

1 IN THE HOUSE

BY PARKER  
BY REQUEST

2 HOUSE BILL NO. 702

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to campaign contributions and  
7 expenditures."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 15 is amended by adding a new chapter to read:

10 CHAPTER 65. CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

11 Sec. 15.65.010. FINDINGS AND PURPOSES. (a) It is hereby found  
12 and declared by the people of the state, that

13 (1) private wealth should not be decisive in a democracy,  
14 either in electing an official or in influencing public policy;

15 (2) the people have a right to be informed of the sources of  
16 significant election campaign contributions and the manner in which  
17 they are spent;

18 (3) serious abuses have resulted in the past from an election  
19 system that is privately financed without limitation;

20 (4) the right of the public to know of the information  
21 required to be disclosed by this chapter is a compelling interest which  
22 outweighs any existing individual rights of privacy and all other  
23 interests in keeping the information secret;

24 (5) the requirements of this chapter do not significantly  
25 infringe upon any person's freedom of speech and association.

26 (b) The purposes of this chapter are to

27 (1) provide for elections that take place with the voters  
28 fully informed of relevant facts regarding the campaign expenditures  
29 of the candidates and the sources and amounts of contributions received.

1 (2) encourage the financing of election campaigns through  
2 small individual contributions and prevent abuses which may occur  
3 because of large secret donations;

4 (3) develop public confidence in persons seeking or holding  
5 elected office and enhance the dignity of the offices themselves with-  
6 out significantly affecting individual's rights;

7 (4) prevent the outcome of elections from being unduly in-  
8 fluenced by the financial resources available to a candidate or to the  
9 advocates of a particular position on the ballot proposition, the source  
10 or origin of which is unknown to the electorate.

11 Sec. 15.65.020. CAMPAIGN EXPENDITURE LIMITATIONS. (a) The total  
12 expenditures made by or on behalf of a candidate for office, exclusive  
13 of the candidate's own living and transportation expenses may not  
14 exceed the following amounts:

15 (1) The sum of \$125,000 if the candidacy is for governor or  
16 lieutenant governor, of which sum no more than \$50,000 may be spent in  
17 a primary campaign and no more than \$75,000 for the general election  
18 campaign. No more than 40 per cent of the amount allowed for each  
19 campaign may be spent on advertising via communications media, United  
20 States congressmen and senators are included under this provision of  
21 the chapter.

22 (2) The sum of \$6,000 if the candidacy is for the state  
23 house of representatives. This amount includes expenditures for both  
24 the primary and general election campaigns.

25 (3) The sum of \$8,000 if the candidacy is for the state  
26 senate. This amount includes expenditures for both the primary and  
27 general election campaigns.

28 (b) Expenditures for advertising which does not identify a  
29 candidate by name is not attributable to that candidate's expenditure

1 allowances established by this section.

2 (c) For purposes of this section, "communications media" means  
3 television and radio broadcasting stations, newspapers, magazines,  
4 outdoor advertising facilities, and telephones.

5 Sec. 15.65.030. APPOINTMENT OF TREASURERS. (a) Each candidate  
6 and each political committee shall appoint a treasurer and certify the  
7 full name and complete address of the treasurer together with the sig-  
8 nature of the person accepting the appointment to the lieutenant  
9 governor on a form prescribed by him. The candidate may be appointed  
10 treasurer.

11 (b) A candidate or political committee may remove his or its  
12 treasurer. In case of the death, resignation or removal of a treasurer  
13 before compliance with all the obligations of a treasurer under this  
14 chapter, the candidate or political committee shall appoint a successor  
15 and certify the name and address of the successor in the manner pro-  
16 vided in the case of an original appointment.

