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1 IN THE HOUSE

BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR SENATE CS FOR CS FOR HOUSE BILL NO. 522

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Alaska Public Offices Com-
7 mission; and providing for an effective date."

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

9 * Section 1. AS 24.45.010 - 24.45.150 are repealed.

10 * Sec. 2. AS 24.45 is amended by adding new sections to read:

11 CHAPTER 45. REGULATION OF LOBBYING

12 [LEGISLATIVE REPRESENTATION].

13 ARTICLE 1. LEGISLATIVE DECLARATION OF PURPOSE.

14 Sec. 24.45.011. PURPOSE. The legislature finds and declares that
15 the operation of responsible representative democracy requires that the
16 fullest opportunity be afforded to the people to petition their govern-
17 ment for the redress of grievances and to express freely to individual
18 members of the legislature, to its committees, and to officials of the
19 executive branch, their opinions on pending legislation or administra-
20 tive actions; and that the people are entitled to know the identity,
21 income, expenditures and activities of those persons who pay, are paid
22 or reimbursed for expenses, or who make expenditures or other payments
23 in an effort to influence legislative or administrative action.

24 ARTICLE 2. ADMINISTRATION.

25 Sec. 24.45.021. ADMINISTRATION. (a) This chapter shall be
26 administered by the Alaska Public Offices Commission created under
27 AS 15.13.020(a).

28 (b) The commission shall promulgate regulations under the Adminis-
29 trative Procedure Act (AS 44.62) to implement the provisions of this

1 chapter.

2 Sec. 24.45.031. POWERS AND DUTIES. (a) In addition to its other
3 duties under this chapter, the commission shall

4 (1) prescribe the forms for registration, reports, state-
5 ments, notices and other documents required by this chapter;

6 (2) prepare and publish instructions setting out the methods
7 of accounting, bookkeeping and preservation of records required to
8 facilitate compliance with and enforcement of this chapter and explain-
9 ing the duties of persons subject to the provisions of this chapter;
10 the instructions shall be updated periodically;

11 (3) provide assistance to persons in complying with the
12 provisions of this chapter;

13 (4) prepare and publish an annual report of its activities,
14 findings and recommendations under this chapter, which shall be made
15 available to the governor, legislature and to the public by February 1
16 of each calendar year;

17 (5) report suspected violations of this chapter to the
18 attorney general.

19 (b) The commission may

20 (1) hold hearings and conduct investigations into compliance
21 with the provisions of this chapter;

22 (2) in conjunction with (1) of this subsection, issue sub-
23 poenas, compel the attendance and testimony of witnesses, administer
24 oaths and affirmations, and require the production of books, papers,
25 records, documents or other items material to the commission's duties or
26 powers under this chapter;

27 (3) prepare, publish, and make available to the public,
28 periodic, but at least quarterly and annually, summaries of the state-
29 ments and reports received; these summaries shall list separately

1 individual lobbyists and employers of lobbyists.

2 ARTICLE 3. DISCLOSURE: REGISTRATION AND REPORTS.

3 Sec. 24.45.041. REGISTRATION. (a) Before engaging in lobbying, a
4 lobbyist shall file a registration statement on a form prescribed by the
5 commission.

6 (b) The registration form prescribed by the commission shall
7 include

8 (1) the lobbyist's full name and complete permanent residence
9 and business address and telephone number, as well as any temporary
10 residential and business address and telephone number in the state
11 capital during a legislative session;

12 (2) the full name and complete address of each person by whom
13 the lobbyist is retained or employed;

14 (3) whether the person from whom the lobbyist receives
15 compensation employs him solely as a lobbyist or whether he is a regular
16 employee performing other services for his employer which include but
17 are not limited to the influencing of legislative or administrative
18 action;

19 (4) the nature or form of the lobbyist's compensation for
20 engaging in lobbying, including salary, fees or reimbursement for
21 expenses received in consideration for, or directly in support of or in
22 connection with, the influencing of legislative or administrative
23 action;

24 (5) a general description of the subjects or matters on which
25 the registrant expects to lobby or to engage in the influencing of
26 legislative or administrative action;

27 (6) the full name and complete address of the person, if
28 other than the registrant, who has custody of the accounts, books,
29 papers, bills, receipts and other documents required to be maintained

1 under this chapter.

2 (c) At the option of the registrant, the registration form may
3 be accompanied by four two and one-half inch by two and one-half inch
4 black and white photographs of the lobbyist. The photographs may not
5 be more than five years old. These photographs shall be included in
6 the directory published under (e) of this section.

