

COMMITTEE REPORT
SENATE

FURTHER:

2/14/85

Date _____

Mr. President

The Committee on FINANCE considered SB 87
campaign financing.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for _____
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTE
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS

Chairman

Chairman recommendation

COMMITTEE REPORT
SENATE

FURTHER:

FINANCE

1/23/85

Date February 13, 1985

Mr. President

The Committee on STATE AFFAIRS considered SB 87
campaign financing.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 87 (SA)
- new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" NEW FISCAL NOTES
12/18
1 P. 200 to
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

1 Ed De Vries
1 Tim Kelly

MEMBERS HAVING
OTHER RECOMMENDATIONS

2 Bill Ray No Rec
2 Vic Laska No Rec
By Sample
Alford

1 Mitch Alford
Chairman
Do Pass
Chairman recommendation

Offered: 2/14/85
Referred: Finance

Original sponsor: Ray

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 87 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to campaign financing; and providing
7 for an effective date."

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

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

10 (a) Each candidate shall keep an accurate record of contribu-
11 tions received and of expenditures made and shall make a sworn [FULL]
12 report, upon a form prescribed by the commission, listing the informa-
13 tion required by this chapter [DATE AND AMOUNT OF ALL EXPENDITURES
14 MADE BY THE CANDIDATE, THE TOTAL AMOUNT OF ALL CONTRIBUTIONS, INCLUD-
15 ING ALL FUNDS CONTRIBUTED BY THE CANDIDATE HIMSELF, AND FOR ALL CON-
16 TRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR, THE NAME, AD-
17 DRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBUTOR AND THE
18 DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR]. The report shall be
19 filed under [IN ACCORDANCE WITH] AS 15.13.110 and shall be certified
20 correct by the candidate or campaign treasurer.

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

22 (b) Each group shall keep an accurate record of contributions
23 received and of expenditures made and shall make a sworn [FULL] re-
24 port, upon a form prescribed by the commission, listing the informa-
25 tion required by this chapter. The report shall be filed under
26 AS 15.13.110 and shall be certified correct by the chairman or cam-
27 paign treasurer of the group

28 [(1) THE NAME AND ADDRESS OF EACH OFFICER AND DIRECTOR;

29 (2) THE AGGREGATE AMOUNT OF ALL CONTRIBUTIONS MADE TO IT;

1 AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR,
2 THE NAME, ADDRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBU-
3 TOR, AND THE DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR; AND

4 (3) THE DATE AND AMOUNT OF ALL CONTRIBUTIONS MADE BY IT AND
5 ALL EXPENDITURES MADE, INCURRED OR AUTHORIZED BY IT].

6 * Sec. 3. AS 15.13.040(c) is repealed and reenacted to read:

7 (c) Each report filed under (a) and (b) of this section and
8 under AS 15.13.110 shall list the name, the business or residence
9 address, and the telephone number of the campaign treasurer and shall
10 contain the following information:

11 (1) the total amount of all contributions received, includ-
12 ing the funds contributed by the candidate;

13 (2) the total amount of all expenditures made during the
14 reporting period;

15 (3) the total amount of all contributions of \$250 or less
16 received;

17 (4) the date, the amount, the full name and complete
18 address of the payee, and the purpose of each expenditure;

19 (5) the full name and complete address, the principal
20 occupation, and the employer of each person from whom contributions in
21 the aggregate amount of more than \$250 were received during the calen-
22 dar year, and the date and the amount of the contributions;

23 (6) the total amount of all contributions returned to
24 contributors;

25 (7) the full name and complete address of each contributor
26 whose contribution of more than \$250 was returned and the amount of
27 the contribution returned;

28 (8) the full name and complete address of each person who
29 assisted a candidate or group to obtain credit or a loan of money, if

1 the credit or the loan of money was involved, directly or indirectly,
2 in an election, and the date and the total amount of the credit or
3 loan;

4 (9) the full name and complete address of each person who
5 guaranteed or agreed to assume a financial obligation of benefit to a
6 candidate or group, if the guaranty or assumption of the financial
7 obligation was involved, directly or indirectly, in an election, and
8 the date and the amount of the guaranty or the assumption of the
9 financial obligation;

10 (10) the total amount of unexpended contributions received
11 and the outstanding indebtedness from expenditures of the candidate or
12 group.

13 * Sec. 4. AS 15.13.040(d) is amended to read:

14 (d) Every individual or [,] person and every [OR] group that is
15 not required to register under AS 15.13.050 [MAKING A CONTRIBUTION OR
16 EXPENDITURE] shall make a sworn [FULL] report, upon a form prescribed
17 by the commission, of [THE FOLLOWING CONTRIBUTIONS OR EXPENDITURES:];

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

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

25 * Sec. 5. AS 15.13.040(f) is repealed and reenacted to read:

26 (f) Except as provided in AS 15.13.110(b), a candidate or a
27 group is required to report an expenditure or a contribution on the
28 first report occurring after the expenditure is made or the contribu-
29 tion is received.

1 * Sec. 6. AS 15.13.040 is amended by adding new subsections to read:

2 (g) A report required to be filed under this chapter must con-
3 tain the following affidavit:

4 "I do solemnly swear that, to the best of my knowl-
5 edge, the foregoing report is in all respects true
6 and correct and fully shows all information required
7 to be reported by me under AS 15.13."

8 (h) A report filed under this chapter is a public record under
9 AS 09.25.110 - 09.25.120 and shall be preserved for four years after
10 the election for which it was filed.

11 (i) A report or statement required to be filed under this chap-
12 ter other than a report required under AS 15.13.110(b) is considered
13 filed when deposited in the United States mail and addressed to the
14 commission with the proper postage affixed. While a postmark is prima
15 facie evidence of the time of filing, an individual may offer evidence
16 as to the actual time of placing the report or statement in the United
17 States mail.

18 * Sec. 7. AS 15.13.045 is amended by adding a new subsection to read:

19 (e) A person who believes a violation of this chapter has oc-
20 curred may file a complaint with the commission. If the commission
21 determines there is substantial reason to believe that a violation has
22 occurred, it shall expeditiously make an investigation, which may also
23 include an investigation of reports and statements filed by the com-
24 plainant, of the matter complained of. When, in the judgment of the
25 commission, after affording due notice and an opportunity for a hear-
26 ing, a person has engaged or is about to engage in an act or practice
27 that constitutes or would constitute a violation of this chapter or a
28 regulation adopted or order issued under it, it shall promptly report
29 the information to the attorney general for appropriate action. The

1 commission shall report its determination and recommendation to the
2 person who filed the complaint with the commission within 60 days of
3 receiving the complaint unless circumstances require additional time
4 to make an adequate investigation.

5 * Sec. 8. AS 15.13.060(a) is amended to read:

6 Sec. 15.13.060. CAMPAIGN OFFICERS [TREASURERS]. (a) Each
7 candidate may and each group shall appoint a campaign chairman. Each
8 candidate and group shall appoint a campaign treasurer who is respon-
9 sible for receiving, holding, and disbursing all contributions and
10 expenditures, and for filing all reports and statements required by
11 law. Each candidate and each group may appoint deputy campaign trea-
12 surers at any time. A candidate may be a campaign treasurer.

13 * Sec. 9. AS 15.13.060(b) is amended to read:

14 (b) Each group shall file the name, [AND] address, and telephone
15 number of its campaign chairman, its campaign treasurer, and any
16 deputy campaign treasurers with the commission at the time it regis-
17 ters with the commission under AS 15.13.050. The group shall report
18 changes or additions with the commission as they occur. The address
19 of the campaign treasurer is the mailing address of the group unless
20 the group files a different mailing address with the commission.

21 * Sec. 10. AS 15.13.060(c) is repealed and reenacted to read:

22 (c) An individual may not act as the campaign chairman, campaign
23 treasurer, or deputy campaign treasurer for a candidate until the
24 name, address, and telephone number of the individual has been filed
25 with the commission. The address of the campaign treasurer, if a
26 campaign treasurer is appointed, is the address of the candidate
27 unless the candidate files a different mailing address with the com-
28 mission.

29 * Sec. 11. AS 15.13.060(d) is amended to read:

1 (d) In the case of the death, resignation or removal of a cam-
2 paign officer required to be appointed under this section [TREASURER],
3 the candidate or group shall appoint a successor as soon as practic-
4 able and file the [HIS] name, [AND] address, and telephone number of
5 the successor with the commission within 48 hours of the appointment.
6 [THE CANDIDATE IS DISQUALIFIED WHEN HE HAS BEEN FOUND TO HAVE BEEN IN
7 WILFUL VIOLATION OF THIS SUBSECTION.]

8 * Sec. 12. AS 15.13.060(e) is repealed and reenacted to read:

9 (e) A candidate may receive contributions and make expenditures
10 either personally or by a campaign chairman, a campaign treasurer, or
11 a deputy campaign treasurer. A group may receive contributions and
12 make expenditures only by the campaign chairman, campaign treasurer,
13 or deputy campaign treasurer of the group.

14 * Sec. 13. AS 15.13.060(f) is amended to read:

15 (f) The candidate is responsible for the performance of the
16 campaign officers [HIS CAMPAIGN TREASURER,] and any default or vio-
17 lation by an officer [THE TREASURER] also shall be considered a de-
18 fault or violation by the candidate if the candidate [HE] knew or had
19 reason to know of the default or violation.

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

21 (a) No person or group, including but not limited to all politi-
22 cal committees, businesses, corporations, and labor unions, may con-
23 tribute to or expend more than \$1,000 a year on behalf of or in oppo-
24 sition to the competing candidates for each elective office. Politi-
25 cal parties and their subdivisions are not subject to the limitation
26 prescribed in this subsection, but they are subject to the reporting
27 requirements prescribed by AS 15.13.040(b) and 15.13.110. This chap-
28 ter does not prohibit [NOTHING IN THIS CHAPTER PROHIBITS]

29 (1) a candidate from contributing more than \$1,000 of

1 personal funds to the candidate's own candidacy [HIS OWN MONEY TO HIS
2 OWN CAMPAIGN]; or

3 (2) individuals or groups, including but not limited to all
4 political committees, businesses, corporations, and labor unions, from
5 contributing to or expending on behalf of or in opposition to a ballot
6 proposition or question more than \$1,000 a year; however, these con-
7 tributions and expenditures shall be reported under [IN ACCORDANCE
8 WITH] AS 15.13.040 and 15.13.110.

9 * Sec. 15. AS 15.13.090 is amended by adding a new subsection to read:

10 (b) A person making an independent expenditure shall, within the
11 printed material or during a broadcast,

12 (1) state that the communication is not authorized by a
13 candidate or the authorized committee of a candidate;

14 (2) identify the name of the person or group that made the
15 independent expenditure.

