

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
5790 HOUSE JUDICIARY

STATE OF ALASKA

STEVE COWPER, GOVERNOR

Item 4

ALASKA PUBLIC OFFICES COMMISSION

REPLY TO:

2221 E. Northern Lights, Room 128
Anchorage, AK 99508
(907) 276-4176

Juneau Branch Office
Box CO
Juneau, AK 99811-0222
(907) 465-4864

January 17, 1990

Representative H. A. "Red" Boucher
Pouch V
Juneau, Alaska 99811

RECEIVED

JAN 12 1990

Dear Representative Boucher:

I am writing with regard to HB 318, an act relating to the Fair Campaign Practices Code.

This measure establishes a fair campaign practices code. It requires the commission to prepare a form for candidates to sign, indicating that they will abide by the provisions of the code. The commission would be required to send a copy to each candidate who files reports under AS 15.13, and by implication would maintain copies of signed reports for public review.

As you may be aware, during the last session the commission submitted a fiscal note indicating this measure would not have a fiscal impact on the workload of the commission. At its November 30, 1989 meeting, the commission reviewed the assumptions upon which this note was based, and asked me to submit a revised fiscal note indicating that resources will be required.

With regard to the substance of the proposal, commission members support the ideals expressed in the code, but expressed concerns about the practical value of enacting this type of legislation. These concerns are exacerbated by the potential for workload increases for an already overextended staff.

This measure does not directly authorize citizens to file complaints with APOC. It is the commission's understanding that there would be first amendment problems with imposing sanctions for violations of a code of this nature. But under AS 15.13, a person who believes the chapter has been violated is entitled to file a complaint with the commission. It is reasonable to believe that the public and candidates will file complaints under AS 15.13.120(d) alleging violations of the code.

This expectation is borne out by the experience in Montana and Washington, two jurisdictions which have adopted fair campaign practice codes. I discussed this measure with Delores Colberg, Commissioner of Political Practices for Montana. Ms. Colberg

Representative H. A. "Red" Boucher
January 17, 1990
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indicates that her office receives complaints, and investigates them informally. Although these complaints are few in number, some level of review does take place.

I also spoke with Graham Johnson, Director of the Washington State Public Disclosure Commission. He indicates that the original version of Washington's law did not include a complaint investigation provision. However, the Public Disclosure Commission soon realized that it needed to establish a procedure to handle complaints. The method devised was to send a copy of the complaint to the respondent and request a response. Once the respondent provides a response, commission staff then drafts a press release outlining the contents of the complaint and the response. In the release the commission makes clear that it has no observations or comments on the matter. Thus, the commission makes the complaint and response public, without undertaking investigation. Again, there are very few complaints of this nature, but when they are filed with the commission they receive some level of review.

APOC has much higher visibility as a complaint enforcement agency than either of these two offices. Even if the commission took the position that callers would be informed that the commission does not investigate complaints of this nature, staff time would be spent fielding the telephone calls, and explaining to citizens why there is no remedy. The commission already has more investigation work than can be handled within the time frames anticipated by law. For these reasons, given the added volume of work which the commission believes would occur as a result of this measure, the commission believes the bill would require additional resources.

The commission further believes it may be appropriate to consider placing the administration of this code elsewhere, perhaps within the Division of Elections, which is not generally perceived as an agency which investigates complaints.

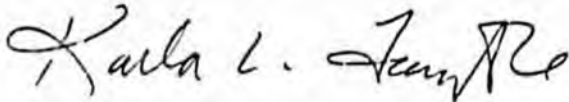
A different approach brought to my attention by Graham Johnson involves using the private sector rather than a government agency to monitor elections. I have attached materials provided to me by Mr. Johnson, which describe an organization in Chicago called CONDUCT. CONDUCT is an interfaith, inter-racial, nonpartisan civic organization dedicated to discouraging bigotry and bias in Chicago area election campaigns. CONDUCT has promulgated a code of fair campaign practices, monitors local campaigns, investigates complaints, and sends letters of censure if a campaign is found in violation of the code.

Representative H. A. "Red" Boucher
January 17, 1990
Page 3

Thank you for your consideration of these comments. If you or other committee members have any questions, please let me know.

Sincerely,

ALASKA PUBLIC OFFICES COMMISSION



Karla L. Forsythe
Executive Director

Attachments

cc: Representative Finkelstein
Representative Wallace
Representative Davis
Representative Gruenberg
Representative Menard
Representative Ellis
Representative Donley
Representative Ulmer
Representative Brown
Representative Koponen
Bob Evans, Office of the Governor
Sioux Plummer, Special Assistant, Dept. of Administration
APOC Members
APOC Senior Staff

REVISED FISCAL NOTE

HB 318 NARRATIVE

This measure establishes a fair campaign practices code. It requires the commission to prepare a form for candidates to sign indicating they will abide by the code. The commission would be required to send a copy to each candidate who files reports under AS 15.13 and by implication would maintain copies of signed forms for public review. These administrative tasks could be absorbed with existing resources.

The commission anticipates a high volume of calls from citizens complaining that candidates have engaged in behavior which is contrary to the code. Since commission resources are stretched to the limit particularly in investigatory matters, the commission will need additional staff to handle the increased workload.

It is assumed that the time required to handle complaints of this nature, given the existing workload, would warrant a half-time paralegal investigator, Range 16.

CONDUCT

COMMITTEE ON DECENT UNBIASED CAMPAIGN TACTICS

55 E. Jackson Blvd.-Suite 1870
Chicago, IL 60604
(312) 663-5500

STATEMENT OF PURPOSE

John A. McDermott, Chairman
Reverend Bernard Brown
Ronald Champagne
Charles A. Davis
Daniel Feldman
The Very Reverend Charles Greene
Octavia Harrison
Leon Jackson
Louise Aho Hueg Kerr
Mitchell Kobelinski
Donald N. Langenberg
Albert Logan
William E. Lowry, Jr.
Isidro Lucas
Raymond Mack
Edward Marciniak
Roscoe Mitchell
Reverend John Pollard
Barbara Proctor
Richard J. Rice
Reverend John T. Richardson, C.M.
Thomas F. Roeser
Edmund J. Rooney
Rabbi Herman E. Schaalman
Weathers Sykes
Arnold Weber
Rolf Weil
Maynard I. Wishner
Nancy Isserman, Executive Director

CONDUCT is an interfaith, interracial, non-partisan civic organization dedicated to discouraging bigotry and bias in Chicago area election campaigns. Members of CONDUCT's board serve as individuals, not as representatives of any group or institution.

CONDUCT respects and affirms the value of vigorous election campaigns and sharp debate. Such campaigns benefit the community. They can clarify issues and are very much a part of the Chicago political tradition. Campaign tactics that appeal to hate or fear, however, or that denigrate the opposition based on the opponent's race, religion, ethnicity or gender, are morally wrong, undermine community peace and subvert the political process.

CONDUCT has promulgated a Code of Fair Campaign Practice as a basic guideline for ethical campaign behavior. Candidates are invited to voluntarily commit themselves and their campaigns to observe the Code.

CONDUCT's staff monitors local political campaigns for violations of the Code. CONDUCT also investigates complaints of Code violations received from candidates, the press and members of the community.

If a candidate, campaign organization or partisan is found in serious violation of the Code, a letter of censure is sent to the offender including an appeal to cease and desist the practice in question. At the same time, the letter is released to the public and the press.

CONDUCT is an interfaith, interracial, non-partisan, civic organization dedicated to discouraging bigotry and bias in Chicago area election campaigns. Members serve as individuals, not as representatives of any group or institution. CONDUCT encourages ethical campaign practices but endorses no candidate or party.

I. HISTORY OF THE PROJECT

CONDUCT, the Committee on Decent Unbiased Campaign Tactics, an independent, non-partisan, interracial and interfaith group of Chicago leaders, was launched in June 1984 with the help of the American Jewish Committee to discourage appeals to bias and bigotry in Chicago's election campaigns. It was formed in response to the bitter racial polarization, use of smear tactics and racist and anti-Semitic literature which marred Chicago's 1983 mayoral election. The Joyce Foundation provided seed money for Chicago's CONDUCT to organize the board and develop a working program. In its 18 months of operation CONDUCT committee members developed an action program to combat appeals to bigotry in political campaigns. Education, monitoring, and public exposure emerged as the main elements of CONDUCT's program.

The 1986 special aldermanic elections in the seven remapped wards presented a special learning opportunity for CONDUCT, a chance to test its model on a small scale. The lessons from this experience could become the basis for a major program in the 1987 mayoral and aldermanic races. For this 1986 "trial run", CONDUCT developed a limited plan of action based on the key elements identified earlier; education, monitoring and public exposure.

To monitor the seven races, CONDUCT sent three observers into the seven wards to observe the aldermanic campaigns. The three attended political rallies and forums, and visited campaign offices. They interviewed the candidates, their staffs and local community people. In addition they read the neighborhood newspapers and reviewed campaign literature. The observers found a few examples of racial and religious bigotry. More importantly, it became clear that their presence deterred some campaigns from playing on the fears and prejudices of the voters.

