

Alaska Public Offices Commission Component

Mission

Administer Alaska's disclosure statutes and publish financial information regarding the activities of election campaigns, public officials, lobbyists and lobbyist employers.

Core Services

- Disclose reported information for informed decision making by Alaskans. Administer laws upholding the public's right to know the financial affairs of lobbyists and their employers, public officials, political groups, and candidates for state and municipal office. Interpret the disclosure laws and assist persons in complying, conduct training seminars, provide report information and training materials for candidates, groups, lobbyists, and public officials. Examine and compare reports for possible violations of the disclosure laws, and enforce the laws through compelling the filing of required reports, civil penalty assessments, and complaint investigation.

Results	Core Services
<p>A: Administer Alaska's disclosure statutes</p>	<p>A1: Disclose information for informed decision making by Alaskans</p> <p><u>Target #1:</u> Increase number of reports filed electronically.</p> <p>A2: Administer laws upholding the public's right to know the financial affairs of lobbyists and their employers, public officials, political groups, and candidates for state and municipal office.</p> <p><u>Target #1:</u> Provide outreach and information to the public so that Alaskans are enabled to access information regarding their appointed and elected public officials</p> <p>A3: Interpret the disclosure laws and assist persons in complying, conduct training seminars, provide report information and manuals of instruction for candidates, groups, lobbyists, and public officials.</p> <p><u>Target #1:</u> Provide training to candidates, groups, lobbyists and employer of lobbyists and public officials. <u>Target #2:</u> Provide timely advisory opinions.</p> <p>A4: Examine and compare reports for possible violations of the disclosure laws, and enforce the laws through compelling the filing of required reports, civil penalty assessments, and complaint investigation</p> <p><u>Target #1:</u> Audit at least 80% of all filings submitted to APOC under AS15.13, AS39.50, AS24.60, and AS24.45. <u>Target #2:</u> Increase time available to audit reports. <u>Target #3:</u> Track the number of civil penalties assessed and number of complaints</p>

Mission Results	Core Services
<p>B: Publish financial information regarding the activities of election campaigns, public officials, lobbyists and lobbyist employers</p>	<p>B1: Increase ease of access to information for the public</p> <p>Target #1: Make information available to the public electronically.</p> <p>Target #2: Availability of information decreases the number of public record requests</p>

Performance Detail

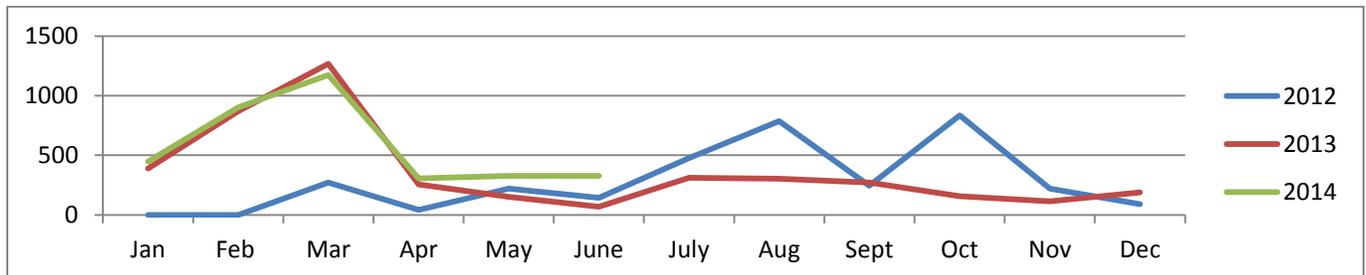
A: Result - Accountable Election Campaigns

