

Introduced: 2/4/72  
Referred: Health, Welfare &  
Education and Judiciary

1 IN THE HOUSE

BY COLLETTA, DITMAN, MCVEIGH,  
MOSES, RANDOLPH AND SPECKING

2 HOUSE BILL NO. 586

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the regulation of charitable  
7 organizations and the solicitation of contributions  
8 for charitable purposes."

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

10 \* Section 1. AS 10 is amended by adding a new chapter to read:

11 CHAPTER 50. CHARITABLE ORGANIZATIONS

12 AND SOLICITATION OF CONTRIBUTIONS.

13 Sec. 10.50.010. LEGISLATIVE FINDINGS, PURPOSE. The legislature  
14 finds and declares that charities perform valuable social services at  
15 a cost saving to the state, responsibilities that otherwise would have  
16 to be assumed by state government. Therefore, in the interest of  
17 protecting the public welfare, the state should ensure that money and  
18 other property collected in fund-raising campaigns are used solely for  
19 the charitable purposes promised during that campaign, to preclude  
20 the diversion of funds from necessary philanthropies for personal use  
21 or gain, and to make certain that full information concerning charities,  
22 their purposes, management and method of solicitation is made available  
23 to protect the public from the unscrupulous so that worthwhile chari-  
24 table organizations will thrive while those unworthy of public support  
25 will be exposed.

26 ARTICLE 1. CHARITABLE ORGANIZATIONS.

27 Sec. 10.50.020. REGISTRATION OF CHARITABLE ORGANIZATIONS. (a)  
28 A charitable organization, except those exempted by sec. 30 of this  
29 chapter, which intends to solicit contributions from persons in the

1 state or from a governmental agency shall, before solicitation, file  
2 with the department on forms prescribed by it, the following informa-  
3 tion:

4 (1) the name of the organization and the name or names under  
5 which it intends to solicit contributions;

6 (2) the names and addresses of the officers, directors,  
7 trustees, and executive personnel of the organization;

8 (3) the addresses of the organization and the addresses of  
9 offices in this state; if the organization does not maintain an office,  
10 the name and address of the person having custody of its financial  
11 records;

12 (4) where and when the organization was legally established,  
13 the form of its organization and its tax exempt status;

14 (5) the purposes for which the organization is organized  
15 and the purposes for which the contributions to be solicited will be  
16 used;

17 (6) the date on which the fiscal year of the organization  
18 ends;

19 (7) whether the organization is authorized by a govern-  
20 mental agency to solicit contributions and whether it is or has been  
21 enjoined by a court from soliciting contributions;

22 (8) the names and addresses of professional fund raisers who  
23 are acting or have agreed to act on behalf of the organization.

24 (b) The registration form shall be signed by the president or  
25 other authorized officer and the chief fiscal officer of the organiza-  
26 tion.

27 (c) For filing the registration, the department shall receive a  
28 fee of \$5, to be paid at the time of registration.

29 (d) The registration remains in effect unless it is either

1 cancelled as provided in this chapter or withdrawn by the organization.

2 (e) A registered organization shall notify the department within  
3 10 days of a change in the information required to be furnished by the  
4 organization under (a)(1) - (8) of this section.

5 (f) No registration of a charitable organization may continue, or  
6 be continued, in effect after the date the organization should have  
7 filed, but failed to file, an annual report in accordance with the  
8 requirements of sec. 40 of this chapter, and the organization may not  
9 file a new registration until it has filed the required annual report  
10 with the department. If the report is subsequently filed the organiza-  
11 tion may file a new registration upon the payment of a fee of \$5 to  
12 the department.

13 (g) Registration statements, financial reports, professional fund  
14 raisers' contracts, and other documents required to be filed under this  
15 chapter are public records in the department's office.

16 Sec. 10.50.030. EXEMPTIONS. The following persons are not  
17 required to register with the department:

18 (1) an educational institution the curriculums of which in  
19 whole or in part are registered or approved by the Department of Educa-  
20 tion either directly or by acceptance of accreditation by an accrediting  
21 body recognized by the Department of Education, an educational institu-  
22 tion confining its solicitation of contributions to its student body,  
23 alumni, faculty and trustees, and their families, or a library  
24 registered by the Department of Education if the annual financial report  
25 of the institution or library is filed with the Department of Education  
26 where it shall be open for public inspection;

27 (2) religious corporations, organizations or charities,  
28 agencies or organizations operated, supervised or controlled by, or in  
29 connection with, a religious corporation or organization, fraternal,

