

Introduced: 2/15/82
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY MARTIN AND RANDOLPH

2 HOUSE BILL NO. 796

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act reassigning the responsibilities of the Alaska
7 Public Offices Commission and terminating its existence;
8 amending the laws relating to campaign disclosure,
9 conflict of interest, and regulation of lobbying; and
10 providing for an effective date."

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

12 * Section 1. AS 15.13 is amended by adding a new section to read:

13 Sec. 15.13.031. DUTIES OF THE DIRECTOR. The director shall

14 (1) provide forms for the reports and statements required to
15 be made under this chapter;

16 (2) prepare and publish a manual for use by persons required
17 to make reports and statements under this chapter and assist candidates,
18 groups, and individuals in complying with the requirements of this
19 chapter;

20 (3) receive and hold open for public inspection reports and
21 statements required to be made under this chapter upon request and
22 furnish copies at cost to interested persons;

23 (4) maintain a current list of all filed reports and state-
24 ments;

25 (5) prepare a summary of each report filed under AS 15.13.110
26 and make a copy of the summary available to an interested person at its
27 actual cost;

28 (6) notify, by registered or certified mail, a person who is
29 delinquent in filing a report or statement required to be made under

1 this chapter;

2 (7) report within 60 days after the election the name of a
3 person or group who has failed to comply with a provision of this chapter
4 to the attorney general;

5 (8) report to the attorney general the names of a person or
6 group that the director believes has violated this chapter;

7 (9) prepare an annual report to the legislature concerning
8 the effectiveness of this chapter and recommendations and proposals for
9 change;

10 (10) adopt regulations necessary to implement and clarify the
11 provisions of this chapter, subject to the provisions of the Administra-
12 tive Procedure Act (AS 44.62).

13 * Sec. 2. AS 15.13.040(a) is amended to read:

14 (a) Each candidate shall make a full report, upon a form prescribed
15 by the director [COMMISSION], listing the date and amount of all expendi-
16 tures made by the candidate, the total amount of all contributions,
17 including all funds contributed by the candidate himself, and for all
18 contributions in excess of \$100 in the aggregate a year, the name,
19 address, principal occupation, and employer of the contributor and the
20 date and amount contributed by each contributor. The report shall be
21 filed in accordance with AS 15.13.110 and shall be certified correct by
22 the candidate or campaign treasurer.

23 * Sec. 3. AS 15.13.040(b) is amended to read:

24 (b) Each group shall make a full report upon a form prescribed by
25 the director [COMMISSION], listing

26 (1) the name and address of each officer and director;

27 (2) the aggregate amount of all contributions made to it;

28 and, for all contributions in excess of \$100 in the aggregate a year,
29 the name, address, principal occupation, and employer of the

1 contributor, and the date and amount in excess of \$100 in the aggregate
2 a year contributed by each contributor; and

3 (3) the date and amount of all contributions made by it and
4 all expenditures made, incurred or authorized by it.

5 * Sec. 4. AS 15.13.040(d) is amended to read:

6 (d) Every individual, person or group making a contribution or
7 expenditure shall make a full report to the director, upon a form pre-
8 scribed by the director [COMMISSION], of the following contributions or
9 expenditures:

10 (1) any contribution of cash, goods or services valued at
11 more than \$100 in the aggregate a year to any group or candidate; or

12 (2) any expenditure [WHATSOEVER] for advertising in news-
13 papers, on radio or on television; or, for the publication, distribution
14 or circulation of brochures, flyers, or other campaign material for any
15 candidate or ballot proposition or question.

16 * Sec. 5. AS 15.13.040(e) is amended to read:

17 (e) The report required under (d) of this section shall contain
18 the name, address, principal occupation and employer of the individual
19 filing the report, and an itemized list of expenditures. The report
20 shall be filed with the director [COMMISSION] by the contributor no
21 later than 10 days after the contribution or expenditure is made. A
22 copy of the report shall be furnished to the candidate, campaign treas-
23 urer or deputy campaign treasurer at the time the contribution is made.

24 * Sec. 6. AS 15.13.040(f) is amended to read:

25 (f) During each year in which an election occurs, all businesses,
26 persons, or groups which furnish any of the following services, facili-
27 ties, or supplies to a candidate or group shall maintain a record of
28 each transaction: newspapers, radio, television, advertising, advertis-
29 ing agency services, accounting, billboards, printing, secretarial,

1 public opinion polls, or research and professional campaign consultation
2 or management, media production or preparation, or computer services.
3 The records shall be maintained on the forms provided and in the manner
4 required by the director [COMMISSION]. The supplier shall file a report
5 of the complete record of each transaction with all candidates or groups
6 to whom he provides services, facilities or supplies in excess of \$250
7 in the aggregate in accordance with AS 15.13.110. All records shall be
8 available for public inspection.