7 (d) If a change occurs in any of the information contained in a
8 registration statement filed under (a) of this section, or in any
9 accompanying document, an appropriate amendment shall be filed with the
10 commission within 10 days after the change.

11 (e) Within 45 days after the convening of each regular session of
12 the legislature, the commission shall publish a directory of registered
13 lobbyists, containing the information prescribed in (b) of
14 this section for each lobbyist and the photograph, if any, furnished
15 by a lobbyist under (c) of this section. From time to time thereafter the
16 commission shall publish those supplements to the directory that in the
17 commission's judgment may be necessary. The directory shall be made
18 available to public officials and to the public at the following loca-
19 tions: a public place adjacent to the legislative chambers in the state
20 capitol building, the office of the lieutenant governor, the legislative
21 reference library of the Legislative Affairs Agency and the commission's
22 central office.

23 (f) Each lobbyist shall renew his registration annually by filing
24 a new registration statement together with a new authorization to act as
25 a lobbyist before engaging in lobbying. The lobbyist also shall file
26 any reports or statements he has failed to file for a previous reporting
27 period. The commission may not renew lobbying credentials until this
28 provision is complied with.

29 Sec. 24.45.051. REPORTS. Each lobbyist registered under sec. 41

1 of this chapter shall file with the commission a report concerning his
2 activities during each reporting period prescribed in sec. 81 of this
3 chapter, so long as the lobbyist continues to engage in lobbying activi-
4 ties. The report shall be made on a form prescribed by the commission
5 and filed in accordance with secs. 71 and 81 of this chapter. The
6 report also shall include any changes in the information required to be
7 supplied under sec. 41(b) of this chapter and the following information
8 for the reporting period, as applicable:

9 (1) the source of income, as defined in AS 39.50.200(8) and
10 the monetary value of all payments, including but not limited to salary,
11 fees, and reimbursement of expenses, received in consideration for or
12 directly or indirectly in support of or in connection with influencing
13 legislative or administrative action, and the full name and complete
14 address of each person from whom amounts or things of value have been
15 received and the total monetary value received from each person;

16 (2) the aggregate amount of disbursements or expenditures
17 made or incurred during the period in support of or in connection with
18 influencing legislative or administrative action by the lobbyist, or on
19 behalf of the lobbyist by his employer in the following categories:

- 20 (A) food and beverages;
21 (B) living accommodations;
22 (C) travel;

23 (3) the date and nature of any gift exceeding \$100 in value
24 made to a public official and the full name and official position of
25 that person;

26 (4) the name and official position of each public official,
27 and the name of each member of the immediate family of any of these
28 officials, with whom the lobbyist has engaged in an exchange of money,
29 goods, services or anything of more than \$100 in value and the nature and

1 date of each of these exchanges and the monetary values exchanged;

2 (5) the name and address of any business entity in which
3 the lobbyist knows or has reason to know that a public official is a
4 proprietor, partner, director, officer or manager, or has a controlling
5 interest, with whom the lobbyist has engaged in an exchange of money,
6 goods, services, or anything of value and the nature and date of each
7 exchange and the monetary value exchanged if the total value of these
8 exchanges is \$100 or more in a calendar year; and

9 (6) a notice of termination if the lobbyist has ceased the
10 lobbying activity which required his registration under this chapter and
11 if this report constitutes the final report of his activities.

12 Sec. 24.45.061. REPORTS BY EMPLOYERS OF LOBBYISTS. (a) Within 15
13 days after employing, retaining or contracting for the employment or re-
14 tention of a lobbyist, the person who employs, retains or who contracts
15 for the services of a lobbyist shall file a statement with the commis-
16 sion authorizing or verifying that employment, retention or contract for
17 lobbying services.

18 (b) A person who employs, retains or who contracts for the ser-
19 vices of one or more lobbyists, whether independently or jointly with
20 other persons, and who directly or indirectly makes payments to in-
21 fluence legislative or administrative action shall file a quarterly
22 report containing

23 (1) the full name, complete business address and telephone
24 number of the person making the report;

25 (2) information sufficient to identify the nature and inter-
26 ests of the person making the report;

27 (3) the total amount of payments made to influence legisla-
28 tive or administrative action during the period, and the name and
29 address of each person to whom these payments have been made during

1 the period by the maker of the report, together with the date and amount;

2 (4) the date and nature of any gift exceeding \$100 in value
3 made to any public official and the full name and official position of
4 the recipient of each gift;

5 (5) a general description of the legislative or administra-
6 tive action which the person making the report has attempted to influ-
7 ence;

8 (6) the name of each lobbyist employed or retained by the
9 person making the report, together with the total amount paid to each
10 lobbyist and the portion of that amount, if any, which was paid for
11 specific purposes, including salary, fees, and reimbursement for ex-
12 penses; and

13 (7) a notice of termination if the person filing a report
14 has ceased employing or retaining a lobbyist registered under this chap-
15 ter and if this report constitutes the final report of the lobbyist's
16 activities on behalf of the maker of the report.

