

ALASKA LEGISLATURE

2357

HOUSE and SENATE FINANCE COMMITTEE FILES, 2001 - 2002

y reports. — For Governor
IB 445 (from which ch. 55, SLA
(a) of this section, derived), see
262-2263.

of breath or blood
rising out of acts alleged
ial motor vehicle while
apply with regard to the
lleged:

the person's blood, or less
; blood, or less than 0.04
t does not give rise to a
of an intoxicating liquor,
in determining whether

the person's blood, or 40
; blood, or 0.04 grams or
ned that the person was

n the blood is based upon

to limit the introduction
whether the person was or

ed technician, chemist,
1 choosing administer a

on of a law enforcement
person does not preclude

ion of a law enforcement
h an additional test, and

l test at the request of a
cluding the results of it

5 ch 3 SLA 1992)

ators.

tions from driving a commer

cial motor vehicle without be
sed

Sec. 28.33.100. License to drive commercial motor vehicle. (a) A person may not drive a commercial motor vehicle until the person applies for and is issued a license for that purpose under AS 28.15.041. The department may not issue a license to drive a commercial motor vehicle unless the applicant

- (1) is at least 19 years of age;
- (2) has held a valid driver's license at least one year before the date of application or meets the experience qualifications established by the department;
- (3) has successfully completed all required driving tests and written and physical examinations;
- (4) either does not have a driver's license issued by another jurisdiction or surrenders all driver's licenses issued by other jurisdictions.

(b) In addition to the information required under AS 28.15.111, a commercial driver's license shall include information determined by the United States Secretary of Transportation to be appropriate to identify the licensee, ~~including the licensee's social security number.~~

(c) A person who has been a state resident for 30 days or longer may not drive a commercial motor vehicle under the authority of a commercial driver's license issued by another jurisdiction.

(d) The licensing requirements of this section are in addition to the requirements imposed on a school bus driver under AS 28.15.046.

(e) The department shall disqualify a person for a period of 60 consecutive days, and shall reevaluate the person's application or license to drive a commercial motor vehicle, if the department determines that the person knowingly provided false information required under

- (1) this section or AS 28.15 in an application to the department for a commercial driver's license; or
- (2) AS 28.33.110(c) in an application for employment. (§ 3 ch 53 SLA 1990; am §§ 16, 17 ch 3 SLA 1992)

Effect of amendments. — The 1992 amendment, effective April 1, 1992, in subsection (a), substituted "drive" for "operate" in two places in the introductory paragraph and inserted "or meets the experience qualifications established by the department" in paragraph (2); and added subsection (e).

Sec. 28.33.110. Notification requirements for drivers of commercial motor vehicles. (a) A driver of a commercial motor vehicle holding a commercial driver's license issued by the state who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or another state, or a federal, provincial, territorial, or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the driver's employer, in writing, of the conviction within 30 days after the date of conviction.

(b) A driver whose operating privilege is suspended, revoked, or canceled by a state, who loses the privilege to operate a commercial motor vehicle in a state for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify the driver's employer of that fact before the end of the business day following the day the driver received notice of the suspension, revocation, cancellation, loss, or disqualification.

(c) A person who applies for employment as a commercial motor vehicle driver shall

- (1) provide the person's prospective employer, at the time of application for employment, with the following information for the 10 years preceding the date of application:
 - (A) a list of the names and addresses of employers for which the applicant was a driver of a commercial motor vehicle;
 - (B) the dates between which the applicant drove for each employer;
 - (C) the reason for leaving each employer;
- (2) certify that the information provided under this subsection is true and complete; and
- (3) provide additional information required by the employer. (§ 3 ch 53 SLA 1990)

Alaska State Legislature

SENATOR
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax: (907) 488-4271

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884

Senate

Senate District Q

Senate Bill 102: "An act relating to the information required in an application for, and to display of social security numbers on, certain licenses and instructional permits; and providing for an effective date."

Sponsor: Senator Gene Therriault 

Sponsor Statement

Senate Bill 102 removes the social security numbers from the face of drivers' licenses. It also allows someone who does not have a social security number to obtain a license.

Social security numbers provide a gateway to identity theft. An identification card, primarily a driver's license, is often used for check cashing, boarding planes, and other identification purposes. By removing this unique number from the driver's license, SB 102 attempts to preserve the privacy of each Alaskan. While the social security number is still required on the application for a driver's license, learner's permit, and state identification, it would no longer be displayed on the actual card.

SB 102 also places in statute a current policy recently adopted by the Department of Motor Vehicles. If a person does not have a social security number, (s)he can sign a sworn affidavit regarding their status and be granted a license. In the past, the State of Alaska did not grant a license if an applicant did not have a social security number.

Recognizing the desire to protect the identities of Alaskan residents, I have drafted this bill with an immediate effective date. The DMV has the technological capability to prevent social security numbers from appearing on identification cards and licenses; no equipment change would be necessary.

Under SB 102, all current licenses will remain valid. The change affects those issued after the effective date.

Alaska State Legislature

SENATOR
GENE THERRIAULT

Mailing Address:
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0857
Fax: (907) 488-4271



Senate

While in session
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884
Senate District Q

Senate Bill 102: "An act relating to the information required in an application for, and to display of social security numbers on, certain licenses and instructional permits; and providing for an effective date."

Sponsor:

Senator Gene Therriault

A handwritten signature in cursive script, appearing to read "Gene J.", written over the printed name of the sponsor.

Sectional

Section 1 clarifies that a social security number is still necessary on a driver's license application as required by federal law. If a person does not have a social security number, (s)he can sign a sworn affidavit regarding their status and be granted a license. In the past, the State of Alaska did not grant a license if an applicant did not have a social security number.

Section 2 removes the social security number from the face of a driver's license. Social Security numbers would also be removed from learners' permits and state identification cards, which are processed by the Department of Motor Vehicles as well.

Section 3 clarifies that all current licenses will remain valid.

Section 4 provides an immediate effective date.

U.S. Department of Health and Human Services
Administration for Children & Families
Office of Child Support Enforcement

PIQ-99-05

DATE: July 14, 1999

TO: State IV-D Directors and Regional Program Managers

FROM: David Gray Ross
Commissioner
Office of Child Support Enforcement

RE: Inclusion of Social Security Numbers on License Applications and Other Documents

It has come to our attention that there is some confusion regarding the issue of inclusion of social security numbers on license applications and other documents.

Section 466(a)(13) of the Social Security Act (Act) requires States to implement procedures requiring that the social security number(s) of any applicant for a professional, driver's, occupational, recreational or marriage license be recorded on the application. In addition, section 466(a)(13) of the Act requires procedures requiring that the social security number(s) of any individual subject to a divorce decree, support order or paternity determination or acknowledgment be placed in the records relating to the matter and that the social security number(s) of any individual who has died be placed in the death records and recorded on the death certificate. Some States have asked how this requirement applies to those applicants or individuals that do not have social security numbers.

We interpret the statutory language in section 466(a)(13) of the Act to require that States have procedures which require an individual to furnish any social security number that he or she may have. Section 466(a)(13) of the Act does not require that an individual have a social security number as a condition of receiving a license, etc. We would advise States to require persons who wish to apply for a license who do not have social security numbers to submit a sworn affidavit, under penalty of perjury, along with their application stating that they do not have a social security number. Such an affidavit should also be required for divorce, support or paternity matters where an individual indicates that he or she does not have a social security number or in death cases where a family member, next of kin indicates that the deceased did not have a social security number.

This is consistent with the position we took in PIQ-97-04 regarding the requirement for inclusion of social security numbers on voluntary paternity acknowledgment affidavits. In PIQ-97-04 we stated that, although section 452(a)(7) of the Act specified that the social security number of each parent is one of the minimum requirements of an affidavit to be used for the voluntary acknowledgment of paternity, the omission of one or both of the social security numbers would not invalidate the acknowledgment.

If you have questions regarding this subject, please contact Jan Rothstein of my staff at (202) 401-5073.

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 2/20/01

FURTHER: Finance →

Date of 5-Day Notice: 2/22/01
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2-28-01

State Affairs Committee considered SENATE BILL NO. 102

"An Act relating to the information required in an application for, and to display of social security numbers on, certain licenses and instructional permits; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

- Senate Bill:**
 same title
 new title
- House Bill:**
 same title
 technical title
 new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Admin	2/23		✓	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

SB 102-SOCIAL SECURITY # & DRIVER'S LICENSES

NAME: Kevin Shores Subject/Bill No: SB 102

Co./Dept./Title: Dept. of Law - Asst. A.G. Phone: 465-3600
Child Support Enforcement Division

Address: Diamond Courthouse 5th Floor Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____

Co./Dept./Title: _____ Phone: _____

Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

SITE: ANCHORAGE LIO

COMMITTEE:

Senate Finance

DATE: 3-13-2001

SUBJECT OF MEETING:

SB 77

UPDATE #:



PLEASE SIGN IN

PLEASE PRINT:

NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

DO YOU WANT

TO TESTIFY?

Y OR N

NAME	ADDRESS (MAILING & ZIP)	REPRESENTING	DO YOU WANT TO TESTIFY? Y OR N
Mark Myers		DNR-O&G	Y - SB 77
Jim Stouffer		DNR	Y - SB 77
Jennifer Rudinger		AK CLU	Y - SB 102
Deborah Gomez		President Elect - BNP	Y - SB 65
Dan Sullivan		Arctic Winter Games	Y - SB 93

SB

103

HFIN

FILE

Amendment

Adopted
4/11/01

#1

Offered in House Finance

CS SB 103 (JUD)

Representative John Davies

Add a new section

Section (). Section 15.13.080 Statement of contributor (a) is amended to read:

(a) an individual who contributes \$500, or goods or services with a value of \$500, to a candidate shall file a contributor's statement as required by this section. A campaign that receives \$500 or goods or service of a value of \$500 may fill a contributors statement as required under this section on behalf of the contributor.

