

Original sponsor: Kelly

Offered: 4/19/82  
Referred: Finance

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2

HOUSE CS FOR CS FOR SENATE BILL NO. 167 (Judiciary)

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TWELFTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to election campaigns; terminating the  
7 existence of the Alaska Public Offices Commission and  
8 reassigning its responsibilities; and providing for an  
9 effective date."

10

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

11

\* Section 1. AS 15.13.010(a) is amended to read:

12

(a) This chapter applies in every election for governor, lieutenant  
13 ant governor, a member of the state legislature, a delegate to a con-  
14 stitutional convention, or judge seeking electoral confirmation. It  
15 also applies to every candidate for election to a municipal office in a  
16 city or borough with a population of more than 1,000 inhabitants accord-  
17 ing to the latest United States census figures or estimates of popula-  
18 tion certified as correct for administrative purposes by the Department  
19 of Community and Regional Affairs. This chapter does not apply to a  
20 candidate for a service area board. A municipality may exempt candi-  
21 dates for municipal office or groups active in municipal election cam-  
22 paigns [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of this  
23 chapter if a majority of the voters voting on the question at any regu-  
24 lar election [, AS DEFINED BY AS 29.78.010(14),] or at a special munici-  
25 pality-wide election called for that purpose [,] vote to exempt candi-  
26 dates for municipal office and persons and groups active in municipal  
27 election campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the require-  
28 ments of this chapter. The question of exemption from the requirements  
29 of this chapter may be submitted by the city council or borough assembly

1 by ordinance or by initiative ordinance. Nothing in this chapter pro-  
2 hibits a municipality from regulating by ordinance campaign contribu-  
3 tions and expenditures.

4 \* Sec. 2. AS 15.13 is amended by adding a new section to read:

5 Sec. 15.13.031. DUTIES OF THE DIRECTOR. (a) The director shall

6 (1) provide forms for the reports and statements required to  
7 be made under this chapter;

8 (2) prepare and publish a manual for use by persons required  
9 to make reports and statements under this chapter and assist candidates,  
10 groups, and individuals in complying with the requirements of this  
11 chapter;

12 (3) receive and hold open for public inspection reports and  
13 statements required to be made under this chapter upon request and  
14 furnish copies at cost to interested persons;

15 (4) maintain a current list of all filed reports and state-  
16 ments;

17 (5) prepare a summary of each report filed under AS 15.13.110  
18 and make a copy of the summary available to an interested person at its  
19 actual cost;

20 (6) notify, by registered or certified mail, a person who is  
21 delinquent in filing a report or statement required to be made under  
22 this chapter;

23 (7) report within 60 days after the election the name of a  
24 person or group who has failed to comply with a provision of this  
25 chapter to the attorney general;

26 (8) report to the attorney general the names of a person or  
27 group that the director believes has violated this chapter;

28 (9) prepare an annual report to the legislature concerning  
29 the effectiveness of this chapter and recommendations and proposals for

1 change;

2 (10) adopt regulations and issue orders necessary to implement  
3 and clarify the provisions of this chapter, subject to the provisions of  
4 the Administrative Procedure Act (AS 44.62).

5 (b) A new or amended regulation of the director may not be  
6 applied to a candidate or group during a period beginning 30 days  
7 before the last date to file a declaration of candidacy or a nominat-  
8 ing petition in a state election and ending the day after the general  
9 election.

10 (c) A new or amended regulation of the director may not be  
11 applied to a candidate or group during a period beginning 30 days  
12 before the last day to file a declaration of candidacy or a nominat-  
13 ing petition in a municipal election and ending the day after the  
14 municipal election.

15 \* Sec. 3. AS 15.13.040(a) is amended to read:

16 Sec. 15.13.040. CONTRIBUTIONS AND [,] EXPENDITURES [AND SUPPLYING  
17 OF SERVICES] TO BE REPORTED. (a) Each candidate shall make a full  
18 report, upon a form prescribed by the director [COMMISSION], listing the  
19 aggregate [DATE AND] amount of all expenditures made or obligations in-  
20 curring by the candidate, together with the date, amount, and check num-  
21 ber for each expenditure exceeding \$250 in value, the aggregate [TOTAL]  
22 amount of all contributions, including all funds contributed by the  
23 candidate, [HIMSELF] and for all contributions in excess of \$250 [\$100]  
24 in the aggregate a year, the name, address, principal occupation, and  
25 employer of the contributor and the date and amount contributed by each  
26 contributor. The report shall be filed in accordance with AS 15.13.110  
27 and shall be certified correct by the candidate or campaign treasurer.  
28 A campaign treasurer or deputy treasurer may not certify a report under  
29 this section unless notice of the appointment of the campaign treasurer

1 or deputy campaign treasurer by the candidate has been received by the  
2 director.

3 \* Sec. 4. AS 15.13.040(b) is amended to read:

4 (b) Each group shall make a full report upon a form prescribed by  
5 the director [COMMISSION], listing

6 (1) the name and address of each officer and director;

7 (2) the aggregate amount of all contributions made to it;

8 and, for all contributions in excess of \$250 [\$100] in the aggregate a  
9 year, the name, address, principal occupation, and employer of the  
10 contributor, and the date and amount in excess of \$250 in the aggregate  
11 a year contributed by each contributor; and

12 (3) the aggregate [DATE AND] amount of [ALL CONTRIBUTIONS  
13 MADE BY IT AND] all expenditures made, incurred or authorized by it  
14 including the date, amount and check number of any expenditure exceeding  
15 \$250 in value.

16 \* Sec. 5. AS 15.13.040(d) is amended to read:

17 (d) Every individual or [,] person, and every [OR] group that is  
18 not required to report in accordance with (b) of this section, making an  
19 [A CONTRIBUTION OR] expenditure shall make a full report to the director,  
20 upon a form prescribed by the director [COMMISSION], of [THE FOLLOWING  
21 CONTRIBUTIONS OR EXPENDITURES: (1) ANY CONTRIBUTION OF CASH, GOODS OR  
22 SERVICES VALUED AT MORE THAN \$100 A YEAR TO ANY GROUP OR CANDIDATE; OR  
23 (2)] any expenditure [WHATSOEVER] for advertising in newspapers, on  
24 radio or on television; or, for the publication, distribution or circula-  
25 tion of brochures, flyers, or other campaign material for or against any  
26 candidate, [OR] ballot proposition or question.

