

**SENATE BILL NO. 303**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SECOND LEGISLATURE - SECOND SESSION

**BY SENATOR PHILLIPS**

**Introduced: 2/19/02**

**Referred: Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the location of regular and special legislative sessions; and providing**  
2 **for an 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 session location [CAPITAL CITY].

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

14 (g) A candidate or an individual who has filed with the commission the

1 document necessary to permit that individual to incur election-related expenses under  
 2 AS 15.13.100 for election or reelection to the office of governor or lieutenant governor  
 3 may not solicit or accept a contribution in the **session location** [CAPITAL CITY]  
 4 while the legislature is convened in a regular or special legislative session.

5 \* **Sec. 3.** AS 24.05.090 is amended to read:

6 **Sec. 24.05.090. Regular sessions.** The legislature shall convene **in the**  
 7 **Matanuska-Susitna Borough** [AT THE CAPITAL] each year on the second Monday  
 8 in January at 10:00 a.m.; however, following a gubernatorial election year, the  
 9 legislature shall convene on the third Tuesday in January at 10:00 a.m. Except as  
 10 provided in this section, each legislature shall have a duration of two years and shall  
 11 consist of a "First Regular Session," which shall meet in the odd-numbered years, and  
 12 a "Second Regular Session," which shall meet in the even-numbered years, and any  
 13 special session or sessions that the governor or legislature may find necessary to call.

14 \* **Sec. 4.** AS 24.05.100(a) is amended to read:

15 (a) The legislature may hold a special session **in the Matanuska-Susitna**  
 16 **Borough** not exceeding 30 calendar days in length. The special session shall be called  
 17 in either of the following ways:

18 (1) The governor may call the legislature into special session by  
 19 issuing a proclamation at least 15 days in advance of the convening date stated in the  
 20 proclamation. At a special session called by the governor, legislation is limited to the  
 21 subjects designated by the governor in the proclamation or to the subjects presented by  
 22 the governor, and to reconsideration of legislation, if any, vetoed following a regular  
 23 session of that legislature.

24 (2) The legislature may call itself into special session if two-thirds of  
 25 the membership responds in the affirmative to a poll conducted by the presiding  
 26 officer of each house. Each presiding officer may initiate a poll by their joint  
 27 agreement, and each shall initiate a poll upon the request of 25 percent of the  
 28 membership of each house, expressed in writing and signed by those members. When  
 29 two-thirds of the membership to which the legislature is entitled responds in the  
 30 affirmative, the president of the senate and speaker of the house shall jointly announce  
 31 the result of the poll and a date for the convening of the special session. If one of the

1 presiding officers is deceased, has resigned, or is incapacitated, the presiding officer of  
 2 the other house may conduct the poll of the members of both houses.

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

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

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

19 (a) A member of the legislature is entitled to reimbursement for the expenses  
 20 of moving between the member's place of residence and the session location  
 21 [CAPITAL CITY] for the purpose of attending a regular session of the legislature.

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

23 (b) The registration form prescribed by the commission must include  
 24 (1) the lobbyist's full name and complete permanent residence and  
 25 business address and telephone number, as well as any temporary residential and  
 26 business address and telephone number in the session location [STATE CAPITAL]  
 27 during a legislative session;  
 28 (2) the full name and complete address of each person by whom the  
 29 lobbyist is retained or employed;  
 30 (3) whether the person from whom the lobbyist receives compensation  
 31 employs the person solely as a lobbyist or whether the person is a regular employee

1 performing other services for the employer that include but are not limited to the  
2 influencing of legislative or administrative action;

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

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

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

13 (7) the identification of a legislator, legislative employee, or public  
14 official to whom the lobbyist is married or who is the spousal equivalent of the  
15 lobbyist; in this paragraph, "spousal equivalent" has the meaning given in  
16 AS 39.50.200(a).

