

HOUSE BILL NO. 20

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES HARRIS, MEYER, HAWKER, CHENAULT, SAMUELS, FAIRCLOUGH,
NEUMAN, WILSON, LEDOUX, THOMAS, RAMRAS, AND JOHNSON, Lynn, Olson

Introduced: 1/16/07

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to disclosure of campaign contributions; prohibiting spouses and
2 domestic partners of legislators and legislative employees from receiving compensation
3 for lobbying; and prohibiting legislators and legislative employees from entering into
4 contracts to provide consulting services."

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

6 * **Section 1.** AS 15.13.040(a) is amended to read:

7 (a) **Each** [EXCEPT AS PROVIDED IN (g) AND (l) OF THIS SECTION,
8 EACH] candidate shall make a full report, upon a form prescribed by the commission,

9 (1) listing

10 (A) the date and amount of all expenditures made by the
11 candidate;

12 (B) the total amount of all contributions, including all funds
13 contributed by the candidate; **and**

14 (C) the name, address, **principal occupation, and employer of**

1 each contributor and the date [,] and amount of each contribution from
 2 [CONTRIBUTED BY] each contributor [; AND

3 (D) FOR CONTRIBUTIONS IN EXCESS OF \$250 IN THE
 4 AGGREGATE DURING A CALENDAR YEAR, THE PRINCIPAL
 5 OCCUPATION AND EMPLOYER OF THE CONTRIBUTOR]; and

6 (2) filed in accordance with AS 15.13.110 and certified correct by the
 7 candidate or campaign treasurer.

8 * **Sec. 2.** AS 15.13.040(b) is amended to read:

9 (b) Each group shall make a full report upon a form prescribed by the
 10 commission, listing

11 (1) the name and address of each officer and director;

12 (2) the aggregate amount of all contributions made to it [; AND, FOR
 13 ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR],
 14 the name, address, principal occupation, and employer of each [THE] contributor, and
 15 the date and amount of each contribution from [CONTRIBUTED BY] each
 16 contributor; for purposes of this paragraph, "contributor" means the true source of the
 17 funds, property, or services being contributed; and

18 (3) the date and amount of all contributions made by it and all
 19 expenditures made, incurred, or authorized by it.

20 * **Sec. 3.** AS 15.13.040(j) is amended to read:

21 (j) Each [EXCEPT AS PROVIDED IN (I) OF THIS SECTION, EACH]
 22 nongroup entity shall make a full report in accordance with AS 15.13.110 upon a form
 23 prescribed by the commission and certified by the nongroup entity's treasurer, listing

24 (1) the name and address of each officer and director of the nongroup
 25 entity;

26 (2) the aggregate amount of all contributions made to the nongroup
 27 entity for the purpose of influencing the outcome of an election;

28 (3) for all contributions described in (2) of this subsection, the name,
 29 address, date, and amount contributed by each contributor and, for all contributions
 30 described in (2) of this subsection in excess of \$250 in the aggregate during a calendar
 31 year, the principal occupation and employer of the contributor; and

1 (4) the date and amount of all contributions made by the nongroup
 2 entity, and, except as provided for certain independent expenditures in
 3 AS 15.13.135(a), all expenditures made, incurred, or authorized by the nongroup
 4 entity, for the purpose of influencing the outcome of an election; a nongroup entity
 5 shall report contributions made to a different nongroup entity for the purpose of
 6 influencing the outcome of an election and expenditures made on behalf of a different
 7 nongroup entity for the purpose of influencing the outcome of an election as soon as
 8 the total contributions and expenditures to that nongroup entity for the purpose of
 9 influencing the outcome of an election reach \$500 in a year and for all subsequent
 10 contributions and expenditures to that nongroup entity in a year whenever the total
 11 contributions and expenditures to that nongroup entity for the purpose of influencing
 12 the outcome of an election that have not been reported under this paragraph reach
 13 \$500.

14 * **Sec. 4.** AS 24.45.121 is amended by adding a new subsection to read:

15 (d) A person who is married to or who is the domestic partner of a legislator
 16 may not receive any consideration for engaging in lobbying, and a person may not
 17 employ for pay or any consideration or pay or agree to pay consideration for engaging
 18 in lobbying to a person who is married to or who is the domestic partner of a
 19 legislator.

20 * **Sec. 5.** AS 24.60.030(a) is amended to read:

21 (a) A legislator or legislative employee may not

22 (1) solicit, agree to accept, or accept a benefit other than official
 23 compensation for the performance of public duties; this paragraph may not be
 24 construed to prohibit lawful solicitation for and acceptance of campaign contributions,
 25 solicitation or acceptance of contributions for a charity event, as defined in
 26 AS 24.60.080(c)(10), or the acceptance of a lawful gratuity under AS 24.60.080;

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

31 (A) limited use of state property and resources for personal

1 purposes if the use does not interfere with the performance of public duties and
2 either the cost or value related to the use is nominal or the legislator or
3 legislative employee reimburses the state for the cost of the use;

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

7 (C) telephone or facsimile use that does not carry a special
8 charge;

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

16 (E) a legislator from using the legislator's private office in the
17 capital city during a legislative session, and for the 10 days immediately before
18 and the 10 days immediately after a legislative session, for nonlegislative
19 purposes if the use does not interfere with the performance of public duties and
20 if there is no cost to the state for the use of the space and equipment, other than
21 utility costs and minimal wear and tear, or the legislator promptly reimburses
22 the state for the cost; an office is considered a legislator's private office under
23 this subparagraph if it is the primary space in the capital city reserved for use
24 by the legislator, whether or not it is shared with others;

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

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

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

31 (I) reasonable use of the Internet by a legislator or a legislative

1 employee except if the use is for election campaign purposes;

2 (J) a legislator or legislative employee from soliciting,
3 accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable
4 organization in a state facility;

5 (K) a legislator from sending any communication in the form of
6 a newsletter to the legislator's constituents, except a communication expressly
7 advocating the election or defeat of a candidate or a newsletter or material in a
8 newsletter that is clearly only for the private benefit of a legislator or a
9 legislative employee; or

10 (L) full participation in a charity event approved in advance by
11 the Alaska Legislative Council;

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

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

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

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

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

1 (C) telephone or facsimile use that does not carry a special
2 charge;

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

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

14 (F) use by a legislator of photographs of that legislator;

15 **(6) enter into a contract to provide consulting services.**

16 * **Sec. 6.** AS 24.60.080(e) is amended to read:

17 (e) A political contribution is not a gift under this section if it is reported under
18 AS 15.13.040 [OR IS EXEMPT FROM THE REPORTING REQUIREMENT
19 UNDER AS 15.13.040(g)]. The use of a bulk mailing permit owned by a legislator's
20 campaign committee or used in a legislator's election campaign is not a gift to that
21 legislator under this section.

22 * **Sec. 7.** AS 15.13.040(g) and 15.13.040(l) are repealed.