27 \* Sec. 6. AS 15.13.040(e) is amended to read:

28 (e) The report required under (d) of this section shall contain  
29 the name, address, principal occupation and employer of the individual

1 filing the report, and an itemized list of expenditures. The report  
2 shall be filed with the director [COMMISSION BY THE CONTRIBUTOR] no  
3 later than 10 days after the [CONTRIBUTION OR] expenditure is made, or  
4 the indebtedness is incurred, whichever first occurs. [A COPY OF THE  
5 REPORT SHALL BE FURNISHED TO THE CANDIDATE, CAMPAIGN TREASURER OR DEPUTY  
6 CAMPAIGN TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

7 \* Sec. 7. AS 15.13 is amended by adding a new section to read:

8 Sec. 15.13.042. LIMITED CAMPAIGN ACTIVITY. (a) A candidate who  
9 does not intend to accept contributions that exceed \$500 in total value  
10 and who does not intend to make expenditures that exceed \$500 in total  
11 value may file a report, upon a form prescribed by the director, inform-  
12 ing the director of the intent to engage in limited campaign activity.  
13 The report may be filed only once and shall be filed at the time the  
14 candidate's first report is due under AS 15.13.110. The report shall be  
15 certified as correct by the candidate.

16 (b) A candidate who accepts contributions that exceed \$500 in  
17 total value or makes expenditures that exceed more than \$500 in total  
18 value after filing a report under (a) of this section loses his exemp-  
19 tion from the reporting requirements and shall file reports due under  
20 AS 15.13.110. The first report is due three days after the loss of the  
21 exemption. A candidate who receives a contribution and returns the  
22 contribution to the contributor within 72 hours of its receipt does not  
23 lose the exemption from the reporting requirements.

24 \* Sec. 8. AS 15.13.045 is repealed and reenacted to read:

25 Sec. 15.13.045. INVESTIGATIONS AND HEARINGS. The director shall  
26 adopt regulations consistent with AS 44.62.330 - 44.62.630 to establish  
27 a fair and impartial process for taking of evidence and holding hearings  
28 in investigations and audits conducted by the director.

29 \* Sec. 9. AS 15.13.050 is repealed and reenacted to read:

1           Sec. 15.13.050. GROUPS. (a) Each group, before making an expen-  
2           diture on behalf of or in opposition to a candidate or a ballot issue or  
3           before making a contribution to a candidate, shall register with the  
4           director on forms provided by the director.

5           (b) If the group intends to support or oppose only one candidate  
6           or ballot issue or contributes or expends 50 percent or more of its  
7           funds to, on behalf of, or in opposition to one candidate or ballot  
8           issue, the name of the group shall clearly identify support for or  
9           opposition to the candidate or ballot issue.

10          (c) A group that makes expenditures or receives contributions with  
11          the express or implied authorization or consent or is under the direct  
12          or indirect control of a candidate is considered to be controlled by the  
13          candidate.

14          (d) A group whose major purpose is to further the nomination or  
15          election of a single candidate or that expends 50 percent or more of its  
16          money on a single candidate is considered to be controlled by that  
17          candidate and its actions considered to have been done with the know-  
18          ledge and consent of the candidate unless, within 10 days from the date  
19          the candidate is notified by the director of the existence of the group,  
20          the candidate files with the director an affidavit certifying that the  
21          group is operating without his control.

22          (e) A group that contributes 50 percent or more of its money to or  
23          on behalf of a single candidate is considered to support only that  
24          single candidate for purposes of AS 15.13.070, whether or not control of  
25          the group has been disclaimed by the candidate.

26          (f) A group that is organized for more than one year preceding an  
27          election and that endorses more than one candidate is presumed not to be  
28          controlled by a single candidate.

29          \* Sec. 10. AS 15.13.060(b) is amended to read:

1 (b) Each group shall file the name and address of its campaign  
2 treasurer with the director [COMMISSION] at the time it registers with  
3 the director [COMMISSION] under AS 15.13.050.

4 \* Sec. 11. AS 15.13.060(c) is amended to read:

5 (c) Each candidate for state office shall file the name and address  
6 of the campaign treasurer and the campaign chairman with the director  
7 [COMMISSION, OR SUBMIT, IN WRITING, THE NAME AND ADDRESS OF THE CAMPAIGN  
8 TREASURER TO THE LIEUTENANT GOVERNOR FOR FILING WITH THE COMMISSION], no  
9 later than 15 days after the date of filing his declaration of candidacy  
10 or his nominating petition. Each candidate for municipal office shall  
11 file the name and address of the campaign treasurer and the campaign  
12 chairman with the director [COMMISSION] no later than seven days after  
13 the date of filing his declaration of candidacy or his nominating peti-  
14 tion. If the candidate does not designate a campaign chairman the can-  
15 didate is the campaign chairman. If the candidate does not designate a  
16 campaign treasurer, the candidate is the campaign treasurer.

17 \* Sec. 12. AS 15.13.060(d) is amended to read:

18 (d) In the case of the death, resignation or removal of a campaign  
19 treasurer, the candidate shall appoint a successor as soon as practic-  
20 able and file his name and address with the director [COMMISSION] within  
21 48 hours of the appointment. If a candidate does not have a currently  
22 effective appointment of a campaign treasurer on file with the director,  
23 the candidate is the campaign treasurer [THE CANDIDATE IS DISQUALIFIED  
24 WHEN HE HAS BEEN FOUND TO HAVE BEEN IN WILFUL VIOLATION OF THIS SUB-  
25 SECTION].

26 \* Sec. 13. AS 15.13.060(e) is amended to read:

27 (e) A campaign treasurer may appoint as many deputy campaign  
28 treasurers as he considers necessary. The candidate shall file the  
29 names and addresses of the deputy campaign treasurers with the director

1 [COMMISSION].

2 \* Sec. 14. AS 15.13.070(a) is amended to read:

3 (a) A [NO] person or group, including but not limited to all  
4 political committees, businesses, corporations, and labor unions, may  
5 not contribute [TO OR EXPEND] more than \$2,000 [\$1,000] a year on behalf  
6 of or in opposition to a candidate [THE COMPETING CANDIDATES] for [EACH]  
7 elective office. Political parties and their subdivisions are not  
8 subject to the limitation prescribed in this subsection, but they are  
9 subject to the reporting requirements prescribed by AS 15.13.040(b) and  
10 15.13.110. Nothing in this chapter prohibits

11 (1) a candidate from contributing more than \$2,000 [\$1,000]  
12 of that candidate's [HIS] own money to his own campaign; or

13 (2) individuals or groups, including but not limited to all  
14 political committees, businesses, corporations, and labor unions, from  
15 contributing to or expending on behalf of a ballot proposition or ques-  
16 tion more than \$2,000 [\$1,000] a year; however, these contributions and  
17 expenditures shall be reported in accordance with AS 15.13.040, 15.13-  
18 080, and 15.13.110.