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

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

23 (1) 30 days before the election; however, this report is
24 not required if the deadline for filing a nominating petition or
25 declaration of candidacy is within 30 days of the election;

26 (2) one week before the election;

27 (3) 10 [TEN] days after the election; and

28 (4) 31 days after the end [DECEMBER 31] of each year for
29 expenditures and contributions received which were not reported that

1 year.

2 * Sec. 17. AS 15.13.110(b) is amended to read:

3 (b) Each contribution received that [OR EXPENDITURE WHICH]
4 exceeds \$250 and that [WHICH] is received [MADE] within 10 days [ONE
5 WEEK] of the election shall be reported to the commission by date,
6 amount, and contributor [OR RECIPIENT] within 24 hours of receipt [OR
7 EXPENDITURE] by the candidate or campaign officer [TREASURER]. Each
8 person making an independent expenditure in the amount of \$1,000 or
9 more that is made within 30 days of an election shall report to the
10 commission the date, amount, and purpose of the expenditure within 72
11 hours of the expenditure and shall identify the name of the person or
12 group that made the expenditure.

13 * Sec. 18. AS 15.13.110(c) is amended to read:

14 (c) Each candidate and group shall file the reports required by
15 this chapter [THE REPORTS OF CANDIDATES SHALL BE FILED] with the
16 commission's central office and each report is [. ALL REPORTS RE-
17 QUIRED BY THIS CHAPTER SHALL BE KEPT] open to public inspection.
18 After [WITHIN 30 DAYS AFTER] each election, the commission shall, upon
19 request, prepare a summary of each report which shall be made avail-
20 able to the public at cost [UPON REQUEST]. Each summary shall use
21 uniform categories of reporting.

22 * Sec. 19. AS 15.13.130 is amended by adding a new paragraph to read:

23 (8) "independent expenditure" means the disbursement of
24 funds made to support or oppose the election of a candidate or the
25 passage or defeat of a ballot proposition or question that is not made
26 with the cooperation, consent, or at the request of a candidate, the
27 campaign committee or controlled group of a candidate, or a group that
28 is supporting or opposing the candidate or ballot proposition or
29 question for which the funds are disbursed.

1 * Sec. 20. AS 15.13.070(e) - (g), and 15.13.120(d) are repealed.

2 * Sec. 21. This Act takes effect immediately in accordance with AS 01.-
3 10.070(c).
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Introduced: 1/23/85
Referred: State Affairs and
Finance

1 IN THE SENATE

BY RAY

2 SENATE BILL NO. 87

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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 keep an accurate record of contribu-
10 tions received and of expenditures made and shall make a sworn [FULL]
11 report, upon a form prescribed by the commission, listing the informa-
12 tion required by this chapter [DATE AND AMOUNT OF ALL EXPENDITURES
13 MADE BY THE CANDIDATE, THE TOTAL AMOUNT OF ALL CONTRIBUTIONS, INCLUD-
14 ING ALL FUNDS CONTRIBUTED BY THE CANDIDATE HIMSELF, AND FOR ALL CON-
15 TRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR, THE NAME, AD-
16 DRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBUTOR AND THE
17 DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR]. The report shall be
18 filed under [IN ACCORDANCE WITH] AS 15.13.110 and shall be certified
19 correct by the candidate or campaign treasurer.

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

21 (b) Each group shall keep an accurate record of contributions
22 received and of expenditures made and shall make a sworn [FULL] re-
23 port, upon a form prescribed by the commission, listing the informa-
24 tion required by this chapter. The report shall be filed under
25 AS 15.13.110 and shall be certified as correct by the campaign trea-
26 surer of the group

27 [(1) THE NAME AND ADDRESS OF EACH OFFICER AND DIRECTOR;

8 (2) THE AGGREGATE AMOUNT OF ALL CONTRIBUTIONS MADE TO IT;

AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR,

1 THE NAME, ADDRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBU-
2 TOR, AND THE DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR; AND

3 (3) THE DATE AND AMOUNT OF ALL CONTRIBUTIONS MADE BY IT AND
4 ALL EXPENDITURES MADE, INCURRED OR AUTHORIZED BY IT].

5 * Sec. 3. AS 15.13.040(c) is repealed and reenacted to read:

6 (c) Each report filed under (a) and (b) of this section and
7 under AS 15.13.110 shall list the name, the business or residence
8 address, and the telephone number of the campaign treasurer and shall
9 contain the following information:

10 (1) the total amount of all contributions received and all
11 expenditures made during the reporting period;

12 (2) the total amount of all contributions of \$500 or less
13 received and the total of all expenditures of \$250 or less made;

14 (3) the full name, the complete address, and the principal
15 occupation of each person from whom contributions in the aggregate
16 amount of more than \$500 were received during the calendar year, and
17 the date and the amount of the contributions;

18 (4) the full name and complete address of each person to
19 whom expenditures aggregating more than \$250 were made during the
20 calendar year, and the date, the amount, and the purpose of the expen-
21 ditures;

22 (5) the full name and complete address of each person who
23 assisted a candidate or group to obtain credit or a loan of money, if
24 the credit or the loan of money was involved, directly or indirectly,
25 in an election, and the date and the total amount of the credit or
26 loan;

27 (6) the full name and complete address of each person who
28 guaranteed or agreed to assume a financial obligation of benefit to a
29 candidate or group, if the guaranty or assumption of the financial

1 obligation was involved, directly or indirectly, in an election, and
2 the date and the amount of the guaranty or the assumption of the
3 financial obligation;

4 (7) the total amount of unexpended contributions received
5 or the outstanding indebtedness from expenditures made since the end
6 of the period of a previous statement required to be filed under
7 AS 15.13.110;

8 (8) the name and address of each group and of its campaign
9 treasurer that intends to receive contributions or make expenditures
10 on behalf of the candidate.

11 * Sec. 4. AS 15.13.040(d) is repealed and reenacted to read:

12 (d) Each report filed by a group shall include the amount of
13 each expenditure made by the group that is a contribution to a candi-
14 date or to another group if the contribution was returned during the
15 reporting period, the name of the candidate or group that received the
16 contribution, and the date it was returned.

17 * Sec. 5. AS 15.13.040(e) is repealed and reenacted to read:

18 (e) A candidate or a group is required to report a contribution
19 that has been accepted. A contribution of \$500 or less is accepted
20 unless returned by the candidate or group within 10 days after the
21 contribution was received; a contribution to a candidate with a value
22 of more than \$500 is accepted unless it is returned within seven days
23 of the date the contribution was made and a contribution that exceeds
24 \$500 that is made within one week of the election is accepted unless it
25 is returned within 24 hours of its receipt.

26 * Sec. 6. AS 15.13.040(f) is repealed and reenacted to read:

27 (f) Except as provided in AS 15.13.110(b), a candidate or a
28 group is required to report an expenditure on the first report
29 occurring after the expenditure is made.

1 * Sec. 7. AS 15.13.040 is amended by adding new subsections to read:

2 (g) A report required to be filed under this chapter shall
3 contain the following affidavit:

4 "I do solemnly swear the foregoing report is in
5 all respects true and correct and fully shows all
6 information required to be reported by me under
7 AS 15.13."

8 (h) A report filed under this chapter is a public record under
9 AS 09.25.110 - 09.25.120 and shall be preserved for two years after
10 the election for which it was filed.

11 (i) A report or statement required to be filed under this chap-
12 ter is considered filed when deposited in the United States mail and
13 addressed to the commission with the proper postage affixed. While a
14 postmark is prima facie evidence of the time of filing, an individual
15 may offer evidence as to the actual time of placing the report or
16 statement in the United States mail.

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

18 (e) A person who believes a violation of this chapter has oc-
19 curred may file a complaint with the commission. If the commission
20 determines there is substantial reason to believe that a violation has
21 occurred, it shall expeditiously make an investigation, which may also
22 include an investigation of reports and statements filed by the com-
23 plainant, of the matter complained of. When, in the judgment of the
24 commission, after affording due notice and an opportunity for a hear-
25 ing, a person has engaged or is about to engage in an act or practice
26 that constitutes or would constitute a violation of this chapter or a
27 regulation adopted or order issued under it, it shall promptly report
28 the information to the attorney general for appropriate action. The
29 commission shall report its determination and recommendation to the

1 person who filed the complaint with the commission within 60 days of
2 receiving the complaint unless circumstances require additional time
3 to make an adequate investigation.

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

5 Sec. 15.13.050. GROUPS. (a) Each group shall file a statement
6 of organization with the commission before it accepts its first cam-
7 paign contribution and before it makes its first campaign expenditure.

8 (b) A group may not use and may not file with the commission a
9 name that is the same as or that is deceptively similar to the name of
10 a group whose statement of organization is filed with the commission.

11 (c) A statement of organization filed for a group under this
12 section shall list the name, the business or residence address, and
13 the telephone number of the campaign treasurer of the group and shall
14 contain:

15 (1) the name and address of each related or affiliated
16 group or person and the nature of the relationship or affiliation;

17 (2) the name of the corporation, labor organization, or
18 other person that directly controls the group;

19 (3) the name of each person authorized to determine the
20 recipients of contributions from the group or the purposes of expendi-
21 tures by the group;

22 (4) the intended distribution of unobligated funds under
23 AS 15.13.126 on dissolution.

24 (d) Each group that intends to receive contributions or make
25 expenditures on behalf of a candidate shall advise the commission and
26 the candidate of its intentions and provide the candidate with the
27 name and address of the group and of its campaign treasurer and the
28 candidate shall report the intention of the group and the name of its
29 campaign treasurer within the reports of the candidate required under

1 AS 15.13.040. A group receives a contribution for a candidate or
2 makes an expenditure for a candidate when it knowingly receives a
3 contribution intended to be used to benefit the candidate or when it
4 knowingly makes an expenditure intended to benefit the candidate.

5 (e) A group that does not have an accurate statement of organi-
6 zation filed under this section that wishes to make a contribution to
7 a candidate or group subject to this chapter shall provide the candi-
8 date or the group with the information required under (c) of this
9 section for a group in this state unless the group has on file with
10 the commission a copy of the most recent statement of organization
11 that the group has filed with the Federal Election Commission.

12 (f) A person who receives property or funds intended for politi-
13 cal purposes and transfers the property or funds to another person
14 while acting solely as a conduit for the property or funds is not
15 required to report under this chapter if the person exercises no
16 discretion either as to the amount of property or funds to be trans-
17 ferred or the person to whom the transfer is to be made and, for
18 reporting purposes, the transferor to the conduit is the contributor
19 and the transferee from the conduit is the recipient.

20 (g) A group may not make a contribution or expenditure in sup-
21 port of or in opposition to a candidate at an election unless the
22 statement of organization filed by the group under (c) of this section
23 was filed 30 or more days before the election.

