

S B

173

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 173

SPONSOR C & RA (Adams)

BILL TITLE Municipal Elections

DATE REFERRED 3-6-89

HEARING SCHEDULED

FISCAL NOTE PREPARED ~~need for CS~~ ✓

SPONSOR CONTACTED Marla, Martha 3707

INTERESTED PARTIES CONTACTED

✓ Linda Edgeworth, Elections 4611

Scott Burgess, AML 586-1325

maybe ✓ Jim Plasman, C & RA 4750

Tam Cook, 2450 ref/sectional 3-8-89, 4:15pm

OTHER

173POOP.TXT
3/20/89

SB 173 MUNICIPAL PETITIONS AND ELECTIONS

TO TESTIFY

SENATOR ADAMS, CHAIR OF SPONSORING COMMITTEE (MARTHA/MARLA)

SCOTT BURGESS, ALASKA MUNICIPAL LEAGUE

LINDA EDGEWORTH, DIV. ELECTIONS

JIM PLASMAN, C&RA

F.Y.I.

C&RA COMMITTEE SUBSTITUTE. 3 CHANGES:

- SEC. 7 CONFORM VOTER QUALIFICATIONS TO CHANGES IN SEC. 8
- SEC. 9 MUNI. MAY BY ORDINANCE REQUIRE REREGISTRATION
BEFORE VOTING BY PERSON WHOSE REGISTRATION HAS
BEEN CANCELLED
- SEC. 21 CONFORM "VOTER" DEFINITION TO CHANGES IN SEC. 7

Alaska State Legislature

Al Adams
District L

WHILE IN SESSION
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3707

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3245

3111 C Street
Anchorage, Alaska 99503
(907) 561-7622



Official Business

Memorandum

TO: Senate Community and Regional Affairs Committee
Members

FROM: Senator Al Adams, Chairman

RE: SB 173: An Act relating to municipal petitions and
elections, and to appointments to fill municipal offices.

DATE: February 28, 1989

This is basically a housekeeping bill. When we rewrote Title 29, we failed to clarify some of the procedures relating to municipal petitions and elections. This bill was developed with the help of the AML legislative committee in an effort to address these concerns.

As currently written SB 173 covers the following issues: 1) makes local option petitions, unification petitions, preparation of petitions calling for the election of a charter commission, and petitions for adoption of a manager plan subject to the same requirements as municipal initiative and referendum petitions; 2) requires the same procedure for repeal of a manager plan as adoption; 3) permits a person to vote in a municipal election only if the person is registered in state election at least 30 days before the municipal election; 4) permits a municipality to require a person be registered in state elections at the address in the municipality claimed as the residence; 5) delineates a prime sponsor and requires the municipality to notify only the prime sponsor (as opposed to each sponsor) of an initiative, referendum or recall petition about the sufficiency or availability of a petition and to provide the petition only to a sponsor who requests it in person or by mail under certain conditions; 6) provides special initiative or referendum requirements for ordinances or resolutions that affect only a part of a municipality; 7) does not allow a person who has been recalled from an office to be appointed to fill that vacancy.

contained in CoRA C.S.

SUGGESTED AMENDMENTS
SENATE BILL 173

The Division of Elections has reviewed the text of this bill and supports its general intent. It is important to note, however, that the Division of Elections is not directly affected by the main text of this bill. However, the Division serves municipalities in the conduct of local elections in a support capacity, specifically in maintaining voter registration rolls, providing voter lists and precinct registers, recording local voter history and determining precinct boundaries and polling sites. We, therefore, work with and lend our support to the Municipal League and local governments on these issues whenever possible. We support the general content of this bill because we agree with local officials that current laws regarding voter qualifications and petition processing do not adequately address the needs of local officials in the administration of these functions.

The Division wishes to focus its comments specifically on the sections regarding voter qualifications. It is our understanding that the purpose of this legislation is to resolve two major issues that, under current law, are unclear.

1. Under current law a voter must be a "resident" of the municipality in which he or she wants to vote for 30 days prior to an election. The law makes no requirement that they also be "registered" in the community. As long as they are registered somewhere to vote in state elections, local officials must count their vote.
2. Under existing provisions there is no clear statement as to the deadline by which a voter qualified in state elections must be registered for local elections.

