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**5**

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 99801-1182  
(907) 465-3822  
FAX (907) 465-3756

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

March 20, 1995

To: **Representative Jeannette James**  
Chair, House State Affairs Committee

From: **Senator Kelly**

Re: **Request for hearing**

I would like to request a committee hearing for CS SB 5 at your earliest convenience. CS SB 5 relates to the color of ballots in primary elections and the kind of voting booths available. For your reference I have attached the sponsor statement and the fiscal note.

If you have any questions regarding CS SB 5, please contact Patricia Grenier of my staff at extension 4823.

MEMBER

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**Sponsor Statement**  
**CS SB 5 ( )**

**Privacy of Voting**

This past election many of the voters in my district and throughout the state complained about two things: different colored ballots and the new curtainless suitcase voting booths. This legislation is designed to address these concerns by ensuring the secrecy of ballots and the privacy of voting in two ways: by requiring that half of all booths at each precinct be curtained booths, and by having all primary ballots printed on white paper only.

As it stands now the secrecy of voting in this state is severely compromised. There simply have not been enough curtained voting booths at all polling places; in fact, my own precinct had just one curtained booth. As well, these new suitcase voting booths the division is utilizing have lower walls and no curtain, so that one can simply look over and see the ballot of the next voter. Finally, with the different colored ballots in the primary, as one carries their ballot and their stubs through the precinct, and when one wears their "I Have Voted" stubs the selection of ballot is obvious and not private or secret.

The ballot a voter chooses and how he or she casts their vote is a secret matter, not to be shared indiscriminately without consent. The secret ballot is one of the basic protections in a democracy. This legislation remedies these corruptions of the voting process, and carries a zero fiscal note.

FISCAL NOTE

STATE OF ALASKA  
1995 LEGISLATIVE SESSION

BILL NO. SB 5

Revision Date: \_\_\_\_\_

Department Affected: Office of the Governor

Title: Election Ballots

BRU: Division of Elections

Component: General and Primary

Sponsor: Senator Kelly

COMPONENT SERIAL NO. 22

Requestor: \_\_\_\_\_

EXPENDITURES/REVENUES:

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	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	0	0	0	0	0	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	0	0	0	0	0	0
1005 GF/Program	0	0	0	0	0	0
1008 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	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 (FY95) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: David Koivunemi, Acting Director  
Division: Division of Elections

Phone: 465-4611  
Date: 2-13-95

Approved by Commissioner: Fran Ulmer, Lieutenant Governor  
Agency: Office of the Governor

Date: \_\_\_\_\_

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9-LS0987C ✓  
Chenoweth  
3/29/95

**HOUSE CONCURRENT RESOLUTION NO.**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**NINETEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Introduced:**

**Referred:**

**A RESOLUTION**

1 **Suspending Uniform Rules 24(c), 35, 41(b), and 42(e) of the Alaska State**  
2 **Legislature concerning Senate Bill No. 5, relating to election administration and**  
3 **the Alaska Election Code.**

4 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5       That under Rule 54 of the Uniform Rules of the Alaska State Legislature, the  
6 provisions of Rules 24(c), 35, 41(b), and 42(e) of the Uniform Rules, regarding changes to the  
7 title of a bill, are suspended in consideration of Senate Bill No. 5, relating to election  
8 administration and the Alaska Election Code.

# DRAFT

## HOUSE STATE AFFAIRS COMMITTEE

# memo:

To: House Clerk  
From: Rep. Jeannette James, Chair  
Re: House State Affairs Committee meeting

3-30-95

Tuesday April 4

- \*HB 267 Review and expiration of regs.-James- *Held from 3/30*
- SB 92 AHFC, Exec. Budget Act-LB&A- *held from 3/30*
- CSSB 5 Color of Primary Ballots-Kelly- *held from 3/30*
- HB 211 Votor registration law-Bunde-
- \*HB 232 Establish Economic Development Board-Kott-  
<bills previously heard>

Thursday April 6

- \*HB 241 No personal use of campaign account - *Burde-*  
<bills previously heard>

Saturday April 8

<bills previously heard>

\* Denotes first hearing

Please contact Committee Aide Walt Wilcox for more information.

\*HB 229 Noisy car radios-Rokeberg-waived?

