

SENATE FINANCE COMMITTEE REPORT

DATE: 5/1/92

FURTHER:

DATE TURNED INTO OFFICE: _____

The Finance Committee considered

SENATE BILL NO. 299

Reporting and disclosure requirements under the Campaign Disclosure Law, the Regulation of Lobbying Law, and the Conflict of Interest Law; duties of the Alaska Public Offices Commission under the Regulation of Lobbying Law and the Conflict of Interest Law; restrictions on cash contributions and expenditures under the Campaign Disclosure Law; efd.

and recommends:

replace with _____ CS _____ (FINANCE)
or adopt previous _____ CS _____ (_____)
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

DO PASS:

OTHER RECOMMENDATIONS:

1. _____
Co-Chair: Signature/Recommendation

2. _____
Co-Chair: Signature/Recommendation

SENATE COMMITTEE REPORT

DATE: 2/28/92

FURTHER: Finance

DATE TURNED INTO OFFICE: 4-30-92

Judiciary Committee considered

SENATE BILL NO. 299

"An Act relating to reporting and disclosure requirements under the Campaign Disclosure Law, the Regulation of Lobbying Law, REPORTING/CAMPAIGN FINANCING of the Alaska Public Offices Commission under the Regulation of Lobbying Law and the APOC Act Law; restrictions on cash contributions and expenditures under the Campaign Disclosure Law; and providing for an effective date."

and a majority of the committee recommends it be replaced with

and recommends:

replace with _____ CS SB 299 (SUD)

or adopt previous _____ CS _____ ()

and do pass

attaches amendment(s)

- same title
- new title
- technical title change (HB only)

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

dfm

NEW FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

appropriation--no fiscal note

DO PASS:

[Handwritten signatures]

PREVIOUS FISCAL NOTES: Dept/Date

zero fiscal notes _____

fiscal notes _____

OTHER RECOMMENDATIONS:

Rich Halford do pass

Chair: Signature and Recommendation

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

gmk

DATE: 5/16/91

FURTHER: Judiciary
Finance

Date of 5-Day Notice: 1-30-92
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 2-27-92

Senate Special Comte on Ethical³ Reform considered SB 299

[Reporting and disclosure requirements under the Campaign Disclosure Law, the Regulation of Lobbying Law, and the Conflict of Interest Laws; duties of the Alaska Public Offices Commission;] and restrictions on cash contributions and expenditures; efd.

and report it
back as follows

and recommended:

- [] replace with _____ CS _____ [] same title
- [] attached amendment(s) [] new title
- [] _____ letter of intent adopted

[] do pass

[] do not pass

[] no recommendation

individual recommendations

[] further referral to _____

phi/su

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

[] fiscal note(s) _____

zero fiscal note(s) Admin
1/30/92

[] appropriation-no fiscal note

[] Governor's bill w/fiscal note

SIGNING DO PASS:

OTHER RECOMMENDATIONS:

2 *[Signature]*

1 *[Signature]* do Rec 3/4

1 *[Signature]* do Rec 10/1
Chair: Signature and Recommendation

**STATE OF ALASKA
1991 LEGISLATIVE SESSION**

Bill Version: SB 299

(S) Publish Date: 5/16/91

Revision Date: _____ Department Affected: I
 Title: An Act relating to the Alaska Public Offices Commission BRU: Alaska Public Offices Commission
 Sponsor: DEPT. OF ADMINISTRATION Component: _____
 Requestor: Governor Walter J. Hickel COMPONENT SERIAL NO.

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)
 There will be no fiscal impact.

Prepared By: Raeen Doorman, Executive Director Phone: (907) 276-4279
 Division: Alaska Public Offices Commission Date: 4/15/91

Approved by Commissioner: Jane Rohls Jane Rohls
 Agency: Alaska Public Offices Commission Date: 4/15/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

No. 2
Bill Version: SB299
(S) Publish Date: 2-28-92

Revision Date: December 3, 1991
Title: An Act relating to reporting and disclosure requirements under various APOC laws
Sponsor: Rules Committee
Requestor: Governor

Department Affected: Administration
BRU: Alaska Public Offices Commission
Component: Alaska Public Offices Commission

COMPONENT SERIAL NO.