19 \* Sec. 15. AS 15.13.070(b) is repealed and reenacted to read:

20 (b) A person may not make and a candidate or group may not accept  
21 a contribution over \$100 in cash unless a receipt for the total amount  
22 is issued by the candidate or group and received by the person making  
23 the contribution. The director may by regulation authorize candidates  
24 and groups to accept a contribution of \$50 or less without recording the  
25 name of the contributor.

26 \* Sec. 16. AS 15.13.070(c) is amended to read:

27 (c) No expenditures over \$100 may be made in cash or by cash  
28 payment unless a written receipt is obtained and filed with the director  
29 [COMMISSION].

1 \* Sec. 17. AS 15.13.070(d) is amended to read:

2 (d) A [NO] contribution may not be made, and an [NO] expenditure  
3 may not be made or incurred, directly or indirectly, anonymously, in a  
4 fictitious name, or by one person or group in the name of another, to  
5 influence the election of a candidate in an election. A contribution  
6 made by a person wishing to remain anonymous, and received by a candi-  
7 date, campaign treasurer or deputy campaign treasurer, may not be used  
8 or expended, but shall be returned to the donor, if his identity is  
9 known, and if his identity is not known [NO DONOR IS FOUND], the contri-  
10 bution shall be [ESCHEATS TO THE STATE IF NOT] donated by the candidate  
11 to the charity of his choice.

12 \* Sec. 18. AS 15.13.080 is amended to read:

13 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. A person or group  
14 contributing to a candidate over \$250 or contributing goods or services  
15 to a candidate with a value of more than \$250 to influence the election  
16 of a candidate shall furnish the director [COMMISSION] a signed state-  
17 ment, on a form made available by the director [COMMISSION]. The state-  
18 ment shall itemize the contributions and goods and state that the con-  
19 tributor is not a person or group prohibited by law from contributing  
20 and that the contribution consists of funds or property belonging to the  
21 contributor and has not been given or furnished by another person or  
22 group. The contributor's statement shall be filed with the director  
23 [COMMISSION] by the contributor no later than 10 days after the contri-  
24 bution is made. A copy of the statement shall be furnished the candi-  
25 date, campaign treasurer, or deputy campaign treasurer at the time the  
26 contribution is made.

27 \* Sec. 19. AS 15.13.090 is amended to read:

28 Sec. 15.13.090. IDENTIFICATION OF COMMUNICATION. All advertise-  
29 ments, billboards, handbills, paid-for television and radio announce-

1 ments and other communications intended to promote [INFLUENCE] the  
2 election of a candidate that are paid for by the candidate or the cam-  
3 paign committee of the candidate [OR OUTCOME OF A BALLOT PROPOSITION OR  
4 QUESTION] shall be clearly identified by the words "paid for by" fol-  
5 lowed by the name [AND ADDRESS] of the candidate or campaign commit-  
6 tee of the candidate [, GROUP OR INDIVIDUAL PAYING FOR THE ADVERTISING.  
7 IN ADDITION, CANDIDATES AND GROUPS MUST IDENTIFY THE NAME OF THEIR  
8 CAMPAIGN CHAIRMAN].

9 \* Sec. 20. AS 15.13.090 is amended by adding new subsections to read:

10 (b) All advertisements, billboards, handbills, paid-for television  
11 and radio announcements, and other communications not paid for by a  
12 candidate or the campaign committee of a candidate that are intended to  
13 support or oppose a candidate, a ballot proposition, a referendum, or a  
14 recall shall be identified by the words "paid for by" followed by the  
15 name of the group, individual, or person, together with a mailing con-  
16 tact address or telephone number.

17 (c) The director may by regulation exempt from this section com-  
18 munications that in the director's judgment do not afford space for the  
19 identification required by this section.

20 \* Sec. 21. AS 15.13.100 is amended to read:

21 Sec. 15.13.100. EXPENDITURES, CONTRIBUTIONS, AND REGISTRATION BE-  
22 FORE FILING. Political campaign contributions may be made or received,  
23 and expenditures [NO POLITICAL CAMPAIGN EXPENDITURE] may be made or  
24 incurred by a candidate [PERSON] in an election, or by a person or group  
25 with the candidate's [HIS] knowledge and on the candidate's [HIS]  
26 behalf, before the date upon which the candidate [HE OR SHE] files for  
27 nomination for the office which he [THE PERSON] seeks. The contribu-  
28 tions and expenditures [, EXCEPT FOR PERSONAL TRAVEL EXPENSES OR FOR  
29 OPINION SURVEYS OR POLLS. THESE EXPENDITURES SHALL BE CHARGED AGAINST

1 THE SPENDING LIMITATION THAT APPLIES TO THE OFFICE FOR WHICH HE SUBSE-  
2 QUENTLY FILES, AND] shall be included in the first report required under  
3 AS 15.13.110 [THIS CHAPTER AFTER FILING FOR OFFICE].

4 \* Sec. 22. AS 15.13.110(a)(4) is amended to read:

5 (4) January 10 [DECEMBER 31 OF EACH YEAR] for expenditures  
6 and contributions received through December 31 of the preceding year  
7 which were not reported that year.

8 \* Sec. 23. AS 15.13.110(b) is amended to read:

9 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and  
10 which is made within 10 days [ONE WEEK] of the election shall be re-  
11 ported to the director [COMMISSION] by date, amount, and contributor [OR  
12 RECIPIENT] within 48 [24] hours of receipt [OR EXPENDITURE] by the  
13 candidate or campaign treasurer or deputy campaign treasurer.

14 \* Sec. 24. AS 15.13.110(c) is amended to read:

15 (c) The reports of nonstatewide candidates shall be filed with the  
16 election supervisor designated by the director; the reports of a state-  
17 wide candidate shall be filed with the director [COMMISSION'S CENTRAL  
18 OFFICE]. All reports required by this chapter are [SHALL BE KEPT] open  
19 to public inspection. Within 30 days after each election, the director  
20 [COMMISSION] shall prepare a summary of each report which shall be made  
21 available to the public at cost upon request. Each summary shall use  
22 uniform categories of reporting.

23 \* Sec. 25. AS 15.13.110(e) is amended to read:

24 (e) A group formed to sponsor an initiative, a referendum or a  
25 recall shall file a report of contributions and expenditures with the  
26 director 30 days after its first filing with the lieutenant governor.  
27 Thereafter each group shall file a report with the director within 10  
28 days after the end of each calendar quarter on the contributions re-  
29 ceived and expenditures made during the preceding calendar quarter until

1 reports are due under (a) of this section.