9-LS0987A ✓  
Chenoweth  
3/27/95

**HOUSE CONCURRENT RESOLUTION NO.**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**NINETEENTH LEGISLATURE - FIRST SESSION**

**BY**

**Introduced:**  
**Referred:**

**A RESOLUTION**

**1 Suspending Uniform Rules 24(c), 35, 41(b), and 42(e) of the Alaska State**  
**2 Legislature concerning Senate Bill No. 5, relating to election administration and**  
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**4 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**5 That under Rule 54 of the Uniform Rules of the Alaska State Legislature, the**  
**6 provisions of Rules 24(c), 35, 41(b), and 42(e) of the Uniform Rules, regarding changes to the**  
**7 title of a bill, are suspended in consideration of Senate Bill No. 5, relating to election**  
**8 administration and the Alaska Election Code.**

9-LS0075\K ✓  
Chenoweth  
3/25/95

HOUSE CS FOR CS FOR SENATE BILL NO. 5( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
NINETEENTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): SENATORS KELLY, Salo

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the Alaska Election Code and to state election  
2 administration."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 15.07.070 is amended by adding a new subsection to read:

5 (h) The director shall design the form of the voter's certificate appearing on  
6 the back of the large envelope that is used for voting a questioned ballot so that all  
7 information required for registration by AS 15.07.060(a) may be obtained from a voter  
8 who votes a questioned ballot. If the voter voting a questioned ballot has completed  
9 all information on the voter registration portion of the questioned ballot voter's  
10 certificate, the director shall place the name of the voter on the official registration list.

11 \* Sec. 2. AS 15.07.130(c) is amended to read:

12 (c) The director shall obtain from the bureau of vital statistics a certified list  
13 of all residents over 18 years of age who have died or who have been presumptively  
14 declared dead. Promptly after receipt of each list, but, in any event, at least once

1 each month, the [THE] director shall cancel the registration of all deceased voters.

2 \* Sec. 3. AS 15.07.135 is amended to read:

3 Sec. 15.07.135. CANCELLATION OF REGISTRATION OF CONVICTED  
4 PERSONS. (a) The director shall make reasonable efforts to obtain the names of  
5 persons convicted of a felony involving moral turpitude. Promptly after receipt of  
6 evidence satisfactory to the director that a person has been convicted of a felony  
7 involving moral turpitude, the [THE] director shall cancel the registration of the [A]  
8 person [CONVICTED OF A FELONY INVOLVING MORAL TURPITUDE].

9 (b) Upon presenting proof that a [THE] person whose registration was  
10 cancelled under (a) of this section has been [IS] unconditionally discharged from  
11 custody, the person may register. The director shall make reasonable efforts to verify  
12 the unconditional discharge of persons applying for registration under this subsection

13 [SECTION]

14 \* Sec. 4. AS 15.10.105(a) is amended to read:

15 (a) The lieutenant governor shall control and supervise the division of  
16 elections. The lieutenant governor shall appoint a director of elections. The director  
17 shall act for the lieutenant governor in the supervision of central and regional election  
18 offices, the hiring, performance evaluation, promotion, termination, and all other  
19 matters relating to the employment and training of election personnel, and the  
20 administration of all state elections as well as those municipal elections that [WHICH]  
21 the state is required to conduct. The director is responsible for the coordination of  
22 state responsibilities under 42 U.S.C. 1933gg (National Voter Registration Act of  
23 1993). The director serves at the pleasure of the lieutenant governor.

24 \* Sec. 5. AS 15.10.105(b) is amended to read:

25 (b) It is essential that the nonpartisan nature, integrity, credibility and  
26 impartiality of the administration of elections be maintained. To that end,

27 (1) the [THE] director of elections and the election supervisors  
28 appointed under AS 15.10.110

29 (A) [FULL-TIME MEMBERS OF THE DIRECTOR'S STAFF]  
30 may not join, support or otherwise participate in a partisan political  
31 organization, faction, or activity, including but not limited to the making of

1 political contributions;

2 (B) [. THE DIRECTOR OF ELECTIONS AND THE FULL-  
3 TIME MEMBERS OF THE DIRECTOR'S STAFF] may not hold or campaign  
4 for elective office, be an officer of a political party or member or officer of a  
5 political committee, permit their name to be used, or make any contributions,  
6 in support of or in opposition to a candidate or a ballot proposition or question,  
7 participate in any way in a national, state, or local election campaign, or lobby  
8 or employ or assist a lobbyist;

9 (C) the provisions of (A) and (B) of [. HOWEVER,] this  
10 paragraph do [SUBSECTION DOES] not restrict the director of elections or  
11 the election supervisors [FULL-TIME MEMBERS OF THE DIRECTOR'S  
12 STAFF] from expressing private opinion, registering as to party, or voting; and

13 (2) the full-time employees of the division of elections are subject  
14 to the provisions of AS 39.25 applicable to classified employees of the state.

