

HOUSE BILL NO. 179

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES COGHILL, Sanders

Introduced: 4/7/99

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act eliminating the Alaska Public Offices Commission and all campaign
2 contribution and expenditure limits; repealing lobbying and conflict of interest
3 statutes administered by the Alaska Public Offices Commission; relating to the
4 definition of 'lobby,' 'lobbying,' and 'lobbyist'; repealing the required annual
5 financial disclosures program administered by the Alaska Public Offices
6 Commission; repealing the conflict of interest statutes administered by the Alaska
7 Public Offices Commission; relating to reporting of campaign contributions and
8 expenditures; amending the definition of 'contribution,' 'group,' and 'political party';
9 changing the residency requirements for candidates for public offices; and
10 providing for criminal penalties for violation of these provisions."

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

12 * Section 1. AS 05.15.150(a) is amended to read:

1 (a) The authority to conduct the activity authorized by this chapter is
 2 contingent upon the dedication of the net proceeds of the charitable gaming activity
 3 to the awarding of prizes to contestants or participants and to political, educational,
 4 civic, public, charitable, patriotic, or religious uses in the state. "Political, educational,
 5 civic, public, charitable, patriotic, or religious uses" means uses benefiting persons
 6 either by bringing them under the influence of education or religion or relieving them
 7 from disease, suffering, or constraint, or by assisting them in establishing themselves
 8 in life, or by providing for the promotion of the welfare and well-being of the
 9 membership of the organization within their own community, or through aiding
 10 candidates for public office or groups that support candidates for public office, or by
 11 erecting or maintaining public buildings or works, or lessening the burden on
 12 government, but does not include

13 (1) the direct or indirect payment of any portion of the net proceeds of
 14 a bingo or pull-tab game to a lobbyist [REGISTERED UNDER AS 24.45];

15 (2) the erection, acquisition, improvement, maintenance, or repair of
 16 real, personal, or mixed property unless it is used exclusively for one or more of the
 17 permitted uses; or

18 (3) the direct or indirect payment of any portion of the net proceeds of
 19 a charitable gaming activity, except the proceeds of a raffle and lottery,

20 (A) to aid candidates for public office or groups that support or
 21 oppose candidates for public office;

22 (B) to a political party or to an organization affiliated with a
 23 political party; or

24 (C) to a group, as that term is defined in AS 15.13.400, or a
 25 political group, as that term is defined in AS 15.60, that seeks to influence the
 26 outcome of an election.

27 * **Sec. 2.** AS 15.13.010(b) is amended to read:

28 (b) Except as otherwise provided, this chapter applies to contributions,
 29 expenditures, and communications made by a candidate, group, **political party,**
 30 municipality, or individual for the purpose of influencing the outcome of a ballot
 31 proposition or question as well as those made to influence the nomination or election

1 of a candidate.

2 * **Sec. 3.** AS 15.13.010(d) is amended to read:

3 (d) This chapter does not limit the authority of a person to make contributions
4 to influence the outcome of a voter proposition submitted to the public for a vote at
5 a municipal election. In this subsection, in addition to its meaning under **AS 15.60.010**
6 [AS 15.13.065(c)], "proposition" means a municipal reclassification, proposal to adopt
7 or amend a home rule charter, a unification proposal, a boundary change proposal,
8 [OR] the approval of an ordinance when approval by public vote is a requirement for
9 the ordinance, **or an issue placed on a ballot to determine whether**

10 **(1) a debt shall be contracted;**

11 **(2) an advisory question shall be approved or rejected; or**

12 **(3) a municipality shall be incorporated.**

13 * **Sec. 4.** AS 15.13 is amended by adding a new section to read:

14 **Sec. 15.13.015. Affidavit of candidate.** A candidate for the state legislature,
15 for governor, or for lieutenant governor, including an individual campaigning as a
16 write-in candidate for the office of state legislator, governor, or lieutenant governor,
17 shall, with the person's declaration of candidacy or nominating petition, submit an
18 affidavit, signed under oath and notarized, to the division of elections stating that the
19 candidate

20 (1) is a resident of Alaska and intends to remain a resident of Alaska
21 indefinitely;

22 (2) has not claimed residency in another state during the preceding
23 calendar year;

24 (3) meets the permanent fund dividend program eligibility requirements
25 set out in AS 43.23.005(a)(4); and

26 (4) is familiar with the provisions of this chapter and the penalties for
27 violating a provision of this chapter.