17 Sec. 15.65.040. APPOINTMENT OF A WATCHDOG COMMITTEE. (a) The  
18 governor shall appoint three members of each major political party from  
19 a list of six names to be submitted by the central committee of each  
20 party and three independents from a list of six names to be submitted  
21 by the League of Women Voters. The names submitted by the League of  
22 Women Voters shall contain names only of those persons registered  
23 "no party" for at least two years. If these are not forthcoming, the  
24 governor shall appoint three persons who are registered as independent  
25 and have been so for at least two years. Any other recognized political  
26 party shall have one member appointed by the governor from a list of  
27 three persons registered in that party's name. The membership on the  
28 committee for that party will increase proportionately according to the  
29 percentage of the vote received in the subsequent general election after

1 the effective date of this chapter, using as a basis the vote of the  
2 major party whose candidate receives the lowest vote in the general  
3 election. The committee shall elect its own chairman. The governor  
4 shall make the appointments not later than 60 days prior to the  
5 primary election and committee members shall serve 18 month terms. The  
6 governor shall appoint a new committee not less than 60 days before the  
7 subsequent primary election under the provisions above.

8 (b) The duties and authorities of the committee are:

9 (1) to observe and inspect the records relating to the  
10 campaign contributions, loans, loan guarantees, and pledges received  
11 by each candidate, their amounts and sources;

12 (2) to examine all records relating to the expenditure of  
13 campaign funds by each candidate to determine to whom payments were  
14 made and in what amounts;

15 (c) The powers of the committee include:

16 (1) At the option of the committee, members of each political  
17 party or independent representative may themselves, or by appointment  
18 of not more than two persons for each political district, place an  
19 observer in each election office in the four political districts with  
20 the right to examine all incoming records. The committee members may  
21 authorize their appointees to perform other duties under the same  
22 rights and authorities as other committee members.

23 (2) Upon request the committee members singly or as a group  
24 shall be given immediate access to any records or reports kept by any  
25 candidate, treasurer, business, political committee, person, or group  
26 keeping records of campaign contributions and expenditures.

27 (3) Upon request by the committee or any member or author-  
28 ized representative the lieutenant governor shall furnish copies of  
29 any reports filed to the office of the lieutenant governor as well as

1 furnish information regarding filing for candidacy by any person.

2 (d) The committee shall meet not less than five days before the  
3 primary election and not less than 20 days nor more than 30 days after  
4 the primary election. The committee shall meet not less than five  
5 days before the general election and not less than 20 days nor more  
6 than 30 days after the general election. A committee member represen-  
7 ting a political party or independent group may designate by proxy a  
8 person previously authorized to represent this group in each of the  
9 four political districts to represent him at any of the above designated  
10 meetings. The time and place for meetings as required under the  
11 provisions of this chapter shall be agreed upon by the majority of the  
12 committee or by call of the chairman, whichever is decided upon by the  
13 committee. The governor shall call the time and place for the first  
14 meeting within 10 days after the appointments are made. Other meetings  
15 may be called at any time by the committee or chairman.

16 (e) The lieutenant governor shall not certify the nomination of  
17 a candidate in the primary nor his election in the general election  
18 less than five days after the meeting of the committee after the primary  
19 or general elections. The lieutenant governor shall not certify the  
20 nomination of a candidate in the primary nor his election in the gen-  
21 eral election if the majority of the committee members file charges  
22 against that candidate or until the matter has been decided by the  
23 courts.

24 (f) No salary may be paid to committee members or their autho-  
25 rized representatives. Travel and per diem expenses shall be paid by  
26 the office of the lieutenant governor.