15 \* Sec. 6. AS 15.10.107 is amended to read:

16 Sec. 15.10.107. STAFF TRAINING. The director shall, before each primary  
17 election in even-numbered years, provide for a comprehensive training program for  
18 election officials, both the full-time members of the staff of the division of elections  
19 and those who are appointed as election board judges, clerks, and counters under  
20 AS 15.10.120 - 15.10.150 and other temporary election employees. The director shall  
21 annually prepare and, not later than January 10, file with the lieutenant governor  
22 a plan that describes the comprehensive training program for election officials to  
23 be provided to those officials during that calendar year.

24 \* Sec. 7. AS 15.15.030(6) is amended to read:

25 (6) The general election ballot shall be designed with the position of  
26 names of the candidates set out in the same order [CHANGED] in each section on  
27 each ballot used in an election district. However, the order of placement of the  
28 names of the candidates for each office shall be randomly determined by the  
29 director for ballots printed for use in each election district [AS MANY TIMES  
30 AS THERE ARE CANDIDATES IN THE SECTION IN WHICH THERE ARE THE  
31 MOST NAMES. AS NEARLY AS POSSIBLE, AN EQUAL NUMBER OF

1        BALLOTS SHALL BE PRINTED AFTER EACH CHANGE. IN MAKING THE  
2        CHANGES OF POSITION, THE NAME OF THE CANDIDATE AT THE HEAD OF  
3        EACH SECTION SHALL BE TAKEN AND PLACED AT THE BOTTOM OF THE  
4        SECTION AND THE COLUMN MOVED UP SO THAT THE NAME THAT  
5        BEFORE WAS SECOND IS FIRST AFTER THE CHANGE. AFTER THE BALLOTS  
6        ARE PRINTED, THEY SHALL BE PLACED IN SEPARATE STACKS, ONE  
7        STACK FOR EACH CHANGE OF POSITION. THE BALLOTS SHALL THEN BE  
8        GATHERED BY TAKING ONE FROM EACH STACK, THE INTENTION BEING  
9        THAT EVERY OTHER BALLOT IN THE ACCUMULATED STACK OF BALLOTS  
10       SHALL HAVE THE NAMES OF THE CANDIDATES IN A DIFFERENT  
11       POSITION].

12       \* Sec. 8. AS 15.15.060(a) is amended to read:

13                (a) Immediately following the appointment of the election board, the election  
14        supervisor in conjunction with the election board chair [CHAIRMAN] shall secure  
15        polling places for holding the election, suitable ballot boxes that [WHICH] will assure  
16        security, and an adequate number of voting booths or screens, national flags, pens, and  
17        pencils. At every polling place, at least one voting booth shall be furnished and  
18        not [NOT] less than one voting booth or screen shall be furnished for each 100 votes  
19        or fractional part of 100 votes cast in the previous election. At every polling place,  
20        at least one-half of the voting booths used shall be not less than six feet in height,  
21        enclosed on three sides, and provided with a curtain extending from the top of the  
22        voting booth to within approximately 30 inches of the floor. The curtain of the  
23        voting booth must conceal the voter while voting. The election supervisor and the  
24        election board chair [CHAIRMAN] may, in an emergency, secure an alternate location  
25        for a polling place.

26       \* Sec. 9. AS 15.15.060(b) is amended to read:

27                (b) To assure administrative economy and to protect the secrecy of the  
28        ballot, the [THE] director may adopt regulations prescribing  
29                        (1) the type of polling place for holding the election;  
30                        (2) [AND] the requirements regarding ballot boxes, voting [BOOTHES.]  
31        screens, national flags, and other supplies; and



1 by actual physical delivery to the director by registered or certified mail return receipt  
2 requested which is postmarked at or before 5:00 p.m., prevailing time, June 1  
3 [AUGUST 1] in the year in which a general election is held for the office, and  
4 received not more than 15 days after that time. If the postmark is illegible, a dated  
5 receipt from the post office where dispatched shall be acceptable as evidence of  
6 mailing. If June 1 [AUGUST 1] is a Sunday or holiday, the deadlines for  
7 postmarking and receipt of the petition shall be extended 24 hours in each instance.

