

**HB**

**68**

HFIN

FILE

# HOUSE COMMITTEE REPORT

(11)

Date Referred: January 15, 1993

FURTHER REFERRALS:

Date of Committee Action: 1/29/93

The FINANCE Committee considered:

HB 68

HOUSE BILL NO. 68

APPROP: SUPPLEMENTAL FOR ELECTIONS

"An Act making a supplemental appropriation for certain elections for regional educational attendance area school boards and coastal resource service area boards; and providing for an effective date."

RECOMMENDATIONS:  the same title  
 be replaced with "S HB 68 (F.O.)"  a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): \_\_\_\_\_ (Dept)

APPROVES PREVIOUS: \_\_\_\_\_ (Dept/Date)

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) \_\_\_\_\_

SIGNING <u>DO PASS</u>	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eileen P. McKeen</i>	✓	<i>Larry Martin</i>		+	
<i>Ronald J. ...</i>	X				
<i>Paul ...</i>	X				
<i>Sam ...</i>	X				
<i>Ben ...</i>	X				
<i>Larry Brown</i>	✓				
<i>Ed ...</i>	✓				
<i>Jim ...</i>	✓				
<i>Richard ...</i>	X				
<i>Mike ...</i>	✓				

*E.P. McKeen*

CHAIRMAN'S SIGNATURE

Back-up

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS  
P.O. BOX AF  
JUNEAU, ALASKA 99811-0105  
PHONE (907) 465-4611

TO: HOUSE OF REPRESENTATIVES  
STATE OF ALASKA  
STANDING COMMITTEE - FINANCE

FROM: CHARLOT E. THICKSTUN  
DIRECTOR  
DIVISION OF ELECTIONS

DATE: JANUARY 29, 1993

SUBJECT: HB 68 - " AN ACT MAKING A SUPPLEMENTAL APPROPRIATION  
FOR CERTAIN ELECTIONS FOR REGIONAL EDUCATION  
ATTENDANCE AREA SCHOOL BOARDS AND COASTAL  
RESOURCE SERVICE AREA BOARDS; AND PROVIDING FOR  
AN EFFECTIVE DATE."

Co-Chairman Larson, Co-Chairman MacLean, and Members of the Committee, thank you for this opportunity to appear before you to discuss HB68. For the sake of some of the newer members of your Committee, I would like to supply some background information, as follows:

THE STATE CONDUCTS THE ELECTIONS IN THE POLITICALLY UNORGANIZED AREAS OF THE STATE THAT DON'T HAVE CITIES OR BOROUGHES TO CONDUCT THE BOARD ELECTIONS.

### R E A A = REGIONAL EDUCATION ATTENDANCE AREA

These members are elected to vacant or expiring School Board seats and are policy makers with regard to issues involving education in the schools in rural Alaska.

### C R S A = COASTAL RESOURCE SERVICE AREA.

These members are elected to vacant or expiring Service Area seats and are policy makers on issues involving all facets of rural community life and act as an "Assembly" might in a politically organized area.

HOUSE OF REPRESENTATIVES  
STATE OF ALASKA  
STANDING COMMITTEE - FINANCE - RE: HB68

THERE ARE 20 REAAs and 4 CRSAs. THERE WILL BE 126 PRECINCTS INVOLVED IN THE UPCOMING REAA/CRSA ELECTION. 43 PRECINCTS HAVE BOTH REAA AND CRSA SEATS TO BE ELECTED. 65 PRECINCTS HAVE ONLY REAA SEATS TO BE ELECTED AND 18 PRECINCTS HAVE ONLY CRSA SEATS TO BE ELECTED. THERE WILL ALSO BE 33 ABSENTEE SITES AVAILABLE TO VOTERS WISHING TO VOTE ABSENTEE BALLOTS IN PERSON.

THESE ELECTIONS NORMALLY TAKE PLACE IN OCTOBER EACH YEAR, BUT DURING THE LITIGATION OVER REAPPORTIONMENT THE COURT CHANGED THE DATE FROM OCTOBER TO MARCH 2, 1993.