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
Bill Version: CSSB103 (JUD)
(S) Publish Date: 3/23/01

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
Title: "An act relating to election campaigns" BRU: Alaska Public Offices Commission
Component: _____

Sponsor: Senate State Affairs
Requester: Senate Finance Component Number: 70

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	52.5	52.5	52.5	52.5	52.5	52.5
Travel	4.1	0.0	0.0	0.0	0.0	0.0
Contractual	21.7	23.2	23.2	23.2	21.0	21.0
Supplies	0.6	0.6	0.6	0.6	0.6	0.6
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	78.9	76.3	76.3	76.3	74.1	74.1

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	78.9	78.9	76.3	76.3	74.1	74.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	78.9	76.3	76.3	76.3	74.1	74.1

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	2	2	2	2	2	2
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Brooke Miles Phone 276-4176
Division: Alaska Public Offices Commission Date/Time 3/20/01 10:40 AM
Approved by: Jim Duncan, Commissioner Date 3/21/01
Agency: Department of Administration

For distribution information, call the Governor's Legislative Office

Fiscal Note Analysis
SB 103 #2

This is staff's estimate of the fiscal impact of CSSB 103(JUD). The Commission will not have an opportunity to review the proposed legislation and staff's recommendations for a fiscal note until their next meeting on March 29th and 30th, 2001.

SB 103 will result in additional costs to the Commission. The bill increases the amount of surplus campaign goods that may be taken by a candidate for personal use from \$2500 to \$5000 and provides that candidates may also retain campaign photographs, seasonal greeting cards and campaign signs.

In addition, the bill makes changes to AS 15.13 and to the legislative ethics act that will permit legislators and legislative staff to expend public funds in support of or opposition to a ballot question that amends the constitution. This will likely result in public inquiries and complaints requiring investigation by commission staff. It also amends the definition of "contribution" to exclude all professional services provided voluntarily to candidates and groups. This will result in both public inquiries and third party complaints requiring commission staff investigation and commission adjudication.

This draft fiscal note also reflects the costs to the Commission for conducting statewide seminars to educate candidates, groups, and political parties about the changes; revising manuals, forms, and database structures; and responding to informal inquiries, and advisory opinion requests.

Personal services costs reflect a permanent part time Paralegal Assistant I to assist the current Investigator position, a permanent part-time Administrative Clerk I to provide support, and overtime for current employees to amend reporting materials and conduct training for the Anchorage municipal elections and the 2002 state and municipal election cycles.

Failed

Amendment #2

Offered in House Finance

House CS SB 103 (JUD) draft version V

Representative John Davies

Add a new section

Section (). Section 19.25.105 is amended by adding:

(a) (7) Political campaign signs no larger than 4 feet by 8 feet may be within the right of way within 45 days of an election in which a candidate or ballot issue or constitutional amendment is to be decided, and those signs must be removed within 10 days after that election.

Section 19.25.150 is amended by adding:

A sign in violation of AS 95.25.105 (a) (7) may be removed immediately by the department, and returned to the candidate or campaign for upon receipt of a \$100 handling fee per sign.



Official Business

Alaska State Legislature

State Capitol
Juneau, AK 99801-1182

Senate Bill 103

"An Act relating to election campaigns and legislative ethics; and providing for an effective date."

SPONSOR: Senate State Affairs Committee

SPONSOR STATEMENT:

Senate Bill 103 is largely a clean-up bill to address conflicts and concerns that have arisen in the campaign finance and legislative ethics statutes. It also puts into law administrative rulings made by the Alaska Public Offices Commission (APOC) and informal advice given by the Legislative Ethics Committee. This legislation is different from last year's HB 225. It does not contain what were the more controversial elements of that bill.

SB 103 makes the following changes:

- Clarifies that multiple groups controlled by a single candidate be treated as a single group for purposes of the contribution limit in AS 15.13.070(b)(1)
- Adds thank you advertisements to list of permissible uses of unused campaign funds
- Increases the total value of personal property which may be retained by a candidate
- Provides that money held by public entities may be used to influence the outcome of a ballot proposition or question under limited circumstances
- Clarifies and further defines contributions
- Adds new exceptions to and clarifies the prohibition on use of public assets and resources by legislators and legislative employees for nonlegislative purposes and certain previously prohibited public political uses

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 28, 2001

SUBJECT: Sectional Summary of Campaign Finance and Legislative Ethics
CS SB103(FIN)

TO: Senator Gene Therriault
Attn: Joe Balash

FROM: Kathryn L. Kurtz *KK*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Permits candidates to register multiple groups to support them but specifies that all groups controlled by a single candidate be treated as a single group for purposes of the contribution limit in AS 15.13.070(b)(1).

Section 2. Adds thank you advertisements as a permissible use of unused campaign funds. Eliminates transfers of leftover campaign funds to public office expense term account reserves, but retains provision allowing transfers to public office expense term (POET) accounts. Limits transfers to POET accounts to \$10,000 for candidates for the house of representatives and \$20,000 for candidates for the senate. Requires that funds left in a POET account at the end of a candidate's term of office be disposed of by donating them to a political party, the state's general fund, a municipality, the federal government, or a 26 U.S.C. 501(c)(3) charitable organization, or by repaying contributions to contributors.

Section 3. Increases the total value of personal property which may be retained by a candidate after a campaign from \$2,500 to \$5,000. Specifies that campaign photographs and seasonal greeting cards may be retained and used. Provides that campaign signs prepared for an election that has already taken place have no monetary value.

Section 4. Amends AS 15.13.145(b), which restricts use of state money for influencing the outcome of elections, to reflect the change in section 6 of this bill permitting

legislators and legislative employees to use governmental resources to support or oppose a proposed amendment to the state or federal constitution.

Section 5. Excludes from the definition of campaign contribution: (a) services provided by volunteers to political parties, including legal and accounting services but not other professional services, (b) two or fewer mass mailings by each political party before each election, (c) certain poll results, and (d) newsletters from legislators to their constituents.

Section 6. Excludes from the definition of expenditure communications with a value of \$500 or less made by a corporation to its stockholders and employees and their families, or by a nonprofit corporation, labor organization, or business or trade association to its employees and members and their families.

Section 7. Adds new exceptions to and clarifies the prohibition on use of public assets and resources by legislators and legislative employees for nonlegislative purposes, including: use of staff to prepare and send out seasonal greeting cards, transporting computers or other office equipment owned by a legislator but used primarily for a state function, use of photographs of legislators, reasonable use of the Internet except for election campaign purposes, solicitation and acceptance in state facilities of donations to recognized non-political charitable organizations, and newsletters from legislators to constituents. Increases the period before and after session during which legislators may use their private office in Juneau for nonlegislative purposes from five days to ten days.

Also adds a number of exceptions to and clarifies the prohibition on use of public assets and resources for certain previously prohibited political uses, including: use of photographs, and support or opposition of constitutional amendments (but not to solicit contributions for a proposed constitutional amendment). Increases the period before and after session during which legislators may use their private office in Juneau for nonlegislative purposes from five days to ten days.

Section 8. Adds an exception to AS 24.60.080(c) permitting a legislator to accept a gift of transportation from another legislator, in a vehicle owned by the other legislator, except for political campaign purposes and trips for obtaining information of legislative concern.

Section 9. Repeals AS 15.13.116(d), the section providing for POET reserve accounts.

Section 10. Transitional provision requiring candidates elected before the effective date of the act to transfer any funds held in a POET reserve account to a POET account before January 1, 2002.

<u>Section</u>	<u>pg,ln</u>	<u>issue</u>	<u>reason</u>	<u>example</u>
1	p 1; 11-14	multiple groups controlled by a single candidate are treated as a single group for contribution limit purposes		non-partisans for Candidate Smith and Friends and Neighbors for Candidate Smith; a single contributor may not give \$500 to both groups
2	p 2, ln 7	surplus campaign funds used for thank you ads	APOC already allows this; the Legislature is merely codifying it	
	p 3, ln 20-26	POET Account transfers are limited to \$10,000 for Reps and \$20,000 for Senators	the POET Reserve is being repealed in section 9	
3	p 4, ln 13	the value of property retained by the candidate is increased to \$5,000		
	p 4, ln 16-26	retaining bulk mail permits	If, as a legislator, you used your campaign's bulk mail permit, you can use it in your next race for public office without it being considered a contribution in your next race	You can use the same bulk mail permit across races and terms in office without having to reapply for new permits in each new race
	p 5, ln 1-2	greeting cards purchased with campaign funds	APOC already allows this; the Legislature is merely codifying it	
	p 5, ln 3-5	campaign signs may be retained or disposed of by the candidate	this is a little bit of a gray area--APOC currently says signs have no value after the race. The legislature is clarifying that the candidate may decide what to do with their signs	
4	p 5, ln 9	money held by state entities may be used to influence the outcome of a ballot proposition	allows legislators to use their office account or staff support or oppose proposed constitutional amendments; constitutional amendments may only come from the legislature	Sen Smith uses money in his office account (held by LAA) to pay for stationery or postage on a mailing regarding his support or opposition to a constitutional amendmnet; while APOC may find this falls within the "legislative duties" exception, this new language would clearly allow for it

<u>Section</u>	<u>pg,ln</u>	<u>issue</u>	<u>reason</u>	<u>example</u>
5	p 5, ln 25-31	professionals volunteering for a political party or candidate	politics today, unfortunately, requires the services of professionals more and more often: legal challenges, campaign finance compliance: Attorneys and Accountants charge various fees within their profession--differences between rates charged by private and non-profit attorneys result in treating two people differently; why should a family law attorney be "charged" at her hourly professional rate for work outside of her expertise?	
	p 6, ln2-5	two or fewer mass mailings before each election	political parties should have the ability to trumpet who they support in a given election--the "slate" mailings aren't a "direct" benefit to a single candidate	
	p 6, ln 6-9	polls limited to issues	allows candidates to receive information	
	p 6, ln 10-14	newsletter communication	legislators should be able to communicate to their constituents without APOC deciding that it constitutes a contribution	Sen. Smith should be able to include information in a newsletter to his constituents that helps them think about state issues at a time when their awareness is heightened on this subject
6	p 6-7, ln 30-5	communications on any subject	1st Amendment principles; this is not a loophole--there is a limitation on how much communicating a given entity may do	