17 Sec. 24.45.071. CERTIFICATION OF REPORTS. Every statement or
18 report required to be filed under this chapter shall identify the
19 full name of the person preparing it, his complete address and
20 telephone number, and shall be certified as complete and correct,
21 both by the person preparing it and by the person on whose behalf
22 it is filed.

23 Sec. 24.45.081. REPORTING PERIODS. Reports required under this
24 chapter shall be filed during the calendar month following each calendar
25 month during any part of which the legislature was in session and during
26 the month following each calendar quarter when the legislature was not
27 in session. However, if a lobbyist registered under this chapter has
28 declared that he seeks only to influence administrative action and not
29 legislative action he need only file a report required under this

1 chapter for each calendar quarter. The period covered shall be the
2 calendar month or the calendar quarter, as applicable, and shall in any
3 event cover the period from the date of the last report filed under this
4 chapter to the date of the end of the calendar month or quarter, as
5 applicable, for which the report is being filed. The period covered
6 shall not include any months covered in previous reports filed by the
7 same person. When total amounts are required to be reported, totals
8 shall be stated both for the period covered by the statement and for the
9 entire calendar year to date.

10 Sec. 24.45.091. PUBLICATION OF REPORTS. Copies of the statements
11 and reports filed under this chapter shall be made available to the
12 public at the commission's central office, the office of the lieutenant
13 governor, the legislative reference library of the Legislative Affairs
14 Agency, and at the commission's district offices prescribed in AS 15.-
15 13.020(j) as soon as practicable after each reporting period.

16 Sec. 24.45.101. PUBLIC RECORDS. Statements and reports filed
17 under this chapter are public records and shall be available for public
18 inspection and copying during normal business hours at the expense of
19 the person requesting copies; however, the charge for copying may not
20 exceed actual cost to the commission.

21 Sec. 24.45.111. PRESERVATION OF RECORDS. (a) A person required
22 to register or report as a lobbyist shall preserve all accounts, bills,
23 receipts, books, papers and documents necessary to substantiate the
24 reports required to be made and filed under this chapter for a period of
25 at least one year from the date of the filing of the report containing
26 these items. These accounts, bills, receipts, books, papers and other
27 documents shall be made available for inspection by the commission, or
28 members of its staff, at any time. If a lobbyist is required under the
29 terms of his employment contract to turn any records over to his employ-

1 er, responsibility for the preservation of these records under this
2 section rests with the employer.

3 (b) The commission shall preserve the statements and reports
4 required to be filed under this chapter for a period of six years
5 from the date of filing. If the commission's central office is not
6 in the state capital, copies of all statements and reports filed
7 under this chapter shall be maintained in an office established by
8 the commission in the state capital or in the office of the lieutenant
9 governor.

10 ARTICLE 4. ENFORCEMENT.

11 Sec. 24.45.121. PROHIBITIONS. (a) No lobbyist may

12 (1) engage in any activity as a lobbyist before registering
13 under sec. 41 of this chapter;

14 (2) do anything with the intent of placing a public official
15 under personal obligation to him or to his employer;

16 (3) intentionally deceive or attempt to deceive any public
17 official with regard to any material fact pertinent to pending or
18 proposed legislative or administrative action;

19 (4) cause or influence the introduction of a legislative
20 measure for the purpose of thereafter being employed to secure its
21 defeat;

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

25 (6) accept or agree to accept any payment in any way con-
26 tingent upon the defeat, enactment or outcome of any proposed legis-
27 lative or administrative action.

28 (b) No person may employ for pay or any consideration, or
29 pay or agree to pay consideration to, a person to lobby who is not

1 registered under sec. 41 of this chapter unless that person registers
2 and that person does in fact so register before engaging in lobbying.

