APOC, YOU, AND BALLOT QUESTIONS/REFERENDUMS

Who Reports What When
And Why
We are trying to educate and keep everyone in a position to act thoughtfully and avoid complaints.

- Assume first,
- Ask second,
- Act third
  - Abstain from Acting Abruptly
What is a sponsor? A sponsor is:
A group formed to sponsor a recall or referendum—it isn’t really a group yet.

What is a group? A group is:
Any combination of two or more individuals organized for the primary purpose of influencing the outcome of an election.

What is an individual? An individual is:
A natural person. You and me.

What is a person? A person is:
A natural person as well as a corporation, company, partnership, firm, association, or organization. Don Jose’s

What is an entity? An entity is:
A person who is not a group and not an individual. Don Jose’s, but not Don Jose’s PAC—the PAC is a group.
Referendum/Proposition
In this case something like the oil tax referendum; it’s a referendum until it is certified for the ballot, then it becomes a ballot proposition.

Independent Expenditure
An expenditure made without consultation or cooperation of a candidate and all expenditures in support of or in opposition to a ballot proposition.
Initiative/Proposition/Question
It’s an initiative until it gets on the ballot, then it becomes a proposition for the state ballot and a question for a municipal ballot

Independent Expenditure
An expenditure made without consultation or cooperation of a candidate and all expenditures in support of or in opposition to a ballot proposition or initiative application. Includes the signature gathering phase.
Before ballot certification

**Referendum**—only the sponsor must report each quarter before the referendum is certified for the ballot.

**Initiative**—the sponsor, any groups supporting or opposing the initiative, as well as any entities must report each quarter. (exceeding $500)
After ballot certification

Referendum— the sponsor must report each quarter, the sponsor and any groups must report 30 days prior to the election, anyone must report an independent expenditure.

Initiative— the sponsor and any groups supporting or opposing must report 30 days prior to the election; any entities must report quarterly; anyone must report independent expenditures.
### Calendar and Reporting

#### June 2014

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**Notes:**

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**Notes:**
A lobbyist is a person who receives payments for communicating directly to influence legislative action and represents themselves as engaging in that behavior. OR A person who receives payments and communicates directly for more than 10 hours in a 30 day period. No pay or less than 10 hours in a 30 day period—not a lobbyist.
Money held by the state, its agencies, its corporations, the University of Alaska and its Board of Regents, municipalities, school districts and other political subdivisions of the state may use funds to influence the outcome of elections concerning a ballot proposition or question, but only if the funds to do so have been specifically appropriated by state law or municipal ordinance.
Oh, by the way, if you make contributions of $500 or more in the aggregate to a single group or entity, you must file a statement of contributions.
If you place an advertisement you must let people know who paid for it by having a “Paid For By”.

In general:
Paid for by Joe Communicator, Anchorage, AK

If by a group or an entity:
Paid for by We Who Want This, Anchorage AK
Top Contributors of We Who Want This are:
Space Ghost of Jupiter, Batman of Gotham City, and Fred Flintstone of Red Rock.

Much of this depends on the medium!
What is the Chamber? An entity for both referendum and ballot initiative.

Can the Chamber make a contribution to a ballot group? Yes. But, not to a PAC.

Can the Chamber make a contribution to another entity? Yes.

Must the Chamber report the contribution to a ballot group? Yes, if $500 or over.

Can the Chamber make an independent expenditure? Yes.
Why does the Chamber not have to report as much for the referendum? Because the statutes are different and the legislature consciously made the reporting requirements different.

Would an individual Chamber member (company/business) have to report contributions? Yes—but if making contributions as a company you can contribute only to a ballot group or referendum group.
I want to make a contribution as myself not my business, can I do that? Yes. if contributing as an individual you can make contributions to anyone, but they will show up on their reports and if the contributions are of $500 or more must file a statement of contributions.
QUESTIONS????
REFERENCES

Statutes
AS 15.13.040 Contributions to be reported
AS 15.13.052 Independent Expenditures
AS 15.13.090 Paid for By
AS 15.13.110 Filing of reports
AS 15.13.140 Independent Expenditures re ballot propositions
AS 15.13.145 Money of the State and political subdivisions
AS 15.13.400 Definitions
AS 24.45.161 Lobbyist Exemptions
AS 24.45.171 Lobbyist Definitions

Regulations
2AAC50.290 Groups
2AAC50.306 Identification of Political Communications
2AAC50.321 Group Reporting
2AAC50.352 Ballot Measure Activity
2AAC50.356 Election related Use of Public Money
2AAC50.550 Lobbyist Registration