The provisions of Section 7, are intended to clarify the requirements. Having discussed this issue with the Executive Director of the Alaska Municipal League, members of the League's legislative committee, and legal counsel for the league, the Division would like to recommend a friendly amendment to the bill which we believe more clearly fulfills the intent of the legislation. The text of that amendment is attached.

Sec. 7. AS 29.26.050(a) is amended to read:

Sec. 29.26.050. VOTER QUALIFICATION. (a) A person may vote in a municipal election only if the person

(1) is [A UNITED STATES CITIZEN WHO IS] qualified to vote in state elections[,] under AS 15.05.010;

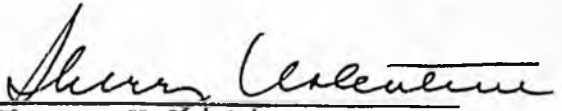
(2) has been a resident of the municipality for 30 days immediately preceding the election;

(3) is registered to vote in state elections at a residence address within the municipality at least 30 days before the municipal election in which the voter seeks to vote, and

(4) is not disqualified under art. V of the state constitution.

3/2/89

Date


Sherry Valentine
Deputy Director

Another issue that has been raised by municipal officials relates to the status of votes cast by voters who have been purged. Under Title 15, a voter whose registration has been canceled for non-activity, may still vote in an election as long as they have been registered at sometime during the 2 previous general elections. This approach works well for state elections because of the Division's immediate access to past records of cancelled voters. For some municipalities this a burden and it has been suggested that the provision be deleted. While the Division of Elections would not support such a repeal for state elections we are sensitive to the burden it puts on some municipalities.

Should the Municipal League and municipalities wish to pursue this issue, however, we offer the following suggestion which would allow each municipality the discretion to determine the procedures regarding purged voters which will be utilized for its elections, while not interfering with the procedures utilized by the State.

Add a new subsection to AS 29.26.050 to read:

(d) A municipality by ordinance may require that a person whose registration has been cancelled under AS 15.07.130 must reregister and meet the qualifications under (a) of this section to vote in the municipal election.

Alaska State Legislature

Al Adams
District L

WHILE IN SESSION
P.O. Box V
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Juneau, Alaska 99811
(907) 465-3707

OUT OF SESSION
P.O. Box 333
Kotzebue, Alaska 99752
(907) 442-3245

3111 C Street
Anchorage, Alaska 99503
(907) 561-7622

Official Business

TO: PAT POURCHOT, CHAIR
SENATE STATE AFFAIRS COMMITTEE

FROM: AL ADAMS, CHAIR *AA*
COMMUNITY AND REGIONAL AFFAIRS COMMITTEE

RE: SB 173: "AN ACT RELATING TO MUNICIPAL PETITIONS AND
ELECTIONS, AND TO APPOINTMENTS TO FILL CERTAIN
MUNICIPAL OFFICES."

DATE: MARCH 3, 1989

THIS IS TO REQUEST SCHEDULING OF THE AFOREMENTIONED LEGISLATION
IN THE SENATE STATE AFFAIRS COMMITTEE AT YOUR EARLIEST
CONVENIENCE.

THE DOCUMENTS IN THE REFERRAL FILE IDENTIFY THE NEED FOR THIS
LEGISLATION. IT WAS A REQUEST OF THE ALASKA MUNICIPAL LEAGUE
AND BENEFITS MANY MUNICIPALITIES IN THE STATE.

THE BILL WAS HEARD IN THE COMMUNITY AND REGIONAL AFFAIRS
COMMITTEE THIS WEEK AND A COMMITTEE SUBSTITUTE MADE CHANGES
DETAILED IN THE DIVISION OF ELECTIONS POSITION PAPER ENCLOSED.

IF YOU OR YOUR STAFF HAVE QUESTIONS PLEASE DO NOT HESITATE TO
CONTACT MY AIDES MARTHA STEWART OR MARLA BERG AT 465-3707.

Resolution of the Alaska Municipal League

Resolution No. 89-6

**A RESOLUTION URGING THE AMENDMENT OF MUNICIPAL
ELECTION STATUTES TO CORRECT INCONSISTENCIES
AND ALLOW FOR GREATER LOCAL CONTROL**

WHEREAS, several inconsistencies exist in the state laws governing municipal elections and the election process which are inappropriate, and

WHEREAS, these inconsistencies and incongruities impede the efficient management of the municipal elections process and introduce inequities into the election process, the foundation of our democratic system of government, and

WHEREAS, the limitations on staff and funding for the Alaska Public Offices Commission preclude the commission from adequately enforcing state statutes at the municipal level;

NOW, THEREFORE, BE IT RESOLVED that the Alaska Municipal League urges the 16th Alaska Legislature and the Governor to pass legislation amending the statutes governing municipal elections to correct these inadequacies by adopting a package of election revisions proposed by the municipalities themselves through the Alaska Municipal League.