<u>Section</u>	<u>pg,ln</u>	<u>issue</u>	<u>reason</u>	<u>example</u>
7	p 8, ln 2-3	use of legislative offices	legislators already may use their offices for non-legislative purposes during session and the 5 days before and after session; this increases those days so that people can come to Juneau earlier and stay longer without being unduly burdened	a legislator who has a law practice and brings his family with him to Juneau will need additional days before and after session to first get their children into school on-time and then allow them to finish out the rest of the school year once session is over. This allows them to use their office for a non-legislative purpose without violating the Ethics statutes
	p 8, ln 11-21	reasonable exceptions to what legislators and their employees may do with state facilities, funds, and services	F through J are all activities that the Ethics committee has already permitted through informal advice or formal rulings; this is just the Legislature codifying current practices	Susie Barnett is leaving in June and we will have a new person providing informal advice--if that person has a different perspective, legislators might engage in activities that have long been permissible but would now be considered impermissible
	p 8, ln 22-26	communications on any subject	currently, this is a gray area--this creates a bright line for the Ethics Committee to consider in the event of a complaint	
	p 9, ln 21-22	use of legislative offices	duplicating the exception granted in the earlier part of the same section	
	p 9, ln 30	use of photographs	allows a legislator to use the same photograph for campaigns that s/he used as a legislator	
	p 9-10, ln 31-5	legislators supporting or opposing constitutional amendments	constitutional amendments can only originate in the legislature--those who propose them should be able to explain why they have put this before the voters	Sen. Smith proposes, and successfully carries through the legislative process, a constitutional amendment; if the local rotary wants to hear why this amendment is necessary, Sen. Smith should be able to speak to that body and voice his/her support for the ballot question.
8	p 11, ln 7-12	gifts of travel	we already allow hospitality with regard to residences and accommodations; this allows transportation to be included--between legislators <i>only</i>	

SB

103

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

REPORTED OUT
MAR 23 2001
SENATE FINANCE
COMMITTEE

DATE: 3/13/01

FURTHER:

DATE TURNED IN TO OFFICE: 23 March 01

Finance Committee considered SENATE BILL NO. 103

"An Act relating to election campaigns and legislative ethics; and providing for an effective date."

and recommends:

- be replaced with CS SB 103 (FIN)
- adopt previous CS CS Forthcoming ()
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

- Senate Bill:
 same title
 new title
 House Bill:
 same title
 technical title
 new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Admin/APROC	3/2/01	78.9		

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>Loren D. Simon</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			
COCHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			

MAR 23 2001

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version:
() Publish Date:

CSSB103 (JUD)

Revision Date/Time (Note if correction):
Title: "An act relating to election campaigns"

Dept. Affected: Administration
BRU: Alaska Public Offices Commission
Component: _____

Sponsor: Senate State Affairs
Requester: Senate Finance

Component Number: 70

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	52.5	52.5	52.5	52.5	52.5	52.5
Travel	4.1	0.0	0.0	0.0	0.0	0.0
Contractual	21.7	23.2	23.2	23.2	21.0	21.0
Supplies	0.6	0.6	0.1	0.6	0.6	0.6
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	78.9	76.3	76.3	76.3	74.1	74.1

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	78.9	78.9	76.3	76.3	74.1	74.1
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	78.9	76.3	76.3	76.3	74.1	74.1

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	0	0	0	0	0	0
Part-time	2	2	2	2	2	2
Temporary	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary)

See Attached

Prepared by: Brooke Miles
Division: Alaska Public Offices Commission
Approved by: Jim Duncan, Commissioner
Agency: Department of Administration

Phone 276-4176
Date/Time 3/20/01 10:40 AM
Date 3/21/01

For distribution information, call the Governor's Legislative Office

Fiscal Note Analysis
SB 103

This is staff's estimate of the fiscal impact of CSSB 103(JUD). The Commission will not have an opportunity to review the proposed legislation and staff's recommendations for a fiscal note until their next meeting on March 29th and 30th, 2001.

SB 103 will result in additional costs to the Commission. The bill increases the amount of surplus campaign goods that may be taken by a candidate for personal use from \$2500 to \$5000 and provides that candidates may also retain campaign photographs, seasonal greeting cards and campaign signs.

In addition, the bill makes changes to AS 15.13 and to the legislative ethics act that will permit legislators and legislative staff to expend public funds in support of or opposition to a ballot question that amends the constitution. This will likely result in public inquiries and complaints requiring investigation by commission staff. It also amends the definition of "contribution" to exclude all professional services provided voluntarily to candidates and groups. This will result in both public inquiries and third party complaints requiring commission staff investigation and commission adjudication.

This draft fiscal note also reflects the costs to the Commission for conducting statewide seminars to educate candidates, groups, and political parties about the changes; revising manuals, forms, and database structures; and responding to informal inquiries, and advisory opinion requests.

Personal services costs reflect a permanent part time Paralegal Assistant I to assist the current Investigator position, a permanent part-time Administrative Clerk I to provide support, and overtime for current employees to amend reporting materials and conduct training for the Anchorage municipal elections and the 2002 state and municipal election cycles.

SENATE FINANCE
COMMITTEE

adopted

Amendment Number: 1
Bill Number: SB 103
Sponsor: Donley Date: 3/21
Logged In By: Cadie

22-LS0148\W.1
Kurtz
3/19/01

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 103(JUD)

BY SENATOR DONLEY

1 Page 6, line 5:

2 Delete "or"

3

4 Page 6, line 9, following "§":

5 Insert "or

6

(v) any communication in the form of a newsletter

7

from a legislator to the legislator's constituents, except a

8

communication expressly advocating the election or defeat of a

9

candidate;"

10

11 Page 8, line 13:

12 Delete "or"

13

14 Page 8, line 16, following "§":

15 Insert "or

16

(K) a legislator from sending any communication in the

17

form of a newsletter to the legislator's constituents, except a

18

communication expressly advocating the election or defeat of a

19

candidate;"

adopted
as amended
BY SEN DONLEY

IN SEN FINANCE
TO SB 103 (JUD)

SENATE FINANCE
COMMITTEE

Amendment Number: 2 AMENDED

Bill Number: SB 103

Sponsor: Donley Date: 3/22

Logged In By: Cadie

AMEND

Page 6, Line 4

delete "photographs and biographies of"

insert "~~information about~~"

"photographs, biographies, and
information about"

Page 9, Line 26

after ~~blatant~~ "solicit"

insert "or receive"

amended & adopted
BY SEN DONLEY

IN SEN FINANCE
TO SB 103 (JUD)

SENATE: FINANCE
COMMITTEE
Amendment Number: 2
Bill Number: SB 103
Sponsor: Donley Date: 3/22
Logged In By: Cadie

AMEND

Page 6, Line 4

delete "(photographs)
photographs and biographies of"

insert "information about"

Page 9, Line 26

after ~~blatant~~ "solicit"

insert "or receive"

BY SEN DONLEY

IN SEN FINANCE
TO SB 103 (JUD)

SENATE FINANCE
COMMITTEE

Amendment Number: 2

Bill Number: SB 103

Sponsor: Donley Date: 3/22

Logged In By: Cadie

AMEND

Page 6, Line 4

delete "photographs, and biographies of"
 insert "information about"

amended to this

Page 9, Line 26

after ~~the word~~ "solicit"
 insert "or receive"

Page 6, Line 4

replace "and biographies of"
 with

" , biographies and information about "

adopted

BY SEN DONLEY

IN SEN FINANCE
TO SB 103 (JUD)

AMEND

Page 5, lines 25 - 28

SENATE FINANCE
COMMITTEE

Amendment Number: 3

Bill Number: SB 103

Sponsor: Donley Date: 3/22

Logged In By: Cadie

political party, candidate, or ballot proposition
or question, but it does include professional
services, other than legal or accounting
services, volunteered by individuals for
which they would be paid a fee or wage.

adopted

22-LS0148\W.4
Cramer
3/21/01

By Olson

AMENDMENT

OFFERED IN THE SENATE
TO: CSSB 103(JUD)

- 1 Page 9, following line 26:
- 2 Insert a new bill section to read:
- 3 ** Sec. 8. AS 24.60.080(c) is amended to read:
- 4 (c) Notwithstanding (a) of this section, it is not a violation of this section for a
- 5 legislator or legislative employee to accept
- 6 (1) hospitality, other than hospitality described in (4) of this
- 7 subsection,
- 8 (A) with incidental transportation at the residence of a person;
- 9 however, a vacation home located outside the state is not considered a
- 10 residence for the purposes of this subparagraph; or
- 11 (B) at a social event or meal;
- 12 (2) discounts that are available
- 13 (A) generally to the public or to a large class of persons to
- 14 which the person belongs; or
- 15 (B) when on official state business, but only if receipt of the
- 16 discount benefits the state;
- 17 (3) food or foodstuffs indigenous to the state that are shared generally
- 18 as a cultural or social norm;
- 19 (4) travel and hospitality primarily for the purpose of obtaining
- 20 information on matters of legislative concern;
- 21 (5) gifts from the immediate family of the person;
- 22 (6) gifts that are not connected with the recipient's legislative status;
- 23 (7) a discount for all or part of a legislative session, including time
- 24 immediately preceding or following the session, or other gift to welcome a legislator

1 or legislative employee who is employed on the personal staff of a legislator or by a
2 standing or special committee to the capital city or in recognition of the beginning of a
3 legislative session if the gift or discount is available generally to all legislators and the
4 personal staff of legislators and staff of standing and special committees; this
5 paragraph does not apply to legislative employees who are employed by the
6 Legislative Affairs Agency, the office of the chief clerk, the office of the senate
7 secretary, the legislative budget and audit committee, or the office of the ombudsman;
8 [OR]

9 (8) a gift of legal services in a matter of legislative concern and a gift
10 of other services related to the provision of legal services in a matter of legislative
11 concern; or

12 (9) a gift of transportation from a legislator to a legislator if the
13 transportation takes place in the state on or in an aircraft, boat, motor vehicle, or
14 other means of transport owned or under the control of the donor; this
15 paragraph does not apply to travel described in (4) of this subsection or travel for
16 political campaign purposes."

17
18 Renumber the following bill sections accordingly.