EVERY TEN YEARS AFTER THE CENSUS, THE DEPARTMENT OF EDUCATION REVIEWS THE POPULATION IN THE REAAs AND THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS REVIEWS THE POPULATION OF THE CRSAs TO MAKE SURE THAT THE SECTIONS ARE STILL IN LINE WITH THE POPULATION.

THE DEPARTMENT OF EDUCATION RE-SECTIONED THREE REAAs AND THE DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS RE-SECTIONED TWO CRSAs.

Unfortunately, unfunded reapportionment costs have contributed greatly to a shortfall in the Division of Election's operating budget; therefore we are requesting supplemental funding of 90.0. This amount will enable us to accomplish these elections that are necessary to ensure the continuity of electing policy making board members to expired or vacant seats on regional education attendance area school and coastal resource service area boards.

I would be glad to answer questions and would like to also let you know our Region I Supervisor, Louise Howerter, is here and available for questions.

ENCLOSURES: (6)

MEMORANDUM TO OMB FY93, BUDGET SUPPLEMENTAL REQUEST  
REAA/CRSA ELECTION CALENDAR  
MEMORANDUM FROM AG RE: 1993 REAA/CRSA 12/8/92  
MEMORANDUM TO AG FROM DOE RE: 1993 REAA/CRSA 12/7/92  
LETTER FROM DOE TO OMB RE: SHORTFALL EXPECTATION 6/21/92  
MEMORANDUM FROM DEPUTY AG RE: FUNDING DOE 6/21/92  
MEMORANDUM AND ORDER, JUDGE WEEKS 6/3/92

WALTER J. HICKEL  
GOVERNOR



P.O. Box 110001  
Juneau, Alaska 99811-0001  
(907) 465-3500

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

M E M O R A N D U M

TO: Cheryl Frasca, Director  
Division of Budget Review  
Office of Management  
and Budget  
Office of the Governor

DATE: January 11, 1993

PHONE: 465-3616

FROM: Michael A. Nizich *M. Nizich*  
Administrative Director  
Office of the Governor

SUBJECT: FY93 Budget  
Supplemental  
Request

I am requesting a FY93 supplemental for the Division of Elections. The Division incurred extraordinary costs during the 1992 General and Primary elections and have insufficient balances available within their BRU to conduct the Rural Education Attendance Area (REAA) elections in March 1993.

The Division is requesting supplemental funding of 90.0 in the Elections/Elections component -- \$87,150 in the Contractual line and \$2,850 in the Supplies line to fund the following:

REAA elections projected costs:

Election Workers	\$52,300
Freight & Express	150
Advertising	23,500
Printing & Binding	7,900
Polling Place Rental	3,300
Supplies	<u>2,850</u>
Total	\$90,000

Due to the timing of the REAA elections, I am requesting your assistance in preparing a separate, fast-track supplemental request which can be expedited through the Legislature. I understand that Neil Slotnick in the Department of Law is already working on the supplemental language for this request. Please call me if you need any additional information.

cc: Lieutenant Governor Coghill  
Shelby Stastny  
Charlot Thickstun  
Kris Lethin  
Dan Spencer

ACTUAL EXPENDITURES  
 LEDGER CODE EXPENDITURES BY ACCOUNT  
 1290005 REAA ELECTION  
 COA:1993

RRN:0031389 RSN:02595 12/04/92

ENTITY NUMBER - DESCRIPTION	ACTUAL EXPENDITUR
S** 70000 TOTAL EXPENDITURES	88,372
S** 70008 OPERATING ACCT TOTAL	88,372
S** 70200 GROUP CTRL - OTHER	88,372
S** 70201 GC-OTHER-NONGRANT	88,372
S** 73000 OTHER SRVCS & CHARGE	87,933
S** 73100 PROFESSIONAL SRVCS	52,631
S** 73270 OTHER PROF SERVICES	52,631
S** 73272 POLLING PLACE WORKER	48,857
S** 73273 ELECTION NIGHT WORKE	30
S** 73275 DISTRICT Q/A BRD	1,432
S** 73276 ABSENTEE VOTING OFFI	650
S** 73284 STATEWIDE CANVAS BRD	1,663
S** 73400 TRANSPORTATION	94
S** 73460 FRGHT & EXPRESS CHRG	94
S** 73500 ADV PRINT & BIND	31,872

