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**COMMITTEE REPORT**  
**SENATE**

FURTHER: FINANCE

2/21/85

Date 2/26/85

Mr. President

The Committee on STATE AFFAIRS considered SB 173  
relating to political campaign contributions by an individual who is  
under the age of majority.

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 173 (SA)
- 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**

*Edmund Byrne*  
*Victor Chan*  
*Tim Keely*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MEMBERS HAVING**  
**OTHER RECOMMENDATIONS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*John Hood*  
Chairman

*Do Pass*  
Chairman recommendation

14-0692  
Bradley  
2/18/85 ✓

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO.

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 political campaign contributions  
7 by an individual who is under the age of majority."

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

9 \* Section 1. AS 15.13.070 is amended by adding a new subsection to  
10 read:

11 (i) The contribution of an individual under the age of majority  
12 is considered to have been made by a parent or guardian of the indi-  
13 vidual under the age of majority. This subsection does not apply to  
14 an individual under the age of majority whose disabilities have been  
15 removed under AS 09.55.590 or who is married and has reached the  
16 marriageable age of consent.  
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NOTES TO DECISIONS

The statutes of Alaska remove certain disabilities which at common law attend the wife during her coverture. *Decker v. Kedly*, 148 F. 681 (9th Cir. 1906).

The married woman's common-law disability to bring suit was ended by a series of acts referred to as the Married Woman's Acts. The requirement that suit be brought by the husband when the wife was injured in order that redress be available was thereby ended. *Schreiner v. Fruit*, Sup. Ct. Op. No. 1003 (File No. 1949), 519 P.2d 462 (1974).

But the statutes do not mean that the husband is answerable to the wife in damages for failure to supply her with the necessities of life, or for any other act or failure of duty connected with or arising from the marital relation. *Decker v. Kedly*, 148 F. 681 (9th Cir. 1906).

Wife has independent right to sue for loss of consortium. — See *Schreiner v. Fruit*, Sup. Ct. Op. No. 1003 (File No. 1949), 519 P.2d 462 (1974).

The basis for recovery is no longer the loss of services, but rather the injury to the conjugal relation. Therefore, the claim for relief for loss of consortium, in both husband and wife, should be given recognition in Alaska. *Schreiner v. Fruit*, Sup. Ct. Op. No. 1003 (File No. 1949), 519 P.2d 462 (1974).

The interest to be protected is personal to the wife, for she suffers a loss of her own when the care, comfort, companionship, and solace of her spouse is denied her. *Schreiner v. Fruit*, Sup. Ct. Op. No. 1003 (File No. 1949), 519 P.2d 462 (1974).

Quoted in *Cramer v. Cramer*, Sup. Ct. Op. No. 135 (File No. 260), 379 P.2d 95 (1963).

Chapter 20. Parent and Child.

Section	Section
10. Age of majority	60. Custody of the child
20. Arrival at majority upon marriage	70. Temporary custody of the child
30. Duty of parent and child to maintain each other	80. Mediation of child custody matter
40. Maintenance and education of minor out of income of the minor's property	90. Factors for consideration in awarding shared child custody
45. Legitimacy of children conceived by artificial insemination	100. Denial of shared child custody
50. Legitimation by subsequent marriage, acknowledgment in writing or adjudication	110. Modification of child custody or visitation
	120. Closure of custody proceedings and records
	130. Access to records of the child

Collateral references. — 10 Am. Jur. 2d, Bastards, § 1 et seq.; 42 Am. Jur. 2d, Infants, §§ 1-5, 28-57; 59 Am. Jur. 2d, Parent and Child, § 1 et seq. 43 C.J.S., Infants, § 1-30; 67A C.J.S., Parent and Child, § et seq.

**Sec. 25.20.010. Age of majority.** A person is considered to have arrived at majority at the age of 18, and thereafter has control of the person's own actions and business and has all the rights and is subject to all the liabilities of citizens of full age, except as otherwise provided by statute. (§ 20-1-1 ACLA 1949; am § 1 ch 37 SLA 1959; am § 5 ch 63 SLA 1977)

## NOTES TO DECISIONS

Legislation amending several provisions of the Children's Act was part of an omnibus age-law bill which resolved ambiguities in several codes and generally harmonized all Alaska Statutes with the policy of a 19-year (now 18-year) age of majority. *Davenport v. McGinnis*, Sup. Ct. Op. No. 1049 (File No. 1942), 522 P.2d 1140 (1974).