27 Sec. 15.65.050. REPORTS AND RECORDS. (a) The lieutenant governor's  
28 office shall receive the reports as required under this chapter and the  
29 election offices shall have control of media expenditures. Candidates,

1 treasurers, or other authorized persons for candidates seeking the  
2 office of governor, lieutenant governor, and United States congressman  
3 and senator, shall obtain permits from the election offices for each  
4 media expenditure. The request for the permit shall include the  
5 amount of money to be spent and the type of media which will be pur-  
6 chased and from whom. The elections offices shall keep current and  
7 accurate records of the permits issued including the amounts and where  
8 expended and shall make daily reports on each candidate's expenditures  
9 to the office of the election supervisor in Juneau who shall keep  
10 expenditure records for each candidate current and who shall notify  
11 each election office daily by telephone of the amounts remaining in the  
12 media allotment for each candidate. The election supervisor will notify  
13 each election office immediately when the allotment for a candidate has  
14 come within five per cent of its total and no further permits will be  
15 issued by any local election office after the notification without the  
16 express instruction of the election supervisor or his duly authorized  
17 representative. No permit may be issued after the candidate has reached  
18 the amount allowed for media under this chapter.

19 (b) The election offices also shall receive from the lieutenant  
20 governor's office and keep copies of all reports required of the can-  
21 didates. The reports will be sent by the candidates to each of the  
22 four election offices in the election districts at the same time the  
23 reports are sent to the lieutenant governor's office. All of those  
24 records are public records.

25 (c) Expenses of the election offices, lieutenant governor's  
26 office, and committee members which result from the requirements of this  
27 chapter shall be paid by the lieutenant governor's office from funds  
28 not to exceed \$40,000 transferred from the state general fund to the  
29 lieutenant governor's office as needed.

1                   Sec. 15.65.060. RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES.

2                   No contribution may be received or expenditure made by or on behalf  
3                   of a candidate or political committee unless

4                   (1) the candidate or political committee appoints a treasurer  
5                   and certifies the name and address of the treasurer to the lieutenant  
6                   governor;

7                   (2) the contribution is received or expenditure made with  
8                   the concurrence of the treasurer of the candidate or political committee;

9                   (3) the consent of the candidate is obtained, when the con-  
10                  tribution or expenditure is on behalf of the candidate; and

11                  (4) a media permit has been obtained from an election office.

12                  Sec. 15.65.070. MANNER OF MAKING CONTRIBUTIONS. (a) No contri-  
13                  bution may be made or accepted without identification of the contri-  
14                  butor, his employer, or business ownership or affiliation. No person  
15                  may make a payment to a candidate in any name except his own or the  
16                  organization which he represents. No person may make a payment in  
17                  support of or in opposition to a ballot proposition in any name except  
18                  his own or the organization he represents. If the contribution is  
19                  made directly or indirectly by an organization, such organization  
20                  shall be named.

21                  (b) No person may transfer funds to another in order to enable the  
22                  recipient to transfer or to contribute funds to a political committee  
23                  or candidate or may attempt to influence the results of an election in  
24                  a manner which conceals the true source of the funds.

25                  (c) At the time a contribution is received by the candidate, his  
26                  treasurer, or other authorized representative, the contribution shall  
27                  be recorded giving the information required under this chapter and the  
28                  address and telephone number of the contributor. Receipts shall be  
29                  given to each contributor showing the amount received and signed by the

1 candidate, his treasurer, or other authorized representative.

2 (d) All loans, loan guarantees, and pledges shall be recorded  
3 showing the name, address and telephone number of the person, business,  
4 organization, group, or other source of the loan, loan guarantee, or  
5 pledge.

6 (e) All records shall be kept current and made available by the  
7 candidate, his treasurer, or other authorized representative in charge  
8 of such records, upon request for examination by the lieutenant gove-  
9 rnor's office, election office, watchdog committee or its members, or  
10 any member of the public. Refusal to produce these records for exam-  
11 ination when requested constitutes a misdemeanor. Upon conviction  
12 those persons responsible for such refusal are punishable by a fine of  
13 not less than \$1,000 nor more than \$5,000.

14 (f) A single contribution, loan, loan guarantee, or pledge or  
15 an expenditure exceeding \$1,000 must be communicated within 24 hours  
16 to the election office if received, expended, or pledged for payment  
17 during the last 10 days before an election. The penalty for non-  
18 compliance shall be the same as for failure to produce records on  
19 request.