1 patriotic, social, alumni or veterans organizations and historical  
2 societies when solicitation of contributions is confined to their  
3 membership;

4 (3) persons requesting a contribution for the relief of an  
5 individual, specified by name at the time of the solicitation, if all  
6 of the contributions collected, without deductions, are turned over to  
7 the named beneficiary;

8 (4) a charitable organization which does not intend to  
9 solicit and receive and does not actually receive contributions in  
10 excess of \$1,000 during a fiscal year of the organization if all of its  
11 fund-raising functions are carried on by persons who are unpaid for  
12 these services; however, if the gross contributions received by a  
13 charitable organization during a fiscal year of the organization exceed  
14 \$1,000, it shall within 30 days after the date it has received total  
15 contributions in excess of \$1,000 register with the department as  
16 required by sec. 20 of this chapter;

17 (5) a charitable organization receiving an allocation from  
18 an incorporated community chest or united fund if (A) the chest or  
19 fund is complying with the provisions of this chapter relating to  
20 registration and filing of annual reports with the department; (B) the  
21 organization does not actually receive, in addition to the allocation,  
22 contributions in excess of \$1,000 during the fiscal year; and (C) the  
23 fund-raising functions of the organization are carried on by persons  
24 who are unpaid for these services; however, if the gross contributions  
25 other than the allocation received by the charitable organization  
26 during a fiscal year of the organization exceed \$1,000, it shall within  
27 30 days after the date it has received the contributions in excess of  
28 \$1,000 register with the department as required by sec. 20 of this  
29 chapter.

1           Sec. 10.50.040. ANNUAL REPORTS. (a) A charitable organization  
2 registered under sec. 20 of this chapter that receives in a fiscal year  
3 of the organization contributions in excess of \$2,500 and a charitable  
4 organization whose fund-raising functions are not carried on solely by  
5 persons who are unpaid for these services shall file a written report  
6 with the department on forms prescribed by it, within six months after  
7 the close of the fiscal year. The report shall include a financial  
8 statement covering the fiscal year, clearly setting out the gross  
9 income, expenses, and net income inuring to the benefit of the chari-  
10 table organization, a balance sheet as of the close of the fiscal year  
11 and a schedule of the activities carried on by the organization in the  
12 performance of its purposes, and the amounts expended for them, during  
13 the fiscal year. An organization shall report its expenditures in  
14 accordance with standards and classifications of accounts prescribed  
15 by the department to effect uniform reporting by organizations having  
16 similar activities and programs. The report shall also include a state-  
17 ment of changes in the information required to be contained in the  
18 registration form filed on behalf of the organization. The report  
19 shall be signed by the president or other authorized officer and the  
20 chief fiscal officer of the organization, and accompanied by an opinion  
21 signed by an independent public accountant that the financial statement  
22 and balance sheet fairly represent the financial operations and position  
23 of the organization.

24           (b) An organization registered under sec. 20 of this chapter  
25 which receives in a fiscal year of the organization contributions of  
26 \$2,500 or less and all of whose fund-raising functions are carried on  
27 by persons who are unpaid for these services shall file a written report  
28 with the department on forms prescribed by it, within six months after  
29 the close of the fiscal year, that shall include a financial statement

1 covering the fiscal year limited to a statement of the organization's  
2 gross receipts from contributions, fund-raising expenses including a  
3 separate statement of the cost of goods, services or admissions supplied  
4 as part of its solicitations, and the disposition of the net proceeds  
5 from contributions. The report also shall include a statement of  
6 changes in the information required to be contained in the registration  
7 form filed on behalf of the organization. The report shall be signed  
8 by the president or other authorized officer and the chief fiscal  
9 officer who shall certify that the statements in the report are correct  
10 to the best of their knowledge.

11 (c) For a fiscal year of an organization registered under sec. 20  
12 of this chapter in which the organization would have been exempt under  
13 sec. 30 of this chapter if it had not been registered, or in which it  
14 did not solicit or receive contributions, the organization shall file,  
15 instead of the reports required by (a) or (b) of this section, a report  
16 in the form of an affidavit of its president and chief fiscal officer  
17 stating the exemption and the facts upon which it is based or that the  
18 organization did not solicit or receive contributions in the fiscal  
19 year. The affidavit also shall include a statement of changes in the  
20 information required to be contained in the registration form filed on  
21 behalf of the organization.