This section does not carry a broad negative implication. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

Nor imply that infants are incompetent in all things. — The age of majority statute does not imply a legislative judgment that infants are incompetent in all things; it means only that persons above the statutory age minimum are competent in all things except as otherwise provided. *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971); *Quick v. State*, Sup. Ct. Op. No. 1921 (File Nos. 3298, 3462, 3463), 599 P.2d 712 (1979).

Regulation prohibiting persons under 19 years from knowingly consuming alcoholic beverages. — Since an administrative regulation prohibiting any person under the age of 19 years from knowingly consuming alcoholic beverages is authorized by statute [see now AS 04.06.090], the regulation comes within the "except as otherwise provided by statute" exception to this section, which gives the age of majority as 18 years. *Michael v. State*, Sup. Ct. Op. No. 1714 (File No. 3881), 583 P.2d 852 (1978).

Support beyond age of majority. — Superior court's order requiring husband to pay support beyond the ages of minority of his children, if they were enrolled in school, was not erroneous. *Hinchey v. Hinchey*, Sup. Ct. Op. No. 2312 (File No. 3528), 625 P.2d 297 (1981).

Stated in *L.A.M. v. State*, Sup. Ct. Op. No. 1249 (File No. 2221), 547 P.2d 827 (1976).

Collateral references. — Statutory pre-existing status or rights, 75 ALR3d change of age of majority as affecting 228.

**Sec. 25.20.020. Arrival at majority upon marriage.** A person arrives at the age of majority upon being married according to law, unless the person is under the marriageable age of consent as defined in AS 25.05.171(a), in which case the person reaches majority upon reaching the marriageable age of consent. (§ 20-1-2 ACLA 1949; am § 100 ch 127 SLA 1974)

## NOTES TO DECISIONS

Cited in *RLR v. State*, Sup. Ct. Op. No. 706 (File No. 1156), 487 P.2d 27 (1971).

**Sec. 25.20.030. Duty of parent and child to maintain each other.** Each parent is bound to maintain the parent's children when poor and unable to work to maintain themselves. Each child is bound to maintain the child's parents in like circumstances. (§ 21-3-1 ACLA 1949)

Cross references. — For persons liable for support and burial, see AS 47.25.230.

Validity of release of prospective right to wrongful death action, 92 ALR3d 1232.

Judgment in death action as precluding subsequent personal injury action by potential beneficiary of death action, or vice versa, 94 ALR3d 676.

Employer's right of action for loss of services or the like against third person tortiously killing or injuring employee, 4 ALR4th 504.

Effect of death of beneficiary upon right of action under death statute, 13 ALR4th 1060.

Propriety of taking income tax into consideration in fixing damages in personal injury or death action, 16 ALR4th 589.

Effect of anticipated inflation on damages for future losses — modern cases, 21 ALR4th 21.

Effect of settlement with and acceptance of release from one wrongful death beneficiary upon liability of tortfeasor to other beneficiaries or decedent's personal representative, 21 ALR4th 275.

**Article 7. Removal of Disabilities of a Minor.**

**Section**

**590. Removal of disabilities of minority**

Collateral references. — 42 Am. Jur. 2d, Infants, §§ 3-5.

43 C.J.S., Infants, §§ 115-119.

Evidence of emancipation of child so as to permit parent or representative to maintain tort action against minor child, 60 ALR2d 1293.

What voluntary acts of child, other than marriage or entry in military service, terminate parent's obligation to support, 32 ALR3d 1055.

Parent's obligation to support unmarried minor child who refuses to live with parent, 98 ALR3d 334.

**Sec. 09.55.590. Removal of disabilities of minority.** (a) A minor who is a resident of this state and is at least 16 years of age, who is living separate and apart from the parents or guardian of the minor, capable of self-support and of managing one's own financial affairs, may petition the superior court to have the disabilities of minority removed for limited or general purposes.