9 * Sec. 7. AS 15.13.050 is amended to read:

10 Sec. 15.13.050. GROUPS. Each group, before making an expenditure
11 on behalf of, or in opposition to, a candidate or a contribution to a
12 candidate, shall register, on forms provided by the director [COMMISS-
13 SION], with the director [COMMISSION]. If the group intends to support
14 or oppose only one candidate, or to contribute to or expend on behalf
15 of, or in opposition to, one candidate 50 percent or more of its funds,
16 the name of the candidate shall be a part of the name of the group.
17 Promptly upon receiving the registration, the director [COMMISSION]
18 shall notify the candidate of the group's organization and intent.

19 * Sec. 8. AS 15.13.060(b) is amended to read:

20 (b) Each group shall file the name and address of its campaign
21 treasurer with the director [COMMISSION] at the time it registers with
22 the director [COMMISSION] under AS 15.13.050.

23 * Sec. 9. AS 15.13.060(c) is amended to read:

24 (c) Each candidate for state office shall file the name and address
25 of the campaign treasurer with the director [COMMISSION, OR SUBMIT, IN
26 WRITING, THE NAME AND ADDRESS OF THE CAMPAIGN TREASURER TO THE LIEUTENANT
27 GOVERNOR FOR FILING WITH THE COMMISSION], no later than 15 days after
28 the date of filing his declaration of candidacy or his nominating peti-
29 tion. Each candidate for municipal office shall file the name and

1 address of the campaign treasurer with the director [COMMISSION] no
2 later than seven days after the date of filing his declaration of candi-
3 dacy or his nominating petition. If the candidate does not designate a
4 campaign treasurer, the candidate is the campaign treasurer.

5 * Sec. 10. AS 15.13.060(d) is amended to read:

6 (d) In the case of the death, resignation or removal of a campaign
7 treasurer, the candidate shall appoint a successor as soon as practic-
8 able and file his name and address with the director [COMMISSION] within
9 48 hours of the appointment. If a candidate does not have a currently
10 effective appointment of a campaign treasurer on file with the director,
11 the candidate is the campaign treasurer [THE CANDIDATE IS DISQUALIFIED
12 WHEN HE HAS BEEN FOUND TO HAVE BEEN IN WILFUL VIOLATION OF THIS SUB-
13 SECTION].

14 * Sec. 11. AS 15.13.060(e) is amended to read:

15 (e) A campaign treasurer may appoint as many deputy campaign
16 treasurers as he considers necessary. The candidate shall file the
17 names and addresses of the deputy campaign treasurers with the director
18 [COMMISSION].

19 * Sec. 12. AS 15.13.070(c) is amended to read:

20 (c) No expenditures over \$100 may be made in cash or by cash
21 payment unless a written receipt is obtained and filed with the director
22 [COMMISSION].

23 * Sec. 13. AS 15.13.070(d) is amended to read:

24 (d) No contribution may be made, and no expenditure may be made or
25 incurred, directly or indirectly, anonymously, in a fictitious name, or
26 by one person or group in the name of another, to influence the election
27 of a candidate in an election. A contribution made by a person wishing
28 to remain anonymous, and received by a candidate, campaign treasurer or
29 deputy campaign treasurer, may not be used or expended, but shall be

1 returned to the donor, if his identity is known, and if no donor is
2 known [FOUND], the contribution shall be [ESCHEATS TO THE STATE IF NOT]
3 donated by the candidate to the charity of his choice.

4 * Sec. 14. AS 15.13.080 is amended to read:

5 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. A person or group
6 contributing to a candidate over \$250 or contributing goods or services
7 to a candidate with a value of more than \$250 to influence the election
8 of a candidate shall furnish the director [COMMISSION] a signed state-
9 ment, on a form made available by the director [COMMISSION]. The state-
10 ment shall itemize the contributions and goods and state that the contri-
11 butor is not a person or group prohibited by law from contributing and
12 that the contribution consists of funds or property belonging to the
13 contributor and has not been given or furnished by another person or
14 group. The contributor's statement shall be filed with the director
15 [COMMISSION] by the contributor no later than 10 days after the contri-
16 bution is made. A copy of the statement shall be furnished the candi-
17 date, campaign treasurer, or deputy campaign treasurer at the time the
18 contribution is made.

