

SB

126



Matanuska-Susitna Borough, Inc.

BOX B, PALMER, ALASKA 99645 • PHONE 745-3246

DEPARTMENT OF ADMINISTRATION

April 29, 1977

Ms. Lisa Rudd, Chairman
House Community & Regional
Affairs Committee
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Ms. Rudd:

Subject: Senate Bill 126

This Borough favors the elimination of the requirement that municipal officials be elected by a majority of the votes cast, since that may require runoff elections which attract very little interest.

We believe this matter should be optional for municipalities and, therefore, we favor SB 126.

Very truly yours,

Wesley M. Howe
Borough Manager

WMH:er

cc: Alaska Municipal League
Representative Al Ose



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BOROUGH ASSEMBLY

April 29, 1977

Ms. Lisa Rudd, Chairman
House of Representatives
Community and Regional Affairs Committee
Pouch V, State Capitol
Juneau, Alaska 99811

Re: SB 126

Dear Ms. Rudd:

When the Alaska Municipal Clerks met in Juneau last month, they reviewed all of the election bills that had been introduced at that time and paid particular attention to bills pertaining to run-off elections. Prior to the meeting in Juneau, a survey had been taken to obtain statistics on run-off elections. The Clerks found that only in four instances over the years had a run-off election made any changes. The Clerks objected to run-off elections due to the additional cost involved and the fact there there is a very small turnout when an additional municipal election is held within days after the regular municipal election. In view of the above, the Clerks would favor HB 9 or SB 125 which would allow municipalities to exempt themselves from run-off elections by ordinance.

The Matanuska-Susitna Borough has found it necessary to hold only one run-off election and that was for one School Board member. In that instance, the second high candidate won and the results didn't change the outcome of the election.

In view of the above, I would like to go on record as opposing SB 126 as noted above. A copy of the Clerks' position on various bills is enclosed for your information.

I appreciated your appearing at one of the Clerks' sessions in Juneau.

Thank you for bringing the above to the attention of your committee.

Yours respectfully,

Evelyn Thompson
Borough Clerk

Enc.

Compiled below are brief summaries of several bills now pending in the Legislature and, also, the AAMC's position worked out by the Clerks attending the Clerks Education program in Juneau, March 28-April 1. All members are encouraged and requested to read the various bills, review the AAMC's position, and write your own legislators of your & AAMC's position.

HOUSE BILL 24 - Compensation of Election Officers (referrals: House Finance)

Description - Increases pay of Judges from \$4,50 to \$5 and Canvass Board from \$5 to \$5.50

AAMC's Position - Oppose. Board members received a raise last year which increased our election costs as much as 25% for the boards, which is the largest cost in any election. Part of the reason they serve is a sense of civic duty and volunteer effort. They are not serving in this capacity to make a living wage at it - there aren't enough elections each year to do so. The idea behind payment is compensation for expenses like gas, transportation, babysitting, etc.

HOUSE BILL 131 (CSHB 131 Judiciary) - Freedom of Information (referral: Senate Judiciary - has passed House)

Description - provides State Policy for privacy and public information, makes certain exceptions of records to be open to inspection, provides procedure for requests for records, establishes enforcement procedures, covers mishandling of records and obstruction of access to records and lists definitions.

AAMC's Position - Oppose in its present form. Amend to include local option - that would satisfy us. 1. Bill is tailored for State records. Municipalities have different types of records from State and from each other. 2. Bill leaves determination of definitions of what's confidential and what isn't to the Clerk since she is the custodian of the records. Interpretation differs from Clerk to Clerk. 3. Definitions are vague - it would appear that complainants in perhaps a health violation would have to be disclosed. It is also unclear whether the complainants to the Ombudsman would have to be disclosed. Cost to small municipalities would increase. They do not have staff attorneys and would need to retain or at least check with an attorney fairly frequently for verification of their decision on confidentiality. Six municipalities have a public information ordinance adopted or in progress.

HOUSE BILL 188 (CSHB 188) - Voter Registration (referral: Senate Rules)

Description - increases number of registrars per precinct

AAMC's Position - Amend "shall appoint" to "may appoint" and raise precinct size criteria to 500 (this bill may have been amended to satisfy the Election Supervisor since 4/1)

HOUSE BILL 218 (CSHB 218) - Voter Registration (referral: House Judiciary)

Description - Amends Title 15 (State Election Code) to provide that a voter may register at the time of voting, changes provision that voter may vote in precinct in which he is registered to "election district", provides a voter may register before an election judge at any time throughout the year including election day, provides same procedure for re-registering, rewords procedure on manner questioned ballots may be counted and adds State special election to those elections which will determine purging.

AAMC's Position - Opposed. If it passes, voters could vote on election day and not by questioned ballot. If this is the idea, then do away with State registration entirely as Municipalities would have to institute their own systems for voter registration if this becomes law (and they were allowed by State law to do so.) State's position on this bill is that Legislature should wait and see what happens with the Federal registration bill - if that's passed, then there is little at the local (State) level that can be done.

HOUSE BILL 243 - Public Meetings (referral: House State Affairs)

Description - 2/3rds vote required for executive session, added reasons for executive session, covers chance or social meetings and what can and cannot be done; lists requirements for public notice of meetings, written records of all meetings; time period for suits to contest action of public body, etc.

HOUSE BILL 243 (cont.)

AAMC's Position - Needs amendment, On a chance meeting, if business is discussed, what is the consequence? 72 hour notice is too long, should be 24 hours. Also change "to discuss or act" to "to discuss and act". Should be 30 days notification on suits, rather than 90. 30 days is ample period for most court actions and for appeal on most other municipal actions. 90 days is hanging fire too long - it puts the original meeting action in too much jeopardy. Further action based on original action could take place within that 90 days and further complicate the situation. Appeal should be speedy. Re: 72 hour notice provision - agendas are not usually finalized 72 hours prior to a meeting. Also, the longer the notice requirement, the sooner you are going to have to cut off deadlines like public appearance requests - thereby denying the public the right to appear at a meeting. Re: mailing the agenda to anyone who requests it. Delete. In most cases the mail system is such that mailed agenda reaches the person requesting it after the meeting takes place. Also, there is no limit or specification on who pays the mailing cost. Assume its the municipality - can you see all 194,500 people in Anchorage wanting agendas mailed to them? The cost would be absolutely horrendous for mailing alone, not including the cost of duplicating, envelopes and salaries involved. Legislative hearings are not announced 72 hours prior to the hearing. Legislators should have to come under the same regulations - a copy of the notice of each legislative hearing be mailed to every registered voter in the State of Alaska requesting one.

SENATE BILL 126 - Run-Off Elections (referral: House CRA, then Judiciary)

Description - Exempts Municipalities from run-offs with exception of Mayor's position

AAMC's Position - Oppose this particular bill, favor instead HB 9 and SB 125 which exempt Municipalities from all run-off provisions, including Mayor, by ordinance. Mandatory run-off provisions have been in effect since 1972. Of the Municipalities that have had to hold run-offs since that date, there have been 209 seats on the original (regular) ballot and of those, 29 went to a run-off. Only 4 of those run-off seats resulted in a change. Only 1 run-off for Mayor since 1972. All others have involved other offices. Percentage of voter participation in run-offs has steadily decreased since inception of mandatory run-off and costs have increased by some 27%

cc: AML Office and Legislative Committee
Others attending Clerks Education Program