

Original sponsors: Randolph, Barnes,
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Offered: 6/5/80

1 IN THE HOUSE

BY THE FREE CONFERENCE COMMITTEE

2 FREE CONFERENCE CS FOR HOUSE BILL NO. 230

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to elections; establishing the required
7 number of signatures for nominating petitions; relating
8 to initiative petitions; and amending the statutes
9 relating to the Alaska Public Offices Commission; re-
10 lating to penalties for violations of AS 15.13; and
11 providing for an effective date."

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

13 * Section 1. AS 15.25.160 is amended to read:

14 Sec. 15.25.160. REQUIRED NUMBER OF SIGNATURES FOR STATEWIDE OFFICE.
15 Petitions for the nomination of candidates for the office of governor,
16 lieutenant governor, United States senator and United States representa-
17 tive shall be signed by qualified voters of the state equal in number to
18 at least two [THREE] percent of the number of votes cast in the preced-
19 ing general election. Candidates for the office of governor and lieu-
20 tenant governor shall file jointly.

21 * Sec. 2. AS 15.25.170 is amended to read:

22 Sec. 15.25.170. REQUIRED NUMBER OF SIGNATURES FOR DISTRICT-WIDE
23 OFFICE. Petitions for the nomination of candidates for the office of
24 state senator or state representative shall be signed by qualified
25 voters of the election or senate district in which the proposed nominee
26 desires to be a candidate equal in number to at least two [THREE] per-
27 cent of the number of votes cast in his respective election or senate
28 district in the preceding general election, provided that no nominating
29 petition need contain more than 200 signatures nor may it contain less

1 than 50 signatures for any district.

2 * Sec. 3. AS 15.30.025(a) is amended to read:

3 (a) A limited political party may be organized for the purpose of
4 selecting candidates for electors of President and Vice President of the
5 United States by filing a petition with the director at least 90 days
6 before a presidential general election signed by qualified voters of
7 this state equaling in number at least two [THREE] percent of Alaska's
8 total vote for President at the last presidential election. The
9 petition shall state that the signers intend to organize a limited
10 political party, that they intend to select candidates for electors of
11 President and Vice President of the United States at the next succeeding
12 presidential election, and the name of the limited political party.

13 * Sec. 4. AS 15.40.100 is amended to read:

14 Sec. 15.40.100. REQUIREMENTS OF PETITION FOR NO-PARTY CANDIDATES.
15 Petitions for the nomination of candidates not representing a political
16 party shall be signed by qualified voters of the state equal in number
17 to at least two [THREE] percent of the number of votes cast in the
18 preceding general election, and shall state in substance that which is
19 required in petitions for nomination for general elections provided in
20 AS 15.25.180.

21 * Sec. 5. AS 15.40.190 is amended to read:

22 Sec. 15.40.190. REQUIREMENTS OF PETITION OF NO-PARTY CANDIDATES.
23 Petitions for the nomination of candidates not representing a political
24 party shall be signed by qualified voters of the state equal in number
25 to at least two [THREE] percent of the number of votes cast in the
26 preceding general election and shall state in substance that which is
27 required for nomination petitions by AS 15.25.180.

28 * Sec. 6. AS 15.40.280 is amended to read:

29 Sec. 15.40.280. REQUIREMENTS OF PETITION OF NO-PARTY CANDIDATES.

1 Petitions for the nomination of candidates not representing a political
2 party shall be signed by qualified voters of the state equal in number
3 to at least two [THREE] percent of the number of votes cast in the
4 preceding general election, shall include nominees for the office of
5 governor and lieutenant governor, and shall state in substance that
6 which is required for nomination petitions by AS 15.25.180.

7 * Sec. 7. AS 15.40.440 is amended to read:

8 Sec. 15.40.440. REQUIREMENTS OF PETITION FOR NO-PARTY CANDIDATES.
9 Petitions for the nomination of candidates not representing a political
10 party shall be signed by qualified voters equal in number to at least
11 two [THREE] percent of the number of votes cast in his respective elec-
12 tion or senate district in the preceding general election, provided that
13 no nominating petition need contain more than 200 signatures nor may it
14 contain less than 50 signatures for any district, and shall state in
15 substance that which is required in petitions for nomination for general
16 elections provided in AS 15.25.180.

17 * Sec. 8. AS 15.45.070 is amended to read:

18 Sec. 15.45.070. REVIEW OF APPLICATION FOR CERTIFICATION. The
19 lieutenant governor shall review the application and shall either
20 certify it or notify the initiative committee of the grounds for denial
21 within 30 days of the application.

