

SJR

36

SFIN

FILE

FISCAL NOTE

STATE OF ALASKA

BILL NO. SJR 36

1994 LEGISLATIVE SESSION

Revision Date: April 7, 1994

Department Affected: Office of the Governor

Title: Amendment to the Constitution RE:

BRU: Division of Elections

Governor & Lt. Governor must receive majority vote. Component: General and Primary Elections

Sponsor: Senator(s) Kelly, Salo, Pearce, Zharoff, Sharp, Jacko, Little

Requestor: _____

COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL	0	0	0	0	20.4	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	2.2*	0	0	0	818.8	0
SUPPLIES	0	0	0	0	2.2	0
EQUIPMENT	0	0	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	*841.4*	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
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FUNDING:

1002 Federal	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	2.2*	0	0	0	841.4	0
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	2.2*	0	0	0	*841.4*	0

POSITIONS:

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

Estimate of current year (FY94) impact: 0

ANALYSIS: (Attach a separate page if necessary.) *This figure covers cost of inclusion of information about this issue in the Official Elections Pamphlet as required by AS 15.58, and programming for DataVote counting of votes cast on the measure. However, only 4 measures can be printed on a single ballot card. Should this measure require printing an additional ballot card, the fiscal impact would be 53.4.

Prepared by: Joseph L. Swanson, Director

Phone: 465-4611

Division: Division of Elections

Date: 4-7-94

Approved by Commissioner: Lt. Governor John B. Coghill

Agency: Office of the Lt. Governor

Date: _____

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SJR36

ANALYSIS:

841.4 Continued from previous page.

If run-off election is required, the position paper of January 11, 1994 does not change. If there is no run-off, the funds will not be spent.

PERSONAL SERVICES (20.4)

Personal services costs would remain the same, except for overtime required, due to the short time frame for putting on the runoff election. 10% of 204.0 = (20.4).

73000 - CONTRACTUAL (818.84)

Contractual payments (502.04) line itemed as follows:

Election & polling place worker payment	209.17
Computer board payment	14.63
Question & absentee board payment	32.45
Absentee voting officials	7.70
Registrar payment	5.28
Statewide canvas board & recount teams	11.66
PEPS machine & mainframe programming contract	136.40
Split primary pollworker increment	24.75
Total	<u>502.04</u>

Communications (64.9)

Telephone services and toll charges for an additional month for election activity. 3.30

Postage for absentee ballot mailings and returns; election supplies, ballot mailing and returns. Official Election Pamphlet mailing. Increment for split ballot mailing. 41.80

Freight for ballots from printer to four regional offices; misc. freight and courier service between director and four regional offices; transportation and set up costs for polling equipment. 18.15

Freight charges for statutory absentee ballots. 1.10

State fleet transportation costs. 0.55

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SJR36

ANALYSIS CONT.:

Advertising, Printing and Binding (243.1)

Statewide election advertising.	33.22
Run-off ballot printing.	168.30
OEP printing and typesetting.	33.55
Election notice posters.	1.10
Tally books, press kits and official election return booklets.	6.93

Rental/Leases (8.8)

Statewide polling place and absentee voting station rentals.	8.8
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74000 - OFFICE SUPPLIES (2.2)

Miscellaneous office supplies for run-off election. 2.2

MEMBER

ALASKA STATE SENATE

TENTH ALASKA LEGISLATURE
ELEVENTH ALASKA LEGISLATURE
TWELFTH ALASKA LEGISLATURE
THIRTEENTH ALASKA LEGISLATURE
FOURTEENTH ALASKA LEGISLATURE
FIFTEENTH ALASKA LEGISLATURE
SIXTEENTH ALASKA LEGISLATURE
EIGHTEENTH ALASKA LEGISLATURE



STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3822

P.O. BOX 210001
ANCHORAGE, ALASKA 99521
(907) 561-7612

SENATOR TIM KELLY

M E M O R A N D U M

TO: Senator Drue Pearce, Co-Chair
Senator Steve Frank, Co-Chair
Senate Finance Committee

FROM: Senator Tim Kelly **TDK**

DATE: March 28, 1994

RE: Scheduling Request for CS SJR 36 (JUD)

I respectfully request you schedule a hearing for Senate Joint Resolution 36 (SJR 36), a resolution proposing constitutional amendments requiring that candidates for governor and lieutenant governor receive more than 40 percent of the votes cast to be elected, before the Senate Finance Committee at the Committee's earliest convenience.