An educational program was undertaken aimed at the over 150 candidates running in the primary elections. Letters explaining CONDUCT'S support and willingness to investigate complaints were sent to all candidates for alderman and to candidates in contested state legislature or congressional races in the Chicago area. The public learned of CONDUCT through press conferences and the media coverage.

The CONDUCT board evaluated all the complaints it received and issued four letters of censure to the candidates involved. Copies were sent to the media.

II. THE PROGRAM

Based on the experience in 1986, a modified three part program was developed for the 1987 aldermanic and mayoral elections. CONDUCT drafted and publicized a Code of Fair Campaign Practice, a statement of ethical principles including six specific guidelines designed to prevent overt or covert appeals to bias. All candidates were asked to sign the code. CONDUCT also hired and trained a staff of 12 observers. Finally, CONDUCT invited complaints based on the standards of the code. It received and investigated 64 complaints.

A subcommittee of the CONDUCT board drafted The Code of Fair Campaign Practice which was revised and approved by the entire CONDUCT board. The final version of the Code was released to the public in mid December, 1986. At the same time, it was sent by certified mail to all the aldermanic and city-wide candidates and sent by messenger to all the mayoral candidates. A record of signed and returned copies was kept.

For the primary, 12 observers worked as monitors. The observers were politically sophisticated people with an extensive knowledge of the city and its politics. They were assigned to monitor campaigns in selected wards. Most worked in the wards with which they were familiar. The number of wards assigned to an observer varied depending on the sensitivity of the campaigns.

For the general election, which had fewer contests than the primary, nine observers were retained. Two, one white and one black, covered the 18th ward race where a white candidate opposed a black candidate. One observer covered all the South Side aldermanic run-off elections. Another observer covered the one West Side run-off. Two observers monitored the run-offs along the north lakefront. In addition, all the observers but one covered the mayoral candidates' appearances in their respective areas of the city. In both elections, observers attended political rallies and forums and visited campaign offices. They interviewed candidates, their staffs, and local community people. They also reviewed and collected campaign literature and monitored the neighborhood newspapers.

Complaints were received by letter, over the phone, from the observers and from the CONDUCT board. Upon receiving a complaint, staff made a thorough investigation. Reports to the board contain the following information.

- Nature of the complaint
- Results of the staff investigation including documentation.
- Information on the accused person or group.
- Information on the complainant.
- Where appropriate, response from the accused to the complaint.
- Recommendations to the board on action by CONDUCT.

When a complaint was confirmed by the board, the basic response was to: send a letter of censure via messenger to the accused with a copy to the complainant and a copy and a release to the press. When the complaint was not confirmed by the board or could not be documented, a note of explanation was sent to the complainant.

All complaints, investigative reports, and relevant materials were presented to the board at weekly, Wednesday morning board meetings. Letters and press releases, for the most part, were sent out a day or two after the meeting.

THE CODE OF FAIR CAMPAIGN PRACTICE

The right to seek public office in Chicago is a precious right which belongs to all qualified citizens of the city. Vigorous election campaigns and sharp debate are normal and healthy and very much a part of the Chicago political tradition. At its best, this process can help to clarify the issues and inform the voters. In their election campaigns, however, candidates have a solemn obligation to be truthful and fair and to respect the rights and dignity of their opponents and of all the individuals and groups who make up the community. Campaigns which appeal to fear or hate or which denigrate the opposition based on the opponent's race, religion, ethnicity or gender are morally wrong, undermine community peace and subvert the political process.

To help establish decent, unbiased, political campaigns in Chicago, CONDUCT, the Committee on Decent Unbiased Campaign Tactics, urges candidates for public office in Chicago to commit themselves to observe the following Code of Fair Campaign Practice:

CANDIDATES:

- should not suggest directly or indirectly through speeches or campaign literature, that their opponents ought to be defeated because of their race, religion, national origin or gender.
- should campaign among *all* the voters in the community they seek to represent or serve, being careful not to systematically exclude neighborhoods or groups other than their own.
- should not appeal to negative stereotypes or hostilities based on race, religion, ethnicity, gender or other irrelevant group identification.
- should not seek to gain support by arousing or exploiting the fears of one group toward other, different groups.
- should not use pamphlets, flyers, code words or advertising which appeal to bigotry or fear.
- should publicly condemn bigoted literature, statements or actions in support of their candidacy or in opposition to their opponent.
- should be accountable for the actions of their campaign staffs relative to this code.

CANDIDATE'S COMMITMENT

I pledge myself and my campaign to abide by the Code of Fair Campaign Practice.

Name _____

Date _____

CONDUCT

55 E. Jackson Blvd., Suite 1870
Chicago, IL 60604
(312) 663-5500

COMMITTEE ON DECENT UNBIASED CAMPAIGN TACTICS





Representative H.A. "Red" Boucher, Chair
House State Affairs Committee

DATE: 1/14/90

PLACE: Juneau

SUBJECT OF MEETING:
HB 318 Code of Fair Campaign Practices
HB 218 AHFC loans to Sr. Hsg

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
RW SULLIVAN	AHFC	PO Box 101020 ANCHORAGE	99510		561 1900	(Y) N	HB 218
Bob Davitt	AARP St. Joseph's	130 Dewar St # 205 99801			586 2066	(Y) N	HB 218
Cindy Smith	AK NETWORK M. Dem. Vol. / SA	130 Seward Rm 301 99801			586 3650	(Y) N	HB 218
GREG POASE	AK. Col. KINGESS	5597 AISLER ST. 99801			780-4338	(Y) N	HB 218
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	



Official Business

Alaska State Legislature

House

P.O. BOX V
State Capitol
Juneau, Alaska 99811

MEMORANDUM

TO: Representative Peter Goll, Co-Chair
Representative Max Gruenberg, Co-Chair
House Judiciary Committee

FROM: Representative David Finkelstein

DATE: January 18, 1990

RE: HB 318, 'Fair Campaign Practices Code'

I hope you will be able to schedule HB 318 at your earliest convenience. I also would like to get a chance to talk with you or the committee staff prior to the hearing.

The bill came about because in many elections both on the local and national level, a few candidates always end up using unscrupulous campaign tactics. This legislation would establish a 'Fair Campaign Practices Code', and each candidate for office would be given the opportunity to subscribe to the code.

I realize that this bill will not eliminate "dirty campaigning". It will help, though, to make the public aware of which candidates are committed to running issue-oriented campaigns. Montana has a similar voluntary code in place, and my understanding is that it has worked well there.

Nothing in this legislation is meant to imply that there is anything wrong with candidates being aggressive. The voters deserve a full airing of public policy issues, even if it involves 'negative campaigning'. The 'Fair Campaign Practices Code' would not discourage these kind of hard hitting campaigns, only those that are unethical or irresponsible.

BILL: HB 318

NAME:

TITLE: "AN ACT RELATING TO THE FAIR CAMPAIGN PRACTICES
CODE."

PRIME SPONSOR: FINKELSTEIN

CO-SPONSOR: WALLIS, DAVIS, N., GRUENBERG, MENARD, ELLIS, DONLEY, ULMER, BROWN
GOLL, KOPONEN, BOUCHER

CURRENT STATUS: (H) JUD
THEN FIN

STATUS DATE: 01/17/90

04/27/89	01300	(H)	READ THE FIRST TIME -- REFERRAL(S)	
04/27/89	01300	(H)	STATE AFFAIRS, JUDICIARY	
04/29/89	01376	(H)	CO-SPONSOR ADDED: BOUCHER	
01/17/90	02113	(H)	STA RPT 3DP 1NR	
01/17/90	02113	(H)	FISCAL NOTE (APOC) 1/17/90	
01/17/90	02113	(H)	ADDITIONAL REFERRAL TO FINANCE	
01/17/90	02113	(H)	REFERRED TO JUDICIARY	
01/17/90			HOUSE JOURNAL	PAGE 2113

HB 318

THE STATE AFFAIRS COMMITTEE HAS CONSIDERED:

HOUSE BILL NO. 318

"AN ACT RELATING TO THE FAIR CAMPAIGN PRACTICES
CODE."

RECOMMENDING DO PASS (3): BOUCHER (CHAIRMAN), MENARD,
FINKELSTEIN

NO RECOMMENDATION (1): HARLEY

A FISCAL NOTE BY THE ALASKA PUBLIC OFFICES COMMISSION WAS
PUBLISHED JANUARY 17, 1990.

THE SPEAKER ADDED A FINANCE COMMITTEE REFERRAL TO FOLLOW THE
JUDICIARY COMMITTEE REFERRAL.

HB 318 WAS REFERRED TO THE JUDICIARY COMMITTEE.