24 (h) A group that makes expenditures or receives contributions
25 with the authorization or consent, express or implied, or under the
26 control, direct or indirect, of a candidate is considered to be con-
27 trolled by the candidate. A group whose major purpose is to further
28 the nomination, election, or candidacy of only one candidate, or
29 intends to expend more than 50 percent of its money on only one

1 candidate, is considered to be controlled by the candidate and its
2 actions done with the knowledge and consent of the candidate unless
3 the candidate, within 10 days from the date that the candidate learns
4 of the existence of the group, files with the commission, on a form
5 provided by the commission, an affidavit that the group is operating
6 without the control of the candidate. A group that is organized for
7 more than one year preceding an election and that endorses candidates
8 for more than one office or more than one political party is presumed
9 not to be controlled by a candidate unless the group contributes more
10 than 50 percent of its money to or on behalf of one candidate, whether
11 or not control of the group has been disclaimed by the candidate.

12 * Sec. 10. AS 15.13 is amended by adding a new section to read:

13 Sec. 15.13.055. CANDIDATES. (a) Each candidate shall file a
14 statement of candidacy with the commission before accepting a campaign
15 contribution and before making a campaign expenditure, including a
16 filing fee. A statement of candidacy may be filed with the commission
17 under this section before an individual files a declaration of candi-
18 dacy under AS 15.25.030 or a nominating petition under AS 15.25.180.
19 The filing of a declaration of candidacy or a nominating petition
20 constitutes a statement of candidacy for a candidate who does not file
21 a statement of candidacy under this section.

22 (b) A statement of candidacy filed by a candidate under this
23 section shall list the name, the business or residence address, and
24 the telephone number of the candidate and of the campaign treasurer of
25 the candidate and shall contain the intended distribution of unobli-
26 gated funds under AS 15.13.126 on the dissolution of the candidacy.

27 (c) A statement of candidacy filed by a candidate under this
28 section may list the candidate as the campaign treasurer and if the
29 statement of candidacy fails to list a campaign treasurer, the

1 candidate is the campaign treasurer.

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

3 (a) Each candidate and each group shall appoint a campaign
4 treasurer and may appoint deputy campaign treasurers. Only a candi-
5 date, campaign treasurer, or deputy campaign treasurer may receive or
6 hold a campaign contribution or make an expenditure. The candidate or
7 campaign treasurer [WHO] is responsible for [RECEIVING, HOLDING, AND
8 DISBURSING ALL CONTRIBUTIONS AND EXPENDITURES, AND FOR] filing all
9 reports and statements required by law. [A CANDIDATE MAY BE A CAM-
10 PAIGN TREASURER.]

11 * Sec. 12. AS 15.13.060(b) is repealed and reenacted to read:

12 (b) A candidate and a group may remove a campaign treasurer by
13 filing the appointment of a new campaign treasurer with the commis-
14 sion. A candidate may advise the commission in writing that a new
15 campaign treasurer will not be appointed and that the candidate will
16 be the campaign treasurer. A candidate or a group may remove a deputy
17 campaign treasurer by filing a notice of the removal with the commis-
18 sion.

19 * Sec. 13. AS 15.13.070(a) is amended to read:

20 (a) A [NO] person or group, including but not limited to all
21 political committees of a candidate, related or affiliated [,] busi-
22 nesses, corporations, and labor unions, may not contribute to or
23 expend more than \$2,500 [\$1,000] a year on behalf of or in opposition
24 to the competing candidates for each elective office. Political
25 parties and their subdivisions are not subject to the limitation
26 prescribed in this subsection, but they are subject to the reporting
27 requirements prescribed by AS 15.13.040(b) and 15.13.110. This chap-
28 ter does not prohibit [NOTHING IN THIS CHAPTER PROHIBITS]

29 (1) a candidate from contributing more than \$2,500 of

1 personal funds to the candidate's own candidacy [\$1,000 OF HIS OWN
2 MONEY TO HIS OWN CAMPAIGN]; or

3 (2) individuals or groups, including but not limited to all
4 political committees, businesses, corporations, and labor unions, from
5 contributing to or expending on behalf of a ballot proposition or
6 question more than \$2,500 [\$1,000] a year; however, these contribu-
7 tions and expenditures shall be reported under [IN ACCORDANCE WITH]
8 AS 15.13.040 and 15.13.110.

9 * Sec. 14. AS 15.13.070(b) is amended to read:

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

13 * Sec. 15. AS 15.13.070(c) is amended to read:

14 (c) An expenditure [NO EXPENDITURES] over \$100 may not be made
15 in cash or by cash payment unless a written receipt is obtained and
16 filed with the commission.

17 * Sec. 16. AS 15.13.070(d) is amended to read:

18 (d) A [NO] contribution may not be made, and an [NO] expenditure
19 may not be made or incurred, directly or indirectly, anonymously, in a
20 fictitious name, or by one person or group in the name of another, to
21 influence the election of a candidate in an election. A contribution
22 made by a person wishing to remain anonymous, and received by a candi-
23 date, campaign treasurer or deputy campaign treasurer, may not be used
24 or expended, but shall be returned to the donor, if the [HIS] identity
25 of the donor is known, and if the identity of the donor is not known
26 [NO DONOR IS FOUND], the contribution escheats to the state if not
27 donated by the candidate to [THE] charity [OF HIS CHOICE].

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

29 (e) Except for an independent expenditure, a contribution,

1 including the contribution from the candidate [CONTRIBUTIONS] to a
2 candidate or group [A POLITICAL COMMITTEE] may be received by, and an
3 expenditure [EXPENDITURES] of a candidate or group [POLITICAL COM-
4 MITTEE] may only be made by [, ONLY] the candidate, campaign treasur-
5 er, or deputy campaign treasurer.

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

7 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. A person or group
8 contributing to a candidate over \$500 [\$250] or contributing goods or
9 services to a candidate with a value of more than \$500 [\$250] to
10 influence the election of a candidate shall furnish the commission a
11 signed statement, on a form made available by the commission. The
12 statement shall itemize the contributions and goods and state that the
13 contributor is not a person or group prohibited by law from contri-
14 buting and that the contribution consists of funds or property belong-
15 ing to the contributor and has not been given or furnished by another
16 person or group. The contributor's statement shall be filed with the
17 commission by the contributor no later than 10 days after the contri-
18 bution is made. A copy of the statement shall be furnished the candi-
19 date, campaign treasurer, or deputy campaign treasurer at the time the
20 contribution is made.

21 * Sec. 19. AS 15.13.110(b) is amended to read:

22 (b) Each contribution or expenditure which exceeds \$500 [\$250]
23 and which is made within one week of the election shall be reported to
24 the commission by date, amount, and contributor or recipient within 24
25 hours of receipt or expenditure by the candidate or campaign treasur-
26 er.

27 * Sec. 20. AS 15.13.120(a) is amended to read:

28 (a) A person who violates a provision of this chapter is guilty
29 of a misdemeanor and, upon conviction, is punishable by imprisonment

1 for not more than one year or by a fine of not more than \$5,000. A
2 violation includes but is not limited to any of the following acts or
3 omissions:

4 (1) failing to make a statement or report required to be
5 made under this chapter, or failing to make a statement or report at
6 the time the statement or report is required to be made under this
7 chapter;

8 (2) making a campaign contribution or expenditure which
9 exceeds the limitations of AS 15.13.070(f);

10 (3) making a false statement or report under this chapter
11 or failing to report in whole or in part a contribution or expenditure
12 required to be reported under this chapter;

13 (4) giving or furnishing money to another person or group
14 for the purpose of making a contribution or expenditure anonymously,
15 in a fictitious name, or in the name of another, or contributing in
16 violation of AS 15.13.070(d);

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

19 (6) knowingly accepting a contribution in violation of
20 AS 15.13.070;

21 (7) knowingly expending funds from a contribution made
22 unlawful by this chapter.

23 * Sec. 21. AS 15.13.120 is amended by adding a new subsection to read:

24 (i) A candidate or campaign treasurer filing a report required
25 under AS 15.13.110 who fails to report a contribution or expenditure
26 or who reports a portion but not the entire amount of the contribution
27 or expenditure is liable to the state for a civil penalty in an amount
28 equal to three times the amount or the value of the contribution or
29 expenditure that was omitted from the report. The commission may

1 determine and collect the civil penalty. The candidate or campaign
2 treasurer may appeal to the superior court the determination of the
3 commission that there was a failure to report under this chapter.

4 * Sec. 22. AS 15.13 is amended by adding new sections to read:

5 Sec. 15.13.127. USE OF PUBLIC OFFICE OR AGENCY FACILITIES IN
6 CAMPAIGN. (a) An elected public official of the state or of a munic-
7 ipality of the state, an employee of an elected public official, and
8 an individual appointed to or employed by an agency of the state or by
9 a municipality may not use or permit the use of a facility of an
10 agency of the state or of a municipality of the state, directly or
11 indirectly, for the purpose of assisting or opposing the campaign of a
12 candidate for office or for the support or opposition to a ballot
13 proposition or question. As used in this subsection, a "facility of
14 an agency of the state or of a municipality of the state" includes the
15 use of

16 (1) stationery, postage, and office equipment;

17 (2) use of employees of the agency or municipality during
18 working hours;

19 (3) vehicles, office space, publications of the agency or
20 municipality; and

21 (4) lists of individuals or persons served by the agency or
22 municipality.

23 (b) Nothing in (a) of this section prohibits

24 (1) action taken at a public meeting by members of the
25 legislature, of a committee of the legislature, of a state or munic-
26 ipal board or commission expressing a collective decision or voting on
27 a motion, proposal, bill, resolution, ordinance, or order, if a re-
28 quired notice of the meeting includes the title and number of the
29 ballot proposition or question and if other members in attendance at

1 the meeting were given an approximately equal opportunity to express
2 themselves;

3 (2) action by an elected public official of the state or of
4 a municipality in support of or in opposition to a ballot proposition
5 or question at an open press conference or in response to a specific
6 inquiry;

7 (3) other activities that are a normal and regular part of
8 the conduct of the public official, agency, or municipality.

9 Sec. 15.13.128. PROHIBITIONS ON CONTRIBUTIONS TO MEMBERS OF THE
10 LEGISLATURE. (a) A member and a member-elect of the legislature may
11 not accept a contribution during the period that begins on the 30th
12 day before the convening of the first regular session of a legislature
13 and that ends on the adjournment sine die of that legislature.

14 (b) A group that is controlled by a member or a member-elect of
15 the legislature may not accept a contribution during the time when the
16 member or member-elect may not accept a contribution.

17 (c) A person may not offer a contribution to a member or a
18 member-elect of the legislature or to a group controlled by a member
19 or a member-elect of the legislature during the period that begins on
20 the 30th day before the convening of the first regular session of a
21 legislature and ends on the adjournment sine die of the legislature.

22 (d) This section does not affect the responsibility of a candi-
23 date to file reports under this chapter.