22 * Sec. 9. AS 15.45.090 is amended to read:

23 Sec. 15.45.090. PREPARATION OF PETITION. If the application is
24 certified, the lieutenant governor shall within 45 days of certification
25 of the application prescribe the form of and prepare petitions containing
26 (1) a copy of the proposed bill, if the number of words included in both
27 the formal and substantive provisions of the bill is 500 or less, (2) an
28 impartial summary of the subject matter of the bill, (3) the warning
29 prescribed in AS 15.45.100, (4) sufficient space for signature and

1 address, and (5) other specifications prescribed by the lieutenant
2 governor to assure proper handling and control. Petitions, for purposes
3 of circulation, shall be prepared by the lieutenant governor in a number
4 reasonably calculated to allow full circulation throughout the state.
5 The lieutenant governor shall number each petition and shall keep a
6 record of the petition delivered to each sponsor. Sponsors certified
7 on the initial application shall be mailed petitions within 15 days of
8 the day petitions are available to the lieutenant governor. Subsequent
9 qualified sponsors shall be certified and have petitions mailed to them
10 within 15 days of receipt of the sponsor's application by the lieutenant
11 governor. Upon request of the committee, the lieutenant governor shall
12 report the number of persons who voted in the preceding general election.

13 * Sec. 10. AS 15.13.010(a) is amended to read:

14 (a) This chapter applies in every election for governor, lieutenant
15 governor, a member of the state legislature, a delegate to a constitu-
16 tional convention, or judge seeking electoral confirmation. It also
17 applies to every candidate for election to a municipal office in a city
18 or borough with a population of more than 1,000 inhabitants according to
19 the latest United States census figures or estimates of population
20 certified as correct for administrative purposes by the Department of
21 Community and Regional Affairs. A municipality may exempt candidates
22 for municipal office and persons and groups active in municipal election
23 campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of this
24 chapter if a majority of the voters voting on the question at any regular
25 election, as defined by AS 29.78.010(14), or a special municipality-wide
26 election called for that purpose, vote to exempt candidates for municipal
27 office and persons and groups active in municipal election campaigns
28 [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of this chapter.
29 The question of exemption from the requirements of this chapter may be

1 submitted by the city council or borough assembly by ordinance or by
2 initiative ordinance. Nothing in this chapter prohibits a municipality
3 from regulating by ordinance campaign contributions and expenditures.

4 * Sec. 11. AS 15.13.020(b) is repealed and re-enacted to read:

5 (b) The commission consists of five members appointed by the
6 governor and confirmed by the legislature. No more than two of the
7 members of the commission may be of the same political party.

8 * Sec. 12. AS 15.13.020(d) is repealed and re-enacted to read:

9 (d) Members of the commission serve three year terms. A member of
10 the commission serves until his successor is appointed and qualified.
11 The terms of two commission members who are members of the same political
12 party may not expire in consecutive years. The term of office of a
13 member of the commission dates from February 1 of the year of appoint-
14 ment.

15 * Sec. 13. AS 15.13.020(h) is amended to read:

16 (h) A vacancy on the commission shall be filled by the governor
17 [APPROPRIATE APPOINTING AUTHORITY] within 30 days of the occurrence of
18 the vacancy. The appointee shall serve for the remaining term of his
19 predecessor.

20 * Sec. 14. AS 15.13.030 is amended by adding new subsections to read:

21 (b) A new or amended regulation of the commission may not be
22 applied to a candidate or group during a period beginning 30 days before
23 the last date to file a declaration of candidacy or a nominating petition
24 in a state election and ending the day after the general election.

25 (c) A new or amended regulation of the commission may not be
26 applied to a candidate or group during a period beginning 30 days before
27 the last day to file a declaration of candidacy or a nominating petition
28 in a municipal election and ending the day after the municipal election.

29 * Sec. 15. AS 15.13.040(d) is amended to read:

1 (d) Every individual or [,] person, and every [OR] group that is
2 not required to report in accordance with (b) of this section, making an
3 [A CONTRIBUTION OR] expenditure shall make a full report, upon a form
4 prescribed by the commission, of [THE FOLLOWING CONTRIBUTIONS OR EXPEN-
5 DITURES: (1) ANY CONTRIBUTION OF CASH, GOODS OR SERVICES VALUED AT
6 MORE THAN \$100 A YEAR TO ANY GROUP OR CANDIDATE; OR (2)] any expenditure
7 whatsoever for advertising in newspapers, on radio or on television; or,
8 for the publication, distribution or circulation of brochures, flyers,
9 or other campaign material for or against any candidate, [OR] ballot
10 proposition or question.