(b) A minor may institute this petition under this section in the name of the minor.

(c) The petition for removal of disabilities of minority must state:

(1) the name, age, and residence address of the petitioner;

(2) the name and address of each living parent;

(3) the name and address of the guardian of the person and the guardian of the estate, if any;

(4) the reasons why removal would be in the best interest of the child; and

(5) the purposes for which removal is sought.

(d) The petitioner must obtain the consent of each living parent or guardian having control of the person or property of the petitioner. If the person who is to consent to the petition is unavailable or the whereabouts of that person are unknown, or if a parent or guardian unreasonably withholds consent, the court, acting in the best interest of petitioner, may waive this requirement of consent as to that parent or guardian.

(e) The court may appoint an attorney or a guardian ad litem to represent the interests of the petitioner at the hearing.

(f) The court may remove the disabilities of minority as requested in the petition if found to be in the best interest of the petitioner, after a hearing. The removal may be for general purposes or the limited purposes specified in the decree.

(g) Except for specific constitutional and statutory age requirements for voting and use of alcoholic beverages, a minor whose disabilities are removed for general purposes has the power and capacity of an adult, including but not limited to the right to self-control, the right to be domiciled where one desires, the right to receive and control one's earnings, to sue or to be sued, and the capacity to contract. (§ 2 ch 233 SLA 1976)

*Sec. 09.55.600 — 09.55.640. [Renumbered as AS 25.35.010 — 25.35.060.]*

### Chapter 60. Costs.

#### Section

- 10. Costs allowed prevailing party
- 15. Attorney fees in small tort actions
- 20. Liability of guardian ad litem for costs
- 30. Guardian's responsibility for allowance against infant plaintiff

#### Section

- 40. Costs where party is a representative
- 50. Costs awarded against state, borough, city or other public agencies
- 60. Security for costs where plaintiff a nonresident or foreign corporation

**Collateral references.** — 20 Am. Jur. 2d, Costs, § 1 et seq.

20 C.J.S., Costs, § 1 et seq.

Allowance of costs in litigation by beneficiary respecting trust, on theory that fund was created or preserved, 9 ALR2d 1150.

Allowance of costs in litigation by beneficiary for partition of trust property, 9 ALR2d 1219.

Actual payment of costs as a condition to dismissal under rule or statute providing for voluntary dismissal without prejudice upon such terms and conditions as court deems proper, 21 ALR2d 633.

Allowance of fees for guardian ad litem appointed for infant defendant, as costs, 30 ALR2d 1148.

Costs in action for removal of trustee of voting trust, 34 ALR2d 1142.

Unsuccessful litigant's payment of costs as barring his right to appeal from judgment on merits, 39 ALR2d 194.

Appealability of order or judgment awarding or denying costs but making no other adjudication, 54 ALR2d 927.

Depositions, costs and fees as affected by Rule 30(b) of the Federal Rules of Civil Procedure, and similar state statutes and rules, relating to preventing, limiting, or terminating the taking of, 70 ALR2d 758.

Liability of state, or its agency or board, for costs in civil action to which it is a party, 72 ALR2d 1379.

Taxation of costs and expenses in proceedings for discovery or inspection, 76 ALR2d 953.

Liability for costs in action against lessee for breach of covenant as to repairs, 80 ALR2d 1032.

Constitutionality, construction, and application of statutes, requiring bond or security for costs and expenses in taxpayers' action, 89 ALR2d 333.

Allowance as costs, of such items as maps, models, wall charts, photographs, and the like, 97 ALR2d 138.

Validity and construction of statute or rule allowing attorneys' fees to out-of-state defendant successfully defending suit brought in state, 51 ALR3d 1336.

Right of indigent to proceed in marital action without payment of costs, 52 ALR3d 844.

# Alaska State Legislature

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Senator Mitch Aboud  
CHAIRMAN

## Senate Committee on State Affairs

### SECTIONAL ANALYSIS

#### Senate State Affairs Penalties Bill

##### Sections 1, 2, & 3

These sections contain the same language that was passed out of committee in CSSB 87 (SA). They were included in this bill to preclude problems if this penalties bill passes and CSSB 87 (SA) doesn't.

