

HOUSE BILL NO. 1

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES ROKEBERG AND GREEN, Dyson, Kohring

Introduced: 1/8/01

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the location of legislative sessions; and providing for an effective**
2 **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 24.05.090 is amended to read:

8 **Sec. 24.05.090. Regular sessions.** The legislature shall convene **in the**
 9 **Municipality of Anchorage** [AT THE CAPITAL] each year on the second Monday
 10 in January at 10:00 a.m.; however, following a gubernatorial election year, the
 11 legislature shall convene on the third Tuesday in January at 10:00 a.m. **The**
 12 **legislative council shall arrange for an appropriate location in Anchorage for**
 13 **each regular session.** Except as provided in this section, each legislature shall have a
 14 duration of two years and shall consist of a "First Regular Session," which shall meet
 15 in the odd-numbered years, and a "Second Regular Session," which shall meet in the
 16 even-numbered years, and any special session or sessions that the governor or
 17 legislature may find necessary to call.

18 * **Sec. 4.** AS 24.10.030 is amended to read:

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

1 **that session as** [IS] determined by the director of the council.

2 * **Sec. 5.** AS 24.10.130(a) is amended to read:

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

7 * **Sec. 6.** AS 24.45.041(b) is amended to read:

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

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

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

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

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

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

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

29 (7) the identification of a legislator, legislative employee, or public
30 official to whom the lobbyist is married or who is the spousal equivalent of the
31 lobbyist; in this paragraph, "spousal equivalent" has the meaning given in

1 AS 39.50.030(g).

2 * **Sec. 7.** AS 24.45.041(e) is amended to read:

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

13 * **Sec. 8.** AS 24.50.010 is amended to read:

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

17 * **Sec. 9.** AS 24.50.040 is amended to read:

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

26 * **Sec. 10.** AS 24.60.030(a) is amended to read:

27 (a) A legislator or legislative employee may not
28 (1) solicit, agree to accept, or accept a benefit other than official
29 compensation for the performance of public duties; this paragraph may not be
30 construed to prohibit lawful solicitation for and acceptance of campaign contributions
31 or the acceptance of a lawful gratuity under AS 24.60.080;

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

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

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

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

14 (D) the legislative council, notwithstanding AS 24.05.190,
15 from designating a public facility for use by legislators and legislative
16 employees for health or fitness purposes; when the council designates a facility
17 to be used by legislators and legislative employees for health or fitness
18 purposes, it shall adopt guidelines governing access to and use of the facility;
19 the guidelines may establish times in which use of the facility is limited to
20 specific groups; or

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

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

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

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

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

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

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

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

25 (E) a legislator from using the legislator's private office in the
 26 [CAPITAL] city **in which a legislative session is being held** during **the** [A
 27 LEGISLATIVE] session, and for the five days immediately before and the five
 28 days immediately after **the** [A] legislative session, for nonlegislative purposes
 29 if the use does not interfere with the performance of public duties and if there
 30 is no cost to the state for the use of the space and equipment, other than utility
 31 costs and minimal wear and tear, or the legislator promptly reimburses the state

1 for the cost; an office is considered a legislator's private office under this
 2 subparagraph if it is the primary space [IN THE CAPITAL CITY] reserved for
 3 use by the legislator **in the city in which the legislative session is being held**,
 4 whether or not it is shared with others.

5 * **Sec. 11.** AS 24.60.031(a) is amended to read:

6 (a) A legislator or legislative employee may not

7 (1) on a day when either house of the legislature is in regular or special
 8 session, solicit or accept a contribution or a promise or pledge to make a contribution
 9 for a campaign for the state legislature; however, a legislator or legislative employee
 10 may, except in the [CAPITAL] city **in which the session is being held**, solicit or
 11 accept a contribution, promise, or pledge for a campaign for the state legislature that
 12 occurs during the 90 days immediately preceding an election;

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

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

26 * **Sec. 12.** AS 24.60.080(c) is amended to read:

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

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

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

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

3 (B) at a social event or meal;

4 (2) discounts that are available

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

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

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

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

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

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

15 (7) a discount for all or part of a legislative session, including time immediately
16 preceding or following the session, or other gift to welcome a legislator or legislative
17 employee who is employed on the personal staff of a legislator or by a standing or
18 special committee to the [CAPITAL] city in which the session is being held or in
19 recognition of the beginning of a legislative session if the gift or discount is available
20 generally to all legislators and the personal staff of legislators and staff of standing and
21 special committees; this paragraph does not apply to legislative employees who are
22 employed by the Legislative Affairs Agency, the office of the chief clerk, the office of
23 the senate secretary, the legislative budget and audit committee, or the office of the
24 ombudsman; or

25 (8) a gift of legal services in a matter of legislative concern and a gift
26 of other services related to the provision of legal services in a matter of legislative
27 concern.

28 * **Sec. 13.** The uncodified law of the State of Alaska is amended by adding a new section to
29 read:

30 **APPLICABILITY.** This Act applies beginning with the convening of the Second
31 Session of the Twenty-Third Alaska State Legislature.

1 * **Sec. 14.** This Act takes effect July 1, 2003.