

COMMITTEE REPORT
SENATE

FURTHER:

5/20/83

Date: 6/10/83

Mr. President:

The Committee on FINANCE has had CS SSNB 165(SA) am

Relating to the Public Offices Commissions.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

do pass do not pass

do pass with attached amendments(s)

replace with CS for CS for SSNB 165 (Finance) same title new title

and recommends Do Pass

AND attaches a "Letter of Intent" New Fiscal Note
& FN 3/4/83

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Bob M... [Signature]

Joe [Signature] (No Rec.)

[Signature]
CHAIRMAN
Do Pass

STATE OF ALASKA
PRELIMINARY STATEMENT OF FISCAL IMPACT

Bill No: HB 165

Date on Bill: 02/04/83

Title: "An Act relating to reports to the Public Offices Commission"

Sponsor: Uehling, Barnes, Bussell, Cowdery, Furnace, Ward and Herrmann

Requestor:

1. Estimated fiscal impacts on:

a. Expenditures:

(Thousands of Dollars)

			FY 83	FY 84	FY 85	FY 86		
Capital								
Operating								
Total			0	0	0	0		

b. Revenues:

Revenue								

2. Source of funds to offset fiscal impact of bill:

3. Assumptions:

4. Disclaimer:

This statement has not been reviewed by the OMB in the Office of the Governor.

Prepared By: Theda S. Pittman *Theda S. Pittman (signature)*
Division: Alaska Public Offices Commission

Phone: _____
Date: March 4, 1983

Approved by Commissioner: Lisa Rudd *Lisa Rudd (signature)*
Department: Administration *Commissioner*

Date: March 4, 1983

5. Distribution:
- Original to Legislative Finance
 - Copy to OMB
 - Copy to Sponsor
 - Copy to Requestor

2/8/83

Bradley
5/23/83

Original sponsors: Uehling, Barnes,
Bussell, et al

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 165 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Public Offices Commission."

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

8 * Section 1. AS 15.13.040(a) is amended to read:

9 (a) Each candidate shall make a full report, upon a form pre-
10 scribed by the commission, listing the date and amount of all expendi-
11 tures made by the candidate, the total amount of all contributions,
12 including all funds contributed by the candidate [HIMSELF], and for
13 all contributions in excess of \$250 [\$100] in the aggregate a year,
14 the name, address, principal occupation, and employer of the contri-
15 butor and the date and amount contributed by each contributor. The
16 report shall be filed in accordance with AS 15.13.110 and shall be
17 certified as correct under AS 15.13.060(a) [BY THE CANDIDATE OR CAM-
18 PAIGN TREASURER].

19 * Sec. 2. AS 15.13.040(b) is repealed and reenacted to read:

20 (b) Each group shall make a full report, upon a form prescribed
21 by the commission, listing the date and amount of all expenditures
22 made by the group, the total amount of all contributions, and for all
23 contributions in excess of \$250 in the aggregate a year, the name,
24 address, principal occupation, and employer of the contributor and the
25 date and amount contributed by each contributor. The report shall be
26 filed in accordance with AS 15.13.110 and shall be certified as cor-
27 rect under AS 15.13.060(a).

28 * Sec. 3. AS 15.13.040(d) is amended to read:

29 (d) Every individual or [,] person and every [OR] group that is

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 (f) A [THE] candidate is responsible for the performance of the
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27 treasurer of a candidate or of a group is responsible for the perfor-
28 mance of the deputy campaign treasurers [, AND ANY DEFAULT OR VIOLA-
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1 BY THE CANDIDATE IF HE KNEW OR HAD REASON TO KNOW OF THE DEFAULT OR
2 VIOLATION].