The Senate State Affairs Committee amended this resolution to lower the threshold needed to win an election from 50% to 40%, as is currently the situation for run-off elections for the office of Mayor in the Municipality of Anchorage. The Senate Judiciary Committee further amended SJR 36 to provide that, if there is to be a run-off election, it occur 35 days after the general election rather than 28 days. This will allow the division sufficient time to prepare for the election. I support both of these changes.

For your reference, I've attached my sponsor statement and a summary of votes received by candidates for governor since 1958.

Thank you in advance for your timely consideration.


STATE OF ALASKA

OFFICE OF THE GOVERNOR

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

MEMORANDUM

January 11, 1994

TO: Senator Tim Kelly
ATTENTION: Josh Fink
FROM: Joseph L. Swanson 
Director
SUBJECT: Senate Joint Resolution No. 36

A General Election is not final until the Statewide review board has verified the election totals. The statewide review board starts no later than 11 days after the election. It receives absentee votes until the 15th day after the election; then reviews the election counts and procedures until complete; no set time frame (AS 15.15.440). Certification has historically been within 24 days of the date of the election; however, statute gives the board unlimited time to complete the review process.

If the percentage were close, it would be very difficult to make an early call before the review process is complete. Election officials tell me that there are always errors caught by the review board that may change totals that could affect the percentage.

The State of Alaska uses a punch card for its ballot. All of our automated counting equipment is tied to the punch card. If we were to go to a different type of ballot, it would have to be hand counted, not an impossible process but a very slow one that lends itself to errors. We have contacted our ballot supplier. They have informed us that they could have the cards printed and on the way for distribution within fourteen days. It would take an additional seven days for local distribution.

Senator Tim Kelly
January 11, 1994
Page 2

We would have to rehire election workers, arrange for polling stations, purchase and distribute supplies for polling places, precinct registers, polling booths, pencils, paper, etc. However, I believe we could do all this within the time it would take to have the ballots printed and distributed, approximately 21 days.

Taking all this into consideration, as a minimum, we would need 21 days from the day of verification to hold a run-off election.

With that time frame in mind we would still have to exempt ourselves from several statutory requirements:

AS 15.20. deals with absentee voting; most of these would have to be modified or exempted for an election within 21 days of certification;

AS 15.07.140 requires we send notice to voters 40 days before an election so they can register for an upcoming election;

AS 15.05.010 requires cut-off of registration 30 days before an election;

AS 15.15.050 requires that all election supplies be in the regional office 25 days before an election, this includes ballots;

It still must be noted that under the statutory requirements for counting ballots and the review process, the election would not be able to be certified from between 14 and 24 days. With modifications and exemptions to the statutes the earliest a new Governor could take office would be approximately 60 days after the general election, or around the first week in January. Without the modifications and exemptions to statutes the Governor could not take office until late February possibly even early March.

Please do not hesitate to call me if you have any further questions.

DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

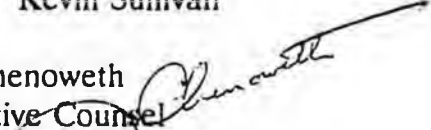
130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 24, 1994

SUBJECT: CSSJR 36 (Judiciary) (Work Order No. 8-LS1225\U)

TO: Senator Robin Taylor, Chair
Senate Judiciary Committee
ATTN: Kevin Sullivan

FROM: Jack Chenoweth
Legislative Counsel 

The change in this version from the previous State Affairs CS is the delay by one week of the date of any runoff election for governor and lieutenant governor. The delay prompts this caution: If this measure is approved by the legislature and by the voters in the November election, the Nineteenth Legislature should revisit the statutes relating to elections to conform them to changes made in this SJR.

