

**CS FOR SENATE BILL NO. 191(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 4/22/96  
Referred: Finance

Sponsor(s): SENATORS KELLY, Phillips

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to election campaigns, election campaign financing, the  
2 oversight and regulation of election campaigns, the activities of lobbyists that  
3 relate to election campaigns, the definitions of offenses of campaign misconduct,  
4 and to the use of the net proceeds of charitable gaming activities in election  
5 campaigns; and providing for an effective date."

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

7 \* **Section 1.** FINDINGS AND PURPOSE. (a) The legislature finds that, under existing  
8 laws,

9 (1) campaigns for elective public office last too long, are often uninformative,  
10 and are too expensive;

11 (2) highly qualified citizens are dissuaded from running for public office due to  
12 the high cost of election campaigns;

13 (3) organized special interests are responsible for raising a significant portion of

1 all election campaign funds and may thereby gain an undue influence over election campaigns  
2 and elected officials, particularly incumbents;

3 (4) incumbents enjoy a distinct advantage in raising money for election  
4 campaigns, and many elected officials raise and carry forward huge surpluses from one campaign  
5 to the next, to the disadvantage of challengers;

6 (5) because, under existing laws, candidates are completely free to convert  
7 campaign funds to personal income, there is great potential for bribery and political corruption;  
8 and

9 (6) penalties for violations of the existing campaign finance laws are far too  
10 lenient to deter misconduct.

11 (b) It is the purpose of this Act to substantially revise Alaska's election campaign  
12 finance laws in order to restore the public's trust in the electoral process and to foster good  
13 government.

14 \* **Sec. 2.** AS 05.15.150(a) is amended to read:

15 (a) The authority to conduct the activity authorized by this chapter is contingent  
16 upon the dedication of the net proceeds of the charitable gaming activity to the awarding  
17 of prizes to contestants or participants and to political, educational, civic, public,  
18 charitable, patriotic, or religious uses in the state. "Political, educational, civic, public,  
19 charitable, patriotic, or religious uses" means uses benefiting persons either by bringing  
20 them under the influence of education or religion or relieving them from disease,  
21 suffering, or constraint, or by assisting them in establishing themselves in life, or by  
22 providing for the promotion of the welfare and well-being of the membership of the  
23 organization within their own community, or through aiding candidates for public office  
24 or groups that support candidates for public office, or by erecting or maintaining public  
25 buildings or works, or lessening the burden on government, but does not include

26 (1) the direct or indirect payment of any portion of the net proceeds of  
27 a bingo or pull-tab game to a lobbyist registered under AS 24.45; [OR]

28 (2) the erection, acquisition, improvement, maintenance, or repair of real,  
29 personal, or mixed property unless it is used exclusively for one or more of the permitted  
30 uses; or

31 **(3) the direct or indirect payment of any portion of the net proceeds**  
32 **of a charitable gaming activity, except the proceeds of a raffle and lottery,**

1                    (A) to aid candidates for public office or groups that support  
2                    candidates for public office;

3                    (B) to a political party or to an organization affiliated with  
4                    a political party; or

5                    (C) to a group, as that term is defined in AS 15.13.400, that  
6                    seeks to influence the outcome of an election.

7 \* **Sec. 3.** AS 15.13.010(a) is amended to read:

8                    (a) This chapter applies

9                                (1) in every election for governor, lieutenant governor, a member of the  
10                                state legislature, a delegate to a constitutional convention, or judge seeking electoral  
11                                confirmation;

12                                (2) [. IT ALSO APPLIES] to every candidate for election to a municipal  
13                                office in a municipality with a population of more than 1,000 inhabitants according to  
14                                the latest United States census figures or estimates of population certified as correct for  
15                                administrative purposes by the Department of Community and Regional Affairs unless  
16                                the municipality has exempted itself from the provisions of this chapter; a [. A]  
17                                municipality may exempt its elected municipal officers from the requirements of this  
18                                chapter if a majority of the voters voting on the question at a regular election, as defined  
19                                by AS 29.71.800(20), or a special municipality-wide election called for that purpose,  
20                                votes [VOTE] to exempt its elected municipal officers from the requirements of this  
21                                chapter; the [. THE] question of exemption from the requirements of this chapter may  
22                                be submitted by the governing body by ordinance or by initiative election. [THIS  
23                                CHAPTER DOES NOT PROHIBIT A MUNICIPALITY FROM REGULATING BY  
24                                ORDINANCE CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.]

25 \* **Sec. 4.** AS 15.13.010 is amended by adding new subsections to read:

26                                (c) This chapter does not prohibit a municipality from regulating by ordinance  
27                                election campaign contributions and expenditures in municipal elections, or from  
28                                regulating those campaign contributions and expenditures more strictly than provided in  
29                                this chapter.

30                                (d) This chapter does not limit the authority of a person to make contributions  
31                                to influence the outcome of a voter proposition submitted to the public for a vote at a  
32                                municipal election. In this subsection, in addition to its meaning under AS 15.13.065(b),

1 "proposition" means a municipal reclassification, proposal to adopt or amend a home rule  
2 charter, a unification proposal, a boundary change proposal, or the approval of an  
3 ordinance when approval by public vote is a requirement for the ordinance.

4 \* **Sec. 5.** AS 15.13.040(a) is amended to read:

5 (a) **Except as provided in (g) of this section, each** [EACH] candidate shall  
6 make a full report, upon a form prescribed by the commission, listing the date and  
7 amount of all expenditures made by the candidate, the total amount of all contributions,  
8 including all funds contributed by the candidate, and for all contributions in excess of  
9 \$100 in the aggregate a year, the name, address, principal occupation, and employer of  
10 the contributor and the date and amount contributed by each contributor. The report  
11 shall be filed in accordance with AS 15.13.110 and shall be certified correct by the  
12 candidate or campaign treasurer.

13 \* **Sec. 6.** AS 15.13.040(d) is amended to read:

14 (d) Every individual, person, or group making a contribution or expenditure shall  
15 make a full report, upon a form prescribed by the commission, of the following  
16 contributions or expenditures:

17 (1) any contribution of cash, goods, or services valued at more than \$250  
18 a year to any group or candidate; or

19 (2) **unless exempted from reporting by (h) of this section,** any  
20 expenditure whatsoever for advertising in newspapers **or other periodicals,** on radio, or  
21 on television; or, for the publication, distribution, or circulation of brochures, flyers, or  
22 other campaign material for any candidate or ballot proposition or question.

