

Submitted by: ASSEMBLY MEMBER BAUER
ASSEMBLY CHAIR SULLIVAN
Prepared by: Assembly Counsel
For reading: April 17, 2007

See AO 2007-72(S)

**ANCHORAGE, ALASKA
AO NO. 2007-72**

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL CODE CHAPTER 2.35, REGULATIONS OF LOBBYING, TO
3 PROVIDE FOR DISCLOSURE OF CRIMINAL CONVICTION, FEES FOR CRIMINAL
4 JUSTICE INFORMATION AND NATIONAL CRIMINAL HISTORY RECORD CHECK AND
5 TO PROHIBIT REGISTRATION AND ACTION AS A LOBBYIST BY A PERSON WITH A
6 CONVICTION FOR EGREGIOUS CRIMINAL CONDUCT.
7

8
9 THE ANCHORAGE ASSEMBLY ORDAINS:

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11 **Section 1.** Anchorage Municipal Code section 2.35.010 is hereby amended to read
12 as follows:
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14 **2.35.010 Purpose.**

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16 The assembly finds and declares that the operation of responsible representative
17 municipal government requires that the fullest opportunity be afforded to the
18 people to petition their government and to express freely to their local, elected
19 and appointed representatives and officials, their opinions on pending legislation
20 or government actions; and that the people are entitled to know the identity and
21 activities of those persons who pay, are paid or reimbursed for expenses, or who
22 make expenditures or other payments in an effort to influence legislative or other
23 government action. The assembly further finds and declares that in the operation
24 of responsible representative government, honesty and freedom from corruption
25 are paramount.
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27 (AO No. 2000-68(S-1), § 1, 8-15-00)
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29 **Section 2.** Anchorage Municipal Code section 2.35.020 is hereby amended by
30 adding defined terms to read as follows:
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32 **2.35.020 Definitions.**

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34 A. In this chapter, unless the context clearly indicates otherwise,
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36 Conviction means a finding or verdict of criminal guilt as an adult in a court
37 of law and occurs upon entry of a plea of guilt or no contest or upon entry
38 of a finding or verdict of guilt.
39

Egregious criminal conduct means any crime which is or would be a felony in the State of Alaska or under federal law, and shall also include any lesser crime a necessary element of which, as determined by the statutory or common law definition of such crime, involves interference with the administration of justice, false swearing, misrepresentation, fraud, bribery, corruption, extortion, misappropriation, theft, or an attempt or a conspiracy or solicitation of another to commit "egregious criminal conduct".

(Other definitions in the referenced section are not affected and therefore not set out.)

(AO No. 2000-68(S-1), § 1, 8-15-00)

Section 3. Anchorage Municipal Code section 2.35.040 is hereby amended by adding a new subsection to read as follows:

2.35.040 Administration.

C. Upon payment of required fees, the municipal clerk shall arrange for receipt of criminal justice information of conviction and a national criminal history record check for conviction from the Department of Public Safety, available pursuant to AS 12.62.160.

(AO No. 2000-68(S-1), § 1, 8-15-00)

Section 4. Anchorage Municipal Code section 2.35.050D is hereby amended and a new subsection 2.35.050A.7 is added to read as follows:

2.35.050 Registration.

A. Before engaging in lobbying, a lobbyist shall file a notarized registration statement annually with the municipal clerk, including the following information:

7. The lobbyist shall disclose whether the lobbyist has a criminal conviction, where and when so convicted, the nature of the offense and the penalty, if any.

D. Each application for registration or renewal of registration as a lobbyist under this section shall be accompanied by a fee of \$25.00, in addition to the fees required by the Department of Public Safety under AS 12.62.160 for criminal

justice information of conviction and a national criminal history record check for conviction. Such application shall not be accepted without payment of the fee.

(AO No. 2000-68(S-1), § 1, 8-15-00)

Section 5. Anchorage Municipal Code section 2.35.100 is hereby amended to read as follows:

2.35.100 Examination of statements, reports.

B. The municipal clerk shall report any suspected violations of this chapter to the municipal attorney including without limitation, registration by a person with a conviction for egregious criminal conduct as defined in this chapter.

