

**SENATE BILL NO. 152**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

**BY SENATOR SHOWER**

**Introduced: 1/18/22**

**Referred: State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to the convening of the legislature at the capital and in the**  
2   **Municipality of Anchorage; relating to the location of legislative sessions; and relating to**  
3   **the emergency relocation of functions of state government."**

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

5    \* **Section 1.** AS 15.13.072(d) is amended to read:

6           (d) While the legislature is convened in a regular or special legislative session,  
7           a legislator or legislative employee may not solicit or accept a contribution to be used  
8           for the purpose of influencing the outcome of an election under this chapter unless

9                   (1) it is an election in which the legislator or legislative employee is a  
10           candidate and the contribution is for that legislator's or legislative employee's  
11           campaign;

12                   (2) the solicitation or acceptance occurs during the 90 days  
13           immediately preceding that election; and

14                   (3) the solicitation or acceptance occurs in a place other than the

capital city or a municipality in which the legislature is convened in a regular or special session if the legislature is convened in a municipality other than the capital city.

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

(g) A candidate or an individual who has filed with the commission the document necessary to permit that individual to incur election-related expenses under AS 15.13.100 for election or reelection to the office of governor or lieutenant governor may not solicit or accept a contribution in the capital city or a municipality in which the legislature is convened while the legislature is convened in a regular or special legislative session.

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

**Sec. 24.05.090. Duration of legislature; sessions.** The legislature shall convene [AT THE CAPITAL] each year on the third Tuesday in January at 1:00 p.m. Each legislature has a duration of two years and consists of a "First Regular Session" that meets in the odd-numbered years, and a "Second Regular Session" that meets in the even-numbered years, and any special session that the governor or legislature calls. The legislature shall convene at the capital for the first regular session, and, for the second regular session, the Alaska Legislative Council shall designate a location within the Municipality of Anchorage for the legislature to convene. Nothing in this section changes the location of the capital under AS 44.06.010.

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

(b) A special session may be held at any location in the state. If a special session called under (a)(1) of this section is to be convened at a location other than the location of the preceding session [AT THE CAPITAL], the governor shall designate the location in the proclamation. If a special session called under (a)(2) of this section is to be convened at a location other than the location of the preceding session [AT THE CAPITAL], the presiding officers shall agree to and designate the location in the poll conducted of the members of both houses.

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

**Sec. 24.10.030. Chief clerk and senate secretary.** Each house shall select from outside its membership a person of known stenographic and administrative

ability to serve as chief administrative clerk; a chief clerk in the house of representatives and a secretary in the senate. When nominated and elected in conformity with the uniform rules, they continue to serve for the duration of the legislature at the pleasure of the house to which assigned. Pending the organization of a new legislature, they may continue to serve at the request and direction of the legislative council until their respective houses formally reappoint or replace them. The chief clerk and senate secretary are responsible for the performance of duties provided for by law, the uniform rules, and orders of the house. They may be requested to report to the legislative council for duty for a period not to exceed two weeks immediately preceding the convening of the session and shall remain at the location of the session [CAPITAL] until the completion of their work is determined by the director of the council.

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

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

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

(b) The registration form prescribed by the commission must include

(1) the lobbyist's full name and complete permanent residence and business address and telephone number, as well as any temporary residential and business address and telephone number in the location of the session [STATE CAPITAL] during a legislative session;

(2) the full name and complete address of each person by whom the lobbyist is retained or employed;

(3) whether the person from whom the lobbyist receives compensation employs the person solely as a lobbyist or whether the person is a regular employee performing other services for the employer that include but are not limited to the influencing of legislative or administrative action;

(4) the nature or form of the lobbyist's compensation for engaging in lobbying, including salary, fees, or reimbursement for expenses received in

1 consideration for, or directly in support of or in connection with, the influencing of  
2 legislative or administrative action;

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

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

9 (7) the identification of a legislative employee or public official to  
10 whom the lobbyist is married or who is the domestic partner of the lobbyist;

11 (8) a sworn affirmation by the lobbyist that the lobbyist has completed  
12 the training course administered by the commission under AS 24.45.031(a) within the  
13 12-month period preceding the date of registration or registration renewal under this  
14 chapter, except that this paragraph does not apply to a person who is a representational  
15 lobbyist as defined under regulations of the commission;

16 (9) a sworn affirmation by the lobbyist that the lobbyist has not been  
17 previously convicted of a felony involving moral turpitude; in this paragraph, "felony  
18 involving moral turpitude" has the meaning given in AS 15.80.010, and includes  
19 convictions for a violation of the law of this state or a violation of the law of another  
20 jurisdiction with elements similar to a felony involving moral turpitude in this state.