19 * Sec. 15. AS 15.13.110(a) is amended to read:

20 (a) Each candidate and group shall make a full report in accor-
21 dance with AS 15.13.040 during the period ending seven [THREE] days
22 before the due date of the report and beginning on the last day covered
23 by the most recent previous report, or, if a first report, all contri-
24 butions received and expenditures made before seven [THREE] days before
25 the due date of the report. The report shall be filed [AT THE FOLLOWING
26 TIMES:]

27 (1) [30 DAYS BEFORE THE ELECTION; HOWEVER, THIS REPORT IS NOT
28 REQUIRED IF THE DEADLINE FOR FILING A NOMINATING PETITION OR DECLARATION
29 OF CANDIDACY IS WITHIN 30 DAYS OF THE ELECTION;]

- 1 (2) fourteen days [ONE WEEK] before the election;
2 (3) twenty-one days [TEN DAYS] after the election; and
3 (4) December 31 of each year for expenditures and contri-
4 butions received which were not reported that year.

5 * Sec. 16. AS 15.13.110(b) is amended to read:

6 (b) Each contribution or expenditure which exceeds \$250 and which
7 is made within 14 days before [ONE WEEK OF] the election shall be
8 reported [TO THE COMMISSION] by date, amount, and contributor or recip-
9 ient within 24 hours of receipt or expenditure by the candidate or
10 campaign treasurer.

11 * Sec. 17. AS 15.13.110(c) is amended to read:

12 (c) The reports of nonstatewide candidates shall be filed with the
13 election supervisor designated by the director; the reports of a state-
14 wide candidate shall be filed with the director [COMMISSION'S CENTRAL
15 OFFICE]. All reports required by this chapter are [SHALL BE KEPT] open
16 to public inspection. Ten days before an election, the director and
17 the election supervisors shall prepare a summary by candidate of the
18 transactions involving contributions and expenditures and shall publish
19 the report under AS 15.13.115 no later than seven days before the elec-
20 tion. Within 30 days after each election, the director [COMMISSION]
21 shall prepare a summary of each report which shall be made available to
22 the public at cost upon request. Each summary shall use uniform cate-
23 gories of reporting.

24 * Sec. 18. AS 15.13.110(d) is amended to read:

25 (d) Within 30 days after each election, each supplier shall make a
26 full report to the director under [COMMISSION IN ACCORDANCE WITH] AS 15.-
27 13.040. Within 60 days after each election, the director [COMMISSION]
28 shall prepare a summary by candidate or group of the transactions and
29 make the summaries public.

1 * Sec. 19. AS 15.13.110(e) is amended to read:

2 (e) A group formed to sponsor an initiative, a referendum or a
3 recall shall file a report of contributions and expenditures with the
4 director 30 days after its first filing with the lieutenant governor.
5 Thereafter each group shall file a report with the director within 10
6 days after the end of each calendar quarter on the contributions re-
7 ceived and expenditures made during the preceding calendar quarter until
8 reports are due under (a) of this section.

9 * Sec. 20. AS 15.13.110 is amended by adding new subsections to read:

10 (f) A statewide candidate who certifies in writing to the director
11 before the first report is due under (a) of this section that he will
12 not make expenditures in excess of \$10,000 in behalf of his candidacy in
13 the primary and general election that year is exempt from the require-
14 ment that he file the reports required of a candidate under AS 15.13.040
15 and this section. If the candidate makes expenditures that are in
16 excess of \$10,000 in behalf of his candidacy in the primary and general
17 election, the candidate shall file a report within seven days of the
18 time that he exceeds \$10,000 in expenditures and shall file all sub-
19 sequent reports required under AS 15.13.040 and this section but the
20 candidate is not liable for a penalty for failing to file an earlier
21 report.

22 (g) A nonstatewide candidate who certifies in writing to the
23 director before the first report is due under (a) of this section that
24 he will not make expenditures in excess of \$1,000 in behalf of his
25 candidacy in the primary and general election that year is exempt from
26 the requirement that he file the reports required of a candidate under
27 AS 15.13.040 and this section. If the candidate makes expenditures that
28 are in excess of \$1,000 in behalf of his candidacy in the primary and
29 general election, the candidate shall file a report within seven days of

1 the time that he exceeds \$1,000 in expenditures and shall file all
2 subsequent reports required under AS 15.13.040 and this section but the
3 candidate is not liable for a penalty for failing to file an earlier
4 report.