0	0	7	0
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE: Fund Source	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE: Fund Source	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.) There will be no fiscal impact.

Prepared by: Jim Kentch, Assistant Director
Division: Alaska Public Offices Commission

Phone: (907) 276-4176
Date: December 2, 1991

Approved by Commissioner: Nancy Bear Usura
Agency: Administration

Date: 1/30/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

BILL ANALYSIS

SB 299

This bill amends the Campaign Disclosure Law, AS 15.13 (Sections 1-5), the Regulation of Lobbying Law, AS 24.45 (Sections 6-10) and the Conflict of Interest Law, AS 39.50 (Sections 11-13). In so doing, it would raise certain thresholds of reporting, exempt certain persons and entities from filing and simplify some reporting requirements. This would facilitate filing by those subject to the law, reduce APOC's statutory requirements but retain the public interest in disclosure of information under the three laws.

CAMPAIGN DISCLOSURE

Section 1 and 2. AS 15.13.040(a). The bill raises the threshold of individual campaign contributions to be reported by candidates and groups from those over \$100 to over \$250 and eliminates reporting requirements for state or municipal candidates who do not receive or spend more than \$1,000 during a campaign for office.

Section 3. 15.13.040. Accrued expenditures, defined as expenses incurred but not yet paid, that cumulatively total \$1,000 or less per payee would not be reported unless they were not paid within 90 days.

Section 4 and 5. AS 15.13.070(b)(c). This raises the threshold for allowable cash contributions or expenditures from over \$100 to over \$250.

LOBBYING

Section 6. AS 24.45.031(b). This section would limit APOC's publication of lobbying activity summaries to twice a year instead of five times a year.

Section 7. AS 24.45.041(e). This would delete reference to the inclusion of a photograph of a lobbyist in the published directory. Copies would not be available to the public through the Lieutenant Governor's office or Legislative Reference Library.

Section 8. AS 24.45.061(a). The bill requires an employer of a lobbyist to sign the lobbyist's registration statement verifying employment instead of filing a separate statement.

Section 9 and 10. AS 24.45.061(b), AS 24.45.081. This bill reduces the number of reports filed by an employer of a lobbyist from four to one per year and sets a filing deadline.

CONFLICT OF INTEREST

Section 11 and 12. AS 39.50.030(a)(b). This bill: eliminates unnecessary language about assets and liabilities under \$500; raises the reporting threshold on sources of income from over \$100 to over \$1000, except for gifts which must be reported if over \$1000; establishes a threshold value of greater than \$1000 for reporting a beneficial interest in a trust; and increases the threshold of reportable loans from more than \$500 to more than \$1,000. Reporting requirements for state contracts and natural resource leases are made consistent and the filer is no longer required to report his or her parents' contracts or leases.

Section 13. AS 39.50. Municipal officers in a municipality with less than 1000 population would be exempted from filing Conflict of Interest Statements.

MISCELLANEOUS

Section 14. This section: a) eliminates the 10 day post election campaign report requirement for state and municipal candidates; b) eliminates the optional submission of a photograph by a lobbyist for the published directory; c) eliminates a lobbyist's requirement to report a business entity owned or managed by public officials with which the lobbyist has done business; d) eliminates from the lobbying law the requirement that civic organizations report contributions over \$100; e) eliminates mailout of AS 24.60 Standards of Conflict of Conduct to candidates for the legislature.

Section 15 establishes an effective date for this bill.

CS FOR SENATE BILL NO. 299 (JUDICIARY)
 IN THE LEGISLATURE OF THE STATE OF ALASKA
 SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 5/1/92
 Referred: Finance

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to reporting and disclosure requirements for election campaigns, the
 2 Regulation of Lobbying Act, and conflicts of interest; relating to duties of the Alaska
 3 Public Offices Commission; and providing for an effective date."

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

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

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

1 the commission, an intent not to raise or spend more than \$1,000.