HB

327

HOUSE COMMITTEE ON STATE AFFAIRS

RECAP OF
HB 327

Campaign Contributions

Received May 2, 1989
by Reps. Finkelstein, Ulmer, Brown, and Koponen

Heard January 31, 1990
Heard February 8, 1990
Heard February 13, 1990

Adopted CSHB 327 (SA) February 13, 1990

Passed Out of Committee February 13, 1990
3 Do Pass
2 No Recommendation
1 Do Not Pass

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HB 327: Campaign Contributions

- Item 1:** HB 327 by Reps. Finkelstein, Ulmer, Brown, and Kopenen
CSHB 327 (SA)
- Item 2:** Fiscal Note and Analysis by Alaska Public Offices Commission
- Item 3:** Letter from APOC, January 17, 1990
- Item 4:** Sectional Analysis from Rep. Finkelstein, February 7, 1990
- Item 5:** Washington Law
- Item 6:** Letter from APOC, February 12, 1990

HOUSE COMMITTEE REPORT

(7)

Date Referred: May 2, 1989

FURTHER REFERRALS: JUDICIARY

Date of Committee Action: _____

The ST. TE AFFAIRS Committee considered:

HB 327

HOUSE BILL NO. 327 [CAMPAIGN CONTRIBUTIONS]

"An Act relating to contributions to a campaign for public office."

RECOMMENDATIONS:

- be replaced with CS HB 327 the same title
- have attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(s):
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact APOC
- zero fiscal note _____
- zero with analysis _____

- fiscal note(s) _____
- zero fiscal note(s) _____
- zero fn/analysis _____

SIGNING DO PASS?

SIGNING:

(Check approp. column)

Do Not Pass No Rec Amend

[Handwritten signatures]

<i>[Signature]</i>	✓		
<i>[Signature]</i> <small>You are making it harder for any individual to run for office or assist.</small>	✓		
<i>[Signature]</i>	✓		

[Handwritten Signature]

Chairman's Signature

Item 2

FISCAL NOTE

REQUEST:

Revision Date: 1/4/90
Title: An act relating to contributions to a campaign for public office
Sponsor: Rep. Finkelstein, et. al.
Requestor: _____

Agency Affected: AK Pub. Offices Commission
BRU: _____

Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	9.0	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	9.0	0	0	0	0	0

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	9.0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	9.0	0	0	0	0	0

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

SEE ATTACHED NARRATIVE

Prepared by: Karla L. Forsythe, Executive Director

Phone: 276-4176

Division: Alaska Public Offices Commission

Date: 1/4/90

Approved by Commissioner: Burke Riley, Chair

Date: 1-12-90

Agency: Alaska Public Offices Commission

Distribution (by preparer):

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

HB 327 NARRATIVE

This measure would change AS 15.13, the campaign disclosure law, in several ways:

- It would decrease the \$1,000 contribution limit to \$500.
- It would incorporate into law specific ways to dispose of a campaign surplus.
- It would extend the 24 hour reporting requirement to days 8 and 9 before an election.
- It would require candidates with a surplus to file a campaign disclosure report annually.

The commission believes there would be a modest but measurable impact on its workload, primarily stemming from the decrease in the contribution limit. This change will generate many questions.

In order to mount a publicity campaign to advise those affected of this change, and to make parallel changes in commission regulations, forms, and manuals, the commission would require the contractual services of a half-time administrative assistant, Range 12, for six months. It is assumed that this measure would become effective after the 1990 elections, but sufficiently in advance of the 1991 elections so that municipal candidates could become familiar with its provisions (possibly March, 1991). It is anticipated that the administrative assistant would perform duties from December 1990 through May, 1991.

The costs of reprinting the statute and ongoing interpretation questions related to this section could be absorbed with existing resources.

STATE OF ALASKA

STEVE COWPER, GOVERNOR

Item 3

ALASKA PUBLIC OFFICES COMMISSION

REPLY TO:

- 2221 E. Northern Lights, Room 128
Anchorage, AK 99508
(907) 276-4176
- Juneau Branch Office
Box CO
Juneau, AK 99811-0222
(907) 465-4864

January 17, 1990

RECEIVED

JAN 12 1990

Representative H. A. "Red" Boucher, Chair
House State Affairs Committee
P.O. Box V
Juneau, Alaska 99811

Dear Representative Boucher:

I am writing with regard to HB 327, an act relating to contributions to a campaign for public office, which is presently before the House State Affairs Committee.

The commission reviewed this measure at its November, 1989 meeting. A majority of members favor some of the changes which would be accomplished by this measure, but disagree with some of the other provisions.

The bill would decrease the current \$1,000 campaign contribution limit to \$500. A majority of commission members favor retaining the limit in existing law.

The bill provides that an individual who accepts campaign contributions may not convert surplus campaign funds to personal income at any time. A majority of commission members support this concept. However, the bill would also incorporate into law several provisions relating to use of surplus funds which are similar to provisions presently contained in commission regulations (2 AAC 50.400).

As committee members may be aware, the commission is in the process of reviewing its regulations for possible revisions. Preliminarily, the commission is of the view that its regulations should be changed to provide that any campaign surplus should be returned pro rata to contributors, or donated to a charitable institution. Moreover, the commission is of the view that a contribution from a candidate's present campaign to a candidate's future campaign is a contribution from a controlled group, and therefore is limited to \$1,000 under AS 15.13.070(a) and AS 15.13.130(4).

Representative H. A. "Red" Boucher
January 17, 1990
Page 2

Although the commission has not reached a final conclusion about how surpluses should be addressed in a revised regulation, and welcomes comments from all interested persons as it examines this issue, the commission generally favors more limited ways of disposing of surpluses than this bill would authorize.

In section three, the bill extends the current 24 hour reporting requirement to days 8 and 9 before the election. The commission supports this provision, which would close a gap in pre-election reporting.

Finally, section 4 of the bill provides that a candidate who has funds in excess of debts during a campaign shall continue to file a report each December 31. The commission favors a provision requiring campaign accounts to be closed as of December 31 (with contributions not to be accepted after the election), rather than a continuing reporting requirement.

In addition to these substantive concerns, the commission suggests one wording change.

In Section 1, at line 13, existing statutory language ("on behalf of or in opposition to the competing candidates") has been deleted, thereby providing that no more than \$500 can be contributed to a candidate.

With the elimination of these words, it is possible that persons opposing a single candidate could establish a group and fund it with unlimited contributions. This problem could be avoided by retaining the reference to contributions in opposition to a candidate.

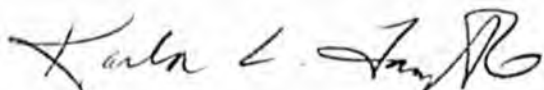
With regard to fiscal impact, the commission believes that changing the law to establish a \$500 contribution limit would have a modest but measurable impact on its workload, justifying a modest fiscal note. A fiscal note outlining the possible impact is attached.

Representative H. A. "Red" Boucher
January 17, 1990
Page 3

Thank you for your consideration of these comments. If you or other committee members have any questions, please let me know.

Sincerely,

ALASKA PUBLIC OFFICES COMMISSION



Karla L. Forsythe
Executive Director

Attachments

cc: Representative David Finkelstein
Representative Fran Ulmer
Representative Kay Brown
Representative Niilo Koponen
APOC Members
APOC Senior Staff
Bob Evans, Office of the Governor
Sioux Plummer, Special Assistant, Dept. of Administration



Official Business

Alaska State Legislature

Item 4

P.O. Box V
State Capitol
Juneau, Alaska 99811

February 7, 1990

To: House State Affairs Committee members

Fr: Rep. David Finkelstein

Re: New committee substitute for HB 327, relating to campaign financing rules

The new committee substitute would make the following changes to our campaign financing laws:

Section 1. Exempts municipal candidates from reporting requirements if they raise and expend less than \$1000.

Section 2. Candidates may not accept contributions after December 31 of the year of the election unless they refile for office.

Surplus campaign funds may not be converted to personal income; five alternative uses of such funds are allowed.

Candidates shall close campaign accounts by Jan. 12 of the year after the election, and submit their final report by January 31.

This section also would limit the amount an individual could contribute to his/her personal campaign to a maximum of \$1000. (Rep. Boucher's proposal)

Section 3. Corporations and labor unions are excluded from making contributions to candidates. Groups may not contribute more than \$1000 to parties.

Section 4. State and municipal funds could not be used in elections, except in an informational and non-advocacy role.

Section 5. Same as Section 3.

Section 7. Removes the loophole which allows contributions over \$250 to be made eight and nine days before an election and not be reported until after the election.

Section 8. Establishes a civil penalty of not more than \$250 for failure to identify communications ("Paid for by..." tags).

PUBLIC DISCLOSURE LAW RELATING TO USE OF FACILITIES IN CAMPAIGNS

RCW 42.17.130 Forbids use of public office or agency facilities in campaigns. No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency: *Provided*, That the foregoing provisions of this section shall not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency. [1979 1st ex.s. c 265 § 2; 1975-'76 2nd ex.s. c 112 § 6; 1973 c 1 § 13 (Initiative Measure No. 276 § 13).]

WAC 390-05-271 General applications of RCW 42.17.130. (1) RCW 42.17.130 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.

