

## HOUSE BILL NO. 332

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 5/16/91

Referred: State Affairs, Judiciary, Finance

## A BILL

## FOR AN ACT ENTITLED

1 "An Act relating to reporting and disclosure requirements under the Campaign Disclosure  
2 Law, the Regulation of Lobbying Law, and the Conflict of Interest Law; duties of the  
3 Alaska Public Offices Commission under the Regulation of Lobbying Law and the Conflict  
4 of Interest Law; restrictions on cash contributions and expenditures under the Campaign  
5 Disclosure Law; and providing for an effective date."

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

7 \* Section 1. AS 15.13.040(a) is amended to read:

8 (a) Each candidate shall make a full report, upon a form prescribed by the commission,  
9 listing the date and amount of all expenditures made by the candidate, the total amount of all  
10 contributions, including all funds contributed by the candidate, and for all contributions in excess  
11 of \$250 [\$100] in the aggregate a year, the name, address, principal occupation, and employer  
12 of the contributor and the date and amount contributed by each contributor. The report shall be  
13 filed in accordance with AS 15.13.110 and shall be certified correct by the candidate or campaign  
14 treasurer. A candidate who does not receive more than \$1,000 in contributions and does not

1 spend more than \$1,000 on behalf of a campaign is not subject to the reporting  
2 requirements of this subsection, but the candidate shall indicate, on a form prescribed by  
3 the commission, an intent not to raise or spend more than \$1,000.

4 \* Sec. 2. AS 15.13.040(b) is amended to read:

5 (b) Each group shall make a full report upon a form prescribed by the commission, listing  
6 (1) the name and address of each officer and director;  
7 (2) the aggregate amount of all contributions made to it; and, for all contributions  
8 in excess of \$250 [~~\$100~~] in the aggregate a year, the name, address, principal occupation, and  
9 employer of the contributor, and the date and amount contributed by each contributor; and  
10 (3) the date and amount of all contributions made by it and all expenditures made,  
11 incurred, or authorized by it.

12 \* Sec. 3. AS 15.13.040 is amended by adding a new subsection to read:

13 (g) Accrued expenditures that in the aggregate total \$1,000 or less a year per payee or  
14 account need not be included in the report of expenditures required under (a) and (b)(3) of this  
15 section. However, if an unreported accrued expenditure is not paid within 90 days after it is  
16 incurred, it becomes a contribution and must be reported as required by this section and  
17 AS 15.13.110. For purposes of this subsection, "accrued expenditures" means expenses incurred  
18 but not yet paid.

19 \* Sec. 4. AS 15.13.070(b) is amended to read:

20 (b) A contribution over \$250 [~~\$100~~] may not be made in cash or by cash payment and  
21 it may not be accepted by or on behalf of a candidate.

22 \* Sec. 5. AS 15.13.070(c) is amended to read:

23 (c) An expenditure over \$250 [~~\$100~~] may not be made in cash or by cash payment unless  
24 a written receipt is obtained and filed with the commission.

25 \* Sec. 6. AS 24.45.031(b) is amended to read:

26 (b) The commission may  
27 (1) hold hearings and conduct investigations into compliance with the provisions  
28 of this chapter;  
29 (2) in conjunction with (1) of this subsection, issue subpoenas, compel the  
30 attendance and testimony of witnesses, administer oaths and affirmations, and require the  
31 production of books, papers, records, documents or other items material to the commission's

1 duties or powers under this chapter;

2 (3) prepare, publish, and make available to the public, semi-annual [PERIODIC,  
3 BUT AT LEAST QUARTERLY AND ANNUALLY,] summaries of the statements and reports  
4 received; these summaries shall list separately individual lobbyists and employers of lobbyists.