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

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

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

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

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

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

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

11           (a) A legislator or legislative employee may not

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

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

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

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

27                           (C) telephone or facsimile use that does not carry a special  
28 charge;

29                           (D) the legislative council, notwithstanding AS 24.05.190,  
30 from designating a public facility for use by legislators and legislative  
31 employees for health or fitness purposes; when the council designates a facility

1 to be used by legislators and legislative employees for health or fitness  
 2 purposes, it shall adopt guidelines governing access to and use of the facility;  
 3 the guidelines may establish times in which use of the facility is limited to  
 4 specific groups;

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

15 (F) a legislator from use of legislative employees to prepare  
 16 and send out seasonal greeting cards;

17 (G) a legislator from using state resources to transport  
 18 computers or other office equipment owned by the legislator but primarily used  
 19 for a state function;

20 (H) use by a legislator of photographs of that legislator;

21 (I) reasonable use of the Internet by a legislator or a legislative  
 22 employee except if the use is for election campaign purposes;

23 (J) a legislator from soliciting, accepting, or receiving a gift on  
 24 behalf of a recognized, nonpolitical charitable organization in a state facility;  
 25 or

26 (K) a legislator from sending any communication in the form of  
 27 a newsletter to the legislator's constituents, except a communication expressly  
 28 advocating the election or defeat of a candidate or a newsletter or material in a  
 29 newsletter that is clearly only for the private benefit of a legislator or a  
 30 legislative employee;

31 (3) knowingly seek, accept, use, allocate, grant, or award public funds

1 for a purpose other than that approved by law, or make a false statement in connection  
 2 with a claim, request, or application for compensation, reimbursement, or travel  
 3 allowances from public funds;

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

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

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

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

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

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

24 (E) a legislator from using the legislator's private office in the  
 25 **session location** [CAPITAL CITY] during a legislative session, and for the 10  
 26 days immediately before and the 10 days immediately after a legislative  
 27 session, for nonlegislative purposes if the use does not interfere with the  
 28 performance of public duties and if there is no cost to the state for the use of  
 29 the space and equipment, other than utility costs and minimal wear and tear, or  
 30 the legislator promptly reimburses the state for the cost; an office is considered  
 31 a legislator's private office under this subparagraph if it is the primary space in



- 1 (B) at a social event or meal;
- 2 (2) discounts that are available
- 3 (A) generally to the public or to a large class of persons to
- 4 which the person belongs; or
- 5 (B) when on official state business, but only if receipt of the
- 6 discount benefits the state;
- 7 (3) food or foodstuffs indigenous to the state that are shared generally
- 8 as a cultural or social norm;
- 9 (4) travel and hospitality primarily for the purpose of obtaining
- 10 information on matters of legislative concern;
- 11 (5) gifts from the immediate family of the person;
- 12 (6) gifts that are not connected with the recipient's legislative status;
- 13 (7) a discount for all or part of a legislative session, including time
- 14 immediately preceding or following the session, or other gift to welcome a legislator
- 15 or legislative employee who is employed on the personal staff of a legislator or by a
- 16 standing or special committee to the session location [CAPITAL CITY] or in
- 17 recognition of the beginning of a legislative session if the gift or discount is available
- 18 generally to all legislators and the personal staff of legislators and staff of standing and
- 19 special committees; this paragraph does not apply to legislative employees who are
- 20 employed by the Legislative Affairs Agency, the office of the chief clerk, the office of
- 21 the senate secretary, the legislative budget and audit committee, or the office of the
- 22 ombudsman;
- 23 (8) a gift of legal services in a matter of legislative concern and a gift
- 24 of other services related to the provision of legal services in a matter of legislative
- 25 concern; or
- 26 (9) a gift of transportation from a legislator to a legislator if the
- 27 transportation takes place in the state on or in an aircraft, boat, motor vehicle, or other
- 28 means of transport owned or under the control of the donor; this paragraph does not
- 29 apply to travel described in (4) of this subsection or travel for political campaign
- 30 purposes.