23 \* **Sec. 7.** AS 15.13.040 is amended by adding new subsections to read:

24 (g) The provisions of (a) of this section do not apply if a candidate

25 (1) indicates, on a form prescribed by the commission, an intent not to  
26 raise and not to expend more than \$2,500 in seeking election;

27 (2) accepts contributions totaling not more than \$2,500 in seeking  
28 election; and

29 (3) makes expenditures totaling not more than \$2,500 in seeking  
30 election.

31 (h) The provisions of (d)(2) of this section do not apply to one or more  
32 expenditures made by an individual acting independently of any group and

1 independently of any other individual if the expenditures

2 (1) cumulatively do not exceed \$250 during a calendar year; and

3 (2) are made only for billboards, signs, or printed material concerning  
4 a ballot proposition.

5 \* **Sec. 8.** AS 15.13.050 is amended to read:

6 Sec. 15.13.050. **REGISTRATION BEFORE EXPENDITURE** [GROUPS].

7 **Before** [EACH GROUP, BEFORE] making an expenditure **in support** [ON BEHALF]  
8 of [,] or in opposition to [,] a candidate or **before making an expenditure in support**  
9 **of or in opposition to a ballot proposition or question, each person, publicly-funded**  
10 **entity, or group** [A CONTRIBUTION TO A CANDIDATE] shall register, on forms  
11 provided by the commission, with the commission. If the group intends to support or  
12 oppose only one candidate, or to contribute to or expend on behalf of, or in opposition  
13 to, one candidate **33 1/3** [50] percent or more of its funds, the name of the candidate  
14 shall be a part of the name of the group. Promptly upon receiving the registration, the  
15 commission shall notify the candidate of the group's organization and intent.

16 \* **Sec. 9.** AS 15.13 is amended by adding new sections to read:

17 Sec. 15.13.065. CONTRIBUTIONS. (a) A political party may contribute to a  
18 subordinate unit of the political party, and a subordinate unit of a political party may  
19 contribute to the political party of which it is a subordinate unit.

20 (b) Except for reports required by AS 15.13.040 and 15.13.110 and except for  
21 the requirements of AS 15.13.050, 15.13.060, and 15.13.112 - 15.13.114, the provisions  
22 of AS 15.13.010 - 15.13.116 do not apply to limit the authority of a person to make  
23 contributions to influence the outcome of a ballot proposition. In this subsection, in  
24 addition to its meaning in AS 15.60.010, "proposition" includes an issue placed on a  
25 ballot to determine whether

26 (1) a constitutional convention shall be called;

27 (2) a debt shall be contracted;

28 (3) an advisory question shall be approved or rejected; or

29 (4) a municipality shall be incorporated.

30 Sec. 15.13.067. WHO MAY MAKE EXPENDITURES. Only the following may  
31 make an expenditure in an election for candidates for elective office:

32 (1) the candidate;

- 1 (2) individuals who are registered under AS 15.13.050; and  
2 (3) a group that, if required by AS 15.13.050 to register, is registered,  
3 or a group not required to register under AS 15.13.050.

4 \* **Sec. 10.** AS 15.13.070 is repealed and reenacted to read:

5 Sec. 15.13.070. LIMITATIONS ON AMOUNT OF POLITICAL  
6 CONTRIBUTIONS. (a) An individual or group may make contributions, subject only  
7 to the limitations of this chapter and AS 24.45, including the limitations on the maximum  
8 amounts set out in this section.

9 (b) An individual may contribute not more than

10 (1) \$500 per year to a candidate, to a person who conducts a write-in  
11 campaign as a candidate, or to a group that is not a political party;

12 (2) \$5,000 per year to a political party.

13 (c) A group that is not a political party may contribute not more than \$1,000 per  
14 year

15 (1) to a candidate, or to a person who conducts a write-in campaign as  
16 a candidate; or

17 (2) to another group or to a political party.

18 (d) A political party may contribute to a candidate, or to a person who conducts  
19 a write-in campaign, for the following offices an amount not to exceed

20 (1) \$100,000 per year, if the election is for governor or lieutenant  
21 governor;

22 (2) \$15,000 per year, if the election is for the state senate;

23 (3) \$10,000 per year, if the election is for the state house of  
24 representatives; and

25 (4) \$5,000 per year, if the election is for

26 (A) delegate to a constitutional convention;

27 (B) judge seeking retention; or

28 (C) municipal office.

29 \* **Sec. 11.** AS 15.13 is amended by adding new sections to read:

30 Sec. 15.13.072. RESTRICTIONS ON SOLICITATION AND ACCEPTANCE  
31 OF CONTRIBUTIONS. (a) A candidate or an individual who has filed with the  
32 commission the document necessary to permit that individual to incur election-related

1 expenses under AS 15.13.100 may not solicit or accept a contribution from a person not  
2 authorized by law to make a contribution.

3 (b) A candidate or an individual who has filed with the commission the  
4 document necessary to permit the individual to incur election-related expenses under  
5 AS 15.13.100, or a group, may not solicit or accept a cash contribution that exceeds  
6 \$100.

7 (c) An individual, or one acting directly or indirectly on behalf of that individual,  
8 may not solicit or accept a contribution

9 (1) before the date for which contributions may be made as determined  
10 under AS 15.13.074(c)(1) - (3); or

11 (2) later than the day after which contributions may not be made as  
12 determined under AS 15.13.074(c)(4).

13 (d) A candidate or an individual who has filed with the commission the  
14 document necessary to permit that individual to incur election-related expenses under  
15 AS 15.13.100 may not solicit or accept a contribution if the legislature is convened in  
16 a regular or special legislative session, and the candidate or individual is a member of  
17 the legislature, or employed by a legislator or employed as a member of the legislator's  
18 staff or as a member of the staff of a legislative committee.

19 Sec. 15.13.074. PROHIBITED CONTRIBUTIONS. (a) A person or group may  
20 not make a contribution if the making of the contribution would violate this chapter.

21 (b) A person or group may not make a contribution anonymously, using a  
22 fictitious name, or using the name of another.

