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Bullard
2/21/17

CS FOR HOUSE BILL NO. 91()

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES KITO, Westlake

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to fees for certain persons filing disclosure statements or other reports**
2 **with the Alaska Public Offices Commission; relating to the registration fees for**
3 **legislative lobbyists; and providing for an effective date."**

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

5 *** Section 1.** AS 15.13 is amended by adding a new section to read:

6 **Sec. 15.13.054. Administrative registration fee.** (a) Except as provided in (b)
7 of this section, each year that a person other than a candidate, a group, or a nongroup
8 entity is required under this chapter to file a report with the commission, the person,
9 group, or nongroup entity shall pay an administrative registration fee of \$100 to the
10 commission. Except as provided in (b) of this section, a candidate shall pay an
11 administrative fee of \$100 to the commission when the candidate files a declaration of
12 candidacy under AS 15.25.030, a letter of intent under AS 15.25.105, or a nominating
13 petition under AS 15.25.170. The person, group, nongroup entity, or candidate shall
14 pay the fee in the manner and by the method specified by the commission.

1 (b) This section does not apply to

2 (1) a delegate to a constitutional convention, a judge seeking judicial
3 retention, or a candidate for election to a municipal office who is exempted from
4 reporting to the commission under AS 15.13.040(g); or

5 (2) a nongroup entity with an annual operating budget of \$250 or less.

6 * **Sec. 2.** AS 15.13.390(a) is amended to read:

7 (a) A person who fails to register when required by AS 15.13.050(a) or who
8 fails to file a properly completed and certified report within the time required by
9 AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a
10 civil penalty of not more than \$50 a day for each day the delinquency continues as
11 determined by the commission subject to right of appeal to the superior court. A
12 person who fails to file a properly completed and certified report within the time
13 required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not
14 more than \$500 a day for each day the delinquency continues as determined by the
15 commission subject to right of appeal to the superior court. A person who violates a
16 provision of this chapter, except a provision requiring registration or filing of a report
17 within a time required as otherwise specified in this section, is subject to a civil
18 penalty of not more than \$50 a day for each day the violation continues as determined
19 by the commission, subject to right of appeal to the superior court. An affidavit stating
20 facts in mitigation may be submitted to the commission by a person against whom a
21 civil penalty is assessed. However, the imposition of the penalties prescribed in this
22 section or in AS 15.13.380 does not excuse that person from registering or filing
23 reports required by this chapter **or paying the administrative registration fee levied**
24 **under AS 15.13.054.**

25 * **Sec. 3.** AS 24.45.041(g) is amended to read:

26 (g) An application for registration as a lobbyist under (a) of this section or for
27 renewal of a registration under (f) of this section is subject to **the** [A] fee **prescribed**
28 **by this subsection** [OF \$250]. The commission may not accept an application for
29 registration or renew a registration until the fee is paid. This subsection does not apply
30 to a volunteer lobbyist under AS 24.45.161 or a representational lobbyist under
31 regulations of the commission. **For each lobbying contract, a lobbyist shall pay a**

fee of

(1) \$350 for a contract with a value of less than \$30,000;

(2) \$650 for a contract with a value of between \$30,000 and \$60,000; and

(3) \$850 for a contract with a value of more than \$60,000.

* **Sec. 4.** AS 24.60 is amended by adding a new section to read:

Sec. 24.60.238. Administrative registration fee. A person required to report under this chapter shall pay an administrative registration fee of \$50 to the Alaska Public Offices Commission each year in which a report is due. The person shall pay the fee in the manner and by the method specified by the Alaska Public Offices Commission.

* **Sec. 5.** AS 24.60.240 is amended to read:

Sec. 24.60.240. Civil penalty for late filing. A person required to file a disclosure statement under AS 24.60.200 who fails to file a properly completed report under AS 24.60.200 **or who fails to pay the administrative registration fee levied under AS 24.60.238** is subject to a civil penalty of not more than \$10 a day for each day the delinquency continues as the Alaska Public Offices Commission determines, subject to appeal to the superior court. An affidavit stating facts in mitigation may be submitted to the Alaska Public Offices Commission by the person against whom the civil penalty is assessed. However, the imposition of the penalties prescribed in this section does not excuse the person from filing reports required by AS 24.60.200 **or paying the administrative registration fee levied under AS 24.60.238.**

* **Sec. 6.** AS 37.05.146(c) is amended by adding a new paragraph to read:

(90) fees collected by the Alaska Public Offices Commission.

* **Sec. 7.** AS 39.50 is amended by adding a new section to read:

Sec. 39.50.132. Administrative registration fee. Except as otherwise provided in this section, a public official or former public official required to file a report under AS 39.50.020 shall pay the commission an annual administrative registration fee of \$50 each year in which a report is due. The public official or former public official shall pay the fee in the manner and by the method specified by the commission. This section does not apply to a public official or former public official

1 who, as a municipal officer for a municipality with a population of less than 15,000, is
2 required to file a report under AS 39.50.020.

3 * **Sec. 8.** AS 39.50.135 is amended to read:

4 **Sec. 39.50.135. Civil penalty: late [LATE] filing of required reports.** A
5 person who fails to file a properly completed and certified report within the time
6 required by this chapter **or who fails to pay the administrative registration fee**
7 **levied under AS 39.50.132** is subject to a civil penalty of not more than \$10 a day for
8 each day the delinquency continues as the commission determines subject to appeal to
9 the superior court. An affidavit stating facts in mitigation may be submitted to the
10 commission by a person against whom a civil penalty is assessed. However, the
11 imposition of the penalties prescribed in this section or in AS 39.50.060 - 39.50.130
12 does not excuse that person from filing reports required by this chapter **or from**
13 **paying the administrative registration fee levied under AS 39.50.132.**

14 * **Sec. 9.** This Act takes effect January 1, 2018.