Official Business

Alaska State Senate

Senate Finance Committee

Mail Stop 3100
State Capitol
Juneau, Alaska 99801-1182

RUSH

FAX COVER SHEET

DATE: 3/22/01 TIME: 11:50 AM

TO: LEGAL

NUMBER OF PAGES, INCLUDING COVER SHEET: 6

FROM: CADIE BUCKLEY
SENATE FINANCE CMTE. ASST. SECRETARY
PHONE: 465-2618
FAX: 465-2187

NOTES: NEED FINANCE WORK DRAFT INCORPORATING
THESE FOUR AMENDMENTS INTO

CS SB 103 (JUD), 22-LS0148/W

NEED BY 3:00 PM TODAY - PLEASE
CALL IF THERE IS A PROBLEM

THANKS,
Cadie

22-LS0148'U
Kurtz/Cramer
3/22/01

CS FOR SENATE BILL NO. 103(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to election campaigns and legislative ethics."

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

3 * Section 1. AS 15.13.050(b) is amended to read:

4 (b) If a group intends to support only one candidate [,] or to contribute to or
5 expend on behalf of one candidate 33 1/3 percent or more of its funds, the name of the
6 candidate shall be a part of the name of the group. If the group intends to oppose only
7 one candidate [,] or to contribute its funds in opposition to or make expenditures in
8 opposition to a candidate, the group's name must clearly state that it opposes that
9 candidate by using a word such as "opposes," "opposing," "in opposition to," or
10 "against" in the group's name. Promptly upon receiving the registration, the
11 commission shall notify the candidate of the group's organization and intent. A
12 candidate may register more than one group to support the candidate; however,
13 multiple groups controlled by a single candidate shall be treated as a single group
14 for purposes of the contribution limit in AS 15.13.070(b)(1).

15 * Sec. 2. AS 15.13.116(a) is amended to read:

1 (a) A candidate who, after the date of the general, special, municipal, or
2 municipal runoff election or after the date the candidate withdraws as a candidate,
3 whichever comes first, holds unused campaign contributions shall distribute the
4 amount held within 90 days. The distribution may only be made to

5 (1) pay bills incurred for expenditures reasonably related to the
6 campaign and the winding up of the affairs of the campaign, including a victory or
7 thank you party, thank you advertisements, and thank you gifts to campaign
8 employees and volunteers, and to pay expenditures associated with post-election fund
9 raising that may be needed to raise funds to pay off campaign debts;

10 (2) make donations, without condition, to

11 (A) a political party;

12 (B) the state's general fund;

13 (C) a municipality of the state; or

14 (D) the federal government;

15 (3) make donations, without condition, to organizations qualified as
16 charitable organizations under 26 U.S.C. 501(c)(3), provided the organization is not
17 controlled by the candidate or a member of the candidate's immediate family;

18 (4) repay loans from the candidate to the candidate's own campaign
19 under AS 15.13.078(b);

20 (5) repay contributions to contributors, but only if repayment of the
21 contribution is made pro rata in approximate proportion to the contributions made
22 using one of the following, as the candidate determines:

23 (A) to all contributors;

24 (B) to contributors who have contributed most recently; or

25 (C) to contributors who have made larger contributions;

26 (6) establish a fund for, and from that fund to pay, attorney fees or
27 costs incurred in the prosecution or defense of an administrative or civil judicial action
28 that directly concerns a challenge to the victory or defeat of the candidate in the
29 election;

30 (7) transfer all or a portion of the unused campaign contributions to an
31 account for a future election campaign; a transfer under this paragraph is limited to

1 (A) \$50,000, if the transfer is made by a candidate for governor
2 or lieutenant governor;

3 (B) \$10,000, if the transfer is made by a candidate for the state
4 senate;

5 (C) \$5,000, if the transfer is made by a candidate for the state
6 house of representatives; and

7 (D) \$5,000, if the transfer is made by a candidate for an office
8 not described in (A) - (C) of this paragraph;

9 (8) transfer all or a portion of the unused campaign contributions to a
10 public office expense term account [OR TO A PUBLIC OFFICE EXPENSE TERM
11 ACCOUNT RESERVE IN ACCORDANCE WITH (d) OF THIS SECTION]; a
12 transfer under this paragraph is subject to the following:

13 (A) the authority to transfer is limited to candidates who are
14 elected to the state legislature;

15 (B) the public office expense term account established under
16 this paragraph may be used only for expenses associated with the candidate's
17 serving as a member of the legislature;

18 (C) all amounts expended from the public office expense term
19 account shall be annually accounted for under AS 15.13.110(a)(4); [AND]

20 (D) a transfer under this paragraph is limited to \$10,000 for a
21 candidate for the house of representatives and \$20,000 for a candidate for
22 the senate; and

23 (E) at the end of the candidate's term of office, a balance in
24 the public office expense term account must be disposed of as provided in
25 this subsection but may not be disposed of as provided in (1), (4), or (6) -
26 (9) of this subsection [\$5,000 MULTIPLIED BY THE NUMBER OF YEARS
27 IN THE TERM TO WHICH THE CANDIDATE IS ELECTED]; and

28 (9) transfer all or a portion of the unused campaign contributions to a
29 municipal office account; a transfer under this paragraph is subject to the following:

30 (A) the authority to transfer is limited to candidates who are
31 elected to municipal office, including a municipal school board;

1 (B) the municipal office account established under this
2 paragraph may be used only for expenses associated with the candidate's
3 serving as mayor or as a member of the assembly, city council, or school
4 board;

5 (C) all amounts expended from the municipal office account
6 shall be annually accounted for under AS 15.13.110(a)(4); and

7 (D) a transfer under this paragraph is limited to \$5,000.

8 * Sec. 3. AS 15.13.116(b) is amended to read:

9 (b) After a general, special, municipal, or municipal runoff election, a
10 candidate may retain the ownership of one computer and one printer and of personal
11 property, except money, that was acquired by and for use in the campaign. The
12 current fair market value of the property retained, exclusive of the computer and
13 printer, may not exceed \$5,000 [\$2,500]. All other property shall be disposed of, or
14 sold and the sale proceeds disposed of, in accordance with (a) or (c) of this section.
15 Notwithstanding any other provision of this chapter,

16 (1) a candidate may (A) [(1)] retain a bulk mailing permit that was
17 paid for with campaign funds, and (B) [(2)] use personal funds, campaign funds, or
18 unused campaign contributions transferred to a public office expense term account
19 under (a)(8) of this section to pay the continuing charges for the permit after the
20 election; money [. MONEY] used to continue the life of the permit is not considered
21 to be a contribution under this chapter; in [. IN] addition to any other use permitted
22 under this chapter, during the candidate's term of office, the candidate may use the
23 bulk mailing permit for mailings associated with service in the office to which the
24 candidate was elected; during [. DURING] the candidate's term of office, if the
25 candidate files a declaration of candidacy or the document necessary to permit the
26 candidate to incur election-related expenses under AS 15.13.100 [A LETTER OF
27 INTENT TO BECOME A CANDIDATE] for the same or a different elective office,
28 the candidate may also use the bulk mailing permit in that election campaign;

29 (2) a candidate may retain campaign photographs and use the
30 photographs for any purpose associated with service in the office to which the
31 candidate was elected;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(3) a candidate may retain seasonal greeting cards purchased with campaign funds; and

(4) campaign signs prepared for an election that has already taken place have no monetary value and may be retained or disposed of at the candidate's discretion.

* Sec. 4. AS 15.13.145(b) is amended to read:

(b) Money held by an entity identified in (a)(1) - (3) of this section may be used to influence the outcome of an election concerning a ballot proposition or question if the use is permitted under AS 24.60.030(a)(5)(G) or [, BUT ONLY] if the funds have been specifically appropriated for that purpose by a state law or a municipal ordinance.

* Sec. 5. AS 15.13.400(3) is amended to read:

(3) "contribution"

(A) means a purchase, payment, promise or obligation to pay, loan or loan guarantee, deposit or gift of money, goods, or services for which charge is ordinarily made and that is made for the purpose of influencing the nomination or election of a candidate, and in AS 15.13.010(b) for the purpose of influencing a ballot proposition or question, including the payment by a person other than a candidate or political party, or compensation for the personal services of another person, that are rendered to the candidate or political party;

(B) does not include

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political party, candidate, or ballot proposition or question, but it does include professional services, other than legal or accounting services, volunteered by individuals for which they ordinarily would be paid a fee or wage;

(ii) [SERVICES PROVIDED BY AN ACCOUNTANT OR OTHER PERSON TO PREPARE REPORTS AND STATEMENTS REQUIRED BY THIS CHAPTER; OR

amend.
#3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(iii)] ordinary hospitality in a home;

(iii) two or fewer mass mailings before each election by each political party describing the party's slate of candidates for election, which may include ^{inserted:} photographs, biographies, and information about the party's candidates; ~~or~~

(iv) the results of a poll limited to issues and not mentioning any candidate, unless the poll was requested by or designed primarily to benefit the candidate or provided by an individual required to register as a lobbyist under AS 24.45; ^{inserted} or

(v) any communication in the form of a newsletter from a legislator to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate;

* Sec. 6. AS 15.13.400(4) is amended to read:

(4) "expenditure"

(A) means a purchase or a transfer of money or anything of value, or promise or agreement to purchase or transfer money or anything of value, incurred or made for the purpose of

(i) influencing the nomination or election of a candidate or of any individual who files for nomination at a later date and becomes a candidate;

(ii) use by a political party;

(iii) the payment by a person other than a candidate or political party of compensation for the personal services of another person that are rendered to a candidate or political party; or

(iv) influencing the outcome of a ballot proposition or question;

(B) does not include

(i) a candidate's filing fee or the cost of preparing reports and statements required by this chapter; or

(ii) communications with a value of \$500 or less on

amend.
#2
amend.
#1
amend.
#1

1 any subject made by a corporation to its stockholders and
2 employees and their families or by a nonprofit corporation, labor
3 organization, or unincorporated business or trade association to its
4 employees and members and their families;

5 * Sec. 7. AS 24.60.030(a) is amended to read:

6 (a) A legislator or legislative employee may not

7 (1) solicit, agree to accept, or accept a benefit other than official
8 compensation for the performance of public duties; this paragraph may not be
9 construed to prohibit lawful solicitation for and acceptance of campaign contributions
10 or the acceptance of a lawful gratuity under AS 24.60.080;