(2) RCW 42.17.130 does not prevent a public office or agency from (a) making facilities available on a non-discriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency. [Statutory Authority: RCW 42.17.370(1), 80-02-055 (Order 80-01), § 390-05-271, filed 1/17/80; 79-02-056 (Order 79-01), § 390-05-271, filed 1/31/79.]

WAC 390-05-273 Definition of normal and regular conduct. Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use. [Statutory Authority: RCW 42.17.370(1), 79-02-056 (Order 79-01), § 390-05-273, filed 1/31/79.]

STATE OF ALASKA

ALASKA PUBLIC OFFICES COMMISSION

February 12, 1990

Representative David Finkelstein
Pouch V
Juneau, Alaska 99811

Dear Representative Finkelstein:

It is my understanding that HB 327 has been referred to a specially-created House State Affairs subcommittee for further discussion and for preparation of a committee substitute.

The Alaska Public Offices Commission met by teleconference the morning of February 9, 1990, to discuss this measure (Commission members Annie Laurie Howard, Jane Behlke, Rodman Wilson, and Winston Burbank participating). The commission would appreciate your consideration of the following comments on the latest version of the proposed committee substitute.

Section 1

The commission favors this provision, which exempts small municipal campaigns from APOC reporting requirements.

Section 2

The commission supports language contained in this section which provides that contributions may not be received by state candidates after December 31 of an election year (although the commission continues to prefer an end to contributions as of election day). The commission also supports the language which requires campaign account closure on January 12, and a report to the commission on January 31.

The commission anticipates that this report would be combined with the year-end report required under current law. The commission therefore suggests including in the committee substitute an amendment to AS 15.13.110(a)(4), to provide that a report shall be filed January 31 of each year for expenditures and contributions received which were not reported during the previous calendar year (as opposed to December 31 as provided in current law).

With regard to the language in the proposed committee substitute which provides that post-election contributions may be received by municipal candidates until 45 days after the election, it would be helpful if this language could be amended to provide

8072767016

STEVE COWPER, GOVERNOR

REPLY TO:

Item 6

- 2221 E. Northern Lights, Room 128
Anchorage, AK 99508
(907) 276-4176
- Juneau Branch Office
Box CO
Juneau, AK 99811-0222
(907) 465-4864

BY-APFCX 907276701-
Representative David Finkelstein
February 12, 1990
Page 2

that municipal campaign accounts must be closed 57 days after the election, with an additional two weeks allowed for filing a report with APOC. This amendment would conform the procedure for closing municipal campaigns with the proposed procedure for closing state campaigns.

As you know, the commission believes that surplus campaign funds should be returned pro rata to contributors or donated to charity. The commission has no objection to providing that these funds may be transferred to a general fund. With regard to pro rata return, the commission suggests return of contributions only if the amount to be returned exceeds \$100.

The commission continues to favor a prohibition on transferring surplus funds to a future campaign or to a legislative office account. It is the commission's view that each campaign is discrete, and that contributions from one campaign should not be used to fund a future, separate campaign.

As I have previously discussed with your staff, the portion of the committee substitute which authorizes transfer of surplus funds to future campaigns parallels a similar provision in existing commission regulations (2 AAC 50.400, copy attached). The Department of Law has advised that under current law a campaign can contribute no more than \$1000 to a future or different campaign. The reasoning is that a campaign is a group controlled by a candidate, and that a group may contribute no more than \$1,000 to a candidate. Since the commission currently plans to amend its regulations in accordance with this decision, the commission suggests that Section 2 clearly indicate the legislature's intent on this issue. If it is the legislature's intent that unlimited funds can be transferred to a future campaign, the statute should incorporate language which specifically reflects this intent.

Section 3

The proposed committee substitute prohibits union or corporate contributions to candidates, but allows group contributions. Since unions or corporations could still form groups (political action committees), it is unlikely that this provision would effect a major change in current financing patterns, other than to parallel the federal system. The commission continues to favor a complete ban on contributions by unions, corporations and political action committees.

The commission notes that there may be constitutional problems with efforts to limit contributions of personal funds by a candidate to his or her own campaign. Also with regard to this

Representative David Finkelstein
February 12, 1990
Page 3

section, the commission does not favor the provision in the existing committee substitute which limits group contributions to political parties to \$1,000. The commission believes that political parties should not be limited in the amount of contributions they can receive.

Section 4

This section provides that public funds may not be used to support or oppose a candidate, or to urge adoption or rejection of a ballot proposition. It further provides that public facilities cannot be used to prepare paid advertisements, and that only informational as opposed to advocacy statements may be funded at public expense.

The commission is concerned that this language is not sufficiently specific to give guidance to public officials, nor would it give adequate guidance to the commission in administering the law. A majority of commission members suggest that the subcommittee consider adopting language similar to a law on this subject adopted in Washington state (copy attached).

The commission further suggests that the subcommittee consider adopting a specific penalty for violations of this section. Without additional language, the applicable penalty under AS 15.13 would be criminal prosecution for a misdemeanor. This could result in incarceration of borough assemblies and other municipal or state entities, which does not seem a rational remedy. The commission proposes including language authorizing the commission to assess a penalty, including personal liability for those persons who have authorized these expenditures, in an amount up to three times the amount expended. This would give the commission the flexibility to provide a penalty which is rationally related to the type of conduct involved. This approach is not unique to APOC; a similar penalty structure has been proposed for licensees or permittees found to have violated alcoholic beverage laws (see CSSB 157).

The commission notes that administration of such a provision, either as worded in the committee substitute or in the Washington statute, would create substantial new responsibilities for the commission. The executive director of the Washington State Disclosure Commission has indicated that a substantial part of his agency's activities are devoted to these issues, particularly at the local level. He estimates that out of approximately 50 issues dealt with by his agency in the course of a year, from 10 to 25 involve use of public funds. The Washington Public Disclosure Commission has undertaken a preventive approach, through providing

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40271010107

Representative David Finkelstein
February 12, 1990
Page 4

training and information to localities to help them avoid inadvertent violations of the law. Although this approach helps avoid complaints, it is also time-consuming. Since AS 15.13 authorizes complaint investigation as well as advice and assistance, adequate funding will be critical to effective administration of this new provision in Alaska law.

Section 5

This section specifies types of union and corporate activity which do not constitute contributions. The commission believes the language authorizing these activities is confusing. First, the proposed substitute provides that communications from unions and corporations to members, stockholders and families are not a contribution. Under current commission regulations, a communication is a contribution if it endorses a particular candidate or solicits money (2 AAC 50.313(1)(4)). The committee substitute should clearly indicate whether communications of this type will be considered contributions.

Language relating to establishment and solicitation of contributions to a separate segregated fund for political purposes is also confusing. Is it the intent of this section to permit unions and corporations to establish political action committees? This language also could apply to the situation encountered in the case of VECO v. APOC, in which the Alaska Supreme Court found that VECO executives and employees formed a group and contributed excessive, unreported funds to candidates. Is this language intended to exempt this type of activity from the \$1000 contribution limit?

Section 6

The commission notes that the proposed committee substitute reiterates AS 15.13.090 (identification of communications). The new language would provide that the commission has the ability to adopt regulations to implement this section, authority already granted to the commission under AS 15.13.030(10). The commission believes that substantive changes to AS 15.13.090 are needed to allow candidates more flexibility in identifying their communications.

The commission suggests one of two alternatives. The first alternative is to revise the statute to provide a more flexible approach to identification of political communications. Suggested language is attached. Alternatively, the commission suggests that the statute be amended to provide that political communications must be clearly identified as to source of payment, but that the

Representative David Finkelstein
February 12, 1990
Page 5

remainder of existing law be deleted, with the commission given authority to determine by regulation what constitutes a clear communication.

Amendments to AS 15.13.090 could result in a positive change for both candidates and the commission, and the commission urges your careful consideration of these concerns.

Section 7

The commission supports the language in section 7, which would close the two day pre-election reporting gap.

Section 8

The commission supports the language in this section, which would provide a \$250 maximum civil penalty for failure to properly identify political communications, while retaining the criminal sanction in the event of an egregious violation.

Fiscal Impact

Based on the commission's belief that enactment of the committee substitute would generate many new complaints and requests for advice and assistance, and would require changes to the commission's manuals, forms and regulations, the commission anticipates requesting approximately \$130,000 in funding for new positions: a Range 16 paralegal investigator (cost: \$44,382); a Range 16 research analyst II to provide assistance, advice and training (\$44,382); a Range 10 secretary, since the commission is currently staffed with only one secretary who cannot absorb additional duties (\$31,645), and with funds for necessary equipment (\$8,500).

Although the commission does not agree with all of the proposed provisions in this bill, the commission commends the legislature, the State Affairs Committee, and the subcommittee for giving serious consideration to these issues. The commission will be glad to work with the full committee or the subcommittee to suggest alternative wording, or to offer any other assistance appropriate.