2 \* Sec. 26. AS 15.13.110 is amended by adding new subsections to read:

3 (f) The report required by (a)(3) of this section is the final  
4 report if at the time the report is made

5 (1) there is no outstanding debt or obligation;

6 (2) the campaign fund has been closed;

7 (3) the campaign has been concluded; and

8 (4) in the case of a group, the group has dissolved.

9 (g) Reports shall be filed as required by (a)(4) of this section  
10 by

11 (1) a candidate who has an outstanding debt or obligation  
12 until the debt or obligation is satisfied;

13 (2) a group that has an outstanding debt or obligation until  
14 the debt or obligation is satisfied or until the group is dissolved.

15 (h) When a final report has been submitted under this section, the  
16 duties of the campaign treasurer cease and there is no obligation to  
17 file further reports.

18 \* Sec. 27. AS 15.13 is amended by adding a new section to read:

19 Sec. 15.13.115. COMPLAINTS. (a) A person who believes that a  
20 violation of this chapter has occurred may file a complaint with the  
21 director. If the director determines that there is substantial reason  
22 to believe that a violation of this chapter has occurred, the director  
23 shall expeditiously investigate the subject matter of the complaint.  
24 The investigation may include but is not limited to an investigation of  
25 the reports and statements filed with the director by the complainant,  
26 if he is a candidate.

27 (b) If the director determines, after notice and opportunity for a  
28 hearing, that a person has violated a provision of this chapter or a  
29 regulation or order issued under this chapter, the director shall

1 promptly report the determination to the attorney general for appropriate  
2 action.

3 (c) The director shall report the results of the investigation to  
4 the person who filed the complaint within 60 days of receiving the  
5 complaint, unless circumstances require additional time to make an  
6 adequate investigation.

7 \* Sec. 28. AS 15.13.120(a) is amended to read:

8 (a) A person who violates a provision of this subsection [CHAPTER]  
9 is guilty of a class A misdemeanor [AND, UPON CONVICTION, IS PUNISHABLE  
10 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT MORE THAN  
11 \$5,000]. A violation includes [BUT IS NOT LIMITED TO] any of the follow-  
12 ing acts or omissions:

13 (1) refusing or knowingly failing to make a reasonably com-  
14 plete statement or report required to be made under this chapter [, OR  
15 FAILING TO MAKE A STATEMENT OR REPORT AT THE TIME THE STATEMENT OR  
16 REPORT IS REQUIRED TO BE MADE UNDER THIS CHAPTER];

17 (2) knowingly making a campaign contribution [OR EXPENDITURE]  
18 which exceeds the limitations of AS 15.13.070(a) [AS 15.13.070(f)];

19 (3) knowingly making a false statement or report under this  
20 chapter;

21 (4) giving or furnishing money to another person or group for  
22 the purpose of making a contribution or expenditure anonymously, in a  
23 fictitious name, or in the name of another, or contributing in violation  
24 of AS 15.13.070(d);

25 (5) making a communication to support or defeat a candidate  
26 without identification of sponsorship, in violation of AS 15.13.090;

27 (6) knowingly accepting a contribution in violation of AS 15.  
28 13.070.

29 \* Sec. 29. AS 15.13.120(c) is amended to read:

1 (c) Promptly after the final date for filing statements and re-  
2 ports, the director [COMMISSION] shall notify all persons who have  
3 become delinquent in filing them [, INCLUDING CONTRIBUTORS WHO FAILED TO  
4 FILE A STATEMENT IN ACCORDANCE WITH AS 15.13.040,] and shall make avail-  
5 able a list of these delinquents for public inspection. The director  
6 [COMMISSION] shall also report to the attorney general the names of all  
7 candidates and groups in an election whose campaign treasurers have  
8 failed to file the reports required by this chapter.

9 \* Sec. 30. AS 15.13.120(e) is amended to read:

10 (e) Prosecution for violation of a provision of this chapter may  
11 not be commenced after one year has [FOUR YEARS HAVE] elapsed from the  
12 date of the alleged violation.

13 \* Sec. 31. AS 15.13.120 is amended by adding a new subsection to read:

14 (f) If, after being sworn into office, a person who was a success  
15 ful candidate or the campaign treasurer or deputy campaign treasurer of  
16 a person who was a successful candidate is convicted of a violation of  
17 this chapter, proceedings shall be held and appropriate action taken in  
18 accordance with

19 (1) art. II, sec. 12 of the state constitution, if the candi-  
20 date is a candidate for the state legislature;

21 (2) art. II, sec. 20 of the state constitution, if the candi-  
22 date is a candidate for governor or lieutenant governor;

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

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

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

29 (6) AS 29.23.255, if the candidate is a candidate for city

1 mayor;

2 (7) AS 14.12.085, if the candidate is a candidate for school  
3 board;

4 (8) AS 29.13.035, if the candidate is a candidate for a  
5 charter commission;

6 (9) the provisions of the call for the constitutional con-  
7 vention, if the candidate is a candidate for constitutional convention  
8 delegate;

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

11 \* Sec. 32. AS 15.13.120 is amended by adding new subsections to read:

12 (g) Information developed by the director under AS 15.13.115 shall  
13 be considered during a proceeding under (f) of this section.

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

20 \* Sec. 33. AS 15.13.125 is amended to read:

21 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS.  
22 A person who fails to file a properly completed and certified report  
23 within the time required by AS 15.13.110(a)(1), (3), (4) or (d) is  
24 subject to a civil penalty of not more than \$10 a day for each day the  
25 delinquency continues as determined by the director [COMMISSION] subject  
26 to right of appeal to the superior court. A person who fails to file a  
27 properly completed and certified report within the time required by  
28 AS 15.13.110(a)(2) or (b) is subject to a civil penalty of not more than  
29 \$50 a day for each day the delinquency continues as determined by the

1 director [COMMISSION] subject to right of appeal to the superior court.  
2 An affidavit stating facts in mitigation may be submitted to the director  
3 [COMMISSION] by a person against whom a civil penalty is assessed. The  
4 [HOWEVER, THE] imposition of the penalties prescribed in this section or  
5 in AS 15.13.120 does not excuse that person from filing reports required  
6 by this chapter.

