

COMMITTEE REPORT

HOUSE

FURTHER:

(11)

4/19/82

Date:

5/19/82

Mr. Speaker:

(Finance referral added 4/19/82)

The Committee on

Finance

has had

CSSB 167(Rules) am

"An Act relating to election campaigns and to the composition and responsibilities of the Alaska Public Offices Commission; eff date."

under consideration and reports it back as follows:

do pass

do not pass

do pass with attached amendments(s)

replace with CS for

CSSB 167 (34)

same title
 new title

and recommends

individual rec.

AND attaches a "Letter of Intent"

New Fiscal Note

reports it back without recommendation

referred to the

Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

CHAIRMAN

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. HCSCCSB 167
 Title Composition and responsibilities of the Alaska Public Offices Commission
 Requested by House Judiciary Committee Date April 13, 1982

II. FISCAL DETAIL Administration
 Agency Affected
 Program Category Affected General Government
 BRU, Program, Or Subprogram(s) Affected Commissioner's Office
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES		128.4	138.7	198.8	161.7	174.7
200 TRAVEL		1.0	1.1	1.2	1.3	1.4
300 CONTRACTUAL		40.7	43.9	47.4	51.2	55.3
400 COMMODITIES		3.5	3.8	4.1	4.4	4.8
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		173.6	187.5	202.5	218.6	236.2

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND		173.6	187.5	202.5	218.6	236.2
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME		3.0	3.0	3.0	3.0	3.0
PART TIME		1.0	1.0	1.0	1.0	1.0
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

SEE ATTACHED

IV. DATE April 13, 1982 PREPARED BY Robert L. Rehfeld
 AGENCY Administration
 PHONE 465-2200
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Kelly
 33-001 (Rev. 12/81) House Judiciary
 Office of the Governor: Keith Specking

GR
BK

Department of Administration
 Fiscal Impact: 24.45 and 39.50
 FY 83

Personal Services

Position	Salary	Benefits	Total
Executive Director	42.0	11.2	53.2
Adm. Assistant II	25.0	7.4	32.4
Secretary I	21.0	6.5	27.5
Clerk III (8ms)	11.5	3.8	<u>15.3</u>
			128.4

Travel

Two administrative trips: ANC-JNU-ANC = \$600			
Four days per diem @ \$80/day =	<u>400</u>		1.0

Contractual Services

Communications:	12.9		
Printing	7.5		
Ads	1.0		
Repair: 2 Memories	.9		
2 Selectrics	.3		
Pitney Bowes	.5		
Lexitron	1.8		
Misc.	.4		
Equipment Rental:			
Postage Meter	.2		
Xerox Share	3.0		
Lexitron	9.2		
Professional Services:			
Legal & Misc.	<u>3.0</u>		40.7

Supplies & Materials

Office Supplies	3.5		<u>3.5</u>
TOTAL			173.6

Assumptions: Retain Juneau Office for lobbying; Anchorage office is housed with other DOA offices for purposes of sharing xerox machine, etc.

THE LEGISLATURE OF THE STATE OF ALASKA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCS CSSB 167 (SA) - "An Act relating to election campaigns & Title to the composition & responsibilities of the Alaska Public Offices Commission;
Requested by House State Affairs Date 3/25/82
and providing for an effective date." _____/

II. FISCAL DETAIL

Agency Affected Office of the Governor
Program Category Affected Division of Elections
BRU, Program, Or Subprogram(s) Affected Division of Elections
(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
100 PERSONAL SERVICES	17.5	117.8	101.5	113.7	127.3	142.6
200 TRAVEL	-0-	4.0	-0-	5.0	-0-	6.2
300 CONTRACTUAL	3.9	31.3	7.0	38.8	8.7	48.1
400 COMMODITIES	.2	2.5	.4	3.1	.5	3.8
500 EQUIPMENT	11.8	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	33.4	155.6	108.9	160.6	136.5	200.7

FUNDING (Thousands of Dollars)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
GENERAL FUND	33.4	155.6	108.9	160.6	136.5	200.7
FEDERAL FUNDS						
OTHER (Specify Source)						

POSITIONS

(In Man-Months)

	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
FULL TIME	1.0	12.0	12.0	12.0	12.0	12.0
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	6.0	36.0	5.0	30.0	5.0	30.0

III. ANALYSIS (See Fiscal Note Preparation Instruction, Section III)

Assume:

1. An effective date of June 1, 1982;
2. 12% inflation;
3. Only campaign disclosure responsibilities.
4. That the current APOC Executive Director's services will be required through December 31, 1982.
5. One temporary clerk in each office for 6 months each general election year and for one month during non-general election years.
6. One-time equipment start-up costs (including microfiche-reader-printers in each of our 5 offices).

IV. DATE 3/29/82

PREPARED BY Danith D. Arnoldt, Deputy Director
AGENCY Office of the Governor, Division of Elections

Original: Legislative Finance
cc: Budget and Management

PHONE 586-6181

Prime Sponsor (First Legislator Named)

33-001 (Rev. 12/81)

Original sponsor: Kelly

Offered: 4/1/82
Referred: Judiciary

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 167 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to election campaigns and to the
7 composition and responsibilities of the Alaska Public
8 Offices Commission; and providing for an effective
9 date."

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

11 * Section 1. AS 15.13.010(a) is amended to read:

12 (a) This chapter applies in every election for governor, lieuten-
13 ant governor, a member of the state legislature, a delegate to a con-
14 stitutional convention, or judge seeking electoral confirmation. It
15 also applies to every candidate for election to a municipal office in a
16 city or borough with a population of more than 1,000 inhabitants accord-
17 ing to the latest United States census figures or estimates of popula-
18 tion certified as correct for administrative purposes by the Department
19 of Community and Regional Affairs. This chapter does not apply to a
20 candidate for a service area board. A municipality may exempt candi-
21 dates for municipal office or groups active in municipal election cam-
22 paigns [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of this
23 chapter if a majority of the voters voting on the question at any regu-
24 lar election [, AS DEFINED BY AS 29.78.010(14),] or at a special munici-
25 pality-wide election called for that purpose [,] vote to exempt candi-
26 dates for municipal office and persons and groups active in municipal
27 election campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the requirements
28 of this chapter. The question of exemption from the requirements of
29 this chapter may be submitted by the city council or borough assembly by

1 ordinance or by initiative ordinance. Nothing in this chapter prohibits
2 a municipality from regulating by ordinance campaign contributions and
3 expenditures.

4 * Sec. 2. AS 15.13 is amended by adding a new section to read:

5 Sec. 15.13.031. DUTIES OF THE DIRECTOR. (a) The director shall

6 (1) provide forms for the reports and statements required to
7 be made under this chapter;

8 (2) prepare and publish a manual for use by persons required
9 to make reports and statements under this chapter and assist candidates,
10 groups, and individuals in complying with the requirements of this
11 chapter;

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

15 (4) maintain a current list of all filed reports and state-
16 ments;

17 (5) prepare a summary of each report filed under AS 15.13.110
18 and make a copy of the summary available to an interested person at its
19 actual cost;

20 (6) notify, by registered or certified mail, a person who is
21 delinquent in filing a report or statement required to be made under
22 this chapter;

23 (7) report within 60 days after the election the name of a
24 person or group who has failed to comply with a provision of this chapter
25 to the attorney general;

26 (8) report to the attorney general the names of a person or
27 group that the director believes has violated this chapter;

28 (9) prepare an annual report to the legislature concerning
29 the effectiveness of this chapter and recommendations and proposals for

1 change;

2 (10) adopt regulations and issue orders necessary to implement
3 and clarify the provisions of this chapter, subject to the provisions of
4 the Administrative Procedure Act (AS 44.62).

5 (b) A new or amended regulation of the director may not be applied
6 to a candidate or group during a period beginning 30 days before the
7 last date to file a declaration of candidacy or a nominating petition in
8 a state election and ending the day after the general election.

9 (c) A new or amended regulation of the director may not be applied
10 to a candidate or group during a period beginning 30 days before the
11 last day to file a declaration of candidacy or a nominating petition in
12 a municipal election and ending the day after the municipal election.

13 * Sec. 3. AS 15.13.040(a) is amended to read:

14 Sec. 15.13.040. CONTRIBUTIONS AND [,] EXPENDITURES [AND SUPPLYING
15 OF SERVICES] TO BE REPORTED. (a) Each candidate shall make a full
16 report, upon a form prescribed by the director [COMMISSION], listing the
17 aggregate [DATE AND] amount of all expenditures made or obligations in-
18 curring by the candidate, together with the date, amount, and check number
19 for each expenditure exceeding \$250 in value, the aggregate [TOTAL]
20 amount of all contributions, including all funds contributed by the
21 candidate, [HIMSELF] and for all contributions in excess of \$250 [\$100]
22 in the aggregate a year, the name, address, principal occupation, and
23 employer of the contributor and the date and amount contributed by each
24 contributor. The report shall be filed in accordance with AS 15.13.110
25 and shall be certified correct by the candidate or campaign treasurer.
26 A campaign treasurer or deputy treasurer may not certify a report under
27 this section unless notice of the appointment of the campaign treasurer
28 or deputy campaign treasurer by the candidate has been received by the
29 director.

1 * Sec. 4. AS 15.13.040(b) is amended to read:

2 (b) Each group shall make a full report upon a form prescribed by
3 the director [COMMISSION], listing

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

5 (2) the aggregate amount of all contributions made to it;
6 and, for all contributions in excess of \$250 [\$100] in the aggregate a
7 year, the name, address, principal occupation, and employer of the
8 contributor, and the date and amount in excess of \$250 in the aggregate
9 a year contributed by each contributor; and

10 (3) the aggregate [DATE AND] amount of [ALL CONTRIBUTIONS
11 MADE BY IT AND] all expenditures made, incurred or authorized by it
12 including the date, amount and check number of any expenditure exceeding
13 \$250 in value.

14 * Sec. 5. AS 15.13.040(d) is amended to read:

15 (d) Every individual or [,] person, and every [OR] group that is
16 not required to report in accordance with (b) of this section, making an
17 [A CONTRIBUTION OR] expenditure shall make a full report to the director,
18 upon a form prescribed by the director [COMMISSION], of [THE FOLLOWING
19 CONTRIBUTIONS OR EXPENDITURES: (1) ANY CONTRIBUTION OF CASH, GOODS OR
20 SERVICES VALUED AT MORE THAN \$100 A YEAR TO ANY GROUP OR CANDIDATE; OR
21 (2)] any expenditure [WHATSOEVER] for advertising in newspapers, on
22 radio or on television; or for the publication, distribution or circula-
23 tion of brochures, flyers, or other campaign material for or against any
24 candidate, [OR] ballot proposition or question.

25 * Sec. 6. AS 15.13.040(e) is amended to read:

26 (e) The report required under (d) of this section shall contain
27 the name, address, principal occupation and employer of the individual
28 filing the report, and an itemized list of expenditures. The report
29 shall be filed with the director [COMMISSION BY THE CONTRIBUTOR] no

1 later than 10 days after the [CONTRIBUTION OR] expenditure is made, or
2 the indebtedness is incurred, whichever first occurs. [A COPY OF THE
3 REPORT SHALL BE FURNISHED TO THE CANDIDATE, CAMPAIGN TREASURER OR DEPUTY
4 CAMPAIGN TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

5 * Sec. 7. AS 15.13 is amended by adding a new section to read:

6 Sec. 15.13.042. LIMITED CAMPAIGN ACTIVITY. (a) A candidate who
7 does not intend to accept contributions that exceed \$500 in total value
8 and who does not intend to make expenditures that exceed \$500 in total
9 value may file a report, upon a form prescribed by the director, inform-
10 ing the director of the intent to engage in limited campaign activity.
11 The report may be filed only once and shall be filed at the time the
12 candidate's first report is due under AS 15.13.110. The report shall be
13 certified as correct by the candidate.

14 (b) A candidate who accepts contributions that exceed \$500 in
15 total value or makes expenditures that exceed more than \$500 in total
16 value after filing a report under (a) of this section loses his exemp-
17 tion from the reporting requirements and shall file reports due under
18 AS 15.13.110. The first report is due three days after the loss of the
19 exemption. A candidate who receives a contribution and returns the
20 contribution to the contributor within 72 hours of its receipt does not
21 lose the exemption from the reporting requirements.

22 * Sec. 8. AS 15.13.045 is amended by adding a new subsection to read:

23 (e) The director shall adopt regulations consistent with AS 44.62.
24 330 - 44.62.630 to establish a fair and impartial process for taking of
25 evidence and holding hearings in investigations and audits conducted by
26 the director.

27 * Sec. 9. AS 15.13.050 is repealed and reenacted to read:

28 Sec. 15.13.050. GROUPS. (a) Each group, before making an expen-
29 diture on behalf of or in opposition to a candidate or a ballot issue or

1 before making a contribution to a candidate, shall register with the
2 director on forms provided by the director.

3 (b) If the group intends to support or oppose only one candidate
4 or ballot issue or contributes or expends 50 percent or more of its
5 funds to, on behalf of, or in opposition to one candidate or ballot
6 issue, the name of the group shall clearly identify support for or
7 opposition to the candidate or ballot issue.

8 (c) A group that makes expenditures or receives contributions with
9 the express or implied authorization or consent or is under the direct
10 or indirect control of a candidate is considered to be controlled by the
11 candidate.

12 (d) A group whose major purpose is to further the nomination or
13 election of a single candidate or that expends 50 percent or more of its
14 money on a single candidate is considered to be controlled by that
15 candidate and its actions considered to have been done with the know-
16 ledge and consent of the candidate unless, within 10 days from the date
17 the candidate is notified by the director of the existence of the group,
18 the candidate files with the director an affidavit certifying that the
19 group is operating without his control.

20 (e) A group that contributes 50 percent or more of its money to or
21 on behalf of a single candidate is considered to support only that
22 single candidate for purposes of AS 15.13.070, whether or not control of
23 the group has been disclaimed by the candidate.

24 (f) A group that is organized for more than one year preceding an
25 election and that endorses more than one candidate is presumed not to be
26 controlled by a single candidate.

27 * Sec. 10. AS 15.13.060(b) is amended to read:

28 (b) Each group shall file the name and address of its campaign
29 treasurer with the director [COMMISSION] at the time it registers with

1 the director [COMMISSION] under AS 15.13.050.

2 * Sec. 11. AS 15.13.060(c) is amended to read:

3 (c) Each candidate for state office shall file the name and address
4 of the campaign treasurer and the campaign chairman with the director
5 [COMMISSION, OR SUBMIT, IN WRITING, THE NAME AND ADDRESS OF THE CAMPAIGN
6 TREASURER TO THE LIEUTENANT GOVERNOR FOR FILING WITH THE COMMISSION], no
7 later than 15 days after the date of filing his declaration of candidacy
8 or his nominating petition. Each candidate for municipal office shall
9 file the name and address of the campaign treasurer and the campaign
10 chairman with the director [COMMISSION] no later than seven days after
11 the date of filing his declaration of candidacy or his nominating peti-
12 tion. If the candidate does not designate a campaign chairman the can-
13 didate is the campaign chairman. If the candidate does not designate a
14 campaign treasurer, the candidate is the campaign treasurer.

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

16 (d) In the case of the death, resignation or removal of a campaign
17 treasurer, the candidate shall appoint a successor as soon as practic-
18 able and file his name and address with the director [COMMISSION] within
19 48 hours of the appointment. If a candidate does not have a currently
20 effective appointment of a campaign treasurer on file with the director,
21 the candidate is the campaign treasurer [THE CANDIDATE IS DISQUALIFIED
22 WHEN HE HAS BEEN FOUND TO HAVE BEEN IN WILFUL VIOLATION OF THIS SUB-
23 SECTION].

24 * Sec. 13. AS 15.13.060(e) is amended to read:

25 (e) A campaign treasurer may appoint as many deputy campaign
26 treasurers as he considers necessary. The candidate shall file the
27 names and addresses of the deputy campaign treasurers with the director
28 [COMMISSION].

29 * Sec. 14. AS 15.13.070(a) is amended to read:

1 (a) A [NO] person or group, including but not limited to all
2 political committees, businesses, corporations, and labor unions, may
3 not contribute [TO OR EXPEND] more than \$2,000 [\$1,000] a year on behalf
4 of or in opposition to a candidate [THE COMPETING CANDIDATES] for [EACH]
5 elective office. Political parties and their subdivisions are not
6 subject to the limitation prescribed in this subsection, but they are
7 subject to the reporting requirements prescribed by AS 15.13.040(b) and
8 15.13.110. Nothing in this chapter prohibits

9 (1) a candidate from contributing more than \$2,000 [\$1,000]
10 of that candidate's [HIS] own money to his own campaign; or

11 (2) individuals or groups, including but not limited to all
12 political committees, businesses, corporations, and labor unions, from
13 contributing to or expending on behalf of a ballot proposition or ques-
14 tion more than \$2,000 [\$1,000] a year; however, these contributions and
15 expenditures shall be reported in accordance with AS 15.13.040, 15.13-
16 080, and 15.13.110.