23 (c) A person or group may not make a contribution

24 (1) to a candidate for governor or lieutenant governor or an individual  
25 who files with the commission the document necessary to permit that individual to incur  
26 certain election-related expenses as authorized by AS 15.13.100 for governor or  
27 lieutenant governor, when the office is to be filled at a general election, before the later  
28 of the following dates:

29 (A) the date the individual

30 (i) becomes a candidate; or

31 (ii) files with the commission the document necessary to  
32 permit the individual to incur certain election-related expenses as

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authorized by AS 15.13.100; or

(B) January 1 of the year of the general election;

(2) to a candidate for the state legislature or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 for the state legislature, when the office is to be filled at a general election, before the later of the following dates:

(A) the date the individual

(i) becomes a candidate; or

(ii) files with the commission the document necessary to permit the individual to incur certain election-related expenses as authorized by AS 15.13.100; or

(B) June 1 of the year of the general election;

(3) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 for an office that is to be filled at a special election or municipal election before the later of the following dates:

(A) the date the individual

(i) becomes a candidate; or

(ii) files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100;

(B) is five months before the date of the general or regular municipal election or that is before the date of the proclamation of the special election at which the candidate or individual seeks election to public office; or

(4) to any candidate later than the 45th day

(A) after the date of a primary election if the candidate

(i) has been nominated at the primary election or is running as a write-in candidate; and

(ii) is not opposed at the general election;

(B) after the date of the primary election if the candidate was not nominated at the primary election; or

(C) after the date of the general election, or after the date of a

1           municipal or municipal runoff election, if the candidate was opposed at the  
2           general, municipal, or municipal runoff election.

3           (d) A person or group may not make a contribution to a candidate or a person  
4           or group who is prohibited by AS 15.13.072(c) from accepting it.

5           (e) A person or group may not make a cash contribution that exceeds \$100.

6           (f) A corporation, labor union, or publicly funded entity that does not satisfy the  
7           definition of group in AS 15.13.400 may not make a contribution to a candidate.

8           Sec. 15.13.076. AUTHORIZED RECIPIENTS OF CONTRIBUTIONS. A  
9           contribution to a

10           (1) candidate may be received only by

11                   (A) the candidate; or

12                   (B) the candidate's campaign treasurer or a deputy campaign  
13           treasurer;

14           (2) group may be received only by the group's campaign treasurer or a  
15           deputy treasurer.

16           Sec. 15.13.078. CONTRIBUTIONS AND LOANS FROM THE CANDIDATE.

17           (a) The provisions of this chapter do not prohibit the person who is a candidate from  
18           giving any amount of the candidate's own money or other thing of value to the campaign  
19           of the candidate. Donations made by the candidate to the candidate's own campaign  
20           shall be reported as contributions in accordance with AS 15.13.040 and 15.13.110.

21           (b) The provisions of this chapter do not prohibit the person who is a candidate  
22           from lending any amount to the campaign of the candidate. Loans made by the  
23           candidate shall be reported as contributions in accordance with AS 15.13.040 and  
24           15.13.110. However, the candidate may not

25           (1) recover, under this section and AS 15.13.116(a)(5), the amount of a  
26           loan made by the candidate to the candidate's own campaign that exceeds

27                   (A) \$25,000, if the candidate ran for governor or lieutenant  
28           governor;

29                   (B) \$10,000, if the candidate ran for

30                           (i) the legislature; or

31                           (ii) delegate to a constitutional convention;

32                   (C) \$10,000, if the candidate was a judge seeking retention;

1 (D) \$5,000, if the candidate ran in a municipal election; or  
2 (2) repay a loan that the candidate has made to the candidate's own  
3 campaign unless, within five days of making the loan, the candidate notifies the  
4 commission, on a form provided by the commission, of the candidate's intention to repay  
5 the loan under AS 15.13.116(a)(5).

6 (c) On and after the date determined under AS 15.13.110 as the last day of the  
7 period ending three days before the due date of the report required to be filed under  
8 AS 15.13.110(a)(1) and until the date of the election for which the report is filed, a  
9 candidate may not give or loan, or both, to the candidate's campaign the candidate's  
10 money or other thing of value of the candidate in an amount that exceeds \$5,000.

11 (d) The provisions of this section apply only to the person who is a candidate,  
12 as that term is defined by AS 15.13.400(1)(A), and do not apply to authorize a  
13 contribution or loan under this section by a person described in the definition of the term  
14 "candidate" under AS 15.13.400(1)(B).

15 \* **Sec. 12.** AS 15.13.080 is amended to read:

16 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. **(a) Each of the**  
17 **following shall file statements as required by this section:**

18 **(1) an individual who contributes to a candidate**

19 **(A) more than** [A PERSON OR GROUP CONTRIBUTING TO  
20 A CANDIDATE OVER] \$250; or

21 **(B)** [CONTRIBUTING] goods or services [TO A CANDIDATE]  
22 with a value of more than \$250;

23 **(2) an individual who, during the period between the 90th day before**  
24 **an election and the date of the election, contributes to more than one group and**  
25 **whose aggregate contributions to all groups, in money or in the value of goods and**  
26 **services, or both, exceed \$1,000 per year** [TO INFLUENCE THE ELECTION OF A  
27 CANDIDATE SHALL FURNISH THE COMMISSION A SIGNED STATEMENT, ON  
28 A FORM MADE AVAILABLE BY THE COMMISSION].

29 **(b) An individual required to file a contributor's statement under (a) of this**  
30 **section shall file on a form made available by the commission.** The statement **must**

31 **(1) identify the contributor and the candidate and all groups**  
32 **receiving contributions;**

1                   (2) [SHALL] itemize the contributions and goods; and  
2                   (3) state that the contributor is not [A PERSON OR GROUP] prohibited  
3 by law from contributing and that the contribution consists of funds or property  
4 belonging to the contributor and has not been given or furnished by another person or  
5 group.

6                   (c) The contributor's statement shall be filed with the commission by the  
7 contributor no later than 10 days after the contribution is made. [A COPY OF THE  
8 STATEMENT SHALL BE FURNISHED THE CANDIDATE, CAMPAIGN  
9 TREASURER, OR DEPUTY CAMPAIGN TREASURER AT THE TIME THE  
10 CONTRIBUTION IS MADE.]