24 * Sec. 23. AS 15.13.130(3) is amended to read:

25 (3) "group" means each political committee, each [EVERY]
26 state and regional executive committee of a political party and, in
27 addition, means any combination of two or more persons or individuals
28 acting jointly who take action the major purpose of which is to influ-
29 ence the outcome of an election; [A GROUP THAT MAKES EXPENDITURES OR

1 RECEIVES CONTRIBUTIONS WITH THE AUTHORIZATION OR CONSENT, EXPRESS OR
2 IMPLIED, OR UNDER THE CONTROL, DIRECT OR INDIRECT, OF A CANDIDATE
3 SHALL BE CONSIDERED TO BE CONTROLLED BY THAT CANDIDATE; A GROUP WHOSE
4 MAJOR PURPOSE IS TO FURTHER THE NOMINATION, ELECTION, OR CANDIDACY OF
5 ONLY ONE PERSON, OR INTENDS TO EXPEND MORE THAN 50 PERCENT OF ITS
6 MONEY ON A SINGLE CANDIDATE, SHALL BE CONSIDERED TO BE CONTROLLED BY
7 THAT CANDIDATE AND ITS ACTIONS DONE WITH HIS KNOWLEDGE AND CONSENT
8 UNLESS, WITHIN 10 DAYS FROM THE DATE THE CANDIDATE LEARNS OF THE
9 EXISTENCE OF THE GROUP HE FILES WITH THE COMMISSION, ON A FORM PROVID-
10 ED BY THE COMMISSION, AN AFFIDAVIT THAT THE GROUP IS OPERATING WITHOUT
11 HIS CONTROL; A GROUP ORGANIZED FOR MORE THAN ONE YEAR PRECEDING AN
12 ELECTION AND ENDORSING CANDIDATES FOR MORE THAN ONE OFFICE OR MORE
13 THAN ONE POLITICAL PARTY IS PRESUMED NOT TO BE CONTROLLED BY A CANDI-
14 DATE; HOWEVER, A GROUP THAT CONTRIBUTES MORE THAN 50 PERCENT OF ITS
15 MONEY TO OR ON BEHALF OF ONE CANDIDATE SHALL BE CONSIDERED TO SUPPORT
16 ONLY ONE CANDIDATE FOR PURPOSES OF AS 15.13.070, WHETHER OR NOT CON-
17 TROL OF THE GROUP HAS BEEN DISCLAIMED BY THE CANDIDATE;]

18 * Sec. 24. AS 15.13.130(4) is amended to read:

19 (4) "expenditure" means a purchase or a transfer of money
20 or anything of value, or promise or agreement to purchase or transfer
21 money or anything of value, incurred or made for the purpose of (A)
22 influencing the nomination or election of a candidate or of any indi-
23 vidual who files for nomination at a later date and becomes a
24 candidate; or (B) use by a political party; or (C) the payment by a
25 person other than a candidate or political party of compensation for
26 the personal services of another person which are rendered to a
27 candidate or political party; (D) influencing the outcome of a ballot
28 proposition or question; however, "expenditure" does not include [A
29 CANDIDATE'S FILING FEE OR] the cost of preparing reports and

1 statements required by this chapter;

2 * Sec. 25. AS 15.13.130 is amended by adding a new paragraph to read:

3 (8) "related or affiliated groups"

4 (A) means an organization that is not a group but that
5 directly or indirectly establishes, administers, or financially
6 supports a political committee;

7 (B) includes a corporation, a labor organization, a
8 membership organization, a cooperative, or a trade association.

9 * Sec. 26. AS 43.20.013(a) is amended to read:

10 (a) A resident individual is entitled to a tax credit not to
11 exceed \$100 for

12 ~~[(1)] a contribution made in a calendar year [TO A PERSON~~
13 ~~OR ORGANIZATION] for use exclusively~~

14 (1) ~~[(A)]~~ for a political campaign for a candidate for

15 (A) ~~[(i)]~~ President or Vice-President of the United
16 States, whether or not the candidate will be voted on in a
17 primary election in Alaska;

18 (B) ~~[(ii)]~~ United States senator from Alaska;

19 (C) ~~[(iii)]~~ United States representative from Alaska;

20 (D) ~~[(iv)]~~ governor or lieutenant governor of Alaska;

21 (E) ~~[(v)]~~ the Alaska legislature;

22 (F) ~~[(vi)]~~ delegate to an Alaska constitutional
23 convention;

24 (G) ~~[(vii)]~~ electoral confirmation as a judge or
25 justice of a court in Alaska; or

26 (H) ~~[(viii)]~~ municipal office in Alaska; or

27 (2) ~~[(B)]~~ by a group seeking to influence the outcome of a
28 ballot proposition or question in Alaska [; AND]

29 [(2) DUES PAID IN A CALENDAR YEAR TO A NONPROFIT ORGANIZA-

1 TION ORGANIZED PRIMARILY FOR THE PURPOSE OF INFLUENCING ELECTIONS IN
2 ALASKA].

3 * Sec. 27. AS 15.13.060(c) - (f), 15.13.070(f) - (h), and 15.13.120(d)
4 are repealed.
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STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST

Bill/Resolution No.: SB 87
 Title: An Act relating to
campaign financing
 Sponsor: Ray
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: _____
Independent Operations
 BRU, Program or Subprogram(s) Affected: _____
Alaska Public Offices Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		45.5	45.5	45.5	45.5	45.5
200 TRAVEL		1.0	1.1	1.2	1.3	1.4
300 CONTRACTUAL		23.1	23.1	10.0	10.6	11.2
400 SUPPLIES		.5	.5	.6	.6	.7
500 EQUIPMENT		4.5	--	--	--	--
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	74.6	70.2	57.3	58.0	58.8
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	74.6	70.2	57.3	58.0	58.8
FEDERAL FUNDS						
OTHER						
TOTAL	0	74.6	70.2	57.3	58.0	58.8

POSITIONS:

	0	1.2	1.2	1.2	1.2	1.2
FULL-TIME		1	1	1	1	1
PART-TIME		1	1	1	1	1
TEMPORARY						

ANALYSIS:

This fiscal note reflects the costs for revision of instructional materials including the statute, four campaign disclosure manuals, state and municipal reporting forms, and dissemination of information on the changes in the Law. Costs of necessary revisions to the regulations, mandated because of the changes in the statute are also included.

Prepared By: *Shela Pittman* Phone: 276-4176
 Division: Alaska Public Offices Commission Date: 1/30/85
 Approved by Commissioner: Lisa Rudd Date: 1/31/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

7/1/84
 ALASKA PUBLIC OFFICES COMMISSION

Senate Bill 87
Fiscal Note Analysis
Prepared by Alaska Public Offices Commission
Department of Administration
January 30, 1985

<u>Categories</u>	<u>FY 86</u>
(100) Personnel	
Regulations Specialist II, Range 16 A, 12 months	40.8
Clerk IV, Range 9A, two months	4.7
(200) Travel	
One annual campaign seminar in Juneau and Fairbanks	1.0
(300) Contractual Services	
Materials Preparation and distribution	14.3
Office Space	3.6
Postage	1.0
Advertising	1.7
Professional Services	2.5
(400) Commodities	.5
(500) Equipment	
Office Equipment	1.5
Computer Terminal	3.0
	<hr/>
Total	\$74.6

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: SB 87
Title: Relating to campaign financing

Sponsor: Ray
Requestor: Senate State Affairs
Date of Request: 1/25/85

FISCAL DETAIL

Agency Affected: Revenue
Program Category Affected: General Government
BRU, Program of Subprogram(s) Affected: Administrative Services
Administrative Services - DWP

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
TOTAL OPERATING	-0-	-0-	-	-	-	-
CAPITAL	-	-	-	-	-	-
REVENUE	-0-	-0-	-	-	-	-

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	-0-	-0-	-	-	-	-

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary.

No affect on the Administrative Services Division, Department of Revenue.

Prepared By: Ervin B. Jones
Division: Administrative Services

Phone: 465-2313
Date: 1/30/85

Approved by Commissioner: [Signature]
Agency: Revenue

Date: 1/31/85

Distribution (by Agency preparing fiscal note):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

REVENUE

ALASKA STATE LEGISLATURE

14th Legislature FIRST Session

SENATE BILL NO. 87

By RAY

"An Act relating to campaign financing."

Introduced in the Senate 1/23, 19.85

HISTORY IN THE SENATE

19 85 Read first time and referred to Committee on

1 23 State Affairs and Finance
 2 14 Reported back with *S.A.* recommendation that *replace WFS, new title, F. & rate, 3 do pass, 2 no rec to fin*

Read second time and

Read third time and

PASS Effective Date
 Yeas Yeas
 Nays Nays
 Absent Absent
 Excused Excused

Reconsideration

PASS Effective Date
 Yeas Yeas
 Nays Nays
 Absent Absent
 Excused Excused

Reported correctly engrossed
 Signed by President
 Sent to House

SECRETARY OF THE SENATE

HISTORY IN THE HOUSE

19 Read first time and referred to Committee on

Reported back with recommendation that

Read second time and

Read third time and

PASS Effective Date
 Yeas Yeas
 Nays Nays
 Absent Absent
 Excused Excused

Reconsideration

PASS Effective Date
 Yeas Yeas
 Nays Nays
 Absent Absent
 Excused Excused

Reported correctly engrossed
 Signed by Speaker
 Returned to Senate

CHIEF CLERK OF THE HOUSE

HISTORY IN THE SENATE

19 Received from House

To enrolling

Reported correctly enrolled

Sent to Governor

..... by Governor

Filed with Lt. Governor

Chapter No.

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: CSSB 87 (SA)

Title: Relating to campaign financing

Sponsor: Ray

Requestor: Senate Finance

Date of Request: 2/15/85

FISCAL DETAIL

Agency Affected: Revenue

Program Category Affected: General
Government

BRU, Program of Subprogram(s) Affected:

Administrative Services

Administrative Services - DWP

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<u>OPERATING</u>						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
<u>TOTAL OPERATING</u>	<u>-0-</u>	<u>-0-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>CAPITAL</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>REVENUE</u>	<u>-0-</u>	<u>-0-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
<u>TOTAL</u>	<u>-0-</u>	<u>-0-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary.

No affect on the Administrative Services Division, Department of Revenue.

