

HB

13

HFIN

FILE

HOUSE COMMITTEE REPORT

(11)

Date Referred: March 9, 1995

FURTHER REFERRALS:

Date of Committee Action: 3/22/95

The FINANCE Committee considered:

HB 13

HOUSE BILL NO. 13

CAMPAIGN DISCLOSURE REPORTS

"An Act requiring persons authorized to make or incur political campaign expenditures before filing for nomination to office and groups acting on behalf of them to file certain election campaign finance disclosure reports."

recommends it be replaced with the following committee substitute HS 11B 13 (SIA) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) _____ zero fiscal note(s) Admin, 3/9/95

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Mark Hanley</i>	Hanley	X			
<i>Glen Mulder</i>	Mulder			X	
<i>Terry Martin</i>	Martin	X			
<i>Frank Parnell</i>	Parnell	X			
<i>Vic Kohring</i>	Kohring			X	
<i>Ben Grussendorf</i>	Grussendorf	X			
<i>Mike Navarre</i>	Navarre			X	
<i>Tony Brown</i>	Brown			X	
<i>Kate Kelly</i>	Kelly	X			
<i>Gene Therman</i>	Therman	X			
<i>Richard Foster</i>	Foster	X			

CO-CHAIR'S SIGNATURE

Mark Hanley
Hanley

Richard Foster
Foster

ALASKA PUBLIC OFFICES COMMISSION

POLICY DECISION

AS 15.13.04U(b) and (c), 15.13.110,
15.13.130(4) and 2 AAC 50.332 in
relation to:

Exemption from Primary Election
Reporting Requirements
No. 15.13 - 82 - 2
November 18, 1982

Question: Shall non-party candidates, groups formed to influence the outcome of ballot issues not appearing on the primary ballot, and political party subdivisions and multi-candidate PAC's which do not make expenditures to benefit a candidate on the primary ballot, but which may receive contributions and/or make administrative expenditures during the primary reporting period, be required to file Primary Election Campaign Disclosure Reports (30 and 7 Day Pre and 10 Day Post)?

Decision: The Commission determined that such groups and candidates need not file either Primary or General Election reports so long as their only activity during those reporting periods is the receipt of contributions or the expenditure of funds for administrative purposes. If a group makes campaign-related expenditures (i.e., those intended to influence the election of a candidate or the outcome of a ballot issue), then the campaign disclosure reporting cycle is triggered, beginning with the report covering the period during which such an expenditure was made and covering all financial activity not previously reported. Failure to file timely reports once the reporting cycle is triggered will subject the candidate or group to the penalty provisions of AS 15.13 and 2 AAC 50. However, if no campaign-related expenditures are made during a calendar year, but contributions are received and/or administrative expenditures are made, then a comprehensive Year-end Report shall be filed.

Rationale: Historically, it has been the informal policy of the Commission to exempt non-party candidates and General Election ballot issue groups from the requirement to submit Primary Election reports. In light of AS 15.13.110(a), it seems reasonable to extend the exemption to multi-candidate PAC's and political party subdivisions with no campaign-related primary expenditures: AS 15.13.110(a)(1), (2), and (3) state that the "report shall be filed at the following times: 30 days before the election; one week before the election; ten days after the election..." (emphasis added). Presumably, the election to which .110 refers is the specific one that the candidate or group is attempting to influence. No public harm results and timely disclosure is not compromised if primary reports are not submitted since the election in question is the general.

Such an exemption would make the reporting requirements less burdensome, eliminate the submittal of extraneous reports, and expedite the auditing and review process.

References: Patrice Stendahl Memorandum of August 11, 1982, and attachment.

Alaska State Legislature

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DEPT. OF NATURAL RESOURCES
DEPT. OF COMMERCE & ECONOMIC DEVELOPMENT
DEPT. OF ENVIRONMENTAL CONSERVATION

Representative Joe Green

District 10

Sponsor Statement

CSHB 13 - Campaign Disclosure Reports

HB 13 makes it easier for the public to know who is contributing money to non-party candidates for statewide and legislative office.

Problem: Currently, non-party candidates for legislative office who gain access to the general election ballot by going through the petition or write-in process are not required to file campaign finance disclosure reports during the primary election cycle. Alaska Public Office Commission Policy Decision 15.13-82-2 sets requirements for these candidates.

The Commission has ruled that non-party candidates, groups formed to influence the outcome of ballot issues not appearing on the primary ballot, and political party subdivisions and multi-candidate PAC's which do not make expenditures to benefit a candidate on the primary ballot "...need not file either Primary or General Election reports so long as their only activity during those reporting periods is the receipt of contributions or the expenditures of funds for administrative purposes."

When a campaign-related expenditure is made, the reporting cycle is triggered. Until that time, the public has no idea who is contributing money to non-party candidates.

Solution: HB 13 requires prospective non-party candidates for legislative office to disclose to the public, during the primary election reporting cycle, who is making campaign contributions to them.

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Bill Version: CSHB 13(STA)
(H) Publish Date: 2/8/95

Revision Date: _____ Dept. Affected: Administration
 Title: "An Act requiring persons authorized to make or incur political campaign expenditures ..." BRU: Alaska Public Offices Commission
 Component: Alaska Public Offices Commission
 Sponsor: Representative Green
 Requestor: Representative Green COMPONENT SERIAL NO. 70

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES		9.0		9.0		9.0
TRAVEL						
CONTRACTUAL		0.3		0.3		0.3
SUPPLIES		0.1		0.1		0.1
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	9.4	0.0	9.4	0.0	9.4
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ()						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF		9.4		9.4		9.4
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
Total	0.0	9.4	0.0	9.4	0.0	9.4

Estimate of current year (FY95) cost: \$0.0

POSITIONS:

FULL-TIME						
PART-TIME		1		1		1
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

This bill would require the filing of campaign disclosure reports by prospective municipal and state candidates (those who file letters of intent). It would result in the filing of an estimated 270 additional reports by 70 prospective candidates.

Costs involved in administering this change include: a six month part-time seasonal administrative clerk during election cycles to deal with the additional paper processing, mailings, and copy requests; postage, envelopes, and paper.

Prepared by: Karen Boorman, Executive Director *K. Boorman*
 Division: Alaska Public Offices Commission

Phone: 907/276-4176
 Date: _____

Approved by Commissioner: *MB*
 Agency: Department of Administration

Date: 1/26/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

(to 2)
Bill Version: CS HB 13 (STA)
(H) Publish Date: 3/9/95

Revision Date: _____
Title: An Act requiring persons authorized to make or incur political campaign expenditures
Sponsor: Rep. Green
Requestor: (H) JUD

Department Affected: Administration
BRU: Alaska Public Offices Commission
Component: Alaska Public Offices Commission
COMPONENT SERIAL NO. 70

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
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FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ -0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact to the Alaska Public Offices Commission.

Prepared by: Karen Boorman, Director
Division: Alaska Public Offices Commission

Phone: 276-4176
Date: _____

Approved by Commissioner: Mark Boyer
Agency: Department of Administration

Date: 3/3/95

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