11 \* **Sec. 13.** AS 15.13 is amended by adding new sections to read:

12                   Sec. 15.13.082. LIMITATIONS ON EXPENDITURES. (a) A candidate or  
13 group may not make an expenditure in cash that exceeds \$100 unless the candidate, or  
14 the campaign treasurer or deputy campaign treasurer, obtains from the person to whom  
15 the expenditure is made a written receipt and files a copy of the receipt with the  
16 commission.

17                   (b) A candidate or group may not make an expenditure unless the source of the  
18 expenditure has been disclosed as required by this chapter.

19                   (c) If a candidate receives a contribution in the form of cash, check, money  
20 order, or other negotiable instrument and is subject to being reported to the commission  
21 under this chapter, the candidate may neither expend the contribution nor, in the case of  
22 a negotiable instrument, convert it to cash unless the candidate, campaign treasurer, or  
23 deputy campaign treasurer first records the following information for disclosure to the  
24 commission:

25                                 (1) the name, address, principal occupation, and employer of the  
26 contributor; and

27                                 (2) the date and amount of the contribution.

28                   Sec. 15.13.084. PROHIBITED EXPENDITURES. A person may not make an  
29 expenditure

30                                 (1) anonymously, unless the expenditure is

31   (A) paid for by an individual acting independently of any group  
32 and independently of any other individual;

1 (B) made to influence the outcome of a ballot proposition as that  
2 term is defined by AS 15.13.065(b); and

3 (C) made for

4 (i) a billboard or sign; or

5 (ii) printed material, other than an advertisement made in  
6 a newspaper or other periodical;

7 (2) using a fictitious name or using the name of another.

8 Sec. 15.13.086. AUTHORIZED MAKERS OF EXPENDITURES. An  
9 expenditure

10 (1) authorized by or in behalf of a candidate may be made only by

11 (A) the candidate; or

12 (B) the candidate's campaign treasurer or a deputy campaign  
13 treasurer;

14 (2) authorized by AS 15.13.067(3) by or in behalf of a group may be  
15 made only by the group's campaign treasurer.

16 \* **Sec. 14.** AS 15.13.090 is amended by adding a new subsection to read:

17 (b) The provisions of (a) of this section do not apply when the advertisement

18 (1) is paid for by an individual acting independently of any group and  
19 independently of any other individual;

20 (2) is made to influence the outcome of a ballot proposition as that term  
21 is defined by AS 15.13.065(b); and

22 (3) is made for

23 (A) a billboard or sign; or

24 (B) printed material other than an advertisement made in a  
25 newspaper or other periodical.

26 \* **Sec. 15.** AS 15.13.110(a) is amended to read:

27 (a) Each candidate and group shall make a full report in accordance with  
28 AS 15.13.040 for the period ending three days before the due date of the report and  
29 beginning on the last day covered by the most recent previous report. If the report is a  
30 first report, it shall cover the period from the beginning of the campaign to the date three  
31 days before the due date of the report. If the report is a report due February 15, it shall  
32 cover the period beginning on the last day covered by the most recent previous report

1 or on the day that the campaign started, whichever is later, and ending on December 31  
2 of the prior year. The report shall be filed

3 (1) 30 days before the election; however, this report is not required if the  
4 deadline for filing a nominating petition or declaration of candidacy is within 30 days  
5 of the election;

6 (2) one week before the election;

7 (3) 10 days after the election; and

8 (4) February 15 for expenditures made and contributions received that  
9 were not reported during the previous year, **including, if applicable, all amounts**  
10 **expended from a legislative office account established under AS 15.13.116(a)(9)**, or  
11 when expenditures were not made or contributions were not received during the previous  
12 year.

13 \* **Sec. 16.** AS 15.13.110(b) is amended to read:

14 (b) Each contribution [OR EXPENDITURE] that exceeds \$250 and that is made  
15 within nine days of the election shall be reported to the commission by date, amount, and  
16 contributor [OR RECIPIENT] within 24 hours of receipt [OR EXPENDITURE] by the  
17 candidate, **group**, [OR] campaign treasurer, **or deputy campaign treasurer**.

18 \* **Sec. 17.** AS 15.13.110(c) is amended to read:

19 (c) [THE REPORTS OF CANDIDATES SHALL BE FILED WITH THE  
20 COMMISSION'S CENTRAL OFFICE.] All reports required by this chapter **shall be**  
21 **filed with the commission's central office and** shall be kept open to public inspection.  
22 Within 30 days after each election, the commission shall prepare a summary of each  
23 report which shall be made available to the public at cost upon request. Each summary  
24 shall use uniform categories of reporting.

25 \* **Sec. 18.** AS 15.13 is amended by adding new sections to read:

26 Sec. 15.13.112. USES OF CAMPAIGN CONTRIBUTIONS HELD BY  
27 CANDIDATE OR GROUP. (a) Except as otherwise provided, campaign contributions  
28 held by a candidate or group may be used only to pay the expenses of the candidate or  
29 group, and the campaign expenses incurred by the candidate or group, that reasonably  
30 relate to election campaign activities, and in those cases only as authorized by this  
31 chapter.

32 (b) Campaign contributions held by a candidate or group may not be

- 1 (1) used to give a personal benefit to the candidate or to another person;
- 2 (2) converted to personal income of the candidate;
- 3 (3) loaned to a person;
- 4 (4) knowingly used to pay more than the fair market value for goods or
- 5 services purchased for the campaign;
- 6 (5) used to pay a criminal fine; or
- 7 (6) used to pay civil penalties; however, campaign contributions held by
- 8 a candidate or group may be used to pay a civil penalty assessed under this chapter if
- 9 authorized by the commission after it first determines that

10 (A) the candidate, campaign treasurer, and deputy campaign

11 treasurer did not cause or participate in the violation for which the civil penalty

12 is imposed and exercised a reasonable level of oversight over the campaign; and

13 (B) the candidate, campaign treasurer, and deputy campaign

14 treasurers cooperated in the revelation of the violation and in its immediate

15 correction.