11 (2) use public funds, facilities, equipment, services, or another
12 government asset or resource for a nonlegislative purpose, for involvement in or
13 support of or opposition to partisan political activity, or for the private benefit of either
14 the legislator, legislative employee, or another person; this paragraph does not prohibit

15 (A) limited use of state property and resources for personal
16 purposes if the use does not interfere with the performance of public duties and
17 either the cost or value related to the use is nominal or the legislator or
18 legislative employee reimburses the state for the cost of the use;

19 (B) the use of mailing lists, computer data, or other information
20 lawfully obtained from a government agency and available to the general
21 public for nonlegislative purposes;

22 (C) telephone or facsimile use that does not carry a special
23 charge;

24 (D) the legislative council, notwithstanding AS 24.05.190,
25 from designating a public facility for use by legislators and legislative
26 employees for health or fitness purposes; when the council designates a facility
27 to be used by legislators and legislative employees for health or fitness
28 purposes, it shall adopt guidelines governing access to and use of the facility;
29 the guidelines may establish times in which use of the facility is limited to
30 specific groups; [OR]

31 (E) a legislator from using the legislator's private office in the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

capital city during a legislative session, and for the 10 [FIVE] days immediately before and the 10 [FIVE] days immediately after a legislative session, for nonlegislative purposes if the use does not interfere with the performance of public duties and if there is no cost to the state for the use of the space and equipment, other than utility costs and minimal wear and tear, or the legislator promptly reimburses the state for the cost; an office is considered a legislator's private office under this subparagraph if it is the primary space in the capital city reserved for use by the legislator, whether or not it is shared with others;

(F) a legislator from use of legislative employees to prepare and send out seasonal greeting cards;

(G) a legislator from using state resources to transport computers or other office equipment owned by the legislator but primarily used for a state function;

(H) use by a legislator of photographs of that legislator;

(I) reasonable use of the Internet by a legislator or a legislative employee except if the use is for election campaign purposes;

(J) a legislator from soliciting, accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable organization in a state facility; or *inserted:*

(K) a legislator from sending any communication in the form of a newsletter to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate;

(3) knowingly seek, accept, use, allocate, grant, or award public funds for a purpose other than that approved by law, or make a false statement in connection with a claim, request, or application for compensation, reimbursement, or travel allowances from public funds;

(4) require a legislative employee to perform services for the private benefit of the legislator or employee at any time, or allow a legislative employee to perform services for the private benefit of a legislator or employee on government time; it is not a violation of this paragraph if the services were performed in an

amend. #1
deleted: or
amend. #1

1 unusual or infrequent situation and the person's services were reasonably necessary to
2 permit the legislator or legislative employee to perform official duties;

3 (5) use or authorize the use of state funds, facilities, equipment,
4 services, or another government asset or resource for the purpose of political fund
5 raising or campaigning; this paragraph does not prohibit

6 (A) limited use of state property and resources for personal
7 purposes if the use does not interfere with the performance of public duties and
8 either the cost or value related to the use is nominal or the legislator or
9 legislative employee reimburses the state for the cost of the use;

10 (B) the use of mailing lists, computer data, or other information
11 lawfully obtained from a government agency and available to the general
12 public for nonlegislative purposes;

13 (C) telephone or facsimile use that does not carry a special
14 charge;

15 (D) storing or maintaining, consistent with (b) of this section,
16 election campaign records in a legislator's office; [OR]

17 (E) a legislator from using the legislator's private office in the
18 capital city during a legislative session, and for the 10 [FIVE] days
19 immediately before and the 10 [FIVE] days immediately after a legislative
20 session, for nonlegislative purposes if the use does not interfere with the
21 performance of public duties and if there is no cost to the state for the use of
22 the space and equipment, other than utility costs and minimal wear and tear, or
23 the legislator promptly reimburses the state for the cost; an office is considered
24 a legislator's private office under this subparagraph if it is the primary space in
25 the capital city reserved for use by the legislator, whether or not it is shared
26 with others;

27 (F) use by a legislator of photographs of that legislator; or

28 (G) use of governmental resources by a legislator or
29 legislative employee to support or oppose a proposed amendment to the
30 state or federal constitution; a legislator or legislative employee may
31 support or oppose a proposed constitutional amendment; however, a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

legislator or legislative employee may not use governmental resources to
inserted:
solicit or receive contributions for a proposed constitutional amendment.

amend #2
amend #4

* Sec. 8. AS 24.60.080(c) is amended to read:

(c) Notwithstanding (a) of this section, it is not a violation of this section for a legislator or legislative employee to accept

(1) hospitality, other than hospitality described in (4) of this subsection,

(A) with incidental transportation at the residence of a person; however, a vacation home located outside the state is not considered a residence for the purposes of this subparagraph; or

(B) at a social event or meal;

(2) discounts that are available

(A) generally to the public or to a large class of persons to which the person belongs; or

(B) when on official state business, but only if receipt of the discount benefits the state;

(3) food or foodstuffs indigenous to the state that are shared generally as a cultural or social norm;

(4) travel and hospitality primarily for the purpose of obtaining information on matters of legislative concern;

(5) gifts from the immediate family of the person;

(6) gifts that are not connected with the recipient's legislative status;

(7) a discount for all or part of a legislative session, including time immediately preceding or following the session, or other gift to welcome a legislator or legislative employee who is employed on the personal staff of a legislator or by a standing or special committee to the capital city or in recognition of the beginning of a legislative session if the gift or discount is available generally to all legislators and the personal staff of legislators and staff of standing and special committees; this paragraph does not apply to legislative employees who are employed by the Legislative Affairs Agency, the office of the chief clerk, the office of the senate secretary, the legislative budget and audit committee, or the office of the ombudsman;

L

1 [OR]

2 (8) a gift of legal services in a matter of legislative concern and a gift
3 of other services related to the provision of legal services in a matter of legislative
4 concern; or

5 (9) a gift of transportation from a legislator to a legislator if the
6 transportation takes place in the state on or in an aircraft, boat, motor vehicle, or
7 other means of transport owned or under the control of the donor; this
8 paragraph does not apply to travel described in (4) of this subsection or travel for
9 political campaign purposes.

10 * Sec. 9. AS 15.13.116(d) is repealed.

11 * Sec. 10. The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 TRANSITIONAL PROVISION. A candidate for the state legislature who was elected
14 to the state legislature before the effective date of this Act and who holds funds in a public
15 office expense term account reserve shall transfer those funds to a public office expense term
16 account before January 1, 2002.

SENATE FINANCE
COMMITTEE # 5
Amendment Number: # 5
Bill Number: SB 103
Sponsor: Donley Date: 3/23/01
Logged In By: Mandy

22-LS0148\U.1

Cramer
3/22/01

AMENDMENT

OFFERED IN THE SENATE

BY SENATOR DONLEY

TO: CSSB 103(FIN), Draft Version "U"

1 Page 6, line 13, following "candidate":

2 Insert "or a newsletter or material in a newsletter that is clearly only for the
3 private benefit of a legislator or a legislative employee"

4

5 Page 8, line 23, following "candidate":

6 Insert "or a newsletter or material in a newsletter that is clearly only for the
7 private benefit of a legislator or a legislative employee"

CS FOR SENATE BILL NO. 103(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY THE SENATE FINANCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to election campaigns and legislative ethics."**

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

3 *** Section 1. AS 15.13.050(b) is amended to read:**

4 (b) If a group intends to support only one candidate [,] or to contribute to or
 5 expend on behalf of one candidate 33 1/3 percent or more of its funds, the name of the
 6 candidate shall be a part of the name of the group. If the group intends to oppose only
 7 one candidate [,] or to contribute its funds in opposition to or make expenditures in
 8 opposition to a candidate, the group's name must clearly state that it opposes that
 9 candidate by using a word such as "opposes," "opposing," "in opposition to," or
 10 "against" in the group's name. Promptly upon receiving the registration, the
 11 commission shall notify the candidate of the group's organization and intent. A
 12 candidate may register more than one group to support the candidate; however,
 13 multiple groups controlled by a single candidate shall be treated as a single group
 14 for purposes of the contribution limit in AS 15.13.070(b)(1).

15 *** Sec. 2. AS 15.13.116(a) is amended to read:**

1 (a) A candidate who, after the date of the general, special, municipal, or
2 municipal runoff election or after the date the candidate withdraws as a candidate,
3 whichever comes first, holds unused campaign contributions shall distribute the
4 amount held within 90 days. The distribution may only be made to

5 (1) pay bills incurred for expenditures reasonably related to the
6 campaign and the winding up of the affairs of the campaign, including a victory or
7 thank you party, thank you advertisements, and thank you gifts to campaign
8 employees and volunteers, and to pay expenditures associated with post-election fund
9 raising that may be needed to raise funds to pay off campaign debts;

10 (2) make donations, without condition, to

11 (A) a political party;

12 (B) the state's general fund;

13 (C) a municipality of the state; or

14 (D) the federal government;

15 (3) make donations, without condition, to organizations qualified as
16 charitable organizations under 26 U.S.C. 501(c)(3), provided the organization is not
17 controlled by the candidate or a member of the candidate's immediate family;

18 (4) repay loans from the candidate to the candidate's own campaign
19 under AS 15.13.078(b);

20 (5) repay contributions to contributors, but only if repayment of the
21 contribution is made pro rata in approximate proportion to the contributions made
22 using one of the following, as the candidate determines:

23 (A) to all contributors;

24 (B) to contributors who have contributed most recently; or

25 (C) to contributors who have made larger contributions;

26 (6) establish a fund for, and from that fund to pay, attorney fees or
27 costs incurred in the prosecution or defense of an administrative or civil judicial action
28 that directly concerns a challenge to the victory or defeat of the candidate in the
29 election;

30 (7) transfer all or a portion of the unused campaign contributions to an
31 account for a future election campaign; a transfer under this paragraph is limited to

1 (A) \$50,000, if the transfer is made by a candidate for governor
2 or lieutenant governor;

3 (B) \$10,000, if the transfer is made by a candidate for the state
4 senate;

5 (C) \$5,000, if the transfer is made by a candidate for the state
6 house of representatives; and

7 (D) \$5,000, if the transfer is made by a candidate for an office
8 not described in (A) - (C) of this paragraph;

