

**CS FOR HOUSE BILL NO. 407(STA)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/6/18

Referred: Finance

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the location of offices for the Alaska Public Offices Commission and  
2 the locations at which certain statements and reports filed with the commission are  
3 made available; relating to the duties of the Alaska Public Offices Commission;  
4 clarifying the limits on making, accepting, and reporting certain cash campaign  
5 contributions; relating to campaign finance reporting by certain groups; increasing the  
6 time the Alaska Public Offices Commission has to respond to a request for an advisory  
7 opinion; repealing a reporting requirement for certain contributions; relating to  
8 propositions and initiative proposals; and providing for an effective date."

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

10 \* **Section 1.** AS 15.13.020(j) is amended to read:

11 (j) The commission shall establish **a central** [AN] office [, WHICH MAY BE  
12 CALLED A REGIONAL OFFICE, IN EACH SENATE DISTRICT IN THE STATE]

1 to keep on file for public inspection copies of all reports filed with the commission  
 2 [BY CANDIDATES FOR STATEWIDE OFFICE AND BY CANDIDATES FOR  
 3 LEGISLATIVE OFFICE IN THAT DISTRICT; HOWEVER, WHERE ONE  
 4 MUNICIPALITY CONTAINS MORE THAN ONE HOUSE DISTRICT, ONLY  
 5 ONE COMMISSION OFFICE SHALL BE ESTABLISHED IN THAT  
 6 MUNICIPALITY. THE REGIONAL OFFICE SHALL MAKE ALL FORMS AND  
 7 PERTINENT MATERIAL AVAILABLE TO CANDIDATES. ALL REPORTS  
 8 SHALL BE FILED BY CANDIDATES, GROUPS, AND INDIVIDUALS  
 9 DIRECTLY WITH THE COMMISSION'S CENTRAL DISTRICT OFFICE. THE  
 10 COMMISSION SHALL ENSURE THAT COPIES OF ALL REPORTS BY  
 11 STATEWIDE AND LEGISLATIVE CANDIDATES IN EACH SENATE DISTRICT  
 12 ARE FORWARDED PROMPTLY TO THAT DISTRICT OR REGIONAL OFFICE].

13 \* **Sec. 2.** AS 15.13.030 is amended to read:

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

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

17 (2) prepare and publish a manual setting out uniform methods of  
 18 bookkeeping and reporting for use by persons required to make reports and statements  
 19 under this chapter and otherwise assist all persons in complying with the requirements  
 20 of this chapter;

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

24 (4) compile and maintain a current list of all filed reports and  
 25 statements;

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

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

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

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

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

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

10 \* **Sec. 3.** AS 15.13.040(b) is amended to read:

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

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

14 (2) the aggregate amount of all contributions made to it; and, for all  
 15 contributions in excess of \$100 in the aggregate **in a calendar** year, the name, address,  
 16 principal occupation, and employer of the contributor, and the date and amount  
 17 contributed by each contributor; for purposes of this paragraph, "contributor" means  
 18 the true source of the funds, property, or services being contributed; and

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

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

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

23 **(1)** delegate to a constitutional convention, a judge seeking judicial  
 24 retention, or a candidate for election to a municipal office under AS 15.13.010, if that  
 25 delegate, judge, or candidate

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

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

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

3                    **(2) group, if the group**

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

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

8                    **(C) makes expenditures totaling not more than \$2,500 in a**  
 9 **calendar year.**

10 \* **Sec. 5.** AS 15.13.040(m) is amended to read:

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

15                    (1) information submitted by

16                    (A) a candidate for election to a borough or city office of  
 17 mayor, membership on a borough assembly, city council, or school board, or  
 18 any state office, who

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

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

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

1 (i) mayor; or

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

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

5 \* **Sec. 6.** AS 15.13.072(b) is amended to read:

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

10 \* **Sec. 7.** AS 15.13.074(e) is amended to read:

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

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

14 (c) Within seven **business** 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 24.45.091 is amended to read:

19 **Sec. 24.45.091. Publication of reports.** Copies of the statements and reports  
20 filed under this chapter shall be made available to the public at the commission's  
21 central office **and on the commission's Internet website** [, THE OFFICE OF THE  
22 LIEUTENANT GOVERNOR, THE LEGISLATIVE REFERENCE LIBRARY OF  
23 THE LEGISLATIVE AFFAIRS AGENCY, AND AT THE COMMISSION'S  
24 DISTRICT OFFICES PRESCRIBED IN AS 15.13.020(j)] as soon as practicable after  
25 each reporting period.

26 \* **Sec. 10.** AS 24.45.111(b) is amended to read:

27 (b) The commission shall preserve the statements and reports required to be  
28 filed under this chapter for a period of six years from the date of filing. **Copies** [IF  
29 THE COMMISSION'S CENTRAL OFFICE IS NOT IN THE STATE CAPITAL,  
30 COPIES] of all statements and reports filed under this chapter shall be maintained in  
31 **the commission's central** [AN] office **and be made available on the commission's**

1            **Internet website** [ESTABLISHED BY THE COMMISSION IN THE STATE  
2            CAPITAL OR IN THE OFFICE OF THE LIEUTENANT GOVERNOR].

3            \* **Sec. 11.** AS 15.13.040(k) is repealed.

4            \* **Sec. 12.** This Act takes effect January 1, 2019.