16 Sec. 15.13.114. DISPOSITION OF PROHIBITED CONTRIBUTIONS. (a) A

17 candidate or group that receives and accepts a contribution given in violation of

18 AS 15.13.072 or 15.13.074 shall immediately, upon discovery that the contribution is

19 prohibited, return it to the contributor. A candidate or group that receives and accepts

20 a contribution in excess of the limitation on contributions set out in AS 15.13.070 shall

21 immediately, upon discovery of the prohibited excess contribution, return the excess to

22 the contributor. If the contribution or excess amount cannot be returned in the same

23 form, the equivalent value of the contribution or excess amount shall be returned.

24 (b) An anonymous contribution is forfeited to the state unless the contributor is

25 identified within five days of its receipt. Money that forfeits to the state under this

26 subsection shall be delivered immediately to the Department of Revenue for deposit in

27 the general fund.

28 Sec. 15.13.116. DISBURSEMENT OF CAMPAIGN ASSETS AFTER

29 ELECTION. (a) A candidate who, after the date of the general, special, municipal, or

30 municipal runoff election or after the date the candidate withdraws as a candidate,

31 whichever comes first, holds unused campaign contributions shall distribute the amount

32 held within 60 days. The distribution may only be made to

1 (1) pay bills incurred for expenditures reasonably related to the campaign  
2 and the winding up of the affairs of the campaign, and to pay expenditures associated  
3 with post-election fund raising that may be needed to raise funds to pay off campaign  
4 debts;

5 (2) pay for a victory or a thank you party costing less than \$500, or to  
6 give a thank you gift of a value of less than \$50 to a campaign employee or volunteer;

7 (3) make donations, without condition, to

8 (A) a political party;

9 (B) the state's general fund;

10 (C) a municipality of the state; or

11 (D) the federal government;

12 (4) make donations, without condition, to organizations qualified as  
13 charitable organizations under 26 U.S.C. 501(c)(3), provided the organization is not  
14 controlled by the candidate or a member of the candidate's immediate family;

15 (5) repay loans from the candidate to the candidate's own campaign  
16 under AS 15.13.078(b);

17 (6) repay contributions to contributors, but only if repayment of the  
18 contribution is made pro rata in approximate proportion to the contributions made using  
19 one of the following, as the candidate determines:

20 (A) to all contributors;

21 (B) to contributors who have contributed most recently; or

22 (C) to contributors who have made larger contributions;

23 (7) establish a fund for, and from that fund to pay, attorney fees or costs  
24 incurred in the prosecution or defense of an administrative or civil judicial action that  
25 directly concerns a challenge to the victory or defeat of the candidate in the election;

26 (8) transfer all or a portion of the unused campaign contributions to an  
27 account for a future election campaign; a transfer under this paragraph is limited to

28 (A) \$50,000, if the transfer is made by a candidate for governor  
29 or lieutenant governor;

30 (B) \$10,000, if the transfer is made by a candidate for the state  
31 senate;

32 (C) \$5,000, if the transfer is made by a candidate for the state

1 house of representatives; and

2 (D) \$5,000, if the transfer is made by a candidate for an office  
3 not described in (A) - (C) of this paragraph;

4 (9) transfer all or a portion of the unused campaign contributions to a  
5 legislative office account; a transfer under this paragraph is subject to the following:

6 (A) the authority to transfer is limited to candidates who are  
7 elected to the state legislature;

8 (B) the legislative office account established under this paragraph  
9 may be used only for expenses associated with the candidate's serving as a  
10 member of the legislature;

11 (C) all amounts expended from the legislative office account shall  
12 be annually accounted for under AS 15.13.110(a)(4); and

13 (D) a transfer under this paragraph is limited to \$2,500 per  
14 election district represented by the candidate elected to the state legislature  
15 multiplied by the number of years in the term to which the candidate is elected.

16 (b) After a general, special, municipal, or municipal runoff election, a candidate  
17 may retain the ownership of one computer and one printer and of personal property,  
18 except money, that was acquired by and for use in the campaign. The current fair  
19 market value of the property retained, exclusive of the computer and printer, may not  
20 exceed \$2,500. All other property shall be disposed of, or sold and the sale proceeds  
21 disposed of, in accordance with (a) or (c) of this section.

22 (c) Property remaining after disbursements are made under (a) - (b) of this  
23 section is forfeited to the state. Within 30 days, the candidate shall deliver the property  
24 to the Department of Revenue. The Department of Revenue shall deposit any money  
25 received into the general fund and dispose of any other property in accordance with law.

26 \* **Sec. 19.** AS 15.13.120(d) is repealed and reenacted to read:

27 (d) A member of the commission, the commission's executive director, or a  
28 person or group who believes a violation of this chapter or a regulation adopted under  
29 this chapter has occurred or is occurring may file an administrative complaint with the  
30 commission within four years of the date of the alleged violation. If a member of the  
31 commission has filed the complaint, that member may not participate as a commissioner  
32 in any proceeding of the commission with respect to the complaint. If the commission

1 accepts the complaint and opens a preliminary investigation, it shall do so within 90 days  
2 of the filing date of the complaint and shall investigate the complaint. After affording  
3 the respondent notice and an opportunity to be heard, if the commission finds that the  
4 respondent has engaged in or is about to engage in an act or practice that constitutes or  
5 will constitute a violation of this chapter or a regulation adopted under it, the commission  
6 shall enter an order requiring the violation to be ceased or to be remedied, and shall  
7 assess civil penalties under AS 15.13.125. A commission order may be appealed to the  
8 superior court by either the complainant or respondent within 30 days. The commission  
9 or the commission's executive director shall promptly report to the attorney general  
10 concerning any acts or practices that may constitute violations of this chapter or  
11 regulations adopted under this chapter, or concerning the violation of any order of the  
12 commission.

13 \* **Sec. 20.** AS 15.13.120(e) is repealed and reenacted to read:

14 (e) If the commission does not open a preliminary investigation within 90 days  
15 of the filing date of the complaint or complete action on the complaint within 120 days  
16 of the filing, the complaint is rejected. A complainant whose complaint is rejected may  
17 file a complaint in superior court alleging a violation of this chapter by a person charged  
18 in the administrative complaint. The superior court summons and complaint shall be  
19 served on the commission and the attorney general. The state shall have the right to  
20 intervene in a timely manner. A complaint may not be filed in superior court under this  
21 subsection if more than two years have elapsed from the date of the alleged violation.  
22 This subsection does not create a private cause of action against the commission.