9 (8) transfer all or a portion of the unused campaign contributions to a
10 public office expense term account [OR TO A PUBLIC OFFICE EXPENSE TERM
11 ACCOUNT RESERVE IN ACCORDANCE WITH (d) OF THIS SECTION]; a
12 transfer under this paragraph is subject to the following:

13 (A) the authority to transfer is limited to candidates who are
14 elected to the state legislature;

15 (B) the public office expense term account established under
16 this paragraph may be used only for expenses associated with the candidate's
17 serving as a member of the legislature;

18 (C) all amounts expended from the public office expense term
19 account shall be annually accounted for under AS 15.13.110(a)(4); [AND]

20 (D) a transfer under this paragraph is limited to \$10,000 for a
21 candidate for the house of representatives and \$20,000 for a candidate for
22 the senate; and

23 (E) at the end of the candidate's term of office, a balance in
24 the public office expense term account must be disposed of as provided in
25 this subsection but may not be disposed of as provided in (1), (4), or (6) -
26 (9) of this subsection [\$5,000 MULTIPLIED BY THE NUMBER OF YEARS
27 IN THE TERM TO WHICH THE CANDIDATE IS ELECTED]; and

28 (9) transfer all or a portion of the unused campaign contributions to a
29 municipal office account; a transfer under this paragraph is subject to the following:

30 (A) the authority to transfer is limited to candidates who are
31 elected to municipal office, including a municipal school board;

1 (B) the municipal office account established under this
 2 paragraph may be used only for expenses associated with the candidate's
 3 serving as mayor or as a member of the assembly, city council, or school
 4 board;

5 (C) all amounts expended from the municipal office account
 6 shall be annually accounted for under AS 15.13.110(a)(4); and

7 (D) a transfer under this paragraph is limited to \$5,000.

8 * Sec. 3. AS 15.13.116(b) is amended to read:

9 (b) After a general, special, municipal, or municipal runoff election, a
 10 candidate may retain the ownership of one computer and one printer and of personal
 11 property, except money, that was acquired by and for use in the campaign. The
 12 current fair market value of the property retained, exclusive of the computer and
 13 printer, may not exceed \$5,000 [\$2,500]. All other property shall be disposed of, or
 14 sold and the sale proceeds disposed of, in accordance with (a) or (c) of this section.
 15 Notwithstanding any other provision of this chapter,

16 (1) a candidate may (A) [(1)] retain a bulk mailing permit that was
 17 paid for with campaign funds, and (B) [(2)] use personal funds, campaign funds, or
 18 unused campaign contributions transferred to a public office expense term account
 19 under (a)(8) of this section to pay the continuing charges for the permit after the
 20 election; money [. MONEY] used to continue the life of the permit is not considered
 21 to be a contribution under this chapter; in [. IN] addition to any other use permitted
 22 under this chapter, during the candidate's term of office, the candidate may use the
 23 bulk mailing permit for mailings associated with service in the office to which the
 24 candidate was elected; during [. DURING] the candidate's term of office, if the
 25 candidate files a declaration of candidacy or the document necessary to permit the
 26 candidate to incur election-related expenses under AS 15.13.100 [A LETTER OF
 27 INTENT TO BECOME A CANDIDATE] for the same or a different elective office,
 28 the candidate may also use the bulk mailing permit in that election campaign;

29 (2) a candidate may retain campaign photographs and use the
 30 photographs for any purpose associated with service in the office to which the
 31 candidate was elected;

1 (3) a candidate may retain seasonal greeting cards purchased with
 2 campaign funds; and

3 (4) campaign signs prepared for an election that has already taken
 4 place have no monetary value and may be retained or disposed of at the
 5 candidate's discretion.

6 * Sec. 4. AS 15.13.145(b) is amended to read:

7 (b) Money held by an entity identified in (a)(1) - (3) of this section may be
 8 used to influence the outcome of an election concerning a ballot proposition or
 9 question if the use is permitted under AS 24.60.030(a)(5)(G) or [, BUT ONLY] if
 10 the funds have been specifically appropriated for that purpose by a state law or a
 11 municipal ordinance.

12 * Sec. 5. AS 15.13.400(3) is amended to read:

13 (3) "contribution"

14 (A) means a purchase, payment, promise or obligation to pay,
 15 loan or loan guarantee, deposit or gift of money, goods, or services for which
 16 charge is ordinarily made and that is made for the purpose of influencing the
 17 nomination or election of a candidate, and in AS 15.13.010(b) for the purpose
 18 of influencing a ballot proposition or question, including the payment by a
 19 person other than a candidate or political party, or compensation for the
 20 personal services of another person, that are rendered to the candidate or
 21 political party;

22 (B) does not include

23 (i) services provided without compensation by
 24 individuals volunteering a portion or all of their time on behalf of a
 25 political party, candidate, or ballot proposition or question, but it does
 26 include professional services, other than legal or accounting services,
 27 volunteered by individuals for which they ordinarily would be paid a
 28 fee or wage;

29 (ii) [SERVICES PROVIDED BY AN ACCOUNTANT
 30 OR OTHER PERSON TO PREPARE REPORTS AND
 31 STATEMENTS REQUIRED BY THIS CHAPTER; OR

1 (iii)] ordinary hospitality in a home;

2 (iii) two or fewer mass mailings before each election
 3 by each political party describing the party's slate of candidates for
 4 election, which may include photographs, biographies, and
 5 information about the party's candidates;

6 (iv) the results of a poll limited to issues and not
 7 mentioning any candidate, unless the poll was requested by or
 8 designed primarily to benefit the candidate or provided by an
 9 individual required to register as a lobbyist under AS 24.45; or

10 (v) any communication in the form of a newsletter
 11 from a legislator to the legislator's constituents, except a
 12 communication expressly advocating the election or defeat of a
 13 candidate or a newsletter or material in a newsletter that is clearly
 14 only for the private benefit of a legislator or a legislative employee;

15 * Sec. 6. AS 15.13.400(4) is amended to read:

16 (4) "expenditure"

17 (A) means a purchase or a transfer of money or anything of
 18 value, or promise or agreement to purchase or transfer money or anything of
 19 value, incurred or made for the purpose of

20 (i) influencing the nomination or election of a candidate
 21 or of any individual who files for nomination at a later date and
 22 becomes a candidate;

23 (ii) use by a political party;

24 (iii) the payment by a person other than a candidate or
 25 political party of compensation for the personal services of another
 26 person that are rendered to a candidate or political party; or

27 (iv) influencing the outcome of a ballot proposition or
 28 question;

29 (B) does not include

30 (i) a candidate's filing fee or the cost of preparing
 31 reports and statements required by this chapter; or

#5

1 (ii) communications with a value of \$500 or less on
 2 any subject made by a corporation to its stockholders and
 3 employees and their families or by a nonprofit corporation, labor
 4 organization, or unincorporated business or trade association to its
 5 employees and members and their families;

6 * Sec. 7. AS 24.60.030(a) is amended to read:

7 (a) A legislator or legislative employee may not

8 (1) solicit, agree to accept, or accept a benefit other than official
 9 compensation for the performance of public duties; this paragraph may not be
 10 construed to prohibit lawful solicitation for and acceptance of campaign contributions
 11 or the acceptance of a lawful gratuity under AS 24.60.080;

12 (2) use public funds, facilities, equipment, services, or another
 13 government asset or resource for a nonlegislative purpose, for involvement in or
 14 support of or opposition to partisan political activity, or for the private benefit of either
 15 the legislator, legislative employee, or another person; this paragraph does not prohibit

16 (A) limited use of state property and resources for personal
 17 purposes if the use does not interfere with the performance of public duties and
 18 either the cost or value related to the use is nominal or the legislator or
 19 legislative employee reimburses the state for the cost of the use;

20 (B) the use of mailing lists, computer data, or other information
 21 lawfully obtained from a government agency and available to the general
 22 public for nonlegislative purposes;

23 (C) telephone or facsimile use that does not carry a special
 24 charge;

25 (D) the legislative council, notwithstanding AS 24.05.190,
 26 from designating a public facility for use by legislators and legislative
 27 employees for health or fitness purposes; when the council designates a facility
 28 to be used by legislators and legislative employees for health or fitness
 29 purposes, it shall adopt guidelines governing access to and use of the facility;
 30 the guidelines may establish times in which use of the facility is limited to
 31 specific groups; [OR]

1 (E) a legislator from using the legislator's private office in the
 2 capital city during a legislative session, and for the 10 [FIVE] days
 3 immediately before and the 10 [FIVE] days immediately after a legislative
 4 session, for nonlegislative purposes if the use does not interfere with the
 5 performance of public duties and if there is no cost to the state for the use of
 6 the space and equipment, other than utility costs and minimal wear and tear, or
 7 the legislator promptly reimburses the state for the cost; an office is considered
 8 a legislator's private office under this subparagraph if it is the primary space in
 9 the capital city reserved for use by the legislator, whether or not it is shared
 10 with others;

11 (F) a legislator from use of legislative employees to prepare
 12 and send out seasonal greeting cards;

13 (G) a legislator from using state resources to transport
 14 computers or other office equipment owned by the legislator but primarily
 15 used for a state function;

16 (H) use by a legislator of photographs of that legislator;

17 (I) reasonable use of the Internet by a legislator or a
 18 legislative employee except if the use is for election campaign purposes;

19 (J) a legislator from soliciting, accepting, or receiving a gift
 20 on behalf of a recognized, nonpolitical charitable organization in a state
 21 facility; or

22 (K) a legislator from sending any communication in the
 23 form of a newsletter to the legislator's constituents, except a
 24 communication expressly advocating the election or defeat of a candidate
 25 or a newsletter or material in a newsletter that is clearly only for the
 26 private benefit of a legislator or a legislative employee;

27 (3) knowingly seek, accept, use, allocate, grant, or award public funds
 28 for a purpose other than that approved by law, or make a false statement in connection
 29 with a claim, request, or application for compensation, reimbursement, or travel
 30 allowances from public funds;

31 (4) require a legislative employee to perform services for the private

1 benefit of the legislator or employee at any time, or allow a legislative employee to
 2 perform services for the private benefit of a legislator or employee on government
 3 time; it is not a violation of this paragraph if the services were performed in an
 4 unusual or infrequent situation and the person's services were reasonably necessary to
 5 permit the legislator or legislative employee to perform official duties;