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

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

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

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

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

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

29 (2) one week before the election;

1 (3) 10 [TEN] days after the election; and

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

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

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

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

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

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

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

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

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

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

9 * Sec. 19. AS 15.13.040(c) and AS 15.13.070(f) and (g) are repealed.
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Offered: 4/7/83
Referred: Judiciary

Original sponsors: Uehling, Barnes,
Bussell, et al

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 165 (State Affairs) am
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
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15 public inspection. Within 30 days after each election, the commission
16 shall prepare a summary of each report which shall be made available
17 to the public at cost upon request. Each summary shall use uniform
18 categories of reporting.

19 * Sec. 17. AS 15.13.040(c) and AS 15.13.070(f) and (g) are repealed.
20

STATE OF ALASKA
THE LEGISLATURE

COPY

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

May 5, 1983

SUBJECT: Public Offices Commission
(CSSSHB 165 (State Affairs) am)

TO: Representative Rick Uehling

FROM: Richard A. Bradley
Legislative Counsel

You have requested a sectional analysis of the above described bill.

As a preliminary matter, I must advise you that a sectional analysis or summary of a bill should not be considered an authoritative interpretation of the bill; the bill itself is the best statement of its contents. For a full explanation of any point, please consult the bill itself; if you would like an interpretation of the bill as it may apply to a particular set of circumstances, please address a specific request to this office.

The substantive provisions of the bill amend three sections of AS 15.13: sec. 40 (which requires certain contributions and expenditures to be reported), sec. 60 (which deals with responsibilities of campaign officers), and sec. 110 (which deals with with the timing of certain reports). The amendments to sec. 70 contained in the bill are essentially conforming amendments, conforming the provisions of sec. 70 to the changes made in sec. 40.

Section 1 amends AS 15.13.040(a). It requires the reporting of contributions in excess of \$250 (in place of the former \$100). The requirement that the "principal occupation and employer of the contributor" be identified is repealed. In place of the former requirement that the report be certified "by the candidate or campaign treasurer" the amendment requires that the report be certified "under AS 15.-13.060(a)"; this latter section is discussed below.

Section 2 repeals and reenacts AS 15.13.040(b); as written it incorporates sec. 40(c) which is repealed in sec. 17. Sec. 40(c) was repealed as a separate subsection to make the provisions of (b) (as rewritten) parallel to sec. 40(a). For your information, the two subsections now read as follows:

(b) Each group shall make a full report upon a form prescribed by the commission, listing

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

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

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

(c) The report required under (b) of this section shall be filed in accordance with AS 15.13.110 and shall be certified as correct by the group's treasurer.

The existing requirements of sec. 40(b)(1): that a group provide the name and address of each officer and director -- is deleted because sec. 60(a) as amended requires the identification of the group's campaign chairman and campaign treasurer. Consistently with the floor amendment to sec. 40(a), the requirement that the "principal occupation and employer of contributor" in sec. 40(b)(2) is repealed. The provisions of sec. 40(b) (group responsibilities) are then parallel to sec. 40(a) (candidate responsibilities).

As suggested, sec. 40(c) is repealed in sec. 17.

Section 3 amends AS 15.13.040(d). The amendment to sec. 40(d) is intended to address a problem that has concerned the commission since its establishment but which the law did not address. That problem relates to the fact that two different kinds of groups exist. An "ad hoc" group, formed only for the purposes of a particular campaign or for the support of a particular candidate is the first kind of

group and sec. 50 governs the activities of this group. The second kind of group is exemplified by the League of Women Voters, a preexisting organization that is not organized for political campaign purposes but that engages to some extent in a campaign. The latter kind of organization is the kind described in the new phrase: a "group that is not required to register under AS 15.13.050"; that kind of group is required only to report the particular kind of campaign activity specified in sec. 40(d)(1) or (2). The latter kind of group is analogous to the individual making the same kinds of contributions or expenditures; identical reports are required from each.

Section 4 adds a new subsection (g) to AS 15.13.040. The concept of an "independent expenditure" was introduced in sec. 40(d)(2); the term is defined in sec. 40(g) and I believe the definition should be clear. The activity of the second kind of "group" described in the comments to sec. 40(d) insofar as the commission is concerned will usually be an "independent expenditure."

