

HOUSE BILL NO. 304

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 1/31/24

Referred: Community and Regional Affairs, State Affairs

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the location of legislative sessions; and relating to the emergency**
2 **relocation of functions of state government."**

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

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

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

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

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

13 (3) the solicitation or acceptance occurs in a place other than the
14 capital city or **location** [A MUNICIPALITY] in which the legislature is convened in **a**

1 regular or special session if the legislature is convened in a location
2 [MUNICIPALITY] other than the capital city.

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

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

10 * **Sec. 3.** AS 24.05.090 is amended to read:

11 **Sec. 24.05.090. Duration of legislature; sessions.** The legislature shall
12 convene [AT THE CAPITAL] each year on the third Tuesday in January at 1:00 p.m.
13 Each legislature has a duration of two years and consists of a "First Regular Session"
14 that meets in the odd-numbered years, [AND] a "Second Regular Session" that meets
15 in the even-numbered years, and any special session that the governor or legislature
16 calls. For the first regular session, the legislature shall convene at the capital. For
17 the second regular session, the legislature shall, in a joint session held during the
18 first regular session, designate a location for the legislature to convene that is at
19 least 50 miles outside the capital. If the legislature fails to designate a location for
20 the second regular session by the time of adjournment of the first joint session
21 called during the first regular session for the purpose of considering
22 appointments that are subject to legislative confirmation, in an even-numbered
23 legislature, the president of the senate, or, in an odd-numbered legislature, the
24 speaker of the house of representatives, shall designate a location for the
25 convening of the second regular session within one hour after adjournment of the
26 joint session. If, during the first regular session, the legislature fails to designate a
27 location to convene for the second regular session and does not meet in a joint
28 session to consider appointments that are subject to legislative confirmation, in
29 an even-numbered legislature, the president of the senate, or, in an odd-
30 numbered legislature, the speaker of the house of representatives, shall designate
31 a location for the second regular session within one hour after the second house

1 **has adjourned from the first regular session. Nothing in this section changes the**
2 **location of the capital under AS 44.06.010.**

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

4 (b) A special session may be held at any location in the state. If a special
5 session called under (a)(1) of this section is to be convened at a location other than at
6 the capital **or the location of the preceding session**, the governor shall designate the
7 location in the proclamation. If a special session called under (a)(2) of this section is to
8 be convened at a location other than at the capital **or the location of the preceding**
9 **session**, the presiding officers shall agree to and designate the location in the poll
10 conducted of the members of both houses.

11 * **Sec. 5.** AS 24.10.030 is amended to read:

12 **Sec. 24.10.030. Chief clerk and senate secretary.** Each house shall select
13 from outside its membership a person of known stenographic and administrative
14 ability to serve as chief administrative clerk; a chief clerk in the house of
15 representatives and a secretary in the senate. When nominated and elected in
16 conformity with the uniform rules, they continue to serve for the duration of the
17 legislature at the pleasure of the house to which assigned. Pending the organization of
18 a new legislature, they may continue to serve at the request and direction of the
19 legislative council until their respective houses formally reappoint or replace them.
20 The chief clerk and senate secretary are responsible for the performance of duties
21 provided for by law, the uniform rules, and orders of the house. They may be
22 requested to report to the legislative council for duty for a period not to exceed two
23 weeks immediately preceding the convening of the session and shall remain at the
24 capital **or location of the session** until the completion of their work is determined by
25 the director of the council.

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

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

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

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

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

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

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

11 (4) the nature or form of the lobbyist's compensation for engaging in
12 lobbying, including salary, fees, or reimbursement for expenses received in
13 consideration for, or directly in support of or in connection with, the influencing of
14 legislative or administrative action;

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

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

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

23 (8) a sworn affirmation by the lobbyist that the lobbyist has completed
24 the training course administered by the commission under AS 24.45.031(a) within the
25 12-month period preceding the date of registration or registration renewal under this
26 chapter, except that this paragraph does not apply to a person who is a representational
27 lobbyist as defined under regulations of the commission;

28 (9) a sworn affirmation by the lobbyist that the lobbyist has not been
29 previously convicted of a felony involving moral turpitude; in this paragraph, "felony
30 involving moral turpitude" has the meaning given in AS 15.80.010, and includes
31 convictions for a violation of the law of this state or a violation of the law of another

1 jurisdiction with elements similar to a felony involving moral turpitude in this state.

