

HOUSE BILL NO. 26

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KOHRING

Introduced: 1/19/99

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the location of the convening of the legislature in session and
2 to the relocation of functions of state government; and providing for an effective
3 date."

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) A candidate or an individual who has filed with the commission the
7 document necessary to permit that individual to incur election-related expenses under
8 AS 15.13.100 for election or reelection to the state legislature may not solicit or accept
9 a contribution while the legislature is convened in a regular or special legislative
10 session unless the solicitation or acceptance occurs

11 (1) during the 90 days immediately preceding an election in which the
12 candidate or individual is a candidate; and

13 (2) in a place other than the Municipality of Anchorage [CAPITAL
14 CITY].

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

2 (g) A candidate or an individual who has filed with the commission the
3 document necessary to permit that individual to incur election-related expenses under
4 AS 15.13.100 for election or reelection to the office of governor or lieutenant governor
5 may not solicit or accept a contribution in the **Municipality of Anchorage** [CAPITAL
6 CITY] while the legislature is convened in a regular or special legislative session.

7 * **Sec. 3.** AS 15.13.074(c) is amended to read:

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

9 (1) to a candidate for governor or lieutenant governor or an individual
10 who files with the commission the document necessary to permit that individual to
11 incur certain election-related expenses as authorized by AS 15.13.100 for governor or
12 lieutenant governor before the later of the following dates:

13 (A) the date the individual

14 (i) becomes a candidate; or

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

18 (B) January 1 of the year of the election when the office is to
19 be filled at a general election; or

20 (C) the date of the proclamation when the office is to be filled
21 at a special election;

22 (2) to a candidate for the state legislature or an individual who files
23 with the commission the document necessary to permit that individual to incur certain
24 election-related expenses as authorized by AS 15.13.100 for the state legislature while
25 the legislature is convened in a regular or special legislative session, unless the
26 contribution is made in a place other than the **Municipality of Anchorage** [CAPITAL
27 CITY] during the 90 days immediately preceding an election in which the candidate
28 or individual is a candidate, or before the later 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

1 to permit the individual to incur certain election-related expenses as
 2 authorized by AS 15.13.100; or

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

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

8 (A) the date the individual

9 (i) becomes a candidate; or

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

13 (B) the date that is nine months before the date of the municipal
 14 election; or

15 (4) to any candidate after the earlier of December 31 of the year of the
 16 election or the 60th day

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

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

20 (ii) is not opposed at the general election;

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

23 (C) after the date of the general election, or after the date of a
 24 municipal or municipal runoff election, if the candidate was opposed at the
 25 general, municipal, or municipal runoff election;

26 (5) in the Municipality of Anchorage [CAPITAL CITY] to a candidate
 27 for governor or lieutenant governor or the state legislature when the legislature is
 28 convened in a regular or special legislative session.

29 * **Sec. 4.** AS 24.05.090 is amended to read:

30 **Sec. 24.05.090. Regular sessions.** The legislature shall convene in the
 31 Municipality of Anchorage at the state office building at 550 West Seventh Avenue

1 [CAPITAL] each year on the second Monday in January at 10:00 a.m.; however,
 2 following a gubernatorial election year, the legislature shall convene on the third
 3 Tuesday in January at 10:00 a.m. Except as provided in this section, each legislature
 4 shall have a duration of two years and shall consist of a "First Regular Session," which
 5 shall meet in the odd-numbered years, and a "Second Regular Session," which shall
 6 meet in the even-numbered years, and any special session or sessions that the governor
 7 or legislature may find necessary to call.

8 * **Sec. 5.** AS 24.05.100(b) is amended to read:

9 (b) A special session may be held at any location in the state. If a special
 10 session called under (a)(1) of this section is to be convened at a location other than the
 11 Municipality of Anchorage at the state office building at 550 West Seventh Avenue
 12 [CAPITAL], the governor shall designate the location in the proclamation. If a special
 13 session called under (a)(2) of this section is to be convened at a location other than the
 14 Municipality of Anchorage at the state office building at 550 West Seventh Avenue
 15 [CAPITAL], the presiding officers shall agree to and designate the location in the poll
 16 conducted of the members of both houses.

