

Offered: 6/17/83
Referred: Rules

Original sponsors: Uehling, Barnes, ' '
Bussell, et al

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 165 (Finance)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL
6 For an Act entitled: "An Act relating to the Public Offices Commission."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:
8 * Section 1. AS 15.13.040(a) is amended to read:
9 (a) Each candidate shall make a full report, upon a form pre-
10 scribed by the commission, listing the date and amount of all expendi-
11 tures made by the candidate, the total amount of all contributions,
12 including all funds contributed by the candidate [HIMSELF], and for
13 all contributions in excess of \$250 [\$100] in the aggregate a year,
14 the name, address, principal occupation, and employer of the contri-
15 butor and the date and amount contributed by each contributor. The
16 report shall be filed in accordance with AS 15.13.110 and shall be
17 certified as correct under AS 15.13.060(a) [BY THE CANDIDATE OR CAM-
18 PAIGN TREASURER].
19 * Sec. 2. AS 15.13.040(b) is repealed and reenacted to read:
20 (b) Each group shall make a full report, upon a form prescribed
21 by the commission, listing the date and amount of all expenditures
22 made by the group, the total amount of all contributions, and for all
23 contributions in excess of \$250 in the aggregate a year, the name,
24 address, principal occupation, and employer of the contributor and the
25 date and amount contributed by each contributor. The report shall be
26 filed in accordance with AS 15.13.110 and shall be certified as cor-
27 rect under AS 15.13.060(a).
28 * Sec. 3. AS 15.13.040(d) is amended to read:
29 (d) Every individual or [,] person and every [OR] group that is

1 not required to register under AS 15.13.050 [MAKING A CONTRIBUTION OR
2 EXPENDITURE] shall make a full report, upon a form prescribed by the
3 commission, of the following contributions or expenditures:

4 (1) any contribution of cash, goods or services valued at
5 more than \$250 [\$100] a year to any group or candidate; or

6 (2) any independent expenditure [WHATSOEVER] for advertis-
7 ing in newspapers, on radio or on television [;] or [,] for the publi-
8 cation, distribution or circulation of brochures, flyers, or other
9 campaign material for or against any candidate, [OR] ballot proposi-
10 tion or question.

11 * Sec. 4. AS 15.13.040 is amended by adding a new subsection to read:

12 (g) As used in this section, an "independent expenditure" is a
13 disbursement of funds made to support or oppose the election of a
14 candidate or the passage of a ballot proposition or question not made
15 with the cooperation, consent, or at the request of a candidate, a
16 campaign committee or controlled group of a candidate, or a group that
17 is supporting or opposing the candidate or ballot proposition or
18 question for which the funds are disbursed.

19 * Sec. 5. AS 15.13.060(a) is amended to read:

20 Sec. 15.13.060. CAMPAIGN OFFICERS [TREASURERS]. (a) Each
21 candidate may and each group shall appoint a campaign chairman. Each
22 candidate may and each group shall appoint a campaign treasurer. The
23 candidate, the campaign chairman or the campaign treasurer of a candi-
24 date, and the campaign chairman or the campaign treasurer of a group
25 may certify [WHO IS RESPONSIBLE FOR RECEIVING, HOLDING, AND DISBURSING
26 ALL CONTRIBUTIONS AND EXPENDITURES, AND FOR FILING] all reports and
27 statements required by law. The campaign chairman and the campaign
28 treasurer may be the same individual. A candidate who does not ap-
29 point a campaign chairman is the campaign chairman. A candidate who

1 does not appoint a campaign treasurer is the campaign treasurer. [A
2 CANDIDATE MAY BE A CAMPAIGN TREASURER.]

3 * Sec. 6. AS 15.13.060(b) is amended to read:

4 (b) Each group shall file the name and the address of its cam-
5 paign chairman and its campaign treasurer with the commission at the
6 time it registers with the commission under AS 15.13.050.

7 * Sec. 7. AS 15.13.060(c) is repealed and reenacted to read:

8 (c) An individual may not act as either a campaign chairman or a
9 campaign treasurer of a candidate for state or for municipal office
10 until the candidate has filed the name and the address of the campaign
11 chairman or the campaign treasurer with the commission.

12 * Sec. 8. AS 15.13.060(d) is amended to read:

13 (d) In the case of the death, resignation or removal of a cam-
14 paign chairman or a campaign treasurer of a group, the group [CANDI-
15 DATE] shall appoint a successor as soon as practicable and file the
16 [HIS] name and address with the commission within 48 hours of the
17 appointment. [THE CANDIDATE IS DISQUALIFIED WHEN HE HAS BEEN FOUND TO
18 HAVE BEEN IN WILFUL VIOLATION OF THIS SUBSECTION].