22 (d) A charitable organization registered under sec. 20 of this  
23 chapter, which is the parent organization of one or more chapters in  
24 the state, and its chapters may comply with the reporting requirements  
25 of (a), (b) or (c) of this section by filing a consolidated written  
26 report on forms prescribed by the department. As used in this section  
27 the term "chapter" means a branch, auxiliary, affiliate or other sub-  
28 ordinate unit of a registered charitable organization of whatever  
29 designation, whose policies, fund-raising activities and expenditures

1 are supervised or controlled by the parent organization. There shall  
2 be appended to a consolidated report a schedule containing the informa-  
3 tion that may be prescribed by the department, reflecting the activities  
4 of a chapter. The schedule shall contain a certification, under  
5 penalty of perjury, by an official of the organization certifying that  
6 the information contained in it is true. The failure of a parent  
7 organization to file an appropriate consolidated written report does  
8 not excuse either the parent organization or its chapters from complying  
9 with the provisions of (a), (b) or (c) of this section.

10 (e) The department shall cancel the registration of an organiza-  
11 tion which fails to comply with (a), (b) or (c) of this section within  
12 the time prescribed, or fails to furnish the additional information that  
13 is requested by the department within the required time. However, the  
14 department may extend the period of time in which the report required  
15 by this section or information requested by the department shall be  
16 filed. The extension of time may not exceed six months.

17 Sec. 10.50.050. EXAMINATION BY ATTORNEY GENERAL. (a) The  
18 records, books and reports maintained by a charitable organization  
19 registered or required to register under sec. 20 of this chapter shall  
20 be available for inspection by the attorney general at the principal  
21 office of the organization.

22 (b) A charitable organization is subject to examination by the  
23 attorney general to ascertain the condition of its affairs and to what  
24 extent, if at all, it has failed to comply with trusts which it has  
25 assumed or has departed from the general purpose for which it is formed  
26 In case of a failure or departure the attorney general shall institute  
27 the proceedings necessary to correct the noncompliance or departure.

28 Sec. 10.50.060. ENFORCEMENT BY ATTORNEY GENERAL. (a) In addi-  
29 tion to any other action authorized by law, the attorney general may

1 bring an action in the superior court against a charitable organization  
2 and any other persons acting for it or in its behalf to enjoin the  
3 organization and persons from continuing the solicitation or collection  
4 of funds or property or engaging in them or doing acts in their further-  
5 ance, and to cancel the registration statement previously filed with  
6 the department, when the attorney general believes that the charitable  
7 organization

8 (1) is operating in violation of the provisions of this  
9 chapter;

10 (2) has refused or failed, or its principal officers have  
11 refused or failed, after notice, to produce records of the organization;

12 (3) is employing or about to employ, or there is employed, or  
13 about to be employed, in the solicitation or collection of funds or other  
14 property for the organization, a device, scheme or artifice to defraud  
15 or for obtaining money or property by means of a false pretense, repre-  
16 sentation or promise;

17 (4) has made a material false statement in an application,  
18 registration or statement required to be filed under this chapter; or

19 (5) is soliciting funds by mail where the solicitation  
20 includes the sending of goods, wares or merchandise not ordered or re-  
21 quested by the recipient and less than 50 per cent of the total amount  
22 of the funds so raised is or will be devoted to the purported purposes  
23 of the charitable organization.

24 (b) The activity described in (a)(1) - (5) of this section is a  
25 fraud on the people of the state.

26 (c) Upon a showing by the attorney general in an application for  
27 an injunction that a person engaged in the solicitation or collection of  
28 funds for charitable purposes, either as an individual or as a member  
29 of a partnership, or as an officer of a corporation or as an agent for

1 some other person, or partnership or corporation, has been convicted  
2 in this state or elsewhere of a felony or of a misdemeanor involving  
3 the misappropriation, misapplication or misuse of the money or property  
4 of another, and who has not, subsequent to the conviction, received  
5 executive pardon for the conviction or a certificate of good conduct  
6 or rehabilitation from the parole board, the superior court, after  
7 hearing, may enjoin the person from engaging in the solicitation or  
8 collection of funds for charitable purposes.

9 (d) The attorney general may exercise the authority granted in  
10 this section against a charitable organization which operates under the  
11 guise or pretense of being an organization exempted by the provisions  
12 of sec. 30 of this chapter and is not in fact an organization entitled  
13 to an exemption.