A1: Core Service – Disclose information for informed decision making by Alaskans

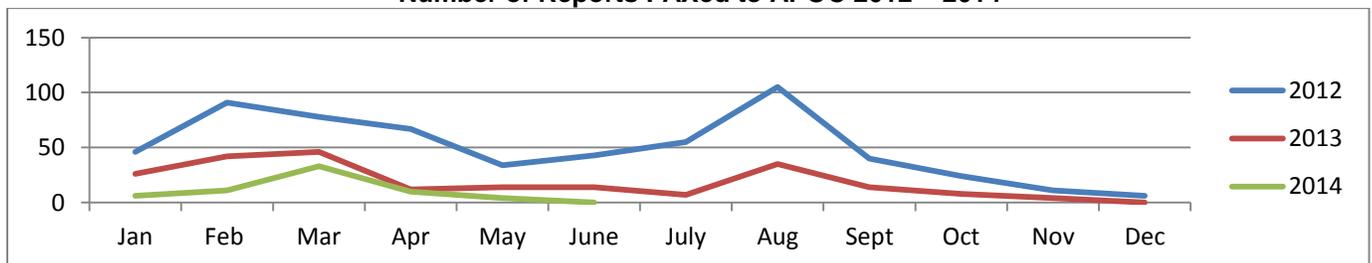
Target #1: Increase number of reports filed electronically.

Analysis of results and challenges: The number of reports filed electronically has increased each year since 2012. At the same time the number of reports FAXed to APOC has decreased. Electronic filing went live in early 2012; in that year 3,339 reports were filed electronically and 600 reports were FAXed. In 2013 4,160 reports were filed electronically and 227 were FAXed; as of June 30, 2014 3,485 filings were submitted electronically and 60 reports FAXed in 2014. There are some differences between even and odd numbered years. Even numbered years have state elections for the legislature, and in specific years, gubernatorial elections. There are also particular report deadlines that cause the various peaks in receiving reports. For instance, February is the month when candidate and group year end/year start reports are due; March is the annual POFD filing deadline; August is the deadline for the state-wide primary election and October/November reporting is tied to the state-wide general election. It is interesting to note that there are approximately 530 local municipal officials required to file a POFD, 480 of those are not required to report electronically yet 283 of them, 59%, do report electronically. The education efforts undertaken by the agency have helped filers overcome their fear of electronic filing and made filing easier and less time consuming for those required to file the various APOC reports.

Number of Electronic Filings to APOC 2012 through 2014¹



Number of Reports FAXed to APOC 2012 – 2014



¹ 2014 data through June 30. Does not include lobbyist and employer of lobbyist reports.

The challenge for the future is to ensure that as new public, elected, and municipal officials enter public service that they are provided ample opportunity for training and education to enable easier electronic filing. More electronic submissions result in more time available for effective and efficient auditing thus potentially decreasing civil penalties and complaints. The less time spent investigating complaints enables more time to be spent on training which again helps to decrease the number and severity of reporting errors across the state.

A2: Core Service – Administer laws upholding the public’s right to know the financial affairs of lobbyists and their employers, public officials, political groups, and candidates for state and municipal office.

Target #1: Provide outreach and information to the public so that Alaskans are enabled to access information regarding their appointed and elected public officials.

Analysis of results and challenges: In 2012 APOC began a program of public outreach to enable the public to better understand what the agency does and to enable greater public access to the information provided by candidates and others in reports. In 2013 there were 11 such activities throughout the state reaching 351 people. The year 2014 has seen less outreach as fewer requests for presentations have been received. The challenge for this activity is to keep presentations current, informative, and as non-technical as possible.

