

**HOUSE BILL NO. 368**

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

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 2/19/08

Referred: State Affairs, Judiciary, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act modifying the limitations on political fund raising during legislative sessions by  
2 candidates for governor or for lieutenant governor, and amending the Legislative Ethics  
3 Act to modify the limitation on political fund raising by legislators and legislative  
4 employees during legislative sessions, to allow legislators and legislative employees to  
5 accept certain gifts from lobbyists within their immediate families, to clarify the  
6 Legislative Ethics Act as it relates to legislative volunteers and educational trainees, to  
7 reduce the frequency of publication of summaries by the Select Committee on  
8 Legislative Ethics, to revise procedures and penalties related to the late filing of  
9 disclosures required by the Legislative Ethics Act, and to add a definition to that Act."

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

11 \* **Section 1.** AS 15.13.072(g) is amended to read:

12 (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, **on a day when either house of the legislature is in regular or special**  
 4 **session,** solicit or accept a contribution in the **municipality in which the legislative**  
 5 **session is convened** [CAPITAL CITY WHILE THE LEGISLATURE IS  
 6 CONVENED IN A REGULAR OR SPECIAL LEGISLATIVE SESSION].

7 \* **Sec. 2.** AS 24.60.031(a) is amended to read:

8 (a) A legislator or legislative employee may not

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

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

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

30 \* **Sec. 3.** AS 24.60.080(a) is amended to read:

31 (a) Except as otherwise provided in this section, a legislator or legislative

1 employee may not

2 (1) solicit, accept, or receive, directly or indirectly, a gift worth \$250  
3 or more, whether in the form of money, services, a loan, travel, entertainment,  
4 hospitality, promise, or other form, or gifts from the same person worth less than \$250  
5 that in a calendar year aggregate to \$250 or more in value;

6 (2) solicit, accept, or receive a gift with any monetary value from a  
7 lobbyist, an immediate family member of a lobbyist, or a person acting on behalf of a  
8 lobbyist, except

9 (A) food or beverage for immediate consumption; [OR]

10 (B) tickets for a charity event at any time, except that tickets to  
11 or gifts received at a charity event under this subparagraph are subject to the  
12 calendar year limit on the value of gifts received by a legislator or legislative  
13 employee in (1) of this subsection; in this subparagraph, "charity event" means  
14 an event the proceeds of which go to a charitable organization with tax-free  
15 status under 26 U.S.C. 501(c)(3) and that the Alaska Legislative Council has  
16 approved in advance; the tickets may entitle the bearer to admission to the  
17 event, to entertainment, to food or beverages, or to other gifts or services  
18 involved in the charity event; or

19 **(C) a gift that is unconnected with the recipient's legislative**  
20 **status and is from a member of the legislator's or legislative employee's**  
21 **immediate family.**

22 \* **Sec. 4.** AS 24.60.080(h) is amended to read:

23 (h) A legislator, a legislative committee other than the Select Committee on  
24 Legislative Ethics, or a legislative agency may accept a gift of (1) volunteer services  
25 for legislative purposes so long as the person making the gift of services is not  
26 receiving compensation from another source for the services, or (2) the services of a  
27 trainee who is participating in an educational program approved by the committee if  
28 the services are used for legislative purposes. The committee shall approve training  
29 under a program of the University of Alaska and training under 29 U.S.C. 2801 - 2945  
30 (Workforce Investment Act of 1998). [A LEGISLATIVE VOLUNTEER OR  
31 EDUCATIONAL TRAINEE SHALL BE CONSIDERED TO BE A LEGISLATIVE

1 EMPLOYEE FOR PURPOSES OF COMPLIANCE WITH THIS SECTION,  
 2 AS 24.60.030 - 24.60.039, 24.60.060, 24.60.085, 24.60.158 - 24.60.170, 24.60.176,  
 3 AND 24.60.178. IF A PERSON BELIEVES THAT A LEGISLATIVE VOLUNTEER  
 4 OR EDUCATIONAL TRAINEE HAS VIOLATED THE PROVISIONS OF ONE OF  
 5 THOSE SECTIONS, THE PERSON MAY FILE A COMPLAINT UNDER  
 6 AS 24.60.170. THE PROVISIONS OF AS 24.60.170 APPLY TO THE  
 7 PROCEEDING.]

8 \* **Sec. 5.** AS 24.60.080 is amended by adding a new subsection to read:

9 (l) A legislative volunteer or educational trainee shall be considered to be a  
 10 legislative employee for purposes of compliance with this section, AS 24.60.030 -  
 11 24.60.039, 24.60.060, 24.60.085, 24.60.158 - 24.60.170, 24.60.176, and 24.60.178. If  
 12 a person believes that a legislative volunteer or educational trainee has violated the  
 13 provisions of one of those sections, the person may file a complaint under  
 14 AS 24.60.170. The provisions of AS 24.60.170 apply to the proceeding.

15 \* **Sec. 6.** AS 24.60.150(a) is amended to read:

16 (a) The committee shall

17 (1) adopt procedures to facilitate the receipt of inquiries and prompt  
 18 rendition of its opinions;

19 (2) publish **annual** [SEMI-ANNUAL] summaries of decisions and  
 20 advisory opinions with sufficient deletions in the summaries to prevent disclosing the  
 21 identity of the persons involved in the decisions or opinions that have remained  
 22 confidential;

23 (3) publish legislative ethics materials, including an annually updated  
 24 handbook on standards of ethical conduct and a bimonthly legislative newsletter, to  
 25 help educate legislators, legislative employees, and public members of the committee  
 26 on the subject of legislative ethics;

27 (4) within 10 days of the first day of each regular session of the  
 28 legislature and at other times determined by the committee, administer two types of  
 29 legislative ethics courses that teach means of compliance with this chapter and are  
 30 designed to give an understanding of this chapter's purpose under AS 24.60.010; one  
 31 course, for returning legislators, legislative employees, or public members of the

1 committee, shall refresh knowledge and review compliance issues; a separate course  
 2 shall be designed to give first-time legislators, legislative employees, or public  
 3 members of the committee a fundamental understanding of this chapter and how to  
 4 comply with it.

5 \* **Sec. 7.** AS 24.60.260(c) is amended to read:

6 (c) The committee may impose a fine on a person who files a disclosure after  
 7 a deadline set by this chapter. The amount of the fine imposed under this subsection  
 8 may not exceed \$2 for each day to a maximum of \$100 for each [DISCLOSURE FOR  
 9 A] late **filing unless the committee determines that the late filing was inadvertent**  
 10 **or wilful. If** [DISCLOSURE. HOWEVER, IF] the committee finds that a late filing  
 11 was inadvertent, the maximum fine the committee may impose under this subsection is  
 12 \$25. **If the committee determines that the late filing was wilful, the amount of the**  
 13 **fine imposed under this subsection shall be \$100 for each day to a maximum of**  
 14 **\$2,500.**

15 \* **Sec. 8.** AS 24.60.990(a) is amended by adding a new paragraph to read:

16 (17) "partisan political activity"

17 (A) means an activity that is intended to differentially benefit  
 18 or harm a

19 (i) candidate or potential candidate for elective office;

20 or

21 (ii) political party or group;

22 (B) does not include an activity that is intended to benefit the  
 23 public interest at large through legislative action.