

SCOMM

82:11

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

N 1
Bill Version CSHB 86 (STA)
(H) Publish Date: 2/25/91

Revision Date: _____ Department Affected: Dept. of Administration
 Title: An Act relating to the date for BRU: Alaska Public Offices Commission
 filing year-end campaign finance reports
 Sponsor: Judiciary Committee Component: _____
 Requester: House State Affairs COMPONENT SERIAL NO.

		7	0
--	--	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
----------------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
----------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

There will be no fiscal impact

Prepared By: Karen Boorman *Karen Boorman* Phone: 276-4176
 Division: Alaska Public Offices Commission Date: 2/12/91
 Approved by Commissioner: Annie Laurie Howard, Chair *Annie Laurie Howard*
 Agency: Alaska Public Offices Commission Date: 2/12/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1991 LEGISLATIVE SESSION

BILL NO. CSHB86

Revision Date: _____ Department Affected: Administration
 Title: Year-end Campaign Finance Reports BRU: AK Public Offices Commission
 Sponsor: (H) Judiciary Component: _____
 Requestor: (S) ETR COMPONENT SERIAL NO.

		7	0
--	--	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

There will be no fiscal impact.

Prepared By: Karen Boorman Phone: 276-4176
 Division: AK Public Offices Commission Date: 3/20/91
 Approved by Commissioner: Annie Laurie Howard, Chair
 Agency: Alaska Public Offices Commission Date: 3/20/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).



Official Business

Alaska State Legislature

Senate

SPECIAL COMMITTEE ON ETHICS REFORM

Senator Virginia Collins

Pouch V
State Capitol
Juneau, Alaska 99811

March 18, 1991

MEMORANDUM

TO: Senator Jim Duncan

FROM: Senator Virginia Collins, Chair
Senate Special Committee On Ethics Reform

SUBJECT: Public hearing on HB 86 APOC reporting deadlines and
worksession on campaign financing reform

The Senate Special Committee on On Ethics Reform will meet at 10:30 am on Thursday, March 21, 1991, in the Butrovich Room.

Alaska State Legislature



MAR 14 1991

House of Representatives
House Judiciary Committee
Chairman Dave Donley

P. O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4990
(907) 465-4712

M E M O R A N D U M

TO: Senator Virginia Collins, Chair
Senate Special Committee on Ethics Reform

FROM: Representative Dave Donley, Chair **DB**
House Judiciary Committee

RE: CSHB 86(Jud), "The Mini Campaign Reform Act"

DATE: March 14, 1991

I respectfully request that you consider scheduling CSHB 86(Jud) for a hearing before your committee at the earliest opportunity.

Attached you will find an explanation and analysis of the bill, as well as the APOC position paper.

Thank you for your consideration of this request.

REPRESENTATIVE DAVE DONLEY

ALASKA STATE LEGISLATURE
DISTRICT ELEVEN
SEAT A

ALASKA LANDINGS • BENTZEN • BIRCHWOOD • CHESTER CREEK • HEATHER MEADOWS • LINCOLN PARK • MIDTOWN • NORTHSTAR
NORTHWOOD • ROMIG • ROOSEVELT PARK • SPENARD • THOMPSON • TURNAGAIN • WINDEMERE • WOODLAND PARK

3111 "C" STREET, SUITE 450
ANCHORAGE, ALASKA 99503
(907) 561-7629 (FAX) 562-4376



CHAIRMAN
JUDICIARY COMMITTEE

VICE CHAIRMAN
REGULATION REVIEW COMMITTEE

MEMBER
RULES COMMITTEE
LABOR AND COMMERCE COMMITTEE

HB 86, "THE MINI CAMPAIGN REFORM ACT"

EXPLANATION AND ANALYSIS

This bill makes some long needed adjustments to our campaign reporting laws, the major feature of which is closing the two day reporting gap.

In Section 2, the two day reporting gap is closed. The law, since its inception in 1974, has contained an inadvertent two day gap which occurs between the seven day pre-election report and the 24 hour report. Thus, contributions over \$250, that should be reported during the week before the election are not reported until the 10 day post-election report, which has the effect of obscuring the public's right to know.

In Section 1, on page one, the new language clarifies the scope of the year-end report. The year-end reporting period starts with the most recent report filed or with the beginning of the campaign, whichever is later. The reporting period ends with the previous calendar year, i.e., on December 31.

In Section 1, on page two, lines 6 and 7, the filing of a zero report is made mandatory. This allows APOC to monitor report filing, notify filers if no report is received, and avoids the problem of discovering at a later date that a report should have been filed and that a significant fine has accrued.

Also, in Section 1, on page one, the deadline for filing year-end campaign reports is changed from December 31 to February 15. In recognition of the impracticality of the December 31st deadline, the Alaska Public Offices Commission has for several years allowed year-end reports to be filed well after the statutory date.

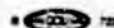
It is basically impossible to provide accurate information by the statutory December 31 deadline if the candidate or group has an interest bearing bank account or an account where one pays according to the number of checks written. The bank statements for December do not generally come out until the latter part of January. One must then file an

JUNEAU OFFICE

(During Legislative Session January through May)



P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 465-3892 (FAX) 463-5661



amended report after the final accounting for December is made available.