31 \* **Sec. 14.** AS 44.06.050 is amended to read:

1           **Sec. 44.06.050. Purpose of AS 44.06.050 - 44.06.060.** The purpose of  
 2 AS 44.06.050 - 44.06.060 is to guarantee to the people their right to know and to  
 3 approve in advance all costs of relocating the capital [OR THE LEGISLATURE]; to  
 4 insure that the people will have an opportunity to make an informed and objective  
 5 decision on relocating the capital [OR THE LEGISLATURE] with all pertinent data  
 6 concerning the costs to the state; and to insure that the costs of relocating the capital  
 7 [OR THE LEGISLATURE] will not be incurred by the state without the approval of  
 8 the electorate.

9   \* **Sec. 15.** AS 44.06.055 is amended to read:

10           **Sec. 44.06.055. Relocation expenditures.** State money may be expended to  
 11 relocate physically the capital [OR THE LEGISLATURE] from the present location  
 12 only after a majority of those voting in a statewide election have approved a bond  
 13 issue that includes all bondable costs to the state of the relocation of a functional state  
 14 [LEGISLATURE OR] capital to the new site over the **12-year** [TWELVE-YEAR]  
 15 period following such approval. The commission established in AS 44.06.060 shall  
 16 determine all bondable costs and total costs including, but not limited to, the costs of  
 17 moving personnel and offices to the relocation site; the social, economic, and  
 18 environmental costs to the present and relocation sites; and the costs to the state of  
 19 planning, building, furnishing, using, and financing facilities at least equal to those  
 20 provided by the present capital city.

21   \* **Sec. 16.** AS 44.06.060 is amended to read:

22           **Sec. 44.06.060. Commission.** The legislature shall establish a commission  
 23 composed of nine members, including a chairperson and two persons from each  
 24 judicial district, appointed by the governor and confirmed by the legislature, to  
 25 determine the costs required by initiatives or legislative enactments authorizing  
 26 relocation of any of the present functions of state government, **except for relocation**  
 27 **of legislative sessions.**

28   \* **Sec. 17.** AS 44.99.007 is amended by adding a new subsection to read:

29           (b) Notwithstanding (a) of this section, when due to an emergency, it becomes  
 30 impossible for the legislature to hold sessions and meet at the usual session location,  
 31 the two presiding officers shall jointly designate an emergency temporary location for

1 the convening and meeting of the legislature in regular or special sessions.

2 \* **Sec. 18.** AS 24.05.100(b) is repealed.

3 \* **Sec. 19.** The uncodified law of the State of Alaska is amended by adding new sections to  
4 read:

5 **APPLICABILITY.** (a) Except as provided in (b) of this section, sessions of the  
6 legislature that begin on or after January 1, 2005, shall be convened in accordance with this  
7 Act. If the Matanuska-Susitna Borough assembly determines that it is practicable, the  
8 legislature shall convene sessions that begin before January 1, 2005, in accordance with this  
9 Act, but otherwise sessions that begin before January 1, 2005, shall be convened in the capital  
10 city, and statutes amended or repealed in this Act shall apply as they read before the effective  
11 date of this Act.

12 (b) If the Matanuska-Susitna Borough assembly determines that suitable facilities for  
13 legislative sessions are not available in the Matanuska-Susitna Borough, the legislature shall  
14 convene sessions that begin on or after January 1, 2005, in the Municipality of Anchorage. If  
15 sessions are convened in Anchorage under this subsection, references in AS 24.05.090, as  
16 amended by sec. 3 of this Act, and AS 24.05.100(a), as amended by sec. 4 of this Act to "the  
17 Matanuska-Susitna Borough" shall apply as though they read "Municipality of Anchorage"  
18 until the date the legislature first convenes in the Matanuska-Susitna Borough under (c) of this  
19 section.

20 (c) The legislature may continue to hold sessions in the Municipality of Anchorage  
21 under (b) of this section only until the Matanuska-Susitna Borough assembly determines that  
22 suitable facilities have become available in the Matanuska-Susitna Borough. Sessions that  
23 begin after that determination shall be held in accordance with AS 24.05.090, as amended in  
24 sec. 3 of this Act, or with AS 24.05.100(a), as amended in sec. 4 of this Act.

25 \* **Sec. 20.** This Act takes effect July 1, 2003.