Prepared By: Ervin B. Jones
Division: Administrative Services

Phone: 465-2313
Date: 2/19/85

Approved by Commissioner: Stacy G. Sandale
Agency: Revenue

Date: 2/20/85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

11/3

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date _____

REQUEST

Bill/Resolution No: SB 87
Title: Relating to campaign financing

Sponsor: Ray
Requestor: Senate State Affairs
Date of Request: 1/25/85

FISCAL DETAIL

Agency Affected: Revenue
Program Category Affected: General Government
BRU, Program of Subprogram(s) Affected: Administrative Services
Administrative Services - DWP

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
<u>OPERATING</u>						
100 PERSONAL SERVICES	-	-	-	-	-	-
200 TRAVEL	-	-	-	-	-	-
300 CONTRACTUAL	-	-	-	-	-	-
400 SUPPLIES	-	-	-	-	-	-
500 EQUIPMENT	-	-	-	-	-	-
600 LANDS & STRUCTURES	-	-	-	-	-	-
700 GRANTS, CLAIMS	-	-	-	-	-	-
800 MISCELLANEOUS	-	-	-	-	-	-
<u>TOTAL OPERATING</u>	<u>-0-</u>	<u>-0-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>CAPITAL</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>REVENUE</u>	<u>-0-</u>	<u>-0-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

FUNDING: (Thousands of Dollars)

GENERAL FUND	-	-	-	-	-	-
FEDERAL FUNDS	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
<u>TOTAL</u>	<u>-0-</u>	<u>-0-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

POSITIONS:

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

ANALYSIS: Attach a separate page if necessary.

No affect on the Administrative Services Division, Department of Revenue.

Prepared By: Ervin B. Jones
Division: Administrative Services

Phone: 465-2313
Date: 1/30/85

Approved by Commissioner: [Signature]
Agency: Revenue

Date: 1/31/85

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

18

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____ Page 1 of 3

REQUEST

Bill/Resolution No.: SB 87
 Title: An Act relating to
campaign financing
 Sponsor: Rav
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Administration
 Program Category Affected: _____
Independent Operations
 BRU, Program or Subprogram(s) Affected: _____
Alaska Public Offices Commission

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		45.5	45.5	45.5	45.5	45.5
200 TRAVEL		1.0	1.1	1.2	1.3	1.4
300 CONTRACTUAL		23.1	23.1	10.0	10.6	11.2
400 SUPPLIES		.5	.5	.6	.6	.7
500 EQUIPMENT		4.5	--	--	--	--
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	0	74.6	70.2	57.3	58.0	58.8

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	74.6	70.2	57.3	58.0	58.8
FEDERAL FUNDS						
OTHER						
TOTAL	0	74.6	70.2	57.3	58.0	58.8

<u>POSITIONS:</u>	0	1.2	1.2	1.2	1.2	1.2
FULL-TIME		1	1	1	1	1
PART-TIME		1	1	1	1	1
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

Prepared By: *Shela Pittman* Phone: 276-4176
 Division: Alaska Public Offices Commission Date: 1/30/85

Approved by Commissioner: Lisa Rudd *LJR* Date: 1/31/85
 Agency: Department of Administration

Distribution (by Agency preparing fiscal note):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Senate Bill 87
 Fiscal Note Analysis
 Prepared by Alaska Public Offices Commission
 Department of Administration
 January 30, 1985

SB 87: An Act relating to campaign financing.

This fiscal note reflects the costs for revision of instructional materials including the statute, four campaign disclosure manuals, state and municipal reporting forms, and dissemination of information on the changes in the Law. Costs of necessary revisions to the regulations, mandated because of the changes in the statute are also included.

<u>Categories</u>	<u>FY 86</u>
(100) Personnel	
Regulations Specialist II, Range 16 A, 12 months	40.8
Clerk IV, Range 9A, two months	4.7
(200) Travel	
One annual campaign seminar in Juneau and Fairbanks	1.0
(300) Contractual Services	
Materials Preparation and distribution	14.3
Office Space	3.6
Postage	1.0
Advertising	1.7
Professional Services	2.5
(400) Commodities	.5
(500) Equipment	
Office Equipment	1.5
Computer Terminal	3.0
Total	<u>\$74.6</u>

1.	POSITION TITLE Regulations Specialist II				RANGE/STEP 16A	BARG. UNIT PX	PAGE/LINE	COV.	APPROV.	DISAP.
2.	TYPE OF POSITION FT	STAFF MONTHS 12	RP NUMBER	PCN NUMBER	BRU PRIORITY	LOCATION EBA	ELECTION DISTRICT	LEG.		
3.	CONTINUATION LEVEL				JUSTIFICATION					
4.	TYPE OF EXPENDITURE			AMOUNT						
	1	2		3						
	PERSONAL SERVICES									
5.	Salary	31,032								
6.	Benefits									
7.	Supplemental Benefits									
8.	Fixed Benefits									
9.	TOTAL PERSONAL SERVICES	01	40,833							
10.	Travel	02	1,000							
11.	Contractual	03	23,100							
12.	Commodities	04	500							
13.	Equipment	05	4,500							
14.	Other									
15.	TOTAL COST			69,933						
	RECEIPT CODE	FUNDING SOURCE								
16.		Federal Receipts 1002								
17.		G.F. Match 1003		69.9						
18.		General Funds 1004								
19.		I-A Receipts 1005								
20.		Program Receipts 1028								
21.		Other								
FOR BSM USE ONLY										
KEY NUMBER _____										

The Regulations Specialist would be responsible for the day to day work of revising forms, manuals, and regulations to take into account the statutory changes. In addition to identifying needed changes and developing draft language (for both regulations and the manuals) large scale revisions such as those proposed require careful planning and a great deal of labor in producing the actual forms, manuals and booklets themselves. Once those changes are in place additional work is created by inquiries from treasurers seeking assistance with bookkeeping and reporting.

200 - Campaign Seminars in Juneau and Fairbanks

300 - Materials Preparation & Printing \$14.3

500 - Office Equipment \$1.5
Computer Terminal \$3.0

1/30/85

**REQUEST FOR
NEW POSITION**

AGENCY Administration

PROGRAM Independent Operations

BRU AK Public Offices Commission

COMPONENT AK Public Offices Commission

FY 86

Page 3 of 3

Revised Date _____

COMMITTEE REPORT
SENATE

FURTHER:

FINANCE

1/23/85

Date FEBRUARY 13, 1985

Mr. President

The Committee on STATE AFFAIRS considered SB 87
campaign financing.

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

- do pass
- do pass with attached amendment(s)
- replace with/or adopt CS for SB 87 (SA)
new title
- same title and recommends _____
- and attached a "LETTER OF INTENT" ~~NEW~~ FISCAL NOTES
12/20
1/24/85
- reports it back without recommendation
- recommends referral to _____ Committee

MEMBERS SIGNING
DO PASS

1 Edw De Vries
1 Tim Kelly

MEMBERS HAVING
OTHER RECOMMENDATIONS

2 Bill Ray No Rec
2 Vic Lusk No Rec
By Senator
Alford

Michael Alford
Chairman
Do Pass
Chairman's recommendation

Introduced: 1/23/85
Referred: State Affairs and
Finance

1 IN THE SENATE

BY RAY

2

SENATE BILL NO. 87

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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 keep an accurate record of contribu-
10 tions received and of expenditures made and shall make a sworn [FULL]
11 report, upon a form prescribed by the commission, listing the informa-
12 tion required by this chapter [DATE AND AMOUNT OF ALL EXPENDITURES
13 MADE BY THE CANDIDATE, THE TOTAL AMOUNT OF ALL CONTRIBUTIONS, INCLUD-
14 ING ALL FUNDS CONTRIBUTED BY THE CANDIDATE HIMSELF, AND FOR ALL CON-
15 TRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR, THE NAME, AD-
16 DRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBUTOR AND THE
17 DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR]. The report shall be
18 filed under [IN ACCORDANCE WITH] AS 15.13.110 and shall be certified
19 correct by the candidate or campaign treasurer.

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

21 (b) Each group shall keep an accurate record of contributions
22 received and of expenditures made and shall make a sworn [FULL] re-
23 port, upon a form prescribed by the commission, listing the informa-
24 tion required by this chapter. The report shall be filed under
25 AS 15.13.110 and shall be certified as correct by the campaign trea-
26 surer of the group

27 [(1) THE NAME AND ADDRESS OF EACH OFFICER AND DIRECTOR;

28 (2) THE AGGREGATE AMOUNT OF ALL CONTRIBUTIONS MADE TO IT;

29 AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR,

1 THE NAME, ADDRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBU-
2 TOR, AND THE DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR; AND
3 (3) THE DATE AND AMOUNT OF ALL CONTRIBUTIONS MADE BY IT AND
4 ALL EXPENDITURES MADE, INCURRED OR AUTHORIZED BY IT].

5 * Sec. 3. AS 15.13.040(c) is repealed and reenacted to read:

6 (c) Each report filed under (a) and (b) of this section and
7 under AS 15.13.110 shall list the name, the business or residence
8 address, and the telephone number of the campaign treasurer and shall
9 contain the following information:

10 (1) the total amount of all contributions received and all
11 expenditures made during the reporting period;

12 (2) the total amount of all contributions of \$500 or less
13 received and the total of all expenditures of \$250 or less made;

14 (3) the full name, the complete address, and the principal
15 occupation of each person from whom contributions in the aggregate
16 amount of more than \$500 were received during the calendar year, and
17 the date and the amount of the contributions;

18 (4) the full name and complete address of each person to
19 whom expenditures aggregating more than \$250 were made during the
20 calendar year, and the date, the amount, and the purpose of the expen-
21 ditures;

22 (5) the full name and complete address of each person who
23 assisted a candidate or group to obtain credit or a loan of money, if
24 the credit or the loan of money was involved, directly or indirectly,
25 in an election, and the date and the total amount of the credit or
26 loan;

27 (6) the full name and complete address of each person who
28 guaranteed or agreed to assume a financial obligation of benefit to a
29 candidate or group, if the guaranty or assumption of the financial

1 obligation was involved, directly or indirectly, in an election, and
2 the date and the amount of the guaranty or the assumption of the
3 financial obligation;

4 (7) the total amount of unexpended contributions received
5 or the outstanding indebtedness from expenditures made since the end
6 of the period of a previous statement required to be filed under
7 AS 15 13.110;

8 (8) the name and address of each group and of its campaign
9 treasurer that intends to receive contributions or make expenditures
10 on behalf of the candidate.

11 * Sec. 4. AS 15.13.040(d) is repealed and reenacted to read:

12 (d) Each report filed by a group shall include the amount of
13 each expenditure made by the group that is a contribution to a candi-
14 date or to another group if the contribution was returned during the
15 reporting period, the name of the candidate or group that received the
16 contribution, and the date it was returned.

17 * Sec. 5. AS 15.13.040(e) is repealed and reenacted to read:

18 (e) A candidate or a group is required to report a contribution
19 that has been accepted. A contribution of \$500 or less is accepted
20 unless returned by the candidate or group within 10 days after the
21 contribution was received; a contribution to a candidate with a value
22 of more than \$500 is accepted unless it is returned within seven days
23 of the date the contribution was made and a contribution that exceeds
24 \$500 that is made within on week of the election is accepted unless it
25 is returned within 24 hours of its receipt.

26 * Sec. 6. AS 15.13.040(f) is repealed and reenacted to read:

27 (f) Except as provided in AS 15.13.110(b), a candidate or a
28 group is required to report an expenditure on the first report
29 occurring after the expenditure is made.