Adopted at Annual Business Meeting o November 18, 1988 o Fairbanks, Alaska

Alaska MUNICIPAL League

TELEPHONE
(907) 586-1325
FAX 463-5480

217 SECOND STREET, SUITE 200
JUNEAU, ALASKA 99801

TO: Senator Al Adams, Chair
Members of the Senate Community and Regional Affairs Committee

FROM: Scott A. Burgess, Executive Director 

DATE: March 1, 1989

SUBJECT: SB 173 - Municipal Petitions and Elections

The Alaska Municipal League supports SB 173. In November 1988, the AML Board identified amendments to the statutes governing municipal elections to correct inconsistencies in those statutes and, where appropriate, to allow for greater local control, efficiency and fairness as a top priority of the League for the 1989 legislative session. SB 173 addresses several of the individual issues outlined in the League's Municipal Platform.

Sections 1, 2, 3 4, 5, and 6 clarify the petition process for elections on local liquor option under Title 4, and unification, charter commission formation, and the manager plan adoption or repeal under Title 29. The language in most cases adopts the existing petition process under Title 29 (AS 29.26.100 -.190) with some amendments.

A process for initiative and referendum petitions is established in AS 29.26.100-.190. The statutes governing adoption or deletion of the manager plan (AS 29.20.460), alteration of forms of government (AS 29.06), and the local liquor option (AS 4.11.502) currently contain vague references to "by petition" but do not specify that the procedures governing such petitions should be those in AS 29.26.100-.190.

Sections 7 and 8 of SB 173 amend the voter qualification criteria for municipal elections under Title 29. Municipal elections are carried out under Title 29, whereas state elections are governed by Title 15. Sections 7 and 8 clarify that an individual is required to be registered within the State of Alaska and the precinct, district, service area, or municipality in which they reside not less than thirty (30) days immediately preceding the date of the municipal election.

Most municipalities have addressed this requirement by incorporating state law into local ordinances; however, the requirements should be clarified. Votes should be registered within the area, precinct, or municipality in which they seek to vote. A person must be a resident and registered in the new area 30 days prior to voting in a local election. Thirty-day residency and registration requirements are standard conditions placed on an elector's entitlement to vote and are based upon substantial public policy reasons such as ensuring that electors are informed about the candidates and issues of the election, ensuring that an elector in the area has a stake in the election, administrative convenience, and elimination of fraud in elections.

Sections 9 - 11 and 13 - 17 address the initiative, referendum and recall petition by amending Title 29 to a) require the municipal clerk to notify the designated contact who submits an application for an initiative, referendum, or recall petition of the sufficiency of the application and the availability of the petition and b) require the clerk to provide petitions only to persons who request a petition in person, or in writing if located in a multi-community municipality, from the clerk's office.

The Title 29 revision of 1986 provided an entirely new format for initiative, referendum, and recall petitions. This format has been tested, and it is time for some revisions to "tighten up" some portions of it. First, it should be clarified that the burden of contacting the sponsors of applications for petitions should be on the designated contact sponsor, not on the clerk. Applications for petitions in larger municipalities may contain hundreds of names of sponsors, many of whom aren't even aware they have been listed.

Second, petitions should be given only to those who agree to circulate the petition and sign for it. This would make the initiative, referendum, and recall process more manageable for the public and the clerk.

Section 18 clarifies AS 29.26.330 on the form of a recall ballot.

Section 12 amends AS 29.26.110-.190 to make a distinction for initiative and referendum issues of non-areawide or service area powers. AS 29.26.100-.190, which outlines the standards and process associated with a referendum election, mentions only municipal voters and makes no distinction as to voters inside the city and those outside it. The statutes do not require that petitioners or voters on an initiative or referendum be within the proposed or existing service area. Repeal of a non-areawide or service area power would affect residents located outside cities, but under current statutes voters within cities could have a significant, and potentially dominant, role in determining whether residents outside the city receive services.