FOR NEXT SECTION ENTER==> NUMBER \_\_\_\_\_ YEAR \_\_\_\_\_ LEVEL LIMIT \_\_\_\_\_  
 PF1=MENU PF3=PAGE FORWARD PF6=RPT REQUEST MAINTENANCE

ACTUAL EXPENDITURES  
 LEDGER CODE EXPENDITURES BY ACCOUNT  
 1290005 REAA ELECTION  
 COA:1993

RRN:0031389 RSN:02595 12/04/92

ENTITY NUMBER - DESCRIPTION	ACTUAL EXPENDITUR
S** 73540 ADVERTISING	23,915
S** 73560 PRINTING & BINDING	7,957
S** 73565 BALLOTS	5,876
S** 73566 ELECTION NOTICES/POS	273
S** 73574 CENTRL DUP/QUIK COPY	56
S** 73800 RENTALS/LEASES	3,335
S** 73850 SPACE EXPENSE	3,335
S** 73858 POLLING PLACE RENT	3,335
S** 74000 SUPPLIES	439
S** 74200 OFFICE SUPPLIES	25
S** 74220 OFFCE/LIBRARY SUPPLY	25
S** 74229 OFFICE SUPPLIES	25
S** 74400 OPERATING SUPPLIES	414
S** 74600 OTH OPERATING SUPPLS	414
S** 74613 ELECTION SUPPLIES	414

FOR NEXT SECTION ENTER==> NUMBER \_\_\_\_\_ YEAR \_\_\_\_\_ LEVEL LIMIT \_\_\_\_\_  
 PF1=MENU PF2=PAGE BACKWARD PF3=PAGE FORWARD PF6=RPT REQUEST MAINTENANCE

1992 REAA Election --	Election Workers	\$52,361
	Freight & Express	94
	Advertising	23,915
	Printing & Binding	7,957
	Polling place rent	3,335
	Supplies	439
	Total	<u>\$88,372</u>

1991 REAA Elections-- Election Workers	\$48,491
Telephone	84
Freight & Express	286
Advertising	16,687
Printing & Binding	7,575
Polling place rent	2,920
Total	<u>\$80,787</u>

ACTUAL EXPENDITURES  
 LEDGER CODE EXPENDITURES BY ACCOUNT  
 1190005 REAA ELECTION  
 COA:1992

RRN:0031389 RSN:02595 12/04/92

ENTITY NUMBER - DESCRIPTION	ACTUAL EXPENDITUR
S** 70000 TOTAL EXPENDITURES	80,787
S** 70008 OPERATING ACCT TOTAL	80,787
S** 70200 GROUP CTRL - OTHER	80,787
S** 70201 GC-OTHER-NONGRANT	80,787
S** 73000 OTHER SRVCS & CHARGE	80,787
S** 73100 PROFESSIONAL SRVCS	53,235
S** 73270 OTHER PROF SERVICES	53,235
S** 73272 POLLING PLACE WORKER	48,491
S** 73273 ELECTION NIGHT WORKE	41
S** 73275 DISTRICT Q/A BRD	2,840
S** 73276 ABSENTEE VOTING OFFI	500
S** 73284 STATEWIDE CANVAS BRD	1,363
S** 73300 COMMUNICATIONS	84
S** 73320 TELEPHONE	84
S** 73321 TOLL COSTS	79

FOR NEXT SECTION ENTER==> NUMBER \_\_\_\_\_ YEAR \_\_\_\_\_ LEVEL LIMIT \_\_\_\_\_  
 PF1=MENU PF2=PAGE FORWARD PF6=RPT REQUEST MAINTENANCE