1 * Sec. 7. AS 15.13.040 is amended by adding new subsections to read:

2 (g) A report required to be filed under this chapter shall
3 contain the following affidavit:

4 "I do solemnly swear the foregoing report is in
5 all respects true and correct and fully shows all
6 information required to be reported by me under
7 AS 15.13."

8 (h) A report filed under this chapter is a public record under
9 AS 09.25.110 - 09.25.120 and shall be preserved for two years after
10 the election for which it was filed.

11 (i) A report or statement required to be filed under this chap-
12 ter is considered filed when deposited in the United States mail and
13 addressed to the commission with the proper postage affixed. While a
14 postmark is prima facie evidence of the time of filing, an individual
15 may offer evidence as to the actual time of placing the report or
16 statement in the United States mail.

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

18 (e) A person who believes a violation of this chapter has oc-
19 curred may file a complaint with the commission. If the commission
20 determines there is substantial reason to believe that a violation has
21 occurred, it shall expeditiously make an investigation, which may also
22 include an investigation of reports and statements filed by the com-
23 plainant, of the matter complained of. When, in the judgment of the
24 commission, after affording due notice and an opportunity for a hear-
25 ing, a person has engaged or is about to engage in an act or practice
26 that constitutes or would constitute a violation of this chapter or a
27 regulation adopted or order issued under it, it shall promptly report
28 the information to the attorney general for appropriate action. The
29 commission shall report its determination and recommendation to the

1 person who filed the complaint with the commission within 60 days of
2 receiving the complaint unless circumstances require additional time
3 to make an adequate investigation.

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

5 Sec. 15.13.050. GROUPS. (a) Each group shall file a statement
6 of organization with the commission before it accepts its first cam-
7 paign contribution and before it makes its first campaign expenditure.

8 (b) A group may not use and may not file with the commission a
9 name that is the same as or that is deceptively similar to the name of
10 a group whose statement of organization is filed with the commission.

11 (c) A statement of organization filed for a group under this
12 section shall list the name, the business or residence address, and
13 the telephone number of the campaign treasurer of the group and shall
14 contain:

15 (1) the name and address of each related or affiliated
16 group or person and the nature of the relationship or affiliation;

17 (2) the name of the corporation, labor organization, or
18 other person that directly controls the group;

19 (3) the name of each person authorized to determine the
20 recipients of contributions from the group or the purposes of expendi-
21 tures by the group;

22 (4) the intended distribution of unobligated funds under
23 AS 15.13.126 on dissolution.

24 (d) Each group that intends to receive contributions or make
25 expenditures on behalf of a candidate shall advise the commission and
26 the candidate of its intentions and provide the candidate with the
27 name and address of the group and of its campaign treasurer and the
28 candidate shall report the intention of the group and the name of its
29 campaign treasurer within the reports of the candidate required under

1 AS 15.13.040. A group receives a contribution for a candidate or
2 makes an expenditure for a candidate when it knowingly receives a
3 contribution intended to be used to benefit the candidate or when it
4 knowingly makes an expenditure intended to benefit the candidate.

5 (e) A group that does not have an accurate statement of organi-
6 zation filed under this section that wishes to make a contribution to
7 a candidate or group subject to this chapter shall provide the candi-
8 date or the group with the information required under (c) of this
9 section for a group in this state unless the group has on file with
10 the commission a copy of the most recent statement of organization
11 that the group has filed with the Federal Election Commission.

12 (f) A person who receives property or funds intended for politi-
13 cal purposes and transfers the property or funds to another person
14 while acting solely as a conduit for the property or funds is not
15 required to report under this chapter if the person exercises no
16 discretion either as to the amount of property or funds to be trans-
17 ferred or the person to whom the transfer is to be made and, for
18 reporting purposes, the transferor to the conduit is the contributor
19 and the transferee from the conduit is the recipient.

20 (g) A group may not make a contribution or expenditure in sup-
21 port of or in opposition to a candidate at an election unless the
22 statement of organization filed by the group under (c) of this section
23 was filed 30 or more days before the election.

24 (h) A group that makes expenditures or receives contributions
25 with the authorization or consent, express or implied, or under the
26 control, direct or indirect, of a candidate is considered to be con-
27 trolled by the candidate. A group whose major purpose is to further
28 the nomination, election, or candidacy of only one candidate, or
29 intends to expend more than 50 percent of its money on only one

1 candidate, is considered to be controlled by the candidate and its
2 actions done with the knowledge and consent of the candidate unless
3 the candidate, within 10 days from the date that the candidate learns
4 of the existence of the group, files with the commission, on a form
5 provided by the commission, an affidavit that the group is operating
6 without the control of the candidate. A group that is organized for
7 more than one year preceding an election and that endorses candidates
8 for more than one office or more than one political party is presumed
9 not to be controlled by a candidate unless the group contributes more
10 than 50 percent of its money to or on behalf of one candidate, whether
11 or not control of the group has been disclaimed by the candidate.

12 * Sec. 10. AS 15.13 is amended by adding a new section to read:

13 Sec. 15.13.055. CANDIDATES. (a) Each candidate shall file a
14 statement of candidacy with the commission before accepting a campaign
15 contribution and before making a campaign expenditure, including a
16 filing fee. A statement of candidacy may be filed with the commission
17 under this section before an individual files a declaration of candi-
18 dacy under AS 15.25.030 or a nominating petition under AS 15.25.180.
19 The filing of a declaration of candidacy or a nominating petition
20 constitutes a statement of candidacy for a candidate who does not file
21 a statement of candidacy under this section.

22 (b) A statement of candidacy filed by a candidate under this
23 section shall list the name, the business or residence address, and
24 the telephone number of the candidate and of the campaign treasurer of
25 the candidate and shall contain the intended distribution of unobli-
26 gated funds under AS 15.13.126 on the dissolution of the candidacy.

27 (c) A statement of candidacy filed by a candidate under this
28 section may list the candidate as the campaign treasurer and if the
29 statement of candidacy fails to list a campaign treasurer, the

1 candidate is the campaign treasurer.

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

3 (a) Each candidate and each group shall appoint a campaign
4 treasurer and may appoint deputy campaign treasurers. Only a candi-
5 date, campaign treasurer, or deputy campaign treasurer may receive or
6 hold a campaign contribution or make an expenditure. The candidate or
7 campaign treasurer [WHO] is responsible for [RECEIVING, HOLDING, AND
8 DISBURSING ALL CONTRIBUTIONS AND EXPENDITURES, AND FOR] filing all
9 reports and statements required by law. [A CANDIDATE MAY BE A CAM-
10 PAIGN TREASURER.]

11 * Sec. 12. AS 15.13.060(b) is repealed and reenacted to read:

12 (b) A candidate and a group may remove a campaign treasurer by
13 filing the appointment of a new campaign treasurer with the commis-
14 sion. A candidate may advise the commission in writing that a new
15 campaign treasurer will not be appointed and that the candidate will
16 be the campaign treasurer. A candidate or a group may remove a deputy
17 campaign treasurer by filing a notice of the removal with the commis-
18 sion.

19 * Sec. 13. AS 15.13.070(a) is amended to read:

20 (a) A [NO] person or group, including but not limited to all
21 political committees of a candidate, related or affiliated [,] busi-
22 nesses, corporations, and labor unions, may not contribute to or
23 expend more than \$2,500 [\$1,000] a year on behalf of or in opposition
24 to the competing candidates for each elective office. Political
25 parties and their subdivisions are not subject to the limitation
26 prescribed in this subsection, but they are subject to the reporting
27 requirements prescribed by AS 15.13.040(b) and 15.13.110. This chap-
28 ter does not prohibit [NOTHING IN THIS CHAPTER PROHIBITS]

29 (1) a candidate from contributing more than \$2,500 of

1 personal funds to the candidate's own candidacy [\$1,000 OF HIS OWN
2 MONEY TO HIS OWN CAMPAIGN]; or

3 (2) individuals or groups, including but not limited to all
4 political committees, businesses, corporations, and labor unions, from
5 contributing to or expending on behalf of a ballot proposition or
6 question more than \$2,500 [\$1,000] a year; however, these contribu-
7 tions and expenditures shall be reported under [IN ACCORDANCE WITH]
8 AS 15.13.040 and 15.13.110.

9 * Sec. 14. AS 15.13.070(b) is amended to read:

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

13 * Sec. 15. AS 15.13.070(c) is amended to read:

14 (c) An expenditure [NO EXPENDITURES] over \$100 may not be made
15 in cash or by cash payment unless a written receipt is obtained and
16 filed with the commission.

17 * Sec. 16. AS 15.13.070(d) is amended to read:

18 (d) A [NO] contribution may not be made, and an [NO] expenditure
19 may not be made or incurred, directly or indirectly, anonymously, in a
20 fictitious name, or by one person or group in the name of another, to
21 influence the election of a candidate in an election. A contribution
22 made by a person wishing to remain anonymous, and received by a candi-
23 date, campaign treasurer or deputy campaign treasurer, may not be used
24 or expended, but shall be returned to the donor, if the [HIS] identity
25 of the donor is known, and if the identity of the donor is not known
26 [NO DONOR IS FOUND], the contribution escheats to the state if not
27 donated by the candidate to [THE] charity [OF HIS CHOICE].

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

29 (e) Except for an independent expenditure, a contribution,

1 including the contribution from the candidate [CONTRIBUTIONS] to a
2 candidate or group [A POLITICAL COMMITTEE] may be received by, and an
3 expenditure [EXPENDITURES] of a candidate or group [POLITICAL COM-
4 MITTEE] may only be made by [, ONLY] the candidate, campaign treasur-
5 er, or deputy campaign treasurer.

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

7 Sec. 15.13.080. STATEMENT BY CONTRIBUTOR. A person or group
8 contributing to a candidate over \$500 [\$250] or contributing goods or
9 services to a candidate with a value of more than \$500 [\$250] to
10 influence the election of a candidate shall furnish the commission a
11 signed statement, on a form made available by the commission. The
12 statement shall itemize the contributions and goods and state that the
13 contributor is not a person or group prohibited by law from contri-
14 buting and that the contribution consists of funds or property belong-
15 ing to the contributor and has not been given or furnished by another
16 person or group. The contributor's statement shall be filed with the
17 commission by the contributor no later than 10 days after the contri-
18 bution is made. A copy of the statement shall be furnished the candi-
19 date, campaign treasurer, or deputy campaign treasurer at the time the
20 contribution is made.

21 * Sec. 19. AS 15.13.110(b) is amended to read:

22 (b) Each contribution or expenditure which exceeds \$500 [\$250]
23 and which is made within one week of the election shall be reported to
24 the commission by date, amount, and contributor or recipient within 24
25 hours of receipt or expenditure by the candidate or campaign treasur-
26 er.