7 \* Sec. 34. AS 15.13.130(1) is repealed and reenacted to read:

8 (1) "candidate" means an individual who seeks nomination or  
9 election to the state legislature, the office of governor or lieutenant  
10 governor, or municipal office, or who seeks retention in judicial office  
11 or nomination or election as a constitutional convention delegate; an  
12 individual is considered to seek nomination or election if

13 (A) the individual has taken the action necessary under  
14 the law of the state to qualify for nomination or election to an  
15 office;

16 (B) the individual has received contributions or made  
17 expenditures before filing for office;

18 (C) the individual has given consent, implicit or expli-  
19 cit, for a person or group to receive contributions or make expendi-  
20 tures to bring about the individual's nomination or election to  
21 office;

22 (D) the individual has campaigned as a write-in candi-  
23 date for office; or

24 (E) the individual is the subject of a recall election;

25 \* Sec. 35. AS 15.13.130(2) is amended by adding a new subparagraph to  
26 read:

27 (D) a contribution that is returned to the contributor  
28 within 72 hours of its receipt by a candidate or group;

29 \* Sec. 36. AS 15.13.130(3) is amended to read:

1 (3) "group" means every state and regional executive commit-  
2 tee of a political party and, in addition, means any combination of two  
3 or more persons or individuals acting jointly who take action the major  
4 purpose of which is to influence the outcome of an election; [A GROUP  
5 THAT MAKES EXPENDITURES OR RECEIVES CONTRIBUTIONS WITH THE AUTHORIZATION  
6 OR CONSENT, EXPRESS OR IMPLIED, OR UNDER THE CONTROL, DIRECT OR INDIRECT,  
7 OF A CANDIDATE SHALL BE CONSIDERED TO BE CONTROLLED BY THAT CANDIDATE; A  
8 GROUP WHOSE MAJOR PURPOSE IS TO FURTHER THE NOMINATION, ELECTION, OR  
9 CANDIDACY OF ONLY ONE PERSON, OR INTENDS TO EXPEND MORE THAN 50 PERCENT  
10 OF ITS MONEY ON A SINGLE CANDIDATE, SHALL BE CONSIDERED TO BE CONTROLLED  
11 BY THAT CANDIDATE AND ITS ACTIONS DONE WITH HIS KNOWLEDGE AND CONSENT  
12 UNLESS, WITHIN 10 DAYS FROM THE DATE THE CANDIDATE LEARNS OF THE EXIS-  
13 TENCE OF THE GROUP HE FILES WITH THE COMMISSION, ON A FORM PROVIDED BY  
14 THE COMMISSION, AN AFFIDAVIT THAT THE GROUP IS OPERATING WITHOUT HIS  
15 CONTROL; A GROUP ORGANIZED FOR MORE THAN ONE YEAR PRECEDING AN ELECTION  
16 AND ENDORSING CANDIDATES FOR MORE THAN ONE OFFICE OR MORE THAN ONE  
17 POLITICAL PARTY IS PRESUMED NOT TO BE CONTROLLED BY A CANDIDATE; HOWEVER,  
18 A GROUP THAT CONTRIBUTES MORE THAN 50 PERCENT OF ITS MONEY TO OR ON  
19 BEHALF OF ONE CANDIDATE SHALL BE CONSIDERED TO SUPPORT ONLY ONE CANDI-  
20 DATE FOR PURPOSES OF AS 15.13.070, WHETHER OR NOT CONTROL OF THE GROUP  
21 HAS BEEN DISCLAIMED BY THE CANDIDATE;]

22 \* Sec. 37. AS 15.13.130 is amended by adding new paragraphs to read:

23 (8) "knowingly" has the meaning set out in AS 11.81.900-

24 (a)(2);

25 (9) "reasonably complete report" means a report that accu-  
26 rately reflects the campaign contributions and expenditures of the can-  
27 didate and that is free from significant omissions that are known to the  
28 candidate.

29 \* Sec. 38. AS 14.12 is amended by adding a new section to read:

1           Sec. 14.12.085. SCHOOL BOARD MAY EXPEL A MEMBER. The school board  
2 may, with the concurrence of two-thirds of its members, expel a member  
3 for a conviction of a violation of AS 15.13.

4 \* Sec. 39. AS 24.45.021 is amended to read:

6           Sec. 24.45.021. ADMINISTRATION. (a) This chapter shall be admin-  
8 istered by the commissioner of administration [ALASKA PUBLIC OFFICES  
7 COMMISSION CREATED UNDER AS 15.13.020(a)].

8           (b) The commissioner [COMMISSION] shall promulgate regulations  
9 under the Administrative Procedure Act (AS 44.62) to implement the  
10 provisions of this chapter.

11 \* Sec. 40. AS 24.45.031(a) is amended to read:

12           (a) In addition to the commissioner's [ITS] other duties under this  
13 chapter, the commissioner [COMMISSION] shall

14           (1) prescribe the forms for registration, reports, statements,  
15 notices and other documents required by this chapter;

16           (2) prepare and publish instructions setting out the methods  
17 of accounting, bookkeeping and preservation of records required to  
18 facilitate compliance with and enforcement of this chapter and explain-  
19 ing the duties of persons subject to the provisions of this chapter; the  
20 instructions shall be updated periodically;

21           (3) provide assistance to persons in complying with the  
22 provisions of this chapter;

23           (4) prepare and publish an annual report of [ITS] activities,  
24 findings and recommendations under this chapter, which shall be made  
25 available to the governor, legislature and to the public by February 1  
26 of each calendar year;

27           (5) report suspected violations of this chapter to the attor-  
28 ney general.

29 \* Sec. 41. AS 24.45.031(b) is amended to read:

1 (b) The commissioner [COMMISSION] may

2 (1) hold hearings and conduct investigations into compliance  
3 with the provisions of this chapter;

4 (2) in conjunction with (1) of this subsection, issue sub-  
5 poenas, compel the attendance and testimony of witnesses, administer  
6 oaths and affirmations, and require the production of books, papers,  
7 records, documents or other items material to the commissioner's [COM-  
8 MISSION'S] duties or powers under this chapter;

9 (3) prepare, publish, and make available to the public,  
10 periodic, but at least quarterly and annually, summaries of the state-  
11 ments and reports received; these summaries shall list separately indi-  
12 vidual lobbyists and employers of lobbyists.

13 \* Sec. 42. AS 24.45.041(a) is amended to read:

14 (a) Before engaging in lobbying, a lobbyist shall file a registra-  
15 tion statement on a form prescribed by the commissioner [COMMISSION].