Section 5 amends AS 15.13.060(a). It recaptions the section as "CAMPAIGN OFFICERS" in place of "CAMPAIGN TREASURERS." Under existing law, I believe that the only reference to a campaign chairman is located in AS 15.13.090, "IDENTIFICATION OF COMMUNICATIONS." Though that section imposes responsibilities on a campaign chairman, existing law does not require the appointment of a campaign chairman or require the identification of a campaign chairman to the commission.

The amendments provide that a candidate may appoint a campaign chairman and a campaign treasurer; if a candidate fails to make the appointments, the candidate "is" the campaign chairman or campaign treasurer, as appropriate, or both. A group (that is required to register under AS 15.-13.050) shall appoint both a campaign chairman and campaign treasurer.

A campaign chairman and a campaign treasurer (of either a candidate or of a group) may be the same individual.

The amendment to sec. 60(a) makes clear that the "candidate, the campaign chairman or campaign treasurer of a candidate, and the campaign chairman and the campaign treasurer of a group" may certify all reports and statements required by law; by inference, no one else may.

Representative Rick Uehling

Page 4

May 5, 1983

Section 6 amends AS 15.13.060(b). The provision provides that each group (that is required to report under AS 15.-13.050) shall file the name and the address of the campaign chairman and the campaign treasurer with the commission when it registers. (Sec. 60(a) provides that one individual may fill both positions.)

Section 7 repeals and reenacts AS 15.13.060(c). It provides that an individual may not act as campaign chairman or campaign treasurer of a candidate for state or local office until the candidate has filed the name and address with the commission; the language as changed simplifies the existing provision which provides:

(c) Each candidate for state office shall file the name and address of the campaign treasurer with the commission, or submit, in writing, the name and address of the campaign treasurer to the director for filing with the commission, no later than 15 days after the date of filing the declaration of candidacy or the nominating petition. Each candidate for municipal office shall file the name and address of the campaign treasurer with the commission no later than seven days after the date of filing the declaration of candidacy or the nominating petition. If the candidate does not designate a campaign treasurer, the candidate is the campaign treasurer.

Section 8 amends AS 15.13.060(d). The section makes several changes to the existing provision. It acknowledges that the office of campaign chairman exists. It implicitly acknowledges that only a group must have officers; if the appointed officers of a candidate resign or are otherwise removed, the candidate assumes the responsibilities until new appointments are made. And it usefully deletes the sentence

The candidate is disqualified when he has been found to have been in wilful violation of this subsection.

Section 9 amends AS 15.13.060(e). It permits, as under existing law, the campaign treasurer to appoint as many deputy campaign treasurers as the campaign treasurer considers necessary. But it changes the existing law that requires the candidate to advise the commission of the appointments; the amendment puts the burden of advice to the commission on appointments on the person exercising the position of campaign treasurer.

Representative Rick Uehling
Page 5
May 5, 1983

Section 10 amends AS 15.13.060(f). Nothing except a few dangling phrases remain from existing law; as amended the section provides that (1) a candidate is responsible for the performance of the campaign chairman and the campaign treasurer; and (2) the campaign treasurer of a candidate or of a group is responsible for the performance of deputy campaign treasurers. The complicated and essentially unenforceable bit about defaults and violations and "knew or has reason to know" is repealed.

Section 11 adds a new AS 15.13.060(g). It is quite clear; its purpose is to make clear who can (and cannot) do the acts that are critical to the role of the commission.

Sections 12 and 13 amend AS 15.13.070(b) and (c). The changes make the provisions of the law consistent with the changes made in AS 15.13.040(a) and (b).

Section 14 amends AS 15.13.110(a). The first change provides that the reports filed under this section will be certified under sec. 60(a).