6 (5) use or authorize the use of state funds, facilities, equipment,
 7 services, or another government asset or resource for the purpose of political fund
 8 raising or campaigning; this paragraph does not prohibit

9 (A) limited use of state property and resources for personal
 10 purposes if the use does not interfere with the performance of public duties and
 11 either the cost or value related to the use is nominal or the legislator or
 12 legislative employee reimburses the state for the cost of the use;

13 (B) the use of mailing lists, computer data, or other information
 14 lawfully obtained from a government agency and available to the general
 15 public for nonlegislative purposes;

16 (C) telephone or facsimile use that does not carry a special
 17 charge;

18 (D) storing or maintaining, consistent with (b) of this section,
 19 election campaign records in a legislator's office; [OR]

20 (E) a legislator from using the legislator's private office in the
 21 capital city during a legislative session, and for the 10 [FIVE] days
 22 immediately before and the 10 [FIVE] days immediately after a legislative
 23 session, for nonlegislative purposes if the use does not interfere with the
 24 performance of public duties and if there is no cost to the state for the use of
 25 the space and equipment, other than utility costs and minimal wear and tear, or
 26 the legislator promptly reimburses the state for the cost; an office is considered
 27 a legislator's private office under this subparagraph if it is the primary space in
 28 the capital city reserved for use by the legislator, whether or not it is shared
 29 with others;

30 (F) use by a legislator of photographs of that legislator; or

31 (G) use of governmental resources by a legislator or

1 benefit of the legislator or employee at any time, or allow a legislative employee to
 2 perform services for the private benefit of a legislator or employee on government
 3 time; it is not a violation of this paragraph if the services were performed in an
 4 unusual or infrequent situation and the person's services were reasonably necessary to
 5 permit the legislator or legislative employee to perform official duties;

6 (5) use or authorize the use of state funds, facilities, equipment,
 7 services, or another government asset or resource for the purpose of political fund
 8 raising or campaigning; this paragraph does not prohibit

9 (A) limited use of state property and resources for personal
 10 purposes if the use does not interfere with the performance of public duties and
 11 either the cost or value related to the use is nominal or the legislator or
 12 legislative employee reimburses the state for the cost of the use;

13 (B) the use of mailing lists, computer data, or other information
 14 lawfully obtained from a government agency and available to the general
 15 public for nonlegislative purposes;

16 (C) telephone or facsimile use that does not carry a special
 17 charge;

18 (D) storing or maintaining, consistent with (b) of this section,
 19 election campaign records in a legislator's office; [OR]

20 (E) a legislator from using the legislator's private office in the
 21 capital city during a legislative session, and for the 10 [FIVE] days
 22 immediately before and the 10 [FIVE] days immediately after a legislative
 23 session, for nonlegislative purposes if the use does not interfere with the
 24 performance of public duties and if there is no cost to the state for the use of
 25 the space and equipment, other than utility costs and minimal wear and tear, or
 26 the legislator promptly reimburses the state for the cost; an office is considered
 27 a legislator's private office under this subparagraph if it is the primary space in
 28 the capital city reserved for use by the legislator, whether or not it is shared
 29 with others;

30 (F) use by a legislator of photographs of that legislator; or

31 (G) use of governmental resources by a legislator or

1 paragraph does not apply to legislative employees who are employed by the
2 Legislative Affairs Agency, the office of the chief clerk, the office of the senate
3 secretary, the legislative budget and audit committee, or the office of the ombudsman;
4 [OR]

5 (8) a gift of legal services in a matter of legislative concern and a gift
6 of other services related to the provision of legal services in a matter of legislative
7 concern; or

8 (9) a gift of transportation from a legislator to a legislator if the
9 transportation takes place in the state on or in an aircraft, boat, motor vehicle, or
10 other means of transport owned or under the control of the donor; this
11 paragraph does not apply to travel described in (4) of this subsection or travel for
12 political campaign purposes.

13 * **Sec. 9.** AS 15.13.116(d) is repealed.

14 * **Sec. 10.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 TRANSITIONAL PROVISION. A candidate for the state legislature who was elected
17 to the state legislature before the effective date of this Act and who holds funds in a public
18 office expense term account reserve shall transfer those funds to a public office expense term
19 account before January 1, 2002.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

March 21, 2001

SUBJECT: Sectional Summary of Campaign Finance and Legislative Ethics,
Senate Bill 103(JUD) (Work Order No. 22-LS0148/W)

TO: Senator Gene Therriault
Attn: Joe Balash

FROM: Kathryn L. Kurtz *KK*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

Section 1. Permits candidates to register multiple groups to support them but specifies that all groups controlled by a single candidate be treated as a single group for purposes of the contribution limit in AS 15.13.070(b)(1).

Section 2. Adds thank you advertisements as a permissible use of unused campaign funds. Eliminates transfers of leftover campaign funds to public office expense term account reserves, but retains provision allowing transfers to public office expense term (POET) accounts. Limits transfers to POET accounts to \$10,000 for candidates for the house of representatives and \$20,000 for candidates for the senate. Requires that funds left in a POET account at the end of a candidate's term of office be disposed of by donating them to a political party, the state's general fund, a municipality, the federal government, or a 26 U.S.C. 501(c)(3) charitable organization, or by repaying contributions to contributors.

Section 3. Increases the total value of personal property which may be retained by a candidate after a campaign from \$2,500 to \$5,000. Specifies that campaign photographs and seasonal greeting cards may be retained and used. Provides that campaign signs prepared for an election that has already taken place have no monetary value.

Section 4. Amends AS 15.13.145(b), which restricts use of state money for influencing the outcome of elections, to reflect the change in section 6 of this bill permitting

legislators and legislative employees to use governmental resources to support or oppose a proposed amendment to the state or federal constitution.

Section 5. Excludes from the definition of campaign contribution: (a) services provided by volunteers to political parties, including professional services, (b) two or fewer mass mailings by each political party before each election, and (c) certain poll results.

Section 6. Excludes from the definition of expenditure communications with a value of \$500 or less made by a corporation to its stockholders and employees and their families, or by a nonprofit corporation, labor organization, or business or trade association to its employees and members and their families.

Section 7. Adds new exceptions to and clarifies the prohibition on use of public assets and resources by legislators and legislative employees for nonlegislative purposes, including: use of staff to prepare and send out seasonal greeting cards, transporting computers or other office equipment owned by a legislator but used primarily for a state function, use of photographs of legislators, reasonable use of the Internet except for election campaign purposes, and solicitation and acceptance in state facilities of donations to recognized non-political charitable organizations. Increases the period before and after session during which legislators may use their private office in Juneau for nonlegislative purposes from five days to ten days.

Also adds a number of exceptions to and clarifies the prohibition on use of public assets and resources for certain previously prohibited political uses, including: use of photographs, and support or opposition of constitutional amendments (but not to solicit contributions for a proposed constitutional amendment). Increases the period before and after session during which legislators may use their private office in Juneau for nonlegislative purposes from five days to ten days.

Section 8. Repeals AS 15.13.116(d), the section providing for POET reserve accounts.

Section 9. Transitional provision requiring candidates elected before the effective date of the act to transfer any funds held in a POET reserve account to a POET account before January 1, 2002.

SENATE COMMITTEE REPORT

DATE: 2/28/01

FURTHER:

DATE TURNED IN TO OFFICE: 3-12-01

Judiciary Committee considered **SENATE BILL NO. 103**
ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS

"An Act relating to election campaigns and legislative ethics; and providing for an effective date."

and recommends:

- be replaced with CS SB103 (JUD)
- adopt previous CS ()
- attached amendment(s)
- adopt Letter of Intent by Committee
- further referral to Committee

- Senate Bill:**
 same title
 new title
- House Bill:**
 same title
 technical title
 new: SCR #

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DCA	3/4/01			1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Conduley</i>	✓			
<i>[Signature]</i>		X		
<i>Grade Theriault</i>			X	
CHAIR: <i>John L. Taylor</i>	✓			

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 2/20/01

FURTHER: Judiciary

Date of 5-Day Notice: 2/15/01
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 2-28-01

State Affairs Committee considered SENATE BILL NO. 103

"An Act relating to [election campaigns and legislative ethics] and providing for an effective date."

and recommends:

- be replaced with _____ CS SB 103 (STA)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Admin	2/22/01	✓		1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
<i>Rich Hubbard</i>	✓			
<i>Bill & ...</i>			✓	
<i>Deane</i>			✓	
<i>Betty Davis</i>			✓	
CHAIR: <i>Carly Herrault</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

SB 103-ELECTION CAMPAIGNS AND LEGISLATIVE ETHICS

ON-
LINE

NAME: Brooke Miles Subject/Bill No: _____
Co./Dept./Title: APOC Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

ON
LINE

NAME: Susie Barnett Subject/Bill No: _____
Co./Dept./Title: Legislative Ethics Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____

Do you wish to testify? Yes No Respond To Questions

SITE: ANCHORAGE LIO

COMMITTEE:
Senate Finance

DATE: 3-22-2001

SUBJECT OF MEETING:

SB 103-Election Campaigns &
Legislative Ethics

UPDATE #:



PLEASE SIGN IN

PLEASE PRINT:

NAME

ADDRESS (MAILING & ZIP)

REPRESENTING

**DO YOU WANT
TO TESTIFY?
Y or N**

NAME	ADDRESS (MAILING & ZIP)	REPRESENTING	DO YOU WANT TO TESTIFY? Y or N
Susie Barnett		Ethics Committee	Y-SB 103

SB

104

SFIN

FILE

EB 104

was referred to the
Senate Finance
Committee

Hearing(s) were held

The bill did not move
from Committee



ALASKA STATE LEGISLATURE

SENATOR JOHN TORGERSON

- ◆ CHAIR, SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE
- ◆ CHAIR, SENATE RESOURCES COMMITTEE

Session:

State Capitol, Room 427, Juneau, AK 99801
Telephone 907/465-2828 Fax 907/465-4779

District:

45457 Kenai Spur Hwy.; Suite 101B, Soldotna, AK 99669
Telephone 907/260-3042 Fax 907/260-3044

SB 104 – Aid For Volunteer Services **Sponsor Statement**

SB 104 revises current statutes so that payments would be provided to volunteer fire departments and emergency medical service (EMS) organizations that are under 2,500 in population served. The current program pertains only to volunteer fire departments and is further restricted to only those volunteer fire departments in the unorganized area.

