# CS FOR HOUSE BILL NO. 91(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered: 3/6/17**
**Referred: Finance**

**Sponsor(s): REPRESENTATIVES KITO, Westlake, Gara**

## A BILL

## FOR AN ACT ENTITLED

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

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

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

**Sec. 15.13.054. Administrative registration fee.** (a) Except as provided in (b) of this section, each year that a person other than a candidate, a group, or a nongroup entity is required under this chapter to file a report with the commission, the person, group, or nongroup entity shall pay an administrative registration fee of $100 to the commission. Except as provided in (b) of this section, a candidate shall pay an administrative fee of $100 to the commission when the candidate files the name and address of the candidate's campaign treasurer under AS 15.13.060(c). The person, group, nongroup entity, or candidate shall pay the fee in the manner and by the method specified by the commission.

(b) This section does not apply to

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

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

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

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

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

(g) An application for registration as a lobbyist under (a) of this section or for renewal of a registration under (f) of this section is subject to **the** [A] fee **prescribed by this subsection** [OF $250]. The commission may not accept an application for registration or renew a registration until the fee is paid. This subsection does not apply to a volunteer lobbyist under AS 24.45.161 or a representational lobbyist under 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

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

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

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

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