

State of Alaska FY2009 Governor's Operating Budget

**Department of Administration
Alaska Public Offices Commission
RDU/Component Budget Summary**

RDU/Component: Alaska Public Offices Commission

(There is only one component in this RDU. To reduce duplicate information, we did not print a separate RDU section.)

Contribution to Department's Mission

To encourage the public's confidence in their elected and appointed officials by administering Alaska's disclosure laws and publishing financial information regarding the conduct of election campaigns, public officials, lobbyists, and employers of lobbyists.

Core Services

- 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.
- Publish disclosure information required by law in an easily accessible format so that Alaskans can make informed decisions.
- 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.
- 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.
- Adopt regulations, issue formal opinions, recommend legislative changes, adjudicate requests to reduce civil penalties for noncompliance with reporting requirements, recommend removal of candidates from the ballot in accordance with law, and adjudicate complaints through approval of settlements, civil penalty assessments and public hearings.

End Result	Strategies to Achieve End Result
<p>A: Informed Voters</p> <p><u>Target #1:</u> Campaign finance information published no later than five days before Election Day. <u>Measure #1:</u> Percentage of campaign disclosure reports published within five days of Election Day.</p>	
End Result	Strategies to Achieve End Result
<p>B: Accountable election campaigns.</p> <p><u>Target #1:</u> Reduce missing, late, and incomplete reports. <u>Measure #1:</u> Percent of change in the number of reports submitted timely and complete.</p>	<p>B1: Improve timely auditing of reports.</p> <p><u>Target #1:</u> Audit all campaign disclosure reports. <u>Measure #1:</u> Percent of campaign disclosure reports audited.</p> <p>B2: Timely resolution of adjudication complaints.</p> <p><u>Target #1:</u> Complaints reach their final dispensation within 60 days; unless expedited. <u>Measure #1:</u> Percent of complaints adjudicated within 60 days.</p>
End Result	Strategies to Achieve End Result
<p>C: Increased public awareness of how lobbying activities impact the political process.</p> <p><u>Target #1:</u> 100% compliance with the lobbying registration</p>	<p>C1: Timely publishing of lobbying activity reports.</p> <p><u>Target #1:</u> Publish lobbyist directory within ten days of the beginning of each legislative session.</p>

and reporting requirements. <u>Measure #1:</u> Percent of registrations and reports in compliance.	<u>Measure #1:</u> Date on which first directory is published. <u>Target #2:</u> Audit all lobbyist and employer of lobbyist reports. <u>Measure #2:</u> Percent of reports audited.
End Result	Strategies to Achieve End Result
D: Accountable elected and appointed public officials. <u>Target #1:</u> Audit all state financial disclosure reports. <u>Measure #1:</u> Percent of reports audited.	D1: Improve timely review of financial disclosure reports. <u>Target #1:</u> Reduce late or incomplete financial disclosure reports. <u>Measure #1:</u> Percent of public official and legislative financial disclosure reports filed on time and complete.

FY2009 Resources Allocated to Achieve Results							
FY2009 Component Budget: \$946,300	<p>Personnel:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">Full time</td> <td style="text-align: right;">10</td> </tr> <tr> <td style="padding-left: 20px;">Part time</td> <td style="text-align: right;">1</td> </tr> <tr> <td style="padding-left: 20px;">Total</td> <td style="text-align: right; border-top: 1px solid black;">11</td> </tr> </table>	Full time	10	Part time	1	Total	11
Full time	10						
Part time	1						
Total	11						

Performance Measure Detail

A: Result - Informed Voters

Target #1: Campaign finance information published no later than five days before Election Day.
Measure #1: Percentage of campaign disclosure reports published within five days of Election Day.

% of campaign disclosure reports published within five days of election.

Year	annual
FY 2007	100%

FY2007 included a state primary election, October municipal elections, and a state general election. APOC published all information in its possession prior to Election Day.

B: Result - Accountable election campaigns.