##### Section 4

(a) States that a violation of AS 15.13.110 is subject to a civil penalty and describes the process to appeal an assessed penalty.

(b) Establishes the same civil penalty for delinquent 30 day and 10 day reports:

\$50 per day for the first two days delinquent and each day thereafter 1% per day of the total monetary contributions received

example: A report which was 8 days late would accumulate a penalty of \$100 plus 6% of the total monetary contributions received

(c) Establishes a civil penalty for delinquent 7 day reports (due 7 days before an election). It is a cumulative penalty based on a percentage of the total monetary contributions received.

example: A report which was 6 days late would accumulate a penalty of 15% of the total monetary contributions received (1% the first day, plus 2% the second day, plus 3% for each additional day up to the sixth day).

(d) Establishes a civil penalty of \$50 for each day that the year end report is late.

(e) Establishes a civil penalty for delinquent 24 hour reports. (Any contribution in excess of \$250 which is received within 10 days of an election must be reported to the commission within 24 hours of receipt.) The penalty is a percentage of the unreported contribution.

(f) Establishes a civil penalty for unreported or inaccurate contributions or expenditures on required reports.

**DRAFT**

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO.

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 state election campaigns."

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

8 \* Section 1. AS 15.13.110(a) is amended to read:

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

15 (1) 30 days before the election; however, this report is  
16 not required if the deadline for filing a nominating petition or  
17 declaration of candidacy is within 30 days of the election;

18 (2) one week before the election;

19 (3) 10 [TEN] days after the election; and

20 (4) 31 days after the end [DECEMBER 31] of each year for  
21 expenditures and contributions received which were not reported that  
22 year.

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

24 (b) Each contribution received that [OR EXPENDITURE WHICH]  
25 exceeds \$250 and that [WHICH] is received [MADE] within 10 days [ONE  
26 WEEK] of the election shall be reported to the commission by date,  
27 amount, and contributor [OR RECIPIENT] within 24 hours of receipt [OR  
28 EXPENDITURE] by the candidate or campaign officer [TREASURER]. Each  
29 person making an independent expenditure in the amount of \$1,000 or

1 more that is made within 30 days of an election shall report to the  
2 commission the date, amount, and purpose of the expenditure within 72  
3 hours of the expenditure and shall identify the name of the person or  
4 group that made the expenditure.

5 \* Sec. 3. AS 15.13.120(a) is amended to read:

6 (a) A person who violates a provision of this chapter is guilty  
7 of a misdemeanor and, upon conviction, is punishable by imprisonment  
8 for not more than one year or by a fine of not more than \$5,000. A  
9 violation includes but is not limited to any of the following acts or  
10 omissions:

11 (1) failing to make a statement or report required to be  
12 made under this chapter, or failing to make a statement or report at  
13 the time the statement or report is required to be made under this  
14 chapter;

15 (2) making a campaign contribution or expenditure which  
16 exceeds the limitations of AS 15.13.070 [AS 15.13.070(f)];

17 (3) making a false statement or report under this chapter  
18 or failing to report in whole or in part a contribution or expenditure  
19 required to be reported under this chapter;

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

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

26 (6) knowingly accepting a contribution in violation of  
27 AS 15.13.070;

28 (7) knowingly expending funds from a contribution made  
29 unlawful by this chapter.

1 \* Sec. 4. AS 15.13.125 is repealed and reenacted to read:

2       Sec. 15.13.125. CIVIL PENALTY FOR LATE FILINGS OF REQUIRED  
3 REPORTS. (a) A candidate or group that fails to file a properly  
4 completed report within a time stated in AS 15.13.110 is subject to a  
5 civil penalty assessed under this section for each day the delinquency  
6 continues as determined by the commission. A candidate or group  
7 against whom a civil penalty is assessed by a decision of the commis-  
8 sion under this section may appeal the decision to the superior court.  
9 An affidavit stating facts in mitigation may be submitted to the  
10 commission by a candidate or group against whom a civil penalty is  
11 assessed under this section. The imposition of a penalty does not  
12 excuse the candidate or group from filing a report required by this  
13 chapter.