23 \* **Sec. 21.** AS 15.13.125 is amended to read:

24 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS.

25 A person who fails to file a properly completed and certified report within the time  
26 required by AS 15.13.040(d) - (f), 15.13.050, 15.13.060(b) - (d), 15.13.080(c)  
27 [AS 15.13.040(f)], 15.13.110(a)(1), (3), or (4), (e), or (f) [OR 15.13.110(f)] is subject  
28 to a civil penalty of not more than \$50 [\$10] a day for each day the delinquency  
29 continues as determined by the commission subject to right of appeal to the superior  
30 court. A person who fails to file a properly completed and certified report within the  
31 time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not  
32 more than \$500 [\$50] a day for each day the delinquency continues as determined by the

1 commission subject to right of appeal to the superior court. A person who violates a  
2 provision of this chapter, except a provision requiring filing of a report within a  
3 time required as otherwise specified in this subsection, is subject to a civil penalty  
4 of not more than \$50 a day for each day the violation continues as determined by  
5 the commission, subject to right of appeal to the superior court. An affidavit stating  
6 facts in mitigation may be submitted to the commission by a person against whom a civil  
7 penalty is assessed. However, the imposition of the penalties prescribed in this section  
8 or in AS 15.13.120 does not excuse that person from filing reports required by this  
9 chapter.

10 \* **Sec. 22.** AS 15.13.125 is amended by adding new subsections to read:

11 (b) When an administrative complaint has been filed under AS 15.13.120(d), the  
12 commission shall give the person against whom the complaint has been filed due notice  
13 and an opportunity to be heard. If, at the conclusions of the hearing, the commission  
14 determines that the person against whom the complaint was filed engaged in the alleged  
15 violation, the commission shall assess

- 16 (1) civil penalties under (a) of this section;
- 17 (2) the commission's costs of investigation and adjudication; and
- 18 (3) reasonable attorney fees.

19 (c) The commission's determination under (b) of this section may be appealed  
20 to the superior court under AS 44.62 (Administrative Procedure Act).

21 (d) If the commission or superior court finds that the violation was not a repeat  
22 violation or was not part of a series or pattern of violations, was inadvertent, was quickly  
23 corrected, and had no adverse effect on the campaign of another, the commission or the  
24 court may

- 25 (1) suspend imposition of the penalties; and
- 26 (2) order the penalties set aside if the person does not engage in a similar  
27 violation for a period of one year.

28 (e) A party who has filed a civil action under AS 15.13.120(e)

- 29 (1) is not entitled to trial by jury on the civil action;
- 30 (2) is not entitled to be represented by legal counsel at public expense.

31 \* **Sec. 23.** AS 15.13 is amended by adding new sections to read:

32 Sec. 15.13.135. INDEPENDENT EXPENDITURES FOR OR AGAINST

1 CANDIDATES. (a) Only an individual or group may make an independent expenditure  
2 supporting or opposing a candidate for election to public office. An independent  
3 expenditure supporting or opposing a candidate for election to public office shall be  
4 reported in accordance with AS 15.13.040 and 15.13.100 - 15.13.110 and other  
5 requirements of this chapter.

6 (b) An individual or group who makes independent expenditures for a mass  
7 mailing, for distribution of campaign literature of any sort, for a television, radio,  
8 newspaper or magazine advertisement, or any other communication that supports or  
9 opposes a candidate for election to public office

10 (1) shall comply with AS 15.13.090; and

11 (2) shall place the following statement in the mailing, literature,  
12 advertisement, or other communication so that it is readily and easily discernible:

13 This NOTICE TO VOTERS is required by Alaska law. (I/we)  
14 certify that this (mailing/literature/advertisement) is not authorized, paid  
15 for, or approved by the candidate.

16 Sec. 15.13.137. RESTRICTIONS ON CONTRIBUTIONS TO INDIVIDUALS  
17 MAKING INDEPENDENT EXPENDITURES FOR OR AGAINST CANDIDATES.

18 An individual who makes an independent expenditure supporting or opposing a candidate  
19 may not accept a contribution to help pay for the expenditure from another individual  
20 or group that exceeds the amount an individual may contribute to a group under  
21 AS 15.13.070(b)(2).

22 Sec. 15.13.140. INDEPENDENT EXPENDITURES FOR OR AGAINST  
23 BALLOT PROPOSITION OR QUESTION. (a) This chapter does not prohibit a person,  
24 or a publicly funded entity, from making independent expenditures in support of or in  
25 opposition to a ballot proposition or question.

26 (b) An independent expenditure for or against a ballot proposition or question

27 (1) shall be reported in accordance with AS 15.13.040 and 15.13.100 -  
28 15.13.110 and other requirements of this chapter; and

29 (2) may not be made if the expenditure is prohibited by AS 15.13.145.

30 Sec. 15.13.145. MONEY OF THE STATE AND ITS POLITICAL  
31 SUBDIVISIONS. (a) Except as provided in (b) and (c) of this section, each of the  
32 following may not use money held by the entity to influence the outcome of the election

1 of a candidate to a state or municipal office:

2 (1) the state, its agencies, and its corporations;

3 (2) the University of Alaska and its Board of Regents;

4 (3) municipalities, school districts, and regional educational attendance  
5 areas, or another political subdivision of the state; and

6 (4) an officer or employee of an entity identified in (1) - (3) of this  
7 subsection.

8 (b) Money held by an entity identified in (a)(1) - (3) of this section may be used  
9 to influence the outcome of an election concerning a ballot proposition or question, but  
10 only if the funds have been specifically appropriated for that purpose by a state law or  
11 a municipal ordinance.

12 (c) Money held by an entity identified in (a)(1) - (3) of this section may be used

13 (1) to disseminate information about the time and place of an election  
14 and to hold an election;

15 (2) to provide the public with nonpartisan information about a ballot  
16 proposition or question or about all the candidates seeking election to a particular public  
17 office.

18 (d) When expenditure of money is authorized by (b) or (c) of this section and  
19 is used to influence the outcome of an election, the expenditures shall be reported to the  
20 commission in the same manner as an individual is required to report under  
21 AS 15.13.040.

