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Referred: State Affairs, Judiciary
and Finance

1 IN THE SENATE

BY FERGUSON

2

SENATE BILL NO. 316

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to campaign financing reform."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. FINDINGS. The legislature finds that:

9 (1) article IV, section 4 of the United States Constitution
10 guarantees the State of Alaska a republican form of government;

11 (2) section 3 of the Alaska Statehood Act requires the Constitu-
12 tion of the State of Alaska to be republican in form;

13 (3) the distinguishing feature of a republican form of govern-
14 ment is a state legislature each member of which is chosen exclusively by
15 voters residing in the election district that the member represents;

16 (4) the present campaign financing laws of the state are incon-
17 sistent with the constitutional guarantees of a republican form of govern-
18 ment in that the law allows persons who do not reside in an election dis-
19 trict to influence the outcome of elections within the district by con-
20 tributing money, goods, and services to a political candidate for whom the
21 contributors are not eligible to vote.

22 * Sec. 2. AS 15.13.050 is amended to read:

23 Sec. 15.13.050. GROUPS. Each group, before making an expendi-
24 ture permitted by this chapter [ON BEHALF OF, OR IN OPPOSITION TO, A
25 CANDIDATE OR A CONTRIBUTION TO A CANDIDATE,] shall register, on forms
26 provided by the commission, with the commission. [IF THE GROUP
27 INTENDS TO SUPPORT OR OPPOSE ONLY ONE CANDIDATE, OR TO CONTRIBUTE TO
28 OR EXPEND ON BEHALF OF, OR IN OPPOSITION TO, ONE CANDIDATE 50 PER CENT
29 OR MORE OF ITS FUNDS, THE NAME OF THE CANDIDATE SHALL BE A PART OF THE

1 NAME OF THE GROUP. PROMPTLY UPON RECEIVING THE REGISTRATION, THE
2 COMMISSION SHALL NOTIFY THE CANDIDATE OF THE GROUP'S ORGANIZATION AND
3 INTENT.]

4 * Sec. 3. AS 15.13.070(a) is repealed and reenacted to read:

5 (a) A group, including, but not limited to a political party,
6 political committee, business, corporation, or labor union, may not
7 contribute to or expend any moneys or contribute any goods or services
8 to elect or to oppose the election of a candidate for elective office.
9 An individual may not contribute more than \$1,000 each year to a
10 candidate. An individual may contribute to a candidate or make a
11 contribution in opposition to a candidate only if the candidate has
12 filed a declaration of candidacy under AS 15.13.030 or a nominating
13 petition under AS 15.13.140. This section does not prohibit

14 (1) a candidate from contributing more than \$1,000 of
15 personal funds to the campaign; or

16 (2) individuals or groups, including, but not limited to a
17 political party, political committee, business, corporation, or labor
18 union, from contributing to or expending on behalf of a ballot propo-
19 sition or question more than \$1,000 a year and these contributions and
20 expenditures shall be reported under AS 15.13.040 and 15.13.110.

21 * Sec. 4. AS 15.13.110 is amended by adding a new subsection to read:

22 (f) A candidate shall continue to file a report December 31 of
23 each year until the candidate files a report indicating that the
24 candidate has no campaign debts and has no funds in a campaign
25 account. A group shall continue to file a report December 31 of each
26 year until the group files a report indicating that the group has no
27 campaign debts and has no funds in a campaign account.

28 * Sec. 5. AS 15.13.130(3) is amended to read:

29 (3) "group" means every state and regional executive

1 committee of a political party and, in addition, means any combination
2 of two or more persons or individuals acting jointly who take action
3 the major purpose of which is to influence the outcome of an election;
4 [A GROUP THAT MAKES EXPENDITURES OR RECEIVES CONTRIBUTIONS WITH THE
5 AUTHORIZATION OR CONSENT, EXPRESS OR IMPLIED, OR UNDER THE CONTROL,
6 DIRECT OR INDIRECT, OF A CANDIDATE SHALL BE CONSIDERED TO BE CON-
7 TROLLED BY THAT CANDIDATE; A GROUP WHOSE MAJOR PURPOSE IS TO FURTHER
8 THE NOMINATION, ELECTION, OR CANDIDACY OF ONLY ONE PERSON, OR INTENDS
9 TO EXPEND MORE THAN 50 PER CENT OF ITS MONEY ON A SINGLE CANDIDATE,
10 SHALL BE CONSIDERED TO BE CONTROLLED BY THAT CANDIDATE AND ITS ACTIONS
11 DONE WITH HIS KNOWLEDGE AND CONSENT UNLESS, WITHIN 10 DAYS FROM THE
12 DATE THE CANDIDATE LEARNS OF THE EXISTENCE OF THE GROUP HE FILES WITH
13 THE COMMISSION, ON A FORM PROVIDED BY THE COMMISSION, AN AFFIDAVIT
14 THAT THE GROUP IS OPERATING WITHOUT HIS CONTROL; A GROUP ORGANIZED FOR
15 MORE THAN ONE YEAR PRECEDING AN ELECTION AND ENDORSING CANDIDATES FOR
16 MORE THAN ONE OFFICE OR MORE THAN ONE POLITICAL PARTY IS PRESUMED NOT
17 TO BE CONTROLLED BY A CANDIDATE; HOWEVER, A GROUP THAT CONTRIBUTES
18 MORE THAN 50 PER CENT OF ITS MONEY TO OR ON BEHALF OF ONE CANDIDATE
19 SHALL BE CONSIDERED TO SUPPORT ONLY ONE CANDIDATE FOR PURPOSES OF
20 AS 15.13.070, WHETHER OR NOT CONTROL OF THE GROUP HAS BEEN DISCLAIMED
21 BY THE CANDIDATE;]

22 * Sec. 6. AS 15.13.080 is repealed.