



Alaska Public Offices Commission

2014 MUNICIPAL ELECTIONS

Please read this document carefully for important information about starting your campaign.

The 2014 elections are approaching and it is time for candidates to set up procedures to comply with Alaska's Campaign Disclosure Law. This information is presented only as an overview of your disclosure requirements. It is your responsibility to familiarize yourself and your campaign workers with the statutes and regulations to ensure you that you are in compliance with the law. Please visit the APOC homepage at www.doa.alaska.gov/apoc for further information and to remain updated about your requirements and responsibilities as a candidate.

APOC has transitioned to an electronic filing system. The new system's design makes it easier for filers in many aspects including, 24/7 access to the system, data upload capabilities, and improved amendment functions. **Candidates must file all forms and reports electronically**, unless they meet specific criteria found in [AS 15.13.040\(m\)\(1\)](#).

To file electronically you will need a [myAlaska](#) account. The vast majority of Alaskans already have an account to apply for their Permanent Fund Dividend. It is not necessary to create a new account for APOC purposes. Although filers may allow access to other users who may assist in preparing forms or reports, doing so allows access specific to APOC services only.

FORMS TO GET STARTED

Letter of Intent: Must be filed with the APOC *before* any candidate engages in campaign activity. A Letter of Intent allows the individual to campaign as if they were a candidate. The date that a campaign may start is 18 months prior to the date of the election. However, if a candidate files a Declaration of Candidacy first, they do not need to file a Letter of Intent.

The Declaration of Candidacy: Municipal candidates file their Declaration with their specific Municipal Clerk's Office. The Declaration of Candidacy is what gets a municipal candidate's name on the ballot. Check with your Municipal Clerk's Office to find out when your filing period opens and closes.

Public Official Financial Disclosure Statement: Must be filed with the Declaration of Candidacy at the Municipal Clerk's Office. Some municipalities have opted out of the requirement of filing a Public Official Financial Disclosure Statement. Check with your municipal clerk to be sure that you are complying with the requirements of your municipality.

Candidate Registration: Must be filed **within 7 days** following the filing of the Declaration of Candidacy at the Municipal Clerk's Office. The registration provides your campaign contact information, designates your campaign committee, and your campaign depository. Candidates may amend registrations as needed. **Until a candidate files their registration, designating a Treasurer or Deputy Treasurers, only the candidate may accept/expend campaign funds.**

Municipal Exemption Statement: May be filed by *municipal* candidates that do not intend to exceed \$5,000 in campaign activity, including any personal money that they may use. As long as they remain under the \$5,000 threshold, this is the only form they are required to file with APOC. Although exempt municipal candidates are not required to file campaign disclosure reports, they are still subject to the laws that apply to candidates, including the requirement that ads, yard signs, and other campaign materials include “paid for by” identifiers as required under [AS 15.13.090](#) and [2 AAC 50.306](#) (see below).

Candidate Reimbursement Notification: If candidates loan personal funds to their campaign with the intent to repay themselves after the election, they **MUST** file a Candidate Reimbursement Form with the APOC **within 5 days** of depositing personal funds into their campaign account. **HOWEVER**, if the candidate is able to reimburse their personal contributions from the campaign account **within 72 hours** they may do so, and they do **NOT** need to file the Reimbursement Form.

CAMPAIGN DISCLOSURE REPORTS

Candidates, who are not exempt, are required to disclose financial information about their campaigns. The purpose of a campaign disclosure report is to provide a snapshot of a candidate’s activity during a specific reporting period. The **reporting period** is the time period covered by a campaign disclosure report. A **due date** is the date when a report is due, and comes three days after the end of a reporting period. The three days allows a treasurer time to complete the report.

The number of reports filed by municipal candidates will vary depending on when the campaign begins. If candidates filed a Letter of Intent on or before February 1, 2013, they will begin with a **Year-Start Report**, which was due February 15, 2013. Otherwise the cycle will begin with a **30 Day Report** (due 30 days before the election), **7 Day Report** (due 7 days before the election) and a **105 Day Report** (which should be a final report and is due 105 days after the election). In addition, during the 9 days before an election, candidates must report the contributor name and the amount of all monetary and non-monetary contributions, from a single source, over \$250 (i.e. \$250.01) within 24 hours of receipt. Candidates may need to report each day during that period, or not at all.

OTHER START UP CONSIDERATIONS

Remember, **only** the candidate, a registered treasurer or a registered deputy treasurer may spend money on behalf of the campaign. From here out, any action by a treasurer or registered deputy treasurer is considered an action of the candidate.

If a registered treasurer or deputy treasurer makes a purchase on behalf of the campaign using personal funds, it is a non-monetary contribution to the campaign (against their individual \$500 contribution limit) unless it is reimbursed. **Reimbursements to a treasurer/deputy treasurer must be made within the same reporting period that the contribution was made.**

If a candidate uses personal funds to buy things for the campaign, they may be reimbursed by the campaign as long as reimbursement occurs **within 72 hours** of when the expenditure was made. Alternatively, if a candidate uses personal money with the intent to repay that money at *after the election*, he/she must file a candidate reimbursement form with the Commission within **five days** of using their personal money.

PAID FOR BY IDENTIFIERS

Alaska Statute 15.13.090 and Regulation 2 AAC 50.306 require a paid for by disclaimer on all political communications. For candidate campaigns, visual communications (i.e. newspaper ads, videos, Facebook pages, yard signs, etc.) must consist of the words **“paid for by” followed by the name and address of the candidate.** For audible communications (i.e. radio ads, videos with sound, robo calls, etc.) must have the audible identifier **“This communication was paid for by (candidate’s name only).”** If the communication has both a visual and audio component (i.e. commercials, YouTube videos, etc.) it must have both a visual and audible disclaimer. Fixing missing or incomplete paid for by disclaimers costs time and money for a campaign, and can result in civil penalties.

CIVIL PENALTIES

Civil penalties apply to candidates who violate campaign disclosure law. Violations include failure to file a campaign disclosure report on time or failure to file a complete and accurate campaign disclosure report. **Even if you are filing a report indicating that you have had no activity in that report period, you will be assessed a civil penalty if the report is late.** It is YOUR responsibility, as the filer, to familiarize yourself (and your campaign workers) with the campaign disclosure law requirements and reporting deadlines. Penalties range from \$50 to \$500 a day depending on the report.

Review the APOC Website for further reporting requirements. This information is only meant to provide you with an initial overview of your requirements as you begin your campaign. Do not hesitate to call APOC staff if you have questions. Thank you!

Contact Information

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