The time that a report is to be filed under this section is changed in one instance: In place of the former December 31 report (which was supposed to include information through the date of the report), the amendment requires that the report be filed "15 days after the end of the year" for expenditures and contributions not reported that year. A more orderly reporting system should result.

Section 15 amends AS 15.13.110(b). It deletes the concept of "expenditures" from the section; as I understand the commission's position, the section does not really apply to expenditures.

It changes three thresholds for the special reports required for the "larger" contributions made immediately before an election -- (1) it will apply to contributions that exceed \$500 (in place of the former \$250); (2) that are made within nine days of the election (in place of the former one week; and (3) it will require the report to the commission within 48 hours from receipt of the contribution (in place of the former 24 hours). It also changes the reporting officers to acknowledge the changes made in sec. 60(a).

Section 16 amends AS 15.13.110(c). The change acknowledges the changes made in sec. 60(a).

Representative Rick Uehling
Page 6
May 5, 1983

Section 17 repeals AS 15.13.040(c) [which is set out above] as well as repealing AS 15.13.070(f) and (g). The latter provisions have been a dead letter since enactment because of a U.S. Supreme Court decision. For your information they provide:

(f) The total amount of expenditures made by a candidate and by all groups operating under his control may not exceed (1) 40 cents times the total population of the state according to the latest United States census figures, or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs, if the candidacy is for governor or lieutenant governor, of which amount no more than 50 per cent may be spent in a primary election campaign and no more than 50 per cent in the general election campaign; (2) \$1 times the total population of the geographical area of the constituency according to the latest United States census figures, or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs, divided by the number of seats in the senate district if the candidacy is for the state senate; (3) \$1 times the total population of the geographical area of the constituency according to the latest United States census figures, or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs, divided by the number of seats in the house district if the candidacy is for the state house of representatives. The expenditure limitations in this section include expenditures for both a primary and a general election campaign, or for a special election.

(g) Each general election year the commission shall adjust the campaign expenditure limitations for each category of (f) of this section to reflect cost-of-living changes as determined and published by the Bureau of Labor Statistics of the United States Department of Labor.

No effective date provision is added; it will take effect 90 days after approval by the governor or 90 days after it becomes law without the approval of the governor.

If I may be of further assistance, please advise.

RAB:ljb
17/033

CSSSI: 165(SA) am
POSITION PAPER

CSSSHB 165(SA) am raises the reporting threshold (from \$100 to \$250) for disclosure of contributors' names to ease reporting burdens without sacrificing the intent of disclosure. It also clarifies the roles of campaign chairman, treasurer, and deputy treasurer, as well as the nature of an independent expenditure. Language on expenditure limitations similar to that which has been determined to be unconstitutional by a U.S. Supreme Court decision is repealed.

As amended on the floor of the House, the bill has one major defect -- the floor amendment which deleted (for candidates only) the requirement to disclose a contributor's occupation and employer -- which is destructive to the purpose of disclosure as discussed on attachment A. Restoration of that requirement on page 1, line 14 is requested. The requirement is an effort for the group or candidate's campaign, but it is one which can be reasonably complied with as indicated by the guidelines -- especially in light of the change in the threshold from \$100 to \$250.

The Commission actively supported the \$250 threshold in 1982 in recognition of the fact that campaign disclosure reporting must strike a realistic balance between the public's right to information and the reporting burden on candidates and groups. In supporting the revision to \$250, the Commission noted both the ever-increasing average size of campaigns and the broad spread of campaign size. On the state level, (see attachment B), there's a very even distribution of campaigns in the upper middle range. On the municipal level, the bulk of the candidates spend next to nothing and those who spend minimum amounts rely on their own personal funds.