17 * **Sec. 6.** AS 24.05.190(a) is amended to read:

18 (a) The state office building at 550 West Seventh Avenue, Municipality of
 19 Anchorage [CAPITOL, WITH THE EXCEPTION OF THE CAPITOL SPACE NOW
 20 OCCUPIED BY THE OFFICE OF THE GOVERNOR], and space occupied in any
 21 other state building by the legislature or its agencies is under the control of and subject
 22 to assignment by the Legislative Affairs Agency as directed by the legislature. The
 23 Legislative Affairs Agency is responsible for the equitable allocation of parking spaces
 24 at the state office building at 550 West Seventh Avenue, Municipality of
 25 Anchorage, [CAPITOL] according to the needs of the legislature and other agencies
 26 occupying the building [CAPITOL OFFICES].

27 * **Sec. 7.** AS 24.10.030 is amended to read:

28 **Sec. 24.10.030. Chief clerk and senate secretary.** Each house shall select
 29 from outside its membership a person of known stenographic and administrative ability
 30 to serve as chief administrative clerk; a chief clerk in the house of representatives and
 31 a secretary in the senate. When nominated and elected in conformity with the uniform

1 rules, they continue to serve for the duration of the legislature at the pleasure of the
 2 house to which assigned. Pending the organization of a new legislature, they may
 3 continue to serve at the request and direction of the legislative council until their
 4 respective houses formally reappoint or replace them. The chief clerk and senate
 5 secretary are responsible for the performance of duties provided for by law, the
 6 uniform rules, and orders of the house. They may be requested to report to the
 7 legislative council for duty for a period not to exceed two weeks immediately
 8 preceding the convening of the session and shall remain at the **location of the session**
 9 [CAPITAL] until the completion of their work **relating to that session as** [IS]
 10 determined by the director of the council.

11 * **Sec. 8.** AS 24.10.130(a) is amended to read:

12 (a) A member of the legislature is entitled to reimbursement for the expenses
 13 of moving between the member's place of residence and the **Municipality of**
 14 **Anchorage** [CAPITAL CITY] for the purpose of attending a regular session of the
 15 legislature.

16 * **Sec. 9.** AS 24.45.041(b) is amended to read:

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

18 (1) the lobbyist's full name and complete permanent residence and
 19 business address and telephone number, as well as any temporary residential and
 20 business address and telephone number in the **Municipality of Anchorage** [STATE
 21 CAPITAL] during a legislative session;

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

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

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

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

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

7 (7) the identification of a legislator, legislative employee, or public
8 official to whom the lobbyist is married or who is the spousal equivalent of the
9 lobbyist; in this paragraph, "spousal equivalent" has the meaning given in
10 AS 39.50.030(g).

11 * **Sec. 10.** AS 24.45.041(e) is amended to read:

12 (e) Within 45 days after the convening of each regular session of the
13 legislature, the commission shall publish a directory of registered lobbyists, containing
14 the information prescribed in (b) of this section for each lobbyist and the photograph,
15 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter
16 the commission shall publish those supplements to the directory that in the
17 commission's judgment may be necessary. The directory shall be made available to
18 public officials and to the public at the following locations: a public place adjacent to
19 the legislative chambers in the Municipality of Anchorage [STATE CAPITOL
20 BUILDING], the office of the lieutenant governor, the legislative reference library of
21 the Legislative Affairs Agency, and the commission's central office.

22 * **Sec. 11.** AS 24.50.010 is amended to read:

23 **Sec. 24.50.010. Annual student guests.** The legislature may each year while
24 in session serve as host to one member of each high school in the state for a stay of
25 one week in the Municipality of Anchorage [CAPITAL] to observe and learn the
26 legislative process.

27 * **Sec. 12.** AS 24.50.040 is amended to read:

28 **Sec. 24.50.040. Essay contest.** Before leaving [THE STATE CAPITAL], each
29 legislative guest shall prepare and submit to the director of the Legislative Affairs
30 Agency a paper of not less than 1,000 words entitled "The Legislature Should
31" [.]. Each paper shall be examined and judged as to content by the governor,

1 the president of the senate, the speaker of the house of representatives, the minority
 2 leader of the senate, and the minority leader of the house. The author of the paper
 3 determined best by majority vote shall receive a one-year scholarship to the University
 4 of Alaska.