17 * Sec. 15. AS 15.13.070(b) is repealed and reenacted to read:

18 (b) A person may not make and a candidate or group may not accept
19 a contribution over \$100 in cash unless a receipt for the total amount
20 is issued by the candidate or group and received by the person making
21 the contribution. The director may by regulation authorize candidates
22 and groups to accept a contribution of \$50 or less without recording the
23 name of the contributor.

24 * Sec. 16. AS 15.13.070(c) is amended to read:

25 (c) No expenditures over \$100 may be made in cash or by cash
26 payment unless a written receipt is obtained and filed with the director
27 [COMMISSION].

28 * Sec. 17. AS 15.13.070(d) is amended to read:

29 (d) A [NO] contribution may not be made, and an [NO] expenditure

1 may not be made or incurred, directly or indirectly, anonymously, in a
2 fictitious name, or by one person or group in the name of another, to
3 influence the election of a candidate in an election. A contribution
4 made by a person wishing to remain anonymous, and received by a candi-
5 date, campaign treasurer or deputy campaign treasurer, may not be used
6 or expended, but shall be returned to the donor, if his identity is
7 known, and if his identity is not known [NO DONOR IS FOUND], the contri-
8 bution shall be [ESCHEATS TO THE STATE IF NOT] donated by the candidate
9 to the charity of his choice.

10 * Sec. 18. AS 15.13.080 is amended to read:

11 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. A person or group
12 contributing to a candidate over \$250 or contributing goods or services
13 to a candidate with a value of more than \$250 to influence the election
14 of a candidate shall furnish the director [COMMISSION] a signed state-
15 ment, on a form made available by the director [COMMISSION]. The state-
16 ment shall itemize the contributions and goods and state that the con-
17 tributor is not a person or group prohibited by law from contributing
18 and that the contribution consists of funds or property belonging to the
19 contributor and has not been given or furnished by another person or
20 group. The contributor's statement shall be filed with the director
21 [COMMISSION] by the contributor no later than 10 days after the contri-
22 bution is made. A copy of the statement shall be furnished the candi-
23 date, campaign treasurer, or deputy campaign treasurer at the time the
24 contribution is made.

25 * Sec. 19. AS 15.13.090 is amended to read:

26 Sec. 15.13.090. IDENTIFICATION OF COMMUNICATION. All advertise-
27 ments, billboards, handbills, paid-for television and radio announce-
28 ments and other communications intended to promote [INFLUENCE] the
29 election of a candidate that are paid for by the candidate or the cam-

1 paigh committee of the candidate [OR OUTCOME OF A BALLOT PROPOSITION OR
2 QUESTION] shall be clearly identified by the words "paid for by" fol-
3 lowed by the name [AND ADDRESS] of the candidate or campaign commit-
4 tee of the candidate [, GROUP OR INDIVIDUAL PAYING FOR THE ADVERTISING.
5 IN ADDITION, CANDIDATES AND GROUPS MUST IDENTIFY THE NAME OF THEIR
6 CAMPAIGN CHAIRMAN].

7 * Sec. 20. AS 15.13.090 is amended by adding new subsections to read:

8 (b) All advertisements, billboards, handbills, paid-for television
9 and radio announcements, and other communications not paid for by a
10 candidate or the campaign committee of a candidate that are intended to
11 support or oppose a candidate, a ballot proposition, a referendum, or a
12 recall shall be identified by the words "paid for by" followed by the
13 name of the group, individual, or person, together with a mailing con-
14 tact address or telephone number.

15 (c) The director may by regulation exempt from this section com-
16 munications that in the director's judgment do not afford space for the
17 identification required by this section.

18 * Sec. 21. AS 15.13.100 is amended to read:

19 Sec. 15.13.100. EXPENDITURES, CONTRIBUTIONS, AND REGISTRATION BE-
20 FORE FILING. Political campaign contributions may be made or received,
21 and expenditures [NC POLITICAL CAMPAIGN EXPENDITURE] may be made or
22 incurred by candidate [PERSON] in an election, or by a person or group
23 with the candidate's [HIS] knowledge and on the candidate's [HIS]
24 behalf, before the date upon which the candidate [HE OR SHE] files for
25 nomination for the office which he [THE PERSON] seeks. The contribu-
26 tions and expenditures [, EXCEPT FOR PERSONAL TRAVEL EXPENSES OR FOR
27 OPINION SURVEYS OR POLLS. THESE EXPENDITURES SHALL BE CHARGED AGAINST
28 THE SPENDING LIMITATION THAT APPLIES TO THE OFFICE FOR WHICH HE SUBSE-
29 QUENTLY FILES, AND] shall be included in the first report required under

1 AS 15.13.110 [THIS CHAPTER AFTER FILING FOR OFFICE].

2 * Sec. 22. AS 15.13.110(a)(4) is amended to read:

3 (4) January 10 [DECEMBER 31 OF EACH YEAR] for expenditures
4 and contributions received through December 31 of the preceding year
5 which were not reported that year.

6 * Sec. 23. AS 15.13.110(b) is amended to read:

7 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and
8 which is made within 10 days [ONE WEEK] of the election shall be re-
9 ported to the director [COMMISSION] by date, amount, and contributor [OR
10 RECIPIENT] within 48 [24] hours of receipt [OR EXPENDITURE] by the
11 candidate or campaign treasurer or deputy campaign treasurer.

12 * Sec. 24. AS 15.13.110(c) is amended to read:

13 (c) The reports of nonstatewide candidates shall be filed with the
14 election supervisor designated by the director; the reports of a state-
15 wide candidate shall be filed with the director [COMMISSION'S CENTRAL
16 OFFICE]. All reports required by this chapter are [SHALL BE KEPT] open
17 to public inspection. Within 30 days after each election, the director
18 [COMMISSION] shall prepare a summary of each report which shall be made
19 available to the public at cost upon request. Each summary shall use
20 uniform categories of reporting.

21 * Sec. 25. AS 15.13.110(d) is amended to read:

22 (d) Within 30 days after each election, each supplier shall make a
23 full report to the director under [COMMISSION IN ACCORDANCE WITH] AS 15.
24 13.040. Within 60 days after each election, the director [COMMISSION]
25 shall prepare a summary by candidate or group of the transactions and
26 make the summaries public.

27 * Sec. 26. AS 15.13.110(e) is amended to read:

28 (e) A group formed to sponsor an initiative, a referendum or a
29 recall shall file a report of contributions and expenditures with the

1 director 30 days after its first filing with the lieutenant governor.
2 Thereafter each group shall file a report with the director within 10
3 days after the end of each calendar quarter on the contributions re-
4 ceived and expenditures made during the preceding calendar quarter until
5 reports are due under (a) of this section.

6 * Sec. 27. AS 15.13.110 is amended by adding new subsections to read:

7 (f) The report required by (a)(3) of this section is the final
8 report if at the time the report is made

9 (1) there is no outstanding debt or obligation;

10 (2) the campaign fund has been closed;

11 (3) the campaign has been concluded; and

12 (4) in the case of a group, the group has dissolved.

13 (g) Reports shall be filed as required by (a)(4) of this section
14 by

15 (1) a candidate who has an outstanding debt or obligation
16 until the debt or obligation is satisfied;

17 (2) a group that has an outstanding debt or obligation until
18 the debt or obligation is satisfied or until the group is dissolved.

19 (h) When a final report has been submitted under this section, the
20 duties of the campaign treasurer cease and there is no obligation to
21 file further reports.

22 * Sec. 28. AS 15.13 is amended by adding a new section to read:

23 Sec. 15.13.115. COMPLAINTS. (a) A person who believes that a
24 violation of this chapter has occurred may file a complaint with the
25 director. If the director determines that there is substantial reason
26 to believe that a violation of this chapter has occurred, the director
27 shall expeditiously investigate the subject matter of the complaint.
28 The investigation may include but is not limited to an investigation of
29 the reports and statements filed with the director by the complainant,

1 if he is a candidate.

2 (b) If the director determines, after notice and opportunity for a
3 hearing, that a person has violated a provision of this chapter or a
4 regulation or order issued under this chapter, the director shall
5 promptly report the determination to the attorney general for appropriate
6 action.

7 (c) The director shall report the results of the investigation to
8 the person who filed the complaint within 60 days of receiving the
9 complaint, unless circumstances require additional time to make an
10 adequate investigation.

11 * Sec. 29. AS 15.13.120(a) is amended to read:

12 (a) A person who violates a provision of this subsection [CHAPTER]
13 is guilty of a class A misdemeanor [AND, UPON CONVICTION, IS PUNISHABLE
14 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT MORE THAN
15 \$5,000]. A violation includes [BUT IS NOT LIMITED TO] any of the follow-
16 ing acts or omissions:

17 (1) refusing or knowingly failing to make a reasonably com-
18 plete statement or report required to be made under this chapter [, OR
19 FAILING TO MAKE A STATEMENT OR REPORT AT THE TIME THE STATEMENT OR
20 REPORT IS REQUIRED TO BE MADE UNDER THIS CHAPTER];

21 (2) knowingly making a campaign contribution [OR EXPENDITURE]
22 which exceeds the limitations of AS 15.13.070(a) [AS 15.13.070(f)];

23 (3) knowingly making a false statement or report under this
24 chapter;

25 (4) giving or furnishing money to another person or group for
26 the purpose of making a contribution or expenditure anonymously, in a
27 fictitious name, or in the name of another, or contributing in violation
28 of AS 15.13.070(d);

29 (5) making a communication to support or defeat a candidate

1 without identification of sponsorship, in violation of AS 15.13.090;

2 (6) knowingly accepting a contribution in violation of AS 15.-
3 13.070.

4 * Sec. 30. AS 15.13.120(c) is amended to read:

5 (c) Promptly after the final date for filing statements and re-
6 ports, the director [COMMISSION] shall notify all persons who have
7 become delinquent in filing them [, INCLUDING CONTRIBUTORS WHO FAILED TO
8 FILE A STATEMENT IN ACCORDANCE WITH AS 15.13.040,] and shall make avail-
9 able a list of these delinquents for public inspection. The director
10 [COMMISSION] shall also report to the attorney general the names of all
11 candidates and groups in an election whose campaign treasurers have
12 failed to file the reports required by this chapter.

13 * Sec. 31. AS 15.13.120(e) is amended to read:

14 (e) Prosecution for violation of a provision of this chapter may
15 not be commenced after one year ~~has~~ [FOUR YEARS HAVE] elapsed from the
16 date of the alleged violation.

17 * Sec. 32. AS 15.13.120 is amended by adding a new subsection to read:

18 (f) If, after being sworn into office, a person who was a success-
19 ful candidate or the campaign treasurer or deputy campaign treasurer of
20 a person who was a successful candidate is convicted of a violation of
21 this chapter, proceedings shall be held and appropriate action taken in
22 accordance with

23 (1) art. II, sec. 12 of the state constitution, if the candi-
24 date is a candidate for the state legislature;

25 (2) art. II, sec. 20 of the state constitution, if the candi-
26 date is a candidate for governor or lieutenant governor;

27 (3) AS 29.23.060(c), if the candidate is a candidate for the
28 borough assembly;

29 (4) AS 29.23.130(f), if the candidate is a candidate for

1 borough mayor;

2 (5) AS 29.23.210(b), if the candidate is a candidate for city
3 council;

4 (6) AS 29.23.255, if the candidate is a candidate for city
5 mayor;

6 (7) AS 14.12.085, if the candidate is a candidate for school
7 board;

8 (8) AS 29.13.035, if the candidate is a candidate for a
9 charter commission;

10 (9) the provisions of the call for the constitutional con-
11 vention, if the candidate is a candidate for constitutional convention
12 delegate;

13 (10) article IV, sec. 10 of the state constitution, if the
14 candidate is a candidate for judicial retention.

15 * Sec. 33. AS 15.13.120 is amended by adding new subsections to read:

16 (g) Information developed by the director under (d) of this section
17 shall be considered during a proceeding under (f) of this section.

18 (h) When, after being sworn into office, a successful candidate
19 or the campaign treasurer or deputy campaign treasurer of a person who
20 was a successful candidate is charged with a violation of this chapter,
21 the case shall be promptly tried and accorded a preferred position for
22 purposes of argument and decision, so as to assure a speedy disposition
23 of the matter.

24 * Sec. 34. AS 15.13.125 is amended to read:

25 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS. A
26 person who fails to file a properly completed and certified report
27 within the time required by AS 15.13.110(a)(1), (3), (4) or (d) is
28 subject to a civil penalty of not more than \$10 a day for each day the
29 delinquency continues as determined by the director [COMMISSION] subject

1 to right of appeal to the superior court. A person who fails to file a
2 properly completed and certified report within the time required by
3 AS 15.13.110(a)(2) or (b) is subject to a civil penalty of not more than
4 \$50 a day for each day the delinquency continues as determined by the
5 director [COMMISSION] subject to right of appeal to the superior court.
6 An affidavit stating facts in mitigation may be submitted to the director
7 [COMMISSION] by a person against whom a civil penalty is assessed. The
8 [HOWEVER, THE] imposition of the penalties prescribed in this section or
9 in AS 15.13.120 does not excuse that person from filing reports required
10 by this chapter.

11 * Sec. 35. AS 15.13.130(1) is repealed and reenacted to read:

12 (1) "candidate" means an individual who seeks nomination or
13 election to the state legislature, the office of governor or lieutenant
14 governor, or municipal office, or who seeks retention in judicial office
15 or nomination or election as a constitutional convention delegate; an
16 individual is considered to seek nomination or election if

17 (A) the individual has taken the action necessary under
18 the law of the state to qualify for nomination or election to an
19 office;

20 (B) the individual has received contributions or made
21 expenditures before filing for office;

22 (C) the individual has given consent, implicit or expli-
23 cit, for a person or group to receive contributions or make expendi-
24 tures to bring about the individual's nomination or election to
25 office;

26 (D) the individual has campaigned as a write-in candi-
27 date for office; or

28 (E) the individual is the subject of a recall election;

29 * Sec. 36. AS 15.13.130(2) is amended by adding a new subparagraph to

1 read:

2 (D) a contribution that is returned to the contributor
3 within 72 hours of its receipt by a candidate or group;

4 * Sec. 37. AS 15.13.130(3) is amended to read:

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

26 * Sec. 38. AS 15.13.130 is amended by adding new paragraphs to read:

27 (8) "knowingly" has the meaning set out in AS 11.81.900-
28 (a)(2);

29 (9) "political party"

1 (A) has the meaning provided in AS 15.60.010(20); or

2 (B) means a group of organized voters

3 (i) who represent a political program; and

4 (ii) who nominated or supported a candidate who
5 received at least 10 percent of the total vote cast at the
6 preceding general election in the state for a statewide or
7 national political office;

8 (10) "reasonably complete report" means a report that accu-
9 rately reflects the campaign contributions and expenditures of the can-
10 didate and that is free from significant omissions that are known to the
11 candidate.

12 * Sec. 39. AS 14.12 is amended by adding a new section to read:

13 Sec. 14.12.085. SCHOOL BOARD MAY EXPEL A MEMBER. The school board
14 may, with the concurrence of two-thirds of its members, expel a member
15 for a conviction of a violation of AS 15.13.

16 * Sec. 40. AS 24.45.021 is amended to read:

17 Sec. 24.45.021. ADMINISTRATION. (a) This chapter shall be admin-
18 istered by the commissioner of administration [ALASKA PUBLIC OFFICES
19 COMMISSION CREATED UNDER AS 15.13.020(a)].

20 (b) The commissioner [COMMISSION] shall promulgate regulations
21 under the Administrative Procedure Act (AS 44.62) to implement the
22 provisions of this chapter.

23 * Sec. 41. AS 24.45.031(a) is amended to read:

24 (a) In addition to the commissioner's [ITS] other duties under this
25 chapter, the commissioner [COMMISSION] shall

26 (1) prescribe the forms for registration, reports, statements,
27 notices and other documents required by this chapter;

28 (2) prepare and publish instructions setting out the methods
29 of accounting, bookkeeping and preservation of records required to

1 facilitate compliance with and enforcement of this chapter and explain-
2 ing the duties of persons subject to the provisions of this chapter; the
3 instructions shall be updated periodically;

4 (3) provide assistance to persons in complying with the
5 provisions of this chapter;

6 (4) prepare and publish an annual report of [ITS] activities,
7 findings and recommendations under this chapter, which shall be made
8 available to the governor, legislature and to the public by February 1
9 of each calendar year;

10 (5) report suspected violations of this chapter to the attor-
11 ney general.

12 * Sec. 42. AS 24.45.03](b) is amended to read:

13 (b) The commissioner [COMMISSION] may

14 (1) hold hearings and conduct investigations into compliance
15 with the provisions of this chapter;

16 (2) in conjunction with (1) of this subsection, issue sub-
17 poenas, compel the attendance and testimony of witnesses, administer
18 oaths and affirmations, and require the production of books, papers,
19 records, documents or other items material to the commissioner's [COM-
20 MISSION'S] duties or powers under this chapter;

21 (3) prepare, publish, and make available to the public,
22 periodic, but at least quarterly and annually, summaries of the state-
23 ments and reports received; these summaries shall list separately indi-
24 vidual lobbyists and employers of lobbyists.