2 * Sec. 2. AS 15.13.040 is amended by adding a new subsection to read:

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

9 * Sec. 3. AS 15.13.125 is amended to read:

10 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS. A
11 person who fails to file a properly completed and certified report within the time required by
12 AS 15.13.110(a)(1) or [, (3),] (4) or 15.13.110(d) is subject to a civil penalty of not more than
13 \$10 a day for each day the delinquency continues as determined by the commission subject to
14 right of appeal to the superior court. A person who fails to file a properly completed and certified
15 report within the time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty
16 of not more than \$50 a day for each day the delinquency continues as determined by the
17 commission subject to right of appeal to the superior court. An affidavit stating facts in
18 mitigation may be submitted to the commission by a person against whom a civil penalty is
19 assessed. However, the imposition 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 chapter.

21 * Sec. 4. AS 24.45.031(b) is amended to read:

22 (b) The commission may

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

25 (2) in conjunction with (1) of this subsection, issue subpoenas, compel the
26 attendance and testimony of witnesses, administer oaths and affirmations, and require the
27 production of books, papers, records, documents or other items material to the commission's
28 duties or powers under this chapter;

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

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

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

12 * Sec. 6. AS 24.45.061(a) is repealed and reenacted to read:

13 (a) A person who employs, retains, or contracts for the services of a lobbyist shall sign
14 the lobbyist's registration statement verifying that employment, retention, or contract for lobbying
15 services.

16 * Sec. 7. AS 24.45.061(b) is amended to read:

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

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

23 (2) information sufficient to identify the nature and interests of the person making
24 the report;

25 (3) the total amount of payments made to influence legislative or administrative
26 action during the period, and the name and address of each person to whom these payments have
27 been made during the period by the maker of the report, together with the date and amount;

28 (4) the date and nature of any gift exceeding \$100 in value made to any public
29 official and the full name and official position of the recipient of each gift;

30 (5) a general description of the legislative or administrative action that [WHICH]
31 the person making the report has attempted to influence;

1 (6) the name of each lobbyist employed or retained by the person making the
2 report, together with the total amount paid to each lobbyist and the portion of that amount, if any,
3 that [WHICH] was paid for specific purposes, including salary, fees, and reimbursement for
4 expenses; and

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

8 * Sec. 8. AS 24.45.081 is amended to read:

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

23 * Sec. 9. AS 39.50.030(a) is amended to read:

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

29 * Sec. 10. AS 39.50.030(b) is amended to read:

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

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

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

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

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

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

20 (6) any loan or loan guarantee made to the person, the person's spouse or
21 dependent child, or a nondependent child of the person who is living with that person, and the
22 identity of the maker of the loan or loan guarantor and the identity of each creditor to whom the
23 person, the person's spouse or dependent child, or a nondependent child of the person who lives
24 with that person owed more than \$1,000 [\$500 OR MORE];

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

31 (8) a list of all mineral, timber, oil, or any other natural resource lease held, or

1 lease offer made, during the preceding calendar year by the person, the person's spouse or
2 dependent child, a nondependent child of the person who is living with that person, [THE
3 PERSON'S MOTHER OR FATHER] a partnership or professional corporation of which the
4 person is a member, or a corporation in which the person or the person's spouse or children, or
5 a combination of them, holds a controlling interest.

6 * Sec. 11. AS 39.50.050(d) is amended to read:

7 (d) To facilitate the filing of reports under AS 24.45 (Regulation of Lobbying) and the
8 information required to be provided under AS 24.45.051(4) [AND (5),] the commission shall
9 publish copies of the reports required under this chapter not later than the convening of each
10 regular session of the legislature. Copies of this publication shall be provided on request;
11 however, the commission may make a charge for the publication that may not exceed the actual
12 cost of printing, postage, and handling.

13 * Sec. 12. AS 39.50 is amended by adding a new section to read:

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

18 * Sec. 13. AS 15.13.110(a)(3); AS 24.45.041(c), 24.45.051(5), 24.45.116; and AS 39.50.025 are
19 repealed.

20 * Sec. 14. This Act takes effect January 1, 1992.

SENATE BILL NO. 299

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 5/16/91
 Referred: ETR, 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 accounted by or on behalf of a candidate.

