

Introduced: 3/17/78
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE
BY REQUEST

2 HOUSE BILL NO. 895

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to lobbying; and providing for an
7 effective date."

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

9 * Section 1. AS 24.45 is amended by adding new sections to read:

10 Sec. 24.45.200. PROHIBITIONS AND PENALTIES. (a) No lobbyist may
11 offer a gift to a public official or employee in connection with an
12 attempt to influence legislative or administrative action.

13 (b) No public official or employee may accept a gift from a lob-
14 byist in connection with an attempt to influence legislative or admini-
15 strative action.

16 (c) A person who knowingly violates a provision of this section
17 is, upon conviction, punishable by a fine of not more than \$5,000 or by
18 imprisonment for not more than one year, or by both.

19 Sec. 24.45.210. REGISTRATION OF LOBBYISTS. (a) A lobbyist shall
20 register before engaging in lobbying. A registration is effective for
21 the remainder of the calendar year; if the information as to the iden-
22 tity of the person for whom the lobbyist is employed or retained or the
23 person who will benefit from the lobbying changes, a new registration is
24 required within 10 days of the change.

25 (b) No charge or fee may be collected in connection with a regis-
26 tration under this section.

27 (c) The commission shall prescribe the form for registration under
28 this section to include the following information:

29 (1) the lobbyist's full name, permanent business address, and

1 any temporary business address;

2 (2) the name and address of each person by whom the lobbyist
3 is employed or retained and the person who will benefit from the
4 lobbying, if different;

5 (3) a description of the subjects or matters on which the
6 lobbyist expects to attempt to influence legislative or administrative
7 action;

8 (4) the expected compensation or reimbursement for expenses
9 for lobbying.

10 (d) A person who ceases to lobby before the end of the calendar
11 year shall file a statement with the commission advising when his ser-
12 vices terminated.

13 (e) A person who fails to register within the time required by
14 this section is subject to a civil penalty of not more than \$10 for each
15 day the delinquency continues as determined by the commission. The
16 determination of the commission is subject to a right of appeal to the
17 superior court; a person subject to the civil penalty may submit facts
18 in mitigation of the penalty. Imposition of penalties does not excuse
19 a failure to register.

20 (f) The commission shall publish a report 45 days after the end
21 of each quarter containing the information reported under this section.

22 Sec. 24.45.220. REPORT BY LOBBYISTS. (a) A lobbyist who receives
23 no compensation or reimbursement for expenses for lobbying need file
24 no reports under this section and sec. 210(c)(4) of this chapter.

25 (b) A lobbyist who receives or earns compensation or reimburse-
26 ment for expenses for work as a lobbyist during any calendar quarter
27 shall report the amounts to the commission within 15 days after the end
28 of the calendar quarter in which the compensation or reimbursement for
29 expenses is received or earned.

1 Sec. 24.45.230. REGULATIONS. The commission may adopt regulations
2 to implement secs. 200 - 250 of this chapter.

3 Sec. 24.45.240. DEFINITIONS. In secs. 200 - 250 of this chapter

4 (1) "an attempt to influence administrative action" means
5 efforts by the lobbyist concerned with the approval, disapproval, modi-
6 fication, or postponement by a state agency of state action;

7 (2) "an attempt to influence legislative action" means
8 efforts by the lobbyist concerned with the approval, disapproval, modi-
9 fication, or postponement by the legislature, a committee of the legis-
10 lature, or a legislator of a bill, resolution, or other legislative
11 action;

12 (3) "agency" means a state department, commission, board or
13 other entity, including the University of Alaska, in the executive
14 branch;

15 (4) "commission" means the Public Offices Commission;

16 (5) "gift" means an act or forbearance for which equal or
17 greater value is not received in return; "gift" does not mean food or
18 beverages actually and promptly consumed in places of public or private
19 accommodation;

20 (6) "lobbyist" means a person who seeks to influence legis-
21 lative or administrative action which will benefit another person;
22 "lobbyist" does not include a person whose attempt to influence legis-
23 lative or administrative action

24 (A) will benefit only himself or members of his imme-
25 diate family;

26 (B) is limited to appearances before public sessions of
27 the legislature, its committees or subcommittees, or to public
28 hearings or public proceedings of state agencies;

29 (C) occurs within the scope of his responsibilities as

1 an elected or appointed state or municipal officer;

2 (D) results from an invitation to testify from the
3 legislature or an administrative agency;

4 (E) is limited to representations by attorneys on behalf
5 of clients before executive agencies; or

6 (F) involves contact between an elected officer of the
7 state and a constituent on the responsibilities of the elected
8 officer;

9 (7) "person" includes a labor union in addition to the terms
10 set out in AS 01.10.060(7);

11 (8) "public official or employee" means a public official as
12 defined in AS 39.50.200(1) or an employee of the executive or legis-
13 lative branch of the state government; it does not include a judicial
14 officer or employee or an elected or appointed municipal officer or
15 employee.

16 Sec. 24.45.250. CAMPAIGN CONTRIBUTIONS. Nothing in secs. 200 -
17 250 of this chapter prohibits contributions which comply with the re-
18 quirements of AS 15.13.

19 * Sec. 2. AS 24.45.011 - 24.45.181 are repealed.

20 * Sec. 3. This Act takes effect July 1, 1978.