25 * Sec. 43. AS 24.45.041(a) is amended to read:

26 (a) Before engaging in lobbying, a lobbyist shall file a registra-
27 tion statement on a form prescribed by the commissioner [COMMISSION].

28 * Sec. 44. AS 24.45.041(b) is amended to read:

29 (b) The registration form prescribed by the commissioner [COMMIS-

1 SION] shall include

2 (1) the lobbyist's full name and complete permanent residence
3 and business address and telephone number, as well as any temporary
4 residential and business address and telephone number in the state
5 capital during a legislative session;

6 (2) the full name and complete address of each person by whom
7 the lobbyist is retained or employed;

8 (3) whether the person from whom the lobbyist receives compen-
9 sation employs him solely as a lobbyist or whether he is a regular
10 employee performing other services for his employer which include but
11 are not limited to the influencing of legislative or administrative
12 action;

13 (4) the nature or form of the lobbyist's compensation for
14 engaging in lobbying, including salary, fees or reimbursement for
15 expenses received in consideration for, or directly in support of or in
16 connection with, the influencing of legislative or administrative action;

17 (5) a general description of the subjects or matters on which
18 the registrant expects to lobby or to engage in the influencing of
19 legislative or administrative action;

20 (6) the full name and complete address of the person, if
21 other than the registrant, who has custody of the accounts, books,
22 papers, bills, receipts and other documents required to be maintained
23 under this chapter.

24 * Sec. 45. AS 24.45.041(d) is amended to read:

25 (d) If a change occurs in any of the information contained in a
26 registration statement filed under (a) of this section, or in any accom-
27 panying document, an appropriate amendment shall be filed with the
28 commissioner [COMMISSION] within 10 days after the change.

29 * Sec. 46. AS 24.45.041(e) is amended to read:

1 (e) Within 45 days after the convening of each regular session of
2 the legislature, the commissioner [COMMISSION] shall publish a directory
3 of registered lobbyists, containing the information prescribed in (b) of
4 this section for each lobbyist and the photograph, if any, furnished by
5 a lobbyist under (c) of this section. From time to time thereafter the
6 commissioner [COMMISSION] shall publish those supplements to the direc-
7 tory that in the commissioner's [COMMISSION'S] judgment may be necessary.
8 The directory shall be made available to public officials and to the
9 public at the following locations: a public place adjacent to the legis-
10 lative chambers in the state capitol building, the office of the lieu-
11 tenant governor, the legislative reference library of the Legislative
12 Affairs Agency and the commissioner's [COMMISSION'S] central office.

13 * Sec. 47. AS 24.45.041(f) is amended to read:

14 (f) Each lobbyist shall renew his registration annually by filing
15 a new registration statement together with a new authorization to act as
16 a lobbyist before engaging in lobbying. The lobbyist also shall file
17 any reports or statements he has failed to file for a previous reporting
18 period. The commissioner [COMMISSION] may not renew lobbying credentials
19 until this subsection has been [PROVISION IS] complied with.

20 * Sec. 48. AS 24.45.051 is amended to read:

21 Sec. 24.45.051. REPORTS. Each lobbyist registered under AS 24.45.-
22 041 shall file with the commissioner [COMMISSION] a report concerning
23 his activities during each reporting period prescribed in AS 24.45.081,
24 so long as the lobbyist continues to engage in lobbying activities. The
25 report shall be made on a form prescribed by the commissioner [COMMIS-
26 SION] and filed in accordance with AS 24.45.071 and 24.45.081. The
27 report also shall include any changes in the information required to be
28 supplied under AS 24.45.041(b) and the following information for the
29 reporting period, as applicable:

1 (1) the source of income, as defined in AS 39.50.200(a)(8),
2 [AS 39.50.200(8)] and the monetary value of all payments, including but
3 not limited to salary, fees, and reimbursement of expenses, received in
4 consideration for or directly or indirectly in support of or in connec-
5 tion with influencing legislative or administrative action, and the full
6 name and complete address of each person from whom amounts or things of
7 value have been received and the total monetary value received from each
8 person;

9 (2) the aggregate amount of disbursements or expenditures
10 made or incurred during the period in support of or in connection with
11 influencing legislative or administrative action by the lobbyist, or on
12 behalf of the lobbyist by his employer in the following categories:

- 13 (A) food and beverages;
14 (B) living accommodations;
15 (C) travel;

16 (3) the date and nature of any gift exceeding \$100 in value
17 made to a public official and the full name and official position of
18 that person;

19 (4) the name and official position of each public official,
20 and the name of each member of the immediate family of any of these
21 officials, with whom the lobbyist has engaged in an exchange of money,
22 goods, services or anything of more than \$100 in value and the nature
23 and date of each of these exchanges and the monetary values exchanged;

24 (5) the name and address of any business entity in which the
25 lobbyist knows or has reason to know that a public official is a propri-
26 etor, partner, director, officer or manager, or has a controlling in-
27 terest, with whom the lobbyist has engaged in an exchange of money,
28 goods, services, or anything of value and the nature and date of each
29 exchange and the monetary value exchanged if the total value of these

1 exchanges is \$100 or more in a calendar year; and

2 (6) a notice of termination if the lobbyist has ceased the
3 lobbying activity which required his registration under this chapter and
4 if this report constitutes the final report of his activities.

5 * Sec. 49. AS 24.45.061(a) is amended to read:

6 (a) Within 15 days after employing, retaining or contracting for
7 the employment or retention of a lobbyist, the person who employs,
8 retains or who contracts for the services of a lobbyist shall file a
9 statement with the commissioner [COMMISSION] authorizing or verifying
10 that employment, retention or contract for lobbying services.

11 * Sec. 50. AS 24.45.091 is amended to read:

12 Sec. 24.45.091. PUBLICATION OF REPORTS. Copies of the statements
13 and reports filed under this chapter shall be made available to the
14 public at the commissioner's [COMMISSION'S] central office, the office
15 of the lieutenant governor, and the legislative reference library of the
16 Legislative Affairs Agency [, AND AT THE COMMISSION'S DISTRICT OFFICES
17 PRESCRIBED IN AS 15.13.020(j)] as soon as practicable after each report-
18 ing period.

19 * Sec. 51. AS 24.45.101 is amended to read:

20 Sec. 24.45.101. PUBLIC RECORDS. Statements and reports filed
21 under this chapter are public records and shall be available for public
22 inspection and copying during normal business hours at the expense of
23 the person requesting copies; however, the charge for copying may not
24 exceed actual cost to the commissioner [COMMISSION].

25 * Sec. 52. AS 24.45.111(a) is amended to read:

26 (a) A person required to register or report as a lobbyist shall
27 preserve all accounts, bills, receipts, books, papers and documents
28 necessary to substantiate the reports required to be made and filed
29 under this chapter for a period of at least one year from the date of

1 the filing of the report containing these items. These accounts, bills,
2 receipts, books, papers and other documents shall be made available for
3 inspection by the commissioner [COMMISSION, OR MEMBERS OF ITS STAFF,] at
4 any time. If a lobbyist is required under the terms of his employment
5 contract to turn any records over to his employer, responsibility for
6 the preservation of these records under this section rests with the
7 employer.

8 * Sec. 53. AS 24.45.111(b) is amended to read:

9 (b) The commissioner [COMMISSION] shall preserve the statements
10 and reports required to be filed under this chapter for a period of six
11 years from the date of filing. [IF THE COMMISSION'S CENTRAL OFFICE IS
12 NOT IN THE STATE CAPITAL, COPIES OF ALL STATEMENTS AND REPORTS FILED
13 UNDER THIS CHAPTER SHALL BE MAINTAINED IN AN OFFICE ESTABLISHED BY THE
14 COMMISSION IN THE STATE CAPITAL OR IN THE OFFICE OF THE LIEUTENANT
15 GOVERNOR.]

16 * Sec. 54. AS 24.45.116 is amended to read:

17 Sec. 24.45.116. DISCLOSURE OF CONTRIBUTIONS. Before a civic
18 league or organization may be eligible for the benefits of AS 43.20.-
19 031(f)(4), it must agree to comply with the requirements of this section.
20 The civic league or organization shall report the total amount of contri-
21 butions received for the reporting period and, for any contribution over
22 \$100, the name of the contributor and the amount contributed. The civic
23 league or organization may establish a separate fund to account for
24 receipts and expenditures arising out of activities to influence legisla-
25 tive action. Reports shall be made on a form provided by the commis-
26 sioner [COMMISSION] on February 10, April 25, and July 10 of each year,
27 listing contributions received during the period that ended 10 days
28 earlier.

29 * Sec. 55. AS 24.45.131 is amended to read:

1 Sec. 24.45.131. EXAMINATION OF STATEMENTS, REPORTS. (a) The
2 commissioner [COMMISSION OR ITS STAFF] shall examine each statement or
3 report filed under this chapter within 10 days after the date it is
4 filed. A person required to file a statement or report under this
5 chapter shall be notified immediately if

6 (1) it appears that the person has failed to file a statement
7 or report as required by law or that the statement or report filed does
8 not conform to the requirements of this chapter; or

9 (2) a written complaint is filed with the commissioner [COM-
10 MISSION] by any qualified voter alleging that a statement or report
11 filed with the commissioner [COMMISSION] does not conform to the require-
12 ments of this chapter, or to the truth, or that a person subject to the
13 provisions of this chapter has failed to file a statement or report in
14 the manner prescribed by this chapter.

15 (b) The commissioner [COMMISSION] shall conduct an investigation,
16 and may thereafter conduct a hearing, into an allegation under (a)(2) of
17 this section.

18 (c) The commissioner [COMMISSION] shall report any suspected
19 violations of this chapter to the attorney general, to a district attor-
20 ney in the judicial district where the alleged violation occurred, or to
21 a grand jury.

22 * Sec. 56. AS 24.45.141 is amended to read:

23 Sec. 24.45.141. CIVIL PENALTY: LATE REGISTRATION, FILING OF RE-
24 QUIRED STATEMENTS OR REPORTS. A person who fails to register or to file
25 a properly completed and certified report or statement, as applicable,
26 within the time required by this chapter is subject to a civil penalty
27 of not more than \$10 a day for each day the delinquency continues as
28 determined by the commissioner [COMMISSION] subject to right of appeal
29 to the superior court. An affidavit stating facts in mitigation may be

1 submitted to the commissioner [COMMISSION] by a person against whom a
2 civil penalty is assessed. However, the imposition of the penalties
3 prescribed in this section or in AS 24.45.151 does not excuse the lobby-
4 ist or employer of a lobbyist from filing statements or reports required
5 by this chapter.

6 * Sec. 57. AS 24.45.171 is amended by adding a new paragraph to read:

7 (13) "commissioner" means the commissioner of administration.

8 * Sec. 58. AS 29.13 is amended by adding a new section to read:

9 Sec. 29.13.035. CHARTER COMMISSION MAY EXPEL A MEMBER. The charter
10 commission may, with the concurrence of two-thirds of its members, expel
11 a member for a conviction of a violation of AS 15.13.

12 * Sec. 59. AS 29.23.060(c) is amended to read:

13 (c) The assembly shall determine its own rules and order of
14 business and provide for keeping a journal of its proceedings. The
15 assembly is the judge of the election and qualification of its members
16 and, with the concurrence of two-thirds of its members, may expel a
17 member for a conviction of a violation of AS 15.13 or a felony or mis-
18 demeanor described in AS 15.56 as a corrupt practice. The assembly
19 shall consider a conviction of a member for a felony or misdemeanor
20 described in AS 15.56 as a corrupt practice at its first meeting fol-
21 lowing the final determination of the conviction.

22 * Sec. 60. AS 29.23.130(f) is amended to read:

23 (f) The assembly, with the concurrence of two-thirds of its mem-
24 bers, may remove the borough mayor from office for a conviction of a
25 violation of AS 15.13 or a felony or misdemeanor described in AS 15.56
26 as a corrupt practice. The assembly shall consider a conviction of the
27 borough mayor of a violation of AS 15.13 or a felony or misdemeanor
28 described in AS 15.56 as a corrupt practice at its first meeting fol-
29 lowing the final determination of the conviction.

1 * Sec. 61. AS 29.23.210(b) is amended to read:

2 (b) The council shall determine its own rules and order of busi-
3 ness and provide for keeping a journal of its proceedings. The council
4 is the judge of the election and qualification of its members and, with
5 the concurrence of two-thirds of its members, may expel a member for a
6 conviction of a violation of AS 15.13 or a felony or misdemeanor des-
7 cribed in AS 15.5b as a corrupt practice. The council shall consider
8 that conviction during its first meeting following final determination
9 of the conviction.

10 * Sec. 62. AS 29.23.255 is amended to read:

11 Sec. 29.23.255. REMOVAL FROM OFFICE. The council may, with con-
12 currence of two-thirds of its members, remove the mayor from office for
13 a conviction of a violation of AS 15.13 or a felony or misdemeanor
14 described in AS 15.56 as a corrupt practice. The council shall consider
15 the conviction during its first meeting following final determination of
16 the conviction.

17 * Sec. 63. AS 39.50.020(b) is amended to read:

18 (b) The governor, lieutenant governor, members of the legislature,
19 and candidates for these offices, judicial officers, each commissioner,
20 head or deputy head of, or director of a division within, a department
21 in the executive branch, assistant to the governor or chairman or member
22 of a commission or board required to report under this chapter, shall
23 file the statement with the commissioner of administration [ALASKA
24 PUBLIC OFFICES COMMISSION]. Municipal officers, and candidates for
25 elective municipal office, shall file with the municipal clerk or other
26 municipal official designated to receive their filing for office. All
27 statements required to be filed under this chapter are public records.

28 * Sec. 64. AS 39.50.030 is amended by adding new subsections to read:

29 (d) If a public official or a candidate for state or municipal

1 elective office, or the spouse or dependent child of the public official
2 or candidate, or a combination of them, are the sole owners of property
3 consisting of one or more units held for rent or lease as a residence,
4 the public official, the candidate for state elective office, or the
5 candidate for elective municipal office is not required to report the
6 income received from residential occupants of the property.

7 (e) If a public official or candidate for state or municipal elec-
8 tive office, or the spouse or dependent child of the public official or
9 candidate, is a member of a partnership that owns property consisting of
10 one or more units held for rent or lease as a residence, the public
11 official or the candidate is not required to report the income received
12 from residential occupants of the property.

13 * Sec. 65. AS 39.50.050(a) is amended to read:

14 (a) The commissioner of administration [ALASKA PUBLIC OFFICES
15 COMMISSION CREATED UNDER AS 15.13.020(a)] shall administer the provisions
16 of this chapter. The commissioner of administration [COMMISSION] shall
17 prepare and keep available for distribution, standardized forms on which
18 the reports required by this chapter shall be filed.

19 * Sec. 66. AS 39.50.050(b) is amended to read:

20 (b) The commissioner of administration [COMMISSION] shall promul-
21 gate regulations to implement and interpret the provisions of this
22 chapter; regulations or interpretation shall be within the intents and
23 purposes of this chapter and are subject to judicial review in accor-
24 dance with the provisions of the Administrative Procedure Act (AS 44.62).

25 * Sec. 67. AS 39.50.050(d) is amended to read:

26 (d) To facilitate the filing of reports under AS 24.45 (Regulation
27 of Lobbying) and the information required to be provided under AS 24.45.
28 051(4) and (5), the commissioner of administration [COMMISSION] shall
29 publish copies of the reports required under this chapter not later than

1 the convening of each regular session of the legislature. Copies of
2 this publication shall be provided on request; however, the commissioner
3 of administration [COMMISSION] may make a charge for the publication
4 which may not exceed the actual cost of printing, postage and handling.

5 * Sec. 68. AS 44.21 is amended by adding a new section to read:

6 ARTICLE 8. CONFLICT OF INTEREST AND LOBBYING.

7 Sec. 44.21.350. REGULATION OF CONFLICT OF INTEREST AND LOBBYING.

8 The commissioner shall

9 (1) develop and provide all forms for the reports and state-
10 ments required to be made under AS 24.45 and AS 39.50;

11 (2) assist individuals and groups in complying with the
12 requirements of AS 24.45 and AS 39.50;

13 (3) receive and hold open for public inspection reports and
14 statements required to be made under AS 24.45 and AS 39.50 and, upon
15 request, furnish copies at cost to interested persons;

16 (4) compile and maintain a current list of all filed reports
17 and statements;

18 (5) notify, by registered or certified mail, all persons who
19 are delinquent in filing reports and statements required to be made
20 under AS 24.45 and AS 39.50;

21 (6) examine, investigate, and compare all reports, statements,
22 and actions required by AS 24.45 and AS 39.50 and report to the attorney
23 general the names of all persons or groups that the commissioner has
24 substantial reason to believe have violated AS 24.45 or AS 39.50;

25 (7) prepare and publish an annual report to the legislature
26 concerning the effectiveness of AS 24.45 and AS 39.50 and recommenda-
27 tions and proposals for change;

28 (8) adopt regulations necessary to implement and clarify the
29 provisions of AS 24.45 and AS 39.50, subject to the provisions of the

1 Administrative Procedure Act (AS 44.62).

2 * Sec. 69. Except to the extent that they are inconsistent with the
3 provisions of this Act, the regulations of the Alaska Public Offices Commis-
4 sion implementing AS 24.45 and AS 39.50 in effect on the effective date of
5 this Act remain in effect until amended or repealed by the commissioner of
6 administration. Except to the extent that they are inconsistent with the
7 provisions of this Act, the regulations of the Alaska Public Offices Commis-
8 sion implementing AS 15.13 in effect on the effective date of this Act remain
9 in effect until amended or repealed by the director of elections.