22 * Sec. 5. AS 15.13.07 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.

ALASKA STATE LEGISLATURE
SENATE BILL NO. 299

HISTORY IN THE SENATE

1997
5/16
1992
4/27
5/1

Read first time and referred to:
ETR Judiciary Finance

RPT() CS 1 DP 2 NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
FN ___ OFN ___ To Mad

RPT() CS 3 DP ___ NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
FN 1 OFN ___ To Mad

RPT() CS ___ DP ___ NR ___ DNP ___ AM
New Title ___ Same Title ___ Previous FN ___
FN ___ OFN ___ To ___

Rules Calendar() CS ___ AM ___ Other ___
New Title ___ Same Title ___ Previous FN ___
FN ___ OFN ___

Read second time

CS Adopted () New Title ___
Amended ___ Advanced ___

Read third time

Letter of Intent adopted ___
Return to second for specific amendment ___

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reconsideration
Reconsideration not taken up

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Reported correctly engrossed
Signed by President, to House

Secretary of the Senate

HISTORY IN THE HOUSE

19

Read first time and referred to:

RPT CS() New Title ___
DP DNP NR AM
FN OFN Previous FN ___

RPT CS() New Title ___
DP DNP NR AM
FN OFN Previous FN ___

RPT CS() New Title ___
DP DNP NR AM
FN OFN Previous FN ___

Read second time
CS() Adopted

Amended

Advanced

Read third time

Return to second for specific amendment

PASSED	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON.	EFD Same ___ or
Yeas	Yeas
Nays	Nays
Excused	Excused
Absent	Absent

Intent adopted

Reported correctly engrossed, signed by the Speaker
and returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY Continued

19	<p>Received from the House Version: _____</p> <p>Concur in House amendment Y ___ N ___ E ___ A ___ ____ Efd same or Y ___ N ___ E ___ A ___</p> <p>Failed to concur in House amendment, ask House recede Y ___ N ___ E ___ A ___</p> <p>House failed to / receded from amendment Y ___ N ___ E ___ A ___</p> <p>CC appointed by Senate _____ Chair _____</p> <p>CC appointed by House _____ Chair _____</p> <p>(S) Granted Limited Powers of Free Conference</p> <p>(H) Granted Limited Powers of Free Conference</p>
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19	<p>(S) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ ____ Efd same or Y ___ N ___ E ___ A ___</p> <p>(H) Adopted CC Rpt _____ Y ___ N ___ E ___ A ___ ____ Efd same or Y ___ N ___ E ___ A ___</p> <p>To enrolling Received from enrolling Sent to Governor</p> <p>_____ By Governor</p> <p>Chapter Number _____</p> <p>Filed with Lieutenant Governor</p>
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WALTER J. HICKEL
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

299

May 16, 1991

The Honorable Richard I. Eliason
President of the Senate
P.O. Box V
Juneau, AK 99811

Dear President Eliason:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill relating to reporting and disclosure requirements under the laws administered by the Alaska Public Offices Commission (APOC).

The bill has three main components: it amends the Alaska Campaign Disclosure Law, AS 15.13, the Regulation of Lobbying Law, AS 24.45, and the Conflict of Interest Law, AS 39.50. In doing so, it would raise certain thresholds of reporting, exempt certain persons and entities from filing, and simplify reporting requirements for lobbyists and persons who engage the services of a lobbyist.

The bill would raise the reporting thresholds under the Campaign Disclosure and Conflict of Interest laws. Campaign disclosure thresholds that trigger reporting of the names, occupations, and employers of contributors to a candidate or group and establish limits for cash contributions and expenditures would be raised from \$100 to \$250. Sections 1, 2, 4, and 5. More than a decade has passed since the Campaign Disclosure Law was adopted, and these amendments would raise thresholds to reflect inflation during this period. The changes would also provide campaigns with more flexibility in collecting and spending money.