14 Sec. 10.50.070. NONRESIDENT CHARITABLE ORGANIZATIONS; SERVICE OF  
15 PROCESS. A charitable organization having its principal place of busi-  
16 ness outside the state or organized under the laws of a foreign state  
17 that solicits contributions from people in this state is considered to  
18 have irrevocably appointed the commissioner of commerce as its agent  
19 upon whom may be served summons, subpoena, subpoena duces tecum, or  
20 other process directed to the charitable organization, or a partner,  
21 principal, officer or director in an action or proceeding brought by  
22 the attorney general under this chapter. A charitable organization may  
23 file with the commissioner a designation, in terms of complying with  
24 this section, duly acknowledged, irrevocably appointing the commis-  
25 sioner as its agent upon whom process may be served. However, a  
26 designation filed with the commissioner under AS 10.05.057 or 10.20.046  
27 also is a sufficient designation for the purposes of this section.  
28 Service of process upon the commissioner shall be made by personally  
29 delivering to and leaving with him a copy of it at the department's

1 office, and the service shall be sufficient service. However, notice  
2 of the service and a copy of the process immediately shall be sent by  
3 the attorney general to the charitable organization by certified mail,  
4 return receipt requested, at its office as set out in the registration  
5 form required to be filed under sec. 20 of this chapter, or in default  
6 of the filing of the form, at the last address known to the attorney  
7 general. Service of process shall be complete upon the receipt by the  
8 attorney general of a return receipt purporting to be signed by the  
9 addressee or a person qualified to receive his or its certified mail,  
10 in accordance with the rules and customs of the United States Postal  
11 Service, or, if acceptance was refused by the addressee or his or its  
12 agent, 10 days after the return to the attorney general of the original  
13 envelope bearing a notation by the postal service that receipt of it  
14 was refused.

15 ARTICLE 2. PROFESSIONAL FUND RAISERS AND SOLICITORS.

16 Sec. 10.50.080. PROFESSIONAL FUND RAISERS. (a) No person may  
17 act as a professional fund raiser for a charitable organization required  
18 to register under sec. 20 of this chapter before he has registered with  
19 the department or after the expiration or cancellation of the regis-  
20 tration or its renewal. Applications for registration and reregistra-  
21 tion shall be in writing, under oath, in the form prescribed by the  
22 department and accompanied by an annual fee of \$50. The applicant at  
23 the time of making application shall file with, and have approved by,  
24 a bond in which the applicant is the principal obligor in the sum of  
25 \$5,000, with one or more sureties whose liability in the aggregate as  
26 sureties will equal at least that sum. The bond shall run to the  
27 attorney general for the use of the state and to pay a person who may  
28 have a cause of action against the obligor of the bond for malfeasance  
29 or misfeasance in the conduct of the solicitation. Registration or

1 reregistration when effected shall be for a period of one year, or a  
2 part of it, expiring on March 31, and may be renewed by written applica-  
3 tion, under oath, on the form prescribed by the department and the  
4 filing of the bond and the fee prescribed in this section for addi-  
5 tional one-year periods. Applications for registration and reregistra-  
6 tion and bonds, when filed with the department, are public records in  
7 the department's office.

8 (b) A professional fund raiser shall maintain accurate, current  
9 books and records of his activities while required to be registered  
10 under this section. Until at least three years have elapsed after the  
11 end of the effective period of the registration to which they relate,  
12 he shall keep the books and records in his office available for inspec-  
13 tion and examination by the attorney general.

14 (c) Wilful violation of the provisions of this section is a  
15 misdemeanor.

16 Sec. 10.50.090. CONTRACTS. Contracts entered into between pro-  
17 fessional fund raisers and charitable organizations shall be in writing  
18 and a copy of the contract filed by the professional fund raiser who  
19 is a party to it with the department within 10 days after it is made.  
20 Copies of these contracts shall be kept on file in the offices of the  
21 charitable organization and the professional fund raiser during their  
22 term and until the expiration of a period of three years subsequent  
23 to the date the solicitation of contributions provided for in the  
24 contract terminates. Wilful violation of this section is a misdemeanor

25 Sec. 10.50.100. PROFESSIONAL SOLICITOR. No person may act as a  
26 professional solicitor in the employ of a professional fund raiser  
27 required to register under sec. 80 of this chapter before he has  
28 registered with the department or after the expiration or cancellation  
29 of the registration or its renewal. Application for registration or

1 reregistration shall be in writing, under oath, on the form prescribed  
2 by the department and accompanied by a fee of \$10. The registration or  
3 reregistration when effected shall be for a period of one year, or part  
4 of it, expiring on March 31, and may be renewed by written application,  
5 under oath, on the form prescribed by the department and the payment of  
6 the fee prescribed in this section for additional one-year periods.  
7 Applications for registration and reregistration, when filed with the  
8 department, are public records in the department's office. Wilful  
9 violation of the provisions of this section is a misdemeanor.