Section 19 amends Title 29 to prohibit a recalled elected official or a recalled official appointed to an elected office from being appointed to the vacancy created by the recall. If voters recall an elected official or an official appointed to an elected office, the voters have spoken, and their decision should stand. Prohibiting a recalled official from being reappointed also avoids pressure on other elected officials. Basically, allowing a recalled person to be appointed to the vacancy created by his or her recall is contrary to the whole recall process. AS 29.26.320(c) states that a person who resigns (during a recall process) may not be appointed to fill the vacancy. To be consistent, a recalled official should not be appointed to the vacancy created by the recall.

The AML supports SB 173 and urges the Committee and the Legislature to pass the bill to bring clarity and fairness to the municipal elections process.

The Alaska Municipal League (AML) is a statewide, nonprofit, non-partisan organization of local governments. Its 123 municipal members include most of Alaska's cities, boroughs, and unified municipalities. The League serves as an advocate for municipal government in the Legislature and with the state executive departments, acts as a clearinghouse for information on federal and state actions affecting local governments, conducts training for local government officials, provides information through its newsletter, legislative bulletins, and other publications, and conducts an annual conference for policy development and training.

The Alaska Municipal League provides a forum through which local government officials can assist each other in the solution of municipal problems and can express their common concerns to state and federal officials. Through its members, the AML seeks to advance the interests and well-being of all Alaskans by supporting and advocating strong, cost-effective, and responsive local governments.

Revisions of the Municipal Election Code

The Alaska Municipal League urges the 16th Legislature to pass legislation amending the statutes governing municipal elections to correct inconsistencies in those statutes and, where appropriate, to allow for greater local control of issues affecting municipalities. The package of election law revisions proposed by the League includes the following:

Sec. 1, 2
3, 4, 6

- Specifying that the procedures for petitioning for adoption or deletion of the manager plan, alteration of government, and local liquor option are those established in AS 29.26.100-190:

A process for initiative and referendum petitions is established in AS 29.26.100-190. The statutes governing adoption or deletion of the manager plan (AS 29.20.460), alteration of forms of government (AS 29.06), and the local liquor option (AS 4.11.502) currently contain vague references to "by petition" but do not specify that the procedures governing such petitions should be those in AS 29.26.100-190.

Sec. 7, 8

- Amending Title 29, the Municipal Code, to allow a municipality, by ordinance, to require persons to be registered within the State of Alaska and the precinct, district, service area, or municipality in which they reside not less than 30 days immediately preceding the date of the municipal election.

Most municipalities have addressed this requirement by incorporating state law into local ordinances; however, the requirements should be clarified. Voters should be registered within the area, precinct, or municipality in which they seek to vote. A person must be a resident and registered in the new area 30 days prior to voting in a local election. Thirty-day residency and registration requirements are standard conditions placed on an elector's entitlement to vote and are based upon substantial public policy reasons such as ensuring that electors are informed about the candidates and issues of the election, ensuring that an elector in the area has a stake in the election, administrative convenience, and the elimination of fraud in elections.

Sec. 9, 10,
13, 14, 15, 16,
17

- Amending Title 29 to a) require the municipal clerk to notify the designated contact who submits an application for an initiative, referendum, or recall petition of the sufficiency of the application and the availability of the petition and b) require the clerk to provide petitions only to persons who request a petition in person, or in writing if located in a multi-community municipality, from the clerk's office:

The Title 29 revision of 1986 provided an entirely new format for initiative, referendum, and recall petitions. This format has been tested, and it is time for some revisions to "tighten up" some portions of it.

First, it should be clarified that the burden of contacting the sponsors of applications for petitions should be on the designated contact sponsor, not on the clerk. Applications for petitions in larger municipalities may contain hundreds of names of

sponsors, many of whom aren't even aware they have been listed.

Second, petitions should be given only to those who agree to circulate the petition and sign for it. This would make the initiative, referendum, and recall process more manageable for the public and the clerk.

Sec. 19

- Amending Title 29 to prohibit a recalled elective official or a recalled official appointed to an elective office from being appointed to the vacancy created by the recall:

If voters recall an elected official or an official appointed to an elective office, the voters have spoken, and their decision should stand. Prohibiting a recalled official from being reappointed also avoids pressure on other elected officials. Basically, allowing a recalled person to be appointed to the vacancy created by his or her recall is contrary to the whole recall process. AS 29.26.320(c) states that a person who resigns during a recall process may not be appointed to fill the vacancy; it is consistent with this that a recalled official should not be appointed to the vacancy created by the recall.

