

CS FOR HOUSE BILL NO. 355(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 3/27/08

Referred: Finance

Sponsor(s): REPRESENTATIVES JOHANSEN, Johnson, Samuels, Wilson, Lynn

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 Alaska Public Offices Commission collect
11 and provide to the people of Alaska readily accessible information related to the identity of
12 the sources of significant financial contributions and expenditures made in support or
13 opposition to a ballot 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. Reports must be filed as provided under (a) and
27 (b) of this section. If the report is a first report, it must cover the period beginning on
28 the day an application is filed under AS 15.45.020 and ending three days before the
29 due date of the report.

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

31 **Article 4. Initiative Disclosure Requirements.**

1 **Sec. 15.45.750. Statement of purpose.** The purpose of AS 15.45.750 -
2 15.45.780 is to ensure that significant contributions and expenditures made in support
3 of or in opposition to initiatives are fully and truthfully disclosed so that the electorate
4 may be fully informed and improper practices may be inhibited.

5 **Sec. 15.45.760. Initiative committee names.** An initiative committee must
6 have a name that

7 (1) includes the ballot title of the initiative and identifies that the
8 committee is for the initiative;

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

11 (3) is not otherwise misleading.

12 **Sec. 15.45.770. Registration and reporting.** (a) In addition to those persons
13 required to register before making an expenditure in support of or in opposition to a
14 ballot initiative under AS 15.13.050(a), an individual making expenditures exceeding
15 \$500 in a calendar year in support of or in opposition to an initiative shall register with
16 the commission.

17 (b) A person making expenditures in support of or in opposition to an
18 initiative and registered under AS 15.13.050(a) and an individual registered under (a)
19 of this section shall file reports as required by AS 15.13.040 and AS 15.13.110.

20 (c) Campaign reports under this section must be submitted electronically.

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

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

29 **Sec. 15.45.790. Definitions.** In AS 15.45.750 - 15.45.790, "commission"
30 means the Alaska Public Offices Commission.

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

1 read:

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