Our gubernatorial general election may be held anytime between November 2 and November 8. Thirty-five days after that would cover the period December 7 - December 13. By law, absentee ballots cast in a runoff election by mail may still be counted if received ten days after the election and, in one instance, if received as late as 15 days after the election (see AS 15.20.081(h)). So, if the general election is scheduled for November 8, a runoff election is required, and a runoff election is held as late as December 13, it is conceivable that some absentee ballots that are entitled to be counted will drift in to Elections offices as late as December 23 and, perhaps, as late as December 28. We allow, under current law, five days, to lodge requests for recounts. See AS 15.20.430(a). Additional opportunity is provided for court challenges.

My point is this: In a very close runoff election where every ballot is subject to close scrutiny, time may slip so much that the January 1 inauguration of a governor elected following a runoff that is contemplated in this SJR comes and goes before a certificate of election issues and all challenges to the certificate are resolved. The constitutional provisions take precedence over the statutes, however, so something in the body of pertinent election law should be amended to make these proposed constitutional amendments operate as you contemplate.

Senator Robin Taylor
March 24, 1994
Page 2

This is, I should add, not a problem that arises out of the change made by the Judiciary Committee, but the addition of one more week decidedly raises the probability of these problems if the constitutional provisions take effect without related consideration of statute changes.

JBC:pl
94-241.plm

Enclosure

MEMBER

TENTH ALASKA LEGISLATURE
ELEVENTH ALASKA LEGISLATURE
TWELFTH ALASKA LEGISLATURE
THIRTEENTH ALASKA LEGISLATURE
FOURTEENTH ALASKA LEGISLATURE
FIFTEENTH ALASKA LEGISLATURE
SIXTEENTH ALASKA LEGISLATURE
EIGHTEENTH ALASKA LEGISLATURE

ALASKA STATE SENATE



SENATOR TIM KELLY

STATE CAPITOL
JUNEAU, ALASKA 99801-1102
(907) 465-3822
FAX (907) 465-3756

716 WEST 4TH, SUITE 400
ANCHORAGE, ALASKA 99501
(907) 258-8180
FAX (907) 258-4524

**CS SJR 36 (STA): CONSTITUTIONAL AMENDMENTS REQUIRING A
RUN-OFF FOR GOVERNOR IF NO CANDIDATE RECEIVES MORE THAN
40% OF THE VOTE**

The very foundation of democratic government is rooted in the principle of majority rule, yet a majority of Alaskans have not elected a governor since 1970. Senate Joint Resolution 36 (SJR 36), as amended by the Senate State Affairs Committee, would place Constitutional amendments before the voters for approval at the next general election that would require a run-off between the top two vote-getters for Governor and Lieutenant Governor when no candidate received more than 40% of the vote.

The measure requires candidates for Governor and Lt. Governor receive more than 40% to be elected at the general election held in November. If no candidate receives more than 40%, the top two candidates would face each other in a run-off held four weeks later. The winner of that race would be sworn in January 1st, rather than December 1st, as the state constitution now requires.

The governor and lieutenant governor need the support of a majority of Alaskans to govern the State effectively. While it may take a combination of several political groups to make a majority consensus, its important that we sustain the concept of majority decision making or we'll end up chipping away at the foundation of our electoral process. The current situation in which a governor could be elected with less than 25% of the popular vote opens us up to the prospect of different small interest groups running government every few years. That's neither representative nor effective government. For a governor to effectively lead our State, he must have the electoral support of a majority of Alaskans.

The proposed amendments in SJR 36, if approved by the legislature, would appear before the voters as constitutional amendments on the ballot in November of 1994. If approved it would not impact an election for Governor until 1998.

