

**HOUSE BILL NO. 407**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Introduced: 3/26/18

Referred: State Affairs, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the duties of the Alaska Public Offices Commission; clarifying the  
2 limits on making, accepting, and reporting certain cash campaign contributions;  
3 relating to campaign finance reporting by certain groups; relating to the identification  
4 of certain campaign communications; increasing the time the Alaska Public Offices  
5 Commission has to respond to a request for an advisory opinion; repealing a reporting  
6 requirement for certain contributions; relating to propositions and initiative proposals;  
7 and providing for an effective date."

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

9 \* **Section 1.** AS 15.13.030 is amended to read:

10 **Sec. 15.13.030. Duties of the commission.** The commission shall

11 (1) develop and provide all forms for the reports and statements  
12 required to be made under this chapter, AS 24.45, and AS 39.50;

13 (2) prepare and publish a manual setting out uniform methods of

1 bookkeeping and reporting for use by persons required to make reports and statements  
 2 under this chapter and otherwise assist all persons in complying with the requirements  
 3 of this chapter;

4 (3) receive and hold open for public inspection reports and statements  
 5 required to be made under this chapter and, upon request, furnish copies at cost to  
 6 interested persons;

7 (4) compile and maintain a current list of all filed reports and  
 8 statements;

9 (5) prepare a summary of each report filed under AS 15.13.110 and  
 10 make copies of this summary available to interested persons at their actual cost;

11 (6) notify, by registered or certified mail, all persons who are  
 12 delinquent in filing reports and statements required to be made under this chapter;

13 (7) examine, investigate, and compare [ALL] reports, statements, and  
 14 actions required by this chapter, AS 24.45, and AS 39.50;

15 (8) prepare and publish a biennial report concerning the activities of  
 16 the commission, the effectiveness of this chapter, its enforcement by the attorney  
 17 general's office, and recommendations and proposals for change; the commission shall  
 18 notify the legislature that the report is available;

19 (9) adopt regulations necessary to implement and clarify the provisions  
 20 of AS 24.45, AS 39.50, and this chapter, subject to the provisions of AS 44.62  
 21 (Administrative Procedure Act); and

22 (10) consider a written request for an advisory opinion concerning the  
 23 application of this chapter, AS 24.45, AS 24.60.200 - 24.60.260, or AS 39.50.

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

25 (b) Each group shall make a full report on [UPON] a form prescribed by the  
 26 commission, listing

27 (1) the name and address of each officer and director;

28 (2) the aggregate amount of all contributions made to it; and, for all  
 29 contributions in excess of \$100 in the aggregate in a calendar year, the name, address,  
 30 principal occupation, and employer of the contributor, and the date and amount  
 31 contributed by each contributor; for purposes of this paragraph, "contributor" means

1 the true source of the funds, property, or services being contributed; and

2 (3) the date and amount of all contributions made by it and all  
3 expenditures made, incurred, or authorized by it.

4 \* **Sec. 3.** AS 15.13.040(g) is amended to read:

5 (g) The provisions of (a), (b), and (l) of this section do not apply to a

6 (1) delegate to a constitutional convention, a judge seeking judicial  
7 retention, or a candidate for election to a municipal office under AS 15.13.010, if that  
8 delegate, judge, or candidate

9 (A) [(1)] indicates, on a form prescribed by the commission, an  
10 intent not to raise and not to expend more than \$5,000 in seeking election to  
11 office, including both the primary and general elections;

12 (B) [(2)] accepts contributions totaling not more than \$5,000 in  
13 seeking election to office, including both the primary and general elections;  
14 and

15 (C) [(3)] makes expenditures totaling not more than \$5,000 in  
16 seeking election to office, including both the primary and general elections;

17 (2) group, if the group

18 (A) indicates, on a form prescribed by the commission, an  
19 intent not to raise and not to expend more than \$2,500 in a calendar year;

20 (B) accepts contributions totaling not more than \$2,500 in a  
21 calendar year; and

22 (C) makes expenditures totaling not more than \$2,500 in a  
23 calendar year.

24 \* **Sec. 4.** AS 15.13.040(m) is amended to read:

25 (m) Information required under this chapter shall be submitted to the  
26 commission electronically, except that the following information may be submitted in  
27 clear and legible black typeface or hand-printed in dark ink on paper in a format  
28 approved by the commission or on forms provided by the commission:

29 (1) information submitted by

30 (A) a candidate for election to a borough or city office of  
31 mayor, membership on a borough assembly, city council, or school board, or

any state office, who

(i) meets the requirements of (g)(1)(A) - (C) [(g)(1) - (3)] of this section; or

(ii) does not have reasonable access to the technology necessary to file electronically; in this sub-subparagraph, a candidate is considered not to have reasonable access to the technology necessary to file electronically if the candidate does not own a personal computer or does not have broadband Internet access at the candidate's residence; in this sub-subparagraph, "broadband Internet access" means high-speed Internet access that is always on and that is faster than traditional dial-up access; or

(B) a candidate for municipal office for a municipality with a population of less than 15,000; in this subparagraph, "municipal office" means the office of an elected borough or city

(i) mayor; or

(ii) assembly, council, or school board member;

(2) any information if the commission determines that circumstances warrant an exception to the electronic submission requirement.

\* **Sec. 5.** AS 15.13.072(b) is amended to read:

(b) **In a calendar year, a** [A] candidate or an individual who has filed with the commission the document necessary to permit the individual to incur election-related expenses under AS 15.13.100, or a group, may not solicit or accept a cash contribution that exceeds \$100.

\* **Sec. 6.** AS 15.13.074(e) is amended to read:

(e) A person or group may not make a cash contribution that exceeds \$100 **in a calendar year.**

\* **Sec. 7.** AS 15.13.090 is amended by adding a new subsection to read:

(g) A "paid for by" identifier for a printed communication is clearly identified and easily discernible under this section if, for a communication

(1) smaller than 24 inches by 36 inches in size or that includes a video component, the "paid for by" identifier is

- 1 (A) in a font not smaller than 12 points;  
 2 (B) separate from the body of the text of the communication;  
 3 and  
 4 (C) if applicable, viewable for a period sufficient to be read  
 5 fully;  
 6 (2) greater than or equal to 24 inches by 36 inches in size, the "paid for  
 7 by" identifier is  
 8 (A) in a font not smaller than 10 percent of the largest font size  
 9 used in the communication;  
 10 (B) separate from the body of the text of the communication;  
 11 and  
 12 (C) if applicable, on both sides of a two-sided communication.

13 \* **Sec. 8.** AS 15.13.374(c) is amended to read:

- 14 (c) Within **10 business** [SEVEN] days after receiving a request satisfying the  
 15 requirements of (b) of this section, the executive director of the commission shall  
 16 recommend a draft advisory opinion for the commission to consider at its next  
 17 meeting.

18 \* **Sec. 9.** AS 15.13.040(k) is repealed.

19 \* **Sec. 10.** This Act takes effect January 1, 2019.