20 Sec. 15.65.080. REPORTS. (a) The treasurer for each candidate  
21 and political committee shall file reports of contributions and expendi-  
22 tures with the lieutenant governor on forms prescribed by him. The  
23 reports shall be filed

24 (1) not less than 25 days before the date of the election  
25 covering all contributions, loans, loan guarantees, or pledges  
26 received and expenditures made, pledged, or charged through the 31st  
27 day before the election;

28 (2) not less than seven days before the date of election  
29 covering all contributions, loans, loan guarantees, or pledges received

1 and expenditures made, pledged, or charged beginning with the 30th day  
2 before the election through the 10th day before the election;

3 (3) not more than 14 days after the election covering all  
4 contributions, loans, loan guarantees, or pledges received and all ex-  
5 penditures made, pledged, or charged beginning with the 10th day before  
6 the election through the 14th day after the election. A report shall  
7 be made within 45 days after the election which shall include a state-  
8 ment of any further contributions, loans, loan guarantees, or pledges or  
9 promises which the treasurer receives or expects to receive. A supple-  
10 mentary report will be filed with the office of the lieutenant governor  
11 after one year's time from the general election giving the amounts of  
12 additional contributions received or pledges and loans or loan guaran-  
13 tees made and the names and addresses of those who have contributed,  
14 pledged, loaned, or guaranteed, and expenditures made during that period

15 (4) If the candidate is elected to office he shall report  
16 to the office of the lieutenant governor on January 15 of each year all  
17 campaign contributions, loans, loan guarantees, or pledges received by  
18 him during the preceding year.

19 (b) The reports made under this section shall be certified as true  
20 and accurate under penalty of perjury under AS 09.65.012. Falsification  
21 or deliberate omissions constitute a misdemeanor and upon conviction  
22 are punishable by a fine of not less than \$1,000 nor more than \$10,000,  
23 by imprisonment for one year, or by both.

24 Sec. 15.65.090. CONTENTS OF REPORTS. (a) The reports required  
25 by this chapter shall include for the reporting period

26 (1) the total amount of all contributions, loans, loan guar-  
27 antees, and pledges for the reporting period;

28 (2) the amount contributed, loaned, guaranteed, or pledged,  
29 and the full name and address of each person or organization who has

1 contributed an aggregate amount of \$50 or more; and each person's em-  
2 ployer or business affiliation;

3 (3) the total amount of contributions of less than \$50 each;

4 (4) the treasurer must maintain currently and have available  
5 for inspection a list of names and addresses and phone numbers of all  
6 contributors and the amounts contributed, loaned, guaranteed, or pledged;

7 (5) the total amount of contributions received from each fund  
8 raising event, the date and place of the event, and the detailed costs  
9 of the event;

10 (6) the total amount of anonymous contributions;

11 (7) the amount of each loan, promissory note or security  
12 instrument to be used by or for the benefit of the candidate or political  
13 committee and the full name and address of the lender and each person  
14 liable directly, indirectly or contingently on the instrument, and the  
15 name of their employer or business affiliation;

16 (8) the total amount of expenditures made or liabilities  
17 incurred for the reporting period;

18 (9) the amount and full name and address of each person or  
19 business to whom an expenditure was made or a liability incurred in the  
20 aggregate amount of more than \$50 and the purpose for the expenditure;

21 (10) the surplus or deficit of contributions over expendi-  
22 tures.

23 (b) The lieutenant governor may require by regulation that addi-  
24 tional information be included in the reports required by this chapter  
25 if within the purposes and intents of this chapter.

26 Sec. 15.65.100 SUPPLEMENTAL STATEMENTS. (a) If a report filed  
27 under sec. 80(a)(3) of this chapter shows an unexpended balance of con-  
28 tributions or an expenditure deficit, the treasurer of the candidate or  
29 political committee shall file supplemental statements with the lieu-

1 tenant governor on a form prescribed by him. The first supplemental  
2 statement shall be filed not more than 30 days after the deadline for  
3 filing the report under sec. 80(a)(3) of this chapter. Thereafter an  
4 additional supplemental statement of contributions and expenditures  
5 shall be submitted every 60 days until no unexpended balance of contri-  
6 butions or expenditure deficit remains.