5 \* Sec. 7. AS 24.45.041(e) is amended to read:

6 (e) Within 45 days after the convening of each regular session of the legislature, the  
7 commission shall publish a directory of registered lobbyists, containing the information prescribed  
8 in (b) of this section for each lobbyist [AND THE PHOTOGRAPH, IF ANY, FURNISHED BY  
9 A LOBBYIST UNDER (c) OF THIS SECTION]. From time to time thereafter the commission  
10 shall publish those supplements to the directory that in the commission's judgment may be  
11 necessary. The directory shall be made available to public officials and to the public at the  
12 following locations: a public place adjacent to the legislative chambers in the state capitol  
13 building, [THE OFFICE OF THE LIEUTENANT GOVERNOR, THE LEGISLATIVE  
14 REFERENCE LIBRARY OF] the Legislative Affairs Agency, and the commission's central  
15 office.

16 \* Sec. 8. AS 24.45.061(a) is amended to read:

17 (a) A person who employs, retains, or contracts for the services of a lobbyist shall  
18 sign the lobbyist's registration statement verifying that employment, retention, or contract  
19 for lobbying services. [WITHIN 15 DAYS AFTER EMPLOYING, RETAINING OR  
20 CONTRACTING FOR THE EMPLOYMENT OR RETENTION OF A LOBBYIST, THE  
21 PERSON WHO EMPLOYS, RETAINS OR WHO CONTRACTS FOR THE SERVICES OF A  
22 LOBBYIST SHALL FILE A STATEMENT WITH THE COMMISSION AUTHORIZING OR  
23 VERIFYING THAT EMPLOYMENT, RETENTION OR CONTRACT FOR LOBBYING  
24 SERVICES.]

25 \* Sec. 9. AS 24.45.061(b) is amended to read:

26 (b) A person who employs, retains, or [WHO] contracts for the services of one or more  
27 lobbyists, whether independently or jointly with other persons, and who directly or indirectly  
28 makes payments to influence legislative or administrative action shall file an annual [A  
29 QUARTERLY] report containing

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

- 1 (2) information sufficient to identify the nature and interests of the person making  
2 the report;
- 3 (3) the total amount of payments made to influence legislative or administrative  
4 action during the period, and the name and address of each person to whom these payments have  
5 been made during the period by the maker of the report, together with the date and amount;
- 6 (4) the date and nature of any gift exceeding \$100 in value made to any public  
7 official and the full name and official position of the recipient of each gift;
- 8 (5) a general description of the legislative or administrative action which the  
9 person making the report has attempted to influence;
- 10 (6) the name of each lobbyist employed or retained by the person making the  
11 report, together with the total amount paid to each lobbyist and the portion of that amount, if any,  
12 which was paid for specific purposes, including salary, fees, and reimbursement for expenses; and
- 13 (7) a notice of termination if the person filing a report has ceased employing or  
14 retaining a lobbyist registered under this chapter and if this report constitutes the final report of  
15 the lobbyist's activities on behalf of the maker of the report.

16 \* Sec. 10. AS 24.45.081 is amended to read:

17 Sec. 24.45.081. REPORTING PERIODS. Lobbyist reports [REPORTS] required under  
18 this chapter shall be filed during the calendar month following each calendar month during any  
19 part of which the legislature was in session and during the month following each calendar quarter  
20 when the legislature was not in session. However, if a lobbyist registered under this chapter has  
21 declared that the lobbyist seeks only to influence administrative action and not legislative action  
22 the lobbyist need only file a report required under this chapter for each calendar quarter. The  
23 period covered shall be the calendar month or the calendar quarter, as applicable, and shall in any  
24 event cover the period from the date of the last report filed under this chapter to the date of the  
25 end of the calendar month or quarter, as applicable, for which the report is being filed. The  
26 period covered shall not include any months covered in previous reports filed by the same person.  
27 When total amounts are required to be reported, totals shall be stated both for the period covered  
28 by the statement and for the entire calendar year to date. Annual employer reports required  
29 under this chapter shall be filed either 30 days after all lobbying activities are terminated  
30 or during the month following the fourth calendar quarter, whichever occurs first.