16 \* Sec. 43. AS 24.45.041(b) is amended to read:

17 (b) The registration form prescribed by the commissioner [COMMIS-  
18 SION] shall include

19 (1) the lobbyist's full name and complete permanent residence  
20 and business address and telephone number, as well as any temporary  
21 residential and business address and telephone number in the state  
22 capital during a legislative session;

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

25 (3) whether the person from whom the lobbyist receives compen-  
26 sation employs him solely as a lobbyist or whether he is a regular  
27 employee performing other services for his employer which include but  
28 are not limited to the influencing of legislative or administrative  
29 action;

1 (4) the nature or form of the lobbyist's compensation for  
2 engaging in lobbying, including salary, fees or reimbursement for  
3 expenses received in consideration for, or directly in support of or in  
4 connection with, the influencing of legislative or administrative action;

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

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

12 \* Sec. 44. AS 24.45.041(d) is amended to read:

13 (d) If a change occurs in any of the information contained in a  
14 registration statement filed under (a) of this section, or in any accom-  
15 panying document, an appropriate amendment shall be filed with the  
16 commissioner [COMMISSION] within 10 days after the change.

17 \* Sec. 45. AS 24.45.041(e) is amended to read:

18 (e) Within 45 days after the convening of each regular session of  
19 the legislature, the commissioner [COMMISSION] shall publish a directory  
20 of registered lobbyists, containing the information prescribed in (b) of  
21 this section for each lobbyist and the photograph, if any, furnished by  
22 a lobbyist under (c) of this section. From time to time thereafter the  
23 commissioner [COMMISSION] shall publish those supplements to the direc-  
24 tory that in the commissioner's [COMMISSION'S] judgment may be necessary.  
25 The directory shall be made available to public officials and to the  
26 public at the following locations: a public place adjacent to the legis-  
27 lative chambers in the state capitol building, the office of the lieu-  
28 tenant governor, the legislative reference library of the Legislative  
29 Affairs Agency and the commissioner's [COMMISSION'S] central office.

1 \* Sec. 46. AS 24.45.041(f) is amended to read:

2 (f) Each lobbyist shall renew his registration annually by filing  
3 a new registration statement together with a new authorization to act as  
4 a lobbyist before engaging in lobbying. The lobbyist also shall file  
5 any reports or statements he has failed to file for a previous reporting  
6 period. The commissioner [COMMISSION] may not renew lobbying credentials  
7 until this subsection has been [PROVISION IS] complied with.

8 \* Sec. 47. AS 24.45.051 is amended to read:

9 Sec. 24.45.051. REPORTS. Each lobbyist registered under AS 24.45.-  
10 041 shall file with the commissioner [COMMISSION] a report concerning  
11 his activities during each reporting period prescribed in AS 24.45.081,  
12 so long as the lobbyist continues to engage in lobbying activities. The  
13 report shall be made on a form prescribed by the commissioner [COMMIS-  
14 SION] and filed in accordance with AS 24.45.071 and 24.45.081. The  
15 report also shall include any changes in the information required to be  
16 supplied under AS 24.45.041(b) and the following information for the  
17 reporting period, as applicable:

18 (1) the source of income, as defined in AS 39.50.200(a)(8),  
19 [AS 39.50.200(8)] and the monetary value of all payments, including but  
20 not limited to salary, fees, and reimbursement of expenses, received in  
21 consideration for or directly or indirectly in support of or in connec-  
22 tion with influencing legislative or administrative action, and the full  
23 name and complete address of each person from whom amounts or things of  
24 value have been received and the total monetary value received from each  
25 person;

26 (2) the aggregate amount of disbursements or expenditures  
27 made or incurred during the period in support of or in connection with  
28 influencing legislative or administrative action by the lobbyist, or on  
29 behalf of the lobbyist by his employer in the following categories:

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- (A) food and beverages;
- (B) living accommodations;
- (C) travel;

(3) the date and nature of any gift exceeding \$100 in value made to a public official and the full name and official position of that person;

(4) the name and official position of each public official, and the name of each member of the immediate family of any of these officials, with whom the lobbyist has engaged in an exchange of money, goods, services or anything of more than \$100 in value and the nature and date of each of these exchanges and the monetary values exchanged;

(5) the name and address of any business entity in which the lobbyist knows or has reason to know that a public official is a proprietor, partner, director, officer or manager, or has a controlling interest, with whom the lobbyist has engaged in an exchange of money, goods, services, or anything of value and the nature and date of each exchange and the monetary value exchanged if the total value of these exchanges is \$100 or more in a calendar year; and

(6) a notice of termination if the lobbyist has ceased the lobbying activity which required his registration under this chapter and if this report constitutes the final report of his activities.

\* Sec. 48. AS 24.45.061(a) is amended to read:

(a) Within 15 days after employing, retaining or contracting for the employment or retention of a lobbyist, the person who employs, retains or who contracts for the services of a lobbyist shall file a statement with the commissioner [COMMISSION] authorizing or verifying that employment, retention or contract for lobbying services.

\* Sec. 49. AS 24.45.091 is amended to read:

Sec. 24.45.091. PUBLICATION OF REPORTS. Copies of the statements

1 and reports filed under this chapter shall be made available to the  
2 public at the commissioner's [COMMISSION'S] central office, the office  
3 of the lieutenant governor, and the legislative reference library of the  
4 Legislative Affairs Agency [, AND AT THE COMMISSION'S DISTRICT OFFICES  
5 PRESCRIBED IN AS 15.13.020(j)] as soon as practicable after each report-  
6 ing period.

7 \* Sec. 50. AS 24.45.101 is amended to read:

8 Sec. 24.45.101. PUBLIC RECORDS. Statements and reports filed  
9 under this chapter are public records and shall be available for public  
10 inspection and copying during normal business hours at the expense of  
11 the person requesting copies; however, the charge for copying may not  
12 exceed actual cost to the commissioner [COMMISSION].

13 \* Sec. 51. AS 24.45.111(a) is amended to read:

14 (a) A person required to register or report as a lobbyist shall  
15 preserve all accounts, bills, receipts, books, papers and documents  
16 necessary to substantiate the reports required to be made and filed  
17 under this chapter for a period of at least one year from the date of  
18 the filing of the report containing these items. These accounts, bills,  
19 receipts, books, papers and other documents shall be made available for  
20 inspection by the commissioner [COMMISSION, OR MEMBERS OF ITS STAFF,] at  
21 any time. If a lobbyist is required under the terms of his employment  
22 contract to turn any records over to his employer, responsibility for  
23 the preservation of these records under this section rests with the  
24 employer.