APOC Outreach Efforts, 2013

Date	Location	Group	Topic	Attending
5/22/13	Anchorage	UAA graduate class in ethics	APOC Mission/Filing Demo	5
9/4/2013	Homer	Homer Downtown Rotary	APOC Mission/Ind. Exp./Data	7
9/9/2013	Kenai	Rotary Club of Kenai	APOC Mission/Ind. Exp./Data	13
9/17/13	Wasilla	Wasilla Chamber of Commerce	APOC Mission/Ind. Exp./Data	28
9/17/13	Sitka	Southeast Conference of Comm	APOC Mission/Ind. Exp./Data	125
10/16/13	Wasilla	Susitna Rotary Club	APOC Mission/Ind. Exp./Data	13
10/16/13	Wasilla	Rotary Club of Wasilla	APOC Mission/Ind. Exp./Data	16
11/7/13	Palmer	Palmer Rotary Club	APOC Mission/Ind. Exp./Data	21
11/12/13	Fairbanks	Chamber of Commerce	APOC Mission/Ind. Exp./Data	66
11/15/13	Seward	Seward Chamber of Commerce	APOC Mission/Ind. Exp./Data	10
11/18/13	Anchorage	AK Assoc. of Municipal Clerks	Municipal POFD filing issues	47
TOTAL				351

APOC Outreach Efforts, 2014

Date	Location	Group	Topic	Attending
7/9/14	Anchorage	AM. Govt. class	Wayland Baptist Univ APOC Mission	19

A3: Core Service – Interpret the disclosure laws and assist persons in complying, conduct training seminars, provide reporting forms and manuals of instruction for candidates, groups, lobbyists, and public officials.

Target #1: Provide training to candidates, groups, lobbyists and employer of lobbyists, and public officials.

Analysis of results and challenges: APOC provides training to all of its constituencies. In addition to the number of people served by face-to-face training in 2013 as noted below, another 200 people have utilized on-line lobbying training. Each year lobbyists and employers of lobbyists are required to take and pass a training course concerning the lobbying laws and ethics. Other types of APOC filers are not required to complete any APOC training. In 2014 APOC staff conducted numerous training activities and reached over 200 people by June. The agency is beginning to receive requests for training from different constituencies.

The agency endeavors to provide training in a variety of locations throughout the state. Travel costs may be a challenge in the future in continuing to bring APOC training to venues outside of Anchorage, Fairbanks, and Juneau. Another challenge is keeping the materials updated with current information concerning contemporary issues. In 2013 and 2014 the issue was ballot propositions and initiatives. The issue for the next election cycle has yet to be identified.

APOC Training Sessions by Date and Location, 2013

Date	Location	Topic	Attending
1/8/13	Anchorage	Lobbying	22
1/9/13	Anchorage	Lobbying	13

1/14/13	Juneau	Lobbying	14
1/18/13	Juneau	Lobbying	5
2/5/13	Juneau	POFD/LFD	1
2/6/13	Juneau	POFD/LFD	1
	Juneau City and Borough	POFD/LFD	6
2/8/13	Anchorage	Groups	12
7/16/13	Wasilla	POFD/Candidates	5
7/25/13	Anchorage	Candidates	12
7/30/13	Fairbanks	POFD/Candidates	12
8/15/13	Juneau	Candidates	6
8/16/13	Anchorage	Groups	24
8/22/13	Soldotna	Candidates	7
8/27/13	Fairbanks	Candidates/Groups	25
9/27/13	Anchorage	Candidates	7
10/25/13	Anchorage	Candidates	4
11/8/13	Anchorage	Groups	6
11/22/13	Anchorage	Candidates	6
		TOTAL	188