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

22 (e) Within 15 days after the convening of each regular session of the  
23 legislature, the commission shall publish a directory of registered lobbyists, containing  
24 the information prescribed in (b) of this section for each lobbyist and the photograph,  
25 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter,  
26 the commission shall publish those supplements to the directory that in the  
27 commission's judgment may be necessary. The directory shall be made available to  
28 public officials and to the public at the following locations: a public place adjacent to  
29 the legislative chambers in the location of the session [STATE CAPITOL  
30 BUILDING], the office of the lieutenant governor, the legislative reference library of  
31 the Legislative Affairs Agency, and the commission's central office.

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

2           **Sec. 24.50.010. Annual student guests.** The legislature may each year, while  
3 in session, serve as host to one member of each high school in the state for a stay of  
4 one week in the location of the session [CAPITAL] to observe and learn the  
5 legislative process.

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

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

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

16           (a) A legislator or legislative employee may not

17                   (1) solicit, agree to accept, or accept a benefit other than official  
18 compensation for the performance of public duties; this paragraph may not be  
19 construed to prohibit lawful solicitation for and acceptance of campaign contributions,  
20 solicitation or acceptance of contributions for a charity event, as defined in  
21 AS 24.60.080(a)(2)(B), or the acceptance of a gift under AS 24.60.075 or 24.60.080;

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

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

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

1 public for nonlegislative purposes;

2 (C) the legislative council, notwithstanding AS 24.05.190, from  
3 designating a public facility for use by legislators and legislative employees for  
4 health or fitness purposes; when the council designates a facility to be used by  
5 legislators and legislative employees for health or fitness purposes, it shall  
6 adopt guidelines governing access to and use of the facility; the guidelines may  
7 establish times in which use of the facility is limited to specific groups;

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

18 (E) a legislator from use of legislative employees to prepare  
19 and send out seasonal greeting cards;

20 (F) a legislator from using state resources to transport  
21 computers or other office equipment owned by the legislator but primarily used  
22 for a state function;

23 (G) use by a legislator of photographs of that legislator;

24 (H) reasonable use of the Internet by a legislator or a legislative  
25 employee except if the use is for election campaign purposes;

26 (I) a legislator or legislative employee from soliciting,  
27 accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable  
28 organization in a state facility;

29 (J) a legislator from sending any communication in the form of  
30 a newsletter to the legislator's constituents, except a communication expressly  
31 advocating the election or defeat of a candidate or a newsletter or material in a

1 newsletter that is clearly only for the private benefit of a legislator or a  
2 legislative employee; or

3 (K) full participation in a charity event approved in advance by  
4 the Alaska Legislative Council;

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

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

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

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

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

25 (C) storing or maintaining, consistent with (b) of this section,  
26 election campaign records in a legislator's office;

27 (D) a legislator from using the legislator's private office [IN  
28 THE CAPITAL CITY] during a legislative session, and for the 10 days  
29 immediately before and the 10 days immediately after a legislative session, for  
30 nonlegislative purposes if the use does not interfere with the performance of  
31 public duties and if there is no cost to the state for the use of the space and

equipment, other than utility costs and minimal wear and tear, or the legislator promptly reimburses the state for the cost; an office is considered a legislator's private office under this subparagraph if it is the primary space in the **location of the session** [CAPITAL CITY] reserved for use by the legislator, whether or not it is shared with others; or

(E) use by a legislator of photographs of that legislator.

\* **Sec. 12.** AS 24.60.031(a) is amended to read:

(a) A legislative employee may not

(1) on a day when either house of the legislature is in regular or special session, solicit or accept a contribution or a promise or pledge to make a contribution for a campaign for state or municipal office; however, a legislative employee may, except in the [CAPITAL CITY OR IN THE] municipality in which the legislature is convened in **a regular or** special session [IF THE LEGISLATURE IS CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY], solicit or accept a contribution, promise, or pledge for a campaign for state or municipal office that occurs during the 90 days immediately preceding the election for that office; or

(2) accept money from an event held on a day when either house of the legislature is in regular or special session if a substantial purpose of the event is to raise money on behalf of the legislative employee for political purposes; however, this paragraph does not prohibit a legislative employee from accepting money from an event held in a place other than the [CAPITAL CITY OR A] municipality in which the legislature is convened in **a regular or** special session [IF THE LEGISLATURE IS CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during the 90 days immediately preceding an election for state or municipal public office in which the legislative employee is a candidate.