Target #1: Reduce missing, late, and incomplete reports.
Measure #1: Percent of change in the number of reports submitted timely and complete.

Analysis of results and challenges: .

01/01/05-06/30/05: 8% increase in late or incomplete state election reports.

07/01/05-12/31/05: 15% decrease in late incomplete municipal campaign disclosure reports.

01/01/06-06/30/06: No Anchorage Municipal reports were late.

07/01/06-06/30/07: 2% decrease in late, incomplete, or missing state and municipal election reports.

B1: Strategy - Improve timely auditing of reports.

Target #1: Audit all campaign disclosure reports.
Measure #1: Percent of campaign disclosure reports audited.

% of campaign disclosure reports audited.

Year	semi-annual	semi-annual
FY 2005	5.25%	*92.5%
FY 2006	100%	*100%
FY 2007	100%	100%

*FY 2005: * Only Anchorage Municipal reports were included for this time period.*

*FY 2006: * Only Anchorage Municipal reports were included for this time period.*

Analysis of results and challenges:

07/01/04-12/31/04: 5.25% of campaign disclosure reports were audited.

01/01/05-06/30/05: 92.5% of backlogged reports were audited by temporary clerical support.

07/01/05-12/31/05: 100% of 30 day municipal reports received a desk audit.

01/01/06-06/30/06: 100% of 30 day municipal reports received a desk audit.

7/1/06 - 6/30/07: 100% of the primary, general, and municipal reports received a desk audit.

B2: Strategy - Timely resolution of adjudication complaints.

Target #1: Complaints reach their final dispensation within 60 days; unless expedited.

Measure #1: Percent of complaints adjudicated within 60 days.

Analysis of results and challenges: 07/01/04-12/31/04: 100%, five complaints received and adjudicated within 60 days.

01/01/05-06/30/05: One complaint was received and adjudicated within 60 days.

07/01/05-6/30/06: Seven complaints were received and adjudicated within 60 days.

07/01/06-6/30/07: Six complaints were received. Five were adjudicated within 60 days, one is pending.

C: Result - Increased public awareness of how lobbying activities impact the political process.

Target #1: 100% compliance with the lobbying registration and reporting requirements.

Measure #1: Percent of registrations and reports in compliance.

% of registrations and reports in compliance.

Year	semi-annual	semi-annual
FY 2005	98.0%	95.5%
FY 2006	93.5%	95.0%
FY 2007	95.0%	95.0%

Analysis of results and challenges:

07/01/04-12/31/04: 98% of lobbyist and employer of lobbyist reports are compliant.

01/01/05-06/30/05: 95.5% of lobbying reports are compliant.

07/01/05-12/31/05: 93.5% of employer and lobbyist reports are complaint.

01/01/06-06/30/06: 95.0% of lobbyist registrations and employer and lobbyist reports are compliant.

07/01/06-06/30/07: 95.0% of lobbyist registrations and employer and lobbyist reports are compliant.

C1: Strategy - Timely publishing of lobbying activity reports.

Target #1: Publish lobbyist directory within ten days of the beginning of each legislative session.

Measure #1: Date on which first directory is published.

Analysis of results and challenges: FY2005: Published January 21, 2005; first day of Session was January 10, 2005.

FY2006: Published January 20, 2006; first day of Session was January 9, 2006.

FY2007: Published January 25, 2007; first day of Session was January 16, 2007.

Target #2: Audit all lobbyist and employer of lobbyist reports.

Measure #2: Percent of reports audited.

% of report audited.

Year	Annual
FY 2005	100.0%
FY 2006	100.0%
FY 2007	100.0%

D: Result - Accountable elected and appointed public officials.

Target #1: Audit all state financial disclosure reports.

Measure #1: Percent of reports audited.

% of reports audited.

Year	Annual
FY 2005	100.0%
FY 2006	100.0%
FY 2007	100.0%

D1: Strategy - Improve timely review of financial disclosure reports.