APOC Training Sessions by Date and Location, 2014

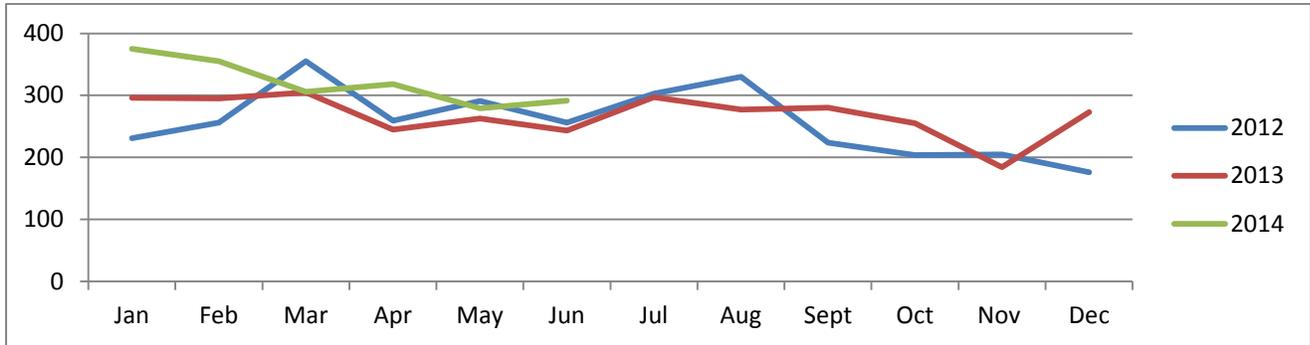
Date	Location	Topic	Attending
1/2/14	Anchorage	POFD	1
1/3/14	Anchorage	Groups	22
1/7/14	Anchorage	Lobbying	6
1/8/14	Anchorage	POFD	1
1/8/14	Anchorage	Lobbying	18
1/9/14	Anchorage	Lobbying	10
1/13/14	Anchorage	POFD	11
1/14/14	Anchorage	POFD	3
1/17/14	Juneau	Candidates	3
1/24/14	Anchorage	POFD	2
1/24/14	Anchorage	Candidates	4
1/27/14	Anchorage	POFD	2
1/31/14	Anchorage	Groups	8
2/6/14	Anchorage	POFD	2
2/7/14	Anchorage	Candidates	5
2/11/14	Anchorage	POFD	1
2/14/14	Anchorage	Groups	12
2/26/14	Anchorage	POFD	1
2/27/14	Anchorage	Candidates	4
2/28/14	Anchorage	Groups	7
4/9/14	Anchorage	Groups	6
4/10/14	Anchorage	Groups	20
4/11/14	Anchorage	Groups	29
4/11/14	Anchorage	Candidates	10
5/9/14	Anchorage	Candidates	11
5/16/14	Anchorage	Candidates	1
6/13/14	Anchorage	Groups	13
6/27/14	Anchorage	Groups	28
7/8/14	Wasilla	Groups/Candidates	9
8/4/14	Anchorage	Municipal Clerks re POFD/Candidates	9
		TOTAL	257

Another aspect of this core service is direct service to the public where APOC staff responds to questions from the public and filers over the telephone or via e-mail. As with other aspects of APOC's work this activity increases close to reporting deadlines as shown in the graph below. This activity contributes to the training and outreach service as it provides one-on-one information about specific questions actually occurring to filers when they are asking staff for information and instruction. The peaks in March and August of 2012 reflect the first year of electronic filing and the

number of questions fielded by APOC staff at approaching deadlines.

The year 2013 was a quieter year without a state-wide election; staff averaged 268 hours per month working directly with the public. The increase in December 2013 shows that people were preparing for the 2014 election. To date, 2014 has been a busier year in general as the election approaches. In 2014 the average number of hours per month dealing directly with the public has risen to over 320 to put this in perspective the average state employee works a 37.5 hour week; for APOC this means that the 320 hours per month equate to 8.5 staff weeks, or two full time staff doing nothing other than dealing with the public each month in 2014. This speaks well of the public's trust in the information provided by APOC staff.

Hours Spent Delivering Service to the Public by Month 2012 – 2014



Target #2: Provide timely advisory opinions.