The threshold for a public official to report sources of income on a conflict of interest statement would be raised from \$100 to \$1,000. This change would apply to all sources of income except gifts. Section 12. The change would take into account the inflation rate and require disclosure at a more reasonable level. This change would also eliminate reporting of minor income sources. A \$1,000 threshold would be required before a public official was required to report the identity of a trust or other fiduciary relation in which the person, spouse, or dependents

held a beneficial interest. Section 12. Additionally, the threshold for reporting loans and indebtedness on a conflict of interest statement would be raised from \$500 to \$1,000. Section 12. Language in AS 39.50.030(a) regarding the contents of a conflict of interest statement is deleted in sec. 11 of the bill. AS 39.50.030(b) specifies the information that must be included in a statement, making the language in subsec. (a) confusing and unnecessary.

The bill would provide exemptions from the Campaign Disclosure and Conflict of Interest reporting requirements. Campaigns that receive contributions and make expenditures of less than \$1,000 would be exempted from the reporting requirements of AS 15.13.040. Section 1. Accrued expenditures (defined as expenses incurred but not yet paid) that cumulatively total \$1,000 or less per payee would not have to be reported unless they were not paid within 90 days. Section 3. The bill would decrease the number of municipalities and boroughs subject to the conflict of interest reporting requirements by exempting any municipal officer in a municipality with a population of 1,000 or less from filing a conflict of interest statement. Section 13.

The bill amends the Campaign Disclosure law to eliminate the filing of 10-day post-election reports. Section 14. The 10-day reports usually cover a limited segment of a campaign's financial transactions and reveal activity that would be disclosed on the next required report.

The bill's changes to the Regulation of Lobbying law would eliminate the requirement of disclosure relating to exchanges between lobbyists and bona fide business entities owned or controlled by public officials. Section 14. Very few, if any, lobbyists report under this section and it does not generally constitute an area where a great element of influence is used.

The reporting requirements for persons who retain, employ, or contract for the services of a lobbyist would be simplified. A person would have to sign the lobbyist registration statement to verify the employment rather than be required to file a separate employer report. Section 8. A person who engages the services of a lobbyist would file an annual report 30 days after all lobbying activities are terminated or during the month following the fourth quarter of the calendar year, whichever occurs first, rather than filing the quarterly reports presently required under the law. Sections 9 and 10.

Summaries of the statements and reports of lobbyists would be prepared, published, and made available semi-annually rather than quarterly. Section 6. The lobbyist directory would be made available to the public and public officials but would no longer

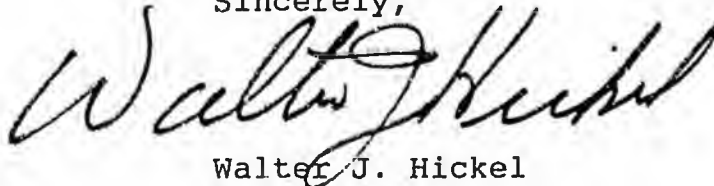
The Honorable Richard Eliason - 3 -

be distributed to the Office of the Lieutenant Governor and the legislative reference library. The current provision that allows a lobbyist's photograph to be voluntarily submitted with the lobbyist's registration form is repealed in the bill, and the requirement that the APOC publish such photographs in the lobbyist directory is deleted. Sections 7 and 14. Further, the APOC would be required to notify only elected legislators of the standards of conduct contained in AS 24.60 as opposed to the present requirement to notify all candidates running for the legislature.

Finally, the changes in the bill would eliminate the need for a filer to report on a conflict of interest statement his or her parent's contracts with the state or the parent's natural resources leases. Section 12. It would require full disclosure if the public official has an interest in a partnership or professional corporation contracting with the state. Section 12. It would also require a filer to disclose the interest of a spouse in any natural resources lease. Section 12. The changes would eliminate reporting requirements of a filer's parents' interest and make the law consistent regarding disclosure of a spouse's interest. The bill also contains several other minor changes which would permit the agency to operate more effectively.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in cursive script, reading "Walter J. Hickel". The signature is written in dark ink and is positioned above the printed name and title.