10 * Sec. 70. AS 15.13.120(f) is repealed and reenacted to read:

11 (f) If, after being sworn into office, a person who was a success-
12 ful candidate or the campaign treasurer or deputy campaign treasurer of
13 a person who was a successful candidate is convicted of a violation of
14 this chapter, proceedings shall be held and appropriate action taken in
15 accordance with

16 (1) art. II, sec. 12 of the state constitution, if the candi-
17 date is a candidate for the state legislature;

18 (2) art. II, sec. 20 of the state constitution, if the candi-
19 date is a candidate for governor or lieutenant governor;

20 (3) AS 29.20.170, if the candidate is a candidate for the
21 governing body;

22 (4) AS 29.20.280, if the candidate is a candidate for mayor;

23 (5) AS 14.12.085, if the candidate is a candidate for a
24 school board;

25 (6) AS 29.06.280 or 29.10.035, if the candidate is a candi-
26 date for charter commission;

27 (7) the provisions of the call for the constitutional con-
28 vention, if the candidate is a candidate for constitutional convention
29 delegate;

1 (8) article IV, sec. 10 of the state constitution, if the
2 candidate is a candidate for judicial retention.

3 * Sec. 71. AS 29.06.280 is amended by adding a new subsection to read:

4 (e) The charter commission may, with the concurrence of two-thirds
5 of its members, expel a member for a conviction of a violation of
6 AS 15.13.

7 * Sec. 72. AS 29.10 is amended by adding a new section to read:

8 Sec. 29.10.035. CHARTER COMMISSION MAY EXPEL A MEMBER. The charter
9 commission may, with the concurrence of two-thirds of its members, expel
10 a member for a conviction of a violation of AS 15.13.

11 * Sec. 73. AS 29.20.170(6) is amended to read:

12 (6) is convicted of a felony or misdemeanor described in
13 AS 15.13 or AS 15.56 and two-thirds of the members of the governing body
14 concur in expelling him;

15 * Sec. 74. AS 29.20.280(a)(6) is amended to read:

16 (6) is convicted of a felony or misdemeanor described in
17 AS 15.13 or AS 15.56; or

18 * Sec. 75. Sections 32 and 58 - 62 of this Act are repealed.

19 * Sec. 76. AS 15.13.020, 15.13.030, 15.13.040(f), 15.13.045, 15.13.070(f)
20 and (g), 15.13.110(d), 15.13.120(a)(2), (b), and (d), 15.13.122; AS 39.50.-
21 200(a)(4), and 39.50.200(b)(8) are repealed.

22 * Sec. 77. Sections 70 - 75 of this Act take effect on the effective date
23 of a version of House Bill No. 170 or Senate Bill No. 180 revising AS 29.

24 * Sec. 78. Sections 1 - 69 and 76 of this Act take effect immediately in
25 accordance with AS 01.10.070(c).

Original sponsor: Kelly

Offered: 2/18/82

1 IN THE SENATE

BY THE RULES COMMITTEE

2 CS FOR SENATE BILL NO. 167 (Rules) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to election campaigns and to the
7 composition and responsibilities of the Alaska Public
8 Offices Commission; and providing for an effective
9 date."

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

11 * Section 1. AS 15.13.010(a) is amended to read:

12 (a) This chapter applies in every election for governor, lieuten-
13 ant governor, a member of the state legislature, a delegate to a con-
14 stitutional convention, or judge seeking electoral confirmation. It
15 also applies to every candidate for election to a municipal office in a
16 city or borough with a population of more than 1,000 inhabitants accord-
17 ing to the latest United States census figures or estimates of popula-
18 tion certified as correct for administrative purposes by the Department
19 of Community and Regional Affairs. This chapter does not apply to a
20 candidate for a service area board. A municipality may exempt candi-
21 dates for municipal office or groups active in municipal election cam-
22 paings [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of this
23 chapter if a majority of the voters voting on the question at any regu-
24 lar election, as defined by AS 29.78.010(14), or a special municipality-
25 wide election called for that purpose, vote to exempt candidates for
26 municipal office and persons and groups active in municipal election
27 campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of
28 this chapter. The question of exemption from the requirements of this
29 chapter may be submitted by the city council or borough assembly by

1 ordinance or by initiative ordinance. Nothing in this chapter
2 prohibits a municipality from regulating by ordinance campaign
3 contributions and expenditures.

4 * Sec. 2. AS 15.13.020(b) is repealed and reenacted to read:

5 (b) The governor shall appoint two members of the commission from
6 each of the two political parties whose candidates for governor re-
7 ceived the highest and the second highest number of votes at the most
8 recent preceding general election at which a governor was elected. An
9 appointee from a political party shall be chosen from a list of two
10 names submitted by the central committee of the political party. The
11 fifth member of the commission shall be appointed without regard to
12 party affiliation.

13 * Sec. 3. AS 15.13.020(d) is repealed and reenacted to read:

14 (d) Members of the commission serve five-year terms. A member of
15 the commission serves until a successor is appointed and qualified.
16 The terms of two commission members who are members of the same politi-
17 cal party may not expire in consecutive years. The term of office of a
18 member of the commission dates from February 1 of the year of appoint-
19 ment.

20 * Sec. 4. AS 15.13.020(h) is amended to read:

21 (h) A vacancy on the commission shall be filled by the governor
22 [APPROPRIATE APPOINTING AUTHORITY] within 30 days of the occurrence of
23 the vacancy. The appointee shall serve for the remaining term of the
24 [HIS] predecessor.

25 * Sec. 5. AS 15.13.030(10) is amended to read:

26 (10) adopt regulations and issue orders necessary to implement
27 and clarify the provisions of AS 24.45, AS 39.50 and this chapter,
28 subject to the provisions of the Administrative Procedure Act
29 (AS 44.62).

1 * Sec. 6. AS 15.13.030 is amended by adding new subsections to read:

2 (b) A new or amended regulation of the commission may not be
3 applied to a candidate or group during a period beginning 30 days
4 before the last date to file a declaration of candidacy or a nominating
5 petition in a state election and ending the day after the general
6 election.

7 (c) A new or amended regulation of the commission may not be
8 applied to a candidate or group during a period beginning 30 days
9 before the last day to file a declaration of candidacy or a nominating
10 petition in a municipal election and ending the day after the municipal
11 election.

12 * Sec. 7. AS 15.13.040(a) is amended to read:

13 Sec. 15.13.040. CONTRIBUTIONS AND [,] EXPENDITURES [AND SUPPLYING
14 OF SERVICES; TO BE REPORTED. (a) Each candidate shall make a full
15 report, upon a form prescribed by the commission, listing the total
16 [DATE AND] amount of all expenditures made or obligations incurred by
17 the candidate, together with the date, amount, and check number for
18 each expenditure exceeding \$250 in value, the total amount of all
19 contributions, including all funds contributed by the candidate,
20 [HIMSELF] and for all contributions in excess of \$250 [\$100] in the
21 aggregate a year, the name, address, principal occupation, and employer
22 of the contributor and the date and amount contributed by each contri-
23 butor. The report shall be filed in accordance with AS 15.13.110 and
24 shall be certified correct by the candidate or campaign treasurer.
25 A campaign treasurer or deputy treasurer may not certify a report under
26 this section unless notice of the appointment of the campaign treasurer
27 or deputy campaign treasurer by the candidate has been received by the
28 commission.

29 * Sec. 8. AS 15.13.040(b)(2) is amended to read:

1 (2) the aggregate amount of all contributions made to it;
2 and, for all contributions in excess of \$250 [\$100] in the aggregate a
3 year, the name, address, principal occupation, and employer of the
4 contributor, and the date and amount contributed by each contributor;
5 and

6 * Sec. 9. AS 15.13.040(b)(3) is amended to read:

7 (3) the total [DATE AND] amount of [ALL CONTRIBUTIONS MADE
8 BY IT AND] all expenditures made, incurred or authorized by it includ-
9 ing the date, amount and check number of any expenditure exceeding \$250
10 in value.

11 * Sec. 10. AS 15.13.040(d) is amended to read:

12 (d) Every individual or [,] person, and every [OR] group that is
13 not required to report in accordance with (b) of this section, making
14 an [A CONTRIBUTION OR] expenditure shall make a full report, upon a
15 form prescribed by the commission, of [THE FOLLOWING CONTRIBUTIONS OR
16 EXPENDITURES: (1) ANY CONTRIBUTION OF CASH, GOODS OR SERVICES VALUED
17 AT MORE THAN \$100 A YEAR TO ANY GROUP OR CANDIDATE; OR (2)] any expen-
18 diture whatsoever for advertising in newspapers, on radio or on televi-
19 sion; or, for the publication, distribution or circulation of brochures,
20 flyers, or other campaign material for or against any candidate, [OR]
21 ballot proposition or question.

22 * Sec. 11. AS 15.13.040(e) is amended to read:

23 (e) The report required under (d) of this section shall contain
24 the name, address, principal occupation and employer of the individual
25 filing the report, and an itemized list of expenditures. The report
26 shall be filed with the commission [BY THE CONTRIBUTOR] no later than
27 10 days after the [CONTRIBUTION OR] expenditure is made, or the indebt-
28 edness is incurred, whichever first occurs. [A COPY OF THE REPORT
29 SHALL BE FURNISHED TO THE CANDIDATE, CAMPAIGN TREASURER OR DEPUTY

1 CAMPAIGN TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

2 * Sec. 12. AS 15.13 is amended by adding a new section to read:

3 Sec. 15.13.042. LIMITED CAMPAIGN ACTIVITY. (a) A candidate who
4 does not intend to accept contributions that exceed \$250 in total value
5 and who does not intend to make expenditures that exceed \$250 in total
6 value may file a report, upon a form prescribed by the commission,
7 informing the commission of the intent to engage in limited campaign
8 activity. The report may be filed only once and shall be filed at the
9 time the candidate's first report is due under AS 15.13.110. The
10 report shall be certified as correct by the candidate.

11 (b) A candidate who accepts contributions that exceed \$250 in
12 total value or makes expenditures that exceed more than \$250 in total
13 value after filing a report under (a) of this section loses his exemp-
14 tion from the reporting requirements and shall file reports due under
15 AS 15.13.110. The first report is due three days after the loss of the
16 exemption. A candidate who receives a contribution and returns the
17 contribution to the contributor within 72 hours of its receipt does not
18 lose the exemption from the reporting requirements.

19 * Sec. 13. AS 15.13.045 is amended by adding a new subsection to read:

20 (e) The commission shall adopt regulations consistent with
21 AS 44.62.330 - 44.62.630 to establish a fair and impartial process for
22 taking of evidence and holding hearings in investigations and audits
23 conducted by the commission.

24 * Sec. 14. AS 15.13.050 is repealed and reenacted to read:

25 Sec. 15.13.050. GROUPS. (a) Each group, before making an expen-
26 diture on behalf of or in opposition to a candidate or a ballot issue
27 or before making a contribution to a candidate, shall register with the
28 commission on forms provided by the commission.

29 (b) If the group intends to support or oppose only one candidate

1 or ballot issue or contributes or expends 50 percent or more of its
2 funds to, on behalf of, or in opposition to one candidate or ballot
3 issue, the name of the group shall clearly identify support for or
4 opposition to the candidate or ballot issue.

5 (c) A group that makes expenditures or receives contributions
6 with the express or implied authorization or consent or is under the
7 direct or indirect control of a candidate is considered to be con-
8 trolled by the candidate.

9 (d) A group whose major purpose is to further the nomination or
10 election of a single candidate or that expends 50 percent or more of
11 its money on a single candidate is considered to be controlled by that
12 candidate and its actions considered to have been done with the know-
13 ledge and consent of the candidate unless, within 10 days from the date
14 the candidate is notified by the commission of the existence of the
15 group, the candidate files with the commission an affidavit certifying
16 that the group is operating without his control.

17 (e) A group that contributes 50 percent or more of its money to
18 or on behalf of a single candidate is considered to support only that
19 single candidate for purposes of AS 15.13.070, whether or not control
20 of the group has been disclaimed by the candidate.

21 (f, A group that is organized for more than one year preceding an
22 election and that endorses more than one candidate is presumed not to
23 be controlled by a single candidate.

24 * Sec. 15. AS 15.13.060(c) is amended to read:

25 (c) Each candidate for state office shall file the name and
26 address of the campaign treasurer and the campaign chairman with the
27 commission, or submit, in writing, the name and address of the campaign
28 treasurer and chairman to the director [LIEUTENANT GOVERNOR] for filing
29 with the commission, no later than 15 days after the date of filing his

1 declaration of candidacy or his nominating petition. Each candidate
2 for municipal office shall file the name and address of the campaign
3 treasurer and the campaign chairman with the commission no later than
4 seven days after the date of filing his declaration of candidacy or his
5 nominating petition. If the candidate does not designate a campaign
6 chairman the candidate is the campaign chairman. If the candidate does
7 not designate a campaign treasurer, the candidate is the campaign trea-
8 surer.

9 * Sec. 16. AS 15.13.070(a) is amended to read:

10 (a) A [NO] person or group, including but not limited to all
11 political committees, businesses, corporations, and labor unions, may
12 not contribute [TO OR EXPEND] more than \$2,000 [\$1,000] a year on
13 behalf of or in opposition to a candidate [THE COMPETING CANDIDATES]
14 for [EACH] elective office. Political parties and their subdivisions
15 are not subject to the limitation prescribed in this subsection, but
16 they are subject to the reporting requirements prescribed by AS 15.13-
17 40(b) and 15.13.110. Nothing in this chapter prohibits

18 (1) a candidate from contributing more than \$2,000 [\$1,000]
19 of that candidate's [HIS] own money to his own campaign; or

20 (2) individuals or groups, including but not limited to all
21 political committees, businesses, corporations, and labor unions, from
22 contributing to or expending on behalf of a ballot proposition or ques-
23 tion more than \$2,000 [\$1,000] a year; however, these contributions and
24 expenditures shall be reported in accordance with AS 15.13.040, 15.13-
25 080, and 15.13.110.

26 * Sec. 17. AS 15.13.070(b) is repealed and reenacted to read:

27 (b) A person may not make and a candidate or group may not accept
28 a contribution over \$100 in cash unless a receipt for the total amount
29 is issued by the candidate or group and received by the person making

1 the contribution. The commission may by regulation authorize candidates
2 and groups to accept a contribution of \$50 or less without recording
3 the name of the contributor.

4 * Sec. 18. AS 15.13.070(d) is amended to read:

5 (d) A [NO] contribution may not be made, and an [NO] expenditure
6 may not be made or incurred, directly or indirectly, anonymously, in a
7 fictitious name, or by one person or group in the name of another, to
8 influence the election of a candidate in an election. A contribution
9 made by a person wishing to remain anonymous, and received by a candi-
10 date, campaign treasurer or deputy campaign treasurer, may not be used
11 or expended, but shall be returned to the donor, if his identity is
12 known, and if his identity is not known [NO DONOR IS FOUND], the contri-
13 bution shall be [ESCHEATS TO THE STATE IF NOT] donated by the candidate
14 to the charity of his choice.

15 * Sec. 19. AS 15.13.090 is amended to read:

16 Sec. 15.13.090. IDENTIFICATION OF COMMUNICATION. All advertise-
17 ments, billboards, handbills, paid-for television and radio announce-
18 ment, and other communications intended to promote [INFLUENCE] the
19 election of a candidate that are paid for by the candidate or the cam-
20 campaign committee of the candidate [OR OUTCOME OF A BALLOT PROPOSITION OR
21 QUESTION] shall be clearly identified by the words "paid for by" fol-
22 lowed by the name [AND ADDRESS] of the candidate or campaign commit
23 tee of the candidate [, GROUP OR INDIVIDUAL PAYING FOR THE ADVERTISING.
24 IN ADDITION, CANDIDATES AND GROUPS MUST IDENTIFY THE NAME OF THEIR
25 CAMPAIGN CHAIRMAN].

26 * Sec. 20. AS 15.13.090 is amended by adding new subsections to read:

27 (b) All advertisements, billboards, handbills, paid-for tele-
28 vision and radio announcements, and other communications not paid for
29 by a candidate or the campaign committee of a candidate that are

1 intended to support or oppose a candidate, a ballot proposition, a
2 referendum, or a recall shall be identified by the words "paid for by"
3 followed by the name of the group, individual, or person, together with
4 a mailing contact address or telephone number.

