

**CS FOR SENATE BILL NO. 152(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

**BY THE SENATE STATE AFFAIRS COMMITTEE**

**Offered: 3/11/22**

**Referred: Finance**

**Sponsor(s): SENATOR SHOWER**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to the convening of the legislature at the capital and in the**  
2 **Municipality of Anchorage; relating to the location of legislative sessions; and relating to**  
3 **the emergency relocation of functions of state government."**

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

5 **\* Section 1.** AS 15.13.072(d) is amended to read:

6 (d) While the legislature is convened in a regular or special legislative session,  
7 a legislator or legislative employee may not solicit or accept a contribution to be used  
8 for the purpose of influencing the outcome of an election under this chapter unless

9 (1) it is an election in which the legislator or legislative employee is a  
10 candidate and the contribution is for that legislator's or legislative employee's  
11 campaign;

12 (2) the solicitation or acceptance occurs during the 90 days  
13 immediately preceding that election; and

14 (3) the solicitation or acceptance occurs in a place other than the

1 capital city or a municipality in which the legislature is convened in **a regular or**  
 2 special session if the legislature is convened in a municipality other than the capital  
 3 city.

4 \* **Sec. 2.** AS 15.13.072(g) is amended to read:

5 (g) A candidate or an individual who has filed with the commission the  
 6 document necessary to permit that individual to incur election-related expenses under  
 7 AS 15.13.100 for election or reelection to the office of governor or lieutenant governor  
 8 may not solicit or accept a contribution in the capital city **or a municipality in which**  
 9 **the legislature is convened** while the legislature is convened in a regular or special  
 10 legislative session.

11 \* **Sec. 3.** AS 24.05.090 is amended to read:

12 **Sec. 24.05.090. Duration of legislature; sessions.** The legislature shall  
 13 convene [AT THE CAPITAL] each year on the third Tuesday in January at 1:00 p.m.  
 14 Each legislature has a duration of two years and consists of a "First Regular Session"  
 15 that meets in the odd-numbered years, and a "Second Regular Session" that meets in  
 16 the even-numbered years, and any special session that the governor or legislature calls.  
 17 **The legislature shall convene at the capital for the first regular session, and, for**  
 18 **the second regular session, the Alaska Legislative Council shall designate a**  
 19 **location within the Municipality of Anchorage for the legislature to convene.**  
 20 **Nothing in this section changes the location of the capital under AS 44.06.010.**

21 \* **Sec. 4.** AS 24.05.100(b) is amended to read:

22 (b) A special session may be held at any location in the state. If a special  
 23 session called under (a)(1) of this section is to be convened at a location other than at  
 24 the capital **or the location of the preceding session**, the governor shall designate the  
 25 location in the proclamation. If a special session called under (a)(2) of this section is to  
 26 be convened at a location other than at the capital **or the location of the preceding**  
 27 **session**, the presiding officers shall agree to and designate the location in the poll  
 28 conducted of the members of both houses.

29 \* **Sec. 5.** AS 24.10.030 is amended to read:

30 **Sec. 24.10.030. Chief clerk and senate secretary.** Each house shall select  
 31 from outside its membership a person of known stenographic and administrative

1 ability to serve as chief administrative clerk; a chief clerk in the house of  
 2 representatives and a secretary in the senate. When nominated and elected in  
 3 conformity with the uniform rules, they continue to serve for the duration of the  
 4 legislature at the pleasure of the house to which assigned. Pending the organization of  
 5 a new legislature, they may continue to serve at the request and direction of the  
 6 legislative council until their respective houses formally reappoint or replace them.  
 7 The chief clerk and senate secretary are responsible for the performance of duties  
 8 provided for by law, the uniform rules, and orders of the house. They may be  
 9 requested to report to the legislative council for duty for a period not to exceed two  
 10 weeks immediately preceding the convening of the session and shall remain at the  
 11 capital **or location of the session** until the completion of their work is determined by  
 12 the director of the council.

13 \* **Sec. 6.** AS 24.10.130(a) is amended to read:

14 (a) A member of the legislature may be entitled to reimbursement for the  
 15 expenses of moving between the member's place of residence and the capital city **or**  
 16 **location of the session** for the purpose of attending a regular session of the legislature.