Recently the Commission reviewed its proposal for the \$250 threshold relative to municipal campaigns. An individual in Fairbanks and one in Ketchikan expressed the concern that \$100 is still a significant contribution on the municipal level and asked whether the proposal could be modified to provide a \$100 threshold on the municipal level and a \$250 threshold on the state level. In looking at municipal campaign levels in 1982, 380 candidates received a total of \$475,000; of that amount an estimated \$50,000 was in contributions between \$100 and \$250. With the exception of the 4-5 largest municipalities (in which the controversial campaigns are spending money at levels equivalent to House campaigns), overall spending is so modest, and the confusion inherent in having two different levels sufficient, that the Commission continues to support one threshold of \$250 for all campaigns.

Department of Administration

Alaska Public Offices Commission

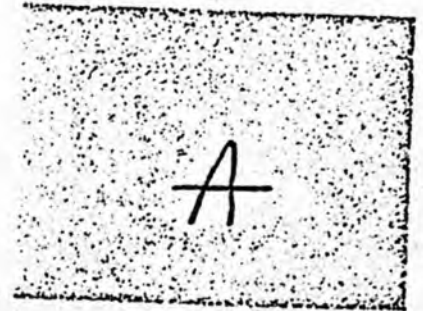
Commissioner Date

Executive Director Date

The requirement that reports include occupation and employer is an important one for the benefit of the public and the press in analyzing the sources of campaign contributions. Absent the information intended by the requirement, one loses important tools for learning what common interests, if any, exist among those who support a particular candidate or political group. If Campaign Disclosure reports are to have any utility for those who are not already part of the politically astute, then the name and address of the contributor is simply too little information. Despite our fondness for the "Alaska is a small state; everybody knows everybody" philosophy, the population turnover is extremely rapid and it would probably be more accurate to say that "there are a few who know everybody."

There are several kinds of contributors and the Commission can appreciate the fact that campaigns need to know how much information is enough to provide on their reports. The answer depends on the nature of the contributor and the Commission feels the following may clear up some of the confusion:

- 1) If contributor is an individual, list name of employer - include department if it's a state agency;
- 2) If contributor is self-employed, list name of business or type of work;
- 3) If contributor is a business, association, or organization, list type of business where that is not self-explanatory;
- 4) If contributor is a political action committee, list parent organization, if any; and
- 5) If contributor is retired, unemployed, a housewife/homemaker, or a child use either or those terms or "N/A."



NUMBER OF CANDIDATES-1982

5 10 15 20 25

48
SENATE

140

HOUSE

B

\$ 0-999			7				
\$ 1,000-4,999			6				
\$ 5,000-9,999	2						
\$ 10,000-14,999		4					
\$ 15,000-19,999		4					
\$ 20,000-24,999		3					
\$ 25,000-29,999			5				
\$ 30,000-39,999		3					
\$ 40,000-49,999		3					
\$ 50,000-59,999	2						
\$ 60,000-69,999		3					
\$ 70,000-79,999	1						
\$ 80,000 PLUS		3					
\$ 0-999					18		
\$ 1,000-4,999						22	
\$ 5,000-9,999							23
\$ 10,000-14,999					13		
\$ 15,000-19,999						16	
\$ 20,000-24,999			9				
\$ 25,000-29,999					12		
\$ 30,000-39,999						15	
\$ 40,000-49,999				8			
\$ 50,000-59,999	2						
\$ 60,000-69,999	1						
\$ 70,000-79,999	1						
\$ 80,000 PLUS	1						

In 1982 Legislative races, 48 Senate candidates received \$1.26 million in monetary contributions for an average of \$26,250 each; 140 House candidates received \$2.35 million in monetary contributions for an average of nearly \$17,000 each. Although there are a sizeable number of candidates who received less than \$10,000, the distribution at the middle and higher levels is surprisingly spread out.