14       (b) A candidate or group that fails to file a properly completed  
15 report 30 days before the election as required under AS 15.13.110(a)-  
16 (1) or 10 days after the election as required under AS 15.13.110(a)(3)  
17 is subject to cumulative civil penalties of \$50 for each of the first  
18 two days that the report is delinquent. In addition to any other  
19 penalty required under this subsection, a candidate or group that  
20 fails to file a properly completed report within the first two days  
21 after the report is delinquent accumulates a daily penalty of one  
22 percent of the total monetary contributions received by the candidate  
23 or group during the calendar year through the period ending three days  
24 before the due date of the report.

25       (c) A candidate or group that fails to file a properly completed  
26 report one week before the election as required under AS 15.13.110(a)-  
27 (2) shall be assessed a penalty of a percentage of the total monetary  
28 contributions received by the candidate or group during the calendar  
29 year through the period ending three days before the due date of the

1 report

2 (1) on the first day the report is delinquent, one percent  
3 of the total monetary contributions received;

4 (2) on the second day the report is delinquent, three  
5 percent of the monetary contributions received;

6 (3) on the third day that the report is delinquent, six  
7 percent of the total monetary contributions received;

8 (4) on the fourth and each succeeding day that the report  
9 is delinquent, an additional three percent of the total monetary  
10 contributions received for each day the report is delinquent in addi-  
11 tion to the amount stated in (c)(3) of this section.

12 (d) A candidate or group that fails to file a properly completed  
13 report 31 days after the end of each year as required under AS 15.13.-  
14 110(a)(4) is subject to cumulative civil penalties of \$50 for each day  
15 that the report is delinquent.

16 (e) A candidate or group that fails to file a properly completed  
17 report for a contribution that exceeds \$250 and that was received 10  
18 days before the election as required under AS 15.13.110(b) is subject  
19 to a civil penalty of

20 (1) 10 percent of the amount of the unreported contribution  
21 on the first day that the report is delinquent;

22 (2) 30 percent of the amount of the unreported contribution  
23 on the second day that the report is delinquent;

24 (3) 60 percent of the amount of the unreported contribution  
25 on the third day that the report is delinquent; and

26 (4) 100 percent of the amount of the unreported contribu-  
27 tion on the fourth day that the report is delinquent.

28 (f) In addition to the civil penalties established in (b) - (e)  
29 of this section, a candidate or campaign treasurer filing a report

1 required under AS 15.13.110 who fails to report a contribution or  
2 expenditure or who reports a portion but not the entire amount of the  
3 contribution or expenditure is liable to the state for a civil penalty  
4 in an amount equal to three times the amount or the value of the  
5 contribution or expenditure that was omitted from the report.  
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### Notes to PENALTIES BILL

Any violation of the elections statutes (Title 15) is a misdemeanor and is punishable by imprisonment for not more than one year or by a fine of not more than \$5,000 (Sec. 15.13.120). Presently, late or incomplete reports have civil fines, but any other violation of Title 15 may only be prosecuted as a misdemeanor. The burden of proof is much greater in a criminal proceeding (beyond a reasonable doubt) than in a civil one (a preponderance of the evidence). Realistically, few if any violations of Title 15 will be pursued if they have to be prosecuted under the criminal code as a misdemeanor. At a time when the courts are backed up with felonies they are not too anxious to expedite a misdemeanor case where someone gave \$100 over the allowed amount to a candidate. This would suggest that civil penalties should be established for all violations of Title 15. Any major transgressions of the law could still be prosecuted in a criminal proceeding as a misdemeanor.

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

(2) one week before the election;

(3) ten days after the election; and

(4) December 31 of each year for expenditures and contributions received which were not reported that year.

(b) Each contribution or expenditure which exceeds \$250 and which is made within one week of the election shall be reported to the commission by date, amount, and contributor or recipient within 24 hours of receipt or expenditure by the candidate or campaign treasurer.