11 * Sec. 16. AS 15.13.040(e) is amended to read:

12 (e) The report required under (d) of this section shall contain
13 the name, address, principal occupation and employer of the individual
14 filing the report, and an itemized list of expenditures. The report
15 shall be filed with the commission [BY THE CONTRIBUTOR] no later than 10
16 days after the [CONTRIBUTION OR] expenditure is made. [A COPY OF THE
17 REPORT SHALL BE FURNISHED TO THE CANDIDATE, CAMPAIGN TREASURER OR DEPUTY
18 CAMPAIGN TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

19 * Sec. 17. AS 15.13 is amended by adding a new section to read:

20 Sec. 15.13.042. FILING A REPORT OF NO CAMPAIGN ACTIVITY. (a) A
21 candidate who does not intend to receive contributions or make expendi-
22 tures may file a report, upon a form prescribed by the commission,
23 informing the commission of his intent. The report may be filed only
24 once, and may be filed either before or at the time the candidate's
25 first report is due under AS 15.13.110. The report shall be certified
26 as correct by the candidate.

27 (b) A candidate who receives contributions or makes expenditures
28 after filing a certified report under (a) of this section forfeits his
29 exemption from the reporting requirements of this chapter, and shall

1 file reports in accordance with AS 15.13.110. The first report is due
2 on the reporting date following the receipt of a contribution or making
3 of an expenditure by the candidate. A candidate who receives an unsoli-
4 cited contribution may return that contribution to the contributor
5 without losing the exemption provided in this section.

6 * Sec. 18. AS 15.13.045 is amended by adding a new subsection to read:

7 (e) The commission shall adopt regulations conforming to the
8 intent of AS 44.62.230 - 44.62.630 to ensure a fair and impartial process
9 for the taking of evidence and holding hearings in investigations and
10 audits of the commission.

11 * Sec. 19. AS 15.13.050 is amended to read:

12 (a) Each group, before making an expenditure on behalf of, or in
13 opposition to, a candidate, or a contribution to a candidate, shall
14 register, on forms provided by the commission, with the commission. If
15 the group intends to support or oppose only one candidate, or to contri-
16 bute to or expend on behalf of, or in opposition to, one candidate 50
17 per cent or more of its funds, the name of the candidate shall be a part
18 of the name of the group. Promptly upon receiving the registration, the
19 commission shall notify the candidate of the group's organization and
20 intent. A group that makes expenditures or receives contributions with
21 the express or implied authorization or consent, or under the direct or
22 indirect control, of a candidate, is considered to be controlled by that
23 candidate. A group whose major purpose is to further the nomination or
24 election of a single candidate, or which intends to expend 50 percent or
25 more of its money on a single candidate, is considered to be controlled
26 by that candidate and its actions considered to have been done with the
27 knowledge and consent of the candidate unless, within 10 days from the
28 date the candidate learns from the commission of the existence of the
29 group, he files with the commission, on a form provided by the commis-

1 sion, an affidavit certifying that the group is operating without his
2 control. A group that contributes 50 percent or more of its money to
3 or on behalf of a single candidate is considered to support only that
4 single candidate for purposes of AS 15.13.070, whether or not control
5 of the group has been disclaimed by the candidate. A group organized
6 for more than one year preceding an election which endorses candidates
7 for more than one office or candidates of more than one political party
8 is presumed not to be controlled by a single candidate.

9 * Sec. 20. AS 15.13.070(a) is amended to read:

10 (a) A [NO] person or group, including but not limited to all
11 political committees, businesses, corporations, and labor unions, may
12 not contribute [TO OR EXPEND] more than \$1,000 a year on behalf of or in
13 opposition to a candidate [THE COMPETING CANDIDATES] for [EACH] elective
14 office. Political parties and their subdivisions are not subject to the
15 limitation prescribed in this subsection, but they are subject to the
16 reporting requirements prescribed by AS 15.13.040(b) and 15.13.110.

17 Nothing in this chapter prohibits

18 (1) a candidate from contributing more than \$1,000 of his own
19 money to his own campaign; or

20 (2) individuals or groups, including but not limited to all
21 political committees, businesses, corporations, and labor unions, from
22 contributing to or expending on behalf of a ballot proposition or ques-
23 tion more than \$1,000 a year; however, these contributions and expendi-
24 tures shall be reported in accordance with AS 15.13.040 and 15.13.110.

25 * Sec. 21. AS 15.13.070(d) is amended to read:

26 (d) No contribution may be made, and no expenditure may be made or
27 incurred, directly or indirectly, anonymously, in a fictitious name, or
28 by one person or group in the name of another, to influence the election
29 of a candidate in an election. A contribution made by a person wishing

1 to remain anonymous, and received by a candidate, campaign treasurer or
2 deputy campaign treasurer, may not be used or expended, but shall be
3 returned to the donor, if his identity is known, and if no donor is
4 found, the contribution escheats to the state if not donated by the
5 candidate to the charity of his choice. A candidate may accept contri-
6 butions of \$5 or less without recording the name of the contributor.

7 * Sec. 22. AS 15.13.090 is amended by adding a new subsection to read:

8 (b) The commission may by regulation exempt from the requirements
9 of (a) of this section communications which in its judgment do not
10 afford space for the identification required under (a) of this section.