ACTUAL EXPENDITURES  
 LEDGER CODE EXPENDITURES BY ACCOUNT  
 1190005 REAA ELECTION  
 COA:1992

RRN:0031389 RSN:02595 12/04/92

ENTITY NUMBER - DESCRIPTION	ACTUAL EXPENDITUR
S** 73322 BASE/LOCAL-FIX COST	6
S** 73400 TRANSPORTATION	286
S** 73460 FRGHT & EXPRESS CHRG	286
S** 73500 ADV PRINT & BIND	24,261
S** 73540 ADVERTISING	16,687
S** 73560 PRINTING & BINDING	7,575
S** 73565 BALLOTS	5,626
S** 73574 CENTRL DUP/QUIK COPY	37
S** 73800 RENTALS/LEASES	2,920
S** 73850 SPACE EXPENSE	2,920
S** 73858 POLLING PLACE RENT	2,920

FOR NEXT SECTION ENTER==> NUMBER \_\_\_\_\_ YEAR \_\_\_\_\_ LEVEL LIMIT \_\_\_\_\_  
 PF1=MENU PF2=PAGE BACKWARD PF6=RPT REQUEST MAINTENANCE

REAA/CRSA ELECTION CALENDAR

Mon., Oct. 12	Barb	Set up election ID - 92RC32
Mon., Oct. 12	Barb	Confirm REAA resectioning plans with Dept. of Education
Mon., Oct. 26	Barb	Send letters to REAAs and CRSAs confirming expiring terms of REAA/CRSA board members
Wed., Nov. 4	Barb	Prepare Order and Notice for each REAA and CRSA for Director's signature
Fri., Nov. 6	Sean	Prepare REAA/CRSA Declaration of Candidacy forms
Mon., Nov. 30	Sups	Make arrangements for polling places, recruit precinct election workers, AVOS, counting teams, district absentee and questioned boards
Mon., Dec. 7	Sean	Mailed Declaration of Candidacy forms to regional offices
Fri., Dec. 11	Sups	Mailed Declaration of Candidacy forms to city clerks, registrars, superintendents and CRSA coordinators
Mon., Dec. 14	Sean	Worked with Shannon Shields on ads/PSAs to run re: REAA/CRSA candidacy filing forms being available, which seats are up, and filing deadline
Wed., Dec. 16	Shannon	Faxed PSAs to superintendents and CRSA Coordinators with memo from Jack
Wed., Dec. 30	ALL	Filing deadline for REAA/CRSA candidates 6 AAC 27.035(b) - Date changed by emergency regulation

REAA/CRSA CALENDAR  
MARCH 2, 1993

Mon., Jan. 4	Sups	Send letters and absentee applications to voters in permanent absentee GIFs
Mon., Jan. 4	ALL	Last day to receive REAA/CRSA declaration of candidacy filings that were postmarked 12/30/92. 6 AAC 27.035(b)
Mon., Jan. 4	Sups	List of polling places and AVOs with locations and hours available to Sean for REAA/CRSA 40/10 poster inserts and ads
Mon., Jan. 4	Barb	Seats up and areas that can vote in each REAA/CRSA election to Sean for 40/10 poster inserts and ads
Tues., Jan. 5	Sean	Poster layout to printer for REAA/CRSA 40/10 posters and ads prepared.
Tues., Jan. 5	Sean	40/10 inserts prepared, proofed and printed in-house
Wed., Jan. 6	Sups	Order 40/10 lists for 40/10 posters
Thur., Jan. 7	Sean	40/10 poster proof back from printer, proofed and sent back to printer for printing
Fri., Jan. 8	Barb	Ballot layout to printer
Fri., Jan. 8	Sean	Tally Book layout to printer
Fri., Jan. 8	Sups	Advise Barb of quantity of REAA/CRSA ballots
Mon., Jan. 11	Sean	Last day to send 40/10 poster inserts to regional offices via overnight mail. Will try to get them out sooner.
Wed.-Fri., 1/13-15	Sups	Mail 40/10 posters to chairpersons

