



LAWS OF ALASKA

1982

Source

HB 89 am

Chapter No.

134

AN ACT

Relating to remedies for violation of campaign laws.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: June 24, 1982
Actual Effective Date: September 22, 1982

AN ACT

Relating to remedies for violation of campaign laws.

* Section 1. AS 15.13.120 is amended by adding new subsections to read:

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

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

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

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

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

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

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

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

Chapter 134

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

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

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

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

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

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

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

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

2 (b) The council shall determine its own rules and order of busi-
3 ness and provide for keeping a journal of its proceedings. The council
4 is the judge of the election and qualification of its members and, with
5 the concurrence of two-thirds of its members, may expel a member for a
6 conviction of a violation of AS 15.13 or a felony or misdemeanor de-
7 scribed in AS 15.56 as a corrupt practice. The council shall consider
8 that conviction during its first meeting following final determination
9 of the conviction.

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

11 Sec. 29.23.255. REMOVAL FROM OFFICE. The council may, with
12 concurrence of two-thirds of its members, remove the mayor from office
13 for a conviction of a violation of AS 15.13 or a felony or misdemeanor
14 described in AS 15.56 as a corrupt practice. The council shall con-
15 sider the conviction during its first meeting following final determin-
16 ation of the conviction.

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