7 (b) The supplemental statements shall be certified as true and  
8 accurate under penalty of perjury under AS 09.65.012. Falsification or  
9 deliberate omission from the records is a misdemeanor and upon convic-  
10 tion is punishable by a fine of not less than \$1,000 nor more than  
11 \$10,000.

12 Sec. 15.65.110 ADDITIONAL FILING REQUIREMENTS. (a) Statements  
13 and supplemental statements required under this chapter shall be filed  
14 with respect to the primary campaign or succeeding general election  
15 campaign by the unsuccessful and the successful candidates by the  
16 treasurer for the candidate or political committee supporting the  
17 candidate as and within the times prescribed in this chapter.

18 Sec. 15.65.120. ANONYMOUS CONTRIBUTIONS. Reasonable effort shall  
19 be made to ascertain the identity of persons making anonymous contri-  
20 butions. If, despite reasonable effort, the donor is not identified,  
21 the contribution escheats to the state and is payable at the same time  
22 reports are due under sec. 80 of this chapter.

23 Sec. 15.65.130. OUT OF STATE CONTRIBUTIONS. A person who is not  
24 a resident of Alaska or an organization not wholly Alaska based who  
25 contributes an aggregate amount of over \$100 to an election campaign is  
26 subject to the personal jurisdiction of the courts of this state for  
27 all matters relating to the enforcement of this chapter.

28 Sec. 15.65.140. REPORTS BY CONTRIBUTORS. Not more than 15 days  
29 after an election, each person or organization who makes a contribution

1 or expenditure in support of or in opposition to an individual candidate  
2 or ballot proposition in an aggregate amount over \$100 during an elec-  
3 tion campaign shall file a report with the lieutenant governor on a  
4 form prescribed by him, signed by the contributor, disclosing the con-  
5 tributor's name and address, and the date, nature, amount and recipient  
6 of all contributions or expenditures.

7 Sec. 15.65.150. REPORTS BY COMMERCIAL ADVERTISERS. (a) A com-  
8 mercial advertiser who accepts or provides political advertising for an  
9 election campaign may not sell or provide on a commercial basis any of  
10 his services until the candidate or his authorized representative has  
11 presented a permit from the election office for that particular media,  
12 showing the service requested and the amount to be paid. Violation by  
13 the commercial advertiser of this provision is a misdemeanor and, upon  
14 conviction, is punishable by a fine of not less than \$1,000 nor more  
15 than \$10,000. A commercial advertiser shall file with the lieutenant  
16 governor not less than 7 days before an election a report detailing the  
17 advertising provided through the 11th day preceding the election. A  
18 second report shall be filed not more than 10 days after an election  
19 covering the political advertising provided from the 10th day preceding  
20 the election through the election day. Records of all media sold by the  
21 commercial advertiser, to whom, for what, and the amount shall be kept.  
22 The reports and records shall be kept current and the reports or records  
23 shall, upon request, be made immediately available to a member or  
24 members of the Watchdog committee or a member of the general public.  
25 Failure to keep such records or file the required reports or to make  
26 such records available upon request shall constitute a misdemeanor and  
27 upon conviction that commercial advertiser shall pay a fine not less  
28 than \$1,000 nor more than \$5,000. Advertising received for an amount  
29 exceeding \$500 shall be reported immediately to the election office if

1 made within the eleven day period before a primary or general election.  
2 Noncompliance constitutes a misdemeanor and upon conviction is punishable  
3 by a fine of not less than \$500 nor more than \$1,000.

4 (b) Each report required by this section must include the following  
5 information and any other relevant information which may be required by  
6 regulation

7 (1) the name and address of each person for whom political  
8 advertising was provided, and the name of the political committee if  
9 provided for a political committee,

10 (2) the exact nature and extent of the advertising services  
11 rendered; and,

12 (3) the consideration and manner of payment for the adver-  
13 tising.