25 \* Sec. 52. AS 24.45.111(b) is amended to read:

26 (b) The commissioner [COMMISSION] shall preserve the statements  
27 and reports required to be filed under this chapter for a period of six  
28 years from the date of filing. [IF THE COMMISSION'S CENTRAL OFFICE IS  
29 NOT IN THE STATE CAPITAL, COPIES OF ALL STATEMENTS AND REPORTS FILED

1 UNDER THIS CHAPTER SHALL BE MAINTAINED IN AN OFFICE ESTABLISHED BY THE  
2 COMMISSION IN THE STATE CAPITAL OR IN THE OFFICE OF THE LIEUTENANT  
3 GOVERNOR.]

4 \* Sec. 53. AS 24.45.116 is amended to read:

5 Sec. 24.45.116. DISCLOSURE OF CONTRIBUTIONS. Before a civic  
6 league or organization may be eligible for the benefits of AS 43.20.-  
7 031(f)(4), it must agree to comply with the requirements of this section.  
8 The civic league or organization shall report the total amount of contri-  
9 butions received for the reporting period and, for any contribution over  
10 \$100, the name of the contributor and the amount contributed. The civic  
11 league or organization may establish a separate fund to account for  
12 receipts and expenditures arising out of activities to influence legisla-  
13 tive action. Reports shall be made on a form provided by the commis-  
14 sioner [COMMISSION] on February 10, April 25, and July 10 of each year,  
15 listing contributions received during the period that ended 10 days  
16 earlier.

17 \* Sec. 54. AS 24.45.131 is amended to read:

18 Sec. 24.45.131. EXAMINATION OF STATEMENTS, REPORTS. (a) The  
19 commissioner [COMMISSION OR ITS STAFF] shall examine each statement or  
20 report filed under this chapter within 10 days after the date it is  
21 filed. A person required to file a statement or report under this  
22 chapter shall be notified immediately if

23 (1) it appears that the person has failed to file a statement  
24 or report as required by law or that the statement or report filed does  
25 not conform to the requirements of this chapter; or

26 (2) a written complaint is filed with the commissioner [COM-  
27 MISSION] by any qualified voter alleging that a statement or report  
28 filed with the commissioner [COMMISSION] does not conform to the require-  
29 ments of this chapter, or to the truth, or that a person subject to the

1 provisions of this chapter has failed to file a statement or report in  
2 the manner prescribed by this chapter.

3 (b) The commissioner [COMMISSION] shall conduct an investigation,  
4 and may thereafter conduct a hearing, into an allegation under (a)(2) of  
5 this section.

6 (c) The commissioner [COMMISSION] shall report any suspected  
7 violations of this chapter to the attorney general, to a district attor-  
8 ney in the judicial district where the alleged violation occurred, or to  
9 a grand jury.

10 \* Sec. 55. AS 24.45.141 is amended to read:

11 Sec. 24.45.141. CIVIL PENALTY: LATE REGISTRATION, FILING OF RE-  
12 QUIRED STATEMENTS OR REPORTS. A person who fails to register or to file  
13 a properly completed and certified report or statement, as applicable,  
14 within the time required by this chapter is subject to a civil penalty  
15 of not more than \$10 a day for each day the delinquency continues as  
16 determined by the commissioner [COMMISSION] subject to right of appeal  
17 to the superior court. An affidavit stating facts in mitigation may be  
18 submitted to the commissioner [COMMISSION] by a person against whom a  
19 civil penalty is assessed. However, the imposition of the penalties  
20 prescribed in this section or in AS 24.45.151 does not excuse the lobby-  
21 ist or employer of a lobbyist from filing statements or reports required  
22 by this chapter.

23 \* Sec. 56. AS 24.45.171 is amended by adding a new paragraph to read:

24 (13) "commissioner" means the commissioner of administration.

25 \* Sec. 57. AS 29.13 is amended by adding a new section to read:

26 Sec. 29.13.035. CHARTER COMMISSION MAY EXPEL A MEMBER. The charter  
27 commission may, with the concurrence of two-thirds of its members, expel  
28 a member for a conviction of a violation of AS 15.13.

29 \* Sec. 58. AS 29.23.060(c) is amended to read:

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

10 \* Sec. 59. AS 29.23.130(f) is amended to read:

11 (f) The assembly, with the concurrence of two-thirds of its mem-  
12 bers, may remove the borough mayor from office for a conviction of a  
13 violation of AS 15.13 or a felony or misdemeanor described in AS 15.56  
14 as a corrupt practice. The assembly shall consider a conviction of the  
15 borough mayor of a violation of AS 15.13 or a felony or misdemeanor  
16 described in AS 15.56 as a corrupt practice at its first meeting fol-  
17 lowing the final determination of the conviction.

18 \* Sec. 60. AS 29.23.210(b) is amended to read:

19 (b) The council shall determine its own rules and order of busi-  
20 ness and provide for keeping a journal of its proceedings. The council  
21 is the judge of the election and qualification of its members and, with  
22 the concurrence of two-thirds of its members, may expel a member for a  
23 conviction of a violation of AS 15.13 or a felony or misdemeanor des-  
24 cribed in AS 15.56 as a corrupt practice. The council shall consider  
25 that conviction during its first meeting following final determination  
26 of the conviction.

27 \* Sec. 61. AS 29.23.255 is amended to read:

28 Sec. 29.23.255. REMOVAL FROM OFFICE. The council may, with con-  
29 currence of two-thirds of its members, remove the mayor from office for

1 a conviction of a violation of AS 15.13 or a felony or misdemeanor  
2 described in AS 15.56 as a corrupt practice. The council shall consider  
3 the conviction during its first meeting following final determination of  
4 the conviction.

5 \* Sec. 62. AS 39.50.020(b) is amended to read:

6 (b) The governor, lieutenant governor, members of the legislature,  
7 and candidates for these offices, judicial officers, each commissioner,  
8 head or deputy head of, or director of a division within, a department  
9 in the executive branch, assistant to the governor or chairman or member  
10 of a commission or board required to report under this chapter, shall  
11 file the statement with the commissioner of administration [ALASKA  
12 PUBLIC OFFICES COMMISSION]. Municipal officers, and candidates for  
13 elective municipal office, shall file with the municipal clerk or other  
14 municipal official designated to receive their filing for office. All  
15 statements required to be filed under this chapter are public records.

16 \* Sec. 63. AS 39.50.030 is amended by adding new subsections to read:

17 (d) If a public official or a candidate for state or municipal  
18 elective office, or the spouse or dependent child of the public official  
19 or candidate, or a combination of them, are the sole owners of property  
20 consisting of one or more units held for rent or lease as a residence,  
21 the public official, the candidate for state elective office, or the  
22 candidate for elective municipal office is not required to report the  
23 income received from residential occupants of the property.