Walter J. Hickel
Governor

BILL ANALYSIS

CSSB 299 (JUDICIARY)

This bill amends the Campaign Disclosure Law, AS 15.13 (Sections 1-3), the Regulation of Lobbying Law, AS 24.45 (Sections 4-8) and the Conflict of Interest Law, AS 39.50 (Sections 9-12). In so doing, it would raise certain thresholds of reporting, exempt certain persons and entities from filing and simplify some reporting requirements. This would facilitate filing by those subject to the law, reduce APOC's statutory requirements but retain the public interest in disclosure of information under the three laws.

CAMPAIGN DISCLOSURE

Section 1. AS 15.13.040(a). The bill eliminates reporting requirements for state or municipal candidates who do not receive or spend more than \$1000 during a campaign for office.

Section 2. AS 15.13.040. Accrued expenditures, defined as expenses incurred but not yet paid, that cumulatively total \$1,000 or less per payee would not be reported unless they were not paid within 90 days.

Section 3. AS 15.13.125. This is a conforming amendment which removes a reference to AS 15.13.110(a)(3) (10 Day Post Election Report) which is proposed to be eliminated in Section 14.

LOBBYING

Section 4. AS 24.45.031(b). This section would limit APOC's publication of lobbying activity summaries to twice a year instead of five times a year.

Section 5. AS 24.45.041(e). This would delete reference to the inclusion of a photograph of a lobbyist in the published directory. Copies of the directory would not be available to the public through the Lieutenant Governor's office or Legislative Reference Library but would continue to be available through APOC's Anchorage and Juneau offices, the Legislative Information Offices, the legislature's documents room, and a large distribution list including all legislators and executive branch officials.

Section 6. AS 24.45.061(a). The bill requires an employer of lobbyist to sign the lobbyist's registration statement verifying employment instead of filing a separate statement. The number of reports filed by lobbyists will remain the same.

Section 7 and 8. AS 24.45.061(b), AS 24.45.081. This bill reduces the number of reports filed by an employer of lobbyist from four to one per year and sets a filing deadline.

CONFLICT OF INTEREST

Section 9 and 10. AS 39.50.030(a)(b). This bill: eliminates unnecessary language about assets and liabilities under \$500; raises the reporting threshold on sources of income from over \$100 to over \$1000, except for gifts which must be reported if over \$100; establishes a threshold value of greater than \$1000 for reporting a beneficial interest in a trust; and increases the threshold of reportable loans from more than \$500 to more than \$1,000. Reporting requirements for state contracts and natural resource leases are made consistent and the filer is no longer required to report her or his parents' contracts or leases.

Section 11. 39.50.050(d). This is conforming amendment which deletes reference to AS 24.45.051(5) which is proposed to be eliminated in Section 14.

Section 12. AS 39.50. Municipal officers in a municipality with less than 1000 population would be exempted from filing Conflict of Interest Statements.

MISCELLANEOUS

Section 13. This section: a) eliminates the 10 day post election campaign report requirement for state and municipal candidates (AS 15.13.110(a)(3)); b) eliminates the optional submission of a photograph by a lobbyist for the published directory (AS 24.45.041(c)); c) eliminates a lobbyist's requirement to report exchanges with business entities owned or managed by public officials (AS 24.45.051(5)); d) eliminates from the lobbying law the requirement that civic organizations report contributions over \$100 (AS 24.45.116) which is covered under the campaign disclosure law; and e) eliminates the requirement that APOC distribute copies of AS 24.60, Standards of Conduct, to candidates for the legislature.

Section 14 establishes an effective date for this bill.

Governor's Sectional Analysis

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

299

May 16, 1991

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President of the Senate
P.O. Box V
Juneau, AK 99811

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SECTIONAL/LETTER

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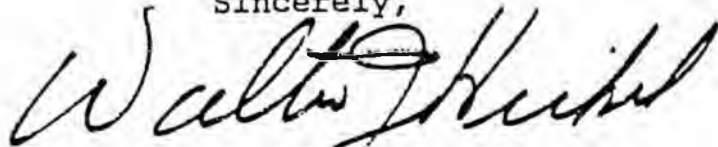
The Honorable Richard Eliason - 3 -

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Walter J. Hickel
Governor