Analysis of results and challenges: Staff are charged with preparing advisory opinions in seven days per AS 15.13.374. In 2013 the agency received 7 advisory opinion requests. Four of the seven requests were responded to in seven days or less. Of those taking longer than seven days, one presented a total of 24 questions with the other two presenting truly unique questions in seldom seen circumstances. Three of the requests addressed specific aspects of the ballot initiative or referendum process. Similarly, those supporting a ballot initiative or a ballot measure have different requirements from those sponsoring such a measure. Finally, signature gathering for a referendum or ballot initiative are significantly different processes than what occurs after a question or proposition has been placed on the ballot. In 2014 the questions centered on fund raising in the capital city during the legislative session, joined campaigns, and issues surrounding ballot propositions. The questions concerning fund raising in the capital city and the use of funds from multiple campaigns presented new and unique situations to address.

Providing high quality timely responses to advisory opinion requests will always be a challenge. Single straightforward questions will require less time than multi-tiered complex questions.

Summary of APOC Advisory Opinions 2013 and 2014

2013

AO Number	Name/Subject	Date received	Date Issued	Total Days
AO 13-01-CD	Walker/ Candidate hosting TV show	5/3/13	5/9/13	6
AO 13-02-CD	Lavin/ Reporting requirements when gathering signatures for referendum	5/8/13	5/15/13	7
AO 13-03-CD	Limoge/ Reporting requirements for those opposing referendum	5/9/13	5/16/13	7
AO 13-04-CD	Renewable Resources Foundation/ Reporting requirements for 501(c)3, educational activities, etc, 24 questions total.	5/13/13	5/31/13	18
AO 13-05-CD	French/ Use of "contribulopes" and "paid for by"	8/19/13	8/22/13	3
AO 13-06-CD	Steele/Contribution Limits	10/23/13	11/4/13	12
AO 13-07-CD	Walker/Fleener/ Joint Campaign	11/4/2013	11/15/14	11
Average				9 days

2014

AO Number	Name/Subject	Date received	Date Issued	Total Days
AO 14-01-CD	Parnell/ Fundraising in capital city during legislative session	1/22/14	1/29/14	7
AO 14-02-CD	Coffey/Rent as campaign expense	1/24/14	1/31/14	7
AO 14-03-CD	McGuire/ Legislator raising funds during legislative session	2/7/14	2/14/14	7
AO 14-04-CD	Renewable Resources Foundation Expenditures/Disclaimers for ads re ballot initiatives	2/11/14	2/18/14	7
AO 14-05-CD	Mallott/ Soliciting/Accepting contributions in capital city during legislative session	2/25/14	3/4/14	7
AO 14-06-CD	Mallott/Joined Campaigns	2/25/14	2/27/14	2
AO 14-07-CD	Fisher/ Can a group be both a ballot proposition group and an independent expenditure group	3/11/14	3/17/14	6
AO 14-08-CD	Ross/ Use of funds in/from multiple campaigns	4/28/14	5/7/14	9
AO 14-09-CD	Mallott/Travel expenses	6/23/14	6/27/14	4
AO 14-10-CD	Conoco Phillips/ Communication with public officials regarding SB 138	7/7/14	7/15/14	8
AO 14-11-CD	Gara/Use of campaign funds to express position on ballot question	7/11/14	7/18/14	7
AO 14-12-CD	Huggins/Chenault/Permissible activities by sitting legislator and reporting requirements relating the support or opposition to a ballot measure	7/25/14	8/1/14	6
Average				6.4 days

A4: Core Service – Examine and compare reports for possible violations of the disclosure laws, and enforce the laws through compelling the filing of required reports, civil penalty assessments, and complaint investigation

Target #1: Examine and compare at least 80% of all² filings submitted to APOC under AS15.13, AS39.50, AS24.60, and AS24.45.