11 * Sec. 23. AS 15.13.100 is amended to read:

12 Sec. 15.13.100. EXPENDITURES, CONTRIBUTIONS AND REGISTRATION BE-
13 FORE FILING. Political campaign contributions may be made or received,
14 and expenditures [NO POLITICAL CAMPAIGN EXPENDITURE] may be made or
15 incurred by a candidate [PERSON] in an election, or by a person or group
16 with the candidate's [HIS] knowledge and on the candidate's [HIS] be-
17 half, before the date upon which the candidate [HE OR SHE] files for
18 nomination for the office which he [THE PERSON] seeks. However, these
19 contributions and expenditures [, EXCEPT FOR PERSONAL TRAVEL EXPENSES OR
20 FOR OPINION SURVEYS OR POLLS. THESE EXPENDITURES SHALL BE CHARGED
21 AGAINST THE SPENDING LIMITATION THAT APPLIES TO THE OFFICE FOR WHICH HE
22 SUBSEQUENTLY FILES, AND] shall be included in the first report required
23 under AS 15.13.110 [THIS CHAPTER AFTER FILING FOR OFFICE].

24 * Sec. 24. AS 15.13.110(a)(2) is amended to read:

25 (2) 10 days [ONE WEEK] before the election;

26 * Sec. 25. AS 15.13.110(b) is amended to read:

27 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and
28 which is made within 10 days [ONE WEEK] of the election shall be reported
29 to the commission by date, amount, and contributor [OR RECIPIENT] within

1 48 [24] hours of receipt [OR EXPENDITURE] by the candidate or campaign
2 treasurer or deputy treasurer.

3 * Sec. 26. AS 15.13.110 is amended by adding new subsections to read:

4 (f) The report required by (a)(3) of this section is the final
5 report if at the time the report is made

6 (1) there is no outstanding debt or obligation;

7 (2) the campaign fund has been closed;

8 (3) the campaign has been concluded; and

9 (4) in the case of a group, the group has dissolved.

10 (g) Reports shall be filed as required by (a)(4) of this section
11 by

12 (1) a candidate who has an outstanding debt or obligation
13 until the debt or obligation is satisfied;

14 (2) a group that has an outstanding debt or obligation until
15 the debt or obligation is satisfied, or until the group is dissolved.

16 (h) When a final report has been submitted under this section, the
17 duties of the campaign treasurer cease and there is no obligation to
18 file further reports.

19 * Sec. 27. AS 15.13 is amended by adding a new section to read:

20 Sec. 15.13.115. COMPLAINTS. (a) A person who believes that a
21 violation of this chapter has occurred may file a complaint with the
22 commission. If the commission determines that there is substantial
23 reason to believe that a violation of this chapter has occurred, it
24 shall expeditiously investigate the subject matter of the complaint.
25 The investigation may include but is not limited to an investigation of
26 the reports and statements filed with the commission by the complainant,
27 if he is a candidate.

28 (b) If the commission determines, after notice and opportunity for
29 a hearing, that a person has engaged in or is engaged in an act which is

1 a violation of this chapter, or of a regulation or order issued under
2 this chapter, the commission shall promptly report its determination to
3 the attorney general for appropriate action.

4 (c) The commission shall report its determination to the person
5 who filed the complaint within 60 days of receiving the complaint,
6 unless circumstances require additional time to make an adequate investi-
7 gation.

8 (d) The determination of the commission on a complaint may be
9 appealed to the superior court.

10 * Sec. 28. AS 15.13.120(a) is amended to read:

11 (a) A person who violates a provision of this section [CHAPTER] is
12 guilty of a misdemeanor and, upon conviction, is punishable by imprison-
13 ment for not more than one year or by a fine of not more than \$5,000. A
14 violation includes [BUT IS NOT LIMITED TO] any of the following acts or
15 omissions:

16 (1) refusing or failing to make a statement or report re-
17 quired to be made under this chapter [, OR FAILING TO MAKE A STATEMENT
18 OR REPORT AT THE TIME THE STATEMENT OR REPORT IS REQUIRED TO BE MADE
19 UNDER THIS CHAPTER];

20 (2) knowingly making a campaign contribution [OR EXPENDITURE]
21 which exceeds the limitations of AS 15.13.070(a) [AS 15.13.070(f)];

22 (3) knowingly making a false statement or report under this
23 chapter;

24 (4) giving or furnishing money to another person or groups
25 for the purpose of making a contribution or expenditure anonymously, in
26 a fictitious name, or in the name of another, or contributing in viola-
27 tion of AS 15.13.070(d);

28 [(5) MAKING A COMMUNICATION TO SUPPORT OR DEFEAT A CANDIDATE
29 WITHOUT IDENTIFICATION OF SPONSORSHIP, IN VIOLATION OF AS 15.13.090;]

1 (6) knowingly accepting a contribution in violation of AS 15.-
2 13.070.