Target #1: Reduce late or incomplete financial disclosure reports.

Measure #1: Percent of public official and legislative financial disclosure reports filed on time and complete.

% of public official and legislative financial disclosure reports filed on time and complete.

Year	% on time (semi-annual)	% complete (semi-annual)	% on time (semi-annual)	% complete (semi-annual)
FY 2005	97.5%	72.5%	96.0%	83.0%
FY 2006	99.0%	93.0%	98.5%	94.5%
FY 2007	92.0%	88.0%	97.0%	93.0%

Analysis of results and challenges: .

07/01/04-12/31/04: 97.5% are filed timely and of those, 72.5% are complete.

01/01/05-06/30/05: 96% are timely; 83% are complete.

07/01/05-12/31/05: 99% are timely; 93% are complete.

01/01/06-06/30/06: 98.5% are timely; 94.5% are complete.

Key Component Challenges

- The most significant challenge APOC faces in FY2009 relates to the transitional nature of changing from a paper filing, paper depository method to electronic filing and a modern, easy to access, electronic library. During the state election cycle, a number of filers will be test users of the campaign disclosure system. Other filers will file either on paper or by using the current electronic methods (Excel Spreadsheets or ELFS). This may cause some problems in meeting the important mission of publishing the financial information related to campaigns on the Friday preceding Election Day. A new statutory requirement is that campaign disclosure statements that are not received in electronic format be scanned into the commission's WebPages.
- The commission is working on multiple regulations projects that will continue through FY2009. The department of law is working with APOC staff on a holistic approach to the commission's regulations – 2 AAC 50.
- Ongoing federal criminal investigations and prosecutions have resulted in a volatile environment for APOC. Many Alaskans and a number of legislators have indicated an interest in exploring statute changes to address violations of State campaign finance, personal financial disclosure and lobbying laws. Changes may require implementation during FY2009.

Significant Changes in Results to be Delivered in FY2009

- The financial disclosure requirements for executive branch and legislative officials were expanded under the Comprehensive Ethics Reform Act of 2007. These changes require more interactions with filers in assisting them to file complete, accurate and timely reports. In addition, the ethics reform legislation mandated an ethics training program for lobbyists and lobbyist employers. Finally, the 2007 legislation provided for mandatory electronic filing of all disclosure reports required by the statutes administered by APOC. This mandate becomes fully effective on January 1, 2009.
- The capital project for electronic filing is ahead of schedule and below budget. The contractors have completed two iterations. APOC will be recruiting campaign disclosure filers to test the program. The program is scheduled to be completed by December 31, 2008. This project will fundamentally change the way the Commission conducts its business. It should result in easier, more streamlined filing by those who are required by law to file financial statements with APOC, while providing more information in a more timely manner to the public.

Major Component Accomplishments in 2007

- The first half of FY2007 included activity related to a state gubernatorial election. For the first time in the agency's history, all state candidate election information was published on the Friday before Election Day.
- Numerous training seminars were conducted to assist candidates and campaign treasurers in filing their reports.
- Issued six formal advisory opinions.
- Adjudicated six complaints.
- Answered thousands of requests for information or assistance in filing.
- Processed thousands of reports filed by candidates, political groups, legislators, public officials, lobbyists and their employers.
- Collected \$54,174.00 in civil penalty assessments arising from late or incomplete reports or complaint issues.
- Generated \$101,703.00 in lobbyist registration fees and photocopying receipts.

Statutory and Regulatory Authority

AS 15.13 Campaign Disclosure Law

2 AAC 50.250-405 Administrative Regulations for Campaign Disclosure

- Requires candidates and groups to make public all contribution and expenditure activity; all contributors must be listed by name, and address; contributors who give more than \$250 must be further described by their occupation and employer. The law limits contributions, prescribes campaign periods, and prohibits certain activities.