5 10 15 20 25

L7

League of Women Voters of Alaska

Box 602
Soldotna, Alaska 99669
May 24, 1983

Senate Finance Committee
Pouch V
Juneau, Alaska 99811

Dear Senator Fischer,

This letter is in reference to HB165 which would make significant changes in Alaska's Campaign Disclosure Law. The League of Women Voters of Alaska adopted Election Laws and Procedures as a program item at its convention in 1973. Campaign Disclosure was an integral part of the study by local leagues and the following comments are based on the result of that study. These basic positions were reaffirmed two weeks ago during a discussion of HB165 by delegates at our 1983 state convention.

We favor disclosure of campaign contributions and expenditures of hard cash monies, goods and services. Raising the amount at which the name of a contributor must be reported from \$100 to \$250 is cause for concern. The inflation argument for raising the figure may have some merit for a statewide campaign. But it is our feeling that \$100 remains a significant contribution at the municipal level and the name of the contributor should continue to be reported.

The group gave a collective groan upon hearing that HB165 would delete (on p, 1, line 14) the "principal occupation, and employer" clause. As one delegate put it, "It is sometimes difficult to tell from a candidate's public statements where he or she really stands on an issue. Knowing where their financial support is coming from helps to flesh out the political profile of a candidate." If the current language were changed, identification of special interest support would be very difficult. We feel that a candidate who can intelligently and objectively represent diverse community interests will have broad-based financial support. We note that Senate State Affairs considered the aforementioned clause to be worthwhile, and that it is back in their version of the bill.

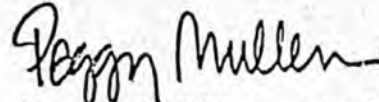
"Disclosure", as defined in our position, means disclosure of contributions before elections and disclosure of expenditures and other financial transactions by a

stated deadline. For this reason, we are opposed to changing the reporting period for large contributions and expenditures from 24 to 48 hours at the end of a campaign (p.5, line 9). It is not uncommon for large sums of money to flow into and out of a campaign treasury at the eleventh hour. Extending the reporting period to 48 hours would delay or in some cases, effectively deny, public access to this information. In our opinion, expenditures (p.5, line 6) should not be deleted. Major financial transactions should continue to be reported.

A question arises regarding accountability (p.3, Section 9, sub-section f). We would hope that the "accountability buck" still stops with the most logical person to be held responsible for any violations or defaults in campaign reporting...the candidate.

While we appreciate the effort of the Senate State Affairs committee to correct one major problem with this bill, it is not enough. The interests of the people of Alaska would still be better served under the existing statute.

Sincerely,



Peggy Mullen, chair
Election Laws and Procedures
League of Women Voters of Alaska

to Senate State Affairs

This testimony is in reference to HB165 which would make significant changes in Alaska's Campaign Disclosure Law. The League of Women Voters of Alaska adopted Election Laws and Procedures as a program item at its convention in 1973. Campaign Disclosure was an integral part of that study by local leagues and the following comments are based on the result of that study. These basic positions were reaffirmed 10 days ago during a discussion of HB165 by delegates at our state convention.

We favor disclosure of campaign contributions and expenditures of hard cash monies, goods and services. Raising the amount at which the name of a contributor must be reported from \$100 to \$250 is cause for concern. The inflation argument for raising the figure may have some merit for a statewide campaign. But it is our feeling that \$100 remains a significant contribution at the municipal level and the name of the contributor should continue to be reported.

The group gave a collective groan upon hearing that HB165 would delete (on p.1, line 14) the "principal occupation, and employer" clause. As one delegate put it, "It is sometimes difficult to tell from a candidate's public statements where he or she really stands on an issue. Knowing where their financial support is coming from helps to flesh out the political profile of a candidate." If the current language were changed, identification of special interest support would be very difficult. We feel that a candidate who can intelligently and objectively represent diverse community interests will have broad-based financial support.