27 * Sec. 20. AS 15.13.120(a) is amended to read:

28 (a) A person who violates a provision of this chapter is guilty
29 of a misdemeanor and, upon conviction, is punishable by imprisonment

1 for not more than one year or by a fine of not more than \$5,000. A
2 violation includes but is not limited to any of the following acts or
3 omissions:

4 (1) failing to make a statement or report required to be
5 made under this chapter, or failing to make a statement or report at
6 the time the statement or report is required to be made under this
7 chapter;

8 (2) making a campaign contribution or expenditure which
9 exceeds the limitations of AS 15.13.070(f);

10 (3) making a false statement or report under this chapter
11 or failing to report in whole or in part a contribution or expenditure
12 required to be reported under this chapter;

13 (4) giving or furnishing money to another person or group
14 for the purpose of making a contribution or expenditure anonymously,
15 in a fictitious name, or in the name of another, or contributing in
16 violation of AS 15.13.070(d);

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

19 (6) knowingly accepting a contribution in violation of
20 AS 15.13.070;

21 (7) knowingly expending funds from a contribution made
22 unlawful by this chapter.

23 * Sec. 21. AS 15.13.120 is amended by adding a new subsection to read:

24 (i) A candidate or campaign treasurer filing a report required
25 under AS 15.13.110 who fails to report a contribution or expenditure
26 or who reports a portion but not the entire amount of the contribution
27 or expenditure is liable to the state for a civil penalty in an amount
28 equal to three times the amount or the value of the contribution or
29 expenditure that was omitted from the report. The commission may

1 determine and collect the civil penalty. The candidate or campaign
2 treasurer may appeal to the superior court the determination of the
3 commission that there was a failure to report under this chapter.

4 * Sec. 22. AS 15.13 is amended by adding new sections to read:

5 Sec. 15.13.127. USE OF PUBLIC OFFICE OR AGENCY FACILITIES IN
6 CAMPAIGN. (a) An elected public official of the state or of a munic-
7 ipality of the state, an employee of an elected public official, and
8 an individual appointed to or employed by an agency of the state or by
9 a municipality may not use or permit the use of a facility of an
10 agency of the state or of a municipality of the state, directly or
11 indirectly, for the purpose of assisting or opposing the campaign of a
12 candidate for office or for the support or opposition to a ballot
13 proposition or question. As used in this subsection, a "facility of
14 an agency of the state or of a municipality of the state" includes the
15 use of

16 (1) stationery, postage, and office equipment;

17 (2) use of employees of the agency or municipality during
18 working hours;

19 (3) vehicles, office space, publications of the agency or
20 municipality; and

21 (4) lists of individuals or persons served by the agency or
22 municipality.

23 (b) Nothing in (a) of this section prohibits

24 (1) action taken at a public meeting by members of the
25 legislature, of a committee of the legislature, of a state or munic-
26 ipal board or commission expressing a collective decision or voting on
27 a motion, proposal, bill, resolution, ordinance, or order, if a re-
28 quired notice of the meeting includes the title and number of the
29 ballot proposition or question and if other members in attendance at

1 the meeting were given an approximately equal opportunity to express
2 themselves;

3 (2) action by an elected public official of the state or of
4 a municipality in support of or in opposition to a ballot proposition
5 or question at an open press conference or in response to a specific
6 inquiry;

7 (3) other activities that are a normal and regular part of
8 the conduct of the public official, agency, or municipality.

9 Sec. 15.13.128. PROHIBITIONS ON CONTRIBUTIONS TO MEMBERS OF THE
10 LEGISLATURE. (a) A member and a member-elect of the legislature may
11 not accept a contribution during the period that begins on the 30th
12 day before the convening of the first regular session of a legislature
13 and that ends on the adjournment sine die of that legislature.

14 (b) A group that is controlled by a member or a member-elect of
15 the legislature may not accept a contribution during the time when the
16 member or member-elect may not accept a contribution.

17 (c) A person may not offer a contribution to a member or a
18 member-elect of the legislature or to a group controlled by a member
19 or a member-elect of the legislature during the period that begins on
20 the 30th day before the convening of the first regular session of a
21 legislature and ends on the adjournment sine die of the legislature.

22 (d) This section does not affect the responsibility of a candi-
23 date to file reports under this chapter.

24 * Sec. 23. AS 15.13.130(3) is amended to read:

25 (3) "group" means each political committee, each [EVERY]
26 state and regional executive committee of a political party and, in
27 addition, means any combination of two or more persons or individuals
28 acting jointly who take action the major purpose of which is to influ-
29 ence the outcome of an election; [A GROUP THAT MAKES EXPENDITURES OR

1 RECEIVES CONTRIBUTIONS WITH THE AUTHORIZATION OR CONSENT, EXPRESS OR
2 IMPLIED, OR UNDER THE CONTROL, DIRECT OR INDIRECT, OF A CANDIDATE
3 SHALL BE CONSIDERED TO BE CONTROLLED BY THAT CANDIDATE; A GROUP WHOSE
4 MAJOR PURPOSE IS TO FURTHER THE NOMINATION, ELECTION, OR CANDIDACY OF
5 ONLY ONE PERSON, OR INTENDS TO EXPEND MORE THAN 50 PERCENT OF ITS
6 MONEY ON A SINGLE CANDIDATE, SHALL BE CONSIDERED TO BE CONTROLLED BY
7 THAT CANDIDATE AND ITS ACTIONS DONE WITH HIS KNOWLEDGE AND CONSENT
8 UNLESS, WITHIN 10 DAYS FROM THE DATE THE CANDIDATE LEARNS OF THE
9 EXISTENCE OF THE GROUP HE FILES WITH THE COMMISSION, ON A FORM PROVID-
10 ED BY THE COMMISSION, AN AFFIDAVIT THAT THE GROUP IS OPERATING WITHOUT
11 HIS CONTROL; A GROUP ORGANIZED FOR MORE THAN ONE YEAR PRECEDING AN
12 ELECTION AND ENDORSING CANDIDATES FOR MORE THAN ONE OFFICE OR MORE
13 THAN ONE POLITICAL PARTY IS PRESUMED NOT TO BE CONTROLLED BY A CANDI-
14 DATE; HOWEVER, A GROUP THAT CONTRIBUTES MORE THAN 50 PERCENT OF ITS
15 MONEY TO OR ON BEHALF OF ONE CANDIDATE SHALL BE CONSIDERED TO SUPPORT
16 ONLY ONE CANDIDATE FOR PURPOSES OF AS 15.13.070, WHETHER OR NOT CON-
17 TROL OF THE GROUP HAS BEEN DISCLAIMED BY THE CANDIDATE;]

18 * Sec. 24. AS 15.13.130(4) is amended to read:

19 (4) "expenditure" means a purchase or a transfer of money
20 or anything of value, or promise or agreement to purchase or transfer
21 money or anything of value, incurred or made for the purpose of (A)
22 influencing the nomination or election of a candidate or of any indi-
23 vidual who files for nomination at a later date and becomes a
24 candidate; or (B) use by a political party; or (C) the payment by a
25 person other than a candidate or political party of compensation for
26 the personal services of another person which are rendered to a
27 candidate or political party; (D) influencing the outcome of a ballot
28 proposition or question; however, "expenditure" does not include [A
29 CANDIDATE'S FILING FEE OR] the cost of preparing reports and

1 statements required by this chapter;

2 * Sec. 25. AS 15.13.130 is amended by adding a new paragraph to read:

3 (8) "related or affiliated groups"

4 (A) means an organization that is not a group but that
5 directly or indirectly establishes, administers, or financially
6 supports a political committee;

7 (B) includes a corporation, a labor organization, a
8 membership organization, a cooperative, or a trade association.

9 * Sec. 26. AS 43.20.013(a) is amended to read:

10 (a) A resident individual is entitled to a tax credit not to
11 exceed \$100 for

12 [(1)] a contribution made in a calendar year [TO A PERSON
13 OR ORGANIZATION] for use exclusively

14 (1) [(A)] for a political campaign for a candidate for

15 (A) [(i)] President or Vice-President of the United
16 States, whether or not the candidate will be voted on in a
17 primary election in Alaska;

18 (B) [(ii)] United States senator from Alaska;

19 (C) [(iii)] United States representative from Alaska;

20 (D) [(iv)] governor or lieutenant governor of Alaska;

21 (E) [(v)] the Alaska legislature;

22 (F) [(vi)] delegate to an Alaska constitutional
23 convention;

24 (G) [(vii)] electoral confirmation as a judge or
25 justice of a court in Alaska; or

26 (H) [(viii)] municipal office in Alaska; or

27 (2) [(B)] by a group seeking to influence the outcome of a
28 ballot proposition or question in Alaska [; AND]

29 [(2) DUES PAID IN A CALENDAR YEAR TO A NONPROFIT ORGANIZA-

1 TION ORGANIZED PRIMARILY FOR THE PURPOSE OF INFLUENCING ELECTIONS IN
2 ALASKA].
3 * Sec. 27. AS 15.13.060(c) - (f), 15.13.070(f) - (h), and 15.13.120(d)
4 are repealed.

Offered: 2/14/85
Referred: Finance

Original sponsor: Ray

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 CS FOR SENATE BILL NO. 87 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to campaign financing; and providing
7 for an effective date."

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

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

10 (a) Each candidate shall keep an accurate record of contribu-
11 tions received and of expenditures made and shall make a sworn [FULL]
12 report, upon a form prescribed by the commission, listing the informa-
13 tion required by this chapter [DATE AND AMOUNT OF ALL EXPENDITURES
14 MADE BY THE CANDIDATE, THE TOTAL AMOUNT OF ALL CONTRIBUTIONS, INCLUD-
15 ING ALL FUNDS CONTRIBUTED BY THE CANDIDATE HIMSELF, AND FOR ALL CON-
16 TRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR, THE NAME, AD-
17 DRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBUTOR AND THE
18 DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR]. The report shall be
19 filed under [IN ACCORDANCE WITH] AS 15.13.110 and shall be certified
20 correct by the candidate or campaign treasurer.

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

22 (b) Each group shall keep an accurate record of contributions
23 received and of expenditures made and shall make a sworn [FULL] re-
24 port, upon a form prescribed by the commission, listing the informa-
25 tion required by this chapter. The report shall be filed under
26 AS 15.13.110 and shall be certified correct by the chairman or cam-
27 campaign treasurer of the group

28 [(1) THE NAME AND ADDRESS OF EACH OFFICER AND DIRECTOR;

29 (2) THE AGGREGATE AMOUNT OF ALL CONTRIBUTIONS MADE TO IT;

1 AND, FOR ALL CONTRIBUTIONS IN EXCESS OF \$100 IN THE AGGREGATE A YEAR,
2 THE NAME, ADDRESS, PRINCIPAL OCCUPATION, AND EMPLOYER OF THE CONTRIBU-
3 TOR, AND THE DATE AND AMOUNT CONTRIBUTED BY EACH CONTRIBUTOR; AND

4 (3) THE DATE AND AMOUNT OF ALL CONTRIBUTIONS MADE BY IT AND
5 ALL EXPENDITURES MADE, INCURRED OR AUTHORIZED BY IT].

