

HOUSE BILL NO. 355

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES JOHANSEN, Johnson, Samuels, Wilson, Lynn

Introduced: 2/6/08

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act requiring the disclosure of the identity of certain persons, groups, and**
2 **nongroup entities that expend money in support of or in opposition to ballot initiatives**
3 **and the aggregate amounts of significant contributions or expenditures made by those**
4 **persons, groups, and nongroup entities."**

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

6 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
7 to read:

8 SHORT TITLE. This Act may be known as the Open and Transparent Initiative Act.

9 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 FINDINGS. The legislature finds that informing the electorate of the identity of
12 persons, groups, and nongroup entities that make significant contributions or expenditures in
13 support of or in opposition to ballot initiatives would enhance the integrity of the state's
14 electoral and legislative processes.

1 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
2 read:

3 LEGISLATIVE INTENT. (a) It is the intent of the legislature that this Act ensure that
4 the people of Alaska are able to cast informed votes on election day by having the opportunity
5 to know

6 (1) the identity of persons, groups, and nongroup entities that make significant
7 contributions or expenditures in support of or in opposition to a ballot initiative; and

8 (2) the aggregate amount of significant contributions or expenditures made by
9 persons, groups, and nongroup entities in support of or in opposition to a ballot initiative.

10 (b) It is the intent of the legislature that the director of elections collect and provide to
11 the people of Alaska readily accessible information related to the identity of the sources of
12 significant financial contributions and expenditures made in support or opposition to a ballot
13 initiative.

14 * **Sec. 4.** AS 15.13.110(e) is amended to read:

15 (e) A group formed to sponsor [AN INITIATIVE,] a referendum or a recall
16 shall report 30 days after its first filing with the lieutenant governor. Thereafter, each
17 group shall report within 10 days after the end of each calendar quarter on the
18 contributions received and expenditures made during the preceding calendar quarter
19 until reports are due under (a) of this section.

20 * **Sec. 5.** AS 15.13.110 is amended by adding a new subsection to read:

21 (g) An initiative committee or any person, group, or nongroup entity receiving
22 contributions or making expenditures exceeding \$500 in a calendar year in support of
23 or in opposition to a ballot initiative shall make a full report in accordance with
24 AS 15.13.040 on the contributions received and expenditures made for the period
25 beginning on the last day covered by the most recent previous report and ending three
26 days before the due date of the report. If the report is a first report, it must cover the
27 period beginning on the day an application is filed under AS 15.45.020 and ending
28 three days before the due date of the report. In addition to the reports required under
29 (a) and (b) of this section, reports shall be filed

30 (1) on or before the 15th day of each month before the election; and

31 (2) two weeks before the election.

1 * **Sec. 6.** AS 15.45 is amended by adding new sections to read:

2 **Article 4. Initiative Disclosure Requirements.**

3 **Sec. 15.45.750. Statement of purpose.** The purpose of AS 15.45.750 -
4 15.45.780 is to ensure that significant contributions and expenditures made in support
5 of or in opposition to initiatives are fully and truthfully disclosed so that the electorate
6 may be fully informed and improper practices may be inhibited.

7 **Sec. 15.45.760. Initiative committees.** An initiative committee must have a
8 name that

9 (1) includes the ballot title of the initiative and the word "for" or the
10 word "against";

11 (2) is not deceptively similar to that of another person, group, or
12 nongroup entity; and

13 (3) is not otherwise misleading.

14 **Sec. 15.45.770. Registration and reporting.** (a) An initiative committee under
15 AS 15.45.030(3) or any person, group, or nongroup entity receiving contributions or
16 making expenditures exceeding \$500 in a calendar year in support of or in opposition
17 to an initiative shall

18 (1) register with the commission; and

19 (2) file reports as required by AS 15.13.040 and in the manner
20 provided by AS 15.13.110.

21 (b) Campaign reports under this section must be submitted electronically.

22 (c) The commission shall publish reports required under this section on the
23 Internet, in a format accessible to the general public, within two working days after the
24 commission receives the report.

25 **Sec. 15.45.780. Advertising and promotional materials.** All political
26 advertising in support of or in opposition to an initiative that is paid for by an initiative
27 committee or any person, group, or nongroup entity receiving contributions or making
28 expenditures exceeding \$500 in a calendar year in support of or in opposition to an
29 initiative must include the name of the committee, person, group, or nongroup entity.

30 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 APPLICABILITY. This Act applies to an initiative for which the application was filed
2 with the lieutenant governor under AS 15.45.020 after the effective date of this Act.