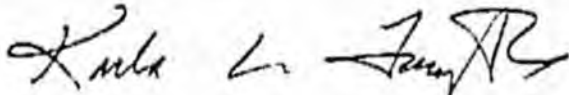
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Representative David Finkelstein
February 12, 1990
Page 6

Thank you for the opportunity to submit comments.

Sincerely,

ALASKA PUBLIC OFFICES COMMISSION



Karla L. Forsythe
Executive Director

Attachments:

1. 2 AAC 50.400
2. RCW 42.17.130
3. 2 AAC 50.313(1)(4)
4. Proposed language, section 6

cc: APOC Members
APOC Senior Staff
Sioux Plummer, Special Assistant
Dept. of Administration
Nancy Gordon, Assistant Attorney General

administer oaths or, if none of the preceding alternatives is available, may be signed by the official without benefit of the oath so long as the official states, in writing, that the affidavit is signed under penalty of perjury; or

(2) pay, within 30 days after receipt of the assessment notice described in (d)(2) of this section, the civil penalty assessed.

(f) If a candidate or group subject to a civil penalty assessment for the late filing of a campaign disclosure report refuses, or fails, within the time required, to submit an affidavit or make payment, then commission staff will refer the matter to the attorney general for appropriate action. The commission will not hear an appeal if an affidavit is not filed within the time required.

(g) An affidavit timely filed with the commission will be considered at the next regular meeting of the commission. If a candidate or group's appeal is

(1) denied by the commission, commission staff will notify the candidate or group of its decision within 15 days, and require that the civil penalty originally assessed be paid within 30 days after the date of the letter containing notification of the commission's decision; or

(2) accepted by the commission, commission staff will notify the candidate or group of its decision within 15 days, informing him or it that the civil penalty assessment has been waived and that the matter is considered closed; or

(3) accepted, in part, by the commission, commission staff will notify the candidate or group of its decision within 15 days, and require that the reduced civil penalty assessment be paid within 30 days after the date of the letter containing notification of the commission's decision.

(h) A candidate or group may appeal the commission's decision to deny or partially accept reasons for lateness to the superior court within 30 days after his receipt of the notice under Rule 45 of the Appellate Rules of the Alaska Court System. If no appeal is made within 30

days and no payment is made, the matter will be referred to the attorney general for appropriate action.

(i) If, upon review of a report required by AS 15.13.110(a), (b), or (c), the commission's staff finds substantial or continuous noncompliance with AS 15.13 or any provision of this chapter, or with requests by staff for information required to be reported under this chapter, the matter must be brought to the commission for review. The commission will, in its discretion, reduce or waive any initial civil penalty, uphold any initial civil penalty, increase the amount of any initial civil penalty to an amount not exceeding the maximum amount established in AS 15.13.125, or instruct its staff to begin preliminary investigation into the matter. Where no initial civil penalty has been assessed, the commission will, in its discretion, assess a civil penalty up to the maximum amount established in AS 15.13.125 if the candidate or group in question does not comply. (Eff. 7/22/78, Reg. 67; am 5/14/80, Reg. 74; am 5/24/81, Reg. 78; am 10/18/81, Reg. 80; am 6/29/84, Reg. 90; am 1/4/86, Reg. 97)

Authority: AS 15.13.010
AS 15.13.030(10)
AS 15.13.125

2 AAC 50.395. REPORTING BY A BUSINESS ENTITY OR LABOR ORGANIZATION. Repealed 1/4/86.

2 AAC 50.397. REPORTING BY PERSONS OUTSIDE THE STATE. Persons residing outside the State of Alaska are subject to the same reporting requirements, restrictions, and responsibilities under AS 15.13 as those placed upon persons residing within the state. (Eff. 4/28/79, Reg. 70)

Authority: AS 15.13.030(10)

2 AAC 50.400. DISBURSEMENT OF A SURPLUS BALANCE IN A CAMPAIGN ACCOUNT. (a) The disbursement of a surplus balance of a candidate or group's campaign account must be reported to the commission within 10 days after final disposition of the balance.

(b) A candidate disbursing the surplus balance in his campaign account may

(1) give the money to charity;

(2) repay his contributors;

(3) repay himself, if he made contributions to his own campaign;

(4) take, as income, any money which exceeds the amount which he personally contributed to his campaign;

(5) leave the money in a campaign account until the next time he campaigns for elective office; however, any interest realized from a surplus in a campaign account must remain in the account and be reported on the first report required of him when he is again a candidate for elective office;

(6) contribute the money to another candidate or a group controlled by a candidate, not to exceed the \$1,000 limitation, or to a political party or group supporting a ballot proposition or question; or

(7) transfer the money to his office allowance fund.

(c) A group disbursing the surplus balance in its campaign account may

(1) give the money to charity; or

(2) repay its contributors; or

(3) leave the money in a campaign account until the following election, if the group plans to remain active; however, any interest realized from a surplus in a campaign account must remain in the account and be reported on the first report required of the group when it is again active in an election; or

(4) contribute the money to a candidate or a group controlled by a candidate, subject to the \$1,000 limitation and other prohibitions under AS 15.13 and 2 AAC 50, or to a political party or group supporting a ballot proposition or question.

(d) Any candidate or group wishing to disburse the surplus balance in a campaign account in a manner not described in (b) or (c) of this

section may request commission review and approval of the manner in which he or it wishes to disburse the surplus. (Eff. 7/22/78, Reg. 67; am 10/18/81, Reg. 80)

Authority: AS 15.13.030(10)

2 AAC 50.401. POST-ELECTION FUND-RAISING BY CANDIDATES AND CONTROLLED GROUPS. (a) A candidate or a candidate-controlled group may make post-election expenditures for the purpose of raising money to discharge a debt from a prior campaign, in accordance with (c) of this section.

(b) Absent a debt arising from a prior campaign, a candidate may not spend money for the purpose of seeking public office unless the individual is in compliance with AS 15.13.100, the early campaigning provisions of 2 AAC 50.380, or an advisory opinion issued under (c) of this section and 2 AAC 50.905.

(c) A candidate who is in debt from a prior campaign and who has not complied with either AS 15.13.100 or 2 AAC 50.380 by December 31st of the year after the election, shall request an advisory opinion under 2 AAC 50.905 concerning the applicability of AS 15.13.100 to further expenditures to pay off the debt. Absent an advisory opinion request, the commission staff may commence a preliminary investigation to review the applicability of AS 15.13.100 to expenditures by the candidate.

(d) A debt arising from a prior campaign includes

(1) a candidate's personal contributions made before the date of the prior election;

(2) campaign debts which have not been reported on a candidate's contribution campaign disclosure statement;

(3) post-election expenditures made for the purpose of discharging a debt arising from a prior campaign; and

(4) the costs reasonably associated with winding up the affairs of the prior campaign, including social events held immediately after the election for the benefit of campaign workers

WASHINGTON STATE STATUTE
USE OF PUBLIC FUNDS IN CAMPAIGNS

RCW 42.17.130 Forbids use of public office or agency facilities in campaigns. No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees or the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency: Provided, That the foregoing provisions of this section shall not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(3) a payment made by any individual for his or her own travel expenses, if such payments are voluntary and are made without any understanding that they will be directly or indirectly repaid:

(4) a payment made by a business, corporation, trade association, labor organization, or other organization not organized primarily to influence elections to communicate directly with its members or employees, or their families, on any subject, if the communication is of the same format and nature used by the organization when it has communicated in the past on nonpolitical subjects, does not request members or their families to do anything other than exercise the right to vote, and does not solicit individual contributions to a clearly identified candidate or group chosen by the organization:

(5) a gift, subscription, loan, advance, or deposit of money or anything of value made with respect to a recount of a state or municipal election.

(m) A contribution made by a married individual is not attributed to that individual's spouse, unless otherwise specified in writing by the spouse at the time the contribution is made. (Eff. 1/4/86, Reg. 97)

Authority: AS 15.13.030(10) AS 15.13.070
AS 15.13.040 AS 15.13.130

2 AAC 50.314. DEFINITION OF "GROUP"; REPORTING BY BUSINESSES. (a) In 2 AAC 50.310 - 2 AAC 50.405, "group" includes

(1) every combination of two or more persons who are elected, appointed, or otherwise chosen, or who cooperate for the purpose of raising, soliciting, collecting, or disbursing money or anything of value, or for directing or controlling those activities to secure or defeat the election to public office of an individual or candidate or to secure or defeat a ballot proposition:

(2) a political action committee, draft group, association, club, corporation, partnership, trade association, incorporated or unincorporated association, or labor organization organized to aid or promote the nomination, election, defeat, or recall, of any candidate for political office

or to aid the passage or defeat of a ballot proposition:

(3) two or more persons who jointly make a contribution in the name of another as described in 2 AAC 5 .357.