AS 24.50 Regulation of Lobbying Law

2 AAC 50.505 - 545 Administrative Regulations for Lobbying

- Requires individuals who receive compensation for attempting to influence the actions of state legislative or executive officials to register and file reports disclosing their compensation and expenditures in connection with lobbying.

Those who pay individuals to attempt to influence officials' action must also disclose all expenditures connected with lobbying activities. The law limits lobbyists' gifting activities, and prohibits lobbyists from participating in some state election campaign activities.

AS 24.60.200-260 Legislative Financial Disclosure Law
2 AAC 50.705-890 Administrative Regulations for Legislative Financial Disclosure Law

- Requires legislators and legislative directors to make public their sources of income and indebtedness, thereby assuring the public that their decision making is free from the influence of undisclosed influences.

AS 39.50 Public Official Financial Disclosure Law
2 ACC 50.010-200 Administrative Regulations for Public Official Financial Disclosure Law

- Requires state and municipal officials to make public their sources of income and indebtedness thereby assuring the public that their decision making is free from the influence of undisclosed influences.

2 AAC 50.905-920 Administrative Regulations Implementing Advisory Opinions
2 AAC 50.450-470 Administrative Regulations Implementing Complaints & Investigations

Article II, Sec 12 Alaska State Constitution-Lobbying

Contact Information
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**Alaska Public Offices Commission
Component Financial Summary**

All dollars shown in thousands

	FY2007 Actuals	FY2008 Management Plan	FY2009 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	631.6	796.6	802.3
72000 Travel	16.6	12.9	12.9
73000 Services	77.2	200.6	120.6
74000 Commodities	75.6	9.0	9.0
75000 Capital Outlay	0.0	91.5	1.5
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	801.0	1,110.6	946.3
Funding Sources:			
1004 General Fund Receipts	756.1	1,065.7	901.4
1005 General Fund/Program Receipts	44.9	44.9	44.9
Funding Totals	801.0	1,110.6	946.3

Estimated Revenue Collections

Description	Master Revenue Account	FY2007 Actuals	FY2008 Management Plan	FY2009 Governor
Unrestricted Revenues				
General Fund Program Receipts	51060	85.2	100.1	112.1
Unrestricted Total		85.2	100.1	112.1
Restricted Revenues				
General Fund Program Receipts	51060	44.9	44.9	44.9
Restricted Total		44.9	44.9	44.9
Total Estimated Revenues		130.1	145.0	157.0

**Summary of Component Budget Changes
From FY2008 Management Plan to FY2009 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2008 Management Plan	1,110.6	0.0	0.0	1,110.6
Adjustments which will continue current level of service:				
-HB 109, Ch 47, SLA 07 Disclosures & Ethics/Bribery/Retirement - Delete One Time Costs	-170.0	0.0	0.0	-170.0
-FY 09 Health Insurance Increases for Exempt Employees	1.9	0.0	0.0	1.9
-FY 09 Bargaining Unit Contract Terms: General Government Unit	3.8	0.0	0.0	3.8
FY2009 Governor	946.3	0.0	0.0	946.3

**Alaska Public Offices Commission
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2008</u>	<u>FY2009</u>		
	<u>Management</u>	<u>Governor</u>		
	<u>Plan</u>			
Full-time	10	10	Annual Salaries	528,608
Part-time	1	1	COLA	3,426
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	284,236
			<i>Less 1.71% Vacancy Factor</i>	<i>(13,970)</i>
			Lump Sum Premium Pay	0
Totals	11	11	Total Personal Services	802,300

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant II	0	0	1	0	1
Administrative Clerk II	0	0	1	0	1
Administrative Clerk III	2	0	0	0	2
Asst Dir APOC	1	0	0	0	1
Exec Dir APOC	1	0	0	0	1
Investigator III	1	0	0	0	1
Paralegal II	2	0	0	0	2
Project Coord	0	0	1	0	1
Secretary	1	0	0	0	1
Totals	8	0	3	0	11