17 \* **Sec. 7.** AS 24.45.041(b) is amended to read:

18 (b) The registration form prescribed by the commission must include

19 (1) the lobbyist's full name and complete permanent residence and  
 20 business address and telephone number, as well as any temporary residential and  
 21 business address and telephone number in the state capital **or location of the session**  
 22 during a legislative session;

23 (2) the full name and complete address of each person by whom the  
 24 lobbyist is retained or employed;

25 (3) whether the person from whom the lobbyist receives compensation  
 26 employs the person solely as a lobbyist or whether the person is a regular employee  
 27 performing other services for the employer that include but are not limited to the  
 28 influencing of legislative or administrative action;

29 (4) the nature or form of the lobbyist's compensation for engaging in  
 30 lobbying, including salary, fees, or reimbursement for expenses received in  
 31 consideration for, or directly in support of or in connection with, the influencing of

1 legislative or administrative action;

2 (5) a general description of the subjects or matters on which the  
3 registrant expects to lobby or to engage in the influencing of legislative or  
4 administrative action;

5 (6) the full name and complete address of the person, if other than the  
6 registrant, who has custody of the accounts, books, papers, bills, receipts, and other  
7 documents required to be maintained under this chapter;

8 (7) the identification of a legislative employee or public official to  
9 whom the lobbyist is married or who is the domestic partner of the lobbyist;

10 (8) a sworn affirmation by the lobbyist that the lobbyist has completed  
11 the training course administered by the commission under AS 24.45.031(a) within the  
12 12-month period preceding the date of registration or registration renewal under this  
13 chapter, except that this paragraph does not apply to a person who is a representational  
14 lobbyist as defined under regulations of the commission;

15 (9) a sworn affirmation by the lobbyist that the lobbyist has not been  
16 previously convicted of a felony involving moral turpitude; in this paragraph, "felony  
17 involving moral turpitude" has the meaning given in AS 15.80.010, and includes  
18 convictions for a violation of the law of this state or a violation of the law of another  
19 jurisdiction with elements similar to a felony involving moral turpitude in this state.

20 \* **Sec. 8.** AS 24.45.041(e) is amended to read:

21 (e) Within 15 days after the convening of each regular session of the  
22 legislature, the commission shall publish a directory of registered lobbyists, containing  
23 the information prescribed in (b) of this section for each lobbyist and the photograph,  
24 if any, furnished by a lobbyist under (c) of this section. From time to time thereafter,  
25 the commission shall publish those supplements to the directory that in the  
26 commission's judgment may be necessary. The directory shall be made available to  
27 public officials and to the public at the following locations: a public place adjacent to  
28 the legislative chambers in the state capitol building **or location of the session**, the  
29 office of the lieutenant governor, the legislative reference library of the Legislative  
30 Affairs Agency, and the commission's central office.

31 \* **Sec. 9.** AS 24.50.010 is amended to read:

1           **Sec. 24.50.010. Annual student guests.** The legislature may each year, while  
 2           in session, serve as host to one member of each high school in the state for a stay of  
 3           one week in the capital **or location of the session** to observe and learn the legislative  
 4           process.

5           \* **Sec. 10.** AS 24.50.040 is amended to read:

6           **Sec. 24.50.040. Essay contest.** Before leaving the state capital **or location of**  
 7           **the session**, each legislative guest **hosted under AS 24.50.010** shall prepare and  
 8           submit to the director of the Legislative Affairs Agency a paper of not less than 1,000  
 9           words entitled "The Legislature Should . . . . .". Each paper shall be examined  
 10          and judged as to content by the governor, the president of the senate, the speaker of  
 11          the house of representatives, the minority leader of the senate, and the minority leader  
 12          of the house. The author of the paper determined best by majority vote shall receive a  
 13          one-year scholarship to the University of Alaska.

14          \* **Sec. 11.** AS 24.60.030(a) is amended to read:

15                  (a) A legislator or legislative employee may not

16                          (1) solicit, agree to accept, or accept a benefit other than official  
 17                          compensation for the performance of public duties; this paragraph may not be  
 18                          construed to prohibit lawful solicitation for and acceptance of campaign contributions,  
 19                          solicitation or acceptance of contributions for a charity event, as defined in  
 20                          AS 24.60.080(a)(2)(B), or the acceptance of a gift under AS 24.60.075 or 24.60.080;