28 * **Sec. 5.** AS 15.13 is amended by adding a new section to read:

29 **Sec. 15.13.025. Full disclosure reports.** (a) A candidate, group, political
30 party, municipality, or individual accepting a contribution or making an expenditure
31 for the purpose of influencing the outcome of an election shall fully disclose all

1 contributions and expenditures to the division of elections.

2 (b) A candidate, group, political party, municipality, or individual subject to
3 the disclosure requirement of (a) of this section shall make a full disclosure report
4 semi-monthly from the beginning of the campaign throughout the election year. The
5 final report is due on January 15th following the election. Full disclosure reports for
6 transactions conducted from the first day of each month through the 15th day of each
7 month shall be submitted by the 20th day of that month. Full disclosure reports for
8 transactions conducted from the 16th day of each month through the end of the month
9 shall be submitted by the fifth day of the following month. Each full disclosure report
10 must include a list of

11 (1) all expenditures, including method of payment, payee, description
12 of expenditure, and amount of expenditure;

13 (2) all contributions, including the name of each contributor and the
14 amount contributed by each contributor.

15 (c) Full disclosure reports shall be submitted electronically to the division of
16 elections' campaign disclosure web page or by hard copy hand delivered to the nearest
17 regional supervisor's office of the division of elections or addressed to the nearest
18 regional supervisor's office of the division of elections and postmarked no later than
19 the applicable deadline set out in (b) of this section.

20 (d) The division of elections shall, upon receipt of a full disclosure report,
21 make

22 (1) all of the information available to the public on the division of
23 elections' web page; and

24 (2) copies available for a reasonable fee at the regional office of the
25 division of elections where the report was filed.

26 (e) If a candidate, group, political party, municipality, or individual required
27 to file a full disclosure report fails to file a full disclosure report, the division of
28 elections shall, within five business days after the deadline, notify the candidate, group,
29 political party, municipality, or individual of that failure and post a notice on the
30 division of elections' web site that the candidate, group, political party, municipality,
31 or individual has failed to file a report.

1 * **Sec. 6.** AS 15.13 is amended by adding new sections to read:

2 **Sec. 15.13.035. Penalties and enforcement.** (a) A candidate, group, political
3 party, municipality, or individual who wilfully fails to disclose a contribution or
4 expenditure as required in AS 15.13.025 or who provides false information on a full
5 disclosure report is guilty of a class B misdemeanor and upon conviction is punishable
6 by a fine of not less than \$500 or more than \$1,000.

7 (b) The director may remove from the ballot the name of a candidate who is
8 convicted of wilfully failing to disclose a contribution or expenditure as required in
9 AS 15.13.025 or providing false information on a full disclosure report. A candidate
10 who has been convicted of wilfully failing to disclose a contribution or expenditure as
11 required in AS 15.13.025 or providing false information on a full disclosure report is
12 disqualified from holding the office sought.

13 (c) A candidate who misrepresents or recklessly omits a fact on an affidavit
14 required under AS 15.13.015 is subject to a civil fine of not more than \$5,000. The
15 name of a candidate who misrepresents or recklessly omits a fact on an affidavit
16 required under AS 15.13.015 may be removed from the ballot. A candidate who has
17 been convicted of perjury for making a false statement on an affidavit required under
18 AS 15.13.015 or who has been found in a civil action to have misrepresented or
19 recklessly omitted a fact on an affidavit required under AS 15.13.015 is disqualified
20 from holding the office sought.

21 (d) The director shall immediately refer any suspected criminal violation of
22 this chapter to the district attorney for criminal prosecution.

23 (e) The attorney general or a qualified Alaska voter may bring a civil action
24 to enforce compliance with this chapter. The attorney general may bring a civil action
25 relating to violations under this chapter seeking damages.

26 **Sec. 15.13.037. Regulations.** The director may adopt regulations that are
27 necessary to implement this chapter.