3 Sec. 24.45.131. EXAMINATION OF STATEMENTS, REPORTS. (a) The
4 commission or its staff shall examine each statement or report filed
5 under this chapter within 10 days after the date it is filed. A person
6 required to file a statement or report under this chapter shall be noti-
7 fied immediately if

8 (1) it appears that the person has failed to file a statement
9 or report as required by law or that the statement or report filed does
10 not conform to the requirements of this chapter; or

11 (2) a written complaint is filed with the commission by any
12 qualified voter alleging that a statement or report filed with the
13 commission does not conform to the requirements of this chapter, or to
14 the truth, or that a person subject to the provisions of this chapter
15 has failed to file a statement or report in the manner prescribed by
16 this chapter.

17 (b) The commission shall conduct an investigation, and may there-
18 after conduct a hearing, into an allegation under (a)(2) of this section.

19 (c) The commission shall report any suspected violations of this
20 chapter to the attorney general, to a district attorney in the judicial
21 district where the alleged violation occurred, or to a grand jury.

22 Sec. 24.45.141. CIVIL PENALTY: LATE REGISTRATION, FILING OF
23 REQUIRED STATEMENTS OR REPORTS. A person who fails to register or to
24 file a properly completed and certified report or statement, as appli-
25 cable, within the time required by this chapter is subject to a civil
26 penalty of not more than \$10 a day for each day the delinquency con-
27 tinues as determined by the commission subject to right of appeal to the
28 superior court. An affidavit stating facts in mitigation may be sub-
29 mitted to the commission by a person against whom a civil penalty is

1 assessed. However, the imposition of the penalties prescribed in this
2 section or in sec. 151 of this chapter does not excuse the lobbyist or
3 employer of a lobbyist from filing statements or reports required by
4 this chapter.

5 Sec. 24.45.151. CRIMINAL PENALTIES. (a) An individual who
6 knowingly violates any provisions of this chapter, whether acting for
7 himself, on behalf of an employer or in concert with other persons, is,
8 upon conviction, punishable by a fine of not more than \$1,000, or by
9 imprisonment for not more than one year, or by both.

10 (b) An individual who knowingly causes, participates in, aids,
11 abets, ratifies or confirms any violation of a provision of this chapter
12 is, upon conviction, punishable by a fine of not more than \$1,000, or by
13 imprisonment for not more than one year, or by both.

14 (c) A person, other than an individual, who knowingly violates any
15 provision of this chapter, whether acting for himself, on behalf of an
16 employer or in concert with other persons, or who knowingly causes,
17 participates in, aids, abets, ratifies or confirms any violation of a
18 provision of this chapter is, upon conviction, punishable by a fine of
19 not more than \$10,000 for each offense.

20 (d) A person who knowingly makes a false or misleading report or
21 statement required under this chapter is, upon conviction, punishable
22 by a fine of not more than \$1,000, or by imprisonment for not more than
23 one year, or by both.

24 ARTICLE 5. GENERAL PROVISIONS.

25 Sec. 24.45.161. EXEMPTIONS. (a) This chapter does not apply to

26 (1) an individual

27 (A) who lobbies without payment of compensation or other
28 consideration and makes no disbursement or expenditure for or on
29 behalf of a public official to influence legislative or administra-

1 tive action other than to pay his reasonable personal travel and
2 living expenses; and

3 (B) who limits his lobbying activities to appearances
4 before public sessions of the legislature, or its committees or
5 subcommittees, or to public hearings or other public proceedings of
6 state agencies;

7 (2) an elected or appointed state or municipal public officer
8 or an employee of the state or a municipality acting in his official
9 capacity or within the scope of his employment;

10 (3) any newspaper or other periodical of general circulation,
11 book publisher, radio or television station (including an individual who
12 owns, publishes or is employed by that newspaper or periodical, radio or
13 television station) which publishes news items, editorials or other
14 comments, or paid advertisements, which directly or indirectly urge
15 legislative or administrative action if the newspaper, periodical, book
16 publisher, radio or television station or individual engages in no
17 further or other activities in connection with urging or advocating
18 legislative or administrative action other than to appear before public
19 sessions of the legislature, or its committees or subcommittees, or
20 public hearings or other public proceedings of state agencies;

21 (4) a person who appears before the legislature or either
22 house, or standing, special or interim committee, in response to an in-
23 vitation issued under (c) of this section.

