

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

1 IN THE HOUSE

BY BROWN

2 HOUSE BILL NO. 89 am

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, after being sworn into office, a person who was a success-  
11 ful candidate or the campaign treasurer or deputy campaign treasurer of  
12 a person who was a successful candidate is convicted of a violation of  
13 this chapter, proceedings shall be held and appropriate action taken in  
14 accordance with

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

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

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

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

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

25 (6) AS 29.23.255, if the candidate is a candidate for city  
26 mayor;

27 (7) the provisions of the call for the constitutional con-  
28 vention, if the candidate is a candidate for constitutional convention  
29 delegate;

1 (8) article IV, sec. 10 of the state constitution, if the  
2 candidate is a candidate for judicial retention.

3 (g) Information developed by the commission under (d) of this  
4 section shall be considered during a proceeding under (f) of this  
5 section.

6 (h) When, after being sworn into office, a successful candidate  
7 or the campaign treasurer or deputy campaign treasurer of a person who  
8 was a successful candidate is charged with a violation of this chapter,  
9 the case shall be promptly tried and accorded a preferred position for  
10 purposes of argument and decision, so as to assure a speedy disposition  
11 of the matter.

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

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

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

23 (f) The assembly, with the concurrence of two-thirds of its  
24 members, may remove the borough mayor from office for a conviction of a  
25 violation of AS 15.13 or a felony or misdemeanor described in AS 15.56  
26 as a corrupt practice. The assembly shall consider a conviction of the  
27 borough mayor of a violation of AS 15.13 or a felony or misdemeanor  
28 described in AS 15.56 as a corrupt practice at its first meeting fol-  
29 lowing the final determination of the conviction.

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

(b) The council shall determine its own rules and order of business and provide for keeping a journal of its proceedings. The council is the judge of the election and qualification of its members and, with the concurrence of two-thirds of its members, may expel a member for a conviction of a violation of AS 15.13 or a felony or misdemeanor described in AS 15.56 as a corrupt practice. The council shall consider that conviction during its first meeting following final determination of the conviction.

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

Sec. 29.23.255. REMOVAL FROM OFFICE. The council may, with concurrence of two-thirds of its members, remove the mayor from office for a conviction of a violation of AS 15.13 or a felony or misdemeanor described in AS 15.56 as a corrupt practice. The council shall consider the conviction during its first meeting following final determination of the conviction.

\* Sec. 6. AS 15.13.120(b) is repealed.