5 (c) The commission may by regulation exempt from this section
6 communications that in its judgment do not afford space for the identi-
7 fication required by this section.

8 * Sec. 21. AS 15.13.100 is amended to read:

9 Sec. 15.13.100. EXPENDITURES, CONTRIBUTIONS, AND REGISTRATION BE-
10 FORE FILING. Political campaign contributions may be made or received,
11 and expenditures [NO POLITICAL CAMPAIGN EXPENDITURE] may be made or
12 incurred by a candidate [PERSON] in an election, or by a person or
13 group with the candidate's [HIS] knowledge and on the candidate's [HIS]
14 behalf, before the date upon which the candidate [HE OR SHE] files for
15 nomination for the office which he [THE PERSON] seeks. The contribu-
16 tions and expenditures [, EXCEPT FOR PERSONAL TRAVEL EXPENSES OR FOR
17 OPINION SURVEYS OR POLLS. THESE EXPENDITURES SHALL BE CHARGED AGAINST
18 THE SPENDING LIMITATION THAT APPLIES TO THE OFFICE FOR WHICH HE SUBSE-
19 QUENTLY FILES, AND] shall be included in the first report required
20 under AS 15.13.110 [THIS CHAPTER AFTER FILING FOR OFFICE].

21 * Sec. 22. AS 15.13.110(a)(4) is amended to read:

22 (4) January 10 [DECEMBER 31 OF EACH YEAR] for expenditures
23 and contributions received through December 31 of the preceding year
24 which were not reported that year.

25 * Sec. 23. AS 15.13.110(b) is amended to read:

26 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and
27 which is made within 10 days [ONE WEEK] of the election shall be re-
28 ported to the commission by date, amount, and contributor [OR RECIP-
29 IENT] within 48 [24] hours of receipt [OR EXPENDITURE] by the candidate

1 or campaign treasurer or deputy treasurer.

2 * Sec. 24. AS 15.13.110 is amended by adding new subsections to read:

3 (f) The report required by (a)(3) of this section is the final
4 report if at the time the report is made

5 (1) there is no outstanding debt or obligation;

6 (2) the campaign fund has been closed;

7 (3) the campaign has been concluded; and

8 (4) in the case of a group, the group has dissolved.

9 (g) Reports shall be filed as required by (a)(4) of this section
10 by

11 (1) a candidate who has an outstanding debt or obligation
12 until the debt or obligation is satisfied;

13 (2) a group that has an outstanding debt or obligation until
14 the debt or obligation is satisfied or until the group is dissolved.

15 (h) When a final report has been submitted under this section,
16 the duties of the campaign treasurer cease and there is no obligation
17 to file further reports.

18 * Sec. 25. AS 15.13 is amended by adding a new section to read:

19 Sec. 15.13.115. COMPLAINTS. (a) A person who believes that a
20 violation of this chapter has occurred may file a complaint with the
21 commission. If the commission determines that there is substantial
22 reason to believe that a violation of this chapter has occurred, it
23 shall expeditiously investigate the subject matter of the complaint.
24 The investigation may include but is not limited to an investigation of
25 the reports and statements filed with the commission by the complainant,
26 if he is a candidate.

27 (d) If the commission determines, after notice and opportunity
28 for a hearing, that a person has violated a provision of this chapter
29 or a regulation or order issued under this chapter, the commission

1 shall promptly report its determination to the attorney general for
2 appropriate action.

3 (c) The commission shall report its determination to the person
4 who filed the complaint within 60 days of receiving the complaint,
5 unless circumstances require additional time to make an adequate inves-
6 tigation.

7 (d) The determination of the commission on a complaint may be
8 appealed to the superior court.

9 * Sec. 26. AS 15.13.120(a) is amended to read:

10 (a) A person who violates a provision of this subsection [CHAPTER]
11 is guilty of a class A misdemeanor [AND, UPON CONVICTION, IS PUNISHABLE
12 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT MORE
13 THAN \$5,000]. A violation includes [BUT IS NOT LIMITED TO] any of the
14 following acts or omissions:

15 (1) refusing or knowingly failing to make a reasonably com-
16 plete statement or report required to be made under this chapter [, OR
17 FAILING TO MAKE A STATEMENT OR REPORT AT THE TIME THE STATEMENT OR
18 REPORT IS REQUIRED TO BE MADE UNDER THIS CHAPTER];

19 (2) knowingly making a campaign contribution [OR EXPENDITURE]
20 which exceeds the limitations of AS 15.13.070(a) [AS 15.13.070(f)];

21 (3) knowingly making a false statement or report under this
22 chapter;

23 (4) giving or furnishing money to another person or group
24 for the purpose of making a contribution or expenditure anonymously, in
25 a fictitious name, or in the name of another, or contributing in viola-
26 tion of AS 15.13.070(d);

27 (5) making a communication to support or defeat a candidate
28 without identification of sponsorship, in violation of AS 15.13.090;

29 (6) knowingly accepting a contribution in violation of

1 AS 15.13.070.

2 * Sec. 27. AS 15.13.120(b) is amended to read:

3 (b) The nomination for, or election to, an office of a candidate
4 who violates a provision of this chapter, or whose campaign treasurer
5 or deputy campaign treasurer violates a provision of this chapter, is
6 void, and, if he is elected, the successful candidate may not hold
7 office and the office shall be filled as required by law in the case of
8 vacancy. When a violation of this chapter is alleged, the candidate's
9 right to the nomination or the office may be tested in an action
10 brought in the superior [SUPREME] court as a matter of original
11 jurisdiction. All cases of this nature shall be in a preferred
12 position for purposes of argument and decision, so as to assure a
13 speedy disposition of the matter.

14 * Sec. 28. AS 15.13.120(c) is amended to read:

15 (c) Promptly after the final date for filing statements and re-
16 ports, the commission shall notify all persons who have become delin-
17 quent in filing them [, INCLUDING CONTRIBUTORS WHO FAILED TO FILE A
18 STATEMENT IN ACCORDANCE WITH AS 15.13.040,] and shall make available a
19 list of these delinquents for public inspection. The commission shall
20 also report to the attorney general the names of all candidates and
21 groups in an election whose campaign treasurers have failed to file the
22 reports required by this chapter.

23 * Sec. 29. AS 15.13 is amended by adding a new section to read:

24 Sec. 15.13.121. EFFECT OF CERTAIN CONVICTIONS. (a) When a candi-
25 date or an elected official is charged with a misdemeanor described in
26 (b) of this section, the case shall be promptly tried and shall be
27 accorded a preferred status by the courts to ensure a speedy disposition
28 of the matter.

29 (b) If a successful candidate for a state or municipal elective

1 office is convicted of a misdemeanor described in AS 15.13.120(a)(1),
2 (3), or (6), the election of that candidate shall be declared void by the
3 director of the Division of Elections, and the candidate may not hold
4 the office to which the candidate was elected. A vacancy occurring under
5 this section shall be filled as required by law.

6 * Sec. 30. AS 15.13.130(1) is repealed and reenacted to read:

7 (1) "candidate" means an individual who seeks nomination for
8 election or election to, the state legislature, the office of
9 governor or lieutenant governor, or municipal office, or who seeks
10 retention in judicial office or nomination or election as a constitu-
11 tional convention delegate; an individual shall be considered to seek
12 nomination or election if

13 (A) the individual has taken the action necessary under
14 the law of this state to qualify for nomination or election to an
15 office;

16 (B) the individual has received contributions or made
17 expenditures before filing for office;

18 (C) the individual has given consent, implicit or
19 explicit, for a person or group to receive contributions or make
20 expenditures to bring about the individual's nomination or elec-
21 tion to office;

22 (D) the individual has campaigned as a write-in candi-
23 date for office; or

24 (E) the individual is the subject of a recall election;

25 * Sec. 31. AS 15.13.130(2) is amended by adding a new subparagraph to
26 read:

27 (D) a contribution that is returned to the contributor
28 within 72 hours of its receipt by a candidate or group;

29 * Sec. 32. AS 15.13.130(3) is amended to read:

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

22 * Sec. 33. AS 15.13.130 is amended by adding new paragraphs to read:

23 (8) "knowingly" means the same as that set out in AS 11.81.-
24 900(a)(2);

25 (9) "reasonably complete report" means a report which accu-
26 rately reflects the campaign contributions and expenditures of the can-
27 didate and which is free from significant omissions which are known to
28 the candidate.

29 * Sec. 34. AS 15.56.130 is amended to read:

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Sec. 15.56.130. TIME LIMITATION. A prosecution for an offense described in AS 15.05 - AS 15.10 and AS 15.15 - AS 15.60 [THE ALASKA ELECTION CODE (AS 15.05 - 15.60)] may not be maintained unless it is begun within one year after the date of the election in connection with which the offense is alleged to have been committed.

* Sec. 35. AS 15.13.020(c), 15.13.040(f), 15.13.070(f) and (g), 15.13.-110(d), and 15.13.120(b) and (d) are repealed.

* Sec. 36. This Act takes effect immediately in accordance with AS 01.-10.070(c).

STATE OF ALASKA

ALASKA PUBLIC OFFICES COMMISSION

May 18, 1982

House Finance Committee

Re: CSSB 167(R1s) am/HCS CSSB 167(SA)/HCS CSSB 167(Jud)

The Alaska Public Offices Commission opposes the provisions of the House Committee Substitutes for Senate Bill 167 which abolish the Commission, assigning Campaign Disclosure to the Director of Elections and Conflict of Interest plus Regulation of Lobbying to the Commissioner of Administration. The Commission believes that the net effect of such a transfer would be to dilute the effectiveness of Alaska's disclosure laws by assignment to agencies with substantial workloads which are materially different from the duties of a disclosure agency.

The Commission, as organized presently, is committed solely to the process of disclosure including assisting those who are required to file as well as providing public access to the information on file. The suggestion has been made by those who initiated the plan to abolish the Commission that to do so will result in greater efficiency for candidates as well as a savings cost to the State. That statement overlooks two facts: State candidates will still have to deal with two entities since Conflict of Interest is to be administered by the Commissioner of Administration and budget reductions will bring reduced service in public accessibility and in assistance to those subject to the laws.

JAY S. HAMMOND, GOVERNOR

REPLY TO:

- 610 C STREET, SUITE 211
ANCHORAGE, ALASKA 99501-3598
(907) 276-4176
- JUNEAU BRANCH OFFICE
POUCH CO
JUNEAU, ALASKA 99811-0222
(907) 465-4864

CSSB 167 as approved by the Senate contains numerous constructive amendments to the Campaign Disclosure Law. A substantial number of those amendments were formulated in 1981, with additional items developed and advocated by the Commission this year. The list dated February 15, 1982, summarizes those amendments and the Commission asks that you adopt CSSB 167 (RLS)(am). The Commission believes that such an action holds the best hope for seeing that the amendments on the attached list are accomplished.

ALASKA PUBLIC OFFICES COMMISSION
CHECKLIST OF CSSB 167(R1s) am
CHANGES IN AS 15.13, CAMPAIGN DISCLOSURE

- Sec. 16 -- increasing the maximum annual contribution from \$1,000 to \$2,000;
- Sec. 7 - 9 -- raising the threshold at which a contributor's name must be reported to over \$250;
- Sec. 7 - 9 -- allowing expenditures of \$250 or less to be reported as a lump sum on each report;
- Sec. 1 -- exempting candidates for service area boards from campaign disclosure requirements;
- Sec. 7 -- allowing deputy treasurers, as well as treasurers and candidates, to certify reports;
- Sec. 12 -- allowing candidates who plan to accept no more than \$250 in total contributions and to spend no more than \$250 to file one Campaign Exemption Report;
- Sec. 17 -- allowing contributions which exceed \$100 in cash to be accepted if receipted;
- Sec. 18 - 20 -- allowing candidates to use a "short form" of identification on political communications, i.e., "paid for by Pat Candidate;"
- Sec. 21 - 30 -- allowing expenditures before filing;
- Sec. 22 -- establishing January 10 as the due date for Year-end Reports;
- Sec. 23 -- deleting the requirement to report expenditures on 24 Hour Reports as well as changing such to "48 hour" reports;
- Sec. 26 -- specifying which violations of AS 15.13 may result in criminal penalties;
- Sec. 31 -- eliminating the requirement to record and report contributions returned within 72 hours;
- Sec. 35 -- deleting the requirement that suppliers of services file reports;
- Sec. 34 -- restoring the four-year statute of limitations for AS 15.13;
- Sec. 13 -- requiring that APOC hearing process regulations be promulgated;
- Sec. 6 -- prohibiting new regulations from taking effect later than 30 days before the filing deadline.

ALASKA STATE SENATE

SENATOR TIM KELLY, CHAIRMAN
SENATOR ED DANKWORTH, VICE-CHAIRMAN
SENATOR JALMAR KERTTULA
SENATOR ROBERT ZIEGLER
SENATOR FRANK FERGOUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 485-3770
(907) 485-3822

RULES COMMITTEE

TO: Representative Metcalfe
Chair, House State Affairs

FROM: Senator Kelly *TK*
Chair, Senate Rules Committee

DATE: March 17, 1982

Subject: CSSB 167 (Rules) am - AS 15.13.120(b)

I would like to bring to your attention an error in the above bill concerning the Alaska Public Office Commission. Section 27 was inserted by amendment #1 on the floor of the Senate, and then repealed in Amendment #5. It appears as section 27, and as repealed in section 35.

This is a drafting error in the bill, and requires no action by your committee. However, Legal Services should be alerted as to the problem and take care of it by excluding Section 27 from the bill. If your committee does prepare a CS, please include a copy of this memo to drafting. If not, the error will be taken care of by the revisor of statutes at a later date.

Thank you for your attention to this matter.

Original sponsor: Kelly

Offered: 4/19/82
Referred: Finance

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 167 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to election campaigns; terminating the
7 existence of the Alaska Public Offices Commission and
8 reassigning its responsibilities; and providing for an
9 effective date."

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

11 * Section 1. AS 15.13.010(a) is amended to read:

12 (a) This chapter applies in every election for governor, lieutenant
13 ant governor, a member of the state legislature, a delegate to a con-
14 stitutional convention, or judge seeking electoral confirmation. It
15 also applies to every candidate for election to a municipal office in a
16 city or borough with a population of more than 1,000 inhabitants accord-
17 ing to the latest United States census figures or estimates of popula-
18 tion certified as correct for administrative purposes by the Department
19 of Community and Regional Affairs. This chapter does not apply to a
20 candidate for a service area board. A municipality may exempt candi-
21 dates for municipal office or groups active in municipal election cam-
22 paigns [ITS ELECTED MUNICIPAL OFFICERS] from the requirements of this
23 chapter if a majority of the voters voting on the question at any regu-
24 lar election [, AS DEFINED BY AS 29.78.010(14),] or at a special muni-
25 city-wide election called for that purpose [,] vote to exempt candi-
26 dates for municipal office and persons and groups active in municipal
27 election campaigns [ITS ELECTED MUNICIPAL OFFICERS] from the require-
28 ments of this chapter. The question of exemption from the requirements
29 of this chapter may be submitted by the city council or borough assembly

1 by ordinance or by initiative ordinance. Nothing in this chapter pro-
2 hibits a municipality from regulating by ordinance campaign contribu-
3 tions and expenditures.

4 * Sec. 2. AS 15.13 is amended by adding a new section to read:

5 Sec. 15.13.031. DUTIES OF THE DIRECTOR. (a) The director shall

6 (1) provide forms for the reports and statements required to
7 be made under this chapter;

8 (2) prepare and publish a manual for use by persons required
9 to make reports and statements under this chapter and assist candidates,
10 groups, and individuals in complying with the requirements of this
11 chapter;

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

15 (4) maintain a current list of all filed reports and state-
16 ments;

17 (5) prepare a summary of each report filed under AS 15.13.110
18 and make a copy of the summary available to an interested person at its
19 actual cost;

20 (6) notify, by registered or certified mail, a person who is
21 delinquent in filing a report or statement required to be made under
22 this chapter;

23 (7) report within 60 days after the election the name of a
24 person or group who has failed to comply with a provision of this
25 chapter to the attorney general;

26 (8) report to the attorney general the names of a person or
27 group that the director believes has violated this chapter;

28 (9) prepare an annual report to the legislature concerning
29 the effectiveness of this chapter and recommendations and proposals for

1 change;

2 (10) adopt regulations and issue orders necessary to implement
3 and clarify the provisions of this chapter, subject to the provisions of
4 the Administrative Procedure Act (AS 44.62).

5 (b) A new or amended regulation of the director may not be
6 applied to a candidate or group during a period beginning 30 days
7 before the last date to file a declaration of candidacy or a nominat-
8 ing petition in a state election and ending the day after the general
9 election.