24 (b) Nothing in this chapter may be construed as prohibiting or
25 affecting the rendering of professional services in drafting legislative
26 measures or in advising clients and in rendering opinions as to the
27 construction or effect of proposed or pending legislative or adminis-
28 trative action when these professional services are not otherwise
29 connected with influencing or attempting to influence legislative or

1 administrative action. Nor does anything in this chapter prevent
2 members of the legislature from discussing with constituents the ad-
3 visability of passing legislation then pending before, or proposed to be
4 presented to, the legislature.

5 (c) Either house of the legislature by resolution, or both houses
6 of the legislature by concurrent resolution, may invite a person to
7 appear to speak before the legislature or either house with reference to
8 any pending matter. A standing, special or interim committee of either
9 house of the legislature may, upon the concurrence of a majority of its
10 members, extend an invitation to any person to appear before the com-
11 mittee to give information in regard to, or explain, any matter pending
12 before the committee.

13 (d) An individual exempt from this chapter under (a)(1) of this
14 section may, at his option, register and report under this chapter.

15 Sec. 24.45.171. DEFINITIONS. In this chapter

16 (1) "administrative action" means the proposal, drafting,
17 development, consideration, amendment, adoption, approval, promulgation,
18 issuance, modification, rejection or postponement by any state agency of
19 any rule, regulation, order, decision, determination, or any other
20 quasi-legislative or quasi-judicial action or proceeding whether or not
21 governed by the Administrative Procedure Act (AS 44.62);

22 (2) "agency" means a state department, division, commission,
23 board, office, bureau, institution, corporation, authority, organiza-
24 tion, committee, council or board in the executive branch, or indepen-
25 dent of the executive branch, of state government;

26 (3) "gift"

27 (A) means any payment to the extent that consideration
28 of equal or greater value is not received;

29 (B) includes but is not limited to:

1 (1) a loan, loan guarantee, forgiveness of a loan,
2 payment of a loan by a third party, or an enforceable promise
3 to make a payment except when full and adequate consideration
4 is received;

5 (ii) the purchase of tickets for travel or for en-
6 tertainment events; and

7 (iii) the granting of discounts or rebates for goods
8 or services not extended to the public generally;

9 (C) does not include:

10 (i) informational or promotional materials, includ-
11 ing but not limited to books, reports, pamphlets, calendars or
12 periodicals; however, payments for travel or reimbursement for
13 expenses may not be considered "informational material";

14 (ii) food and beverages consumed in places of public
15 accommodation;

16 (4) "immediate family" means the spouse and dependent chil-
17 dren of an individual;

18 (5) "individual" means a natural person;

19 (6) "influencing legislative or administrative action" means
20 promoting, advocating, supporting, modifying, opposing or delaying or
21 seeking to do the same with respect to any legislative or administrative
22 action by means including but not limited to the provision or use of
23 information, statistics, studies, analyses in written or oral form or
24 format;

25 (7) "legislative action" means the preparation, research,
26 drafting, introduction, consideration, modification, amendment, approv-
27 al, passage, enactment, defeat or rejection of any bill, resolution,
28 amendment, motion, report, nomination, appointment or other matter by
29 the legislature, or by a standing, interim or special committee of the

1 legislature, or by a member or employee of the legislature acting in his
2 official capacity; it includes, but is not limited to, the action of the
3 governor in approving or vetoing a bill or the action of the legis-
4 lature in considering, overriding or sustaining that veto and the
5 action of the legislature in considering, confirming or rejecting an
6 executive appointment of the governor;

7 (8) "lobbyist" means

8 (A) a person who is employed and receives payments, or
9 who contracts for economic consideration, including reimbursement
10 for reasonable travel and living expenses, to communicate directly
11 or through his agents with any public official for the purpose of
12 influencing legislative or administrative action if a substantial
13 or regular portion of the activities for which he receives con-
14 sideration is for the purpose of influencing legislative or ad-
15 ministrative action; or

16 (B) a person who represents himself as engaging in the
17 influencing of legislative or administrative action as a business,
18 occupation or profession;

19 (9) "payment" means the disbursement, distribution, transfer,
20 loan, advance, deposit, gift or other rendering or tendering of money,
21 property, goods or services or anything else of value;

22 (10) "payment to influence legislative or administrative
23 action" means any of the following:

24 (A) a direct or indirect payment to a lobbyist whether
25 for salary, fee, compensation for expenses, or any other purpose,
26 by a person employing, retaining or contracting for the services of
27 the lobbyist separately or jointly with other persons;

28 (B) a payment in support of or assistance to a lobbyist
29 or his activities, including but not limited to the direct payment

