

**HOUSE BILL NO. 39**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES GREEN, Rokeberg**

**Introduced: 1/19/99**

**Referred: State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the location of legislative sessions; and providing for an**  
2 **effective date."**

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

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

5 (d) 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 state legislature may not solicit or accept  
8 a contribution while the legislature is convened in a regular or special legislative  
9 session unless the solicitation or acceptance occurs

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

12 (2) in a place other than the [CAPITAL] city **in which the session is**  
13 **being held.**

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

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

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  
 17 as 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 [CAPITAL] city **in which the session**  
 27 **is being held** during the 90 days immediately preceding an election in which the  
 28 candidate 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 not  
 22 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 [CAPITAL] city **in which the session is being held** to a  
 27 candidate for governor or lieutenant governor or the state legislature when the  
 28 legislature is 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 CAPITAL] each year on the second Monday

1 in January at 10:00 a.m.; however, following a gubernatorial election year, the  
 2 legislature shall convene on the third Tuesday in January at 10:00 a.m. **The legislative**  
 3 **council shall arrange for an appropriate location in Anchorage for each regular**  
 4 **session.** Except as provided in this section, each legislature shall have a duration of  
 5 two years and shall consist of a "First Regular Session," which shall meet in the odd-  
 6 numbered years, and a "Second Regular Session," which shall meet in the even-  
 7 numbered years, and any special session or sessions that the governor or legislature  
 8 may find necessary to call.

9 \* **Sec. 5.** AS 24.10.030 is amended to read:

10 **Sec. 24.10.030. Chief clerk and senate secretary.** Each house shall select  
 11 from outside its membership a person of known stenographic and administrative ability  
 12 to serve as chief administrative clerk; a chief clerk in the house of representatives and  
 13 a secretary in the senate. When nominated and elected in conformity with the uniform  
 14 rules, they continue to serve for the duration of the legislature at the pleasure of the  
 15 house to which assigned. Pending the organization of a new legislature, they may  
 16 continue to serve at the request and direction of the legislative council until their  
 17 respective houses formally reappoint or replace them. The chief clerk and senate  
 18 secretary are responsible for the performance of duties provided for by law, the  
 19 uniform rules, and orders of the house. They may be requested to report to the  
 20 legislative council for duty for a period not to exceed two weeks immediately  
 21 preceding the convening of the session and shall remain at the **location of the session**  
 22 [CAPITAL] until the completion of their work **relating to that session as** [IS]  
 23 determined by the director of the council.

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

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

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

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

31 (1) the lobbyist's full name and complete permanent residence and

1 business address and telephone number, as well as any temporary residential and  
 2 business address and telephone number in the City of Anchorage [STATE CAPITAL]  
 3 during a **regular** legislative session;

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

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

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

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

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

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

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

25 (e) Within 45 days after the convening of each regular session of the  
 26 legislature, the commission shall publish a directory of registered lobbyists, containing  
 27 the information prescribed in (b) of this section for each lobbyist and the photograph,  
 28 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter  
 29 the commission shall publish those supplements to the directory that in the  
 30 commission's judgment may be necessary. The directory shall be made available to  
 31 public officials and to the public at the following locations: a public place adjacent to

1 the legislative chambers in the Municipality of Anchorage [STATE CAPITOL  
2 BUILDING], the office of the lieutenant governor, the legislative reference library of  
3 the Legislative Affairs Agency, and the commission's central office.

4 \* **Sec. 9.** AS 24.50.010 is amended to read:

5 **Sec. 24.50.010. Annual student guests.** The legislature may each year while  
6 in session serve as host to one member of each high school in the state for a stay of  
7 one week [IN THE CAPITAL] to observe and learn the legislative process.

8 \* **Sec. 10.** AS 24.50.040 is amended to read:

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

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

18 (a) A legislator or legislative employee may not

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

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

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

31 (B) the use of mailing lists, computer data, or other information

1 lawfully obtained from a government agency and available to the general public  
2 for nonlegislative purposes;

3 (C) telephone or facsimile use that does not carry a special  
4 charge;

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

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

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

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

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

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

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

11 (C) telephone or facsimile use that does not carry a special  
12 charge;

13 (D) storing or maintaining, consistent with (b) of this section,  
14 election campaign records in a legislator's office; or

15 (E) a legislator from using the legislator's private office in the  
16 [CAPITAL] city **in which a legislative session is being held** during **the** [A  
17 LEGISLATIVE] session, and for the five days immediately before and the five  
18 days immediately after **the** [A] legislative session, for nonlegislative purposes  
19 if the use does not interfere with the performance of public duties and if there  
20 is no cost to the state for the use of the space and equipment, other than utility  
21 costs and minimal wear and tear, or the legislator promptly reimburses the state  
22 for the cost; an office is considered a legislator's private office under this  
23 subparagraph if it is the primary space [IN THE CAPITAL CITY] reserved for  
24 use by the legislator **in the city in which the legislative session is being held**,  
25 whether or not it is shared with others.

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

27 (a) A legislator or legislative employee may not

28 (1) on a day when either house of the legislature is in regular or special  
29 session, solicit or accept a contribution or a promise or pledge to make a contribution  
30 for a campaign for the state legislature; however, a legislator or legislative employee  
31 may, except in the [CAPITAL] city **in which the session is being held**, solicit or

1 accept a contribution, promise, or pledge for a campaign for the state legislature that  
2 occurs during the 90 days immediately preceding an election;

3 (2) accept money from an event held on a day when either house of the  
4 legislature is in regular or special session if a substantial purpose of the event is to  
5 raise money on behalf of the member or legislative employee for state legislative  
6 political purposes; however, this paragraph does not prohibit a legislator or legislative  
7 employee from accepting money from an event held in a place other than the  
8 [CAPITAL] city **in which the session is being held** during the 90 days immediately  
9 preceding an election; or

10 (3) in a campaign for the state legislature, expend money that was  
11 raised on a day when either house of the legislature was in a legislative session by or  
12 on behalf of a legislator under a declaration of candidacy or a general letter of intent  
13 to become a candidate for public office; however, this paragraph does not apply to  
14 money raised in a place other than the [CAPITAL] city **in which the session is being**  
15 **held** during the 90 days immediately preceding an election.

16 \* **Sec. 13.** AS 24.60.080(c) is amended to read:

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

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

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

23 (B) at a social event or meal;

24 (2) discounts that are available

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

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

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

31 (4) travel and hospitality primarily for the purpose of obtaining

1 information on matters of legislative concern;

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

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

4 (7) a discount for all or part of a legislative session, including time  
5 immediately preceding or following the session, or other gift to welcome a legislator  
6 or legislative employee who is employed on the personal staff of a legislator or by a  
7 standing or special committee to the [CAPITAL] city **in which the session is being**  
8 **held** or in recognition of the beginning of a legislative session if the gift or discount  
9 is available generally to all legislators and the personal staff of legislators and staff of  
10 standing and special committees; this paragraph does not apply to legislative  
11 employees who are employed by the Legislative Affairs Agency, the office of the chief  
12 clerk, the office of the senate secretary, the legislative budget and audit committee, or  
13 the office of the ombudsman; or

14 (8) a gift of legal services in a matter of legislative concern and a gift  
15 of other services related to the provision of legal services in a matter of legislative  
16 concern.

17 \* **Sec. 14.** This Act applies beginning with the convening of the Second Session of the  
18 Twenty-Second Alaska State Legislature.

19 \* **Sec. 15.** This Act takes effect July 1, 2001.