31 \* Sec. 11. AS 39.50.030(a) is amended to read:

1 (a) Each statement shall be an accurate representation of the financial affairs of the public  
2 official or candidate and shall contain the same information for each member of the person's  
3 family, as specified in (b) of this section, to the extent that it is ascertainable by the public  
4 official or candidate. [AN ASSET OR LIABILITY UNDER \$500, HOUSEHOLD GOODS,  
5 AND PERSONAL EFFECTS NEED NOT BE IDENTIFIED.]

6 \* Sec. 12. AS 39.50.030(b) is amended to read:

7 (b) Each statement filed by a public official or candidate under this chapter shall include  
8 the following:

9 (1) the source of all income over \$1,000 [\$100] during the preceding calendar  
10 year, including taxable and nontaxable capital gains, received by the person, the person's spouse  
11 or dependent child, or a nondependent child of the person who is living with that person, except  
12 that a source of income that is a gift must be included if the value of the gift exceeds \$100;

13 (2) the identity, by name and address, of each business in which the person, the  
14 person's spouse or dependent child, or a nondependent child of the person who is living with that  
15 person was a stockholder, owner, officer, director, partner, proprietor, or employee during the  
16 preceding calendar year;

17 (3) the identity and nature of each interest owned in any business during the  
18 preceding calendar year by the person, the person's spouse or dependent child, or a nondependent  
19 child of the person who is living with that person;

20 (4) the identity and nature of each interest in real property, including an option  
21 to buy, owned at any time during the preceding calendar year by the person, the person's spouse  
22 or dependent child, or a nondependent child of the person who is living with that person;

23 (5) the identity of each trust or other fiduciary relation in which the person, the  
24 person's spouse or dependent child, or a nondependent child of the person who is living with that  
25 person held a beneficial interest exceeding \$1,000 during the preceding calendar year, a  
26 description and identification of the property contained in each trust or relation, and the nature  
27 and extent of the beneficial interest in it;

28 (6) any loan or loan guarantee made to the person, the person's spouse or  
29 dependent child, or a nondependent child of the person who is living with that person, and the  
30 identity of the maker of the loan or loan guarantor and the identity of each creditor to whom the  
31 person, the person's spouse or dependent child, of a nondependent child of the person who lives

1 with that person owed more than \$1,000 [500 OR MORE];

2 (7) a list of all contracts and offers to contract with the state or an instrumentality  
3 of the state during the preceding calendar year held, bid, or offered by the person, the person's  
4 spouse or dependent child, a nondependent child of the person who is living with that person,  
5 a partnership or professional corporation of which the person is a member [THE PERSON'S  
6 MOTHER OR FATHER], or a corporation in which the person or the person's spouse or  
7 children, or a combination of them, hold a controlling interest; and

8 (8) a list of all mineral, timber, oil, or any other natural resource lease held, or  
9 lease offer made, during the preceding calendar year by the person, the person's spouse or  
10 dependent child, a nondependent child of the person who is living with that person, [THE  
11 PERSON'S MOTHER OR FATHER] a partnership or professional corporation of which the  
12 person is a member, or a corporation in which the person or the person's spouse or children, or  
13 a combination of them, holds a controlling interest.

14 \* Sec. 13. AS 39.50 is amended by adding a new section to read:

15 Sec. 39.50.147. EXEMPTION FOR MUNICIPALITIES. The provisions of this chapter  
16 do not apply to a municipal officer in a municipality with a population of 1,000 or less according  
17 to the latest United States census figures or estimates of population certified correct for  
18 administrative purposes by the Department of Community and Regional Affairs.

19 \* Sec. 14. AS 15.13.110(a)(3); AS 24.45.041(c), 24.45.051(5), 24.45.116; and AS 39.50.025 are  
20 repealed.

21 \* Sec. 15. This Act takes effect January 1, 1992.