3 * Sec. 29. AS 15.13.120(c) is amended to read:

4 (c) Promptly after the final date for filing statements and re-
5 ports, the commission shall notify all persons who have become delin-
6 quent in filing them, [INCLUDING CONTRIBUTORS WHO FAILED TO FILE A
7 STATEMENT IN ACCORDANCE WITH AS 15.13.040,] and shall make available a
8 list of these delinquents for public inspection. The commission shall
9 also report to the attorney general the names of all candidates and
10 groups in an election whose campaign treasurers have failed to file the
11 reports required by this chapter.

12 * Sec. 30. AS 15.13.120(e) is repealed and re-enacted to read:

13 (e) Prosecution for violation of a provision of this chapter may
14 not be commenced after one year has elapsed from the date of the alleged
15 violation.

16 * Sec. 31. AS 15.13 is amended by adding a new section to read:

17 Sec. 15.13.121. EFFECT OF CERTAIN CONVICTIONS. (a) If a success-
18 ful candidate for the state legislature or for a seat on a city council
19 or borough assembly or for borough or city mayor is convicted of a
20 misdemeanor described in AS 15.13.170(a)(1), (3), or (6), the eligi-
21 bility of the successful candidate to hold the office to which elected
22 shall be determined as to

23 (1) a member of the legislature under art. II, sec. 12 of the
24 state constitution;

25 (2) a borough assemblyman under AS 29.23.060(c);

26 (3) a borough mayor under AS 29.23.130(f);

27 (4) a city councilman under AS 29.23.210(b);

28 (5) a city mayor under AS 29.23.255.

29 (b) When a candidate or a nominee is charged with a misdemeanor

1 described in (a) of this section, the case shall be promptly tried and
2 the case shall be accorded a preferred status by the courts to ensure a
3 speedy disposition of the matter.

4 * Sec. 32. AS 15.13.125 is amended 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 AS 15.13.110(a)(1), [(3),] (4) or (d) is
8 subject to a civil penalty of not more than \$10 a day for each day the
9 delinquency continues as determined by the commission subject to right
10 of appeal to the superior court. A person who fails to file a properly
11 completed and certified report within the time required by AS 15.13.-
12 110(a)(2) or (b) is subject to a civil penalty of not more than \$50 a
13 day for each day the delinquency continues as determined by the commis-
14 sion subject to right of appeal to the superior court. An affidavit
15 stating facts in mitigation may be submitted to the commission by a
16 person against whom a civil penalty is assessed. However, the imposi-
17 tion of the penalties prescribed in this section or in AS 15.13.120 does
18 not excuse that person from filing reports required by this chapter.

19 * Sec. 33. AS 15.13.130(1) is repealed and re-enacted to read:

20 (1) "candidate" means an individual who seeks nomination for
21 election to, or election to, the state legislature, the office of gover-
22 nor or lieutenant governor, or municipal office, or who seeks retention
23 in judicial office or nomination or election as a constitutional conven-
24 tion delegate; an individual shall be considered to seek nomination or
25 election if

26 (A) he has taken the action necessary under the law of
27 this state to qualify himself for nomination or election to an
28 office;

29 (B) he has received contributions or made expenditures

1 before filing for office;

2 (C) he has given his consent, implicit or explicit, for
3 a person or group to receive contributions or make expenditures to
4 bring about his nomination or election to office;

5 (D) he has campaigned as a write-in candidate for office;

6 or

7 (E) he is the subject of a recall election;

8 * Sec. 34. AS 15.13.130(2) is amended to read:

9 (2) "contribution" means purchase, payment, promise or obli-
10 gation to pay, loan or loan guarantee, deposit or gift of money or [,]
11 goods [OR SERVICES] for which charge is ordinarily made and which is
12 made for the purpose of influencing the nomination or election of a
13 candidate, and in AS 15.13.010(b) for the purpose of influencing a
14 ballot proposition or question, including the payment by a person other
15 than a candidate or political party, or compensation of the personal
16 services of another person which are rendered to the candidate or poli-
17 tical party; however, "contribution" does not include

18 (A) services provided without compensation by individ-
19 uals volunteering a portion or all of their time on behalf of a
20 candidate or ballot proposition or question [, BUT IT DOES INCLUDE
21 PROFESSIONAL SERVICES VOLUNTEERED BY INDIVIDUALS FOR WHICH THEY
22 ORDINARILY WOULD BE PAID A FEE OR WAGE];

23 (B) services provided by an accountant or other person
24 to prepare reports and statements required by this chapter;

25 (C) ordinary hospitality in a home;

26 (D) a contribution that is returned to the contributor
27 within 72 hours of its receipt by a candidate or group;

28 * Sec. 35. AS 24.45.041(a) is repealed and re-enacted to read:

29 (a) Registration with the commission in accordance with the pro-

1 visions of this section is required of

2 (1) a lobbyist, before he engages in lobbying; or

3 (2) an individual who is exempt from registration under
4 AS 24.45.161(a)(1) and who loses the exemption, within 15 days after he
5 loses the exemption.