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

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

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

1 (C) the legislative council, notwithstanding AS 24.05.190, from  
2 designating a public facility for use by legislators and legislative employees for  
3 health or fitness purposes; when the council designates a facility to be used by  
4 legislators and legislative employees for health or fitness purposes, it shall  
5 adopt guidelines governing access to and use of the facility; the guidelines may  
6 establish times in which use of the facility is limited to specific groups;

7 (D) a legislator from using the legislator's private office [IN  
8 THE CAPITAL CITY] during a legislative session, and for the 10 days  
9 immediately before and the 10 days immediately after a legislative session, for  
10 nonlegislative purposes if the use does not interfere with the performance of  
11 public duties and if there is no cost to the state for the use of the space and  
12 equipment, other than utility costs and minimal wear and tear, or the legislator  
13 promptly reimburses the state for the cost; an office is considered a legislator's  
14 private office under this subparagraph if it is the primary space in the capital  
15 city **or location of the session** reserved for use by the legislator, whether or  
16 not it is shared with others;

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

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

22 (G) use by a legislator of photographs of that legislator;

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

25 (I) a legislator or legislative employee from soliciting,  
26 accepting, or receiving a gift on behalf of a recognized, nonpolitical charitable  
27 organization in a state facility;

28 (J) a legislator from sending any communication in the form of  
29 a newsletter to the legislator's constituents, except a communication expressly  
30 advocating the election or defeat of a candidate or a newsletter or material in a  
31 newsletter that is clearly only for the private benefit of a legislator or a

1 legislative employee; or

2 (K) full participation in a charity event approved in advance by  
3 the Alaska Legislative Council;

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

8 (4) require a legislative employee to perform services for the private  
9 benefit of the legislator or employee at any time, or allow a legislative employee to  
10 perform services for the private benefit of a legislator or employee on government  
11 time; it is not a violation of this paragraph if the services were performed in an  
12 unusual or infrequent situation and the person's services were reasonably necessary to  
13 permit the legislator or legislative employee to perform official duties;

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

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

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

24 (C) storing or maintaining, consistent with (b) of this section,  
25 election campaign records in a legislator's office;

26 (D) a legislator from using the legislator's private office in the  
27 capital city **or location of the session** during a legislative session, and for the  
28 10 days immediately before and the 10 days immediately after a legislative  
29 session, for nonlegislative purposes if the use does not interfere with the  
30 performance of public duties and if there is no cost to the state for the use of  
31 the space and equipment, other than utility costs and minimal wear and tear, or

1 the legislator promptly reimburses the state for the cost; an office is considered  
 2 a legislator's private office under this subparagraph if it is the primary space in  
 3 the capital city or location of the session reserved for use by the legislator,  
 4 whether or not it is shared with others; or

5 (E) use by a legislator of photographs of that legislator.

6 \* **Sec. 12.** AS 24.60.031(a) is amended to read:

7 (a) A legislative employee may not

8 (1) on a day when either house of the legislature is in regular or special  
 9 session, solicit or accept a contribution or a promise or pledge to make a contribution  
 10 for a campaign for state or municipal office; however, a legislative employee may,  
 11 except in the capital city or in the municipality in which the legislature is convened in  
 12 a regular or special session [IF THE LEGISLATURE IS CONVENED IN A  
 13 MUNICIPALITY OTHER THAN THE CAPITAL CITY], solicit or accept a  
 14 contribution, promise, or pledge for a campaign for state or municipal office that  
 15 occurs during the 90 days immediately preceding the election for that office; or

16 (2) accept money from an event held on a day when either house of the  
 17 legislature is in regular or special session if a substantial purpose of the event is to  
 18 raise money on behalf of the legislative employee for political purposes; however, this  
 19 paragraph does not prohibit a legislative employee from accepting money from an  
 20 event held in a place other than the capital city or a municipality in which the  
 21 legislature is convened in a regular or special session [IF THE LEGISLATURE IS  
 22 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during  
 23 the 90 days immediately preceding an election for state or municipal public office in  
 24 which the legislative employee is a candidate.