Sec. 12

- Amending AS 29.26.100-.190 to make a distinction for initiatives and referendum issues of non-areawide or service area powers:

AS 29.26.100-.190, which outline the standards and process associated with a referendum election, mention only municipal voters and make no distinction as to voters inside the city and those outside it. The statutes do not require that petitioners or voters on an initiative or referendum be within the proposed or existing service area. Repeal of a non-areawide or service area power would affect residents located outside cities, but under current statutes voters within cities could have a significant, and potentially dominant, role in determining whether residents outside the city receive services.

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "An Act..municipal petitions and elections..certain municipal offices."
 Sponsor: Senator Adams
 Requestor: _____

Agency Affected: Community & Regional Affairs
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Jim Plasman
 Division: Municipal & Regional Assistance

Phone: 465-4750
 Date: 3/7/89

Approved by Commissioner: [Signature]
 Agency: Community & Regional Affairs

Date: 3-7-89

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____
 Title: "An Act..municipal petitions & elections, & to appointments.."
 Sponsor: Senator Adams
 Requestor: _____

Agency Affected: Community & Regional Affairs
 BRU: _____
 Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Jam Plasman

Prepared by: Jam Plasman, Deputy Director Phone: 465-4750
 Division: Municipal & Regional Assistance Date: 3-1-89

Approved by Commissioner: [Signature] Date: 3-2-89
 Agency: Community & Regional Affairs

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 27, 1989

SUBJECT: Sectional summary of SB 173

TO: Senator Al Adams

FROM: Tamara Brandt Cook *TBC*
Director
Division of Legal Services

Sec. 1. Makes municipal initiative and referendum petition requirements applicable to local option petitions (regarding regulation or prohibitions on the use and possession of alcoholic beverages).

Sec. 2. Requires a unification petition to comply with requirements for a municipal initiative and referendum petition. The clerk submits the completed petition to the assembly with a report of the number of valid signatures determined by the clerk to be on it.

Sec. 3. Requires a petition calling for election of a charter commission to be prepared under requirements applicable to an initiative and referendum petition. The completed petition is submitted by the clerk to the governing body with a report of the number of valid signatures on it.

Sec. 4. Requires a petition for adoption of a manager plan to meet the requirements applicable to an initiative and referendum petition. If the clerk certifies that the petition is sufficient, it is submitted to the governing body.

Sec. 5. Reworded slightly, but no substantive change.

Sec. 6. Repeal of a manager plan requires the same procedures as adoption. The repeal is effective within 60 days after certification of the election approving repeal.

Sec. 7. Permits a person to vote in a municipal election only if the person is registered in state election at least 30 days before the municipal election.

Sec. 8. Permits a municipality to require that a person be registered to vote in state elections at the address in the municipality claimed as the residence.

Sec. 9. Requires the name and address of a prime sponsor to be included on an initiative or referendum application. Correspondence relating to the petition is sent to that prime sponsor.

Sec. 10. Copies of the petition are provided to sponsors at the clerk's office, although, special circumstances are listed under which a copy will be mailed.

Sec. 11. Adds a cross reference to an exception added in the next section.

Sec. 12. Provides special initiative or referendum requirements for ordinances or resolutions that affect only part of a municipality.

Sec. 13. The clerk need only notify the prime sponsor of an insufficient petition.

Sec. 14. A recall petition must identify a prime sponsor.

Sec. 15. Copies of a recall petition are to be made available to sponsors at the clerk's office. A copy will be mailed only in special circumstances.

Sec. 16. The clerk is required to inform only the prime sponsor of the number of signatures needed on a recall petition.

Sec. 17. The clerk is required to inform the prime sponsor if the petition is insufficient.

Sec. 18. Minor rewording.

Sec. 19. A person who is recalled may not be appointed to the same office to fill that vacancy until a successor is elected.

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

March 13, 1989

SUBJECT: Sectional summary of CSSB 173(C&RA)
TO: Senator Pat Pourchot
FROM: Tamara Brandt Cook *TBC*
Director
Division of Legal Services

Sec. 1. Makes municipal initiative and referendum petition requirements applicable to local option petitions (regarding regulation or prohibitions on the use and possession of alcoholic beverages).