"Disclosure", as defined in our position, means disclosure of contributions before elections and disclosure of expenditures and other financial transactions by a stated deadline. For this reason, we are ~~not able to support~~ ^{opposed to} changing the reporting period for large contributions and expenditures from 24 to 48 hours at the end of a campaign. (p.5, line8)

It is not uncommon for large sums of money to flow into and out of a campaign treasury at the eleventh hour. Extending the reporting period to 48 hours would delay or in some cases, effectively deny, public access to this information. In our opinion, expenditures (p.5, line 5) should not be deleted. This part of the statute has value. Major financial transactions should continue to be reported.

A question arises regarding accountability (p.3, Section 9, sub-section f). We would hope that the 'accountability buck' still stops with the most logical person to be held responsible for any violations or defaults in campaign reporting...the candidate.

In the final analysis, we find so little ^{of} merit in this bill that we would support its ^{QUICK} peaceful demise.

Peggy Mullen, chair
Election Laws and Procedures
League of Women Voters of Alaska

Offered: 5/20/83
Referred: Finance

Original sponsors: Uehling, Barnes,
Bussell, et al

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 165 (SA)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to the Public Offices Commission."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 15.13.040(a) is amended to read:

9 (a) Each candidate shall make a full report, upon a form pre-
10 scribed by the commission, listing the date and amount of all expendi-
11 tures made by the candidate, the total amount of all contributions,
12 including all funds contributed by the candidate [HIMSELF], and for
13 all contributions in excess of \$250 [\$100] in the aggregate a year,
14 the name, address, principal occupation, and employer of the contri-
15 butor and the date and amount contributed by each contributor. The
16 report shall be filed in accordance with AS 15.13.110 and shall be
17 certified as correct under AS 15.13.060(a) [BY THE CANDIDATE OR CAM-
18 PAIGN TREASURER].

19 * Sec. 2. AS 15.13.040(b) is repealed and reenacted to read:

20 (b) Each group shall make a full report, upon a form prescribed
21 by the commission, listing the date and amount of all expenditures
22 made by the group, the total amount of all contributions, and for all
23 contributions in excess of \$250 in the aggregate a year, the name,
24 address, principal occupation, and employer of the contributor and the
25 date and amount contributed by each contributor. The report shall be
26 filed in accordance with AS 15.13.110 and shall be certified as cor-
27 rect under AS 15.13.060(a).

28 * Sec. 3. AS 15.13.040(d) is amended to read:

29 (d) Every individual or [,] person and every [OR] group that is

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

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

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

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

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

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

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

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

3 * Sec. 6. AS 15.13.050(b) is amended to read:

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

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

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

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

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

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

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

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

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

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

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4 (g) Contributions to a candidate may be received and expendi-
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6 chairman, the campaign treasurer, or a deputy campaign treasurer of
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9 treasurer, or a deputy campaign treasurer of the group.

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12 cash payment and it may not be accepted by or on behalf of a candi-
13 date.

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

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

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

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

29 (2) one week before the election;

1 (3) 10 [TEN] days after the election; and

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

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

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

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

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

20 * Sec. 17. AS 15.13.040(c) and AS 15.13.070(f) and (g) are repealed.

Offered: 4/7/83
Referred: Judiciary

Original sponsors: Uehling, Barnes,
Bussell, et al

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2 CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 165 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
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5 A BILL

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29 declaration of candidacy is within 30 days of the election;

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

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

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

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

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

21 * Sec. 17. AS 15.13.040(c) and AS 15.13.070(f) and (g) are repealed.

22 * Sec. 18. This Act takes effect immediately in accordance with AS 01.-
23 10.070(c).

COMMITTEE REPORT

SENATE

FURTHER: Finance

4/27/83

Date: 5/19/83

Mr. President:

The Committee on STATE AFFAIRS has had CS SSHB 165(SA) am

Relating to the Public Offices Commission.

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with^S CS for CS SSHB 165(SA) same title
 new title
- and recommends may do pass
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Tim Kelly

Andrew Stungulski

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Patrol Rodey no rec.

Wiscorn do pass

CHAIRMAN

~~2010 FISCAL NOTE~~