28 * **Sec. 7.** AS 15.13.050(a) is amended to read:

29 (a) Before making an expenditure in support of or in opposition to a candidate
30 or before making an expenditure in support of or in opposition to a ballot proposition
31 or question, each person other than an individual shall register, on forms provided by

1 the division of elections [COMMISSION], with the division of elections
2 [COMMISSION].

3 * **Sec. 8.** AS 15.13.060(a) is amended to read:

4 (a) Each political party shall appoint a treasurer, and each candidate and
5 group shall appoint a campaign treasurer, who is responsible for receiving, holding,
6 and disbursing all contributions and expenditures, and for filing all reports and
7 statements required by law. A candidate may be a campaign treasurer.

8 * **Sec. 9.** AS 15.13.060(b) is amended to read:

9 (b) Each group or political party shall file the name and address of its
10 [CAMPAIGN] treasurer with the division of elections [COMMISSION] at the time
11 it registers with the division of elections [COMMISSION] under AS 15.13.050.

12 * **Sec. 10.** AS 15.13.060(c) is amended to read:

13 (c) Each candidate for state office shall file the name and address of the
14 campaign treasurer with the commission, or submit, in writing, the name and address
15 of the campaign treasurer to the director for filing with the division of elections
16 [COMMISSION], no later than 15 days after the date of filing the declaration of
17 candidacy or the nominating petition. Each candidate for municipal office shall file
18 the name and address of the campaign treasurer with the division of elections
19 [COMMISSION] no later than seven days after the date of filing the declaration of
20 candidacy or the nominating petition. If the candidate does not designate a campaign
21 treasurer, the candidate is the campaign treasurer.

22 * **Sec. 11.** AS 15.13.060(d) is amended to read:

23 (d) In the case of the death, resignation, or removal of a campaign treasurer,
24 the candidate shall appoint a successor as soon as practicable and file the successor's
25 name and address with the division of elections [COMMISSION] within 48 hours of
26 the appointment. [THE CANDIDATE IS DISQUALIFIED IF FOUND TO HAVE
27 BEEN IN WILFUL VIOLATION OF THIS SUBSECTION.]

28 * **Sec. 12.** AS 15.13.400(1) is amended to read:

29 (1) "candidate"

30 [(A)] means an individual who qualifies for state office under
31 AS 15.13.015 and files for election to the state legislature, for governor, for

1 lieutenant governor, for municipal office, for retention in judicial office, or for
 2 constitutional convention delegate, or who campaigns as a write-in candidate
 3 for any of these offices; [AND

4 (B) WHEN USED IN A PROVISION OF THIS CHAPTER
 5 THAT LIMITS OR PROHIBITS THE DONATION, SOLICITATION, OR
 6 ACCEPTANCE OF CAMPAIGN CONTRIBUTIONS, OR LIMITS OR
 7 PROHIBITS AN EXPENDITURE, INCLUDES

8 (i) A CANDIDATE'S CAMPAIGN TREASURER AND
 9 A DEPUTY CAMPAIGN TREASURER;

10 (ii) A MEMBER OF THE CANDIDATE'S
 11 IMMEDIATE FAMILY;

12 (iii) A PERSON ACTING AS AGENT FOR THE
 13 CANDIDATE;

14 (iv) THE CANDIDATE'S CAMPAIGN COMMITTEE;
 15 AND

16 (v) A GROUP THAT MAKES EXPENDITURES OR
 17 RECEIVES CONTRIBUTIONS WITH THE AUTHORIZATION OR
 18 CONSENT, EXPRESS OR IMPLIED, OR UNDER THE CONTROL,
 19 DIRECT OR INDIRECT, OF THE CANDIDATE;]

20 * **Sec. 13.** AS 15.13.400(3) is amended to read:

21 (3) "contribution"

22 (A) means a purchase, payment, promise or obligation to pay,
 23 loan or loan guarantee, deposit or gift of money, goods, or services for which
 24 charge is ordinarily made and that is made for the purpose of influencing the
 25 nomination or election of a candidate, and in AS 15.13.010(b) for the purpose
 26 of influencing a ballot proposition or question, including the payment by a
 27 person other than a candidate or political party, or compensation for the
 28 personal services of another person, that are rendered to the candidate or
 29 political party;