22 Sec. 15.13.150. ELECTION EDUCATIONAL ACTIVITIES NOT  
23 PROHIBITED. This chapter does not prohibit a person from engaging in educational  
24 election-related communications and activities, including

25 (1) the publication of the date and location of an election;

26 (2) the education of students about voting and elections;

27 (3) the sponsorship of open candidate debate forums;

28 (4) participation in get-out-the-vote or voter registration drives that do  
29 not favor a particular candidate, political party, or political position;

30 (5) the dissemination of the views of all candidates running for a  
31 particular office.

32 Sec. 15.13.155. RESTRICTIONS ON EARNED INCOME AND HONORARIA.

1 (a) A candidate for the state legislature, for governor, or for lieutenant governor,  
2 including a person campaigning as a write-in candidate for the office, may not

3 (1) seek or accept compensation for personal services that involves  
4 payments that are not commensurate with the services rendered taking into account the  
5 higher rates generally charged by specialists in a profession; or

6 (2) accept a payment of anything of value, except for actual and  
7 necessarily incurred travel expenses, for an appearance or speech; this paragraph does  
8 not apply to the salary paid to the candidate for making an appearance or speech as part  
9 of the candidate's normal course of employment.

10 (b) Notwithstanding (a) of this section, a candidate for the state legislature, for  
11 governor, or for lieutenant governor, including a person campaigning as a write-in  
12 candidate for the office, may accept a payment for an appearance or speech if the  
13 appearance or speech is not connected with the person's status as a state official or as a  
14 candidate.

15 Sec. 15.13.400. DEFINITIONS. In this chapter,

16 (1) "candidate"

17 (A) means a person who files for election to the state legislature,  
18 for governor, for lieutenant governor, for municipal office, for retention in  
19 judicial office, or for constitutional convention delegate, or who campaigns as a  
20 write-in candidate for any of these offices; and

21 (B) when used in a provision of this chapter that limits or  
22 prohibits the donation, solicitation, or acceptance of campaign contributions, or  
23 limits or prohibits an expenditure, includes

24 (i) a candidate's campaign treasurer and a deputy  
25 campaign treasurer;

26 (ii) a member of the candidate's immediate family;

27 (iii) a person acting as agent for the candidate;

28 (iv) the candidate's campaign committee; and

29 (v) a group that makes expenditures or receives  
30 contributions with the authorization or consent, express or implied, or  
31 under the control, direct or indirect, of the candidate;

32 (2) "commission" means the Alaska Public Offices Commission;

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(3) "contribution"

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made and that is made for the purpose of influencing the nomination or election of a candidate, and in AS 15.13.010(b) for the purpose of influencing a ballot proposition or question, including the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that are rendered to the candidate or political party;

(B) does not include

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or ballot proposition or question, but it does include professional services volunteered by individuals for which they ordinarily would be paid a fee or wage;

(ii) services provided by an accountant or other person to prepare reports and statements required by this chapter; or

(iii) ordinary hospitality in a home;

(4) "expenditure"

(A) means a purchase or a transfer of money or anything of value, or promise or agreement to purchase or transfer money or anything of value, incurred or made for the purpose of

(i) influencing the nomination or election of a candidate or of any individual who files for nomination at a later date and becomes a candidate;

(ii) use by a political party;

(iii) the payment by a person other than a candidate or political party of compensation for the personal services of another person that are rendered to a candidate or political party; or

(iv) influencing the outcome of a ballot proposition or question;

(B) does not include a candidate's filing fee or the cost of preparing reports and statements required by this chapter;

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(5) "group" means

(A) every state and regional executive committee of a political party; and

(B) any combination of two or more individuals acting jointly who organize for the principal purpose to influence the outcome of one or more elections and who take action the major purpose of which is to influence the outcome of an election; a group that makes expenditures or receives contributions with the authorization or consent, express or implied, or under the control, direct or indirect, of a candidate shall be considered to be controlled by that candidate; a group whose major purpose is to further the nomination, election, or candidacy of only one person, or intends to expend more than 50 percent of its money on a single candidate, shall be considered to be controlled by that candidate and its actions done with the candidate's knowledge and consent unless, within 10 days from the date the candidate learns of the existence of the group the candidate files with the commission, on a form provided by the commission, an affidavit that the group is operating without the candidate's control; a group organized for more than one year preceding an election and endorsing candidates for more than one office or more than one political party is presumed not to be controlled by a candidate; however, a group that contributes more than 50 percent of its money to or on behalf of one candidate shall be considered to support only one candidate for purposes of AS 15.13.070, whether or not control of the group has been disclaimed by the candidate;

(6) "immediate family" means the spouse, parents, children, including a stepchild and an adoptive child, and siblings of an individual;

(7) "independent expenditure" means an expenditure that is made without the direct or indirect consultation or cooperation with, or at the suggestion or the request of, or with the prior consent of, a candidate, a candidate's campaign treasurer or deputy campaign treasurer, or another person acting as a principal or agent of the candidate;

(8) "individual" means a natural person;

(9) "person" has the meaning given in AS 01.10.060, and includes a labor union and a group;

(10) "political party" means

1 (A) an organized group of voters that represents a political  
2 program and that nominated a candidate for governor who received at least three  
3 percent of the total votes cast at any one of the last five preceding general  
4 elections for governor; and

5 (B) a subordinate unit of the organized group of voters qualifying  
6 as a political party under (A) of this paragraph if, consistent with the rules or  
7 bylaws of the political party, the unit conducts or supports campaign operations  
8 in a municipality, neighborhood, election district, or precinct;

9 (11) "publicly funded entity" means a person, other than an individual,  
10 that receives half or more of the money on which it operates during a calendar year from  
11 government, including a public corporation.

12 \* **Sec. 24.** AS 15.56 is amended by adding new sections to read:

13 Sec. 15.56.012. CAMPAIGN MISCONDUCT IN THE FIRST DEGREE. (a)  
14 Except as provided in AS 15.56.014 and 15.56.016, a person commits the crime of  
15 campaign misconduct in the first degree if the person knowingly engages in conduct that  
16 violates a provision of AS 15.13 or a regulation adopted under authority of AS 15.13.

17 (b) Violation of this section is a corrupt practice.

18 (c) Campaign misconduct in the first degree is a class A misdemeanor.