5 (h) A candidate who fails to file a timely report under this
6 section shall include in the late report all contributions and expendi-
7 tures that occur seven days or more before the date the report is filed
8 with the director.

9 (i) A candidate who is not elected in the general election is not
10 required to file a report on his contributions and expenditures that was
11 due at a time after the general election. A candidate who fails to
12 secure a nomination in a party primary and who does not seek election in
13 the general election is not required to file a report on his contri-
14 butions and expenditures that was due after the primary election.

15 (j) The director shall report to the attorney general each failure
16 to file a report when due.

17 * Sec. 21. AS 15.13 is amended by adding a new section to read:

18 Sec. 15.13.115. PUBLICATION OF INFORMATION FILED WITH DIRECTOR.

19 (a) The director shall prepare a summary of the information filed under
20 AS 15.13.110(a)(2). The director shall purchase advertisements in
21 newspapers of general circulation and publish the summaries prepared
22 under AS 15.13.110(c) no later than seven days before the election.

23 (b) The director shall report in paid radio and television
24 announcements the names of candidates who fail to file a timely report
25 required under AS 15.13.040 or 15.13.110.

26 * Sec. 22. AS 15.13.120(d) is amended to read:

27 (d) A person who believes a violation of this chapter has occurred
28 may file a complaint with the director [COMMISSION]. If the director
29 [COMMISSION] determines there is substantial reason to believe that a

1 violation has occurred, the director [IT] shall expeditiously make an
2 investigation, which may also include an investigation of reports and
3 statements filed by the complainant if he is a candidate, of the matter
4 complained of. When, in the judgment of the director [COMMISSION],
5 after affording due notice and an opportunity for a hearing, a person
6 has engaged or is about to engage in any acts or practices which consti-
7 tute or will constitute a violation of a provision of this chapter, or a
8 regulation or order issued under it, the director [IT] shall promptly
9 report the information to the attorney general for appropriate action.
10 The director [COMMISSION] shall report his [ITS] determination and
11 recommendation to the person who filed the complaint [WITH THE COMMIS-
12 SION] within 60 days of receiving the complaint unless circumstances
13 require additional time to make an adequate investigation. The finding
14 of the director [COMMISSION] may be appealed to the superior court.

15 * Sec. 23. AS 24.45.021 is amended to read:

16 Sec. 24.45.021. ADMINISTRATION. (a) This chapter shall be admin-
17 istered by the commissioner of administration [ALASKA PUBLIC OFFICES
18 COMMISSION CREATED UNDER AS 15.13.020(a)].

19 (b) The commissioner [COMMISSION] shall promulgate regulations
20 under the Administrative Procedure Act (AS 44.62) to implement the
21 provisions of this chapter.

22 * Sec. 24. AS 24.45.031(a) is amended to read:

23 (a) In addition to his [ITS] other duties under this chapter, the
24 commissioner [COMMISSION] shall

25 (1) prescribe the forms for registration, reports, statements,
26 notices and other documents required by this chapter;

27 (2) prepare and publish instructions setting out the methods
28 of accounting, bookkeeping and preservation of records required to
29 facilitate compliance with and enforcement of this chapter and explain-

1 ing the duties of persons subject to the provisions of this chapter; the
2 instructions shall be updated periodically;

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

5 (4) prepare and publish an annual report of [ITS] activities,
6 findings and recommendations under this chapter, which shall be made
7 available to the governor, legislature and to the public by February 1
8 of each calendar year;

9 (5) report suspected violations of this chapter to the attor-
10 ney general.

11 * Sec. 25. AS 24.45.031(b) is amended to read:

12 (b) The commissioner [COMMISSION] may

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

15 (2) in conjunction with (1) of this subsection, issue sub-
16 poenas, compel the attendance and testimony of witnesses, administer
17 oaths and affirmations, and require the production of books, papers,
18 records, documents or other items material to the commissioner's [COM-
19 MISSION'S] duties or powers under this chapter;

20 (3) prepare, publish, and make available to the public,
21 periodic, but at least quarterly and annually, summaries of the state-
22 ments and reports received; these summaries shall list separately indi-
23 vidual lobbyists and employers of lobbyists.