30 (B) does not include

31 (i) services provided without compensation by

1 individuals volunteering a portion or all of their time on behalf of a
 2 candidate or ballot proposition or question; **or**

3 **(ii)** [, BUT IT DOES INCLUDE PROFESSIONAL
 4 SERVICES VOLUNTEERED BY INDIVIDUALS FOR WHICH THEY
 5 ORDINARILY WOULD BE PAID A FEE OR WAGE;

6 (ii) SERVICES PROVIDED BY AN ACCOUNTANT
 7 OR OTHER PERSON TO PREPARE REPORTS AND STATEMENTS
 8 REQUIRED BY THIS CHAPTER; OR

9 (iii) ordinary hospitality in a home;

10 * **Sec. 14.** AS 15.13.400(5) is amended to read:

11 (5) "group" means

12 (A) [EVERY STATE AND REGIONAL EXECUTIVE
 13 COMMITTEE OF A POLITICAL PARTY; AND

14 (B)] any combination of two or more individuals acting jointly
 15 who organize for the principal purpose of influencing the outcome of one or
 16 more elections and who take action the major purpose of which is to influence
 17 the outcome of an election, **except a political party is not considered a**
 18 **group**; [A GROUP THAT MAKES EXPENDITURES OR RECEIVES
 19 CONTRIBUTIONS WITH THE AUTHORIZATION OR CONSENT,
 20 EXPRESS OR IMPLIED, OR UNDER THE CONTROL, DIRECT OR
 21 INDIRECT, OF A CANDIDATE SHALL BE CONSIDERED TO BE
 22 CONTROLLED BY THAT CANDIDATE; A GROUP WHOSE MAJOR
 23 PURPOSE IS TO FURTHER THE NOMINATION, ELECTION, OR
 24 CANDIDACY OF ONLY ONE INDIVIDUAL, OR INTENDS TO EXPEND
 25 MORE THAN 50 PERCENT OF ITS MONEY ON A SINGLE CANDIDATE,
 26 SHALL BE CONSIDERED TO BE CONTROLLED BY THAT CANDIDATE
 27 AND ITS ACTIONS DONE WITH THE CANDIDATE'S KNOWLEDGE
 28 AND CONSENT UNLESS, WITHIN 10 DAYS FROM THE DATE THE
 29 CANDIDATE LEARNS OF THE EXISTENCE OF THE GROUP THE
 30 CANDIDATE FILES WITH THE COMMISSION, ON A FORM PROVIDED
 31 BY THE COMMISSION, AN AFFIDAVIT THAT THE GROUP IS

1 OPERATING WITHOUT THE CANDIDATE'S CONTROL; A GROUP
 2 ORGANIZED FOR MORE THAN ONE YEAR PRECEDING AN ELECTION
 3 AND ENDORSING CANDIDATES FOR MORE THAN ONE OFFICE OR
 4 MORE THAN ONE POLITICAL PARTY IS PRESUMED NOT TO BE
 5 CONTROLLED BY A CANDIDATE; HOWEVER, A GROUP THAT
 6 CONTRIBUTES MORE THAN 50 PERCENT OF ITS MONEY TO OR ON
 7 BEHALF OF ONE CANDIDATE SHALL BE CONSIDERED TO SUPPORT
 8 ONLY ONE CANDIDATE FOR PURPOSES OF AS 15.13.070, WHETHER
 9 OR NOT CONTROL OF THE GROUP HAS BEEN DISCLAIMED BY THE
 10 CANDIDATE;]

11 * **Sec. 15.** AS 15.13.400(10) is amended to read:

12 (10) "political party" means

13 (A) an organized group of voters that represents a political
 14 program and that **either** nominated a candidate for governor who received at
 15 least three percent of the total votes cast **for governor at the** [ANY ONE OF
 16 THE LAST FIVE] preceding general **election** [ELECTIONS] **or has registered**
 17 **voters in the state equal in number to at least three percent of the total**
 18 **votes cast** for governor **at the preceding general election**; and