(b) A corporation, partnership, sole proprietorship, trade association, fraternal or charitable organization, incorporated or unincorporated association, firm, or business trust may report its contributions and expenditures as required by AS 15.13.040(d) and (e) as an individual if

(1) all contributions and expenditures to influence the outcome of an election are made from the organization's general day-to-day operating account;

(2) the organization does not conduct a fund-raising drive or assessment among its members or employees for the purpose of influencing an election;

(3) the organization does not exercise direction, control, or discretion over the choice of the recipient candidate or group, and the organization does not exercise direction, control, or discretion over the expenditure of money or other things of value collected, pooled, solicited, or otherwise paid by others for the purpose of influencing an election. (Eff. 1/4/86, Reg. 97)

Authority: AS 15.13.030(10)
AS 15.13.040
AS 15.13.130(3)

2 AAC 50.315. CONTRIBUTION LIMITATION EXEMPTION. (a) Groups that nominated a candidate for governor who received at least three percent of the total vote cast at the 1982 general election for governor are considered to be exempt from the contribution limitation set out in AS 15.13.070(a).

(b) Until the effective date of a statutory definition of "political party" that replaces AS 15.60.010(20) as it exists on the effective date of this section (and was held invalid in *Vogler v Miller*, 660 P.2d 1192 [Alaska 1983]), a group, other than a group described in (a) of this section, desiring an exemption from the contribution limitation set out in AS 15.13.070(a) must submit to the commission on government

2 AAC
50.313
(1)(4)

0014761511

Proposed Addition to SB 384

Sec. 15.13.090 Repeal and rewrite to read:

Sec. 15.13.090. Identification of advertising.

(a) Advertisements, including handbills, billboards, yard signs and other communications intended to influence the election of a candidate or outcome of a ballot proposition or question, shall be clearly identified with the words "paid for by" followed by the name and address of the candidate, group, or individual paying for the advertisement.

(b) Lettering in an advertisement other than a newspaper shall be at least 3/8 inches high if the advertisement exceeds 12 inches in length or width.

(c) In radio and television advertisements the words "I paid for this ad" may be used and the address omitted if the words are spoken by the candidate.

(d) The "paid for by" line may be omitted from advertising items less than 3 inches in length or width and from motor vehicle bumper or window stickers.

If the above language is deemed to contain too much detail for a statute, rewrite Sec. 15.13.090, in order to allow more flexibility about the "paid for by" line, to read:

Sec. 15.13.090. Identification of communication.

Advertisements, including handbills, billboards, yard signs, other communications intended to influence the election of a candidate or outcome of a ballot proposition or question, and radio and television advertisements shall be identified as to payer in accordance with regulations promulgated by the commission.

FISCAL NOTE

REQUEST:

Revision Date: 2/23/90
Title: An Act relating to election campaigns
Sponsor: Rep. Finkelstein
Requestor: _____

Agency Affected: Dept. of Administration
BRU: Alaska Public Offices Commission
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES	60.2	62.1	64.0	66.0	68.0	70.1
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	5.1	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	65.3	62.1	64.0	66.0	68.0	70.1

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	65.3	62.1	64.0	66.0	68.0	70.1
FEDERAL FUNDS	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	65.3	62.1	64.0	66.0	68.0	70.1

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

SEE ATTACHED.

Prepared by: Karla L. Forsythe, Executive Director Phone: 276-4176
Division: Alaska Public Offices Commission Date: 2/23/90
Approved by Commissioner: Annie Laurie Howard, Acting Chair Date: 2/23/90
Agency: Alaska Public Offices Commission

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

CSHB 327

NARRATIVE

This bill makes both major and minor changes in the Campaign Disclosure Law. Major changes include: providing a campaign contribution and account closing date; restricting uses of surpluses; prohibiting direct contributions from unions and corporations; prohibiting use of public funds for political purposes and authorizing civil penalties up to three times the amount misused for those who violate the prohibition. Minor changes include: exempting small municipal campaigns from reporting requirements; permitting the commission to establish regulatory guidelines for clear identification of the source of funds for a political communication; closing the two-day pre-election reporting gap; permitting the commission to assess a \$250 maximum civil penalty for failure to identify political communications properly.

Virtually all of these changes will require some transition activity, to publicize the changes in the law and to make certain that those subject to it are adequately apprised as to how the change will impact them. Also, Commission regulations would be revised and reprinted. The commission will be required to develop major new regulations in some areas, including prohibition on use of public funds and identification of political communications. Although the commission's work on these regulations will be absorbed as part of normal commission meetings, additional staff time will be needed to work on these changes.

Commission staff currently respond to numerous interpretation questions from persons subject to the law. The commission anticipates that requests for informal and formal advice will increase significantly as a result of restrictions on disposition

of surpluses, the prohibition on direct contributions from labor unions and corporations, and the prohibition on the use of public funds.

Additionally, the commission anticipates that complaints will increase substantially as a result of prohibitions on disposition of campaign surplus, the establishment of a campaign contribution and account close-out date, and the prohibition on the use of public funds. Also, there will be a major shift in work as business and labor entities change from filing occasional reports as "persons" under the law, to filing periodic group reports.

In order to absorb this additional work, the commission would need an additional staff paraprofessional position classified as a Range II Paralegal. This position would investigate complaints, and would provide informal advice and assistance to candidates, groups and public entities with regard to ongoing questions attributable to these changes. Because the commission only has one secretary at the present time, an additional half-time Range 10 Secretary will be required to handle typing, photocopying and data entry attributable to these activities. Although the commission has one surplus computer terminal and printer, a new computer terminal with a laser printer, a desk, and moveable partitions would be needed to equip the new clerical position.

The FY 91 salary, benefits and equipment costs for these positions are set out below:

Salary and Benefits

Paralegal II (Range 16) full-time	\$44,382
Secretary I (Range 10) part-time	15,822
1 Personal Computer, Laser Printer	3,993
1 Desk/Chair	875
Moveable Partitions	<u>200</u>
	\$65,272

Amendment # 16

MEMORANDUM

RECEIVED MAR 11 1990
State of Alaska
Office of the Governor
Division of Policy

TO: David Finkelstein
Representative
Alaska State Legislature

DATE: March 8, 1990

FROM: *M. Halloran*
Mary Halloran
Director, Policy

PHONE: 465-3568

SUBJECT: Proposed Amendment: HB 327

We would appreciate consideration of the attached amendment to HB 327. The amendment would limit campaign finance activities by lobbyists. In so doing, we believe it would contribute to an improved public attitude towards campaign activities.

Thank you.

cc: House Judiciary members

*L. H. H. H.
Copy for the bill file
please
or
give to clerk 12/11/90*

Proposed amendment to HB 327:

16

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

Sec. 15.13.075. CAMPAIGN ACTIVITIES BY LOBBYISTS. (a) An individual who is registered as a lobbyist under AS 24.45 may contribute the lobbyist's own money, goods, and services to a candidate, subject to the limits of AS 15.13.070.

(b) A lobbyist may not

(1) serve as a campaign treasurer or deputy campaign treasurer for a candidate for governor, lieutenant governor, or the legislature; or

(2) solicit, receive, collect, handle, disburse, or account for campaign contributions for a candidate for governor, lieutenant governor, or the legislature.

(c) In (b) of this section, "lobbyist"

(1) means a person who has registered under AS 24.45.041 within the last 12 months and is described under AS 24.45.171(8)(A);

(2) does not include a volunteer lobbyist described in AS 24.45.161(a)(1) or a representational lobbyist as defined under regulations of the commission.

Alaska State Legislature



House of Representatives
House Judiciary Committee

3/27

New

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

AMENDMENT PACKAGE FOR CS HB 327 (State Affairs)

A M E N D M E N T # 1

OFFERED IN THE HOUSE

BY REP. GRUENBERG

TO: CSHB 327 (State Affairs)

Page 1, after line 8:

Insert a new bill section to read:

"* Section 1. AS 15.13.010(a) is amended to read:

(a) This chapter applies in every election for governor, lieutenant governor, a member of the state legislature, a delegate to a constitutional convention, or judge seeking electoral confirmation. It also applies to every candidate for election to a municipal office, including every candidate for election as a member of a charter commission, in a municipality with a population of more than 1,000 inhabitants according to the latest United States census figures or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs. A municipality may exempt its elected municipal officers from the requirements of this chapter if a majority of the voters voting on the question at a regular election, as defined by AS 29.71.800(20), or a special municipality-wide election called for that purpose, vote to exempt its elected municipal officers from the requirements of this chapter. The question of exemption from the requirements of this chapter may be submitted by the governing body by ordinance or by initiative election. This chapter does not prohibit a municipality from regulating by ordinance campaign contributions and expenditures."

Page 1, line 9:

Delete "Section 1."

Insert "Sec. 2"

Renumber the following bill sections accordingly.

Page 6, line 26:

Delete "4, and 7 - 9"

Insert "2, 5, and 8 - 10"

Page 6, line 28:

Delete "2, 3, 5, and 6"

Insert "3, 4, 6, and 7"

A M E N D M E N T # 2

OFFERED IN THE HOUSE

BY REP. GRUENBERG

TO: CSHB 327 (State Affairs)

Page 1, line 6, after "campaigns":

Insert "and to the Public Offices Commission"

Page 6, following line 25:

Insert a new bill section to read:

"* Sec. 10. AS 39.50.200(7) is amended to read:

(7) "municipal officer" includes a borough or city mayor, borough assemblyman, city councilman, school board member, elected utility board member, city or borough manager, members of a city or borough planning or zoning commission or charter commission within a home rule or general law city or borough, or a unified municipality;"

Renumber the following bill sections accordingly.

