

HOUSE BILL NO. 95

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES OGAN, Stevens, Wilson, James, Fate

Introduced: 1/26/01

Referred: State Affairs, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to control of space in the state capitol and other buildings occupied by**
2 **the legislature and its agencies; and providing for an effective date."**

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

4 *** Section 1.** AS 24.05.190(a) is amended to read:

5 (a) The **entire** state capitol [, WITH THE EXCEPTION OF THE CAPITOL
6 SPACE NOW OCCUPIED BY THE OFFICE OF THE GOVERNOR,] and space
7 occupied in any other state building by the legislature or its agencies is under the
8 control of and subject to assignment by the Legislative Affairs Agency as directed by
9 the **Alaska Legislative Council** [LEGISLATURE]. The Legislative Affairs Agency
10 is responsible for the equitable allocation of parking spaces at the capitol according to
11 the needs of the legislature [AND OTHER AGENCIES OCCUPYING CAPITOL
12 OFFICES].

13 *** Sec. 2.** AS 24.60.030(a) is amended to read:

14 (a) A legislator or legislative employee may not

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

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

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

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

16 (C) telephone or facsimile use that does not carry a special
17 charge;

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

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

1 private office under this subparagraph if it is the primary space in the capital
2 city reserved for use by the legislator, whether or not it is shared with others;

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

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

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

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

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

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

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

27 (E) a legislator from using the legislator's private office in the
28 capital city during a legislative session, and for the five days immediately
29 before and the five days immediately after a legislative session, for
30 nonlegislative purposes if the use does not interfere with the performance of
31 public duties and if there is no cost to the state for the use of the space and

1 equipment, other than utility costs and minimal wear and tear, or the legislator
2 promptly reimburses the state for the cost; an office is considered a legislator's
3 private office under this subparagraph if it is the primary space in the capital
4 city reserved for use by the legislator, whether or not it is shared with others.

5 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).