10 (c) A new or amended regulation of the director may not be
11 applied to a candidate or group during a period beginning 30 days
12 before the last day to file a declaration of candidacy or a nominat-
13 ing petition in a municipal election and ending the day after the
14 municipal election.

15 * Sec. 3. AS 15.13.040(a) is amended to read:

16 Sec. 15.13.040. CONTRIBUTIONS AND [,] EXPENDITURES [AND SUPPLYING
17 OF SERVICES] TO BE REPORTED. (a) Each candidate shall make a full
18 report, upon a form prescribed by the director [COMMISSION], listing the
19 aggregate [DATE AND] amount of all expenditures made or obligations in-
20 curring by the candidate, together with the date, amount, and check num-
21 ber for each expenditure exceeding \$250 in value, the aggregate [TOTAL]
22 amount of all contributions, including all funds contributed by the
23 candidate, [HIMSELF] and for all contributions in excess of \$250 [\$100]
24 in the aggregate a year, the name, address, principal occupation, and
25 employer of the contributor and the date and amount contributed by each
26 contributor. The report shall be filed in accordance with AS 15.13.110
27 and shall be certified correct by the candidate or campaign treasurer.
28 A campaign treasurer or deputy treasurer may not certify a report under
29 this section unless notice of the appointment of the campaign treasurer

1 or deputy campaign treasurer by the candidate has been received by the
2 director.

3 * Sec. 4. AS 15.13.040(b) is amended to read:

4 (b) Each group shall make a full report upon a form prescribed by
5 the director [COMMISSION], listing

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

7 (2) the aggregate amount of all contributions made to it;

8 and, for all contributions in excess of \$250 [\$100] in the aggregate a
9 year, the name, address, principal occupation, and employer of the
10 contributor, and the date and amount in excess of \$250 in the aggregate
11 a year contributed by each contributor; and

12 (3) the aggregate [DATE AND] amount of [ALL CONTRIBUTIONS
13 MADE BY IT AND] all expenditures made, incurred or authorized by it
14 including the date, amount and check number of any expenditure exceeding
15 \$250 in value.

16 * Sec. 5. AS 15.13.040(d) is amended to read:

17 (d) Every individual or [,] person, and every [OR] group that is
18 not required to report in accordance with (b) of this section, making an
19 [A CONTRIBUTION OR] expenditure shall make a full report to the director,
20 upon a form prescribed by the director [COMMISSION], of [THE FOLLOWING
21 CONTRIBUTIONS OR EXPENDITURES: (1) ANY CONTRIBUTION OF CASH, GOODS OR
22 SERVICES VALUED AT MORE THAN \$100 A YEAR TO ANY GROUP OR CANDIDATE; OR
23 (2)] any expenditure [WHATSOEVER] for advertising in newspapers, on
24 radio or on television; or, for the publication, distribution or circula-
25 tion of brochures, flyers, or other campaign material for or against any
26 candidate, [OR] ballot proposition or question.

27 * Sec. 6. AS 15.13.040(e) is amended to read:

28 (e) The report required under (d) of this section shall contain
29 the name, address, principal occupation and employer of the individual

1 filing the report, and an itemized list of expenditures. The report
2 shall be filed with the director [COMMISSION BY THE CONTRIBUTOR] no
3 later than 10 days after the [CONTRIBUTION OR] expenditure is made, or
4 the indebtedness is incurred, whichever first occurs. [A COPY OF THE
5 REPORT SHALL BE FURNISHED TO THE CANDIDATE, CAMPAIGN TREASURER OR DEPUTY
6 CAMPAIGN TREASURER AT THE TIME THE CONTRIBUTION IS MADE.]

7 * Sec. 7. AS 15.13 is amended by adding a new section to read:

8 Sec. 15.13.042. LIMITED CAMPAIGN ACTIVITY. (a) A candidate who
9 does not intend to accept contributions that exceed \$500 in total value
10 and who does not intend to make expenditures that exceed \$500 in total
11 value may file a report, upon a form prescribed by the director, inform-
12 ing the director of the intent to engage in limited campaign activity.
13 The report may be filed only once and shall be filed at the time the
14 candidate's first report is due under AS 15.13.110. The report shall be
15 certified as correct by the candidate.

16 (b) A candidate who accepts contributions that exceed \$500 in
17 total value or makes expenditures that exceed more than \$500 in total
18 value after filing a report under (a) of this section loses his exemp-
19 tion from the reporting requirements and shall file reports due under
20 AS 15.13.110. The first report is due three days after the loss of the
21 exemption. A candidate who receives a contribution and returns the
22 contribution to the contributor within 72 hours of its receipt does not
23 lose the exemption from the reporting requirements.

24 * Sec. 8. AS 15.13.045 is repealed and reenacted to read:

25 Sec. 15.13.045. INVESTIGATIONS AND HEARINGS. The director shall
26 adopt regulations consistent with AS 44.62.330 - 44.62.630 to establish
27 a fair and impartial process for taking of evidence and holding hearings
28 in investigations and audits conducted by the director.

29 * Sec. 9. AS 15.13.050 is repealed and reenacted to read:

1 Sec. 15.13.050. GROUPS. (a) Each group, before making an expen-
2 diture on behalf of or in opposition to a candidate or a ballot issue or
3 before making a contribution to a candidate, shall register with the
4 director on forms provided by the director.

5 (b) If the group intends to support or oppose only one candidate
6 or ballot issue or contributes or expends 50 percent or more of its
7 funds to, on behalf of, or in opposition to one candidate or ballot
8 issue, the name of the group shall clearly identify support for or
9 opposition to the candidate or ballot issue.

10 (c) A group that makes expenditures or receives contributions with
11 the express or implied authorization or consent or is under the direct
12 or indirect control of a candidate is considered to be controlled by the
13 candidate.

14 (d) A group whose major purpose is to further the nomination or
15 election of a single candidate or that expends 50 percent or more of its
16 money on a single candidate is considered to be controlled by that
17 candidate and its actions considered to have been done with the know-
18 ledge and consent of the candidate unless, within 10 days from the date
19 the candidate is notified by the director of the existence of the group,
20 the candidate files with the director an affidavit certifying that the
21 group is operating without his control.

22 (e) A group that contributes 50 percent or more of its money to or
23 on behalf of a single candidate is considered to support only that
24 single candidate for purposes of AS 15.13.070, whether or not control of
25 the group has been disclaimed by the candidate.

26 (f) A group that is organized for more than one year preceding an
27 election and that endorses more than one candidate is presumed not to be
28 controlled by a single candidate.

29 * Sec. 10. AS 15.13.060(b) is amended to read:

1 (b) Each group shall file the name and address of its campaign
2 treasurer with the director [COMMISSION] at the time it registers with
3 the director [COMMISSION] under AS 15.13.050.

4 * Sec. 11. AS 15.13.060(c) is amended to read:

5 (c) Each candidate for state office shall file the name and address
6 of the campaign treasurer and the campaign chairman with the director
7 [COMMISSION, OR SUBMIT, IN WRITING, THE NAME AND ADDRESS OF THE CAMPAIGN
8 TREASURER TO THE LIEUTENANT GOVERNOR FOR FILING WITH THE COMMISSION], no
9 later than 15 days after the date of filing his declaration of candidacy
10 or his nominating petition. Each candidate for municipal office shall
11 file the name and address of the campaign treasurer and the campaign
12 chairman with the director [COMMISSION] no later than seven days after
13 the date of filing his declaration of candidacy or his nominating peti-
14 tion. If the candidate does not designate a campaign chairman the can-
15 didate is the campaign chairman. If the candidate does not designate a
16 campaign treasurer, the candidate is the campaign treasurer.

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

18 (d) In the case of the death, resignation or removal of a campaign
19 treasurer, the candidate shall appoint a successor as soon as practi-
20 cable and file his name and address with the director [COMMISSION] within
21 48 hours of the appointment. If a candidate does not have a currently
22 effective appointment of a campaign treasurer on file with the director,
23 the candidate is the campaign treasurer [THE CANDIDATE IS DISQUALIFIED
24 WHEN HE HAS BEEN FOUND TO HAVE BEEN IN WILFUL VIOLATION OF THIS SUB-
25 SECTION].

26 * Sec. 13. AS 15.13.060(e) is amended to read:

27 (e) A campaign treasurer may appoint as many deputy campaign
28 treasurers as he considers necessary. The candidate shall file the
29 names and addresses of the deputy campaign treasurers with the director

1 [COMMISSION].

2 * Sec. 14. AS 15.13.070(a) is amended to read:

3 (a) A [NO] person or group, including but not limited to all
4 political committees, businesses, corporations, and labor unions, may
5 not contribute [TO OR EXPEND] more than \$2,000 [\$1,000] a year on behalf
6 of or in opposition to a candidate [THE COMPETING CANDIDATES] for [EACH]
7 elective office. Political parties and their subdivisions are not
8 subject to the limitation prescribed in this subsection, but they are
9 subject to the reporting requirements prescribed by AS 15.13.040(b) and
10 15.13.110. Nothing in this chapter prohibits

11 (1) a candidate from contributing more than \$2,000 [\$1,000]
12 of that candidate's [HIS] own money to his own campaign; or

13 (2) individuals or groups, including but not limited to all
14 political committees, businesses, corporations, and labor unions, from
15 contributing to or expending on behalf of a ballot proposition or ques-
16 tion more than \$2,000 [\$1,000] a year; however, these contributions and
17 expenditures shall be reported in accordance with AS 15.13.040, 15.13-
18 080, and 15.13.110.

19 * Sec. 15. AS 15.13.070(b) is repealed and reenacted to read:

20 (b) A person may not make and a candidate or group may not accept
21 a contribution over \$100 in cash unless a receipt for the total amount
22 is issued by the candidate or group and received by the person making
23 the contribution. The director may by regulation authorize candidates
24 and groups to accept a contribution of \$50 or less without recording the
25 name of the contributor.

26 * Sec. 16. AS 15.13.070(c) is amended to read:

27 (c) No expenditures over \$100 may be made in cash or by cash
28 payment unless a written receipt is obtained and filed with the director
29 [COMMISSION].

1 * Sec. 17. AS 15.13.070(d) is amended to read:

2 (d) A [NO] contribution may not be made, and an [NO] expenditure
3 may not be made or incurred, directly or indirectly, anonymously, in a
4 fictitious name, or by one person or group in the name of another, to
5 influence the election of a candidate in an election. A contribution
6 made by a person wishing to remain anonymous, and received by a candi-
7 date, campaign treasurer or deputy campaign treasurer, may not be used
8 or expended, but shall be returned to the donor, if his identity is
9 known, and if his identity is not known [NO DONOR IS FOUND], the contri-
10 bution shall be [ESCHEATS TO THE STATE IF NOT] donated by the candidate
11 to the charity of his choice.

12 * Sec. 18. AS 15.13.080 is amended to read:

13 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. A person or group
14 contributing to a candidate over \$250 or contributing goods or services
15 to a candidate with a value of more than \$250 to influence the election
16 of a candidate shall furnish the director [COMMISSION] a signed state-
17 ment, on a form made available by the director [COMMISSION]. The state-
18 ment shall itemize the contributions and goods and state that the con-
19 tributor is not a person or group prohibited by law from contributing
20 and that the contribution consists of funds or property belonging to the
21 contributor and has not been given or furnished by another person or
22 group. The contributor's statement shall be filed with the director
23 [COMMISSION] by the contributor no later than 10 days after the contri-
24 bution is made. A copy of the statement shall be furnished the candi-
25 date, campaign treasurer, or deputy campaign treasurer at the time the
26 contribution is made.

27 * Sec. 19. AS 15.13.090 is amended to read:

28 Sec. 15.13.090. IDENTIFICATION OF COMMUNICATION. All advertise-
29 ments, billboards, handbills, paid-for television and radio announce-

1 ments and other communications intended to promote [INFLUENCE] the
2 election of a candidate that are paid for by the candidate or the cam-
3 paign committee of the candidate [OR OUTCOME OF A BALLOT PROPOSITION OR
4 QUESTION] shall be clearly identified by the words "paid for by" fol-
5 lowed by the name [AND ADDRESS] of the candidate or campaign commit-
6 tee of the candidate [, GROUP OR INDIVIDUAL PAYING FOR THE ADVERTISING.
7 IN ADDITION, CANDIDATES AND GROUPS MUST IDENTIFY THE NAME OF THEIR
8 CAMPAIGN CHAIRMAN].

9 * Sec. 20. AS 15.13.090 is amended by adding new subsections to read:

10 (b) All advertisements, billboards, handbills, paid-for television
11 and radio announcements, and other communications not paid for by a
12 candidate or the campaign committee of a candidate that are intended to
13 support or oppose a candidate, a ballot proposition, a referendum, or a
14 recall shall be identified by the words "paid for by" followed by the
15 name of the group, individual, or person, together with a mailing con-
16 tact address or telephone number.

17 (c) The director may by regulation exempt from this section com-
18 munications that in the director's judgment do not afford space for the
19 identification required by this section.

20 * Sec. 21. AS 15.13.100 is amended to read:

21 Sec. 15.13.100. EXPENDITURES, CONTRIBUTIONS, AND REGISTRATION BE-
22 FORE FILING. Political campaign contributions may be made or received,
23 and expenditures [NO POLITICAL CAMPAIGN EXPENDITURE] may be made or
24 incurred by a candidate [PERSON] in an election, or by a person or group
25 with the candidate's [HIS] knowledge and on the candidate's [HIS]
26 behalf, before the date upon which the candidate [HE OR SHE] files for
27 nomination for the office which he [THE PERSON] seeks. The contribu-
28 tions and expenditures [, EXCEPT FOR PERSONAL TRAVEL EXPENSES OR FOR
29 OPINION SURVEYS OR POLLS. THESE EXPENDITURES SHALL BE CHARGED AGAINST

1 THE SPENDING LIMITATION THAT APPLIES TO THE OFFICE FOR WHICH HE SUBSE-
2 QUENTLY FILES, AND] shall be included in the first report required under
3 AS 15.13.110 [THIS CHAPTER AFTER FILING FOR OFFICE].

4 * Sec. 22. AS 15.13.110(a)(4) is amended to read:

5 (4) January 10 [DECEMBER 31 OF EACH YEAR] for expenditures
6 and contributions received through December 31 of the preceding year
7 which were not reported that year.

8 * Sec. 23. AS 15.13.110(b) is amended to read:

9 (b) Each contribution [OR EXPENDITURE] which exceeds \$250 and
10 which is made within 10 days [ONE WEEK] of the election shall be re-
11 ported to the director [COMMISSION] by date, amount, and contributor [OR
12 RECIPIENT] within 48 [24] hours of receipt [OR EXPENDITURE] by the
13 candidate or campaign treasurer or deputy campaign treasurer.

14 * Sec. 24. AS 15.13.110(c) is amended to read:

15 (c) The reports of nonstatewide candidates shall be filed with the
16 election supervisor designated by the director; the reports of a state-
17 wide candidate shall be filed with the director [COMMISSION'S CENTRAL
18 OFFICE]. All reports required by this chapter are [SHALL BE KEPT] open
19 to public inspection. Within 30 days after each election, the director
20 [COMMISSION] shall prepare a summary of each report which shall be made
21 available to the public at cost upon request. Each summary shall use
22 uniform categories of reporting.

23 * Sec. 25. AS 15.13.110(e) is amended to read:

24 (e) A group formed to sponsor an initiative, a referendum or a
25 recall shall file a report of contributions and expenditures with the
26 director 30 days after its first filing with the lieutenant governor.
27 Thereafter each group shall file a report with the director within 10
28 days after the end of each calendar quarter on the contributions re-
29 ceived and expenditures made during the preceding calendar quarter until

1 reports are due under (a) of this section.

2 * Sec. 26. AS 15.13.110 is amended by adding new subsections to read:

3 (f) The report required by (a)(3) of this section is the final
4 report if at the time the report is made

5 (1) there is no outstanding debt or obligation;

6 (2) the campaign fund has been closed;

7 (3) the campaign has been concluded; and

8 (4) in the case of a group, the group has dissolved.

9 (g) Reports shall be filed as required by (a)(4) of this section
10 by

11 (1) a candidate who has an outstanding debt or obligation
12 until the debt or obligation is satisfied;

13 (2) a group that has an outstanding debt or obligation until
14 the debt or obligation is satisfied or until the group is dissolved.

15 (h) When a final report has been submitted under this section, the
16 duties of the campaign treasurer cease and there is no obligation to
17 file further reports.

18 * Sec. 27. AS 15.13 is amended by adding a new section to read:

19 Sec. 15.13.115. COMPLAINTS. (a) A person who believes that a
20 violation of this chapter has occurred may file a complaint with the
21 director. If the director determines that there is substantial reason
22 to believe that a violation of this chapter has occurred, the director
23 shall expeditiously investigate the subject matter of the complaint.
24 The investigation may include but is not limited to an investigation of
25 the reports and statements filed with the director by the complainant,
26 if he is a candidate.

27 (b) If the director determines, after notice and opportunity for a
28 hearing, that a person has violated a provision of this chapter or a
29 regulation or order issued under this chapter, the director shall

1 promptly report the determination to the attorney general for appropriate
2 action.