19 (B) **every state and regional executive committee of** [A
 20 SUBORDINATE UNIT OF THE ORGANIZED GROUP OF VOTERS
 21 QUALIFYING AS] a political party [UNDER (A) OF THIS PARAGRAPH IF,
 22 CONSISTENT WITH THE RULES OR BYLAWS OF THE POLITICAL
 23 PARTY, THE UNIT CONDUCTS OR SUPPORTS CAMPAIGN
 24 OPERATIONS IN A MUNICIPALITY, NEIGHBORHOOD, ELECTION
 25 DISTRICT, OR PRECINCT];

26 * **Sec. 16.** AS 15.56.014(a) is amended to read:

27 (a) A person commits the crime of campaign misconduct in the second degree
 28 if the person

29 (1) knowingly circulates or has written, printed, or circulated a letter,
 30 circular, or publication relating to an election, to a candidate at an election, or **to** an
 31 election proposition or question without the name and address of the author appearing

1 on its face;

2 (2) [EXCEPT AS PROVIDED BY AS 15.13.090(b),] knowingly prints
3 or publishes an advertisement, billboard, placard, poster, handbill, paid-for television
4 or radio announcement, or other communication intended to influence the election of
5 a candidate or outcome of a ballot proposition or question without the words "paid for
6 by" followed by the name and address of the candidate, group, or individual paying
7 for the advertising or communication and, if a candidate or group, with the name of
8 the campaign chair;

9 (3) knowingly writes or prints and circulates, or has written, printed,
10 and circulated, a letter, circular, bill, placard, poster, or advertisement in a newspaper,
11 on radio, or on television

12 (A) containing false factual information relating to a candidate
13 for an election;

14 (B) that the person knows to be false; and

15 (C) that would provoke a reasonable person under the
16 circumstances to a breach of the peace or that a reasonable person would
17 construe as damaging to the candidate's reputation for honesty, integrity, or the
18 candidate's qualifications to serve if elected to office.

19 * **Sec. 17.** AS 18.26.030(b) is amended to read:

20 (b) The four public members appointed under (a)(4) of this section serve for
21 staggered four-year terms. Each must be a resident of the state and a qualified voter
22 at the time of appointment [AND SHALL COMPLY WITH THE REQUIREMENTS
23 OF AS 39.50 (CONFLICT OF INTEREST)]. Each member shall hold office for the
24 term of the appointment and until a successor has been appointed and qualified. A
25 member is eligible for reappointment. A vacancy on the board of directors occurring
26 other than by expiration of term shall be filled in the same manner as the original
27 appointment but for the unexpired term only. Each member of the board before
28 entering upon the duties of office shall take and subscribe to an oath to perform the
29 duties of office faithfully, impartially, and justly to the best of the member's ability.
30 A record of the oath shall be filed in the Office of the Governor.

31 * **Sec. 18.** AS 24.60.070(a) is amended to read:

1 (a) A legislator or legislative employee shall disclose to the committee, which
 2 shall maintain a public record of the disclosure and forward the disclosure to the
 3 respective house for inclusion in the journal, the formation or maintenance of a close
 4 economic association involving a substantial financial matter with

5 (1) a supervisor who is not a member of the legislature who has
 6 responsibility or authority, either directly or indirectly, over the person's employment,
 7 including preparing or reviewing performance evaluations, or granting or approving
 8 pay raises or promotions; this paragraph does not apply to a public member of the
 9 committee;

10 (2) legislators;

11 (3) a public official who is [REQUIRED TO FILE A FINANCIAL
 12 DISCLOSURE STATEMENT UNDER AS 39.50 AND IS] not an appointed municipal
 13 officer;

14 (4) a [REGISTERED] lobbyist; or

15 (5) a legislative employee if the person required to make the disclosure
 16 is a legislator.

17 * **Sec. 19.** AS 24.60.080(d) is amended to read:

18 (d) A legislator or legislative employee who accepts a gift under (c)(4) of this
 19 section that has a value of \$250 or more shall disclose to the committee, within 30
 20 days after receipt of the gift, the name and occupation of the donor and the
 21 approximate value of the gift. A legislator or legislative employee who accepts a gift
 22 under (c)(8) of this section that the recipient expects will have a value of \$250 or more
 23 in the calendar year shall disclose to the committee, within 30 days after receipt of the
 24 gift, the name and occupation of the donor, a general description of the matter of
 25 legislative concern with respect to which the gift is made, and the approximate value
 26 of the gift. The committee shall maintain a public record of the disclosures it receives
 27 relating to gifts under (c)(4) and (8) of this section and shall forward the disclosures
 28 to the appropriate house for inclusion in the journal. [THE COMMITTEE SHALL
 29 FORWARD TO THE ALASKA PUBLIC OFFICES COMMISSION COPIES OF THE
 30 DISCLOSURES CONCERNING GIFTS UNDER (c)(4) AND (8) OF THIS SECTION
 31 THAT IT RECEIVES FROM LEGISLATORS AND LEGISLATIVE DIRECTORS.]