REAA/CRSA CALENDAR  
MARCH 2, 1993

Fri., Jan 15	Barb	Ballots and tally books proofed and returned to printer
Mon.-Fri., 1/18-29	Shannon	Ads running re: last day to register, where to vote
Thurs., Jan. 21	Chairs	Last day to post 40/10 posters AS 15.07.140
Thurs., Jan. 21	Sups	Last day to establish precinct boundaries
Fri., Jan. 22	Sean	Send polling place ID cards to voters in precincts that have changed, if necessary
Sun., Jan. 31	Sups	Last day to register for REAA/CRSA election AS 15.05.010(4)
Mon., Feb. 1	Printer	Preferred date for ballots to be delivered to Sups
Mon., Feb. 1	Sean	Preferred date for tally books to be delivered to Sups
Wed., Feb. 3	Sups	Mail supplies and sample ballots to AVOS
Thurs., Feb. 4	Sups	Mail ballots to AVOS
Fri., Feb. 5	Sean	Last day to have supplies (forms, ballots, sample ballots, etc.) in regional offices AS 15.15.050
Mon.-Mon., 2/8-3/1	Shannon	Ads running advising of polling places and absentee voting locations
Mon., Feb. 8	Barb	Create precinct registers AS 15.07.125
Tues., Feb. 9	Sups	Order precinct registers
Mon., Feb. 15	Sups	Mail supplies and sample ballots to precinct chairs

REAA/CRSA CALENDAR  
MARCH 2, 1993

Tues., Feb. 16	Sups	Mail ballots to precinct chairs
Mon., Feb. 15	ALL	Absentee in-person begins
Mon., Feb. 15	Sups	Last day to appoint District Absentee and Questioned boards 6 AAC 27.060
Mon., Feb. 15	Barb	Last day to appoint State Review Board C AAC 27.070
Fri., Feb. 26	Alice	Last day to receive absentee applications AS 15.20.081(b) and 6 AAC 27.050
Sat., Feb. 27	Alice	Last day to mail absentee ballots
Tues., Mar. 2	ALL	ELECTION DAY - polling places open 8 a.m. - 8 p.m. AS 14.08.071(b) and AS 15.15.080(b)
Tues., Mar. 2	Chairs/ Sups	Ballots may be counted after 8 p.m. AS 15.15.350
Tues., Mar. 2	Chairs/ Sups	Chairs call Sups with results; Sups fax results to Barb as received
Wed., Mar. 3	Chairs	Mail counted ballots and election materials to director's office and regional offices. AS 15.15.370 and 6 AAC 25.050
Fri., Mar. 5	Sups	District Absentee Review Board may begin counting absentee ballots if an election race is close 6 AAC 27.060(c)
Wed., Mar. 10	Sups	District Absentee and Questioned Boards count and certify their ballot count 6 AAC 27.060(b)

REAA/CRSA CALENDAR  
MARCH 2, 1993

Thurs., Mar. 11	Sups	Send Absentee and Questioned materials via overnight mail to Barb for State Review Board
Fri., Mar. 12	Barb	Last day to receive and count absentee by-mail ballots that are postmarked 3/2 and mailed from within the U.S. AS 15.20.081(e)
Fri., Mar. 12	Barb	State Review Board begins
Wed., Mar. 17	Barb	Last day to receive and count absentee by-mail ballots that are postmarked 3/2 and mailed from overseas or military APO or FPO addresses AS 15.20.081(h)
Wed., Mar. 17	Barb	Last day to await receipt of election materials from precincts for inclusion in the State Review Board's review of election materials AS 15.15.440
Approx. Mon., 3/22	Barb	Prepare certificates for Director's signature upon completion of State Review Board's certification 6 AAC 27.080
Approx. Thurs., 3/25	Barb	Prepare order and notice of runoff election if necessary to be held within 30 days of certification 6 AAC 27.090
Approx. Mon., 3/29	Barb	Approx. last day to request recount AS 15.20.430
Approx. Wed., 4/21	Barb	Approx. last day to hold runoff election 6 AAC 27.090

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
FIRST JUDICIAL DISTRICT

SOUTHEAST CONFERENCE, a non-profit  
Alaska corporation, et al.,

Plaintiff,

vs.