14 (c) No report need be filed under this section if the total value  
15 of the services rendered does not exceed \$25.

16 (d) A commercial advertiser who violates this section by refusing  
17 or failing to file a report is guilty of a misdemeanor and upon con-  
18 viction shall be fined not less than \$1,000 nor more than \$10,000.  
19 Each refusal is a separate violation.

20 Sec. 15.65.160. CHARGES BY COMMERCIAL ADVERTISERS. No commercial  
21 advertiser may charge a candidate or political committee either a  
22 higher or lower charge than that which it requires other customers to  
23 pay for comparable materials and services. A commercial advertiser who  
24 violates this section is guilty of a misdemeanor and upon conviction is  
25 punishable by a fine of \$1,000 for each violation. The media shall  
26 give equal time, space, or services to all candidates if such request  
27 is made five days before the date and time the media is requested, or  
28 ten days before the primary or general election. Refusal to give  
29 equal time, space, or services constitutes a misdemeanor and upon con-

1 viction is punishable by a fine of not less than \$1,000 nor more than  
2 \$10,000 for each refusal.

3 Sec. 15.65.170. POWERS AND DUTIES OF LIEUTENANT GOVERNOR. (a)

4 The lieutenant governor shall

5 (1) publicize the requirements of this chapter so that  
6 persons having duties under this chapter may be informed of the duties;

7 (2) prescribe and distribute uniform forms for all reports  
8 required to be filed under this Act; including an adequate number of  
9 forms for contributors, loaners, guarantors, and pledgers to campaign  
10 treasurers;

11 (3) prepare and distribute standard instructions for keeping  
12 accounts for use by persons required to file reports under this chapter;  
13 this does not relieve those persons from complying with the requirements  
14 of this chapter until instructions or forms are received;

15 (4) prepare summaries of the reports received and make the  
16 summaries available to the news media and the public; the summaries of  
17 the reports required by this chapter shall be available not later than  
18 the fourth day preceding an election;

19 (5) make all records and reports available for public inspec-  
20 tion and furnish copies of the reports upon request; and,

21 (6) analyze and compare the reports received for possible  
22 violations, investigate possible violations, and report evidence of  
23 probable violations, investigate possible violations, and report evidence  
24 of probable violations to the attorney general who shall investigate  
25 and if violations are found shall prosecute.

26 (b) The lieutenant governor may

27 (1) promulgate regulations to implement, interpret or make  
28 more specific the provisions of this chapter; and if such implementation  
29 and interpretation is within the intents and purposes of this chapter

1 he shall exercise the same investigative powers available to the Depart-  
2 ment of Revenue under AS 43.05.040 to ascertain the correctness of  
3 reports and to enforce the provisions of this chapter.

4 Sec. 15.65.180. LOCAL ELECTIONS. Except for sec. 20(a)(1) - (3),  
5 sec. 40, sec. 50(c), sec. 60(a)(4), and sec. 190(d) - (f) of this  
6 chapter, this chapter applies to all local elections. Reports for  
7 local elections shall be filed with the local government official re-  
8 sponsible for administering the election. Except for the power of  
9 promulgating regulations and the duty of preparing uniform forms, the  
10 powers and duties of the official receiving the reports are the same as  
11 for the lieutenant governor set out in this chapter. Nothing in this  
12 chapter may be construed as limiting the powers of political subdivisions  
13 to enact ordinances which are not inconsistent with the provisions of  
14 this chapter.

15 Sec. 15.65.190. PENALTIES AND ENFORCEMENT. (a) Any person may  
16 bring an action to enforce the provisions of this chapter or the civil  
17 remedy provisions of this chapter. Any action affecting a candidate's  
18 nomination or election or certification of the nomination or election by  
19 the lieutenant governor shall be given first priority by the court and  
20 heard within ten days from the date of filing such action.