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

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

13 * **Sec. 9.** AS 24.50.010 is amended to read:

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

18 * **Sec. 10.** AS 24.50.040 is amended to read:

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

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

28 (a) A legislator or legislative employee may not
29 (1) solicit, agree to accept, or accept a benefit other than official
30 compensation for the performance of public duties; this paragraph may not be
31 construed to prohibit

1 (A) lawful solicitation for and acceptance of campaign
2 contributions;

3 (B) solicitation or acceptance of contributions for a charity
4 event, as defined in AS 24.60.080(a)(2)(B);

5 (C) the acceptance of a gift under AS 24.60.075 or 24.60.080;
6 or

7 (D) a legislator from accepting reasonable, ordinary, and
8 customary travel and hospitality primarily for the purpose of solemnizing a
9 marriage under AS 25.05.261(a)(4);

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

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

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

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

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

1 equipment, other than utility costs and minimal wear and tear, or the legislator
2 promptly reimburses the state for the cost; an office is considered a legislator's
3 private office under this subparagraph if it is the primary space in the capital
4 city **or location of the session** reserved for use by the legislator, whether or
5 not it is shared with others;

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

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

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

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

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

17 (J) a legislator from sending any communication in the form of
18 a newsletter to the legislator's constituents, except a communication expressly
19 advocating the election or defeat of a candidate or a newsletter or material in a
20 newsletter that is clearly only for the private benefit of a legislator or a
21 legislative employee; or

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

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

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

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

15 (D) a legislator from using the legislator's private office in the
16 capital city or location of the session during a legislative session, and for the
17 10 days immediately before and the 10 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 or location of the session reserved for use by the legislator,
24 whether or not it is shared with others; or

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

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

27 (a) A legislative employee may not

28 (1) on a day when either house of the legislature is in regular or special
29 session, solicit or accept a contribution or a promise or pledge to make a contribution
30 for a campaign for state or municipal office; however, a legislative employee may,
31 except in the capital city or in the location [MUNICIPALITY] in which the legislature

1 is convened in a regular or special session [IF THE LEGISLATURE IS
 2 CONVENED IN A MUNICIPALITY OTHER THAN THE CAPITAL CITY], solicit
 3 or accept a contribution, promise, or pledge for a campaign for state or municipal
 4 office that occurs during the 90 days immediately preceding the election for that
 5 office; or

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

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

16 (b) A legislator may not

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

19 (A) for the legislator's own campaign for state or municipal
 20 public office, unless the solicitation, acceptance, promise, or pledge occurs in a
 21 place other than the capital city or location [A MUNICIPALITY] in which the
 22 legislature is convened in a regular or special session [IF THE
 23 LEGISLATURE IS CONVENED IN A MUNICIPALITY OTHER THAN
 24 THE CAPITAL CITY] during the 90 days immediately preceding the election
 25 in which the legislator is a candidate;

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

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

29 (D) for a political party;

30 (2) accept money from an event held on a day when either house of the
 31 legislature is in regular or special session if a substantial purpose of the event is to

1 raise money on behalf of the legislator's campaign for state or municipal public office;
 2 however, this paragraph does not prohibit a legislator from accepting money from an
 3 event held in a place other than the capital city or location [A MUNICIPALITY] in
 4 which the legislature is convened in a regular or special session [IF THE
 5 LEGISLATURE IS CONVENEED IN A MUNICIPALITY OTHER THAN THE
 6 CAPITAL CITY] during the 90 days immediately preceding a state or municipal
 7 election in which the legislator is a candidate; or

8 (3) in a campaign for state or municipal office, expend money that was
 9 raised on a day when either house of the legislature was in a legislative session by or
 10 on behalf of a legislator under a declaration of candidacy or a general letter of intent to
 11 become a candidate for public office; however, this paragraph does not apply to
 12 money raised in a place other than the capital city or location [A MUNICIPALITY] in
 13 which the legislature is convened in a regular or special session [IF THE
 14 LEGISLATURE IS CONVENEED IN A MUNICIPALITY OTHER THAN THE
 15 CAPITAL CITY] during the 90 days immediately preceding an election in which the
 16 legislator is a candidate.

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

18 (c) Notwithstanding (a)(1) of this section, it is not a violation of this section
 19 for a person who is a legislator or legislative employee to accept

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

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

25 (B) at a social event or meal;

26 (2) discounts that are available

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

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

31 (3) food or foodstuffs indigenous to the state that are shared generally

1 as a cultural or social norm;

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

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

6 (A) the spouse of the person;

7 (B) the person's domestic partner;

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

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

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

13 (F) a stepparent, stepsister, stepbrother, step-grandparent, step-
14 aunt, or step-uncle of the person, the person's spouse, or the person's domestic
15 partner;

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

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

27 (8) a gift of legal services in a matter of legislative concern and a gift
28 of other services related to the provision of legal services in a matter of legislative
29 concern;

30 (9) a gift of transportation from a legislator or a legislative employee to
31 a legislator or a legislative employee if the transportation takes place in the state on or

1 in an aircraft, boat, motor vehicle, or other means of transport owned or under the
 2 control of the donor; this paragraph does not apply to travel described in (4) of this
 3 subsection or travel for political campaign purposes; or

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

7 * **Sec. 15.** AS 44.99.007 is amended to read:

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

23 * **Sec. 16.** AS 44.06.050, 44.06.055, and 44.06.060 are repealed.