10 Sec. 10.50.110. ENFORCEMENT BY ATTORNEY GENERAL. When the  
11 attorney general believes that a professional fund raiser or professional  
12 solicitor is operating in violation of the provisions of this chapter,  
13 or has made a false statement in an application, registration or state-  
14 ment required to be filed under this chapter, or if a professional fund  
15 raiser has refused or failed, after notice, to produce a record  
16 demanded of him, or there is employed or is about to be employed in a  
17 solicitation or collection of contributions for a charitable organiza-  
18 tion a device, scheme or artifice to defraud or for obtaining money or  
19 property by means of a false pretense, representation or promise, in  
20 addition to any other action authorized by law, he may bring an action  
21 in the superior court against the professional fund raiser or profes-  
22 sional solicitor, and other persons who have participated or are about  
23 to participate in a solicitation or collection by employing a device,  
24 scheme, artifice, false representation or promise, to enjoin the pro-  
25 fessional fund raiser or professional solicitor, or other person from  
26 continuing the solicitation or collection or engaging in or doing any  
27 acts in furtherance of it, or to cancel a registration statement  
28 previously filed with the department.

29 Sec. 10.50.120. NONRESIDENT PROFESSIONAL FUND RAISERS AND

1 PROFESSIONAL SOLICITORS; SERVICE OF PROCESS. A professional fund raiser  
2 or professional solicitor who has his or its principal place of business  
3 outside the state or is organized under the laws of a foreign state and  
4 who solicits contributions from people in this state is considered to  
5 have irrevocably appointed the commissioner of commerce as his or its  
6 agent upon whom may be served any summons, subpoena, subpoena duces  
7 tecum, or other process directed to the professional fund raiser, pro-  
8 fessional solicitor or any partner, principal, officer, or director of  
9 it, in an action or proceeding brought by the attorney general under  
10 this chapter. A professional fund raiser or professional solicitor may  
11 file with the commissioner a designation, in terms of complying with  
12 this section, duly acknowledged, irrevocably appointing the commis-  
13 sioner as its agent upon whom process may be served. However, a desig-  
14 nation filed with the commissioner under AS 10.05.057 or 10.20.046  
15 also is a sufficient designation for the purposes of this section.  
16 Service of process upon the commissioner shall be made personally by  
17 delivering to and leaving with him a copy of it at the department's  
18 office, and the service shall be sufficient service. However, notice  
19 of the service and a copy of the process immediately shall be sent by  
20 the attorney general to the professional fund raiser or professional  
21 solicitor by certified mail, return receipt requested, at his or its  
22 office as set out in the registration form required to be filed under  
23 secs. 80 and 100 of this chapter, or in default of the filing of the  
24 form, at the last address known to the attorney general. Service of  
25 process shall be complete 10 days after the receipt by the attorney  
26 general of a return receipt purporting to be signed by the addressee  
27 or a person qualified to receive his or its certified mail, in accor-  
28 dance with the rules and customs of the United States Postal Service,  
29 or, if acceptance was refused by the addressee or his or its agent,

1 10 days after the return to the attorney general of the original  
2 envelope bearing a notation by the postal service that receipt of it  
3 was refused.

4 ARTICLE 3. MISCELLANEOUS.

5 Sec. 10.50.130. UNAUTHORIZED USE OF NAMES. (a) No person may,  
6 for the purpose of soliciting contributions from persons in this state,  
7 use the name of any person, except that of an officer, director or  
8 trustee of the charitable organization by or for which contributions  
9 are solicited, without the written consent of that other person.

10 (b) A person shall be considered to have used the name of another  
11 person for the purpose of soliciting contributions if the latter  
12 person's name is listed on stationery, in an advertisement, a brochure  
13 or in correspondence in or by which a contribution is solicited by or  
14 on behalf of a charitable organization or his name is listed or referred  
15 to in connection with a request for a contribution as one who has con-  
16 tributed to, sponsored or endorsed the charitable organization or its  
17 activities.

18 (c) Nothing contained in this section prevents the publication of  
19 names of contributors without their written consents in an annual or  
20 other periodic report issued by a charitable organization for the  
21 purpose of reporting on its operations and affairs to its membership  
22 or for the purpose of reporting contributions to contributors.