8 \* Sec. 13. AS 15.25.160 is amended to read:

9 Sec. 15.25.160. REQUIRED NUMBER OF SIGNATURES FOR STATEWIDE  
10 OFFICE. Petitions for the nomination of candidates for the office of governor,  
11 lieutenant governor, United States senator, and United States representative shall be  
12 signed by qualified voters of the state equal in number to at least one percent of the  
13 number of voters who cast ballots in the preceding general election. [CANDIDATES  
14 FOR THE OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR SHALL  
15 FILE JOINTLY.]

16 \* Sec. 14. AS 15.25.180(a) is amended to read:

- 17 (a) The petition must [SHALL] state in substance
- 18 (1) the full name of the candidate;
  - 19 (2) the full residence address of the candidate, and the date on which  
20 residency at that address began;
  - 21 (3) the full mailing address of the candidate;
  - 22 (4) the name of the political group, if any, supporting the candidate;
  - 23 (5) if the candidacy is for the office of state senator or state  
24 representative, the election or senate district of which the candidate is a resident;
  - 25 (6) the office for which the candidate is nominated;
  - 26 (7) the date of the election at which the candidate seeks election;
  - 27 (8) the length of residency in the state and in the district of the  
28 candidate;
  - 29 (9) that the subscribers are qualified voters of the state or election or  
30 senate district in which the candidate resides;
  - 31 (10) that the subscribers request that the candidate's name be placed on

1 the primary election ballot;

2 (11) that the proposed candidate accepts the nomination and will serve  
3 if elected, with the statement signed by the proposed candidate:

4 (12) [IF THE CANDIDACY IS FOR THE OFFICE OF THE  
5 GOVERNOR, THE NAME OF THE CANDIDATE FOR LIEUTENANT GOVERNOR  
6 RUNNING JOINTLY WITH THE CANDIDATE FOR GOVERNOR:

7 (13)] the name of the candidate as the candidate wishes it to appear on  
8 the ballot; and

9 (13) [(14)] that the candidate is not a candidate for any other office to  
10 be voted on at the primary or general election and that the candidate is not a candidate  
11 for this office under any other nominating petition or declaration of candidacy.

12 \* Sec. 15. AS 15.25.180(b) is amended to read:

13 (b) A person filing a nominating petition under this section, other than a  
14 person subject to AS 24.60 who is filing a petition for a state legislative office, shall  
15 simultaneously [ALSO] file with the director a statement of income sources and  
16 business interests that complies with the requirements of AS 39.50 [WITHIN 30  
17 DAYS OF FILING THE PETITION]. A person who is subject to AS 24.60 and is  
18 filing a nominating petition for state legislative office shall simultaneously file with  
19 the director a disclosure statement that complies with the requirements of  
20 AS 24.60.200 [WITHIN 30 DAYS OF FILING THE PETITION].

21 \* Sec. 16. AS 15.25 is amended by adding a new section to read:

22 Sec. 15.25.185. ELIGIBILITY OF CANDIDATE. The provisions of  
23 AS 15.25.042 and 15.25.043 apply to determinations of a candidate's eligibility when  
24 a candidate seeks nomination by petition under AS 15.25.140 - 15.25.205.

25 \* Sec. 17. AS 15.25.190 is amended to read:

26 Sec. 15.25.190. PLACEMENT OF NAMES ON PRIMARY [GENERAL]  
27 ELECTION BALLOT. The director shall place the names and the political group  
28 affiliation of persons who have been properly nominated by petition on the primary  
29 [GENERAL] election ballot.

30 \* Sec. 18. AS 15.25.200 is amended to read:

31 Sec. 15.25.200. WITHDRAWAL OF CANDIDATE'S NAME. If a candidate

1 nominated by petition dies or withdraws

2 (1) after the petition has been filed and at least 48 days before the date  
3 of the primary [GENERAL] election, the director may not place the name of the  
4 candidate on the primary [GENERAL] election ballot; or

5 (2) on or after the date of the primary election and 48 days or  
6 more before the general election, the director may not place the name of the  
7 candidate on the general election ballot.

8 \* Sec. 19. AS 15.25 is amended by adding a new section to read:

9 Sec. 15.25.205. PLACEMENT OF NOMINEE ON GENERAL ELECTION  
10 BALLOT. (a) Except as provided in (b) of this section, of the names of persons that  
11 appear on the primary election ballot under AS 15.25.190, the director shall place on  
12 the general election ballot the name of the candidate of each political group that  
13 receives the greatest number of votes for an office.