24 (e) If a public official or candidate for state or municipal elec-  
25 tive office, or the spouse or dependent child of the public official or  
26 candidate, is a member of a partnership that owns property consisting of  
27 one or more units held for rent or lease as a residence, the public  
28 official or the candidate is not required to report the income received  
29 from residential occupants of the property.

1 \* Sec. 64. AS 39.50.050(a) is amended to read:

2 (a) The commissioner of administration [ALASKA PUBLIC OFFICES  
3 COMMISSION CREATED UNDER AS 15.13.020(a)] shall administer the provisions  
4 of this chapter. The commissioner of administration [COMMISSION] shall  
5 prepare and keep available for distribution, standardized forms on which  
6 the reports required by this chapter shall be filed.

7 \* Sec. 65. AS 39.50.050(b) is amended to read:

8 (b) The commissioner of administration [COMMISSION] shall promul-  
9 gate regulations to implement and interpret the provisions of this  
10 chapter; regulations or interpretation shall be within the intents and  
11 purposes of this chapter and are subject to judicial review in accor-  
12 dance with the provisions of the Administrative Procedure Act (AS 44.62).

13 \* Sec. 66. AS 39.50.050(d) is amended to read:

14 (d) To facilitate the filing of reports under AS 24.45 (Regulation  
15 of Lobbying) and the information required to be provided under AS 24.45.-  
16 051(4) and (5), the commissioner of administration [COMMISSION] shall  
17 publish copies of the reports required under this chapter not later than  
18 the convening of each regular session of the legislature. Copies of  
19 this publication shall be provided on request; however, the commissioner  
20 of administration [COMMISSION] may make a charge for the publication  
21 which may not exceed the actual cost of printing, postage and handling.

22 \* Sec. 67. AS 44.21 is amended by adding a new section to read:

23 ARTICLE 8. CONFLICT OF INTEREST AND LOBBYING.

24 Sec. 44.21.350. REGULATION OF CONFLICT OF INTEREST AND LOBBYING.

25 The commissioner shall

26 (1) develop and provide all forms for the reports and state-  
27 ments required to be made under AS 24.45 and AS 39.50;

28 (2) assist individuals and groups in complying with the  
29 requirements of AS 24.45 and AS 39.50;

1 (3) receive and hold open for public inspection reports and  
2 statements required to be made under AS 24.45 and AS 39.50 and, upon  
3 request, furnish copies at cost to interested persons;

4 (4) compile and maintain a current list of all filed reports  
5 and statements;

6 (5) notify, by registered or certified mail, all persons who  
7 are delinquent in filing reports and statements required to be made  
8 under AS 24.45 and AS 39.50;

9 (6) examine, investigate, and compare all reports, statements,  
10 and actions required by AS 24.45 and AS 39.50 and report to the attorney  
11 general the names of all persons or groups that the commissioner has  
12 substantial reason to believe have violated AS 24.45 or AS 39.50;

13 (7) prepare and publish an annual report to the legislature  
14 concerning the effectiveness of AS 24.45 and AS 39.50 and recommenda-  
15 tions and proposals for change;

16 (8) adopt regulations necessary to implement and clarify the  
17 provisions of AS 24.45 and AS 39.50, subject to the provisions of the  
18 Administrative Procedure Act (AS 44.62).

19 \* Sec. 68. Except to the extent that they are inconsistent with the  
20 provisions of this Act, the regulations of the Alaska Public Offices Commis-  
21 sion implementing AS 24.45 and AS 39.50 in effect on the effective date of  
22 this Act remain in effect until amended or repealed by the commissioner of  
23 administration. Except to the extent that they are inconsistent with the  
24 provisions of this Act, the regulations of the Alaska Public Offices Commis-  
25 sion implementing AS 15.13 in effect on the effective date of this Act remain  
26 in effect until amended or repealed by the director of elections.

27 \* Sec. 69. AS 15.13.120(f) is repealed and reenacted to read:

28 (f) If, after being sworn into office, a person who was a success  
29 ful candidate or the campaign treasurer or deputy campaign treasurer of

1 a person who was a successful candidate is convicted of a violation of  
2 this chapter, proceedings shall be held and appropriate action taken in  
3 accordance with

4 (1) art. II, sec. 12 of the state constitution, if the candi-  
5 date is a candidate for the state legislature;

6 (2) art. II, sec. 20 of the state constitution, if the candi-  
7 date is a candidate for governor or lieutenant governor;

8 (3) AS 29.20.170, if the candidate is a candidate for the  
9 governing body;

10 (4) AS 29.20.280, if the candidate is a candidate for mayor;

11 (5) AS 14.12.085, if the candidate is a candidate for a  
12 school board;

13 (6) AS 29.06.280 or 29.10.035, if the candidate is a candi-  
14 date for charter commission;

15 (7) the provisions of the call for the constitutional con-  
16 vention, if the candidate is a candidate for constitutional convention  
17 delegate;

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

20 \* Sec. 70. AS 29.06.280 is amended by adding a new subsection to read:

21 (e) The charter commission may, with the concurrence of two-thirds  
22 of its members, expel a member for a conviction of a violation of  
23 AS 15.13.

24 \* Sec. 71. AS 29.10 is amended by adding a new section to read:

25 Sec. 29.10.035. CHARTER COMMISSION MAY EXPEL A MEMBER. The  
26 charter commission may, with the concurrence of two-thirds of its  
27 members, expel a member for a conviction of a violation of AS 15.13.

28 \* Sec. 72. AS 29.20.170(6) is amended to read:

29 (6) is convicted of a felony or misdemeanor described in

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AS 15.13 or AS 15.56 and two-thirds of the members of the governing body concur in expelling him;

\* Sec. 73. AS 29.20.280(a)(6) is amended to read:

(6) is convicted of a felony or misdemeanor described in AS 15.13 or AS 15.56; or

\* Sec. 74. Sections 31 and 57 - 61 of this Act are repealed.

\* Sec. 75. AS 15.13.020, 15.13.030, 15.13.040(f), 15.13.070(f) and (g), 15.13.110(d), 15.13.120(b) and (d), 15.13.122; AS 39.50.200(a)(4), and 39.50.200(b)(8) are repealed.

\* Sec. 76. Sections 69 - 74 of this Act take effect on the effective date of a version of House Bill No. 170 or Senate Bill No. 180 revising AS 29.

\* Sec. 77. Sections 1 - 68 and 75 of this Act take effect immediately in accordance with AS 01.10.070(c).