\* **Sec. 13.** AS 24.60.031(b) is amended to read:

(b) A legislator may not

(1) on a day when either house of the legislature is in regular or special session, solicit or accept a contribution or a promise or pledge to make a contribution

(A) for the legislator's own campaign for state or municipal public office, unless the solicitation, acceptance, promise, or pledge occurs in a

place other than the [CAPITAL CITY OR A] municipality in which the legislature is convened in a regular or special session [IF THE LEGISLATURE IS CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during the 90 days immediately preceding the election in which the legislator is a candidate;

(B) for another candidate in an election for municipal, state, or federal office;

(C) to influence a state ballot proposition or question; or

(D) for a political party;

(2) accept money from an event held on a day when either house of the legislature is in regular or special session if a substantial purpose of the event is to raise money on behalf of the legislator's campaign for state or municipal public office; however, this paragraph does not prohibit a legislator from accepting money from an event held in a place other than the [CAPITAL CITY OR A] municipality in which the legislature is convened in a regular or special session [IF THE LEGISLATURE IS CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during the 90 days immediately preceding a state or municipal election in which the legislator is a candidate; or

(3) in a campaign for state or municipal office, expend money that was raised on a day when either house of the legislature was in a legislative session by or on behalf of a legislator under a declaration of candidacy or a general letter of intent to become a candidate for public office; however, this paragraph does not apply to money raised in a place other than the [CAPITAL CITY OR A] municipality in which the legislature is convened in a regular or special session [IF THE LEGISLATURE IS CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during the 90 days immediately preceding an election in which the legislator is a candidate.

\* **Sec. 14.** AS 24.60.080(c) is amended to read:

(c) Notwithstanding (a)(1) of this section, it is not a violation of this section for a person who is a legislator or legislative employee to accept

(1) hospitality, other than hospitality described in (4) of this

1 subsection,

2 (A) with incidental transportation at the residence of a person;  
3 however, a vacation home located outside the state is not considered a  
4 residence for the purposes of this subparagraph; or

5 (B) at a social event or meal;

6 (2) discounts that are available

7 (A) generally to the public or to a large class of persons to  
8 which the person belongs; or

9 (B) when on official state business, but only if receipt of the  
10 discount benefits the state;

11 (3) food or foodstuffs indigenous to the state that are shared generally  
12 as a cultural or social norm;

13 (4) travel and hospitality primarily for the purpose of obtaining  
14 information on matters of legislative concern;

15 (5) gifts from the immediate family of the person; in this paragraph,  
16 "immediate family" means

17 (A) the spouse of the person;

18 (B) the person's domestic partner;

19 (C) a child, including a stepchild and an adopted child, of the  
20 person or of the person's domestic partner;

21 (D) a parent, sibling, grandparent, aunt, or uncle of the person;

22 (E) a parent, sibling, grandparent, aunt, or uncle of the person's  
23 spouse or the person's domestic partner; and

24 (F) a stepparent, stepsister, stepbrother, step-grandparent, step-  
25 aunt, or step-uncle of the person, the person's spouse, or the person's domestic  
26 partner;

27 (6) gifts that are not connected with the recipient's legislative status;

28 (7) a discount for all or part of a legislative session, including time  
29 immediately preceding or following the session, or other gift to welcome a legislator  
30 or legislative employee who is employed on the personal staff of a legislator or by a  
31 standing or special committee to the **location of the session** [CAPITAL CITY] or in

1 recognition of the beginning of a legislative session if the gift or discount is available  
 2 generally to all legislators and the personal staff of legislators and staff of standing and  
 3 special committees; this paragraph does not apply to legislative employees who are  
 4 employed by the Legislative Affairs Agency, the office of the chief clerk, the office of  
 5 the senate secretary, the legislative budget and audit committee, the office of victims'  
 6 rights, or the office of the ombudsman;

7 (8) a gift of legal services in a matter of legislative concern and a gift  
 8 of other services related to the provision of legal services in a matter of legislative  
 9 concern;

10 (9) a gift of transportation from a legislator or a legislative employee to  
 11 a legislator or a legislative employee if the transportation takes place in the state on or  
 12 in an aircraft, boat, motor vehicle, or other means of transport owned or under the  
 13 control of the donor; this paragraph does not apply to travel described in (4) of this  
 14 subsection or travel for political campaign purposes; or

15 (10) a contribution to a charity event, a ticket to a charity event, or a  
 16 gift in connection with a charity event; in this paragraph, "charity event" has the  
 17 meaning given in (a)(2)(B) of this section.

18 \* **Sec. 15.** AS 44.99.007 is amended to read:

19 **Sec. 44.99.007. Emergency transfer of seat of government.** When, due to an  
 20 emergency resulting from the effects of enemy attack or an imminent enemy attack, it  
 21 becomes imprudent, inexpedient, or impossible to conduct the affairs of state  
 22 government at the normal location of the state capital or to hold a legislative session  
 23 in the capital or the Municipality of Anchorage, the governor shall, as often as the  
 24 exigencies of the situation require, declare by proclamation an emergency temporary  
 25 location or locations for the seat of government or for the session at a place or places,  
 26 inside or outside the state, that would not normally be considered military target sites  
 27 and that the governor may consider advisable under the circumstances. The governor  
 28 shall take [SUCH] action and issue [SUCH] orders as may be necessary for an orderly  
 29 transition to the emergency temporary location or locations. The temporary location or  
 30 locations shall remain the emergency seat of government or location of the legislative  
 31 session until the emergency is declared to be ended by the governor and the seat of

1 government or session is returned to its normal location.