

REPRESENTATIONAL LOBBYIST FREQUENTLY ASKED QUESTIONS

1. **What is a representational lobbyist?**

ANSWER: A person who attempts to influence legislative or administrative action and receives only reimbursement for travel and other expenses but does not receive any compensation or fee for this activity.

2. **Does the ten-hour threshold defining part-time lobbyists also apply to representational lobbyists? In other words, may a person who receives only reimbursement for his expenses lobby for up to ten hours in any 30-day period prior to registering as a representational lobbyist?**

ANSWER: No, the ten-hour threshold in AS 24.45.171(10) (A) does not apply to representational lobbyists. If a person is being reimbursed for expenses to influence legislative or administrative action on behalf of an entity, the person is required to register as a representational lobbyist prior to engaging in any lobbying activity. There is no fee to register as a representational lobbyist.

3. **If an executive director of an agency flies to Juneau to lobby on behalf of her employer and is paid her regular salary during her time in Juneau and also reimbursed for expenses of the trip, must she register as a representational lobbyist?**

ANSWER: Representational lobbyists, by definition, receive only reimbursement for expenses for lobbying and no salary, fee, retainer or economic consideration of any type. A representational lobbyist may not be employed by the person or group on whose behalf she is lobbying 2 AAC 50.511. In the example above, since the executive director is receiving her normal salary and also works for the entity on whose behalf she is lobbying, she is not a representational lobbyist. APOC would advise this person to look at the time threshold definition for lobbyist in AS 24.45.171 (10) (A). If she communicates directly with any public official for the purpose of influencing legislative or administrative action for more than 10 hours in any 30 day period, she must register as a lobbyist. If during her time in Juneau she doesn't meet the statutory time threshold, there is no requirement for registering with APOC as a lobbyist.

4. **What if I am paid my normal salary by my employer during a trip to Juneau but my expenses for the trip (airfare, per diem, etc.) are paid for by another entity on whose behalf I am lobbying? Am I a representational lobbyist and if so, does my employer have to file quarterly reports with APOC?**

ANSWER: Even though an entity is reimbursing your expenses to lobby on their behalf and you are part of a large group (a legislative fly-in), because you are being paid a salary during your time spent lobbying, even if by a different entity, you are not a representational lobbyist. As stated in the answer to the previous question, you are subject to the time threshold definition for lobbyist found in AS 24.45.171 (10) (A). If, during the legislative fly-in, you communicate directly with any public official for the purpose of influencing legislative or administrative action for more than 10 hours in any 30 day period, you are required to register as a lobbyist. Most individuals coming to Juneau solely for a legislative fly-in do not meet this threshold since the definition of "communicating directly" is to "speak with a legislator, legislative employee or public official (A) by telephone; (B) by two-way electronic communication; or (C) AS 24.45.171(4).

5. **If a local government sends a delegation to Juneau during legislative session to lobby public officials on behalf of their city or borough and the individuals receive both their normal salary and reimbursement for their expenses, are they required to register as lobbyists?**

ANSWER: Under AS 24.45.161(a) (2) elected or appointed state or municipal public officers or an employee of the state or a municipality acting in an official capacity or within the scope of employment is exempt from the lobbying law. Thus, only a municipal employee who is not acting in her or his official capacity or within the scope of her or his employment would be subject to the lobbying law.

6. **If there is a legislative fly-in during the session for a large group of people to lobby on behalf of a particular issue, does each individual whose trip is being reimbursed have to register as a representational lobbyist with APOC, regardless of how many hours they spend directly communicating with public officials?**

ANSWER: Yes, individuals lobbying as part of an organizational fly-in during the legislative session are required by law to register if their expenses are being paid for by a person or group 2 AAC 50.511.

7. **Can APOC institute a streamlined process for legislative fly-ins where there are several people whose expenses are being reimbursed by an entity to lobby on a single issue so each person doesn't have to register separately?**

ANSWER: Individuals being reimbursed by an entity to lobby on its behalf may meet the requirement to register in commission regulations by completing a group registration form designed specifically for legislative fly-ins. The representational lobbyist group registration form is posted on the APOC web site [GroupRegRepLobbyist.pdf](#)

8. **What are the reporting requirements for an entity reimbursing the expenses for the individuals listed on a group registration form for legislative fly-ins?**

ANSWER: The entity reimbursing the expenses for individuals lobbying as part of a legislative fly-in must file employer of lobbyist reports with APOC. If the only activity for the entity reimbursing expenses is the legislative fly-in event, reporting requirements can be met by submitting a single report to APOC designed for this purpose. This form will be posted on the APOC web site prior to the first quarterly report due date, which is April 30th. If the entity reimbursing the legislative fly-in expenses is already an employer of a lobbyist and files regular reports with APOC, the entity can report the expenses for the legislative fly in on their regular schedule B employer of lobbyist form for the appropriate quarter. For further guidance on how to report, contact Juneau APOC staff at (907) 465-4864 or (866) 465-4864 (if calling from outside Juneau).