6 * Sec. 36. AS 24.45.041(c) is amended to read:

7 (e) Within 45 days after the convening of each regular session of
8 the legislature, the commission shall publish a directory of registered
9 lobbyists, containing the information prescribed in (b) of this section
10 for each lobbyist, and the photograph, if any, furnished by a lobbyist
11 under (c) of this section. The [FROM TIME TO TIME THEREAFTER THE]
12 commission may [SHALL.] publish [THOSE] supplements to the directory that
13 [IN] the commission considers [COMMISSION'S JUDGMENT MAY BE] necessary.
14 The directory shall be made available to public officials and to the
15 public at [THE FOLLOWING LOCATIONS:] a public place adjacent to the
16 legislative chambers in the state capitol. If a district office is not
17 maintained by the commission in the capital, the directory shall be made
18 available at [BUILDING,] the office of the lieutenant governor[,] and in
19 the legislative reference library of the Legislative Affairs Agency [AND
20 THE COMMISSION'S CENTRAL OFFICE].

21 * Sec. 37. AS 24.45.051 is repealed and re-enacted to read:

22 Sec. 24.45.051. REPORTS. (a) A lobbyist registered under AS 24.-
23 45.041 shall file a report with the commission concerning his activities
24 during each reporting period, or portion of a reporting period, in which
25 he is registered with the commission, regardless of the amount of expen-
26 ditures made or payments received by him. The report shall be made on a
27 form prescribed by the commission and shall be filed in accordance with
28 AS 24.45.071 and 24.45.081. The report shall contain the following:

29 (1) the amount of income, including but not limited to salary,

1 fee, retainer, or other things of value, together with the full name and
2 complete address of each source of income;

3 (2) the amount of expenditures made or indebtedness incurred
4 during the reporting period and during the calendar year to date by the
5 lobbyist, or by the lobbyist and payable by the employer of the lobbyist,
6 or reimbursable to the lobbyist by his employer, including but not
7 limited to expenditures for

8 (A) food and beverages;

9 (B) living accommodations;

10 (C) travel;

11 (D) office expenses, including rent and utilities; and

12 (E) secretarial services;

13 (3) the date, nature, and monetary value of any gift or gifts
14 exceeding \$100 in value in the aggregate made to a public official, or
15 to a member of the immediate family of a public official, during the
16 calendar year and the full name and official position of the public
17 official, and the name of each member of the immediate family of the
18 public official who is a recipient of a gift;

19 (4) the name and official position of each public official,
20 and the name of each member of the immediate family of the public offi-
21 cial, with whom the lobbyist has exchanged money, goods, services or
22 anything of more than \$100 in value, the nature and date of each of
23 these exchanges, and the monetary values exchanged;

24 (5) the name and address of any business in which the lobbyist
25 knows or has reason to know that a public official is a proprietor,
26 partner, director, officer or manager, or has controlling interest, with
27 whom the lobbyist exchanged money, goods, services, or anything of value
28 and the nature and date of each exchange and the monetary value ex-
29 changed, if the total value of these exchanges is \$1,000 or more in a

1 calendar year; and

2 (6) a notice of termination, if the lobbyist has ceased the
3 lobbying activity which required his registration under this chapter and
4 if the report is the final report of his activities.

5 (b) A report required to be filed under this section shall include
6 all amounts which are received by the lobbyist or which are due to him
7 as consideration for, or directly or indirectly in support of, or in
8 connection with, influencing legislative or administrative action.

9 * Sec. 38. AS 24.45.061 is amended to read:

10 Sec. 24.45.061. REPORTS BY EMPLOYERS OF LOBBYISTS. (a) Within 15
11 days after employing, retaining or contracting for the employment or
12 retention of a lobbyist, the person or group employing, retaining, or
13 contracting [WHO EMPLOYES, RETAINS, OR WHO CONTRACTS] for the services
14 of a lobbyist shall file a statement with the commission authorizing or
15 verifying that employment, retention or contract for lobbying services.