6 * Sec. 3. AS 15.13.040(c) is repealed and reenacted to read:

7 (c) Each report filed under (a) and (b) of this section and
8 under AS 15.13.110 shall list the name, the business or residence
9 address, and the telephone number of the campaign treasurer and shall
10 contain the following information:

11 (1) the total amount of all contributions received, includ-
12 ing the funds contributed by the candidate;

13 (2) the total amount of all expenditures made during the
14 reporting period;

15 (3) the total amount of all contributions of \$250 or less
16 received;

17 (4) the date, the amount, the full name and complete
18 address of the payee, and the purpose of each expenditure;

19 (5) the full name and complete address, the principal
20 occupation, and the employer of each person from whom contributions in
21 the aggregate amount of more than \$250 were received during the calen-
22 dar year, and the date and the amount of the contributions;

23 (6) the total amount of all contributions returned to
24 contributors;

25 (7) the full name and complete address of each contributor
26 whose contribution of more than \$250 was returned and the amount of
27 the contribution returned;

28 (8) the full name and complete address of each person who
29 assisted a candidate or group to obtain credit or a loan of money, if

1 the credit or the loan of money was involved, directly or indirectly,
2 in an election, and the date and the total amount of the credit or
3 loan;

4 (9) the full name and complete address of each person who
5 guaranteed or agreed to assume a financial obligation of benefit to a
6 candidate or group, if the guaranty or assumption of the financial
7 obligation was involved, directly or indirectly, in an election, and
8 the date and the amount of the guaranty or the assumption of the
9 financial obligation;

10 (10) the total amount of unexpended contributions received
11 and the outstanding indebtedness from expenditures of the candidate or
12 group.

13 * Sec. 4. AS 15.13.040(d) is amended to read:

14 (d) Every individual or [,] person and every [OR] group that is
15 not required to register under AS 15 13.050 [MAKING A CONTRIBUTION OR
16 EXPENDITURE] shall make a sworn [FULL] report, upon a form prescribed
17 by the commission, of [THE FOLLOWING CONTRIBUTIONS OR EXPENDITURES:]

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

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

25 * Sec. 5. AS 15.13.040(f) is repealed and reenacted to read:

26 (f) Except as provided in AS 15.13.110(b), a candidate or a
27 group is required to report an expenditure or a contribution on the
28 first report occurring after the expenditure is made or the contribu-
29 tion is received.

1 * Sec. 6. AS 15.13.040 is amended by adding new subsections to read:

2 (g) A report required to be filed under this chapter must con-
3 tain the following affidavit:

4 "I do solemnly swear that, to the best of my knowl-
5 edge, the foregoing report is in all respects true
6 and correct and fully shows all information required
7 to be reported by me under AS 15.13."

8 (h) A report filed under this chapter is a public record under
9 AS 09.25.110 - 09.25.120 and shall be preserved for four years after
10 the election for which it was filed.

11 (i) A report or statement required to be filed under this chap-
12 ter other than a report required under AS 15.13.110(b) is considered
13 filed when deposited in the United States mail and addressed to the
14 commission with the proper postage affixed. While a postmark is prima
15 facie evidence of the time of filing, an individual may offer evidence
16 as to the actual time of placing the report or statement in the United
17 States mail.

18 * Sec. 7. AS 15.13.045 is amended by adding a new subsection to read:

19 (e) A person who believes a violation of this chapter has oc-
20 curred may file a complaint with the commission. If the commission
21 determines there is substantial reason to believe that a violation has
22 occurred, it shall expeditiously make an investigation, which may also
23 include an investigation of reports and statements filed by the com-
24 plainant, of the matter complained of. When, in the judgment of the
25 commission, after affording due notice and an opportunity for a hear-
26 ing, a person has engaged or is about to engage in an act or practice
27 that constitutes or would constitute a violation of this chapter or a
28 regulation adopted or order issued under it, it shall promptly report
29 the information to the attorney general for appropriate action. The

1 commission shall report its determination and recommendation to the
2 person who filed the complaint with the commission within 60 days of
3 receiving the complaint unless circumstances require additional time
4 to make an adequate investigation.

5 * Sec. 8. AS 15.13.060(a) is amended to read:

6 Sec. 15.13.060. CAMPAIGN OFFICERS [TREASURERS]. (a) Each
7 candidate may and each group shall appoint a campaign chairman. Each
8 candidate and group shall appoint a campaign treasurer who is respon-
9 sible for receiving, holding, and disbursing all contributions and
10 expenditures, and for filing all reports and statements required by
11 law. Each candidate and each group may appoint deputy campaign trea-
12 surers at any time. A candidate may be a campaign treasurer.

13 * Sec. 9. AS 15.13.060(b) is amended to read:

14 (b) Each group shall file the name, [AND] address, and telephone
15 number of its campaign chairman, its campaign treasurer, and any
16 deputy campaign treasurers with the commission at the time it regis-
17 ters with the commission under AS 15.13.050. The group shall report
18 changes or additions with the commission as they occur. The address
19 of the campaign treasurer is the mailing address of the group unless
20 the group files a different mailing address with the commission.

21 * Sec. 10. AS 15.13.060(c) is repealed and reenacted to read:

22 (c) An individual may not act as the campaign chairman, campaign
23 treasurer, or deputy campaign treasurer for a candidate until the
24 name, address, and telephone number of the individual has been filed
25 with the commission. The address of the campaign treasurer, if a
26 campaign treasurer is appointed, is the address of the candidate
27 unless the candidate files a different mailing address with the com-
28 mission.

29 * Sec. 11. AS 15.13.060(d) is amended to read:

1 (d) In the case of the death, resignation or removal of a cam-
2 paign officer required to be appointed under this section [TREASURER],
3 the candidate or group shall appoint a successor as soon as practic-
4 able and file the [HIS] name, [AND] address, and telephone number of
5 the successor with the commission within 48 hours of the appointment.
6 [THE CANDIDATE IS DISQUALIFIED WHEN HE HAS BEEN FOUND TO HAVE BEEN IN
7 WILFUL VIOLATION OF THIS SUBSECTION.]

8 * Sec. 12. AS 15.13.060(e) is repealed and reenacted to read:

9 (e) A candidate may receive contributions and make expenditures
10 either personally or by a campaign chairman, a campaign treasurer, or
11 a deputy campaign treasurer. A group may receive contributions and
12 make expenditures only by the campaign chairman, campaign treasurer,
13 or deputy campaign treasurer of the group.

14 * Sec. 13. AS 15.13.060(f) is amended to read:

15 (f) The candidate is responsible for the performance of the
16 campaign officers [HIS CAMPAIGN TREASURER,] and any default or vio-
17 lation by an officer [THE TREASURER] also shall be considered a de-
18 fault or violation by the candidate if the candidate [HE] knew or had
19 reason to know of the default or violation.

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

21 (a) No person or group, including but not limited to all politi-
22 cal committees, businesses, corporations, and labor unions, may con-
23 tribute to or expend more than \$1,000 a year on behalf of or in oppo-
24 sition to the competing candidates for each elective office. Politi-
25 cal parties and their subdivisions are not subject to the limitation
26 prescribed in this subsection, but they are subject to the reporting
27 requirements prescribed by AS 15.13.040(b) and 15.13.110. This chap-
28 ter does not prohibit [NOTHING IN THIS CHAPTER PROHIBITS]

29 (1) a candidate from contributing more than \$1,000 of

1 personal funds to the candidate's own candidacy [HIS OWN MONEY TO HIS
2 OWN CAMPAIGN]; or

3 (2) individuals or groups, including but not limited to all
4 political committees, businesses, corporations, and labor unions, from
5 contributing to or expending on behalf of or in opposition to a ballot
6 proposition or question more than \$1,000 a year; however, these con-
7 tributions and expenditures shall be reported under [IN ACCORDANCE
8 WITH] AS 15.13.040 and 15.13.110.

9 * Sec. 15. AS 15.13.090 is amended by adding a new subsection to read:

10 (b) A person making an independent expenditure shall, within the
11 printed material or during a broadcast,

12 (1) state that the communication is not authorized by a
13 candidate or the authorized committee of a candidate;

14 (2) identify the name of the person or group that made the
15 independent expenditure.

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

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

23 (1) 30 days before the election; however, this report is
24 not required if the deadline for filing a nominating petition or
25 declaration of candidacy is within 30 days of the election;

26 (2) one week before the election;

27 (3) 10 [TEN] days after the election; and

28 (4) 31 days after the end [DECEMBER 31] of each year for
29 expenditures and contributions received which were not reported that

1 year.

2 * Sec. 17. AS 15.13.110(b) is amended to read:

3 (b) Each contribution received that [OR EXPENDITURE WHICH]
4 exceeds \$250 and that [WHICH] is received [MADE] within 10 days [ONE
5 WEEK] of the election shall be reported to the commission by date,
6 amount, and contributor [OR RECIPIENT] within 24 hours of receipt [OR
7 EXPENDITURE] by the candidate or campaign officer [TREASURER]. Each
8 person making an independent expenditure in the amount of \$1,000 or
9 more that is made within 30 days of an election shall report to the
10 commission the date, amount, and purpose of the expenditure within 72
11 hours of the expenditure and shall identify the name of the person or
12 group that made the expenditure.

13 * Sec. 18. AS 15.13.110(c) is amended to read:

14 (c) Each candidate and group shall file the reports required by
15 this chapter [THE REPORTS OF CANDIDATES SHALL BE FILED] with the
16 commission's central office and each report is [. ALL REPORTS RE-
17 QUIRED BY THIS CHAPTER SHALL BE KEPT] open to public inspection.
18 After [WITHIN 30 DAYS AFTER] each election, the commission shall, upon
19 request, prepare a summary of each report which shall be made avail-
20 able to the public at cost [UPON REQUEST]. Each summary shall use
21 uniform categories of reporting.

22 * Sec. 19. AS 15.13.130 is amended by adding a new paragraph to read:

23 (8) "independent expenditure" means the disbursement of
24 funds made to support or oppose the election of a candidate or the
25 passage or defeat of a ballot proposition or question that is not made
26 with the cooperation, consent, or at the request of a candidate, the
27 campaign committee or controlled group of a candidate, or a group that
28 is supporting or opposing the candidate or ballot proposition or
29 question for which the funds are disbursed.

- 1 * Sec. 20. AS 15.13.070(e) - (g), and 15.13.120(d) are repealed.
- 2 * Sec. 21. This Act takes effect immediately in accordance with AS 01.-
- 3 10.070(c).