(c) The reports of candidates shall be filed with the commission's central office. All reports required by this chapter shall be kept open to public inspection. Within 30 days after each election, the commission shall prepare a summary of each report which shall be made available to the public at cost upon request. Each summary shall use uniform categories of reporting.

(d) Within 30 days after each election, each supplier shall make a full report to the commission in accordance with AS 15.13.040. Within 60 days after each election, the commission shall prepare a summary by candidate or group of the transactions and make the summaries public.

(e) A group formed to sponsor an initiative, a referendum or a recall shall report 30 days after its first filing with the lieutenant governor. Thereafter each group shall report within 10 days after the end of each calendar quarter on the contributions received and expenditures made during the preceding calendar quarter until reports are due under (a) of this section. (§ 1 ch 76 SLA 1974; am § 24 ch 189 SLA 1975; am § 2 ch 133 SLA 1977)

Effect of amendments. — The 1977 amendment added subsection (e). affected by the amendment, it is not set out.

As the rest of the section was not

#### NOTES TO DECISIONS

Stated in State, Pub. Offices Comm'n v. Marshall, Sup. Ct. Op. No. 2406 (File No. 5614), 633 P.2d 227 (1981).

**Sec. 15.13.120. Penalty; limitations on actions.** (a) A person who violates a provision of this chapter is guilty of a misdemeanor and, upon conviction, is punishable by imprisonment for not more than one year or by a fine of not more than \$5,000. A violation includes but is not limited to any of the following acts or omissions:

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

*Sen Fishers  
Amendment*

Amendment #1 to PENALTIES BILL

CSSB 87 (State Affairs) requires that independent expenditures of \$1000 or more made within 30 days of an election must be reported to A.P.O.C. within 72 hours. The following is a proposed amendment to the penalties bill and provides a civil penalty for violation of the required independent expenditures report.

15.13.125 is amended by adding a new section to read:

A person who fails to file a properly completed and certified report of independent expenditures within the time required by AS 15.13.110(b) is subject to a civil penalty of:

Options

1. \$??? per day the report is delinquent
2. ? percent of the amount of the expenditure
3. different penalties for the violation:
  - a. one penalty for late reports for independent expenditures on behalf of or in opposition to candidates
  - b. another penalty for late reports for independent expenditures on behalf of or in opposition to a ballot proposition

NOTES

The independent expenditure reporting requirement is aimed at providing better public disclosure and preventing last minute smear campaigns by unknown parties. A late report by a group supporting or opposing a ballot proposition is not as detrimental to the public's right to know as a late report (possibly a smear campaign) supporting or opposing a candidate. High fines might be appropriate for late reports dealing with candidates while late reports for ballot propositions might warrant more lenient penalties.

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.

Amendment #2 to PENALTIES BILL

This amendment would establish a civil penalty for exceeding the \$1000 contribution limit. Currently only criminal penalties exist for this violation.

AS 15.13 is amended by adding a new section to read:

Sec. 15.13.128 Civil Penalties For Violations Of This Chapter. (a) A person, candidate, or group who makes or accepts a campaign contribution of more than \$1000 in violation of AS 15.13.070 is subject to a civil penalty equal to two times the amount of the contribution exceeding \$1000. The amount of the contribution exceeding \$1000 shall be returned to the contributor.

Amendment #3 to PENALTIES BILL

This amendment would establish a civil penalty for missing or improper disclaimers on campaign communications. Currently only criminal penalties exist for this violation.

AS 15.13.128 is amended by adding a new section to read:

(b) A person, candidate or group that makes a communication to support or defeat a candidate or ballot proposition without proper identification in violation of AS 15.13.090 shall be assessed a civil penalty of:

Penalty left to discretion of committee

Amendment #4 to PENALTIES BILL

This amendment takes advantage of the language in AS 15.13.125 Civil Penalties For Late Reports. By defining a properly completed report the section on penalties for late reports will also cover incomplete, inaccurate, and false reports.

AS 15.13.130 is amended by adding a new subsection to read:

(8) "properly completed report" means a report that includes all required details and whose details are accurate.