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Referred: State Affairs and
Judiciary

1 IN THE SENATE

BY KELLY

2 SENATE BILL NO. 167

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

9 * Section 1. AS 15.13.010(a) is amended to read:

10 (a) This chapter applies in every election for governor, lieuten-
11 ant governor, a member of the state legislature, a delegate to a con-
12 stitutional convention, or judge seeking electoral confirmation. It
13 also applies to every candidate for election to a municipal office in a
14 city or borough with a population of more than 1,000 inhabitants accord-
15 ing to the latest United States census figures or estimates of popula-
16 tion certified as correct for administrative purposes by the Department
17 of Community and Regional Affairs. A municipality may exempt candi-
18 dates for municipal office and persons and groups active in municipal
19 election campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the require-
20 ments of this chapter if a majority of the voters voting on the question
21 at any regular election, as defined by AS 29.78.010(14), or a special
22 municipality-wide election called for that purpose, vote to exempt cand-
23 idates for municipal office and persons and groups active in municipal
24 election campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the require-
25 ments of this chapter. The question of exemption from the requirements
26 of this chapter may be submitted by the city council or borough assembly
27 by ordinance or by initiative ordinance. Nothing in this chapter
28 prohibits a municipality from regulating by ordinance campaign contribu-
29 tions and expenditures.

1 * Sec. 2. AS 15.13.020(b) is repealed and reenacted to read:

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

5 * Sec. 3. AS 15.13.020(d) is repealed and reenacted to read:

6 (d) Members of the commission serve three-year terms. A member
7 of the commission serves until his successor is appointed and quali-
8 fied. The terms of two commission members who are members of the same
9 political party may not expire in consecutive years. The term of
10 office of a member of the commission dates from February 1 of the year
11 of appointment.

12 * Sec. 4. AS 15.13.020(h) is amended to read:

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

17 * Sec. 5. AS 15.13.030 is amended by adding new subsections to read:

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

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

28 * Sec. 6. AS 15.13.040(d) is amended to read:

29 (d) Every individual or [,] person, and every [OR] group that is

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

10 * Sec. 7. AS 15.13.040(e) is amended to read:

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

18 * Sec. 8. AS 15.13 is amended by adding a new section to read:

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

26 (b) A candidate who receives contributions or makes expenditures
27 after filing a report under (a) of this section forfeits his exemption
28 from the reporting requirements of this chapter and shall file reports
29 in accordance with AS 15.13.110. The first report is due on the report-

1 ing date following the receipt of a contribution or the making of an
2 expenditure by the candidate. A candidate who receives an unsolicited
3 contribution and returns the contribution to the contributor within 72
4 hours of its receipt does not lose the exemption provided in this
5 section.

6 * Sec. 9. AS 15.13.045 is amended by adding a new subsection to read:

7 (e) The commission shall adopt regulations consistent with AS 44.-
8 62.330 - 44.62.630 to establish a fair and impartial process for the
9 taking of evidence and holding hearings in investigations and audits of
10 the commission.

11 * Sec. 10. AS 15.13.050 is amended to read:

12 Sec. 15.13.050. GROUPS. Each group, before making an expenditure
13 on behalf of, or in opposition to, a candidate, or a contribution to a
14 candidate, shall register, on forms provided by the commission, with
15 the commission. If the group intends to support or oppose only one
16 candidate, or to contribute to or expend on behalf of, or in opposition
17 to, one candidate 50 percent or more of its funds, the name of the
18 candidate shall be a part of the name of the group. Promptly upon
19 receiving the registration, the commission shall notify the candidate
20 of the group's organization and intent. A group that makes expendi-
21 tures or receives contributions with the express or implied authoriza-
22 tion or consent, or under the direct or indirect control, of a candi-
23 date, is considered to be controlled by that candidate. A group whose
24 major purpose is to further the nomination or election of a single
25 candidate, or which intends to expend 50 percent or more of its money
26 on a single candidate, is considered to be controlled by that candi-
27 date and its actions considered to have been done with the knowledge
28 and consent of the candidate unless, within 10 days from the date the
29 candidate learns from the commission of the existence of the group,