16 (b) A person or group who employs, retains or who contracts for
17 the services of one or more lobbyists, whether independently or jointly
18 with others [OTHER PERSONS], and who directly or indirectly makes pay-
19 ments to influence legislative or administrative action shall file a
20 [QUARTERLY] report containing

21 (1) the full name, complete business address and telephone
22 number of the person or group making the report;

23 (2) information sufficient to identify the nature and inter-
24 ests of the person or group making the report;

25 (3) the total amount of payments made or indebtedness incurred
26 during the period to influence legislative or administrative action
27 [DURING THE PERIOD], and the name and address of each person to whom
28 these payments have been made or for whom the indebtedness was incurred
29 [DURING THE PERIOD BY THE MAKER OF THE REPORT], together with the [DATE

1 AND] amount of payment;

2 (4) the date, [AND] nature and value of any gift exceeding
3 \$100 in value made during the reporting period to any public official,
4 or to a member of the immediate family of a public official, and the
5 full name and official position of the public official, along with the
6 name of each member of the immediate family of the public official who
7 is a recipient of a [EACH] gift;

8 (5) a general description of the legislative or administra-
9 tive action which the person or group making the report has attempted to
10 influence;

11 (6) the name of each lobbyist employed or retained by the
12 person or group making the report, together with the total amount paid
13 to each lobbyist and the portion of that amount, if any, which was paid
14 for specific purposes, including salary, fees, and reimbursement for
15 expenses; and

16 (7) a notice of termination if the person or group filing a
17 report has ceased employing or retaining a lobbyist registered under
18 this chapter and if this report constitutes the final report of the
19 lobbyist's activities on behalf of the maker of the report.

20 * Sec. 39. AS 24.45.081 is repealed and re-enacted to read:

21 Sec. 24.45.081. REPORTING PERIODS. (a) Each calendar quarter is
22 a reporting period. Reports shall be filed with the commission not
23 later than the 15th day of the end of each reporting period by

24 (1) persons registered as lobbyists; and

25 (2) persons or groups who, under AS 24.45.061, employ lobby-
26 ists or representational lobbyists.

27 (b) The reports filed shall cover the period from the date of
28 registration, or from the final date of the last report filed under this
29 chapter, through the date of the end of the calendar quarter for which

1 the report is being filed. The period covered may not include any
2 months covered in previous reports filed by the same person. When total
3 amounts are required to be reported, totals shall be stated both for the
4 period covered by the report and for the entire calendar year to date.

5 * Sec. 40. AS 24.45.091 is amended to read:

6 Sec. 24.45.091. PUBLICATION OF REPORTS. Copies of the statements
7 and reports filed under this chapter shall be made available to the
8 public at the commission's district [CENTRAL] office[,] in the state
9 capital. If a district office is not maintained by the commission in the
10 state capital, the statements and reports shall be made available in the
11 office of the lieutenant governor, and in the legislative reference
12 library of the Legislative Affairs Agency [, AND AT THE COMMISSION'S
13 DISTRICT OFFICES PRESCRIBED IN AS 15.13.020(j) AS SOON AS PRACTICABLE
14 AFTER EACH REPORTING PERIOD].

15 * Sec. 41. AS 24.45.161(a)(1) is amended to read:

16 (1) an individual (A) who lobbies without payment of compensa-
17 tion, or other consideration and makes no disbursement or expenditure
18 for or on behalf of a public official to influence legislative or admin-
19 istrative action other than to pay his reasonable personal travel and
20 living expenses; or [AND] (B) who limits his lobbying activities to
21 appearances before public sessions of the legislature, or its committees
22 or subcommittees, or to public hearings or other public proceedings of
23 state agencies;

24 * Sec. 42. AS 24.45.171(4) is amended to read:

25 (4) "immediate family" means the spouse and dependent chil-
26 dren of a public official [AN INDIVIDUAL];

27 * Sec. 43. AS 24.45.171(6) is amended to read:

28 (6) "influencing legislative or administrative action" means
29 promoting, advocating, supporting, modifying, opposing or delaying or

1 attempting [SEEKING] to do any of these [THE SAME] with respect to any
2 legislative or administrative action by means including but not limited
3 to the provision or use of information, statistics, studies, analyses in
4 written or oral form or format; the term excludes inquiries about or
5 activity conforming to procedures required by law;

6 * Sec. 44. AS 24.45.171 is amended by adding a new paragraph to read:

7 (13) "source of income" means

8 (A) the person or group for which lobbying services are
9 performed; or

10 (B) the person or group which is the origin of payment
11 for lobbying services, or the direct employer of the lobbyist, or
12 both.

13 * Sec. 45. AS 39.50.020(a) is amended to read:

14 (a) A judicial officer, commissioner, chairman or member of a
15 state commission or board specified in AS 39.50.200(9), person hired or
16 appointed as head or deputy head of, or director of a division within, a
17 department in the executive branch, person appointed as assistant to the
18 governor, and a municipal officer, shall file a statement giving his
19 income sources and business interests, under oath and on penalty of
20 perjury, within 30 days after he takes office as a public official.
21 A candidate [CANDIDATES] for state elective office shall file the [SUCH
22 A] statement at the time of filing a declaration of candidacy or within
23 30 days of the filing of a [ANY] nominating petition, or within 30 days
24 of becoming a candidate by any other means, unless he files for office
25 during a year other than the year in which he seeks nomination or elec-
26 tion to office. If a candidate files for office during a year other
27 than the year in which he seeks nomination or election to the office he
28 shall file a statement required by this subsection on or before April
29 15 of the election year. Candidates for elective municipal office shall

