

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

IN THE SENATE

BY OWEN

SENATE BILL NO. 225

IN THE LEGISLATURE OF THE STATE OF ALASKA

FOURTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to the regulation of
lobbyists."

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

* Section 1. AS 24.45 is repealed and re-enacted to read:

CHAPTER 45. REGULATION OF LOBBYISTS

Sec. 24.45.005. REGISTRATION OF LOBBYISTS. No person
may act as a legislative agent unless he and his principal
register with the commissioner, pay the registration fees
prescribed in sec. 35 of this chapter and furnish the follow-
ing information:

- (1) the name and address of the principal and the
legislative agent;
- (2) the amount of money or other form of compensa-
tion to be paid to the legislative agent by each principal
and the manner of payment;
- (3) the subject matter or legislation which the
legislative agent is to influence for each principal;
- (4) the date the principal and legislative agent
agreed to the agency;
- (5) the usual occupation of the legislative agent.

Sec. 24.45.015. PERSONS EXEMPT FROM OPERATION OF THIS
CHAPTER. The provisions of this chapter do not apply to

- (1) a person invited by either or both houses of
the legislature or any of its committees to appear before it

1 for the purpose of explaining or giving information on any
2 legislation insofar as the invitees appear or act in response
3 to a specific invitation;

4 (2) a person supplying professional service in
5 drafting, advising clients, or rendering opinions on the
6 construction, affect, or effect of legislation insofar as
7 the professional services are not otherwise connected with
8 legislation;

9 (3) a constituent with whom members of the legis-
10 lature choose to consult about the advisability of legisla-
11 tion;

12 (4) a legal counsel, officer, or agent of a
13 political subdivision of the state, a public board or public
14 institution.

15 Sec. 24.45.025. LEGISLATIVE DOCKET. The commissioner
16 shall maintain a legislative docket which shall contain the
17 information acquired under sec. 5 of this chapter. The
18 docket shall be open to public inspection upon demand during
19 the regular business hours of the state.

20 Sec. 24.45.035. FEES FOR REGISTRATION OF LOBBYISTS.

21 (a) The basic registration fee is \$10 for a resident legis-
22 lative agent and \$100 for a nonresident agent. If the agent
23 represents more than one principal the fee is \$5 more for
24 each additional resident principal and \$25 more for each
25 nonresident principal represented by the agent.

26 (b) Upon payment of the fee, the commissioner shall
27 enter the required information in the legislative docket
28 and deliver to the person paying the fee a receipt, in the
29 form of a certificate, certifying that the name of the person

1 who is to act as an agent has been entered in the legislative
2 docket, and certifying also the subject or subjects of legis-
3 lation which the agent is to influence. A separate certifi-
4 cate shall be issued with respect to each principal the agent
5 is to represent.

6 (c) The certificate provided in (b) of this section is
7 valid from the beginning of the session for which it is
8 issued to the beginning of the next regular or special
9 session, and is prima facie evidence that the person named
10 in it has complied with the registration requirements of this
11 chapter.

12 Sec. 24.45.045. SUBSEQUENT AMENDMENT TO LIST OF LEGIS-
13 LATION LEGISLATIVE AGENT INTENDS TO INFLUENCE. Any change
14 in the original list of subject matter or legislation which
15 a legislative agent is to influence shall be reported by
16 the principal or his legislative agent to the commissioner
17 before the agent may attempt to influence the new subject
18 matter or legislation. The commissioner shall amend the
19 legislative docket, and endorse the agent's registration
20 certificate with a statement reflecting the change.

21 Sec. 24.45.055. INTENTIONAL MISREPRESENTATION PRO-
22 HIBITED. In an attempt to influence legislation no legisla-
23 tive agent or his principal shall intentionally misinform
24 a legislative committee on a matter which is material to a
25 subject under consideration by the committee.

26 Sec. 24.45.065. CONTINGENCY COMPENSATION PROHIBITED.
27 No person may be employed as a legislative agent for compensa-
28 tion which is conditioned in any manner upon the passage or
29 defeat, or executive approval or veto, of any legislation

1 or upon any other contingency in connection with legislation.

2 Sec. 24.45.075. FILING OF SWORN STATEMENTS OF DIS-
3 BURSEMENTS IN CONNECTION WITH LEGISLATION. (a) Within 30
4 days after the final adjournment of a session of the legis-
5 lature, a person who has employed a legislative agent, or
6 who has paid or expended, or promised to pay or expend,
7 money or other thing of value in relation to legislation
8 pending at the session shall file with the commissioner an
9 itemized statement, verified by the oath of the person, or
10 if a firm by oath of a member, or if a corporation by oath
11 of an officer, showing in detail all sums paid, incurred
12 or promised, directly or indirectly, in connection with
13 legislation pending during the session, with the names of
14 the payees and the amount paid to each, including all dis-
15 bursements paid, incurred or promised to each agent, and
16 specifying the nature of the legislation and the interest
17 of the person in it.

18 (b) A person who receives money or other thing of
19 value to be expended or used by him in relation to legisla-
20 tion pending at a session of the legislature shall within
21 30 days after the final adjournment of that session file
22 with the commissioner an itemized statement, verified by
23 his oath, showing in detail the money or other thing of value
24 received or expended by him, and all liabilities directly
25 or indirectly incurred by him in connection with the legisla-
26 tion. The statement shall contain the full name and
27 address of the person or committee or association to whom
28 money or thing of value was paid or promised, whether
29 directly or indirectly; the purpose for which the money or

1 thing of value was paid or promised; the place where, and
2 the date when, each item of money or other thing of value
3 was paid or promised by the person accounting for it; the
4 balance remaining with the person and the disposition to be
5 made of it.

6 Sec. 24.45.085. PENALTIES. A person who violates
7 any provision of this chapter is guilty of a misdemeanor.

8 Sec. 24.45.095. ATTORNEY GENERAL TO PROSECUTE VIOLA-
9 TIONS. The attorney general shall prosecute all violations
10 of this chapter.

11 Sec. 24.45.115. DEFINITIONS. In this chapter

12 (1) 'commissioner' means the commissioner of the
13 Department of Administration;

14 (2) 'influence' means to promote, advocate, oppose
15 or affect in any way the passage, defeat, approval or veto
16 of legislation;

17 (3) 'legislation' means a bill to enact, amend
18 or repeal law, a resolution, confirmation of executive ap-
19 pointment, or other matter which may be the subject of
20 action by the legislature, and includes executive approval
21 or veto of legislation and executive appointments;

22 (4) 'legislative agent' or 'agent' means a person
23 who is engaged by another for compensation to influence
24 legislation or who, as an officer, member or employee of
25 another person, attempts to influence legislation;

26 (5) 'principal' means a person who engages,
27 agrees to engage, or contributes to the compensation or
28 reimbursement of expenditures of a legislative agent.
29