23 (d) Violation of this section is a misdemeanor.

24 Sec. 10.50.140. SOLICITATION BY UNREGISTERED CHARITABLE ORGANIZA-  
25 TIONS OR UNREGISTERED PROFESSIONAL FUND RAISERS. (a) No charitable  
26 organization required to be registered under this chapter may employ a  
27 professional fund raiser required to be registered under this chapter  
28 unless the fund raiser is registered.

29 (b) No professional fund raiser required to be registered under

1 this chapter may enter into a contract or raise funds for an organiza-  
2 tion required to be registered under this chapter unless the charitable  
3 organization is registered.

4 (c) No professional fund raiser required to be registered under  
5 this chapter may employ a professional solicitor who is not registered  
6 under this chapter.

7 (d) In addition to other remedies provided by law the attorney  
8 general may bring an action to enjoin the violation of the provisions  
9 of this section. The attorney general shall give notice of at least  
10 15 days in writing by certified mail to the organization, person or  
11 persons violating the provisions of this chapter, requiring that  
12 registration be accomplished or that the solicitation of funds be  
13 terminated immediately. Failure to discontinue solicitation immediately  
14 or to register under this chapter within 15 days of service of this  
15 notice is a continuing fraud upon the people of this state.

16 Sec. 10.50.150. ADVISORY COUNCIL. The attorney general may  
17 appoint an advisory council of not less than five nor more than ten  
18 persons to advise him and make recommendations with respect to the  
19 operation and administration of this chapter with the objective of  
20 assuring maximum compliance by charitable organizations with the pro-  
21 visions of this chapter. The attorney general shall designate the  
22 chairman of the advisory council and fix the terms of its members. The  
23 members serve without compensation but are entitled to per diem and  
24 travel expenses as may be authorized by law.

25 Sec. 10.50.160. ADMINISTRATIVE REGULATIONS. The attorney general  
26 shall promulgate under the Administrative Procedure Act (AS 44.62)  
27 those regulations he considers necessary for the effective administra-  
28 tion of this chapter.

29 Sec. 10.50.170. EXCHANGE OF INFORMATION, RECIPROCAL AGREEMENTS.

1 The attorney general may enter into reciprocal agreements with a like  
2 authority in another state or states to exchange information made avail-  
3 able to the department under this chapter. Under these agreements the  
4 attorney general may accept information filed by a charitable organiza-  
5 tion, professional fund raiser or professional solicitor, with another  
6 state in lieu of the information required to be filed by a charitable  
7 organization, professional fund raiser or professional solicitor under  
8 secs. 20, 80 and 100 of this chapter, if the information is substantially  
9 similar to the information required to be filed under those sections.

10 Sec. 10.50.180. CONSTRUCTION. This chapter shall operate prospec-  
11 tively and shall be liberally construed to meet its objectives, and the  
12 attorney general has all the powers necessary to carry out the purposes  
13 of this chapter.

14 Sec. 10.50.190. DEFINITIONS. In this chapter

15 (1) "charitable organization" means any benevolent, philan-  
16 thropic, patriotic, or ellemosynary person or one purporting to be the  
17 same;

18 (2) "commissioner" means the commissioner of commerce;

19 (3) "contribution" means the promise or grant of money or  
20 property of any kind or value, including a grant or other financial  
21 assistance from an agency of government, except payments by members of  
22 an organization for membership fees, dues, fines, or assessments, or for  
23 services rendered to individual members, if membership in the organiza-  
24 tion confers a bona fide right, privilege, professional standing, honor  
25 or other direct benefit, other than the right to vote, elect officers,  
26 or hold office;

27 (4) "department" means the Department of Law;

28 (5) "professional fund raiser" means a person who for compen-  
29 sation or other consideration plans, conducts, manages, or carries on a

1 drive or campaign in this state for the purpose of soliciting contribu-  
2 tions for or on behalf of a charitable organization or other person, or  
3 who engages in the business of, or holds himself out to persons in this  
4 state as independently engaged in the business of soliciting contribu-  
5 tions for that purpose; a bona fide officer or employee of a charitable  
6 organization is not considered a professional fund raiser;

7 (6) "professional solicitor" means a person who is employed  
8 or retained for compensation by a professional fund raiser to solicit  
9 contributions for charitable purposes from persons in this state.

10 Sec. 10.50.200. SHORT TITLE. This chapter shall be known and  
11 may be cited as the Alaska Charitable Organizations and Solicitations  
12 Act.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29