Analysis of results and challenges: In 2012 APOC’s ability to examine and compare reports was hampered by the requirement for staff to transcribe reports that were not filed electronically. Examining and comparing reports was much better in 2013 and 2014 appears to be equally as productive in this endeavor. In 2013 all reports submitted to close out the 2012 elections have been examined; all year end reports by lobbyists and employers of lobbyists have been examined and reconciled, and over 1,000 POFD/LFD filings have been reviewed. This is a far greater number and percentage of audits than was completed in 2012 and exceeds the overall goal of over 80 of all filings. Many of these audits revealed minor discrepancies that have required amendments and the vast majority of those issues have been remedied. Because staff is able to examine reports closer to when they are received some reports are handled quickly and are amended before filing deadlines; in other cases the audits reveal issues that would not have been found until after the filing deadline and trigger civil penalty assessments. The process for 2014 has continued to provide good results with nearly 50% of all reports reviewed by June 30. With 2014 being a much busier election year it may be a challenge to examine over 80% of all reports received by the agency. The reasons for the significant increase in auditing for 2013 and 2014 are discussed later in this section under Target #2. The agency is meeting its auditing target.

Comparison of APOC Report Examination 2013 and 2014

Type of Report POFD	2013	2013	2013	2014 (to June 30)	2014	2014
	Total number	Examined	% Examined	Total number	Examined	% Examined

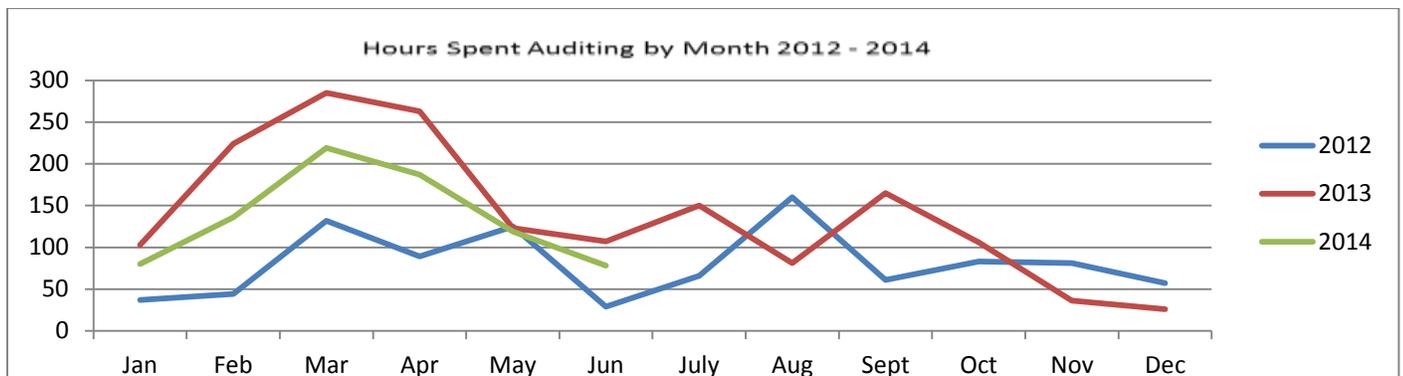
² All would include amendments to reports as well as the reports themselves.

Legislative	81	79	98%	77	77	100%
Judicial	141	121	86%	129	85	66%
Executive Branch	262	169	65%	218	21	10%
Board/Commission	319	266	83%	306	64	21%
Local Municipal Gov't	549	502	91%	489	322	66%
	1352	1137	81%	1219	569	47%
Campaign Disclosure³						
Groups				243	181	74%
Candidates				135	74	55%
	460	460	100%	378	255	67%
Lobbying Disclosure⁴						
	522	522	100%	917	253	28%
	2334	2119	91%	1597	834	52%

Target #2: Increase time available to examine and compare reports.

Analysis of results and challenges: Substantially more time is being spent examining and comparing reports. Electronic filing has greatly aided this effort. Increased time to examine reports initially leads to an increase in civil penalty assessments and later to a decrease as seen in target #3 below.