WALTER J. HICKEL, Governor of  
the State of Alaska, et al.,

Defendant.

Case No. 1JU-91-1608 CI (Consolidated)

MEMORANDUM AND ORDER

1. As provided by Civil Rule 53 and the Alaska Supreme Court Order of May 28, 1992, the court appoints the following persons to serve as Special Masters: Wilson Condon, Harold Gillam, and Brian Rogers. Mr. Condon is to serve as Chair.

2. The court will issue a separate order with instructions to the masters.

3. The Department of Law is ordered to submit a request to the U.S. Department of Justice for preclearance of election law changes as necessitated by this and other court orders. The submission is to include this court's order of May 11, the supreme court order of May 28, this court's order of May 29, any supreme court opinion issued, the order extending other deadlines, and other materials as appropriate. The Department is to request expedited consideration of the interim plan. The state's submission is to be filed with the court and served on all parties. The state shall file and serve on the parties all communications.

with the Department of Justice.

4. There shall be a status conference each Tuesday and Friday at 1:30 p.m., beginning this Friday in Anchorage. Counsel may participate telephonically if they notify the court secretary three hours in advance.

5. The parties may provide materials for consideration by the masters by the close of business Thursday, June 4. The parties are to provide three copies for the masters, file a copy with the court, and serve all other parties. Parties may not submit anything inconsistent with this court's instructions or the order of May 11 as modified by the supreme court order of May 28. All communication between the parties and the masters is to be in writing and filed with the court.

6. Proposed plans are to be submitted to masters by noon on Monday, June 8.

7. Members of the public may submit proposed plans on the same schedule with the parties, by noon on June 8, 1992. All plans may be in the form of maps, narrative, statistics, or on electronic media.

8. The masters are to have a plan to the parties and the court by 4:30 p.m. on Saturday, June 13, 1992.

9. Parties may file any objections to the masters' plan, and must detail how to remedy any identified problems, by the close of business June 16.

10. The court will have completed an interim plan by the close of business June 18.

11. The masters may use the professional services of Ms. Kathryn Lizik and Mr. Jerry Smetzer as the masters choose.

12. The court shall issue a further order on extensions and waivers of deadlines.

13. The state shall provide the masters within 24 hours such statewide and precinct maps as are available of both the existing districting and the plan voided by the court.

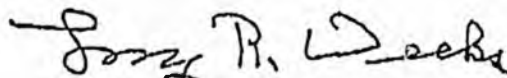
14. The court will convene at 1:30 p.m. Monday, June 8, for the parties to provide the masters with further information on proposed plans. Questions of law and issues relating to the impact on the Division of Elections are matters for the court.

15. At the status conference on Friday, June 5, the parties may propose experts for the court to employ under Evidence Rule 706 with respect to the Voting Rights Act.

16. In light of the circumstances, the court is concerned about the Division of Elections' ability to provide for elections in a timely, orderly manner with its current funding. The state is ordered to request supplemental funding to ensure that elections are properly prepared and held on time.

17. Cost of the masters is to be split between the parties, half to the plaintiffs, half to the defendants.

DONE this 3rd day of June, 1992, at Anchorage, Alaska.



Larry R. Weeks  
Superior Court Judge

# STATE OF ALASKA

## OFFICE OF THE GOVERNOR

### DIVISION OF ELECTIONS

- Region I Elections Office
- Region II Elections Office
- Region III Elections Office
- Region IV Elections Office

June 21, 1992

Shelby Stastny, Director  
Office of Management and Budget  
5th Floor  
Dimond Courthouse  
Juneau, AK 99811

Dear Mr. Stastny:

Thank you for attending the meeting in Lieutenant Governor Coghill's office on June 19th regarding the overall status of the financial and administrative aspects of the forthcoming State Primary Election on September 8, 1992.

This letter confirms the key elements of the discussion.