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

10 * Sec. 11. AS 15.13.070(a) is amended to read:

11 (a) A [NO] person or group, including but not limited to all
12 political committees, businesses, corporations, and labor unions, may
13 not contribute [TO OR EXPEND] more than \$1,000 a year on behalf of or
14 in opposition to a candidate [THE COMPETING CANDIDATES] for [EACH]
15 elective office. Political parties and their subdivisions are not
16 subject to the limitation prescribed in this subsection, but they are
17 subject to the reporting requirements prescribed by AS 15.13.040(b) and
18 15.13.110. Nothing in this chapter prohibits

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

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

26 * Sec. 12. AS 15.13.070(d) is amended to read:

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

1 election of a candidate in an election. A contribution made by a
2 person wishing to remain anonymous, and received by a candidate, cam-
3 paign treasurer or deputy campaign treasurer, may not be used or ex-
4 pended, but shall be returned to the donor, if his identity is known,
5 and if no donor is found, the contribution escheats to the state if not
6 donated by the candidate to the charity of his choice. A candidate
7 may accept contributions of \$5 or less without recording the name of
8 the contributor.

9 * Sec. 13. AS 15.13.090 is amended by adding a new subsection to read:

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

13 * Sec. 14. AS 15.13.100 is amended to read:

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

26 * Sec. 15. AS 15.13.110(a)(2) is amended to read:

27 (2) 10 days [ONE WEEK] before the election;

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

29 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and

1 which is made within 10 days [ONE WEEK] of the election shall be re-
2 ported to the commission by date, amount, and contributor [OR RECIP-
3 IENT] within 48 [24] hours of receipt [OR EXPENDITURE] by the candidate
4 or campaign treasurer or deputy treasurer.

5 * Sec. 17. AS 15.13.110 is amended by adding new subsections to read:

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

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

9 (2) the campaign fund has been closed;

10 (3) the campaign has been concluded; and

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

12 (g) Reports shall be filed as required by (a)(4) of this section
13 by

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

16 (2) a group that has an outstanding debt or obligation until
17 the debt or obligation is satisfied or until the group is dissolved.

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

21 * Sec. 18. AS 15.13 is amended by adding a new section to read:

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

1 (b) If the commission determines, after notice and opportunity
2 for a hearing, that a person has engaged in or is engaged in an act
3 which is a violation of this chapter or of a regulation or order issued
4 under this chapter, the commission shall promptly report its deter-
5 mination to the attorney general for appropriate action.

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

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

12 * Sec. 19. AS 15.13.120(a) is amended to read:

13 (a) A person who violates a provision of this section [CHAPTER]
14 is guilty of a class A misdemeanor [AND, UPON CONVICTION, IS PUNISHABLE
15 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT MORE
16 THAN \$5,000]. A violation includes [BUT IS NOT LIMITED TO] any of the
17 following acts or omissions:

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

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

24 (3) knowingly making a false statement or report under this
25 chapter;

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

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

3 (6) knowingly accepting a contribution in violation of
4 AS 15.13.070.

5 * Sec. 20. AS 15.13.120(c) is amended to read:

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

14 * Sec. 21. AS 15.13.120(e) is repealed and reenacted to read:

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

18 * Sec. 22. AS 15.13 is amended by adding a new section to read:

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

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

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

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

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

1 (5) a city mayor under AS 29.23.255.

2 (b) When a candidate or a nominee is charged with a misdemeanor
3 described in (a) of this section, the case shall be promptly tried and
4 the case shall be accorded a preferred status by the courts to ensure a
5 speedy disposition of the matter.

