



AMENDMENT #1

Birch
Millett
Wilson
NEUMAN
Johnson
Jilson

OFFERED IN THE HOUSE
TO: CSSH B 44(STA)

1 Page 1, line 1, following "Act":

2 Insert "prohibiting certain groups from soliciting and accepting contributions or
3 from making certain contributions and expenditures during a regular or special
4 legislative session; and prohibiting some lobbyists from making campaign contributions
5 to certain groups;"

SADDLER
Pratt
Kopp

6
7 Page 1, following line 5:

8 Insert new bill sections to read:

9 ** Section 1. AS 15.13.072 is amended by adding a new subsection to read:

10 (i) A group that makes expenditures or receives contributions with the
11 authorization or consent, express or implied, or under the control, direct or indirect, of
12 a person who is a legislator may not solicit or accept a contribution for the purpose of
13 influencing the outcome of an election under this chapter while the legislature is
14 convened in a regular or special legislative session.

Talerico
SULLIVAN -
LEONARD
Knopp
Johnson
Chenault
Rauscher
Thompson
Zambold

15 * Sec. 2. AS 15.13.074(g) is repealed and reenacted to read:

16 (g) Except as provided in (j) of this section, an individual required to register
17 as a lobbyist under AS 24.45 may not, at any time the individual is subject to the
18 registration requirement under AS 24.45 and for one year after the date of the
19 individual's initial registration or its renewal, make a contribution to a candidate for
20 the legislature or to a group that makes expenditures or receives contributions

21 (1) with the authorization or consent, express or implied, or under the
22 control, direct or indirect, of

23 (A) a member of the legislature; or

1 (B) an individual who files for election to the state legislature
2 or campaigns as a write-in candidate for the state legislature; and

3 (2) to influence the outcome of an election under this chapter.

4 * **Sec. 3.** AS 15.13.074 is amended by adding new subsections to read:

5 (j) An individual required to register as a lobbyist under AS 24.45 may make a
6 contribution to a candidate for the legislature in the district in which the individual is
7 eligible to vote or will be eligible to vote on the date of the election. An individual
8 who makes a contribution under this subsection shall report to the commission, on a
9 form provided by the commission, each contribution made while required to register
10 as a lobbyist under AS 24.45 and for one year after the date of the individual's initial
11 registration or renewal. Upon request of the commission, the information required
12 under this subsection shall be submitted electronically. In this subsection, "candidate"
13 means an individual who files for election to the legislature or who campaigns as a
14 write-in candidate for the legislature.

15 (k) The restriction on contributions by an individual required to register as a
16 lobbyist under AS 24.45 in (g) of this section and the reporting requirement of (j) of
17 this section do not apply to a representational lobbyist as defined in regulations of the
18 commission.

19 * **Sec. 4.** AS 15.13.082 is amended by adding a new subsection to read:

20 (d) A group that makes expenditures or receives contributions with the
21 authorization or consent, express or implied, or under the control, direct or indirect, of
22 a person who is a legislator may not make a contribution or expenditure for the
23 purpose of influencing the outcome of an election under this chapter while the
24 legislature is convened in a regular or special session.

25 * **Sec. 5.** AS 15.13.400 is amended to read:

26 **Sec. 15.13.400. Definitions.** In this chapter, unless the context clearly
27 requires otherwise,

28 (1) "candidate"

29 (A) means an individual who files for election to the state
30 legislature, for governor, for lieutenant governor, for municipal office, for
31 retention in judicial office, or for constitutional convention delegate, or who

1 campaigns as a write-in candidate for any of these offices; and

2 (B) when used in a provision of this chapter that limits or
3 prohibits the donation, solicitation, or acceptance of campaign contributions, or
4 limits or prohibits an expenditure, includes

5 (i) a candidate's campaign treasurer and a deputy
6 campaign treasurer;

7 (ii) a member of the candidate's immediate family;

8 (iii) a person acting as agent for the candidate;

9 (iv) the candidate's campaign committee; and

10 (v) a group that makes expenditures or receives
11 contributions with the authorization or consent, express or implied, or
12 under the control, direct or indirect, of the candidate;

13 (2) "commission" means the Alaska Public Offices Commission;

14 (3) "communication" means an announcement or advertisement
15 disseminated through print or broadcast media, including radio, television, cable, and
16 satellite, the Internet, or through a mass mailing, excluding those placed by an
17 individual or nongroup entity and costing \$500 or less and those that do not directly or
18 indirectly identify a candidate or proposition, as that term is defined in
19 AS 15.13.065(c);

20 (4) "contribution"

21 (A) means a purchase, payment, promise or obligation to pay,
22 loan or loan guarantee, deposit or gift of money, goods, or services for which
23 charge is ordinarily made, and includes the payment by a person other than a
24 candidate or political party, or compensation for the personal services of
25 another person, that is rendered to the candidate or political party, and that is
26 made for the purpose of

