

## CS FOR HOUSE BILL NO. 206(CRA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

Offered: 3/24/93

Referred: State Affairs

Sponsor(s): REPRESENTATIVE MULDER

## A BILL

## FOR AN ACT ENTITLED

1 "An Act relating to the regulation of election campaigns, and providing for  
2 regulation by the Alaska Public Offices Commission of elections by certain  
3 electrical cooperatives and by certain telephone cooperatives."

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

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

6 (a) This chapter applies

7 (1) in every election for governor, lieutenant governor, a member of the  
8 state legislature, a delegate to a constitutional convention, or judge seeking electoral  
9 confirmation;

10 (2) [. IT ALSO APPLIES] to every candidate for election to a  
11 municipal office in a municipality with a population of more than 1,000 inhabitants  
12 according to the latest United States census figures or estimates of population certified  
13 as correct for administrative purposes by the Department of Community and Regional  
14 Affairs unless the municipality has exempted itself from the provisions of this

1 ~~chapter; a~~ [ A] municipality may exempt its elected municipal officers from the  
2 requirements of this chapter if a majority of the voters voting on the question at a  
3 regular election, as defined by AS 29.71.800(20), or a special municipality-wide  
4 election called for that purpose, votes [VOTE] to exempt its elected municipal officers  
5 from the requirements of this chapter; ~~the~~ [ THE] question of exemption from the  
6 requirements of this chapter may be submitted by the governing body by ordinance or  
7 by initiative election; and

8 (3) to every candidate for election for a seat on the board of  
9 directors of an electrical cooperative if the cooperative furnishes electrical energy  
10 and power to at least 10,000 customers or of a telephone cooperative if the  
11 telephone cooperative furnishes telephone services to at least 10,000 customers [. THIS CHAPTER DOES NOT PROHIBIT A MUNICIPALITY FROM REGULATING  
12 BY ORDINANCE CAMPAIGN CONTRIBUTIONS AND EXPENDITURES].  
13

14 \* Sec. 2. AS 15.13.010 is amended by adding a new subsection to read:

15 (c) This chapter does not prohibit a municipality from regulating by ordinance  
16 campaign contributions and expenditures in municipal elections.

17 \* Sec. 3. AS 15.13.120(f) is amended to read:

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

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

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

26 (3) AS 29.20.170, if the candidate is a candidate for the borough  
27 assembly;

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

29 (5) AS 29.20.170, if the candidate is a candidate for city council;

30 (6) AS 29.20.280, if the candidate is a candidate for city mayor;

31 (7) the provisions of the call for the constitutional convention, if the

1 candidate is a candidate for constitutional convention delegate;

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

4 (9) the articles of incorporation and bylaws of an electrical  
5 cooperative or of a telephone cooperative whose elections are subject to regulation  
6 under this chapter, if the candidate is a candidate for the board of directors of  
7 the cooperative.

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

9 Sec. 15.13.127. REGULATION OF ELECTIONS OF COOPERATIVES. If  
10 its board elections are subject to regulation under this chapter, an electrical or  
11 telephone cooperative shall file with the commission a list of candidates and their  
12 mailing addresses within seven days following the deadline for filing for a seat on the  
13 board of directors of the cooperative.

14 \* Sec. 5. AS 15.13.130(1) is amended to read:

15 (1) "candidate" means a person

16 (A) who files for election

17 (i) to the state legislature;

18 (ii) [,] for governor;

19 (iii) [,] for lieutenant governor;

20 (iv) [,] for municipal office;

21 (v) [,] for retention in judicial office;

22 (vi) [, OR] for constitutional convention delegate; or

23 (vii) for a seat on the board of directors of an  
24 electrical cooperative if the cooperative furnishes electrical energy  
25 and power to at least 10,000 customers or of a telephone  
26 cooperative if the cooperative furnishes telephone services to at least  
27 10,000 customers; [,] or

28 (B) who campaigns as a write-in candidate for any of the  
29 [THESE] offices set out in (A) of this paragraph;

30 \* Sec. 6. AS 15.13.130 is amended by adding new paragraphs to read:

31 (8) "electrical cooperative" means a corporation incorporated under

1 AS 10.15 (Alaska Cooperative Corporation Act) or AS 10.25 (Electric and Telephone  
2 Cooperative Act) and furnishing electrical power and energy to customers if the  
3 articles or bylaws of the cooperative require

4 (A) membership in the cooperative as a condition of obtaining  
5 the cooperative's services; and

6 (B) the election of the cooperative's directors by the  
7 cooperative's members;

8 (9) "telephone cooperative" means a corporation incorporated under  
9 AS 10.15 (Alaska Cooperative Corporation Act) or AS 10.25 (Electric and Telephone  
10 Cooperative Act) and furnishing telephone services to customers if the articles or  
11 bylaws of the cooperative require

12 (A) membership in the cooperative as a condition of obtaining  
13 the cooperative's services; and

14 (B) the election of the cooperative's directors by the  
15 cooperative's members.