6 * Sec. 23. AS 15.13.125 is amended to read:

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

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

22 * Sec. 24. AS 15.13.130(1) is repealed and reenacted to read:

23 (1) "candidate" means an individual who seeks nomination for
24 election to, or election to, the state legislature, the office of
25 governor or lieutenant governor, or municipal office, or who seeks
26 retention in judicial office or nomination or election as a constitu-
27 tional convention delegate; an individual shall be considered to seek
28 nomination or election if

29 (A) he has taken the action necessary under the law of

1 this state to qualify himself for nomination or election to an
2 office;

3 (B) he has received contributions or made expenditures
4 before filing for office;

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

8 (D) he has campaigned as a write-in candidate for
9 office; or

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

11 * Sec. 25. AS 15.13.130(2) is amended to read:

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

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

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

28 (C) ordinary hospitality in a home;

29 (D) a contribution that is returned to the contributor

1 within 72 hours of its receipt by a candidate or group;

2 * Sec. 26. AS 24.45.041(a) is repealed and reenacted to read:

3 (a) Registration with the commission in accordance with the pro-
4 visions of this section is required of

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

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

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

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

24 * Sec. 28. AS 24.45.051 is repealed and reenacted to read:

25 Sec. 24.45.051. REPORTS. (a) A lobbyist registered under AS 24.-
26 45.041 shall file a report with the commission concerning his activi-
27 ties during each reporting period in which he is registered with the
28 commission, regardless of the amount of expenditures made or payments
29 received by him. The report shall be made on a form prescribed by the

1 commission and shall be filed in accordance with AS 24.45.071 and
2 24.45.081. The report shall contain the following:

3 (1) the amount of income, including but not limited to
4 salary, fee, retainer, or other things of value, together with the full
5 name and complete address of each source of income;

6 (2) the amount of expenditures made or indebtedness incurred
7 during the reporting period and during the calendar year to date by the
8 lobbyist, or by the lobbyist and payable by the employer of the lobby-
9 ist, or reimbursable to the lobbyist by his employer, including but not
10 limited to expenditures for

11 (A) food and beverages;

12 (B) living accommodations;

13 (C) travel;

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

15 (E) secretarial services;

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

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

27 (5) the name and address of any business in which the
28 lobbyist knows or has reason to know that a public official is a pro-
29 prietor, partner, director, officer or manager, or has controlling

1 interest, with whom the lobbyist exchanged money, goods, services, or
2 anything of value and the nature and date of each exchange and the
3 monetary value exchanged, if the total value of these exchanges is
4 \$1,000 or more in a calendar year; and

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

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

12 * Sec. 29. AS 24.45.061 is amended to read:

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

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

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

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

28 (3) the total amount of payments made or indebtedness in-
29 curring during the period to influence legislative or administrative

1 action [DURING THE PERIOD], and the name and address of each person to
2 whom these payments have been made or for whom the indebtedness was
3 incurred [DURING THE PERIOD BY THE MAKER OF THE REPORT], together with
4 the [DATE AND] amount of payment;

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

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

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

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

23 * Sec. 30. AS 24.45.081 is repealed and reenacted to read:

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

27 (1) persons registered as lobbyists; and

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

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

9 * Sec. 31. AS 24.45.091 is amended to read:

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 district [CENTRAL] office in the state
13 capital. If a district office is not maintained by the commission in
14 the state capital, the statements and reports shall be made available
15 in [,] the office of the lieutenant governor, and in the legislative
16 reference library of the Legislative Affairs Agency [, AND AT THE
17 COMMISSION'S DISTRICT OFFICES PRESCRIBED IN AS 15.13.020(j) AS SOON AS
18 PRACTICABLE AFTER EACH REPORTING PERIOD].