1 A legislator or legislative employee who accepts a gift under (c)(6) of this section that
2 has a value of \$250 or more shall disclose to the committee annually on or before
3 March 15 the name and occupation of the donor and a description of the gift. The
4 committee shall maintain disclosures relating to gifts under (c)(6) of this section as
5 confidential records and may only use, or permit a committee employee or contractor
6 to use, a disclosure under (c)(6) of this section in the investigation of a possible
7 violation of this section or in a proceeding under AS 24.60.170. If the disclosure under
8 (c)(6) of this section becomes part of the record of a proceeding under AS 24.60.170,
9 the confidentiality provisions of that section apply to the disclosure.

10 * **Sec. 20.** AS 24.60.080(e) is amended to read:

11 (e) A political contribution is not a gift under this section if it is reported
12 under AS 15.13.025 [AS 15.13.040 OR IS EXEMPT FROM THE REPORTING
13 REQUIREMENT UNDER AS 15.13.040(g)]. The use of a bulk mailing permit owned
14 by a legislator's campaign committee or used in a legislator's election campaign is not
15 a gift to that legislator under this section.

16 * **Sec. 21.** AS 24.60.130(f) is amended to read:

17 (f) The committee may contract for professional services and may employ staff
18 as it considers necessary. A committee employee, including a person who provides
19 personal services under a contract with the committee, may not be a legislator, an
20 elected or appointed official of a state or local governmental entity, an officer of a
21 political party, a candidate for public office, or a [REGISTERED] lobbyist. The
22 legislative council shall provide office space, equipment, and additional staff support
23 for the committee. The committee shall submit a budget for each fiscal year to the
24 finance committees of the legislature and shall annually submit an estimated budget
25 to the governor for information purposes in preparation of the state operating budget.
26 Public members of the committee serve without compensation for their services, but
27 are entitled to per diem and travel expenses authorized for boards and commissions
28 under AS 39.20.180.

29 * **Sec. 22.** AS 24.60.130(m) is amended to read:

30 (m) Except as provided in (b)(1) and (2) of this section, a member may not
31 be a legislator, a legislative employee, an elected or appointed official [REQUIRED

1 TO MAKE CONFLICT-OF-INTEREST DISCLOSURES UNDER AS 39.50], an
 2 officer of a political party, a candidate for public office, or a [REGISTERED] lobbyist.

3 * **Sec. 23.** AS 24.60.170(l) is amended to read:

4 (l) Proceedings of the committee relating to complaints before it are
 5 confidential until the committee determines that there is probable cause to believe that
 6 a violation of this chapter has occurred. The complaint and all documents produced
 7 or disclosed as a result of the committee investigation are confidential and not subject
 8 to inspection by the public. If, in the course of an investigation or probable cause
 9 determination, the committee finds evidence of probable criminal activity, the
 10 committee shall transmit a statement and factual findings limited to that activity to the
 11 appropriate law enforcement agency. [IF THE COMMITTEE FINDS EVIDENCE OF
 12 A PROBABLE VIOLATION OF AS 15.13, THE COMMITTEE SHALL TRANSMIT
 13 A STATEMENT TO THAT EFFECT AND FACTUAL FINDINGS LIMITED TO
 14 THE PROBABLE VIOLATION TO THE ALASKA PUBLIC OFFICES
 15 COMMISSION.] All meetings of the committee before the determination of probable
 16 cause are closed to the public and to legislators who are not members of the
 17 committee. However, the committee may permit the subject of the complaint to attend
 18 a meeting other than the deliberations on probable cause. The confidentiality
 19 provisions of this subsection may be waived by the subject of the complaint.

