23 the 90 days immediately preceding an election for state or municipal public office in
24 which the legislative employee is a candidate.

25 * **Sec. 13.** AS 24.60.031(b) is amended to read:

26 (b) A legislator may not

27 (1) on a day when either house of the legislature is in regular or special
28 session, solicit or accept a contribution or a promise or pledge to make a contribution

29 (A) for the legislator's own campaign for state or municipal
30 public office, unless the solicitation, acceptance, promise, or pledge occurs in a
31 place other than the capital city or a municipality in which the legislature is

1 convened in a regular or special session [IF THE LEGISLATURE IS
2 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY]
3 during the 90 days immediately preceding the election in which the legislator
4 is a candidate;

5 (B) for another candidate in an election for municipal, state, or
6 federal office;

7 (C) to influence a state ballot proposition or question; or

8 (D) for a political party;

9 (2) accept money from an event held on a day when either house of the
10 legislature is in regular or special session if a substantial purpose of the event is to
11 raise money on behalf of the legislator's campaign for state or municipal public office;
12 however, this paragraph does not prohibit a legislator from accepting money from an
13 event held in a place other than the capital city or a municipality in which the
14 legislature is convened in a regular or special session [IF THE LEGISLATURE IS
15 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during
16 the 90 days immediately preceding a state or municipal election in which the legislator
17 is a candidate; or

18 (3) in a campaign for state or municipal office, expend money that was
19 raised on a day when either house of the legislature was in a legislative session by or
20 on behalf of a legislator under a declaration of candidacy or a general letter of intent to
21 become a candidate for public office; however, this paragraph does not apply to
22 money raised in a place other than the capital city or a municipality in which the
23 legislature is convened in a regular or special session [IF THE LEGISLATURE IS
24 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during
25 the 90 days immediately preceding an election in which the legislator is a candidate.

26 * **Sec. 14.** AS 24.60.080(c) is amended to read:

27 (c) Notwithstanding (a)(1) of this section, it is not a violation of this section
28 for a person who is a legislator or legislative employee to accept

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

31 (A) with incidental transportation at the residence of a person;

1 however, a vacation home located outside the state is not considered a
2 residence for the purposes of this subparagraph; or

3 (B) at a social event or meal;

4 (2) discounts that are available

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

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

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

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

13 (5) gifts from the immediate family of the person; in this paragraph,
14 "immediate family" means

15 (A) the spouse of the person;

16 (B) the person's domestic partner;

17 (C) a child, including a stepchild and an adopted child, of the
18 person or of the person's domestic partner;

19 (D) a parent, sibling, grandparent, aunt, or uncle of the person;

20 (E) a parent, sibling, grandparent, aunt, or uncle of the person's
21 spouse or the person's domestic partner; and

22 (F) a stepparent, stepsister, stepbrother, step-grandparent, step-
23 aunt, or step-uncle of the person, the person's spouse, or the person's domestic
24 partner;

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

26 (7) a discount for all or part of a legislative session, including time
27 immediately preceding or following the session, or other gift to welcome a legislator
28 or legislative employee who is employed on the personal staff of a legislator or by a
29 standing or special committee to the capital city or location of the session or in
30 recognition of the beginning of a legislative session if the gift or discount is available
31 generally to all legislators and the personal staff of legislators and staff of standing and

1 special committees; this paragraph does not apply to legislative employees who are
2 employed by the Legislative Affairs Agency, the office of the chief clerk, the office of
3 the senate secretary, the legislative budget and audit committee, the office of victims'
4 rights, or the office of the ombudsman;

5 (8) a gift of legal services in a matter of legislative concern and a gift
6 of other services related to the provision of legal services in a matter of legislative
7 concern;

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

13 (10) a contribution to a charity event, a ticket to a charity event, or a
14 gift in connection with a charity event; in this paragraph, "charity event" has the
15 meaning given in (a)(2)(B) of this section.

16 * **Sec. 15.** AS 44.99.007 is amended to read:

17 **Sec. 44.99.007. Emergency transfer of seat of government.** When, due to an
18 emergency resulting from the effects of enemy attack or an imminent enemy attack, it
19 becomes imprudent, inexpedient, or impossible to conduct the affairs of state
20 government at the normal location of the state capital or to hold a legislative session
21 in the capital or the Municipality of Anchorage, the governor shall, as often as the
22 exigencies of the situation require, declare by proclamation an emergency temporary
23 location or locations for the seat of government or for the session at a place or places,
24 inside or outside the state, that would not normally be considered military target sites
25 and that the governor may consider advisable under the circumstances. The governor
26 shall take [SUCH] action and issue [SUCH] orders as may be necessary for an orderly
27 transition to the emergency temporary location or locations. The temporary location or
28 locations shall remain the emergency seat of government or location of the legislative
29 session until the emergency is declared to be ended by the governor and the seat of
30 government or session is returned to its normal location.