VOTES RECEIVED BY CANDIDATES
FOR GOVERNOR, GENERAL ELECTIONS, 1958 - 1990

Year	Candidate	Number of Votes	Percentage
1958	Egan	29,189	59.6
	Butrovich	19,299	39.4
	Dollinter	480	0.9
1962	Egan	29,627	52.3
	Steponvich	27,054	47.7
1966	Hickel	33,145	49.996
	Egan	32,065	48.4
	Grasse	1,084	1.6
1970	Egan	42,309	52.4
	Miller	37,264	46.1
	Anderson	1,206	1.5
1974	Hammond	45,840	47.7
	Egan	45,553	47.4
	Vogler	4,770	5.0
1978	Hammond	49,580	39.1
	Hickel (Write In)	33,555	26.4
	Croft	25,656	20.2
	Kelly	15,656	12.3
	Vogler (Write In)	2,463	1.9
1982	Sheffield	89,918	46.2
	Fink	72,291	37.2
	Randolph	29,067	14.9
	Vogler	3,235	1.7
1986	Cowper	84,943	47.3
	Sturgulewski	76,515	42.6
	Vogler	10,013	5.5
	Hickel (Write-In)	4,958	2.7
	Other (Write-In)	2,076	1.0
	Brannon	1,050	0.5
1990	Hickel	75,721	38.8
	Knowles	60,201	30.9
	Sturgulewski	50,991	26.1
	Sykes	6,563	3.3
	O'Callaghan	942	0.4
	Write In	332	0.1

NOTES:

Percentage column is the percentage of votes cast for office of governor.

Prior to 1986, the official election results do not show the number of write-in votes cast for governor, if any. Thus, there is no way to determine precisely the total number of votes cast for governor in these years. To the extent there were write-in votes in these years, the percentage of votes shown for each candidate would be slightly lower.

Prepared by the Legislative Research Agency, February 1994 (94.155).

FISCAL NOTE

no. 1
 Bill Version: STR 36
 BIL. (S) Publish Date: 3-2-94

STATE OF ALASKA
 1994 LEGISLATIVE SESSION

Revisor Date: _____ Department Affected: Office of the Governor
 Title: Proposing amendments to the Constitution of the State of Alaska requiring that candidates or governor and candidates for lieutenant governor receive more than 50 percent of the votes cast to be elected and changing the term of office of the governor and the lieutenant governor

BRU: Division of Elections
 Component: General and Primary

Sponsor: Senators Kelly, Salo, Pearce, Zharoff, Sharp, Jacko, Little
 Requestor: _____ COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 95	FY 96	FY 97	FY 98	FY 99	FY 00
PERSONAL	18.5	0	0	0	20.4	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	744.4	0	0	0	818.8	0
SUPPLIES	2.0	0	0	0	2.0	0
EQUIPMENT	0	0	0	0	0	0
LAND &	0	0	0	0	0	0
GRANTS.	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL	764.9	0	0	0	841.4	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
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FUNDING:

1002 Federal	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	764.9	0	0	0	841.4	0
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	764.9	0	0	0	841.4	0

POSITIONS:

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

Changes in CSSTR 36 (JMD)
 reflect NO FISCAL CHANGE from the original
 fiscal note. This fiscal note is appropriate.
3/24/94 date Comte Aide (initial)

Estimate of current year (FY94) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Changes in CSSTR 36 (STA)
 reflect NO FISCAL CHANGE from the original
 fiscal note. This fiscal note is appropriate.
3/2/94 date Comte Aide (initial)

Prepared by: Joseph L. Swanson, Director
 Division: Division of Elections

Phone: 465-4611
 Date: 1/31/94

Approved by Commissioner: John B. Coghill, Lieutenant Governor
 Agency: Office of the Governor

Date: 1/31/94

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FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SJR36

ANALYSIS:

Assumption: 10% increase for all categories in FY99

PERSONAL SERVICES (18.5)

Personal services costs would remain the same, except for overtime required, due to the short time frame for putting on the runoff election. 10% of 184.7 = (18.5).

73000 - CONTRACTUAL (744.4)

Contractual payments (456.4) line itemed as follows:

Election & polling place worker payment	244.7
Computer board payment	13.3
Question & absentee board payment	29.5
Absentee voting officials	7.0
Registrar payment	4.8
Statewide canvas board & recount teams	10.6
PEPS machine & mainframe programming contract	124.0
Split primary pollworker increment	22.5

Communications (59.0)

Telephone services and toll charges for an additional month for election activity. 3.0

Postage for absentee ballot mailings and returns; election supplies, ballot mailing and returns. Official Election Pamphlet mailing. Increment for split ballot mailing. 38.0

Freight for ballots from printer to four regional offices; misc. freight and courier service between director and four regional offices; transportation and set up costs for polling equipment. 16.5

