

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA PUBLIC OFFICES COMMISSION

BRIEF DESCRIPTION

The Alaska Public Offices Commission proposes several changes to APOC's regulations. The proposed regulations would clarify when a candidate can file a letter of intent to run for office. The proposed regulations would clarify when and how certain groups register with APOC. The proposed regulations will clarify how certain filers should report expenditures that have been incurred by the filer but not yet paid. The proposed regulations will also clarify when filers amend campaign finance reports. The proposed regulations would remove an existing requirement that filers must report cumulative amounts for a campaign contribution but only when the contributions are part of an ongoing payroll deduction. The proposed regulations would also clarify the rules for disbanding groups. The proposed regulations will clarify certification requirements when filing certain reports. The proposed regulations will remove the requirement that filers file a specific form when requesting an exemption or a waiver from APOC. The proposed regulations clarify when a campaign report is late. The proposed regulations allow parties to withdraw a complaint prior to Commission action. The proposed regulations clarify when a respondent to a complaint may respond to both the complaint and the investigation report. The regulations further correct citation errors and allow the Commission more flexibility in implementing electronic filing.

The Alaska Public Offices Commission proposes to adopt regulation changes in Title 50 of the Alaska Administrative Code, dealing with Campaign Disclosure 2 AAC 50.250 to 2 AAC 50.405, Alaska Public Office Commission Procedures 2 AAC 50.801 to 2 AAC 50.895 and General Provisions 2 AAC 50.900 to 2 AAC 50.995, including the following:

2 AAC 50.274 is proposed to be amended to clarify the language that limits when a letter of intent may be filed. The intent of the proposed change is to harmonize the regulation with language in AS 15.13.074(c) and to make it clear that the 18 month period in the current regulation language does not refer to 18 months before a primary election. The proposed amendment would further recognize the exception for a candidate draft group to the general rule that expenditures may not be made on behalf of an individual before that individual files a letter of intent.

2 AAC 50.274(b), 2 AAC 50.282, 2 AAC 50.286 and 2 AAC 50.290(a) are proposed to be amended to replace "on a form" and "on the form" language with "in the format" and "on that filing" to properly reflect the current electronic filing system which does not utilize a form.

2 AAC 50.290(a) is proposed to be amended to clarify the requirement that an ongoing group register each year.

2 AAC 50.302 is proposed to be amended to add the word "candidate" to the title line of the regulation to

clarify that this regulation does not refer to a political party subgroup commonly known as a subordinate unit.

2 AAC 50.321 is proposed to be amended to clarify how to report incurred but not paid campaign expenses, is further proposed to be amended to simplify electronic filing requirements for entities that have no activity since its last report, and to add a new subsection to specify when a campaign disclosure report must be amended.

2 AAC 50.329 is proposed to be amended to remove the requirement that groups or nongroup entities report cumulative contribution amounts from each contributor when the contributions are the result of ongoing payroll deduction or dues programs.

2 AAC 50.384(c) is proposed to be amended to remove surplus language related to the disbursement of the campaign money of a group.

2 AAC 50.816 is proposed to be amended to add a subsection clarifying the requirement to certify a report filed under AS 15.13.040(p).

2 AAC 50.821(a) is proposed to be amended to remove language requiring a request for exemption or waiver be submitted on a form specified by the commission. The proposed amendment also harmonizes this regulation with 2 AAC 50.816 and extends the due date for an exemption or waiver request filing by one day.

2 AAC 50.855 is proposed to be amended to remove the word “before” in the regulation to effectively add a day when calculating the civil penalty assessment on a late filed registration, statement or report. The proposed amendment also harmonizes this regulation with 2 AAC 50.845.

2 AAC 50.870 is proposed to be amended to add a new subsection to allow for withdrawal of a complaint when resolved by the parties and the complainant without prior consideration by commission members.

2 AAC 50.880 is proposed to be amended to harmonize the time period for an answer to an investigation report throughout existing regulations.

2 AAC 50.990(13)(B) is proposed to be amended to correct a typographical error in the “gift” definition.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jerry D. Anderson, Assistant Director, Alaska Public Office Commission at 2221 E. Northern Lights Blvd, Suite 128, Anchorage, AK 99508-4149. Additionally, the Alaska Public Offices Commission will accept comments by facsimile at (907) 276-7018 and by electronic mail at doa.apoc.regs@alaska.gov. The comments must be received no later than 4:00 p.m. on July 28, 2014.

Oral or written comments also may be submitted at a hearing to be held on July 16, 2014, in Suite 128, 2221 East Northern Lights Blvd. Anchorage, AK. The hearing will be held from 9:00 a.m. to 11:00 a.m. and might be extended to accommodate those present before 10:30 a.m. who did not have an opportunity to comment.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Maria Bulfa, APOC Staff at (907) 276-4176 no later than July 9, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Jerry D. Anderson at (907) 276-4176 or jerry.anderson@alaska.gov, or go to doa.alaska.gov/apoc/.

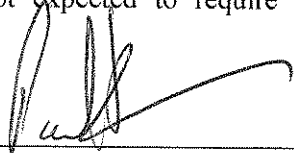
After the public comment period ends, the Alaska Public Offices Commission will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.**

Statutory Authority: AS 15.13.030(9)

Statutes Being Implemented, Interpreted, or Made Specific: AS 15.13; AS 24.45; AS 24.60.200 to 24.60.260 and .990; AS 39.50

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: June 5, 2014



Paul Dauphinais, Executive Director