20 * **Sec. 24.** AS 24.60.990(a)(11) is amended to read:

21 (11) "lobbyist" means a person who

22 **(A) is employed and receives payments, or who contracts for**
 23 **economic consideration, including reimbursement for reasonable travel and**
 24 **living expenses, to communicate directly or through the person's agents**
 25 **with any public official for the purpose of influencing legislative or**
 26 **administrative action if a substantial or regular portion of the activities for**
 27 **which the person receives consideration is for the purpose of influencing**
 28 **legislative or administrative action; or**

29 **(B) represents oneself as engaging in the influencing of**
 30 **legislative or administrative action as a business, occupation, or profession**
 31 [REQUIRED TO REGISTER UNDER AS 24.45.041 AND IS DESCRIBED

1 UNDER AS 24.45.171(8)(A), BUT DOES NOT INCLUDE A VOLUNTEER
2 LOBBYIST DESCRIBED IN AS 24.45.161(a)(1) OR A
3 REPRESENTATIONAL LOBBYIST AS DEFINED UNDER REGULATIONS
4 OF THE ALASKA PUBLIC OFFICES COMMISSION];

5 * **Sec. 25.** AS 39.52.180(d) is amended to read:

6 (d) A former governor, lieutenant governor, or head of a principal department
7 in the executive branch may not engage in activity as a lobbyist [UNDER AS 24.45]
8 for a period of one year after leaving service as the governor, lieutenant governor, or
9 department head, as appropriate. [THIS SUBSECTION DOES NOT PROHIBIT
10 SERVICE AS A VOLUNTEER LOBBYIST DESCRIBED IN AS 24.45.161(a)(1) OR
11 A REPRESENTATIONAL LOBBYIST AS DEFINED UNDER REGULATIONS OF
12 THE ALASKA PUBLIC OFFICES COMMISSION.]

13 * **Sec. 26.** AS 39.52.340(a) is amended to read:

14 (a) Except as provided in AS 39.52.335, before the initiation of formal
15 proceedings under AS 39.52.350, the complaint and all other documents and
16 information regarding an investigation conducted under this chapter or obtained by the
17 attorney general during the investigation are confidential and not subject to inspection
18 by the public. In the case of a complaint concerning the governor, lieutenant governor,
19 or attorney general, all meetings of the personnel board concerning the complaint and
20 investigation before the determination of probable cause are closed to the public. If,
21 in the course of an investigation or probable cause determination, the attorney general
22 finds evidence of probable criminal activity, the attorney general shall transmit a
23 statement and factual findings limited to that activity to the appropriate law
24 enforcement agency. [IF THE ATTORNEY GENERAL FINDS EVIDENCE OF A
25 PROBABLE VIOLATION OF AS 15.13, THE ATTORNEY GENERAL SHALL
26 TRANSMIT A STATEMENT TO THAT EFFECT AND FACTUAL FINDINGS
27 LIMITED TO THE PROBABLE VIOLATION TO THE ALASKA PUBLIC OFFICES
28 COMMISSION.] The attorney general and all persons contacted during the course of
29 an investigation shall maintain confidentiality regarding the existence of the
30 investigation.

31 * **Sec. 27.** AS 44.85.030 is amended to read:

1 **Sec. 44.85.030. Membership and vacancies.** The bond bank authority
 2 consists of the following five directors: the commissioner of revenue, the commissioner
 3 of community and regional affairs, who shall each be a director ex officio with voting
 4 privileges, and three directors appointed by the governor. The appointment of each
 5 director other than the commissioner of revenue and the commissioner of community
 6 and regional affairs is subject to confirmation by the legislature. The three directors
 7 appointed by the governor serve at the governor's pleasure for four-year terms. They
 8 must be residents of the state and qualified voters at the time of appointment [AND
 9 SHALL COMPLY WITH THE REQUIREMENTS OF AS 39.50 (CONFLICT OF
 10 INTEREST)]. Each director shall hold office for the term of appointment and until
 11 a successor has been appointed and qualified. A director is eligible for reappointment.
 12 A vacancy in a directorship occurring other than by expiration of term shall be filled
 13 in the same manner as the original appointment but for the unexpired term only. Each
 14 director before entering upon the duties of office shall take and subscribe to an oath
 15 to perform the duties faithfully, impartially, and justly to the best of the director's
 16 ability. A record of the oath shall be filed in the office of the governor.

