

## CS FOR HOUSE BILL NO. 206(STA) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Amended: 4/19/93

Offered: 4/7/93

Sponsor(s): REPRESENTATIVE MULDER

## A BILL

## FOR AN ACT ENTITLED

1 "An Act amending provisions of the Alaska Elections Code relating to election  
 2 campaigns to exempt from the election campaign reporting requirements a  
 3 candidate whose campaign contributions and campaign expenditures do not exceed  
 4 \$1,000, and to extend the Alaska Public Offices Commission's regulation of  
 5 election campaigns to elections to boards of directors of electrical cooperatives and  
 6 telephone cooperatives who serve at least 10,000 customers."

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

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

9 (a) This chapter applies

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

13 (2) [. IT ALSO APPLIES] to every candidate for election to a

1 municipal office in a municipality with a population of more than 1,000 inhabitants  
2 according to the latest United States census figures or estimates of population certified  
3 as correct for administrative purposes by the Department of Community and Regional  
4 Affairs unless the municipality has exempted itself from the provisions of this  
5 chapter; a [. A] municipality may exempt its elected municipal officers from the  
6 requirements of this chapter if a majority of the voters voting on the question at a  
7 regular election, as defined by AS 29.71.800(20), or a special municipality-wide  
8 election called for that purpose, votes [VOTE] to exempt its elected municipal officers  
9 from the requirements of this chapter; the [. THE] question of exemption from the  
10 requirements of this chapter may be submitted by the governing body by ordinance or  
11 by initiative election; and

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

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

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

21 \* Sec. 3. AS 15.13.040 is amended by adding a new subsection to read:

22 (g) The provisions of (a) of this section do not apply to a candidate if the  
23 candidate

24 (1) accepts contributions totaling \$1,000 or less; and

25 (2) makes expenditures totaling \$1,000 or less in seeking election.

26 \* Sec. 4. AS 15.13.120(f) is amended to read:

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

31 (1) art. II, sec. 12 of the state constitution, if the candidate is a

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candidate for the state legislature;

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

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

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

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

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

(7) the provisions of the call for the constitutional convention, if the candidate is a candidate for constitutional convention delegate;

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

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

\* Sec. 5. AS 15.13 is amended by adding a new section to read:

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

\* Sec. 6. AS 15.13.130(1) is amended to read:

(1) "candidate" means a person

(A) who files for election

(i) to the state legislature;

(ii) [,] for governor;

(iii) [,] for lieutenant governor;

(iv) [,] for municipal office;

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

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

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(B) who, in the manner provided by the cooperative's articles of incorporation or bylaws, is nominated for or who becomes a nominee for a seat on the board of directors of an electrical cooperative if the cooperative furnishes electrical energy and power to at least 10,000 customers or of a telephone cooperative if the cooperative furnishes telephone services to at least 10,000 customers; [,] or

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

\* Sec. 7. AS 15.13.130 is amended by adding new paragraphs to read:

(8) "electrical cooperative" means a corporation incorporated under AS 10.15 (Alaska Cooperative Corporation Act) or AS 10.25 (Electric and Telephone Cooperative Act) and furnishing electrical power and energy to customers if the articles or bylaws of the cooperative require

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

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

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

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

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