1 of expenses incurred at the request or suggestion of the lobbyist;

2 (C) a payment which directly benefits a public official
3 or a member of the immediate family of that official;

4 (D) a payment, including compensation, payment or re-
5 imbursement for the services, time or expenses of an employee for
6 or in connection with direct communication with a public official;

7 (E) a payment for or in connection with soliciting or
8 urging other persons to enter into direct communication with a
9 public official;

10 (F) a payment or reimbursement for expenses in the
11 categories set out in sec. 51(2) of this chapter;

12 (11) "person", in addition to the terms set out in AS 01.10.-
13 060(7), includes a labor union; and

14 (12) "public official" or "public office" means a public
15 official or public office as defined in AS 39.50.200(1); however, it
16 does not include a judicial officer or an elected or appointed municipal
17 officer.

18 Sec. 24.45.181. SHORT TITLE. This chapter may be cited as the
19 Regulation of Lobbying Act.

20 * Sec. 3. AS 15.13.030(8) is amended to read:

21 (8) examine, investigate and compare all reports, statements
22 and actions required by this chapter, AS 24.45 and AS 39.50 and to
23 report to the attorney general the names of all persons or groups which
24 the commission has substantial reason to believe have violated this
25 chapter, AS 24.45 or AS 39.50;

26 * Sec. 4. AS 15.13.030(1) is amended to read:

27 (1) develop and provide all forms for the reports and state-
28 ments required to be made under this chapter, AS 24.45 and AS 39.50;

29 * Sec. 5. AS 15.13.030(10) is amended to read:

1 (10) adopt regulations necessary to implement and clarify the
2 provisions of AS 24.45, AS 39.50 and this chapter, subject to the pro-
3 visions of the Administrative Procedure Act (AS 44.62).

4 * Sec. 6. AS 15.13 is amended by adding a new section to read:

5 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS.

6 A person who fails to file a properly completed and certified report
7 within the time required by sec. 110(a)(1), (3), (4) or 110(d) of this
8 chapter is subject to a civil penalty of not more than \$10 a day for
9 each day the delinquency continues as determined by the commission sub-
10 ject to right of appeal to the superior court. A person who fails to
11 file a properly completed and certified report within the time required
12 by sec. 110(a)(2) or 110(b) of this chapter is subject to a civil
13 penalty of not more than \$50 a day for each day the delinquency con-
14 tinues as determined by the commission subject to right of appeal to
15 the superior court. An affidavit stating facts in mitigation may be
16 submitted to the commission by a person against whom a civil penalty is
17 assessed. However, the imposition of the penalties prescribed in this
18 section or in sec. 120 of this chapter does not excuse that person from
19 filing reports required by this chapter.

20 * Sec. 7. AS 39.50.050 is amended by adding a new subsection to read:

21 (d) To facilitate the filing of reports under AS 24.25 (Regulation
22 of Lobbying) and the information required to be provided under AS 24.45.
23 051(4) and (5), the commission shall publish copies of the reports
24 required under this chapter not later than the convening of each regular
25 session of the legislature. Copies of this publication shall be pro-
26 vided on request; however, the commission may make a charge for the
27 publication which may not exceed the actual cost of printing, postage
28 and handling.

29 * Sec. 8. AS 39.50 is amended by adding a new section to read:

1 Sec. 39.50.135. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS.

2 A person who fails to file a properly completed and certified report
3 within the time required by this chapter is subject to a civil penalty
4 of not more than \$10 a day for each day the delinquency continues as the
5 commission determines subject to appeal to the superior court. An
6 affidavit stating facts in mitigation may be submitted to the commission
7 by a person against whom a civil penalty is assessed. However, the im-
8 position of the penalties prescribed in this section or in secs. 60 -
9 130 of this chapter does not excuse that person from filing reports re-
10 quired by this chapter.

11 * Sec. 9. Records, papers, documents or other materials relating to the
12 administration of AS 24.45 before July 1, 1976 shall be transferred from the
13 Department of Administration to the Alaska Public Offices Commission on
14 July 1, 1976.

15 * Sec. 10. Sections 6 and 8 of this Act take effect immediately in accord-
16 ance with AS 01.10.070(c). Sections 1 - 5, 7 and 9 of this Act take effect
17 July 1, 1976. However, the initial reports required under AS 24.45.051 -
18 24.45.061 are due for the reporting period beginning January 1, 1977, and
19 shall be filed not later than February 28, 1977.
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