24 * Sec. 26. AS 24.45.041(a) is amended to read:

25 (a) Before engaging in lobbying, a lobbyist shall file a registra-
26 tion statement on a form prescribed by the commissioner [COMMISSION].

27 * Sec. 27. AS 24.45.041(b) is amended to read:

28 (b) The registration form prescribed by the commissioner [COMMIS-
29 SION] shall include

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

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

7 (3) whether the person from whom the lobbyist receives compen-
8 sation employs him solely as a lobbyist or whether he is a regular
9 employee performing other services for his employer which include but
10 are not limited to the influencing of legislative or administrative
11 action;

12 (4) the nature or form of the lobbyist's compensation for
13 engaging in lobbying, including salary, fees or reimbursement for
14 expenses received in consideration for, or directly in support of or in
15 connection with, the influencing of legislative or administrative action

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

19 (6) the full name and complete address of the person, if
20 other than the registrant, who has custody of the accounts, books,
21 papers, bills, receipts and other documents required to be maintained
22 under this chapter.

23 * Sec. 28. AS 24.45.041(d) is amended to read:

24 (d) If a change occurs in any of the information contained in a
25 registration statement filed under (a) of this section, or in any
26 accompanying document, an appropriate amendment shall be filed with the
27 commissioner [COMMISSION] within 10 days after the change.

28 * Sec. 29. AS 24.45.041(e) is amended to read:

29 (e) Within 45 days after the convening of each regular session of

1 the legislature, the commissioner [COMMISSION] shall publish a directory
2 of registered lobbyists, containing the information prescribed in (b) of
3 this section for each lobbyist and the photograph, if any, furnished by
4 a lobbyist under (c) of this section. From time to time thereafter the
5 commissioner [COMMISSION] shall publish those supplements to the direc-
6 tory that in the commissioner's [COMMISSION'S] judgment may be necessary.
7 The directory shall be made available to public officials and to the
8 public at the following locations: a public place adjacent to the legis-
9 lative chambers in the state capitol building, the office of the lieu-
10 tenant governor, the legislative reference library of the Legislative
11 Affairs Agency and the commissioner's [COMMISSION'S] central office.

12 * Sec. 30. AS 24.45.041(f) is amended to read:

13 (f) Each lobbyist shall renew his registration annually by filing
14 a new registration statement together with a new authorization to act as
15 a lobbyist before engaging in lobbying. The lobbyist also shall file
16 any reports or statements he has failed to file for a previous reporting
17 period. The commissioner [COMMISSION] may not renew lobbying credentials
18 until this subsection has been [PROVISION IS] complied with.

19 * Sec. 31. AS 24.45.051 is amended to read:

20 Sec. 24.45.051. REPORTS. Each lobbyist registered under AS 24.45.-
21 041 shall file with the commissioner [COMMISSION] a report concerning
22 his activities during each reporting period prescribed in AS 24.45.081,
23 so long as the lobbyist continues to engage in lobbying activities. The
24 report shall be made on a form prescribed by the commissioner [COMMIS-
25 SION] and filed in accordance with AS 24.45.071 and 24.45.081. The
26 report also shall include any changes in the information required to be
27 supplied under AS 24.45.041(b) and the following information for the
28 reporting period, as applicable:

29 (1) the source of income, as defined in AS 39.50.200(a)(8).

1 [AS 39.50.200(8)] and the monetary value of all payments, including but
2 not limited to salary, fees, and reimbursement of expenses, received in
3 consideration for or directly or indirectly in support of or in connec-
4 tion with influencing legislative or administrative action, and the full
5 name and complete address of each person from whom amounts or things of
6 value have been received and the total monetary value received from each
7 person;

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

- 12 (A) food and beverages;
13 (B) living accommodations;
14 (C) travel;

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

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

23 (5) the name and address of any business entity in which the
24 lobbyist knows or has reason to know that a public official is a propri-
25 etor, partner, director, officer or manager, or has a controlling in-
26 terest, with whom the lobbyist has engaged in an exchange of money,
27 goods, services, or anything of value and the nature and date of each
28 exchange and the monetary value exchanged if the total value of these
29 exchanges is \$100 or more in a calendar year; and

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

4 * Sec. 32. AS 24.45.061(a) is amended to read:

5 (a) Within 15 days after employing, retaining or contracting for
6 the employment or retention of a lobbyist, the person who employs,
7 retains or who contracts for the services of a lobbyist shall file a
8 statement with the commissioner [COMMISSION] authorizing or verifying
9 that employment, retention or contract for lobbying services.