3 (c) The director shall report the results of the investigation to
4 the person who filed the complaint within 60 days of receiving the
5 complaint, unless circumstances require additional time to make an
6 adequate investigation.

7 * Sec. 28. AS 15.13.120(a) is amended to read:

8 (a) A person who violates a provision of this subsection [CHAPTER]
9 is guilty of a class A misdemeanor [AND, UPON CONVICTION, IS PUNISHABLE
10 BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR OR BY A FINE OF NOT MORE THAN
11 \$5,000]. A violation includes [BUT IS NOT LIMITED TO] any of the follow-
12 ing acts or omissions:

13 (1) refusing or knowingly failing to make a reasonably com-
14 plete statement or report required to be made under this chapter [, OR
15 FAILING TO MAKE A STATEMENT OR REPORT AT THE TIME THE STATEMENT OR
16 REPORT IS REQUIRED TO BE MADE UNDER THIS CHAPTER];

17 (2) knowingly making a campaign contribution [OR EXPENDITURE]
18 which exceeds the limitations of AS 15.13.070(a) [AS 15.13.070(f)];

19 (3) knowingly making a false statement or report under this
20 chapter;

21 (4) giving or furnishing money to another person or group for
22 the purpose of making a contribution or expenditure anonymously, in a
23 fictitious name, or in the name of another, or contributing in violation
24 of AS 15.13.070(d);

25 (5) making a communication to support or defeat a candidate
26 without identification of sponsorship, in violation of AS 15.13.090;

27 (6) knowingly accepting a contribution in violation of AS 15.
28 13.070.

29 * Sec. 29. AS 15.13.120(c) is amended to read:

1 (c) Promptly after the final date for filing statements and re-
2 ports, the director [COMMISSION] shall notify all persons who have
3 become delinquent in filing them [, INCLUDING CONTRIBUTORS WHO FAILED TO
4 FILE A STATEMENT IN ACCORDANCE WITH AS 15.13.040,] and shall make avail-
5 able a list of these delinquents for public inspection. The director
6 [COMMISSION] shall also report to the attorney general the names of all
7 candidates and groups in an election whose campaign treasurers have
8 failed to file the reports required by this chapter.

9 * Sec. 30. AS 15.13.120(e) is amended to read:

10 (e) Prosecution for violation of a provision of this chapter may
11 not be commenced after one year has [FOUR YEARS HAVE] elapsed from the
12 date of the alleged violation.

13 * Sec. 31. AS 15.13.120 is amended by adding a new subsection to read:

14 (f) If, after being sworn into office, a person who was a success
15 ful candidate or the campaign treasurer or deputy campaign treasurer of
16 a person who was a successful candidate is convicted of a violation of
17 this chapter, proceedings shall be held and appropriate action taken in
18 accordance with

19 (1) art. II, sec. 12 of the state constitution, if the candi-
20 date is a candidate for the state legislature;

21 (2) art. II, sec. 20 of the state constitution, if the candi-
22 date is a candidate for governor or lieutenant governor;

23 (3) AS 29.23.060(c), if the candidate is a candidate for the
24 borough assembly;

25 (4) AS 29.23.130(f), if the candidate is a candidate for
26 borough mayor;

27 (5) AS 29.23.210(b), if the candidate is a candidate for city
28 council;

29 (6) AS 29.23.255, if the candidate is a candidate for city

1 mayor;

2 (7) AS 14.12.085, if the candidate is a candidate for school
3 board;

4 (8) AS 29.13.035, if the candidate is a candidate for a
5 charter commission;

6 (9) the provisions of the call for the constitutional con-
7 vention, if the candidate is a candidate for constitutional convention
8 delegate;

9 (10) article IV, sec. 10 of the state constitution, if the
10 candidate is a candidate for judicial retention.

11 * Sec. 32. AS 15.13.120 is amended by adding new subsections to read:

12 (g) Information developed by the director under AS 15.13.115 shall
13 be considered during a proceeding under (f) of this section.

14 (h) When, after being sworn into office, a successful candidate
15 or the campaign treasurer or deputy campaign treasurer of a person who
16 was a successful candidate is charged with a violation of this chapter,
17 the case shall be promptly tried and accorded a preferred position for
18 purposes of argument and decision, so as to assure a speedy disposition
19 of the matter.

20 * Sec. 33. AS 15.13.125 is amended to read:

21 Sec. 15.13.125. CIVIL PENALTY: LATE FILING OF REQUIRED REPORTS.
22 A person who fails to file a properly completed and certified report
23 within the time required by AS 15.13.110(a)(1), (3), (4) or (d) is
24 subject to a civil penalty of not more than \$10 a day for each day the
25 delinquency continues as determined by the director [COMMISSION] subject
26 to right of appeal to the superior court. A person who fails to file a
27 properly completed and certified report within the time required by
28 AS 15.13.110(a)(2) or (b) is subject to a civil penalty of not more than
29 \$50 a day for each day the delinquency continues as determined by the

1 director [COMMISSION] subject to right of appeal to the superior court.
2 An affidavit stating facts in mitigation may be submitted to the director
3 [COMMISSION] by a person against whom a civil penalty is assessed. The
4 [HOWEVER, THE] imposition of the penalties prescribed in this section or
5 in AS 15.13.120 does not excuse that person from filing reports required
6 by this chapter.

7 * Sec. 34. AS 15.13.130(1) is repealed and reenacted to read:

8 (1) "candidate" means an individual who seeks nomination or
9 election to the state legislature, the office of governor or lieutenant
10 governor, or municipal office, or who seeks retention in judicial office
11 or nomination or election as a constitutional convention delegate; an
12 individual is considered to seek nomination or election if

13 (A) the individual has taken the action necessary under
14 the law of the state to qualify for nomination or election to an
15 office;

16 (B) the individual has received contributions or made
17 expenditures before filing for office;

18 (C) the individual has given consent, implicit or expli-
19 cit, for a person or group to receive contributions or make expendi-
20 tures to bring about the individual's nomination or election to
21 office;

22 (D) the individual has campaigned as a write-in candi-
23 date for office; or

24 (E) the individual is the subject of a recall election;

25 * Sec. 35. AS 15.13.130(2) is amended by adding a new subparagraph to
26 read:

27 (D) a contribution that is returned to the contributor
28 within 72 hours of its receipt by a candidate or group;

29 * Sec. 36. AS 15.13.130(3) is amended to read:

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

22 * Sec. 37. AS 15.13.130 is amended by adding new paragraphs to read:

23 (8) "knowingly" has the meaning set out in AS 11.81.900-
24 (a)(2);

25 (9) "reasonably complete report" means a report that accu-
26 rately reflects the campaign contributions and expenditures of the can-
27 didate and that is free from significant omissions that are known to the
28 candidate.

29 * Sec. 38. AS 14.12 is amended by adding a new section to read:

1 Sec. 14.12.085. SCHOOL BOARD MAY EXPEL A MEMBER. The school board
2 may, with the concurrence of two-thirds of its members, expel a member
3 for a conviction of a violation of AS 15.13.

4 * Sec. 39. AS 24.45.021 is amended to read:

5 Sec. 24.45.021. ADMINISTRATION. (a) This chapter shall be admin-
6 istered by the commissioner of administration [ALASKA PUBLIC OFFICES
7 COMMISSION CREATED UNDER AS 15.13.020(a)].

8 (b) The commissioner [COMMISSION] shall promulgate regulations
9 under the Administrative Procedure Act (AS 44.62) to implement the
10 provisions of this chapter.

11 * Sec. 40. AS 24.45.031(a) is amended to read:

12 (a) In addition to the commissioner's [ITS] other duties under this
13 chapter, the commissioner [COMMISSION] shall

14 (1) prescribe the forms for registration, reports, statements,
15 notices and other documents required by this chapter;

16 (2) prepare and publish instructions setting out the methods
17 of accounting, bookkeeping and preservation of records required to
18 facilitate compliance with and enforcement of this chapter and explain-
19 ing the duties of persons subject to the provisions of this chapter; the
20 instructions shall be updated periodically;

21 (3) provide assistance to persons in complying with the
22 provisions of this chapter;

23 (4) prepare and publish an annual report of [ITS] activities,
24 findings and recommendations under this chapter, which shall be made
25 available to the governor, legislature and to the public by February 1
26 of each calendar year;

27 (5) report suspected violations of this chapter to the attor-
28 ney general.

29 * Sec. 41. AS 24.45.031(b) is amended to read:

1 (b) The commissioner [COMMISSION] may

2 (1) hold hearings and conduct investigations into compliance
3 with the provisions of this chapter;

4 (2) in conjunction with (1) of this subsection, issue sub-
5 poenas, compel the attendance and testimony of witnesses, administer
6 oaths and affirmations, and require the production of books, papers,
7 records, documents or other items material to the commissioner's [COM-
8 MISSION'S] duties or powers under this chapter;

9 (3) prepare, publish, and make available to the public,
10 periodic, but at least quarterly and annually, summaries of the state-
11 ments and reports received; these summaries shall list separately indi-
12 vidual lobbyists and employers of lobbyists.

13 * Sec. 42. AS 24.45.041(a) is amended to read:

14 (a) Before engaging in lobbying, a lobbyist shall file a registra-
15 tion statement on a form prescribed by the commissioner [COMMISSION].

16 * Sec. 43. AS 24.45.041(b) is amended to read:

17 (b) The registration form prescribed by the commissioner [COMMIS-
18 SION] shall include

19 (1) the lobbyist's full name and complete permanent residence
20 and business address and telephone number, as well as any temporary
21 residential and business address and telephone number in the state
22 capital during a legislative session;

23 (2) the full name and complete address of each person by whom
24 the lobbyist is retained or employed;

25 (3) whether the person from whom the lobbyist receives compen-
26 sation employs him solely as a lobbyist or whether he is a regular
27 employee performing other services for his employer which include but
28 are not limited to the influencing of legislative or administrative
29 action;

1 (4) the nature or form of the lobbyist's compensation for
2 engaging in lobbying, including salary, fees or reimbursement for
3 expenses received in consideration for, or directly in support of or in
4 connection with, the influencing of legislative or administrative action;

5 (5) a general description of the subjects or matters on which
6 the registrant expects to lobby or to engage in the influencing of
7 legislative or administrative action;

8 (6) the full name and complete address of the person, if
9 other than the registrant, who has custody of the accounts, books,
10 papers, bills, receipts and other documents required to be maintained
11 under this chapter.

12 * Sec. 44. AS 24.45.041(d) is amended to read:

13 (d) If a change occurs in any of the information contained in a
14 registration statement filed under (a) of this section, or in any accom-
15 panying document, an appropriate amendment shall be filed with the
16 commissioner [COMMISSION] within 10 days after the change.

17 * Sec. 45. AS 24.45.041(e) is amended to read:

18 (e) Within 45 days after the convening of each regular session of
19 the legislature, the commissioner [COMMISSION] shall publish a directory
20 of registered lobbyists, containing the information prescribed in (b) of
21 this section for each lobbyist and the photograph, if any, furnished by
22 a lobbyist under (c) of this section. From time to time thereafter the
23 commissioner [COMMISSION] shall publish those supplements to the direc-
24 tory that in the commissioner's [COMMISSION'S] judgment may be necessary.
25 The directory shall be made available to public officials and to the
26 public at the following locations: a public place adjacent to the legis-
27 lative chambers in the state capitol building, the office of the lieu-
28 tenant governor, the legislative reference library of the Legislative
29 Affairs Agency and the commissioner's [COMMISSION'S] central office.

1 * Sec. 46. AS 24.45.041(f) is amended to read:

2 (f) Each lobbyist shall renew his registration annually by filing
3 a new registration statement together with a new authorization to act as
4 a lobbyist before engaging in lobbying. The lobbyist also shall file
5 any reports or statements he has failed to file for a previous reporting
6 period. The commissioner [COMMISSION] may not renew lobbying credentials
7 until this subsection has been [PROVISION IS] complied with.

8 * Sec. 47. AS 24.45.051 is amended to read:

9 Sec. 24.45.051. REPORTS. Each lobbyist registered under AS 24.45.-
10 041 shall file with the commissioner [COMMISSION] a report concerning
11 his activities during each reporting period prescribed in AS 24.45.081,
12 so long as the lobbyist continues to engage in lobbying activities. The
13 report shall be made on a form prescribed by the commissioner [COMMIS-
14 SION] and filed in accordance with AS 24.45.071 and 24.45.081. The
15 report also shall include any changes in the information required to be
16 supplied under AS 24.45.041(b) and the following information for the
17 reporting period, as applicable:

18 (1) the source of income, as defined in AS 39.50.200(a)(8),
19 [AS 39.50.200(8)] and the monetary value of all payments, including but
20 not limited to salary, fees, and reimbursement of expenses, received in
21 consideration for or directly or indirectly in support of or in connec-
22 tion with influencing legislative or administrative action, and the full
23 name and complete address of each person from whom amounts or things of
24 value have been received and the total monetary value received from each
25 person;

26 (2) the aggregate amount of disbursements or expenditures
27 made or incurred during the period in support of or in connection with
28 influencing legislative or administrative action by the lobbyist, or on
29 behalf of the lobbyist by his employer in the following categories:

- 1 (A) food and beverages;
2 (B) living accommodations;
3 (C) travel;

4 (3) the date and nature of any gift exceeding \$100 in value
5 made to a public official and the full name and official position of
6 that person;

7 (4) the name and official position of each public official,
8 and the name of each member of the immediate family of any of these
9 officials, with whom the lobbyist has engaged in an exchange of money,
10 goods, services or anything of more than \$100 in value and the nature
11 and date of each of these exchanges and the monetary values exchanged;

12 (5) the name and address of any business entity in which the
13 lobbyist knows or has reason to know that a public official is a propri-
14 etor, partner, director, officer or manager, or has a controlling in-
15 terest, with whom the lobbyist has engaged in an exchange of money,
16 goods, services, or anything of value and the nature and date of each
17 exchange and the monetary value exchanged if the total value of these
18 exchanges is \$100 or more in a calendar year; and

19 (6) a notice of termination if the lobbyist has ceased the
20 lobbying activity which required his registration under this chapter and
21 if this report constitutes the final report of his activities.

22 * Sec. 48. AS 24.45.061(a) is amended to read:

23 (a) Within 15 days after employing, retaining or contracting for
24 the employment or retention of a lobbyist, the person who employs,
25 retains or who contracts for the services of a lobbyist shall file a
26 statement with the commissioner [COMMISSION] authorizing or verifying
27 that employment, retention or contract for lobbying services.

28 * Sec. 49. AS 24.45.091 is amended to read: ~~~~~

29 Sec. 24.45.091. PUBLICATION OF REPORTS. Copies of the statements

1 and reports filed under this chapter shall be made available to the
2 public at the commissioner's [COMMISSION'S] central office, the office
3 of the lieutenant governor, and the legislative reference library of the
4 Legislative Affairs Agency [, AND AT THE COMMISSION'S DISTRICT OFFICES
5 PRESCRIBED IN AS 15.13.020(j)] as soon as practicable after each report-
6 ing period.

7 * Sec. 50. AS 24.45.101 is amended to read:

8 Sec. 24.45.101. PUBLIC RECORDS. Statements and reports filed
9 under this chapter are public records and shall be available for public
10 inspection and copying during normal business hours at the expense of
11 the person requesting copies; however, the charge for copying may not
12 exceed actual cost to the commissioner [COMMISSION].

13 * Sec. 51. AS 24.45.111(a) is amended to read:

14 (a) A person required to register or report as a lobbyist shall
15 preserve all accounts, bills, receipts, books, papers and documents
16 necessary to substantiate the reports required to be made and filed
17 under this chapter for a period of at least one year from the date of
18 the filing of the report containing these items. These accounts, bills,
19 receipts, books, papers and other documents shall be made available for
20 inspection by the commissioner [COMMISSION, OR MEMBERS OF ITS STAFF,] at
21 any time. If a lobbyist is required under the terms of his employment
22 contract to turn any records over to his employer, responsibility for
23 the preservation of these records under this section rests with the
24 employer.

25 * Sec. 52. AS 24.45.111(b) is amended to read:

26 (b) The commissioner [COMMISSION] shall preserve the statements
27 and reports required to be filed under this chapter for a period of six
28 years from the date of filing. [IF THE COMMISSION'S CENTRAL OFFICE IS
29 NOT IN THE STATE CAPITAL, COPIES OF ALL STATEMENTS AND REPORTS FILED

1 UNDER THIS CHAPTER SHALL BE MAINTAINED IN AN OFFICE ESTABLISHED BY THE
2 COMMISSION IN THE STATE CAPITAL OR IN THE OFFICE OF THE LIEUTENANT
3 GOVERNOR.]