14 (b) For the offices of governor and lieutenant governor, the director shall place  
15 on the general election ballot the name of the candidate of each political group  
16 receiving the greatest number of votes for the office of governor together with the  
17 name of the candidate for lieutenant governor who received the greatest number of  
18 votes and who is from the same political group as that candidate. However, the  
19 director may not place on the general election ballot the name of the candidate of a  
20 political group receiving the greatest number of votes for the office of

21 (1) governor unless there is also a candidate for lieutenant governor of  
22 that political group:

23 (2) lieutenant governor unless there is also a candidate for governor of  
24 that political group.

25 (c) For purposes of placement of the names of nominees on the general  
26 election ballot under this section, all candidates who file nominating petitions without  
27 designating a political group name under AS 15.25.180(a) shall be treated as  
28 candidates of the same political group.

29 \* Sec. 20. AS 15.40.100 is amended to read:

30 Sec. 15.40.100. REQUIREMENTS OF PETITION FOR NO-PARTY  
31 CANDIDATES. Petitions for the nomination of candidates not representing a political

1 party shall be signed by qualified voters of the state equal in number to at least one  
 2 percent of the number of voters who cast ballots in the preceding general election, and  
 3 shall state in substance that which is required in petitions for nomination by [FOR  
 4 GENERAL ELECTIONS PROVIDED IN ] AS 15.25.180.

5 \* Sec. 21. AS 15.40.440 is amended to read:

6 Sec. 15.40.440. REQUIREMENTS OF PETITION FOR NO-PARTY  
 7 CANDIDATES. Petitions for the nomination of candidates not representing a political  
 8 party shall be signed by qualified voters equal in number to at least one percent of the  
 9 number of voters who cast ballots in the proposed nominee's respective election or  
 10 senate district in the preceding general election. A nominating petition may not  
 11 contain less than 50 signatures for any district, and shall state in substance that which  
 12 is required in petitions for nomination by [FOR GENERAL ELECTIONS PROVIDED  
 13 IN] AS 15.25.180.

14 \* Sec. 22. AS 15.58.030(b) is amended to read:

15 (b) No later than July 15 of a year in which a state general election will be  
 16 held, an individual who becomes a candidate for the office of United States senator,  
 17 United States representative, governor, lieutenant governor, state senator, or state  
 18 representative under AS 15.25.030 or under AS 15.25.180 may file with the lieutenant  
 19 governor a photograph and a statement advocating the candidacy. An individual who  
 20 becomes a candidate for the office of United States senator, United States  
 21 representative, governor, lieutenant governor, state senator, or state representative  
 22 [UNDER AS 15.25.180 BY FILING A NOMINATING PETITION OR] by party  
 23 petition filed under AS 15.25.110 [ANOTHER MEANS] may file with the lieutenant  
 24 governor a photograph and a statement advocating the candidacy [BY JULY 15 OR]  
 25 within 10 days of becoming a candidate [, WHICHEVER IS LATER].

26 \* Sec. 23. AS 39.25.110(20) is amended to read:

27 (20) employees of

28 (A) the Office of the Governor [AND THE OFFICE OF THE  
 29 LIEUTENANT GOVERNOR], including the staff of the governor's mansion:

30 and

31 (B) the office of the lieutenant governor, except the full-time

employees of the division of elections other than the division director and  
the regional supervisors appointed under AS 15.10.110;

\* Sec. 24. AS 39.50.020(a) is amended to read:

(a) A judicial officer, commissioner, chair or member of a state commission or board specified in AS 39.50.200(b), a person hired or appointed as head or deputy head of, or director of a division within, a department in the executive branch, a person appointed as assistant to the governor, a state investment officer and the state comptroller in the Department of Revenue, and a municipal officer [,] shall file a statement giving income sources and business interests, under oath and on penalty of perjury, within 30 days after taking office as a public official. Candidates for state elective office other than a candidate who is subject to AS 24.60 shall file such a statement with the director of elections at the time of filing a declaration of candidacy or [WITHIN 30 DAYS OF THE FILING OF] a nominating petition, or within 30 days of becoming a candidate by any other means. Candidates for elective municipal office shall file such a statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted filing fee be returned and the candidate's name removed from the filing records. A statement shall also be filed by public officials no later than April 15 or 15 days after the person files a federal income tax return in each following year, whichever comes first. Persons who, on or after December 11, 1974, were members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.