Sec. 2. Requires a unification petition to comply with requirements for a municipal initiative and referendum petition. The clerk submits the completed petition to the assembly with a report of the number of valid signatures determined by the clerk to be on it.

Sec. 3. Requires a petition calling for election of a charter commission to be prepared under requirements applicable to an initiative and referendum petition. The completed petition is submitted by the clerk to the governing body with a report of the number of valid signatures on it.

Sec. 4. Requires a petition for adoption of a manager plan to meet the requirements applicable to an initiative and referendum petition. If the clerk certifies that the petition is sufficient, it is submitted to the governing body.

Sec. 5. Reworded slightly, but no substantive change.

Sec. 6. Repeal of a manager plan requires the same procedures as adoption. The repeal is effective within 60 days after certification of the election approving repeal.

Sec. 7. Permits a person to vote in a municipal election only if the person is registered to vote in state elections

at a residence address within the municipality at least 30 days before the municipal election.

Sec. 8. Permits a municipality to require that a person be registered to vote in state elections at the address in the municipality claimed as the residence.

Sec. 9. Permits a municipality by ordinance to require a person whose registration has been cancelled to re-register before voting in municipal elections.

Sec. 10 Requires the name and address of a prime sponsor to be included on an initiative or referendum application. Correspondence relating to the petition is sent to that prime sponsor.

Sec. 11. Copies of the petition are provided to sponsors at the clerk's office, although, special circumstances are listed under which a copy will be mailed.

Sec. 12. Adds a cross reference to an exception added in the next section.

Sec. 13. Provides special initiative or referendum requirements for ordinances or resolutions that affect only part of a municipality.

Sec. 14. The clerk need only notify the prime sponsor of an insufficient petition.

Sec. 15. A recall petition must identify a prime sponsor.

Sec. 16. Copies of a recall petition are to be made available to sponsors at the clerk's office. A copy will be mailed only in special circumstances.

Sec. 17. The clerk is required to inform only the prime sponsor of the number of signatures needed on a recall petition.

Sec. 18. The clerk is required to inform the prime sponsor if the petition is insufficient.

Sec. 19. Minor rewording.

Senator Pat Pourchot

Page 3

March 13, 1989

Sec. 20. A person who is recalled may not be appointed to the same office to fill that vacancy until a successor is elected.

Sec. 21. Deletes definition of voter and substitutes a cross-reference to the statute that sets out voter qualifications.

TBC:gc
WKG8/008

Alaska State Legislature

Sen. Pat Pourchot, Chairman

Sen. Jan Faiks, Vice Chairman
Sen. Al Adams
Sen. Tim Kelly
Sen. Rick Uehling



P.O. Box V
State Capitol
Juneau, Alaska 99811

907-465-3712

Senate State Affairs Committee

MEMORANDUM

TO: Senate State Affairs Committee
FROM: Senator Pat Pourchot, Chairman
RE: March 20 Committee Meeting
DATE: March 20, 1989

Today at 1:30 p.m. in the Beltz Room the Senate State Affairs Committee will hear the following bills:

SB 173, An Act relating to municipal petitions and elections, and to appointments to fill certain municipal offices

SB 173 makes a number of clarifications to the statutes governing municipal petitions and elections. The bill was developed at the request of the Alaska Municipal League.

In general, SB 173 standardizes petition procedures, requires that a prime sponsor be designated on petitions, establishes a 30-day registration requirement for voting in municipal elections, provides special initiative requirements for ordinances that affect only part of a municipality, and prohibits appointment of a recalled official to fill the vacancy created by the recall.

The Community and Regional Affairs Committee adopted a committee substitute containing two changes recommended by the Division of Elections. Specifically, Sec. 7 of the CS amends the voter qualification statute to conform with the requirement in Sec. 8 that a voter be registered at a residence address within the municipality 30 days prior to a municipal election. Sec. 9 of the CS authorizes a municipality to require that a voter whose registration has been cancelled for non-activity reregister before voting.

HB 86, An Act requiring employers to permit employees and former employees to have access to their personnel files

HB 86 would require both private and public employers to provide employees access to their personnel records. Employees could make copies of their records and would pay for the cost of copying. HB 86 would not supersede any collective bargaining agreements.

According to House Research, 13 other states and the District of Columbia have similar statutes.