(AO No. 2000-68(S-1), § 1, 8-15-00)

Section 6. Anchorage Municipal Code section 2.35.120 is hereby amended by adding a new subsection to read as follows:

2.35.120 Prohibitions.

F. Persons with a conviction for egregious criminal conduct are prohibited from registration or action as a lobbyist under this chapter.

(AO No. 2000-68(S-1), § 1, 8-15-00; AO 2006-140(S-1), §4, 12-12-06)

Section 7. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this ____ day of _____, 2007.

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM
NO. AIM 56-2007

Meeting Date: May 1, 2007

From: Assemblymembers Bauer and Sullivan
Subject: Summary of Economic Effects for AO 2007-72

Attached to this memo is the Summary of Economic Effects for AO 2007-72, regarding an ordinance of the Anchorage Municipal Assembly amending AMC Chapter 2.35, regulations of lobbying, to provide for disclosure of criminal conviction, fees for criminal justice information and national criminal history record check and to prohibit registration and action as a lobbyist by a person with a conviction for egregious criminal conduct.

Prepared By: Steven B. King, Utility Budget Analyst
Reviewed By: Guadalupe Marroquin
Submitted By: Assemblymembers Bauer and Sullivan

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

An ordinance of the Anchorage Municipal Assembly amending AMC Chapter 2.35, regulations of lobbying, to provide for disclosure of criminal conviction, fees for criminal justice information and national criminal history record check and to prohibit registration and action as a lobbyist by a person with a conviction for egregious criminal conduct.

AO Number: 2007-72

Title:

Sponsor: Assemblymembers Bauer and Sullivan

Preparing Agency: Assembly

Others Impacted: See ordinance

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	FY07	FY08	FY09	FY10	FY11	
Operating Expenditures						
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -	
2000 Non-Labor	-	-	-	-	-	
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:						
CAPITAL:						
POSITIONS: FT/PT and Temp						

PUBLIC SECTOR ECONOMIC EFFECTS:

There are no significant public sector economic effects associated with this ordinance. All additional expenses associated with this ordinance will be the responsibility of the applicant seeking to register as a lobbyist.

PRIVATE SECTOR ECONOMIC EFFECTS:

There are no significant private sector economic effects associated with this ordinance. There will be a minor cost increase associated with the application process for registering to become a lobbyist. Based on the intent of this ordinance there will be a loss of income generating potential for individuals who are prohibited from lobbying efforts and who otherwise would have registered and engaged in this form of employment.

Prepared by: Steven B. King, Utility Budget Analyst
Date prepared: 4/20/2007
Reviewed by: Guadalupe Marroquin

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CLEANMS OFFICE
2007 APR 24 PM 3:39
M.O.A.

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2007-72

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT		DATE PREPARED	
	AMENDING AMC CHAPTER 2.35, REGULATIONS OF LOBBYING, ...		4/17/07	
			Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME		DIRECTOR'S NAME	
	Assembly		Daniel A. Sullivan, Chairman	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER	
	Julia Tucker, Assembly Counsel		343-4419	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE	
	Mayor			
	Municipal Clerk			
	Municipal Attorney			
	Employee Relations			
	Municipal Manager			
	Anchorage Parks & Recreation			
	Fire			
	Health & Human Services			
	Merrill Field Airport			
	Municipal Light & Power			
	Office of Management and Budget			
	Police			
	Port of Anchorage			
	Office of Economic & Community Development			
	Solid Waste Services			
	Public Transportation			
	Anchorage Water & Wastewater Utility			
	Executive Manager			
	Planning Department			
	Chief Fiscal Officer			
	Heritage Land Bank			
	Information Technology Department			
	Project Management & Engineering			
	Purchasing			
	Other			
5	Special Instructions/Comments			
	LAID ON THE TABLE ITEM - CONSENT AGENDA-INTRODUCTION - 9.F.			
	INTRODUCED 4-17-07; NO PUBLIC HEARING DATE WAS SET			
6	ASSEMBLY HEARING DATE REQUESTED		PUBLIC HEARING DATE REQUESTED	
	4/17/07		5/22/07	

M.O.A.
 2007 APR 17 PM 3:35
 CLENNIFF