10 * Sec. 33. AS 24.45.091 is amended to read:

11 Sec. 24.45.091. PUBLICATION OF REPORTS. Copies of the statements
12 and reports filed under this chapter shall be made available to the
13 public at the commissioner's [COMMISSION'S] central office, the office
14 of the lieutenant governor, and the legislative reference library of the
15 Legislative Affairs Agency [, AND AT THE COMMISSION'S DISTRICT OFFICES
16 PRESCRIBED IN AS 15.13.020(j)] as soon as practicable after each report-
17 ing period.

18 * Sec. 34. AS 24.45.101 is amended to read:

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

24 * Sec. 35. AS 24.45.111(a) is amended to read:

25 (a) A person required to register or report as a lobbyist shall
26 preserve all accounts, bills, receipts, books, papers and documents
27 necessary to substantiate the reports required to be made and filed
28 under this chapter for a period of at least one year from the date of
29 the filing of the report containing these items. These accounts, bills,

1 receipts, books, papers and other documents shall be made available for
2 inspection by the commissioner [COMMISSION, OR MEMBERS OF ITS STAFF,] at
3 any time. If a lobbyist is required under the terms of his employment
4 contract to turn any records over to his employer, responsibility for
5 the preservation of these records under this section rests with the
6 employer.

7 * Sec. 36. AS 24.45.111(b) is amended to read:

8 (b) The commissioner [COMMISSION] shall preserve the statements
9 and reports required to be filed under this chapter for a period of six
10 years from the date of filing. [IF THE COMMISSION'S CENTRAL OFFICE IS
11 NOT IN THE STATE CAPITAL, COPIES OF ALL STATEMENTS AND REPORTS FILED
12 UNDER THIS CHAPTER SHALL BE MAINTAINED IN AN OFFICE ESTABLISHED BY THE
13 COMMISSION IN THE STATE CAPITAL OR IN THE OFFICE OF THE LIEUTENANT
14 GOVERNOR.]

15 * Sec. 37. AS 24.45.116 is amended to read:

16 Sec. 24.45.116. DISCLOSURE OF CONTRIBUTIONS. Before a civic
17 league or organization may be eligible for the benefits of AS 43.20.-
18 031(f)(4), it must agree to comply with the requirements of this section.
19 The civic league or organization shall report the total amount of contri-
20 butions received for the reporting period and, for any contribution over
21 \$100, the name of the contributor and the amount contributed. The civic
22 league or organization may establish a separate fund to account for
23 receipts and expenditures arising out of activities to influence legisla-
24 tive action. Reports shall be made on a form provided by the commis-
25 sioner [COMMISSION] on February 10, April 25, and July 10 of each year,
26 listing contributions received during the period that ended 10 days
27 earlier.

28 * Sec. 38. AS 24.45.131 is amended to read:

29 Sec. 24.45.131. EXAMINATION OF STATEMENTS, REPORTS. (a) The

1 commissioner [COMMISSION OR ITS STAFF] shall examine each statement or
2 report filed under this chapter within 10 days after the date it is
3 filed. A person required to file a statement or report under this
4 chapter shall be notified immediately if

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

8 (2) a written complaint is filed with the commissioner [COM-
9 MISSION] by any qualified voter alleging that a statement or report
10 filed with the commissioner [COMMISSION] does not conform to the require-
11 ments of this chapter, or to the truth, or that a person subject to the
12 provisions of this chapter has failed to file a statement or report in
13 the manner prescribed by this chapter.

14 (b) The commissioner [COMMISSION] shall conduct an investigation,
15 and may thereafter conduct a hearing, into an allegation under (a)(2) of
16 this section.

17 (c) The commissioner [COMMISSION] shall report any suspected
18 violations of this chapter to the attorney general, to a district attor-
19 ney in the judicial district where the alleged violation occurred, or to
20 a grand jury.

21 * Sec. 39. AS 24.45.141 is amended to read:

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

1 civil penalty is assessed. However, the imposition of the penalties
2 prescribed in this section or in AS 24.45.151 does not excuse the lobby-
3 ist or employer of a lobbyist from filing statements or reports required
4 by this chapter.

5 * Sec. 40. AS 24.45.171 is amended by adding a new paragraph to read:

6 (13) "commissioner" means the commissioner of administration.

