

**CS FOR SENATE BILL NO. 89(JUD) am**  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Amended: 5/3/03

Offered: 4/24/03

Sponsor(s): SENATOR SEEKINS

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act amending the Regulation of Lobbying Act and the definition of 'lobbyist' as it**  
2 **applies in the act setting standards of conduct for legislators and legislative employees;**  
3 **and amending the Regulation of Lobbying Act and the legislative standards of conduct**  
4 **to allow a lobbyist to give and a person covered by legislative standards of conduct to**  
5 **accept tickets to a charity event during a legislative session."**

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

7 **\* Section 1.** AS 24.45.121(a) is amended to read:

8 (a) A lobbyist may not

9 (1) engage in any activity as a lobbyist before registering under  
10 AS 24.45.041;

11 (2) do anything with the intent of placing a public official under  
12 personal obligation to the lobbyist or to the lobbyist's employer;

13 (3) intentionally deceive or attempt to deceive any public official with

1 regard to any material fact pertinent to pending or proposed legislative or  
2 administrative action;

3 (4) cause or influence the introduction of a legislative measure solely  
4 for the purpose of thereafter being employed to secure its passage or its defeat;

5 (5) cause a communication to be sent to a public official in the name of  
6 any fictitious person or in the name of any real person, except with the consent of that  
7 person;

8 (6) accept or agree to accept any payment in any way contingent upon  
9 the defeat, enactment, or outcome of any proposed legislative or administrative action;

10 (7) serve as a member of a state board, or commission, if the lobbyist's  
11 employer may receive direct economic benefit from a decision of that board or  
12 commission;

13 (8) serve as a campaign manager or director, serve as a campaign  
14 treasurer or deputy campaign treasurer on a finance or fund-raising committee, host a  
15 fund-raising event, directly or indirectly collect contributions for, or deliver  
16 contributions to, a candidate, or otherwise engage in the fund-raising activity of a  
17 legislative campaign or campaign for governor or lieutenant governor if the lobbyist  
18 has registered, or is required to register as a lobbyist, under this chapter, during the  
19 calendar year; this paragraph does not apply to a representational lobbyist as defined  
20 in the regulations of the Alaska Public Offices Commission, and does not prohibit a  
21 lobbyist from making personal contributions to a candidate as authorized by AS 15.13  
22 or personally advocating on behalf of a candidate;

23 (9) offer, solicit, initiate, facilitate, or provide to or on behalf of a  
24 person covered by AS 24.60, during a legislative session, a gift, other than food or  
25 beverage for immediate consumption, **except for tickets to a charity event described**  
26 **in AS 24.60.080(c)(10)**;

27 (10) make or offer a gift or a campaign contribution whose acceptance  
28 by the person to whom it is offered would violate AS 24.60.

29 \* **Sec. 2.** AS 24.45.171(6) is amended to read:

30 (6) "influencing legislative or administrative action" means **to**  
31 **communicate directly for the purpose of introducing,** promoting, advocating,

1 supporting, modifying, opposing, or delaying or seeking to do the same with respect to  
 2 any legislative or administrative action [BY MEANS INCLUDING BUT NOT  
 3 LIMITED TO THE PROVISION OR USE OF INFORMATION, STATISTICS,  
 4 STUDIES, OR ANALYSES IN WRITTEN OR ORAL FORM OR FORMAT];

5 \* **Sec. 3.** AS 24.45.171(8) is amended to read:

6 (8) "lobbyist" means **a person who**

7 (A) **engages** [A PERSON WHO IS EMPLOYED AND  
 8 RECEIVES PAYMENTS, OR WHO CONTRACTS FOR ECONOMIC  
 9 CONSIDERATION, INCLUDING REIMBURSEMENT FOR  
 10 REASONABLE TRAVEL AND LIVING EXPENSES, TO COMMUNICATE  
 11 DIRECTLY OR THROUGH THE PERSON'S AGENTS WITH ANY  
 12 PUBLIC OFFICIAL FOR THE PURPOSE OF INFLUENCING  
 13 LEGISLATIVE OR ADMINISTRATIVE ACTION IF A SUBSTANTIAL OR  
 14 REGULAR PORTION OF THE ACTIVITIES FOR WHICH THE PERSON  
 15 RECEIVES CONSIDERATION IS FOR THE PURPOSE OF  
 16 INFLUENCING LEGISLATIVE OR ADMINISTRATIVE ACTION; OR

17 (B) A PERSON WHO REPRESENTS ONESELF AS  
 18 [ENGAGING] in the [INFLUENCING OF LEGISLATIVE OR  
 19 ADMINISTRATIVE ACTION AS A] business, occupation, or profession **of**  
 20 **influencing legislative or administrative action; or**

21 **(B) receives wages or other economic consideration,**  
 22 **including reimbursement of travel and living expenses, to communicate**  
 23 **directly with any public official**

24 **(i) for the express purpose of influencing legislative**  
 25 **or administrative action; and**

26 **(ii) during more than 40 hours in any 30 day period**  
 27 **in one calendar year;**

28 \* **Sec. 4.** AS 24.45.171 is amended by adding a new subsection to read:

29 (13) "communicate directly" means to speak with a legislator,  
 30 legislative employee, or public official

31 (A) by telephone;

1 (B) by two-way electronic communication; or

2 (C) in person.

3 \* **Sec. 5.** AS 24.60.080(c) is amended by adding a new paragraph to read:

4 (10) tickets from a lobbyist for a charity event at any time, including  
5 during a legislative session; in this paragraph, "charity event" means an event the  
6 proceeds of which go to a charitable organization with tax-free status under 26 U.S.C.  
7 501(c)(3) and that the Alaska Legislative Council has approved in advance; the tickets  
8 may entitle the bearer to admission to the event, to entertainment, to food or  
9 beverages, or to other gifts or services involved in the charity event.

10 \* **Sec. 6.** AS 24.60.990(11) is amended to read:

11 (11) "lobbyist" means a person who is required to register under  
12 AS 24.45.041 and is described under AS 24.45.171 [AS 24.45.171(8)(A)], but does  
13 not include a volunteer lobbyist described in AS 24.45.161(a)(1) or a representational  
14 lobbyist as defined under regulations of the Alaska Public Offices Commission;