The Effect of Electronic Filing on Staff Effort



Electronic filing became generally mandatory in February of 2012. Time spent auditing grew unevenly during 2012, but blossomed in the first part of 2013 and has remained high. By June of 2014 the total time spent auditing reports in that year already exceeded the total time for the entire year of 2012. The early year activity is explained not only from the decreased need to conduct data input, but more reports are received during this period in odd numbered years; January is the deadline for municipal 105 day reports, February is the month of end of year reports for candidates and POET reports for incumbents, March is the deadline for annual POFD/LFD statements, and the April Anchorage municipal election triggers reports due in March and April. Candidates for state office are already beginning to announce intentions and file reports later in the year. Municipal candidates in areas other than Anchorage are beginning to announce their intentions and will also be reporting prior to the October elections. While a vast majority of reports have been audited to date, there will be continued examining and comparing to be done throughout the year including an emphasis on municipal candidates.

In addition to reviewing more reports APOC staff is working to make the examinations more sophisticated by matching transactions from previous reports and tracking activity in more detail than could be done previously. An in-house developed notification system also alerts APOC staff to reports as they come in so that auditing can take place almost immediately thereby helping filers to correct any potential errors quickly.

It is readily apparent the APOC is meeting this measure. The number and the types of reviews conducted are directly

³ Includes both groups and candidates.

⁴ Year-end lobbying report auditing and reconciliation for lobbyists and the employers of lobbyists is done at the beginning of the following year. Hence, 2011 reports were audited in 2012 and 2012 reports were audited in 2013.

tied to civil penalty assessments in that by conducting timely audits filers are enabled to correct errors quickly and avoid civil penalties. This may encourage those who may be otherwise hesitant because of reporting requirements to run for office at the municipal and state levels. The time spent examining reports is also evident in the number of reviews conducted as noted in Target 1 above.

Target #3: Track the number of civil penalties assessed and number of complaints

Analysis of results and challenges: APOC enforces the statutes and regulations that require timely and complaint filing of financial reports.

During 2012 all complaints but one were filed by members of the public. APOC staff is required to quickly assess whether a complaint can be accepted based on process oriented criteria. The requirement for accepting a complaint based on the information provided is “an allegation which if true would constitute a violation”. If accepted, a staff investigation report must be completed within 30 days. APOC staff also receives complaints requesting expedited consideration. These requests must be accepted or rejected quickly. If accepted the Commission must meet within 2 days to hear and decide on granting an expedited complaint hearing. In 2013 eight of the 12 complaints were filed by members of the public; five complaints dealt with the 2012 state election, three with the Fairbanks municipal election, one with a POFD filing, and two with other campaign related issues. In 2014 all complaints filed to date have been received from the public. Some complaints are more complex than others and either run into the next calendar year or are appealed in superior court.

Complaints Filed and Disposition 2011 – 2013

	2012		2013		2014 (to July 30)	
	Total	Status	Total	Status	Total	Status
Lobbying	1	closed	0		0	
Financial Disclosure	2	both closed	1	closed	0	
Campaign Disclosure	16	1 on appeal	11	1 on appeal	6	1 on appeal 3 open

APOC staff also assesses civil penalties which are reviewed by the Commission. Lobbying reports were the first to be required to be filed on-line. After several years of electronic filing this area of APOC reporting has become the most experienced and the number of civil penalty assessments relating to lobbying is dropping, the level of report reviews is the highest, and complaints related to lobbying are fewest. As POFD, candidates, and groups filing reports, become more experienced and comfortable with electronic filing the number of complaints and civil penalty assessments will hopefully likewise decline. In calendar years 2103 and 2014 the numerous ballot propositions, ballot questions, and referendum activities have made group reporting even more complex. Filers who do not pay or appeal their civil penalty are referred to the Attorney General’s office for processing.