21 (b) Unless provided otherwise, a person who refuses or fails to  
22 file a report required by this chapter is guilty of a misdemeanor and  
23 upon conviction shall be fined not less than \$1,000 nor more than \$5,000.

24 (c) A person who files a report required under this chapter with-  
25 out including required information known to the person or who files  
26 false or misleading information is guilty of a misdemeanor and upon  
27 conviction may be imprisoned for up to one year or fined not less than  
28 \$1,000 nor more than \$10,000, or both.

29 (d) A candidate or his agents who violate sec. 20 of this chapter

1 by exceeding the limits for expenditures or media allotment is guilty  
2 of a misdemeanor if the excess is more than 5 per cent but less than  
3 15 per cent of the maximum amount allowed and upon conviction shall be  
4 fined not less than \$1,000 nor more than \$10,000. A candidate is guilty  
5 of a misdemeanor if the excess is 15 per cent or more of the maximum  
6 amount allowed for total expenditures in the primary or general cam-  
7 paigns or the amount allowed for media expenditures in each campaign  
8 and upon conviction shall pay a fine of not less than \$5,000 nor more  
9 than \$10,000.

10 (e) A candidate found by the courts to have expended more than  
11 15 per cent of the amount allowed by this chapter in the primary or  
12 general election or above the amount allowed in this chapter for media  
13 expenditures in each campaign shall have his nomination to office or  
14 election to office declared null and void and the lieutenant governor  
15 shall not certify his nomination or election but shall certify the  
16 nomination or election for that office to the next highest vote getter  
17 in the primary or general election who has complied with the chapter.  
18 Such person shall be declared nominated or elected. Any candidate in  
19 a primary or general election who fails or refuses to conform to the  
20 requirements of this chapter shall be disqualified and removed from the  
21 ballot. If the election has taken place he shall not be certified by  
22 the lieutenant governor but the next highest vote getter shall be  
23 certified as nominated or elected. Such person shall be declared  
24 nominated or elected.

25 (f) If a candidate violates a provision of this chapter before  
26 a primary or general election takes place, his name may be replaced on  
27 the primary or general election ballot in a manner as prescribed by  
28 AS 15.25.120, 15.25.130, or 15.40.460.

29 (g) A violation of the provisions of this chapter which is not

1 otherwise provided for is a misdemeanor and is punishable by imprisonment  
2 for up to one year or by a fine of up to \$10,000 or by both.

3 Sec. 15.65.200. DEFINITIONS. In this chapter,

4 (1) "candidate" means a person who files in a general or  
5 primary election for election to the state legislature, for governor,  
6 lieutenant governor, United States senate or congress, or delegate to a  
7 constitutional convention, or a local government office;

8 (2) "contribution" means any loan, loan guarantee, pledge,  
9 gift, advance, deposit, transfer of funds or anything of value and  
10 includes a promise, or contract whether or not legally enforceable to  
11 make a contribution or expenditure in support of or in opposition to a  
12 candidate, political committee or ballot proposition, but does not in-  
13 clude volunteered personal services for which no compensation is given;

14 (3) "commercial advertiser" means a person who sells the  
15 service of communicating messages or producing printed material for  
16 broadcast or distribution to the general public or segments of the gen-  
17 eral public, whether through use of newspapers, magazines, television  
18 and radio stations, billboard companies, printing companies, or otherwise;

19 (4) "expenditure" means a payment, loan, pledge, charge,  
20 deposit or gift of money or anything of value in exchange for goods,  
21 services, facilities or anything of value in support of or in opposi-  
22 tion to a candidate, political committee or ballot proposition and the  
23 work includes a promise or contract whether or not legally enforceable,  
24 to make an expenditure;

25 (5) "political committee" means a combination of two or more  
26 persons, the primary or incidental purpose of which is to support or  
27 oppose a candidate or ballot proposition.  
28  
29