19 Sec. 15.56.014. CAMPAIGN MISCONDUCT IN THE SECOND DEGREE. (a)  
20 A person commits the crime of campaign misconduct in the second degree if the person

21 (1) knowingly circulates or has written, printed or circulated a letter,  
22 circular, or publication relating to an election, to a candidate at an election, or an election  
23 proposition or question without the name and address of the author appearing on its face;

24 (2) except as provided by AS 15.13.090(b), knowingly prints or publishes  
25 an advertisement, billboard, placard, poster, handbill, paid-for television or radio  
26 announcement or other communication intended to influence the election of a candidate  
27 or outcome of a ballot proposition or question without the words "paid for by" followed  
28 by the name and address of the candidate, group or individual paying for the advertising  
29 or communication and, if a candidate or group, with the name of the campaign chair;

30 (3) knowingly writes or prints and circulates, or has written, printed and  
31 circulated, a letter, circular, bill, placard, poster or advertisement in a newspaper, on  
32 radio or television

1 (A) containing false factual information relating to a candidate for  
2 an election;

3 (B) that the person knows to be false; and

4 (C) that would provoke a reasonable person under the  
5 circumstances to a breach of the peace or that a reasonable person would  
6 construe as damaging to the candidate's reputation for honesty, integrity, or the  
7 candidate's qualifications to serve if elected to office.

8 (b) Violation of this section is a corrupt practice.

9 (c) Campaign misconduct in the second degree is a class B misdemeanor.

10 Sec. 15.56.016. CAMPAIGN MISCONDUCT IN THE THIRD DEGREE. (a)

11 A person commits the crime of campaign misconduct in the third degree if

12 (1) the person violates a provision of AS 15.13 or a regulation adopted  
13 under AS 15.13; or

14 (2) during the hours the polls are open and after election judges have  
15 posted warning notices as required by AS 15.15.170 or at the required distance in the  
16 form and manner prescribed by the chief municipal elections official in a local election,  
17 the person is within 200 feet of an entrance to a polling place, and

18 (A) violates AS 15.15.170; or

19 (B) circulates cards, handbills, or marked ballots, or posts  
20 political signs or posters relating to a candidate at an election or election  
21 proposition or question.

22 (b) Campaign misconduct in the third degree is a violation.

23 Sec. 15.56.018. APPLICABILITY OF CAMPAIGN MISCONDUCT  
24 PROVISIONS. (a) For purposes of AS 15.56.012(a) and 15.56.016(a)(1), each day a  
25 violation continues constitutes a separate offense.

26 (b) When a person is convicted of violating AS 15.56.012, in addition to  
27 imposition of a sentence as authorized by AS 12.55.015, notwithstanding  
28 AS 12.55.015(c), the court shall order suspension, for a period of one year, of any  
29 license held by the defendant that allows the defendant to do business in the state.

30 Sec. 15.56.019. DEFINITION. In AS 15.56.012 - 15.56.018, the term  
31 "knowingly" has the meaning given in AS 11.81.900(a).

32 \* Sec. 25. AS 24.45.121(a) is amended to read:

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(a) A lobbyist may not

(1) engage in any activity as a lobbyist before registering under AS 24.45.041;

(2) do anything with the intent of placing a public official under personal obligation to the lobbyist or to the lobbyist's employer;

(3) intentionally deceive or attempt to deceive any public official with regard to any material fact pertinent to pending or proposed legislative or administrative action;

(4) cause or influence the introduction of a legislative measure solely for the purpose of thereafter being employed to secure its passage or its defeat;

(5) cause a communication to be sent to a public official in the name of any fictitious person or in the name of any real person, except with the consent of that person;

(6) accept or agree to accept any payment in any way contingent upon the defeat, enactment, or outcome of any proposed legislative or administrative action;

(7) serve as a member of a state board, or commission, if the lobbyist's employer may receive direct economic benefit from a decision of that board or commission;

(8) serve as a campaign manager or director, serve as a campaign treasurer or deputy campaign treasurer on a finance or fund-raising committee, host a fund-raising event, **directly or indirectly collect contributions for, or deliver contributions to, a candidate** or otherwise [ACTIVELY] engage in the fund-raising activity of a legislative campaign **or campaign for governor or lieutenant governor** if the lobbyist has registered, **or is required to register as a lobbyist, under this chapter**, during the calendar year; this paragraph does not apply to a representational lobbyist as defined in the regulations of the Alaska Public Offices Commission, and does not prohibit a lobbyist from making personal contributions to or personally advocating on behalf of a candidate;

(9) offer, solicit, initiate, facilitate, or provide to or on behalf of a person covered by AS 24.60, during a legislative session, a gift, other than food or beverage for immediate consumption;

(10) make or offer a gift or a campaign contribution whose acceptance

1 by the person to whom it is offered would violate AS 24.60.

2 \* **Sec. 26.** AS 24.60.031(b) is amended to read:

3 (b) In this section, "contribution" has the meaning given in **AS 15.13.400**  
4 [AS 15.13.130].

5 \* **Sec. 27.** AS 15.13.120(a), 15.13.130; AS 15.56.010, and 15.56.020 are repealed.

6 \* **Sec. 28.** CONSTRUCTION AND APPLICATION. Each provision of this Act shall be  
7 construed to avoid a conflict with any federal law that, under the supremacy clause of art. VI  
8 of the United States Constitution, prevails over the state provision.

9 \* **Sec. 29.** SEVERABILITY. Under AS 01.10.030, if any provision of this Act, or the  
10 application thereof to any person or circumstance, is held invalid, the remainder of this Act and  
11 the application to other persons or circumstances is not affected thereby.

12 \* **Sec. 30.** TAKING EFFECT OF ACT MADE CONDITIONAL. Sections 1 - 29 of this Act  
13 take effect only if, under art. XI, sec. 4, Constitution of the State of Alaska, and AS 15.45.210,  
14 the lieutenant governor determines that secs. 1 - 29 of this Act are substantially the same as the  
15 law proposed to be enacted by the Initiative entitled "An Initiative relating to election campaign  
16 financing and the Alaska Public Offices Commission; and providing for an effective date,"  
17 identified by the division of elections as Initiative Petition 95 CFPO, filed with the lieutenant  
18 governor by the Initiative sponsors under AS 15.45.140 on December 15, 1995.

19 \* **Sec. 31.** If secs. 1 - 29 of this Act take effect, they take effect January 1, 1997.