Additionally, contributions can be received until midnight, December 31st, making it virtually impossible to comply with the statute if this happens. Conflict of interest statements and income tax returns are due on April 15. Under HB 86, APOC year-end reports are due a full two months earlier. There are no elections occurring in January or February; thus, there is no reason to rush the filing of year-end reports, resulting in incomplete and misleading reports which must be amended later anyway.

The Alaska Public Offices Commission supports this legislation and it received bi-partisan support in the House where it passed 38 to 2.

1991 LEGISLATION
POSITION PAPER
DEPARTMENT OF ADMINISTRATION

Division Alaska Public Offices Commission Bill Number HB 86

Bill Title An Act relating to the date for filing of year-end campaign finance reports.

Position Statement: Explain briefly what bill does, its impacts and Department's position, i.e.
a) support, b) do not support, c) neutral or d) oppose.

SEE ATTACHED

APPROVED:

Director Karen Boorman Division AK Public Offices Commission
print name

Signature Karen Boorman Date 2/12/91

Commissioner Millett Keller

Signature _____ Date _____

(For more information, call Barbara Fritchett 465-2200)

Rev. 1/23/91

Annie Laurie Howard Date 2-12-91
Annie Laurie Howard, Chair
Alaska Public Offices Commission

POSITION PAPER

APOC

HB 86

"An Act relating to the date for filing of year-end campaign finance reports."

This bill extends the deadline for year-end campaign disclosure reports from December 31 of each year to February 15 of the following year. This will allow candidates and groups the use of January bank statements and a longer time period to prepare a year-end report.

The Alaska Public Offices Commission has reviewed HB 86. This bill impacts the campaign disclosure law, AS 15.13 which the commission administers. The commission supports this legislation. The one month delay in year-end campaign disclosure report availability to the public is offset by more complete and accurate reports. (By APOC regulation 2 AAC 50.390, fines are not assessed until after January 16.)

The commission would like to request three additional changes to the legislation.

Amendment 1

The first clarifies the scope of the February 15 (year-end) report. The year-end reporting period starts with the most recent report filed or with the beginning of the campaign, whichever is later. The reporting period ends with the previous calendar year, not on February 12. This allows six weeks to fill out and file year-end reports.

Section 1, lines 6 and 7 ". . . day covered by the most recent

previous report[,] (or 1) If it is a first report, it shall cover all contributions received and expenditures made before three days before the due date of the report. If it is a report due February 15, it shall cover the period beginning on the last day covered by the most recent previous report or the beginning of the campaign, whichever is later, and ending with December 31 of the prior year. The report shall be filed . . .".

Amendment 2

The second would make zero year-end reports mandatory. This would allow APOC to monitor report filing and notify filers if no report is received. Currently, reports are filed only if activity has taken place since the last report. Filing a zero activity report is optional. APOC has no way of knowing and subsequently reminding a candidate or group whether a report should be filed. Requiring zero reports will avoid the problem of discovering at a later date that a report should have been filed and a significant fine has accrued.

Section 1, lines 13 and 14 "(4) February 15 [December 31 of each year for expenditures and contributions received which were not reported that year]."

When read in conjunction with 2 AAC 50.332(a), this change makes it clear that zero year-end reports are mandatory.

Amendment 3

The third suggestion involves a separate issue. Currently the statute is worded such that an inadvertent two day reporting gap occurs between the seven day pre-election reports and the 24 hour reports. Contributions over \$250 that should be reported during

the week before the election are not reported until the 10 day post-election report.

Amend AS 15.13.110(b) to read:

(b) Each contribution or expenditure that [which] exceeds \$250 and that [which] is made within nine days [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 candidate or campaign treasurer.

Since this last request changes the twenty four hour report filing, the title should be amended to delete "year-end".

REPORTING DATES

<u>REPORT TITLE</u>	<u>REPORTING PERIOD</u>	<u>DUE DATE</u>
1989 YEAR END	BEGINNING OF CAMPAIGN OR JANUARY 1 - DECEMBER 31, 1989	JANUARY 16, 1990
	<u>PRIMARY ELECTION</u> <u>AUGUST 28, 1990</u>	
30 DAY PRE-PRIMARY	BEGINNING OF CAMPAIGN - JANUARY 1, 1990 - JULY 26, 1990	JULY 30, 1990
7 DAY PRE-PRIMARY two day gap	JULY 27, 1990 - AUGUST 18, 1990	AUGUST 21, 1990
24 HOUR REPORT	AUGUST 21, 1990 - AUGUST 27, 1990	WITHIN 24 HOURS OF RECEIPT OF +\$250.
10 DAY POST-PRIMARY	AUGUST 19, 1990 - SEPTEMBER 4, 1990	SEPTEMBER 7, 1990
	<u>GENERAL ELECTION</u> <u>NOVEMBER 6, 1990</u>	
30 DAY PRE-GENERAL	SEPTEMBER 5, 1990 - OCTOBER 4, 1990	OCTOBER 9, 1990
7 DAY PRE-GENERAL two day gap	OCTOBER 5, 1990 - OCTOBER 27, 1990	OCTOBER 30, 1990
24 HOUR REPORT	OCTOBER 30, 1990 - NOVEMBER 5, 1990	WITHIN 24 HOURS OF RECEIPT OF +\$250.
10 DAY POST-GENERAL	OCTOBER 28, 1990 - NOVEMBER 13, 1990	NOVEMBER 16, 1990
1990 YEAR-END	NOVEMBER 14, 1990 - DECEMBER 31, 1990	JANUARY 15, 1991