4 * Sec. 53. AS 24.45.116 is amended to read:

5 Sec. 24.45.116. DISCLOSURE OF CONTRIBUTIONS. Before a civic
6 league or organization may be eligible for the benefits of AS 43.20.-
7 031(f)(4), it must agree to comply with the requirements of this section.
8 The civic league or organization shall report the total amount of contri-
9 butions received for the reporting period and, for any contribution over
10 \$100, the name of the contributor and the amount contributed. The civic
11 league or organization may establish a separate fund to account for
12 receipts and expenditures arising out of activities to influence legisla-
13 tive action. Reports shall be made on a form provided by the commis-
14 sioner [COMMISSION] on February 10, April 25, and July 10 of each year,
15 listing contributions received during the period that ended 10 days
16 earlier.

17 * Sec. 54. AS 24.45.131 is amended to read:

18 Sec. 24.45.131. EXAMINATION OF STATEMENTS, REPORTS. (a) The
19 commissioner [COMMISSION OR ITS STAFF] shall examine each statement or
20 report filed under this chapter within 10 days after the date it is
21 filed. A person required to file a statement or report under this
22 chapter shall be notified immediately if

23 (1) it appears that the person has failed to file a statement
24 or report as required by law or that the statement or report filed does
25 not conform to the requirements of this chapter; or

26 (2) a written complaint is filed with the commissioner [COM-
27 MISSION] by any qualified voter alleging that a statement or report
28 filed with the commissioner [COMMISSION] does not conform to the require-
29 ments of this chapter, or to the truth, or that a person subject to the

1 provisions of this chapter has failed to file a statement or report in
2 the manner prescribed by this chapter.

3 (b) The commissioner [COMMISSION] shall conduct an investigation,
4 and may thereafter conduct a hearing, into an allegation under (a)(2) of
5 this section.

6 (c) The commissioner [COMMISSION] shall report any suspected
7 violations of this chapter to the attorney general, to a district attor-
8 ney in the judicial district where the alleged violation occurred, or to
9 a grand jury.

10 * Sec. 55. AS 24.45.141 is amended to read:

11 Sec. 24.45.141. CIVIL PENALTY: LATE REGISTRATION, FILING OF RE-
12 QUIRED STATEMENTS OR REPORTS. A person who fails to register or to file
13 a properly completed and certified report or statement, as applicable,
14 within the time required by this chapter is subject to a civil penalty
15 of not more than \$10 a day for each day the delinquency continues as
16 determined by the commissioner [COMMISSION] subject to right of appeal
17 to the superior court. An affidavit stating facts in mitigation may be
18 submitted to the commissioner [COMMISSION] by a person against whom a
19 civil penalty is assessed. However, the imposition of the penalties
20 prescribed in this section or in AS 24.45.151 does not excuse the lobby-
21 ist or employer of a lobbyist from filing statements or reports required
22 by this chapter.

23 * Sec. 56. AS 24.45.171 is amended by adding a new paragraph to read:

24 (13) "commissioner" means the commissioner of administration.

25 * Sec. 57. AS 29.13 is amended by adding a new section to read:

26 Sec. 29.13.035. CHARTER COMMISSION MAY EXPEL A MEMBER. The charter
27 commission may, with the concurrence of two-thirds of its members, expel
28 a member for a conviction of a violation of AS 15.13.

29 * Sec. 58. AS 29.23.060(c) is amended to read:

1 (c) The assembly shall determine its own rules and order of
2 business and provide for keeping a journal of its proceedings. The
3 assembly is the judge of the election and qualification of its members
4 and, with the concurrence of two-thirds of its members, may expel a
5 member for a conviction of a violation of AS 15.13 or a felony or mis-
6 demeanor described in AS 15.56 as a corrupt practice. The assembly
7 shall consider a conviction of a member for a felony or misdemeanor
8 described in AS 15.56 as a corrupt practice at its first meeting fol-
9 lowing the final determination of the conviction.

10 * Sec. 59. AS 29.23.130(f) is amended to read:

11 (f) The assembly, with the concurrence of two-thirds of its mem-
12 bers, may remove the borough mayor from office for a conviction of a
13 violation of AS 15.13 or a felony or misdemeanor described in AS 15.56
14 as a corrupt practice. The assembly shall consider a conviction of the
15 borough mayor of a violation of AS 15.13 or a felony or misdemeanor
16 described in AS 15.56 as a corrupt practice at its first meeting fol-
17 lowing the final determination of the conviction.

18 * Sec. 60. AS 29.23.210(b) is amended to read:

19 (b) The council shall determine its own rules and order of busi-
20 ness and provide for keeping a journal of its proceedings. The council
21 is the judge of the election and qualification of its members and, with
22 the concurrence of two-thirds of its members, may expel a member for a
23 conviction of a violation of AS 15.13 or a felony or misdemeanor des-
24 cribed in AS 15.56 as a corrupt practice. The council shall consider
25 that conviction during its first meeting following final determination
26 of the conviction.

27 * Sec. 61. AS 29.23.255 is amended to read:

28 Sec. 29.23.255. REMOVAL FROM OFFICE. The council may, with con-
29 currence of two-thirds of its members, remove the mayor from office for

1 a conviction of a violation of AS 15.13 or a felony or misdemeanor
2 described in AS 15.56 as a corrupt practice. The council shall consider
3 the conviction during its first meeting following final determination of
4 the conviction.

5 * Sec. 62. AS 39.50.020(b) is amended to read:

6 (b) The governor, lieutenant governor, members of the legislature,
7 and candidates for these offices, judicial officers, each commissioner,
8 head or deputy head of, or director of a division within, a department
9 in the executive branch, assistant to the governor or chairman or member
10 of a commission or board required to report under this chapter, shall
11 file the statement with the commissioner of administration [ALASKA
12 PUBLIC OFFICES COMMISSION]. Municipal officers, and candidates for
13 elective municipal office, shall file with the municipal clerk or other
14 municipal official designated to receive their filing for office. All
15 statements required to be filed under this chapter are public records.

16 * Sec. 63. AS 39.50.030 is amended by adding new subsections to read:

17 (d) If a public official or a candidate for state or municipal
18 elective office, or the spouse or dependent child of the public official
19 or candidate, or a combination of them, are the sole owners of property
20 consisting of one or more units held for rent or lease as a residence,
21 the public official, the candidate for state elective office, or the
22 candidate for elective municipal office is not required to report the
23 income received from residential occupants of the property.

24 (e) If a public official or candidate for state or municipal elec-
25 tive office, or the spouse or dependent child of the public official or
26 candidate, is a member of a partnership that owns property consisting of
27 one or more units held for rent or lease as a residence, the public
28 official or the candidate is not required to report the income received
29 from residential occupants of the property.

1 * Sec. 64. AS 39.50.050(a) is amended to read:

2 (a) The commissioner of administration [ALASKA PUBLIC OFFICES
3 COMMISSION CREATED UNDER AS 15.13.020(a)] shall administer the provisions
4 of this chapter. The commissioner of administration [COMMISSION] shall
5 prepare and keep available for distribution, standardized forms on which
6 the reports required by this chapter shall be filed.

7 * Sec. 65. AS 39.50.050(b) is amended to read:

8 (b) The commissioner of administration [COMMISSION] shall promul-
9 gate regulations to implement and interpret the provisions of this
10 chapter; regulations or interpretation shall be within the intents and
11 purposes of this chapter and are subject to judicial review in accor-
12 dance with the provisions of the Administrative Procedure Act (AS 44.62).

13 * Sec. 66. AS 39.50.050(d) is amended to read:

14 (d) To facilitate the filing of reports under AS 24.45 (Regulation
15 of Lobbying) and the information required to be provided under AS 24.45.-
16 051(4) and (5), the commissioner of administration [COMMISSION] shall
17 publish copies of the reports required under this chapter not later than
18 the convening of each regular session of the legislature. Copies of
19 this publication shall be provided on request; however, the commissioner
20 of administration [COMMISSION] may make a charge for the publication
21 which may not exceed the actual cost of printing, postage and handling.

22 * Sec. 67. AS 44.21 is amended by adding a new section to read:

23 ARTICLE 8. CONFLICT OF INTEREST AND LOBBYING.

24 Sec. 44.21.350. REGULATION OF CONFLICT OF INTEREST AND LOBBYING.

25 The commissioner shall

26 (1) develop and provide all forms for the reports and state-
27 ments required to be made under AS 24.45 and AS 39.50;

28 (2) assist individuals and groups in complying with the
29 requirements of AS 24.45 and AS 39.50;

1 (3) receive and hold open for public inspection reports and
2 statements required to be made under AS 24.45 and AS 39.50 and, upon
3 request, furnish copies at cost to interested persons;

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

6 (5) notify, by registered or certified mail, all persons who
7 are delinquent in filing reports and statements required to be made
8 under AS 24.45 and AS 39.50;

9 (6) examine, investigate, and compare all reports, statements,
10 and actions required by AS 24.45 and AS 39.50 and report to the attorney
11 general the names of all persons or groups that the commissioner has
12 substantial reason to believe have violated AS 24.45 or AS 39.50;

13 (7) prepare and publish an annual report to the legislature
14 concerning the effectiveness of AS 24.45 and AS 39.50 and recommenda-
15 tions and proposals for change;

16 (8) adopt regulations necessary to implement and clarify the
17 provisions of AS 24.45 and AS 39.50, subject to the provisions of the
18 Administrative Procedure Act (AS 44.62).

19 * Sec. 68. Except to the extent that they are inconsistent with the
20 provisions of this Act, the regulations of the Alaska Public Offices Commis-
21 sion implementing AS 24.45 and AS 39.50 in effect on the effective date of
22 this Act remain in effect until amended or repealed by the commissioner of
23 administration. Except to the extent that they are inconsistent with the
24 provisions of this Act, the regulations of the Alaska Public Offices Commis-
25 sion implementing AS 15.13 in effect on the effective date of this Act remain
26 in effect until amended or repealed by the director of elections.

27 * Sec. 69. AS 15.13.120(f) is repealed and reenacted to read:

28 (f) If, after being sworn into office, a person who was a success
29 ful candidate or the campaign treasurer or deputy campaign treasurer of

1 a person who was a successful candidate is convicted of a violation of
2 this chapter, proceedings shall be held and appropriate action taken in
3 accordance with

4 (1) art. II, sec. 12 of the state constitution, if the candi-
5 date is a candidate for the state legislature;

6 (2) art. II, sec. 20 of the state constitution, if the candi-
7 date is a candidate for governor or lieutenant governor;

8 (3) AS 29.20.170, if the candidate is a candidate for the
9 governing body;

10 (4) AS 29.20.280, if the candidate is a candidate for mayor;

11 (5) AS 14.12.085, if the candidate is a candidate for a
12 school board;

13 (6) AS 29.06.280 or 29.10.035, if the candidate is a candi-
14 date for charter commission;

15 (7) the provisions of the call for the constitutional con-
16 vention, if the candidate is a candidate for constitutional convention
17 delegate;

18 (8) article IV, sec. 10 of the state constitution, if the
19 candidate is a candidate for judicial retention.

20 * Sec. 70. AS 29.06.280 is amended by adding a new subsection to read:

21 (e) The charter commission may, with the concurrence of two-thirds
22 of its members, expel a member for a conviction of a violation of
23 AS 15.13.

24 * Sec. 71. AS 29.10 is amended by adding a new section to read:

25 Sec. 29.10.035. CHARTER COMMISSION MAY EXPEL A MEMBER. The
26 charter commission may, with the concurrence of two-thirds of its
27 members, expel a member for a conviction of a violation of AS 15.13.

28 * Sec. 72. AS 29.20.170(6) is amended to read:

29 (6) is convicted of a felony or misdemeanor described in

1 AS 15.13 or AS 15.56 and two-thirds of the members of the governing body
2 concur in expelling him;

3 * Sec. 73. AS 29.20.280(a)(6) is amended to read:

4 (6) is convicted of a felony or misdemeanor described in
5 AS 15.13 or AS 15.56; or

6 * Sec. 74. Sections 31 and 57 - 61 of this Act are repealed.

7 * Sec. 75. AS 15.13.020, 15.13.030, 15.13.040(f), 15.13.070(f) and (g),
8 15.13.110(d), 15.13.120(b) and (d), 15.13.122; AS 39.50.200(a)(4), and 39.-
9 50.200(b)(8) are repealed.

10 * Sec. 76. Sections 69 - 74 of this Act take effect on the effective date
11 of a version of House Bill No. 170 or Senate Bill No. 180 revising AS 29.

12 * Sec. 77. Sections 1 - 68 and 75 of this Act take effect immediately in
13 accordance with AS 01.10.070(c).

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ALASKA STATE SENATE

FOR TIM KELLY, CHAIRMAN
ATOR ED DANKWORTH, VICE-CHAIRMAN
ATOR JALMAR KERTTULA
NATOR ROBERT ZIEGLER
ENATOR FRANK FERGUSON



POUCH V
JUNEAU, ALASKA 99811
(907) 485-3770
(907) 485-3822

RULES COMMITTEE

TO: Representative Metcalfe
Chair, House State Affairs

FROM: Senator Kelly *SK*
Chair, Senate Rules Committee

DATE: March 17, 1982

Subject: CSSB 167 (Rules) am - AS 15.13.120(b)

I would like to bring to your attention an error in the above bill concerning the Alaska Public Office Commission. Section 27 was inserted by amendment #1 on the floor of the Senate, and then repealed in Amendment #5. It appears as section 27, and as repealed in section 35.

This is a drafting error in the bill, and requires no action by your committee. However, Legal Services should be alerted as to the problem and take care of it by excluding Section 27 from the bill. If your committee does prepare a CS, please include a copy of this memo to drafting. If not, the error will be taken care of by the revisor of statutes at a later date.

Thank you for your attention to this matter.

5/15/81

Rec'd 6/4/81
after bill was
passed from SFC

CAPITAL BUDGET

DEVELOPMENT

	<u>Appropriation Items</u>	<u>Appropriation Fund Sources General Fund</u>
Department of Administration		
Community Assistance Grants		
State Assistance for capital projects (SB 168)	380,000,000	380,000,000
Department of Community & Regional Affairs		
Community Assistance Grants		
State Assistance for capital projects (SB 168)	24,987,000	24,987,000

Note: The amounts shown above were taken from the fiscal notes attached to CSSB 168 (Fin.) as passed by the Senate.

Administrative costs for this program totalling \$326,600 remain on file as fiscal notes and will appear in the general appropriations act under New Legislation for consideration by the Free Conference Committee.

THE LEGISLATURE OF THE STATE OF ALABAMA
TWELFTH LEGISLATURE

FISCAL NOTE

I. REQUEST

BILL Resolution No. CS (SE 166) ICRA
 Title An Act relating to state assistance for capital projects and providing for a
 Requested by _____ Date EFFECTIVE DATE.

II. FISCAL DETAIL

Agency Affected Department of Administration
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Administrative Services
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES		49.5				
200 TRAVEL		-0-				
300 CONTRACTUAL		8.2				
400 COMMODITIES		1.5				
500 EQUIPMENT		14.6				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.		380,000.0				
TOTAL		380,073.8				

FUNDING (Thousands of Dollars)

GENERAL FUND	380,073.8				
FEDERAL FUNDS					
OTHER (Specify Fund Source)					

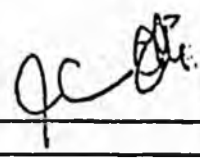
POSITIONS

FULL TIME	2.0				
PART TIME					
TEMPORARY					

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

This provides for an accounting clerk, correspondence secretary and associated costs to administer these grants. Population estimates are based on preliminary figures of 377,229. The grant amount has been rounded up to accommodate expected changes to the preliminary census figures.

IV. DATE March 9, 1981 PREPARED BY Judy Crondahl
 AGENCY Administration
 PHONE 465-2277
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named) Senator Dankworth
Keith Specking



FISCAL NOTE

I. REQUEST Bill/Resolution No. CSSE 168
 Title AN ACT RELATING TO STATE ASSISTANCE FOR CADRE PROJECTS; AND PENDING FOR AN ACT
 Requested by Senate Community & Regional Affairs Committee Date 3/5/81 (ive date)

II. FISCAL DETAIL
 Agency Affected Department of Community & Regional Affairs
 Program Category Affected Development
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86
100 PERSONAL SERVICES	-0-	173.7	187.6	-0-	-0-	-0-
200 TRAVEL	-0-	18.9	9.6	-0-	-0-	-0-
300 CONTRACTUAL	-0-	50.6	54.6	-0-	-0-	-0-
400 COMMODITIES	-0-	1.0	1.0	-0-	-0-	-0-
500 EQUIPMENT	-0-	8.6	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	24,987.0	-0-	-0-	-0-	-0-
TOTAL	-0-	25,239.0	252.0	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	18,775.0	252.0	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-5-	-5-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)
 Grant cost based on preliminary figures of U.S. Census for the unorganized borough X \$1,000.

Inflation figured at 8%.

It is envisioned that three existing DC&RA positions would be assigned to assist with this program in addition to their current duties and would be placed under the supervision of the Program Director.

IV. DATE 3/5/81 PREPARED BY McKie Campbell
 AGENCY Department of Community & Regional Affairs
 PHONE 465-4735
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)