

Introduced: 2/4/81
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY BROWN

2 HOUSE BILL NO. 89

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to remedies for violation of campaign
7 laws."

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

9 * Section 1. AS 15.13.120 is amended by adding new subsections to read:

10 (f) If a successful candidate or the campaign treasurer or deputy
11 campaign treasurer of a successful candidate is convicted of a viola-
12 tion of this chapter, proceedings shall be held and appropriate action
13 taken in accordance with

14 (1) art. II, sec. 12 of the state constitution, if the
15 candidate is a candidate for the state legislature;

16 (2) art. II, sec. 20 of the state constitution, if the
17 candidate is a candidate for governor or lieutenant governor;

18 (3) AS 29.23.060(c), if the candidate is a candidate for the
19 borough assembly;

20 (4) AS 29.23.130(f), if the candidate is a candidate for
21 borough mayor;

22 (5) AS 29.23.210(b), if the candidate is a candidate for
23 city council;

24 (6) AS 29.23.255, if the candidate is a candidate for city
25 mayor.

26 (g) Information developed by the commission under (d) of this
27 section shall be considered during a proceeding under (f) of this
28 section.

29 (h) When a successful candidate or the campaign treasurer or

1 deputy campaign treasurer of a successful candidate is charged with a
2 violation of this chapter, the case shall be promptly tried and ac-
3 corded a preferred position for purposes of argument and decision, so
4 as to assure a speedy disposition of the matter.

5 * Sec. 2. AS 29.23.060(c) is amended to read:

6 (c) The assembly shall determine its own rules and order of
7 business and provide for keeping a journal of its proceedings. The
8 assembly is the judge of the election and qualification of its members
9 and, with the concurrence of two-thirds of its members, may expel a
10 member for a conviction of a violation of AS 15.13 or a felony or
11 misdemeanor described in AS 15.56 as a corrupt practice. The assembly
12 shall consider a conviction of a member for a felony or misdemeanor
13 described in AS 15.56 as a corrupt practice at its first meeting fol-
14 lowing the final determination of the conviction.

15 * Sec. 3. AS 29.23.130(f) is amended to read:

16 (f) The assembly, with the concurrence of two-thirds of its
17 members, may remove the borough mayor from office for a conviction of a
18 violation of AS 15.13 or a felony or misdemeanor described in AS 15.56
19 as a corrupt practice. The assembly shall consider a conviction of the
20 borough mayor of a violation of AS 15.13 or a felony or misdemeanor
21 described in AS 15.56 as a corrupt practice at its first meeting fol-
22 lowing the final determination of the conviction.

23 * Sec. 4. AS 29.23.210(b) is amended to read:

24 (b) The council shall determine its own rules and order of busi-
25 ness and provide for keeping a journal of its proceedings. The council
26 is the judge of the election and qualification of its members and, with
27 the concurrence of two-thirds of its members, may expel a member for a
28 conviction of a violation of AS 15.13 or a felony or misdemeanor des-
29 cribed in AS 15.56 as a corrupt practice. The council shall consider

1 that conviction during its first meeting following final determination
2 of the conviction.

3 * Sec. 5. AS 29.23.255 is amended to read:

4 Sec. 29.23.255. REMOVAL FROM OFFICE. The council may, with
5 concurrence of two-thirds of its members, remove the mayor from office
6 for a conviction of a violation of AS 15.13 or a felony or misdemeanor
7 described in AS 15.56 as a corrupt practice. The council shall con-
8 sider the conviction during its first meeting following final determin-
9 ation of the conviction.

10 * Sec. 6. AS 15.13.120(b) is repealed.
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29