1 file the [SUCH A] statement at the time of filing a nominating petition,
2 declaration of candidacy, or other required filing for the elective
3 municipal office. A public official who files for state elective office
4 is not required to file a statement at the time he becomes a candidate,
5 but a municipal officer who files for state elective office shall file
6 a copy of the statement which he has filed for municipal office with
7 the commission. Refusal or failure to file within the time prescribed
8 shall require that the candidate's filing fees, if any, and filing for
9 office be refused or that his previously accepted filing fee be returned
10 and his name removed from the filing records. A statement shall also be
11 filed by public officials no later than April 15 [OR 15 DAYS AFTER THE
12 PERSON FILES HIS FEDERAL INCOME TAX RETURN] in each following year. [,
13 WHICHEVER SHALL COME FIRST. PERSONS WHO, ON OR AFTER DECEMBER 11, 1974,
14 WERE MEMBERS OF BOARDS OR COMMISSIONS NOT NAMED IN AS 39.50.200(9) ARE
15 NOT REQUIRED TO FILE FINANCIAL STATEMENTS].

16 * Sec. 46. AS 39.50.030(b) is amended to read:

17 (b) Each statement filed by a public official or candidate under
18 this chapter shall include:

19 (1) the source of all income over \$100, including capital
20 gains, whether or not taxable, received by him or his spouse or depen-
21 dent child of his [OR NONDEPENDENT CHILD OF HIS] who is living with him,
22 during the preceding calendar year;

23 (2) the identity, by name and address, of each business in
24 which he or his spouse or dependent child of his [OR NONDEPENDENT CHILD
25 OF HIS] who is living with him was a stockholder, owner, officer, direc-
26 tor, partner, proprietor, or employee during the preceding calendar
27 year;

28 (3) the identity and nature of each interest owned by him or
29 his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS] who

1 is living with him, in any business during the preceding calendar year;

2 (4) the identity and nature of each interest in real property,
3 including an option to buy, owned by him or his spouse or dependent
4 child of his [OR NONDEPENDENT CHILD OF HIS] who is living with him, at
5 any time during the preceding calendar year;

6 (5) the identity of each trust or other fiduciary relation in
7 which he or his spouse or dependent child of his [OR NONDEPENDENT CHILD
8 OF HIS] who is living with him, held a beneficial interest during the
9 preceding calendar year, a description and identification of the property
10 contained in each trust or relation, and the nature and extent of the
11 beneficial interest in it;

12 (6) any loan or loan guarantee made to him or his spouse or
13 dependent child of his [OR NONDEPENDENT CHILD OF HIS] who is living with
14 him, and the identity of the maker of the loan or loan guarantor and the
15 identity of each creditor to whom he or his spouse or dependent child of
16 his [OR NONDEPENDENT CHILD OF HIS] who is living with him owed \$500 or
17 more;

18 (7) a list of all contracts and offers to contract with the
19 state, or an instrumentality of the state, during the preceding calendar
20 year, held, hid or offered by him, his spouse, dependent child of his
21 [OR NONDEPENDENT CHILD OF HIS] who is living with him, his mother or
22 father or a partnership or professional corporation of which he is a
23 member, or a corporation in which he or his spouse or his children, or a
24 combination of them, hold a controlling interest; and

25 (8) a list of all mineral, timber, oil, or any other natural
26 resource lease held, or lease offer made, during the preceding calendar
27 year by him, a dependent child of his [OR NONDEPENDENT CHILD OF HIS] who
28 is living with him, his mother or father or a partnership or profes-
29 sional corporation of which he is a member, or a corporation in which he

1 or his spouse or his children, or a combination of them, hold a con-
2 trolling interest.

3 * Sec. 47. AS 15.13.020(c), 15.13.040(f), 15.13.070(f) and (g), 15.13.-
4 110(a)(1), 15.13.110(d), and 15.13.120(b) are repealed.

5 * Sec. 48. The terms of the members of the Alaska Public Offices Commis-
6 sion expire on the effective date of sec. 11 of this Act. The governor shall
7 appoint five members of the Alaska Public Offices Commission: two members
8 shall serve for three years; two members shall serve for two years; and one
9 member shall serve for one year. The governor shall designate the terms of
10 the members appointed.

11 * Sec. 49. Sections 1 - 9 of this Act take effect on the day after the
12 effective date of the sections listed in sec. 237, 2d Free Conference CS for
13 House Bill No. 3, Eleventh Legislature.

14 * Sec. 50. Sections 14, 35 - 45, and 48 of this Act take effect January 1,
15 1981.

16 * Sec. 51. Sections 10 - 13, 15 - 34, 46, 47, and 49 - 51 of this Act
17 take effect immediately in accordance with AS 01.10.070(c).

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