Page 6, line 26:

Delete "7 - 9"

Insert "7 - 10"

A M E N D M E N T #3

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 1, line 11:

Delete "of" and insert "totaling" in two places

A M E N D M E N T

#4

Page 1 of 2

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 1, line 24, after "contribution":

Insert "postmarked or delivered" ✓

Page 1, lines 25 - 26:

Delete "until the person files a declaration of candidacy or a nominating petition"

Page 1, line 27, after "contribution":

Insert "postmarked or delivered" ✓

Page 1, lines 28 - 29:

Delete "until the person files a declaration of candidacy or nominating petition"

Page 2, line 5:

Delete "leaving the funds in"

Insert "transferring the funds to"

Page 2, lines 7 - 8:

Delete "an account for the office, in the case of a successful candidate only"

Amend. #4 Page 2 of 2

Insert "a legislative office account for expenditures qualifying as a business expense under 26 U.S.C. 162"

Page 2, line 16:

Delete "January"

Insert "February"

A M E N D M E N T # 4(a)

Terry Martin

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 1, line 24:

Delete "December 31"

Insert "November 15"

A M E N D M E N T #5

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 14, after "basis":

Insert ";

(6) donating the funds to a political party or the subdivision of a political party"

A M E N D M E N T # 6

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 23 through page 3, line 15:

Delete all material.

Renumber the following bill sections accordingly.

Page 3, line 29 through page 4, line 22:

Delete all material.

Renumber the following bill sections accordingly.

Page 6, line 26:

Delete "4, and 7 - 9"

Insert "3, and 5 - 7"

Page 6, line 28:

Delete ", 3, 5, and 6"

Insert "and 4"

A M E N D M E N T # 7

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 29 through page 3, line 2:

Delete "or to a group. A group may not contribute more than \$1,000 a year to a political party and its subdivisions"

A M E N D M E N T

#8

OFFERED IN THE HOUSE

BY REP. FINKELSTEIN

TO:: CSHB 327 (State Affairs)

Page 3, lines 2 - 3:

Delete ". A candidate may not contribute more than \$1,000 to the candidate's own campaign"

Page 3, lines 8 - 10:

Delete

"[(1) A CANDIDATE FROM CONTRIBUTING MORE THAN \$1,000 OF THE CANDIDATE'S OWN MONEY TO THE CANDIDATE'S OWN CAMPAIGN; OR
(2)]"

Insert

"(1) a candidate from contributing more than \$1,000 of the candidate's own money to the candidate's own campaign; or
(2)"

A M E N D M E N T #9

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 27, after "\$1,000":

Insert "in the aggregate"

Page 3, line 1, after "\$1,000":

Insert "in the aggregate"

AMENDMENT # 10

To: CSHB 327 (SA)

By: Rep. Martin

On page 2, line 29, following "A group", insert
"or individual"

On page 3, line 1, following "more than" insert
"an aggregate total of"

On page 3, line 1, following "party", delete "and" and insert
". including all of"

A M E N D M E N T # 11

OFFERED IN THE HOUSE

TO:: CSHB 327 (State Affairs)

Page 3, line 1, after "\$1,000":

Insert "in the aggregate"

Page 3, line 2, after "visions.":

Insert "An individual may not contribute more than \$10,000 in the aggregate a year to a political party and its subdivisions."

AMENDMENT

12

To: CSHB 327 (SA)

By: Rep. Martin

On Page 3, line 3, following the word "campaign", insert:

"A candidate may not accept more than an aggregate total of \$5.000 per campaign from the members of a professional or trade association, group or organization."

AMENDMENT

#13

To: CSHB 327 (SA)

By: Rep. Martin

On page 2, line 27,28, delete "a year" and insert in its place:

"per campaign"

On page 3, line 1, delete "a year" and insert in its place:

"per campaign"

On page 3, line 13, delete "a year" and insert in its place:

"per campaign"

A M E N D M E N T

14

OFFERED IN THE HOUSE

BY REP. FINKELSTEIN

TO:: CSHB 327 (State Affairs)

Page 3, line 6, after "15.13.110":

Insert "and may not make any contributions to a candidate for election
in a municipal election"

A M E N D M E N T #15 Page 1 of 2

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 4, line 2:

Delete "corporation"

Insert "business organization"

Page 4, line 6:

Delete "corporation"

Insert "business organization"

Page 4, line 7:

Delete "corporation"

Insert "business organization"

Page 4, line 8:

Delete "corporation".

Insert "business organization"

Page 4, line 14:

Delete "corporacion"

Insert "business organization"

After "stockholders" insert ", shareholders, or members"

Page 4, line 19:

Delete "corporation"

Insert "business organization"

Amendment # 15 Page 2 of 2

Page 4, line 22:

Delete "corporation"

Insert "business organization"

Page 4, after line 22:

Insert a new subsection to read:

"(c) In this section, "business organization" means a profit or nonprofit corporation, a company, partnership, firm, association, business trust, or society."

A M E N D M E N T

16

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 4, line 11, after "organization.":

Insert "A business organization and a labor organization may not contribute to a group or to a political party and its subdivisions."

A M E N D M E N T

17 Page 1 of 2

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 3, line 29:

Delete "a new section"

Insert "new sections"

Page 4, after line 22:

Insert a new section to read:

"Sec. 15.13.075. CAMPAIGN ACTIVITIES BY LOBBYISTS. (a) An individual who is registered as a lobbyist under AS 24.45 may contribute the lobbyist's own money, goods, and services to a candidate, subject to the limits of AS 15.13.070.

(b) A lobbyist may not

(1) serve as a campaign treasurer or deputy campaign treasurer for a candidate for governor, lieutenant governor, or the legislature; or

(2) receive, collect, handle, disburse, or account for campaign contributions for a candidate for governor, lieutenant governor, or the legislature.

(c) In (b) of this section, "lobbyist"

(1) means a person who has registered under AS 24.45.041 within the last 12 months and is described under AS 24.45.171(8)(A);

(2) does not include a volunteer lobbyist described in

Amendment # 17 Page 2 of 2

AS 24.45.161(a)(1) or a representational lobbyist as defined under regulations of the commission."

A M E N D M E N T

18

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 6, line 16:

Delete "uses"

Insert "authorizes the use of"

A M E N D M E N T

19

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 6, after line 20:

Insert a new subsection to read:

"(f) A person or group who contributes over \$250 to a candidate or contributes goods or services to a candidate with a value of more than \$250 without furnishing to the commission the report required by AS 15.13.080 is subject to a civil penalty of not more than \$250 if the person or group gave over \$5,000 in political contributions in a previous year. The determination of the commission is subject to a right of appeal to superior court."

Reletter the following subsections accordingly.

Amendment # 20

Page 1 of 2

MEMORANDUM

RECEIVED MAR 1 1990
State of Alaska
Office of the Governor
Division of Policy

TO: David Finkelstein
Representative
Alaska State Legislature

DATE: March 8, 1990

FROM: *MH* Mary Halloran
Director, Policy

PHONE: 465-3568

SUBJECT: Proposed Amendment: HB 327

We would appreciate consideration of the attached amendment to HB 327. The amendment would limit campaign finance activities by lobbyists. In so doing, we believe it would contribute to an improved public attitude towards campaign activities.

Thank you.

cc: House Judiciary members

*Litigation
Copy for the bill files
please
give to clerk to file*

Proposed amendment to HB 327:

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

Sec. 15.13.075. CAMPAIGN ACTIVITIES BY LOBBYISTS. (a) An individual who is registered as a lobbyist under AS 24.45 may contribute the lobbyist's own money, goods, and services to a candidate, subject to the limits of AS 15.13.070.

(b) A lobbyist may not

(1) serve as a campaign treasurer or deputy campaign treasurer for a candidate for governor, lieutenant governor, or the legislature; or

(2) solicit, receive, collect, handle, disburse, or account for campaign contributions for a candidate for governor, lieutenant governor, or the legislature.

(c) In (b) of this section, "lobbyist"

(1) means a person who has registered under AS 24.45.041 within the last 12 months and is described under AS 24.45.171(8)(A);

(2) does not include a volunteer lobbyist described in AS 24.45.161(a)(1) or a representational lobbyist as defined under regulations of the commission.

Court approves spending limits

By RUTH MARCUS
The Washington Post

WASHINGTON — The Supreme Court ruled Tuesday that states and the federal government can constitutionally prohibit corporations, including trade associations and other non-profit groups, from spending money on behalf of political candidates.

In the past, the court has said limits can be placed on direct contributions to candidates. Tuesday's 6-3 ruling is the first time the justices have upheld a restriction on independent expenditures of funds for political purposes.

