

SENATE CS FOR CS FOR HOUSE BILL NO. 183(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 4/27/05

Referred: Judiciary

Sponsor(s): REPRESENTATIVE HAWKER

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the use of campaign contributions for shared campaign activity**
2 **expenses and to reimbursement of those expenses; and amending the definition of**
3 **'contribution' in regard to sharing fundraising lists between candidates and political**
4 **parties without compensation."**

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

6 *** Section 1.** AS 15.13.112(b) is amended to read:

7 (b) Campaign contributions held by a candidate or group may not be

8 (1) used to give a personal benefit to the candidate or to another
9 person;

10 (2) converted to personal income of the candidate;

11 (3) loaned to a person;

12 (4) knowingly used to pay more than the fair market value for goods or
13 services purchased for the campaign;

14 (5) used to pay a criminal fine;

1 (6) used to pay civil penalties; however, campaign contributions held
 2 by a candidate or group may be used to pay a civil penalty assessed under this chapter
 3 if authorized by the commission or a court after it first determines that

4 (A) the candidate, campaign treasurer, and deputy campaign
 5 treasurer did not cause or participate in the violation for which the civil penalty
 6 is imposed and exercised a reasonable level of oversight over the campaign;
 7 and

8 (B) the candidate, campaign treasurer, and deputy campaign
 9 treasurer cooperated in the revelation of the violation and in its immediate
 10 correction; or

11 (7) used to make contributions to another candidate or to a group;
 12 **however, it is not a violation of this paragraph if, in circumstances in which a**
 13 **candidate or group participates in a shared campaign activity, the candidate or**
 14 **group participating in the activity**

15 (A) **uses campaign contributions of the candidate or group**
 16 **for payment of**

17 (i) **all of the shared campaign activity expense; or**

18 (ii) **more than the candidate's or group's pro rata**
 19 **share of the activity expense; and**

20 (B) **receives, within seven days after payment of the**
 21 **expense, complete reimbursement of the amount of campaign**
 22 **contributions used for payments made on behalf of another candidate or**
 23 **group participating in the activity.**

24 * Sec. 2. AS 15.13.400(4) is amended to read:

25 (4) "contribution"

26 (A) means a purchase, payment, promise or obligation to pay,
 27 loan or loan guarantee, deposit or gift of money, goods, or services for which
 28 charge is ordinarily made and that is made for the purpose of influencing the
 29 nomination or election of a candidate, and in AS 15.13.010(b) for the purpose
 30 of influencing a ballot proposition or question, including the payment by a
 31 person other than a candidate or political party, or compensation for the

1 personal services of another person, that are rendered to the candidate or
2 political party;

3 (B) does not include

4 (i) services provided without compensation by
5 individuals volunteering a portion or all of their time on behalf of a
6 political party, candidate, or ballot proposition or question;

7 (ii) ordinary hospitality in a home;

8 (iii) two or fewer mass mailings before each election by
9 each political party describing the party's slate of candidates for
10 election, which may include photographs, biographies, and information
11 about the party's candidates;

12 (iv) the results of a poll limited to issues and not
13 mentioning any candidate, unless the poll was requested by or designed
14 primarily to benefit the candidate; [OR]

15 (v) any communication in the form of a newsletter from
16 a legislator to the legislator's constituents, except a communication
17 expressly advocating the election or defeat of a candidate or a
18 newsletter or material in a newsletter that is clearly only for the private
19 benefit of a legislator or a legislative employee; **or**

20 **(vi) a fundraising list provided without**
21 **compensation by one candidate or political party to a candidate or**
22 **political party;**