19 * Sec. 9. AS 15.13.060(e) is amended to read:

20 (e) A campaign treasurer may appoint as many deputy campaign
21 treasurers as the campaign treasurer [HE] considers necessary. The
22 campaign treasurer [CANDIDATE] shall file the names and addresses of
23 the deputy campaign treasurers with the commission.

24 * Sec. 10. AS 15.13.060(f) is amended to read:

25 (f) A [THE] candidate is responsible for the performance of the
26 campaign chairman and of the [HIS] campaign treasurer and a campaign
27 treasurer of a candidate or of a group is responsible for the perfor-
28 mance of the deputy campaign treasurers [, AND ANY DEFAULT OR VIOLA-
29 TION BY THE TREASURER ALSO SHALL BE CONSIDERED A DEFAULT OR VIOLATION

1 BY THE CANDIDATE IF HE KNEW OR HAD REASON TO KNOW OF THE DEFAULT OR
2 VIOLATION].

3 * Sec. 11. AS 15.13.060 is amended by adding a new subsection to read:

4 (g) Contributions to a candidate may be received and expendi-
5 tures of a candidate may be made only by the candidate, the campaign
6 chairman, the campaign treasurer, or a deputy campaign treasurer of
7 the candidate. Contributions to a group may be received and expendi-
8 tures of a group may be made only by the campaign chairman, campaign
9 treasurer, or a deputy campaign treasurer of the group.

10 * Sec. 12. AS 15.13.070(b) is amended to read:

11 (b) No contribution over \$250 [\$100] may be made in cash or by
12 cash payment and it may not be accepted by or on behalf of a candi-
13 date.

14 * Sec. 13. AS 15.13.070(c) is amended to read:

15 (c) No expenditures over \$250 [\$100] may be made in cash or by
16 cash payment unless a written receipt is obtained and filed with the
17 commission.

18 * Sec. 14. AS 15.13.110(a) is amended to read:

19 (a) Each candidate and group shall make a full report in accor-
20 dance with AS 15.13.040 during the period ending three days before
21 the due date of the report and beginning on the last day covered by
22 the most recent previous report, or, if a first report, all contribu-
23 tions received and expenditures made before three days before the due
24 date of the report. The report shall be certified under AS 15.13.-
25 060(a) and filed at the following times:

26 (1) 30 days before the election; however, this report is
27 not required if the deadline for filing a nominating petition or
28 declaration of candidacy is within 30 days of the election;

29 (2) one week before the election;

1 (3) 10 [TEN] days after the election; and
2 (4) 15 days after the end [DECEMBER 31] of each year for
3 expenditures and contributions received which were not reported that
4 year.

5 * Sec. 15. AS 15.13.110(b) is amended to read:

6 (b) Each contribution [OR EXPENDITURE] which exceeds \$500 [\$250]
7 and which is received [MADE] within nine days [ONE WEEK] of the elec-
8 tion shall be reported to the commission by date, amount, and contrib-
9 utor [OR RECIPIENT] within 48 [24] hours of receipt [OR EXPENDITURE]
10 by a campaign officer described in AS 15.13.060(a) [THE CANDIDATE OR
11 CAMPAIGN TREASURER].

12 * Sec. 16. AS 15.13.110(c) is amended to read:

13 (c) The reports of a campaign officer described in AS 15.13.-
14 060(a) [CANDIDATES] shall be filed with the commission's central
15 office. All reports required by this chapter shall be kept open to
16 public inspection. Within 30 days after each election, the commission
17 shall prepare a summary of each report which shall be made available
18 to the public at cost upon request. Each summary shall use uniform
19 categories of reporting.

20 * Sec. 17. AS 39.50.030 is amended by adding a new subsection to read:

21 (d) A public official, a candidate for state elective office, or
22 a candidate for elective municipal office who is licensed under
23 AS 08.36, AS 08.42, AS 08.64, AS 08.80, or AS 08.98 is not required to
24 report the names of patients or clients of the public official or
25 candidate or the names of patients or clients of an entity that is a
26 source of income to the public official or candidate.

27 * Sec. 18. AS 39.50.200(a)(1) is amended to read:

28 (1) "public official" means a judicial officer, a member of
29 the legislature, the fiscal analyst of the legislative finance

1 division, the legislative auditor of the legislative audit division,
2 the executive director of the Legislative Affairs Agency and the
3 directors of the divisions within the Legislative Affairs Agency, the
4 governor, the lieutenant governor, a person hired or appointed as the
5 head or deputy head of, or director of a division within, a department
6 in the executive branch, an assistant to the governor, chairman or
7 member of a state commission or board, and each appointed or elected
8 municipal officer;

9 * Sec. 19. AS 15.13.040(c) and AS 15.13.070(f) and (g) are repealed.