The case arose when the Michigan State Chamber of Commerce wanted to buy a newspaper advertisement supporting a candidate for the state legislature but was prohibited from doing so by a state law making it a felony for corporations to spend money to promote candidates. The federal government and 20 other states have similar restrictions on independent expenditures.

In a 1986 decision, the court struck down the federal ban as applied to a Massachusetts anti-abortion group. It said advocacy groups established for political purposes and free from the influence of business corporations should not be subject to the prohibition against independent expenditures just because they are organized as nonprofit corporations.

The opinion Tuesday in *Austin vs. Michigan Chamber of Commerce* refused to

extend that exemption to business-oriented non-profit organizations. Groups such as the National Association of Realtors and the American Medical Association had asked the justices to free them to participate in the political process through independent expenditures.

But the Federal Election Commission warned in a friend-of-the-court brief that removing the prohibition would allow such "business associations" to serve "as conduits for business corporation funds," undermining congressional efforts to limit "the use of corporate wealth to influence the outcome of federal elections."

In his opinion for the court Tuesday, Justice Thurgood Marshall agreed, finding that the free speech rights of corporations are outweighed by the state's compelling interest in ensuring that corporations do not corrupt the political process by exerting undue influence.

In a concurring opinion, Justice William J. Brennan Jr. noted that corporations can still participate in the political process by establishing political action committees that accept contributions from employees.

The ruling drew a stinging dissent from Justice Antonin Scalia, who took the unusual step of reading his dissent from the bench. Scalia, who dissented along with Justices Anthony M. Kennedy and Sandra Day O'Connor, accused the majority of abandoning long-accepted principles of free speech.

NASA works out bugs

By MARCIA DUNN
The Associated Press

CAPE CANAVERAL, Fla. — The shuttle mission to propel the \$1.5 billion Hub-

The mosquito-like midges were found on the orbiter's payload bay doors Sunday when a servicing machine was retracted to receive the



The Associated Press

... in a ceremony taking his Mafia oath, is led into jail.

Secrets revealed

... launched a dragnet through Rhode Island, Massachusetts and Connecticut, authorities said. They were held on charges including murder, racketeering, kidnaping, drug trafficking, gambling, obstruction of justice and witness intimidation.

"This is the first time that you're going to hear it right from their own mouths," said Dennis O'Callaghan, assistant special agent in charge of the five-year 131 investigation.

Tortora and three other men allegedly

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A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. FINKELSTEIN

TO:: CSHB 327 (State Affairs)

Page 3, line 6, after "15.13.110":

Insert "and may not make any contributions to a candidate for election
in a municipal election"

#2

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. FINKELSTEIN

TO : CSHB 327 (State Affairs)

Page 3, line 1, after "\$1,000":

Insert "in the aggregate"

Page 3, line 2, after "visions.":

Insert "An individual may not contribute more than \$5,000 in the aggregate a year to a political party and its subdivisions."

3

6-1305E1
Bradley

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. FINKELSTEIN

TO:: CSHB 327 (State Affairs)

Page 3, lines 2 - 3:

Delete ". A candidate may not contribute more than \$1,000 to the candidate's own campaign"

Page 3, lines 8 - 10:

Delete

"[(1) A CANDIDATE FROM CONTRIBUTING MORE THAN \$1,000 OF THE CANDIDATE'S OWN MONEY TO THE CANDIDATE'S OWN CAMPAIGN; OR
(2)]"

Insert

"(1) a candidate from contributing more than \$1,000 of the candidate's own money to the candidate's own campaign; or
(2)"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GRUENBERG

TO: CSHB 327 (State Affairs)

Page 1, after line 8:

Insert a new bill section to read:

"* Section 1. AS 15.13.010(a) is amended to read:

(a) This chapter applies in every election for governor, lieutenant governor, a member of the state legislature, a delegate to a constitutional convention, or judge seeking electoral confirmation. It also applies to every candidate for election to a municipal office, including every candidate for election as a member of a charter commission, in a municipality with a population of more than 1,000 inhabitants according to the latest United States census figures or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs. A municipality may exempt its elected municipal officers from the requirements of this chapter if a majority of the voters voting on the question at a regular election, as defined by AS 29.71.800(20), or a special municipality-wide election called for that purpose, vote to exempt its elected municipal officers from the requirements of this chapter. The question of exemption from the requirements of this chapter may be submitted by the governing body by ordinance or by initiative election. This chapter does not prohibit a municipality from regulating by ordinance campaign contributions and expenditures."

Page 1, line 9:

Delete "Section 1."

Insert "Sec. 2"

Renumber the following bill sections accordingly.

Page 6, line 26:

Delete "4, and 7 - 9"

Insert "2, 5, and 8 - 10"

Page 6, line 28:

Delete "2, 3, 5, and 6"

Insert "3, 4, 6, and 7"

A M E N D M E N T

OFFERED IN THE HOUSE

BY REP. GRUENBERG

TO: CSHB 327 (State Affairs)

Page 1, line 6, after "campaigns":

Insert "and to the Public Offices Commission"

Page 6, following line 25:

Insert a new bill section to read:

"* Sec. 10. AS 39.50.200(7) is amended to read:

(7) "municipal officer" includes a borough or city mayor, borough assemblyman, city councilman, school board member, elected utility board member, city or borough manager, members of a city or borough planning or zoning commission or charter commission within a home rule or general law city or borough, or a unified municipality;"

Renumber the following bill sections accordingly.

Page 6, line 26:

Delete "7 - 9"

Insert "7 - 10"

6

AMENDMENT

To: CSHB 327 (SA)

By: Rep. Martin

On page 2, line 27,28, delete "a year" and insert in its place:

"per campaign"

On page 3, line 1, delete "a year" and insert in its place:

"per campaign"

On page 3, line 13, delete "a year" and insert in its place:

"per campaign"

7

AMENDMENT

To: CSHB 327 (SA) By: Rep. Martin

On page 2, line 29, following "A group", insert
"or individual"

On page 3, line 1, following "more than" insert
"an aggregate total of"

On page 3, line 1, following "party", delete "and" and insert
", including all of"

8

AMENDMENT

To: CSHB 327 (SA) By: Rep. Martin

On Page 3, line 3, following the word "campaign", insert:

"A candidate may not accept more than an aggregate total of \$5,000 per campaign from the members of a professional or trade association, group or organization."

A M E N D M E N T # 6

3/27/90

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 23 through page 3, line 15:

Delete all material.

Renumber the following bill sections accordingly.

Page 3, line 29 through page 4, line 22:

Delete all material.

Renumber the following bill sections accordingly.

Page 6, line 26:

Delete "4, and 7 - 9"

Insert "3, and 5 - 7"

Page 6, line 28:

Delete ", 3, 5, and 6"

Insert "and 4"

*get
new packet*

A M E N D M E N T # 7

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 29 through page 3, line 2:

Delete "or to a group. A group may not contribute more than \$1,000 a year to a political party and its subdivisions"

A M E N D M E N T #8

OFFERED IN THE HOUSE

BY REP. FINKELSTEIN

TO: CSHB 327 (State Affairs)

Page 3, lines 2 - 3:

Delete "A candidate may not contribute more than \$1,000 to the candidate's own campaign"

Page 3, lines 8 - 10:

Delete

"[(1) A CANDIDATE FROM CONTRIBUTING MORE THAN \$1,000 OF THE CANDIDATE'S OWN MONEY TO THE CANDIDATE'S OWN CAMPAIGN; OR
(2)]"

Insert

"(1) a candidate from contributing more than \$1,000 of the candidate's own money to the candidate's own campaign; or
(2)"

A M E N D M E N T #9

OFFERED IN THE HOUSE

TO: CSHB 327 (State Affairs)

Page 2, line 27, after "\$1,000":

Insert "in the aggregate"

Page 3, line 1, after "\$1,000":

Insert "in the aggregate"

AMENDMENT # 10

To: CSHB 327 (SA)

By: Rep., Martin

On page 2, line 29, following "A group", insert
"or individual"

On page 3, line 1, following "more than" insert
"an aggregate total of"

On page 3, line 1, following "party", delete "and" and insert
", including all of"

A M E N D M E N T # 11

OFFERED IN THE HOUSE

TO:: CSHB 327 (State Affairs)

Page 3, line 1, after "\$1,000":

Insert "in the aggregate"

Page 3, line 2, after "visions.":

Insert "An individual may not contribute more than \$10,000 in the aggregate a year to a political party and its subdivisions."

AMENDMENT

12

To: CSHB 327 (SA) P... Rep. Martin

On Page 3, line 3, following the word "campaign", insert:

"A candidate may not accept more than an aggregate total of \$5,000 per campaign from the members of a professional or trade association, group or organization."

AMENDMENT

#13

To: CSHB 327 (SA)

By: Rep. Martin

On page 2, line 27,28, delete "a year" and insert in its place:

"per campaign"

On page 3, line 1, delete "a year" and insert in its place:

"per campaign"

On page 3, line 13, delete "a year" and insert in its place:

"per campaign"