27 (i) influencing the nomination or election of a
28 candidate;

29 (ii) influencing a ballot proposition or question; or

30 (iii) supporting or opposing an initiative proposal
31 application filed with the lieutenant governor under AS 15.45.020;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(B) does not include

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

(ii) ordinary hospitality in a home;

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

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

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

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

(vii) an opportunity to participate in a candidate forum provided to a candidate without compensation to the candidate by another person and for which a candidate is not ordinarily charged;

(5) "electioneering communication" means a communication that

(A) directly or indirectly identifies a candidate;

(B) addresses an issue of national, state, or local political importance and attributes a position on that issue to the candidate identified; and

(C) occurs within the 30 days preceding a general or municipal election;

(6) "expenditure"

(A) means a purchase or a transfer of money or anything of

1 value, or promise or agreement to purchase or transfer money or anything of
2 value, incurred or made for the purpose of

3 (i) influencing the nomination or election of a candidate
4 or of any individual who files for nomination at a later date and
5 becomes a candidate;

6 (ii) use by a political party;

7 (iii) the payment by a person other than a candidate or
8 political party of compensation for the personal services of another
9 person that are rendered to a candidate or political party;

10 (iv) influencing the outcome of a ballot proposition or
11 question; or

12 (v) supporting or opposing an initiative proposal
13 application filed with the lieutenant governor under AS 15.45.020;

14 (B) does not include a candidate's filing fee or the cost of
15 preparing reports and statements required by this chapter;

16 (C) includes an express communication and an electioneering
17 communication, but does not include an issues communication;

18 (7) "express communication" means a communication that, when read
19 as a whole and with limited reference to outside events, is susceptible of no other
20 reasonable interpretation but as an exhortation to vote for or against a specific
21 candidate;

22 (8) "group" means

23 (A) every state and regional executive committee of a political
24 party;

25 (B) any combination of two or more individuals acting jointly
26 who organize for the principal purpose of influencing the outcome of one or
27 more elections and who take action the major purpose of which is to influence
28 the outcome of an election; a group that makes expenditures or receives
29 contributions with the authorization or consent, express or implied, or under
30 the control, direct or indirect, of a candidate shall be considered to be
31 controlled by that candidate; a group whose major purpose is to further the

1 nomination, election, or candidacy of only one individual, or intends to expend
2 more than 50 percent of its money on a single candidate, shall be considered to
3 be controlled by that candidate and its actions done with the candidate's
4 knowledge and consent unless, within 10 days from the date the candidate
5 learns of the existence of the group the candidate files with the commission, on
6 a form provided by the commission, an affidavit that the group is operating
7 without the candidate's control; a group organized for more than one year
8 preceding an election and endorsing candidates for more than one office or
9 more than one political party is presumed not to be controlled by a candidate;
10 however, a group that contributes more than 50 percent of its money to or on
11 behalf of one candidate shall be considered to support only one candidate for
12 purposes of AS 15.13.070, whether or not control of the group has been
13 disclaimed by the candidate; and

14 (C) any combination of two or more individuals acting jointly
15 who organize for the principal purpose of filing an initiative proposal
16 application under AS 15.45.020 or who file an initiative proposal application
17 under AS 15.45.020;

18 (9) "immediate family" means the spouse, parent, child, including a
19 stepchild and an adopted child, and sibling of an individual;

20 (10) "independent expenditure" means an expenditure that is made
21 without the direct or indirect consultation or cooperation with, or at the suggestion or
22 the request of, or with the prior consent of, a candidate, a candidate's campaign
23 treasurer or deputy campaign treasurer, or another person acting as a principal or agent
24 of the candidate;

25 (11) "individual" means a natural person;

26 (12) "issues communication" means a communication that

27 (A) directly or indirectly identifies a candidate; and

28 (B) addresses an issue of national, state, or local political
29 importance and does not support or oppose a candidate for election to public
30 office;

31 (13) "nongroup entity" means a person, other than an individual, that

1 takes action the major purpose of which is to influence the outcome of an election, and
2 that

3 (A) cannot participate in business activities;

4 (B) does not have shareholders who have a claim on corporate
5 earnings; and

6 (C) is independent from the influence of business corporations.

7 (14) "person" has the meaning given in AS 01.10.060, and includes a
8 labor union, nongroup entity, and a group;

9 (15) "political party" means any group that is a political party under
10 AS 15.80.010 and any subordinate unit of that group if, consistent with the rules or
11 bylaws of the political party, the unit conducts or supports campaign operations in a
12 municipality, neighborhood, house district, or precinct;

13 (16) "publicly funded entity" means a person, other than an individual,
14 that receives half or more of the money on which it operates during a calendar year
15 from government, including a public corporation."
16

17 Page 1, line 6:

18 Delete "**Section 1**"

19 Insert "**Sec. 6**"

20

21 Renumber the following bill sections accordingly.