Freight charges for statutory absentee ballots. 1.0

State fleet transportation costs. 0.5

FISCAL NOTE

STATE OF ALASKA
1994 LEGISLATIVE SESSION

BILL NO. SJR36

ANALYSIS CONT.:

Advertising, Printing and Binding (221.0)

Statewide election advertising. 30.2

Run-off ballot printing. 153.0

OEP printing and typesetting. 30.5

Election notice posters. 1.0

Tally books, press kits and official election
return booklets. 6.3

Rental/Leases (8.0)

Statewide polling place and absentee voting station rentals.
8.0

74000 - OFFICE SUPPLIES (2.0)

Miscellaneous office supplies for run-off election. 2.0

FISCAL NOTE

STATE OF ALASKA

BILL NO. SJR 36

1994 LEGISLATIVE SESSION

Revision Date: April 7, 1994

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Title: Amendment to the Constitution RE:

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Governor & Lt. Governor must receive majority vote. Component: General and Primary Elections

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Prepared by: Joseph L. Swanson, Director

Phone: 465-4611

Division: Division of Elections

Date: _____

Approved by Commissioner: Lt. Governor John B. Coghill

Agency: Office of the Lt. Governor

Date: _____

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Miscellaneous office supplies for run-off election.	2.2
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STATE OF ALASKA

OFFICE OF THE GOVERNOR

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

MEMORANDUM

January 11, 1994

TO: Senator Tim Kelly
ATTENTION: Josh Fink
FROM: Joseph L. Swanson 
Director
SUBJECT: Senate Joint Resolution No. 36

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Senator Tim Kelly
January 11, 1994
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Please do not hesitate to call me if you have any further questions.

SENATE COMMITTEE REPORT

jud

DATE: 3/2/94

FURTHER: Finance

DATE TURNED INTO OFFICE: 3/23/94

Judiciary Committee considered SENATE JOINT RESOLUTION NO. 36

Proposing amendments to the Constitution of the State of Alaska requiring that candidates for governor and candidates for lieutenant governor receive more than 50 percent of the votes cast to be elected and changing the term of office of the governor and the lieutenant governor.

and recommends it be replaced with

and recommends:

replace with _____ CS SJR 36 (JUD)
or adopt previous _____ CS _____
 attaches amendment(s)

same title
 new title
 technical title change (HB only)

and report it back as follows

adopts _____ Letter of Intent

further referral to the _____

do pass

do not pass

no recommendation

individual recommendations

Fol

NEW FISCAL NOTES

Department	Date	Zero	Fiscal

PREVIOUS FISCAL NOTES

Department	Date	Zero	Fiscal
off. of Gov.	3-3-94		764.9

Appropriation No Fiscal Note

DO PASS:

Suzanne Little

OTHER RECOMMENDATIONS:

Donna Donley (NO REC)

Adrian Taylor Donley
Chair: Signature and Recommendation

SENATE COMMITTEE REPORT
FIRST COMMITTEE OF REFERRAL

Final

DATE: 1/10/94

FURTHER: Judiciary
Finance

Date of 5-Day Notice: 2-10-94
(in accordance with Uniform Rule 23)

DATE TURNED INTO OFFICE: 3-2-94

State Affairs Committee considered SENATE JOINT RESOLUTION NO. 36

Proposing amendments to the Constitution of the State of Alaska requiring that candidates for governor and candidates for lieutenant governor receive more than 50 percent of the votes cast to be elected, and changing the term of office of the governor and the lieutenant governor.

and recommends: **and recommends it be replaced with**

replace with _____ CS SJR 36 (STA) same title
 new title
 attaches amendment(s) + mg of elect technical title change (HB only)

adopts _____ Letter of Intent *repl of*

further referral to the _____ *th of no rec*

do pass

do not pass

no recommendation

individual recommendations

FOM

FISCAL NOTE INFORMATION

Department	Date	Zero	Fiscal
<i>CSJR 36</i> Div. of Elections	1-31-94	—	264.9

Department	Date	Zero	Fiscal

Appropriation No Fiscal Note

Governor's Bill with Previous Fiscal Notes (enter information above)

DO PASS:

OTHER RECOMMENDATIONS:

Mike Miller: No Rec
Robin L. Taylor: No Rec

Steven A. Lerman
Chair: Signature and Recommendation