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

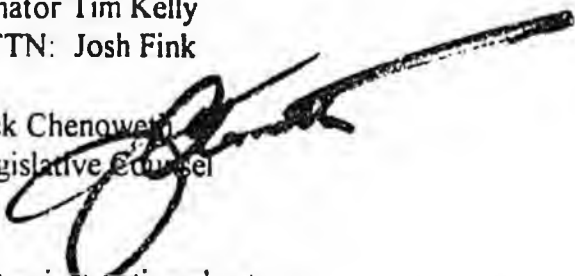
MEMORANDUM

March 25, 1995

**SUBJECT:** Election administration, draft HCS CSSB 5 ( )  
(Work Order No. 9-LS0075\K)

**TO:** Senator Tim Kelly  
ATTN: Josh Fink

**FROM:** Jack Chenoweth  
Legislative Counsel



Following from your written instruction sheet:

(1) Altering the questioned ballot envelopes to serve as registration mechanisms is addressed in the addition to AS 15.07.070 of subsection (h), made by bill section 1.

(2) Putting the full-time staff of the Division of Elections, except the director and the regional supervisors, into the classified service is addressed in the amendment to AS 39.25.110(20), made in bill section 23. The status of persons not employed full-time--that is, temporary personnel--is not changed by this bill. Full-time personnel, except the director and regional supervisors, would be given the benefits and protections of other employees of the merit system, and their political rights and limitations are not necessarily the ones that they are now subject to. See my proposed revision of AS 15.10.105(b) in bill section 5.

(3) Making the division director the responsible figure is addressed in the amendment of AS 15.10.105(a) in bill section 4.

(4) While the statutes already address staff training in AS 15.10.107, the amendment of that section in bill section 6 is intended to "beef it up."

(5) For changes related to purging of deceased voters and convicted felons, see bill sections 2 and 3, amending AS 15.07.130(c) and 15.07.135.

(6) The amendment of AS 15.15.030(6) by bill section 7 addresses the handling of name rotation on an election district (i.e. house district) basis. If there is better wording to make this obligation clearer, please advise. (Under AS 15.25.060, the same principle governs preparation of primary ballots. It is not necessary to amend that sections.)

Senator Tim Kelly  
March 25, 1995  
Page 2

(7) The requirement of all candidates appearing on the primary ballot is addressed in bill sections 11 - 22. I limited the change to elections for state offices--governor and legislature--not to the federal legislative officials.

I owe you a draft House Joint Resolution for a bill title change.

JBC:lmb  
95-152.lmb

Enclosure

A M E N D M E N T

OFFERED IN THE HOUSE

TO: HCS CSSB 5(STA) (Work Draft 9-LS0075\M)

- 1 Page 10, following line 23:
- 2       Insert a new bill section to read:
- 3       "\* Sec. 25. AS 15.07.110 is repealed."

A M E N D M E N T

OFFERED IN THE HOUSE

TO: HCS CSSB 5(STA) (Work Draft 9-LS0075\M)

1 Page 2, line 24, through page 3, line 14:

2 Delete all material and insert:

3 **"\* Sec. 5.** AS 15.10.105(b) is amended to read:

4 (b) It is essential that the nonpartisan nature, integrity, credibility and  
5 impartiality of the administration of elections be maintained. **To that end,**

6 **(1) the [THE] director of elections, the election supervisors**  
7 **appointed under AS 15.10.110,** and the full-time members of the director's staff

8 **(A)** may not join, support or otherwise participate in a partisan  
9 political organization, faction, or activity, including but not limited to the  
10 making of political contributions; **and**

11 **(B)** [. THE DIRECTOR OF ELECTIONS AND THE FULL-  
12 TIME MEMBERS OF THE DIRECTOR'S STAFF] may not hold or campaign  
13 for elective office, be an officer of a political party or member or officer of  
14 a political committee, permit their name to be used, or make any contributions,  
15 in support of or in opposition to a candidate or a ballot proposition or  
16 question, participate in any way in a national, state, or local election campaign  
17 or lobby or employ or assist a lobbyist;

18 **(2) the full-time employees of the division of elections, except for**  
19 **the director of elections and the elections supervisors appointed under**  
20 **AS 15.10.110, are subject to the personnel rules adopted under the authority of**  
21 **AS 39.25.150(7), (15), and (16); and**

22 **(3)** [. HOWEVER, THIS SUBSECTION DOES NOT RESTRICT] the  
23 director of elections, **the election supervisors appointed under AS 15.10.110, and**  
24 **[OR] the full-time members of the director's staff may, notwithstanding (1) of this**  
25 **subsection, express [FROM EXPRESSING] private opinion, register**

- 1 [REGISTERING] as to political party, and vote [OR VOTING]."
- 2 Page 9, line 26 through page 10, line 2:
- 3 Delete all material.
- 4 Renumber the following bill section accordingly.