We agreed the FY92/FY93 appropriation of 3.7 million dollars to the Division of Elections was not intended to include the costs incurred to accomplish and fully implement the effects of the reapportionment.

Accordingly, our estimate of additional financial need for FY92/FY93 is 1.6 million, a conservative evaluation based on the factors experienced to date by the Division.

Lastly, I am relieved to learn from you our current appropriation, as well as the FY92/FY93 allocations are not budgeted by election functions but rather represent a total allocation for all election related functions directed and or supervised by my office. Bruce Botello, Assistant Attorney General, concurs with this statement.

With respect to availability of financial resources for the 1992 election cycle, we were disappointed in not receiving additional fund allocations during the most recent special session of the Legislature. Notwithstanding our disappointment, we are satisfied that we can proceed with our election responsibilities now that Bruce Botello informed us, at our meeting, that funding can be ordered by the Court to be available for Division of Elections by the State of Alaska when our shortfall occurs this fall.

In an effort to conserve resources, given the fact the critical path assumptions presented to the court were ignored, several decisions on managing the 1992 Primary and General Elections have been altered to meet the resources made available to the Division.

Region I Elections Office  
240 Main Street, 4th floor  
P.O. Box 110018  
Juneau, Alaska 99811-0018  
(907) 485-3021  
6-5 (1992)

Region II Elections Office  
800 E. Dimond Boulevard, Suite 3-580  
Anchorage, Alaska 99515-2045  
(907) 522-8683

Region III Elections Office  
675 7th Avenue, Station H  
Fairbanks, Alaska 99701-4594  
(907) 451-2835

Region IV Elections Office  
Alaska State Office Building  
P.O. Box 577  
Nome, Alaska 99762-0577  
(907) 443-5285

Shelby Stastny  
Office of Management and Budget  
June 21, 1992  
Page 2

In summary, it has been determined and agreed we will go forward and hold the Primary Election on September 8, 1992 and the General Election on November 3, 1992. It is also agreed, we will attempt to have the REAA/CRSA elections suspended until the first part of 1993. Further, the Division will work closely with you to achieve cost savings whenever possible. Your consideration of our position is noted and appreciated.

Sincerely,



Charlot E. Thickstun  
Director

cc: Lieutenant Governor Coghill ✓  
Charles E. Cole, Attorney General  
Bruce Botello, Assistant Attorney General

CET/cj

# MEMORANDUM

State of Alaska  
Department of Law

TO: Charlot Thickstun  
Director  
Division of Elections

DATE: July 21, 1992

FILE NO.:

TEL. NO.: 465-3600

SUBJECT: Funding - Division of  
Elections

*Bmk*  
FROM: Bruce M. Botelho  
Deputy Attorney General

I have had an opportunity only recently to review carefully your letter of June 21, 1992 to Shelby Stastny, Director of the Office of Management and Budget, respecting funding for the division of elections.

There is one aspect of the letter that should be clarified: court-ordered appropriations from the state treasury. I indicated in the meeting that, under extraordinary circumstances, courts have ordered monies from a state's treasury to cover expenses incurred in complying with other court orders. These circumstances have most frequently arisen in the context of prisoner lawsuits on jail conditions. The parallel to our current situation is clear: if the division of elections were forced to shut down before it conducted either the September 8 or November 3 election because it had expended its available funding and no other source were available, relief could be sought from the superior court.

I do not recommend this strategy because it would set a bad precedent in Alaska. Instead, it should be regarded as a last resort.

cc: Shelby Stastny  
Lt. Governor Coghill


STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF ELECTIONS  
P.O. BOX AF  
JUNEAU, ALASKA 99811-0105  
PHONE (907) 465-4611

MEMORANDUM

TO: Charles E. Cole  
Attorney General

FROM: Charlot E. Thickstum   
Director

DATE: 7 December 1992

SUBJECT: 1993 REAA/CRSA Election Process

*Recently we have been in contact with Neil Slotnick and Barbara Blasco in regard to the court postponed 1992 REAA/CRSA elections rescheduled to take place on March 2, 1993.*