There are a number of small, volunteer fire departments and EMS groups in Alaska that are within an organized borough, but receive either very limited or no financial support from the state or their respective borough or applicable municipality. Most of the EMS organizations are the only responder available for vehicle accidents along state highways, providing ambulatory services to resident and tourist alike.

This legislation would allow:

Any volunteer fire department to receive state aid if:

- (1) it is registered with the State Fire Marshall and
- (2) is serving an area with a population of less than 2,500.

Any EMS to receive state aid if:

- (1) it is certified to provide EMS;
- (2) it provides ambulance services; and
- (3) serves an area with a population of less than 2,500.

SB 104 (S-FILE) 3/20/01: mj

REPRESENTING THE KENAI PENINSULA

*Anchor Point Bear Creek Clam Gulch Cooper Landing Crown Point Fritz Creek Happy Valley Halibut Cove Homer Hope Kachemak City Kachemak Selk
Kustlof Lowell Point Moose Pass Nanwalek Nikolaevsk Stillechik Port Graham Razdolna Seward Seldovia Soldotna Stariski Sterling Voznesenka*



ALASKA STATE LEGISLATURE

SENATOR JOHN TORGERSON

- ◆ CHAIR, SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE
- ◆ CHAIR, SENATE RESOURCES COMMITTEE

Session:

State Capitol, Room 427, Juneau, AK 99801
Telephone 907/465-2828 Fax 907/465-4779

District:

45457 Kenai Spur Hwy., Suite 101B, Soldotna, AK 99609
Telephone 907/260-3042 Fax 907/260-3044

SB 104 – State Aid for Volunteer Services **Sectional Analysis**

Section 1: Amends AS 29.20.640(b) by inserting statutory reference to new sections created by this bill.

Section 2: Amends AS 219.45.020 by inserting statutory reference to new sections created by this bill.

Section 3: Amends AS 29.45.660(b) by inserting statutory reference to new sections created by this bill.

Section 4: Amends AS 29.60.130 by:

1. changing "volunteer fire departments" to "volunteer services";
2. deleting language that requires aid to only those "not in an organized municipality" and inserts new language of "with a population of less than 2,500";

Section 5: Amends AS 29.60.130 by inserting new subsection that:

- (a) authorizes payment of \$10 per capita for population served by emergency medical service organization if the organization:
 1. is certified by the state;
 2. provides ambulance services; and
 3. serves an area with a population of less than 2,500.
- (b) directs payments to reflect area cost-of-living differentials; and
- (c) establishes the "volunteer services" account; directs the department to allocate to the account and provides for a pro rata distribution among recipients.

REPRESENTING THE KENAI PENINSULA

*Anchor Point Bear Creek Clam Gulch Cooper Landing Crown Point Fritz Creek Happy Valley Halibut Cove Homer Hope Kachemak City Kachemak Selo
Kasilof Lowell Point Moose Pass Nanwalek Nikolaevsk Ninilchik Port Graham Rardolna Seward Seldovia Soldotna Stariski Sterling Voznesenka*

Section 6: Amends AS 29.60.170 by revising certain statute citations to reflect the changes in this bill.

Section 7: Amends AS 29.60.280(a) (Allocation and Distribution section) to add the reference to the new volunteer services program.

Section 8: Amends AS 29.60.280(b) (Allocation and Distribution section) to add the reference to the new volunteer services program and new language requiring that any excess appropriation be reallocated to the tax equalization account and distributed accordingly.

Section 9: Amends AS 29.60.290(a) by inserting statutory reference to the new volunteer services program.

Section 10: Amends AS 29.60.290(c) by inserting statutory reference to the new volunteer services program.

Section 11: Effective date of the legislation.

FROM: DCEO - DVAAT - 3/19/01 - VR

11 of 3

Registered VFDs Providing Fire Service to < 2,500	Estimated Population Served
Adak Fire Department	163
Anderson VFD/EMS	588
Bear Creek Volunteer Fire & EMS	1,514
Bristol Bay Borough VFD	1,224
Cantwell VFD	173
Chistochina VFD	54
Chitina VFD	150
Clam Gulch VFD	113
Coffman Cove VFD	200
Craig VFD	2,124
Denali Nat'l Park Fire Dept.	162
Dillingham VFD	2,400
Eagle VFD	207
Edna Bay VFD	49
Egegik VFD	123
Elfin Cove VFD	55
Elim VFD	316
Ester VFD	1,898
False Pass VFD	73
Gakona VFD	281
Girdwood VFD/Rescue	1,900
Gustavus Emergency Response	376
Haines VFD	1,808
Houston VFD	951
Hydaburg VFD	389
Iliamna VFD	96
Kake VFD	702
Kasaan VFD	44
King Cove Fire & Rescue	671
Kongiganak VFD	357
Kwigillingok VFD	342
McCarthy VFD	37
McGrath VFD	408
Moose Pass VFD	118
Nenana VFD	452
Newhalen VFD	183
Ninilchik VFD	728
North Pole VFD	1,557
Nunapitchuk VFD	480

FROM: DCEO - DRAFT. 3/14/01 - WJ: Z)cr (E

Registered VFDs Providing Fire Service to < 2,500	Estimated Population Served
Old Harbor VFD	257
Pelican VFD	135
Point Baker VFD	57
Port Alexander VFD	90
Port Lions VFD	246
Ruby VFD	179
Rural Deltana Fire Protection District	2,226
Sand Point VFD	871
Savoonga VFD	652
Seldovia VFD	291
Shoreline VFD	532
Skagway VFD	880
South Tongass VFD	1,750
St. George VFD	164
Sutton VFD	1,047
Takotna VFD	46
Talkeetna VFD	1,443
Tenakee Springs VFD	105
Thorne Bay VFD	603
Tok VFD	1,611
Tri-Valley VFD	643
Twin Hills VFD	83
Unalakleet VFD	757
Whale Pass VFD	75
White Mountain VFD	207
Willow Fire Service Area	1,824
Womens Bay VFD	524
Total Population Served	40,764

From: DCEA - Draft 3/14/01 - MJ (1) OF (1)

Certified EMSs Providing Ambulance Service to < 2,500	Estimated Population Served
Aak Fire Department	163
Anchor Point VFD and Fire Rescue	1,258
Anderson VFD/EMS	588
Aniak VFD	594
Bear Creek Volunteer Fire & EMS	1,514
Bristol Bay Volunteer Rescue Squad	1,224
Cantwell Volunteer Ambulance	173
Cold Bay Volunteer Rescue Squad	104
Cooper Landing Volunteer Ambulance/Rescue	302
Copper River EMS Council	1,520
Craig EMS	2,124
Delta Rescue Squad	1,431
Dillingham VFD	2,400
Eagle EMS	207
Fort Yukon EMS	565
Galena Health Center	592
Girdwood EMS	1,900
Haines VFD	1,808
Hollis EMS	97
Hoonah Volunteer EMS	880
Kake EMS	702
King Cove Volunteer Fire & Rescue	671
Klawock EMS	750
Metlakatla VFD/Ambulance	1,499
Moose Pass VFD & EMS	118
Nenana Volunteer Fire/EMS	452
Ninilchik Community Ambulance	728
North Pole Fire Department	1,557
Pelican Volunteer Fire/EMS	135
Port Graham EMS	181
Prince of Wales EMS	1,432
Salcha Rescue	363
Seldovia Volunteer Fire & Rescue	291
Skagway VFD & EMS	880
St. George EMS	164
Tok Area EMS	1,282
Tri-Valley VFD	643
Whittier Volunteer Ambulance	289
Total Population Served	31,581

**SENATE COMMITTEE REPORT
First Committee of Referral**

DATE: 2/20/01

FURTHER: Finance

Date of 5-Day Notice: 02/08/01
(in accordance with Uniform Rule 23)

DATE TURNED
IN TO OFFICE: 3-15-01

Community and Regional Affairs Committee considered

SENATE BILL NO. 104

"An Act relating to state aid for volunteer services; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DCED	3/14/01	✓		1

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			✓	
<i>[Signature]</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

SENATE FINANCE COMMITTEE

SIGN-IN

SB 104-AID TO VOLUNTEER SERVICES

NAME: MATT ANDERSON Subject/Bill No: 104
Co./Dept./Title: HSS/EMS EMS Unit Manager Phone: 465-3148
Address: CHEMS, Box 110116, Junction City, OR 97531 Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? Yes No Respond To Questions

SB

105

HFIN

FILE

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: HCS for CSSB105 (JUD)
() Publish Date: _____

Revised Date/Time: 04/23/01 3:00 pm Dept. Affected: Corrections
Title: An Act relating to victims' rights; relating to estab- BRU: 271
lishing an office of victims' rights; relating to compensation.... Component: Administrative Services
Sponsor: Senator Halford
Requester: House Finance Component Number: 697

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	43.5	43.5	43.5	43.5	43.5	43.5
Travel						
Contractual	0.5	0.5	0.5	0.5	0.5	0.5
Supplies	0.5	0.5	0.5	0.5	0.5	0.5
Equipment	2.5					
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	47.0	44.5	44.5	44.5	44.5	44.5

CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE

1002 Federal Receipts						
1003 GF Match						
1004 GF	47.0	44.5	44.5	44.5	44.5	44.5
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL						

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time	1	1	1	1	1	1
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Section 25 of this legislation amends AS 43.23.005(d) which would deny PFD eligibility for people who are convicted and incarcerated for a misdemeanor and they had been previously convicted of a felony, or two or more misdemeanors. The Department of Corrections has previously asked for a Statistical Technician I position to accommodate appeals and information requests resulting from PFD denials. The data and word processing unit will be unable to carry out their daily operations if more appeals and computer programming are added without a position.

Prepared by: Candace Brower Phone 465-4652
Division: Commissioner's Office Date/Time 4/23/01/3:00 pm
Approved by: Margaret Pugh Date 4 1
Agency: Department of Corrections

For distribution information, call the Governor's Legislative Office