25 \* **Sec. 13.** AS 24.60.031(b) is amended to read:

26 (b) A legislator may not

27 (1) on a day when either house of the legislature is in regular or special  
 28 session, solicit or accept a contribution or a promise or pledge to make a contribution

29 (A) for the legislator's own campaign for state or municipal  
 30 public office, unless the solicitation, acceptance, promise, or pledge occurs in a  
 31 place other than the capital city or a municipality in which the legislature is



1 convened in a regular or special session [IF THE LEGISLATURE IS  
 2 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY]  
 3 during the 90 days immediately preceding the election in which the legislator  
 4 is a candidate;

5 (B) for another candidate in an election for municipal, state, or  
 6 federal office;

7 (C) to influence a state ballot proposition or question; or

8 (D) for a political party;

9 (2) accept money from an event held on a day when either house of the  
 10 legislature is in regular or special session if a substantial purpose of the event is to  
 11 raise money on behalf of the legislator's campaign for state or municipal public office;  
 12 however, this paragraph does not prohibit a legislator from accepting money from an  
 13 event held in a place other than the capital city or a municipality in which the  
 14 legislature is convened in a regular or special session [IF THE LEGISLATURE IS  
 15 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during  
 16 the 90 days immediately preceding a state or municipal election in which the legislator  
 17 is a candidate; or

18 (3) in a campaign for state or municipal office, expend money that was  
 19 raised on a day when either house of the legislature was in a legislative session by or  
 20 on behalf of a legislator under a declaration of candidacy or a general letter of intent to  
 21 become a candidate for public office; however, this paragraph does not apply to  
 22 money raised in a place other than the capital city or a municipality in which the  
 23 legislature is convened in a regular or special session [IF THE LEGISLATURE IS  
 24 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY] during  
 25 the 90 days immediately preceding an election in which the legislator is a candidate.

26 \* **Sec. 14.** AS 24.60.080(c) is amended to read:

27 (c) Notwithstanding (a)(1) of this section, it is not a violation of this section  
 28 for a person who is a 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           however, a vacation home located outside the state is not considered a  
2           residence for the purposes of this subparagraph; or

3                           (B) at a social event or meal;

4                   (2) discounts that are available

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

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

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

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

13                   (5) gifts from the immediate family of the person; in this paragraph,  
14          "immediate family" means

15                           (A) the spouse of the person;

16                           (B) the person's domestic partner;

17                           (C) a child, including a stepchild and an adopted child, of the  
18          person or of the person's domestic partner;

19                           (D) a parent, sibling, grandparent, aunt, or uncle of the person;

20                           (E) a parent, sibling, grandparent, aunt, or uncle of the person's  
21          spouse or the person's domestic partner; and

22                           (F) a stepparent, stepsister, stepbrother, step-grandparent, step-  
23          aunt, or step-uncle of the person, the person's spouse, or the person's domestic  
24          partner;

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

26                   (7) a discount for all or part of a legislative session, including time  
27          immediately preceding or following the session, or other gift to welcome a legislator  
28          or legislative employee who is employed on the personal staff of a legislator or by a  
29          standing or special committee to the capital city **or location of the session** or in  
30          recognition of the beginning of a legislative session if the gift or discount is available  
31          generally to all legislators and the personal staff of legislators and staff of standing and

1 special committees; this paragraph does not apply to legislative employees who are  
 2 employed by the Legislative Affairs Agency, the office of the chief clerk, the office of  
 3 the senate secretary, the legislative budget and audit committee, the office of victims'  
 4 rights, or the office of the ombudsman;

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;

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

13 (10) a contribution to a charity event, a ticket to a charity event, or a  
 14 gift in connection with a charity event; in this paragraph, "charity event" has the  
 15 meaning given in (a)(2)(B) of this section.

16 \* **Sec. 15.** AS 44.99.007 is amended to read:

17 **Sec. 44.99.007. Emergency transfer of seat of government.** When, due to an  
 18 emergency resulting from the effects of enemy attack or an imminent enemy attack, it  
 19 becomes imprudent, inexpedient, or impossible to conduct the affairs of state  
 20 government at the normal location of the state capital **or to hold a legislative session**  
 21 **in the capital or the Municipality of Anchorage**, the governor shall, as often as the  
 22 exigencies of the situation require, declare by proclamation an emergency temporary  
 23 location or locations for the seat of government **or for the session** at a place or places,  
 24 inside or outside the state, that would not normally be considered military target sites  
 25 and that the governor may consider advisable under the circumstances. The governor  
 26 shall take [SUCH] action and issue [SUCH] orders as may be necessary for an orderly  
 27 transition to the emergency temporary location or locations. The temporary location or  
 28 locations shall remain the emergency seat of government **or location of the legislative**  
 29 **session** until the emergency is declared to be ended by the governor and the seat of  
 30 government **or session** is returned to its normal location.