*We have been contacted by Howard Trickey and Kent Durand, attorneys representing the school districts who favor eliminating the March election and having the regularly scheduled REAA/CRSA elections October 5, 1993.*

*We do not seek to disenfranchise the rural voters of their right to select school board members in a timely manner. We do, however, have a concern as to how the Division of Elections is going to facilitate the March election monetarily.*

*The last REAA/CRSA election cost in excess of \$88,000 to perform. The Division of Elections is not in a position to accomplish the REAA/CRSA election in March. Work must begin immediately but there are no funds.*

*When there is no money to do what we are statutorily mandated to do, where do the funds come from to hold the REAA/CRSA election in order not to disenfranchise the voters in these jurisdictions? As you are aware, these are often minority areas the Department of Justice would censure the State of Alaska for disenfranchising.*

*Please find enclosed the latest information regarding the financial status of the Division of Elections. I will await your advice on how to proceed.*

cc: Lt. Governor John B. Coghill  
cc: Deputy Attorney General Bruce M. Botelho  
cc: Shelby Stastny, Director, OMB

# MEMORANDUM

State of Alaska

Department of Law

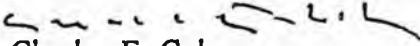
TO: Charlot Thickstun  
Director, Division of Elections

DATE: December 8, 1992

FILE:

TEL.NO.: 465-3600

SUBJECT: 1993 REAA/CRSA Elections

FROM:   
Charles E. Cole  
Attorney General

I have reviewed your memorandum of December 7. I appreciate your concern about financing the March 2, 1993 REAA and CRSA elections. I also appreciate your concern about potentially disenfranchising voters: under the law, the elections must be held as scheduled, and the state must make every possible effort to conduct a valid election. Accordingly, the state will oppose the Alaska Association of School Boards' pending motion to postpone the REAA/CRSA elections.

I have been informed that there are two potential obstacles to conducting timely elections: the need to update voter registers and the lack of funds to physically conduct the election. I understand that the division of elections is currently addressing the question of how to update voter registers in REAAs and CRSAs with existing personnel. I further understand that, while this task will be difficult, the division expects to be able to complete it under the current budgetary constraints.

As you have pointed out, however, the division will require a supplemental appropriation of approximately \$90,000 in order to actually administer the March 3 elections. In my view, the division should submit a single item supplemental appropriation request for the funds necessary to conduct the elections. If passed immediately, funding will be available in time to conduct the elections.

The appropriation bill for funding the REAA/CRSA elections must remain entirely separate from the division's request for supplemental operating funds. The legislature must be made aware that without this specific funding the elections cannot occur.

I will instruct my staff to assist the division in preparation of the separate supplemental appropriation for REAA/CRSA elections. If I can be of further assistance in this matter, please contact me.

cc: Lt. Gov. John B. (Jack) Coghill  
Don Harris, Lt. Governor Chief of Staff  
Michael Nizich, Director, Administrative Services  
Shelby Stastny, Director, Office of Management and Budget

CEC:SCS

ELECTIONS DIVISION FUNDING HISTORY

	FY91 Actual	FY92 Actual	FY93 Auth	FY94 Governor
Elective Operations				
Elections	1,428.8	1,803.1	1,646.6	1,646.8
General & Primary Elections	1,807.9	477.3	2,105.6	307.8
Elections Data Processing	178.2	105.7	0.0	0.0
BRU Total	3,414.9	2,386.1	3,752.2	1,954.6

	FY91 Actual	FY92 Actual	FY93 Projected	FY93 Supplemental
REAA Election Costs				
Election Workers	53.2	52.7	52.3	52.3
Telephone, Freight, Express	0.4	0.1	0.2	0.2
Advertising	16.7	23.9	23.5	23.5
Printing & Binding	7.6	8.0	7.9	7.9
Polling Place Rental	2.9	3.3	3.3	3.3
Supplies		0.4	2.8	2.8
Total--REAA	80.8	88.4	90.0	90.0