



LAWS OF ALASKA

2002

Source
CCS SB 103

Chapter No.
3

AN ACT

Relating to election campaigns and legislative ethics.

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

THE ACT FOLLOWS ON PAGE 1

Veto Overridden: January 16, 2002
Actual Effective Date: April 16, 2002

AN ACT

1 Relating to election campaigns and legislative ethics.

2

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 15.13.070(b) is amended to read:

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

4 (A) to all contributors;

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

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

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

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

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

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

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

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

21 (8) transfer all or a portion of the unused campaign contributions to a
22 public office expense term account or to a public office expense term account reserve
23 in accordance with (d) of this section; a transfer under this paragraph is subject to the
24 following:

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

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

30 (C) all amounts expended from the public office expense term
31 account shall be annually accounted for under AS 15.13.110(a)(4); and

1 candidate files a declaration of candidacy or the document necessary to permit the
2 candidate to incur election-related expenses under AS 15.13.100 [A LETTER OF
3 INTENT TO BECOME A CANDIDATE] for the same or a different elective office,
4 the candidate may also use the bulk mailing permit in that election campaign;

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

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

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

13 * Sec. 6. AS 15.13.116(d) is amended to read:

14 (d) After a general or special election, a candidate for the state legislature who
15 has been elected to the state legislature in that election may, from the amount retained
16 in the public office expense term account reserve under this subsection, transfer to a
17 public office expense term account not more than \$5,000 each calendar year for use
18 only for expenses associated with the candidate's serving as a member of the
19 legislature, except that a senator serving a two-year term may transfer not more
20 than \$10,000 each calendar year. A candidate for the senate may transfer up to
21 \$20,000 from unused campaign contributions to a public office expense term account
22 reserve. A candidate for the house of representatives may transfer up to \$10,000 from
23 unused campaign contributions to a public office expense term account reserve. The
24 public office expense term account reserve may only be used to make transfers to the
25 public office expense term account. At the end of the candidate's term of office, a
26 balance in the public office expense term account reserve must be disposed of as
27 provided in (a) of this section but may not be disposed of as provided in (a)(1), (4), or
28 (6) - (9) of this section. All amounts expended under this subsection shall be annually
29 accounted for under AS 15.13.110(a)(4).

30 * Sec. 7. AS 15.13.400(3) is amended to read:

31 (3) "contribution"

1 * Sec. 8. AS 24.60.030(a) is amended to read:

2 (a) A legislator or legislative employee may not

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

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

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

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

18 (C) telephone or facsimile use that does not carry a special
19 charge;

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

27 (E) a legislator from using the legislator's private office in the
28 capital city during a legislative session, and for the 10 [FIVE] days
29 immediately before and the 10 [FIVE] days immediately after a legislative
30 session, for nonlegislative purposes if the use does not interfere with the
31 performance of public duties and if there is no cost to the state for the use of

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

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

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

11 (C) telephone or facsimile use that does not carry a special
12 charge;

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

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

25 **(F) use by a legislator of photographs of that legislator.**

26 * Sec. 9. AS 24.60.080(c) is amended to read:

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

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

31 (A) with incidental transportation at the residence of a person;

1 political campaign purposes.