7 * Sec. 41. AS 39.50.020(b) is amended to read:

8 (b) The governor, lieutenant governor, members of the legislature,
9 and candidates for these offices, judicial officers, each commissioner,
10 head or deputy head of, or director of a division within, a department
11 in the executive branch, assistant to the governor or chairman or member
12 of a commission or board required to report under this chapter, shall
13 file the statement with the commissioner of administration [ALASKA
14 PUBLIC OFFICES COMMISSION]. Municipal officers, and candidates for
15 elective municipal office, shall file with the municipal clerk or other
16 municipal official designated to receive their filing for office. All
17 statements required to be filed under this chapter are public records.

18 * Sec. 42. AS 39.50.050(a) is amended to read:

19 (a) The commissioner of administration [ALASKA PUBLIC OFFICES
20 COMMISSION CREATED UNDER AS 15.13.020(a)] shall administer the provisions
21 of this chapter. The commissioner of administration [COMMISSION] shall
22 prepare and keep available for distribution, standardized forms on which
23 the reports required by this chapter shall be filed.

24 * Sec. 43. AS 39.50.050(b) is amended to read:

25 (b) The commissioner of administration [COMMISSION] shall promul-
26 gate regulations to implement and interpret the provisions of this
27 chapter; regulations or interpretation shall be within the intents and
28 purposes of this chapter and are subject to judicial review in accor-
29 dance with the provisions of the Administrative Procedure Act (AS 44.62).

1 * Sec. 44. AS 39.50.050(1) is amended to read:

2 (d) To facilitate the filing of reports under AS 24.45 (Regulation
3 of Lobbying) and the information required to be provided under AS 24.45.-
4 051(4) and (5), the commissioner of administration [COMMISSION] shall
5 publish copies of the reports required under this chapter not later than
6 the convening of each regular session of the legislature. Copies of
7 this publication shall be provided on request; however, the commissioner
8 of administration [COMMISSION] may make a charge for the publication
9 which may not exceed the actual cost of printing, postage and handling.

10 * Sec. 45. AS 44.21 is amended by adding a new section to read:

11 ARTICLE 8. CONFLICT OF INTEREST AND LOBBYING.

12 Sec. 44.21.350. REGULATION OF CONFLICT OF INTEREST AND LOBBYING.

13 The commissioner shall

14 (1) develop and provide all forms for the reports and state-
15 ments required to be made under AS 24.45 and AS 39.50;

16 (2) assist individuals and groups in complying with the
17 requirements of AS 24.45 and AS 39.50;

18 (3) receive and hold open for public inspection reports and
19 statements required to be made under AS 24.45 and AS 39.50 and, upon
20 request, furnish copies at cost to interested persons;

21 (4) compile and maintain a current list of all filed reports
22 and statements;

23 (5) notify, by registered or certified mail, all persons who
24 are delinquent in filing reports and statements required to be made
25 under AS 24.45 and AS 39.50;

26 (6) examine, investigate, and compare all reports, statements,
27 and actions required by AS 24.45 and AS 39.50 and report to the attorney
28 general the names of all persons or groups that the commissioner has
29 substantial reason to believe have violated AS 24.45 or AS 39.50;

1 (7) prepare and publish an annual report to the legislature
2 concerning the effectiveness of AS 24.45 and AS 39.50 and recommenda-
3 tions and proposals for change;

4 (8) adopt regulations necessary to implement and clarify the
5 provisions of AS 24.45 and AS 39.50, subject to the provisions of the
6 Administrative Procedure Act (AS 44.62).

7 * Sec. 46. Except to the extent that they are inconsistent with the
8 provisions of this Act, the regulations of the Alaska Public Offices Commis-
9 sion implementing AS 24.45 and AS 39.50 in effect on the effective date of
10 this Act remain in effect until amended or repealed by the commissioner of
11 administration. Except to the extent that they are inconsistent with the
12 provisions of this Act, the regulations of the Alaska Public Offices Commis-
13 sion implementing AS 15.13 in effect on the effective date of this Act remain
14 in effect until amended or repealed by the director of elections.

15 * Sec. 47. AS 15.13.020, 15.13.030, 15.13.045, 15.13.070(f) - (g), 15.13.-
16 120(a)(2), 15.13.122, 15.13.125; AS 24.45.161(a)(2); AS 39.50.200(a)(4), and
17 39.50.200(b)(8) are repealed.

18 * Sec. 48. This Act takes effect January 1, 1983.
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