19 * Sec. 32. AS 24.45.161(a)(1) is amended to read:

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

28 * Sec. 33. AS 24.45.171(4) is amended to read:

29 (4) "immediate family" means the spouse and dependent chil-

1 dren of a public official [AN INDIVIDUAL];

2 * Sec. 34. AS 24.45.171(6) is amended to read:

3 (6) "influencing legislative or administrative action" means
4 promoting, advocating, supporting, modifying, opposing or delaying or
5 attempting [SEEKING] to do any of these [THE SAME] with respect to any
6 legislative or administrative action by means including but not limited
7 to the provision or use of information, statistics, studies, analyses
8 in written or oral form or format; the term excludes inquiries about or
9 activity conforming to procedures required by law;

10 * Sec. 35. AS 24.45.171 is amended by adding a new paragraph to read:

11 (13) "source of income" means

12 (A) the person or group for which lobbying services are
13 performed; or

14 (B) the person or group which is the origin of payment
15 for lobbying services, or the direct employer of the lobbyist, or
16 both.

17 * Sec. 36. AS 39.50.020(a) is amended to read:

18 (a) A judicial officer, commissioner, chairman or member of a
19 state commission or board specified in AS 39.50.200(9), person hired or
20 appointed as head or deputy head of, or director of a division within,
21 a department in the executive branch, person appointed as assistant to
22 the governor, and a municipal officer, shall file a statement giving
23 his income sources and business interests, under oath and on penalty of
24 perjury, within 30 days after he takes office as a public official.

25 A candidate [CANDIDATES] for state elective office shall file the [SUCH
26 A] statement at the time of filing a declaration of candidacy or within
27 30 days of the filing of a [ANY] nominating petition, or within 30 days
28 of becoming a candidate by any other means, unless he files for office
29 during a year other than the year in which he seeks nomination or elec-

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

21 * Sec. 37. AS 39.50.030(b) is amended to read:

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

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

28 (2) the identity, by name and address, of each business in
29 which he or his spouse or dependent child of his [OR NONDEPENDENT CHILD

1 OF HIS] who is living with him was a stockholder, owner, officer,
2 director, partner, proprietor, or employee during the preceding calendar
3 year;

4 (3) the identity and nature of each interest owned by him or
5 his spouse or dependent child of his [OR NONDEPENDENT CHILD OF HIS] who
6 is living with him, in any business during the preceding calendar year;

7 (4) the identity and nature of each interest in real prop-
8 erty, including an option to buy, owned by him or his spouse or depen-
9 dent child of his [OR NONDEPENDENT CHILD OF HIS] who is living with
10 him, at any time during the preceding calendar year;

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

17 (6) any loan or loan guarantee made to him or his spouse or
18 dependent child of his [OR NONDEPENDENT CHILD OF HIS] who is living
19 with him, and the identity of the maker of the loan or loan guarantor
20 and the identity of each creditor to whom he or his spouse or dependent
21 child of his [OR NONDEPENDENT CHILD OF HIS] who is living with him owed
22 \$500 or more;

23 (7) a list of all contracts and offers to contract with the
24 state, or an instrumentality of the state, during the preceding calen-
25 dar year, held, bid or offered by him, his spouse, dependent child of
26 his [OR NONDEPENDENT CHILD OF HIS] who is living with him, his mother
27 or father or a partnership or professional corporation of which he is a
28 member, or a corporation in which he or his spouse or his children, or
29 a combination of them, hold a controlling interest; and

1 (8) a list of all mineral, timber, oil, or any other natural
2 resource lease held, or lease offer made, during the preceding calendar
3 year by him, a dependent child of his [OR NONDEPENDENT CHILD OF HIS]
4 who is living with him, his mother or father or a partnership or
5 professional corporation of which he is a member, or a corporation in
6 which he or his spouse or his children, or a combination of them, hold
7 a controlling interest.

8 * Sec. 38. AS 15.13.020(c), 15.13.040(f), 15.13.070(f) and (g), 15.13.-
9 110(a)(1), 15.13.110(d), and 15.13.120(b) are repealed.

10 * Sec. 39. The terms of the members of the Alaska Public Offices Commis-
11 sion expire on the effective date of this Act. The governor shall appoint
12 five members of the Alaska Public Offices Commission: two members shall
13 serve for three years; two members shall serve for two years; and one member
14 shall serve for one year. The governor shall designate the terms of the
15 members appointed.

16 * Sec. 40. This Act takes effect July 1, 1981.
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