Civil Penalties Assessed, 2012 - 2014

	2012		2013		2014 (to June 30)	
	Total	Referred to AG	Total	Referred to AG	Total	Referred to AG
Lobbying	139	0	85	0	33	0
Financial Disclosure	111	14	108	6	84	5
Candidate Disclosure	22	4	24	4	18	1
Group Disclosure	31	0	68	0	93	0

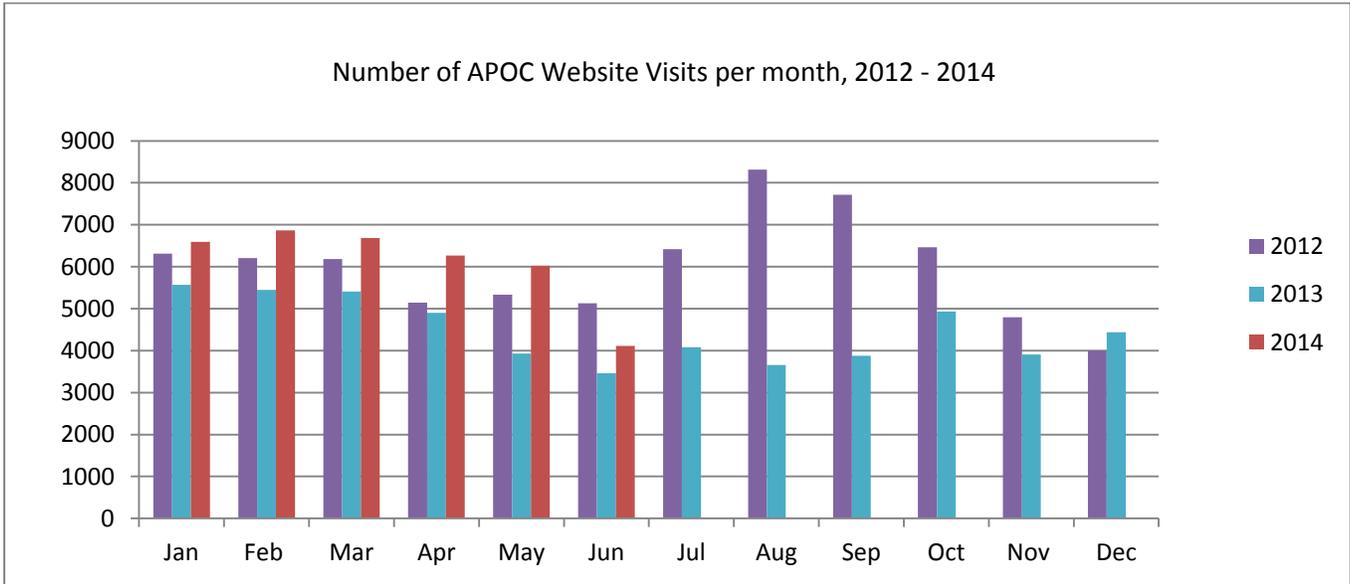
B: Result – Publish Information

B1: Core Service – Publish financial information regarding the activities of election campaigns, public officials, lobbyists and lobbyist employers.

Target #1: Make information available to the public.

Analysis of results and challenges: Electronic filing and the posting of reports on the internet through the agency’s website has increased the amount of information readily available to the public. The number of website visits has

increased significantly since 2011. The years 2012 and 2014 have the highest level of website visits as people were reviewing material regarding candidates in the state-wide elections indicating that the public is finding the information on the APOC web page accessible and useful during election years.



Target #2: Availability of information decreases the number of public record requests

Analysis of results and challenges: Because reports are now posted electronically and are more available to the public there should be fewer public records requests. There will always be some level of public records requests as not all information is available on-line as per commission policy. In 2013, eight of the 16 requests involved the public official financial disclosure statements of judicial filers or members of boards and commissions which are not electronically available; three of the requests were for lobbying reports not electronically available; three others were for prior years' material regarding former or current POFD filers now involved in federal elections. In 2014 the majority of requests were for historical POFDs for a variety of candidates and board and commission members. These requests were related to matters dealing with oil and gas matters as well as the financial reports of candidates from previous elections. During election years where there are multiple controversial issues the number of public records requests will probably be higher than in other years.