5 * **Sec. 13.** AS 24.60.030(a) is amended to read:

6 (a) A legislator or legislative employee may not

7 (1) solicit, agree to accept, or accept a benefit other than official
 8 compensation for the performance of public duties; this paragraph may not be
 9 construed to prohibit lawful solicitation for and acceptance of campaign contributions
 10 or the acceptance of a lawful gratuity under AS 24.60.080;

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

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

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

22 (C) telephone or facsimile use that does not carry a special
 23 charge;

24 (D) the legislative council, notwithstanding AS 24.05.190, from
 25 designating a public facility for use by legislators and legislative employees for
 26 health or fitness purposes; when the council designates a facility to be used by
 27 legislators and legislative employees for health or fitness purposes, it shall
 28 adopt guidelines governing access to and use of the facility; the guidelines may
 29 establish times in which use of the facility is limited to specific groups; or

30 (E) a legislator from using the legislator's private office [IN
 31 THE CAPITAL CITY] during a legislative session, and for the five days

1 immediately before and the five days immediately after a legislative session,
2 for nonlegislative purposes if the use does not interfere with the performance
3 of public duties and if there is no cost to the state for the use of the space and
4 equipment, other than utility costs and minimal wear and tear, or the legislator
5 promptly reimburses the state for the cost; an office is considered a legislator's
6 private office under this subparagraph if it is the primary space in the **location**
7 **of the legislative session** [CAPITAL CITY] reserved for use by the legislator,
8 whether or not it is shared with others;

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

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

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

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

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

29 (C) telephone or facsimile use that does not carry a special
30 charge;

31 (D) storing or maintaining, consistent with (b) of this section,

1 election campaign records in a legislator's office; or

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

12 * **Sec. 14.** AS 24.60.031(a) is amended to read:

13 (a) A legislator or legislative employee may not

14 (1) on a day when either house of the legislature is in regular or special
15 session, solicit or accept a contribution or a promise or pledge to make a contribution
16 for a campaign for the state legislature; however, a legislator or legislative employee
17 may, except in the **Municipality of Anchorage** [CAPITAL CITY], solicit or accept
18 a contribution, promise, or pledge for a campaign for the state legislature that occurs
19 during the 90 days immediately preceding an election;

20 (2) accept money from an event held on a day when either house of the
21 legislature is in regular or special session if a substantial purpose of the event is to
22 raise money on behalf of the member or legislative employee for state legislative
23 political purposes; however, this paragraph does not prohibit a legislator or legislative
24 employee from accepting money from an event held in a place other than the
25 **Municipality of Anchorage** [CAPITAL CITY] during the 90 days immediately
26 preceding an election; or

27 (3) in a campaign for the state legislature, expend money that was
28 raised on a day when either house of the legislature was in a legislative session by or
29 on behalf of a legislator under a declaration of candidacy or a general letter of intent
30 to become a candidate for public office; however, this paragraph does not apply to
31 money raised in a place other than the **Municipality of Anchorage** [CAPITAL CITY]

1 during the 90 days immediately preceding an election.

2 * **Sec. 15.** AS 24.60.080(c) is amended to read:

3 (c) Notwithstanding (a) of this section, it is not a violation of this section for
4 a legislator or legislative employee to accept

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

6 (A) with incidental transportation at the residence of a person;
7 however, a vacation home located outside the state is not considered a
8 residence for the purposes of this subparagraph; or

9 (B) at a social event or meal;

10 (2) discounts that are available

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

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

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

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

19 (5) gifts from the immediate family of the person;

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

21 (7) a discount for all or part of a legislative session, including time
22 immediately preceding or following the session, or other gift to welcome a legislator
23 or legislative employee who is employed on the personal staff of a legislator or by a
24 standing or special committee to the **location of the session** [CAPITAL CITY] or in
25 recognition of the beginning of a legislative session if the gift or discount is available
26 generally to all legislators and the personal staff of legislators and staff of standing and
27 special committees; this paragraph does not apply to legislative employees who are
28 employed by the Legislative Affairs Agency, the office of the chief clerk, the office
29 of the senate secretary, the legislative budget and audit committee, or the office of the
30 ombudsman; or

31 (8) a gift of legal services in a matter of legislative concern and a gift

1 of other services related to the provision of legal services in a matter of legislative
2 concern.

3 * **Sec. 16.** AS 44.06.050, 44.06.055, and 44.06.060 are repealed.

4 * **Sec. 17.** This Act takes effect on the day the First Regular Session of the Twenty-Second
5 Alaska State Legislature convenes.