17 * **Sec. 28.** AS 44.99.030(b) is amended to read:

18 (b) In this section,

19 [(1)] "lobby [A MUNICIPALITY OR AN AGENCY OF A
 20 MUNICIPALITY]" means to engage in an activity for the purpose of influencing
 21 [MUNICIPAL] legislative or administrative action [IF THE ACTIVITY IS
 22 SUBSTANTIALLY THE SAME AS ACTIVITY THAT WOULD HAVE REQUIRED
 23 REGISTRATION UNDER AS 24.45.121 IF THE ACTIVITY WAS FOR THE
 24 PURPOSE OF INFLUENCING STATE LEGISLATIVE OR ADMINISTRATIVE
 25 ACTION;

26 (2) "LOBBY THE STATE OR AN AGENCY OF THE STATE"
 27 MEANS TO ENGAGE IN AN ACTIVITY FOR WHICH REGISTRATION IS
 28 REQUIRED UNDER AS 24.45.121].

29 * **Sec. 29.** AS 45.68.120(a) is amended to read:

30 (a) Registration is not required under AS 45.68.010 for

31 (1) a church or religious organization that is exempt from filing a

1 federal annual information return under 26 U.S.C. 6033(a)(2)(A);

2 (2) a candidate for national, state, or local office, and a political party
3 or other committee or group if the candidate, party, committee, or group is required
4 to file a full disclosure report under AS 15.13.025 or financial information [WITH
5 THE ALASKA PUBLIC OFFICES COMMISSION UNDER AS 15.13 OR] with the
6 Federal Election Commission under 2 U.S.C. 431 - 456 (Federal Election Campaign
7 Act);

8 (3) a charitable organization that does not intend to raise or receive
9 contributions, excluding government grants, in excess of \$5,000 during a fiscal year
10 of the charitable organization, or that does not intend to receive contributions from
11 more than 10 persons during a fiscal year of the charitable organization if, in either
12 situation,

13 (A) all of the organization's functions, including solicitation, are
14 performed by persons who are not paid for their services; and

15 (B) an officer or member of the organization is not paid or does
16 not otherwise receive all or a part of the assets or income of the charitable
17 organization;

18 (4) a person or municipality who has a permit under AS 05.15.100.

19 * **Sec. 30.** AS 15.13.020, 15.13.030, 15.13.040, 15.13.045, 15.13.050(b), 15.13.065,
20 15.13.070, 15.13.072, 15.13.074, 15.13.076, 15.13.078, 15.13.080, 15.13.082, 15.13.084,
21 15.13.086, 15.13.090, 15.13.095, 15.13.100, 15.13.110, 15.13.112, 15.13.114, 15.13.116,
22 15.13.120, 15.13.122, 15.13.125, 15.13.135, 15.13.140, 15.13.145, 15.13.150, 15.13.155,
23 15.13.400(2), 15.13.400(7); AS 15.25.030(b), 15.25.030(c), 15.25.180(b), 15.25.180(c);
24 AS 24.45.011, 24.45.021, 24.45.031, 24.45.041, 24.45.051, 24.45.061, 24.45.071, 24.45.081,
25 24.45.091, 24.45.101, 24.45.111, 24.45.116, 24.45.121, 24.45.131, 24.45.141, 24.45.151,
26 24.45.161, 24.45.171, 24.45.181; AS 24.60.200, 24.60.210, 24.60.220, 24.60.230, 24.60.240,
27 24.60.250, 24.60.260; 24.60.990(a)(13); AS 31.05.025(a); AS 37.10.230(a); AS 37.13.110(a);
28 AS 39.25.120(c)(16); AS 39.50.010, 39.50.020, 39.50.030, 39.50.035, 39.50.040, 39.50.050,
29 39.50.060, 39.50.070, 39.50.080, 39.50.090, 39.50.100, 39.50.110, 39.50.130, 39.50.135,
30 39.50.145, 39.50.200; AS 43.05.085; AS 44.25.028(a); AS 44.62.330(a)(39) and
31 AS 46.13.110(g) are repealed.