

**SJR**

**40**

**HFIN**

**FILE**

# ALASKA STATE LEGISLATURE

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Sen. Rick Halford, Vice-Chair  
Sen. Dave Donley  
Sen. John Torgerson  
Sen. Johnny Ellis



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## Senate Judiciary Committee

### Sponsor Statement

SJR # 40

**Proposing amendments to the Constitution of the State of Alaska providing that the governor and lieutenant governor be elected by a majority vote; and changing the term of office of the governor and lieutenant governor.**

Alaskans are looking for leadership from their elected representatives and are demanding accountability. However many people in the state feel betrayed because the men or women elected at the statewide level are not necessarily selected by a majority. This is most apparent by the continued decline in the voter turnout, 50.11 percent in 1998.

There are at least five political parties on the ballot in the Governor/Lieutenant Governor race. While these parties and their candidates represent the true diversity of Alaska they could also leave the winner of the race without that clear majority vote. In the last Gubernatorial General Election 48.73 percent of the vote was split between four candidates. Prior to that, the last Governor to be elected by a majority was Bill Egan in 1970.

SJR 40 will correct that by allowing the people of Alaska to decide if they want the opportunity to elect statewide candidates with a majority vote. The resolution does not mandate what will happen if a majority vote is not reached other than some form of a run-off. Currently there are different ideas on how that should be done. If passed by the public it gives the next Legislature a clear mandate that a plan must be put in place prior to the 2002 general election.

This resolution will establish the future of statewide elections and create a sense of representation to all Alaskans, as the individual holding the seat will be there with a clear majority of the voters.

**HOUSE COMMITTEE REPORT**

(11)

Date Referred to Committee: April 21, 2000

FURTHER REFERRALS:

Date of Committee Action: 7/24/00

The FINANCE Committee considered:

CSSJR 40(RLS) am

CS FOR SENATE JOINT RESOLUTION NO. 40(RLS) am

CONST AM:ELECTION & TERMS OF GOV & LT GOV

Proposing amendments to the Constitution of the State of Alaska providing that the governor and lieutenant governor be elected by a majority vote; and changing the term of office of the governor and lieutenant governor.

recommends it be replaced with the following committee substitute \_\_\_\_\_  the same title  
 a new title

additional referral to \_\_\_\_\_ Committee  
 attached amendment(s)

ADOPTS: \_\_\_\_\_ Letter of Intent

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

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

fiscal note(s) LT GOV

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

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

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

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Carrie Therriault</i> Therriault			X	
<i>Edon Mulder</i> Mulder	X			
<i>Ben Grossendorf</i> Grossendorf		X		
<i>John M. Davies</i> Davies		X		
<i>Bill Austerman</i> Austerman		X		
<i>John Davis</i> Davis			X	
<i>Sail Phillips</i> Phillips			✓	
<i>[Signature]</i>	X			

CHAIR'S SIGNATURE

*Carrie Therriault* *Edon Mulder*  
 Therriault Mulder

CO

# FISCAL NOTE

STATE OF ALASKA  
2000 LEGISLATIVE SESSION

BILL NO. SJR 40

Revision Date/Time (Note if correction) 4/24/2000 Dept. Affected Office of the Governor  
 Title Constitutional Amendment: Relating to a BRU Elective Operations  
majority vote for statewide offices Component Elections  
 Sponsor Senate Judiciary Committee  
 Requester Senate Finance Committee Component No. 21

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual	1.5		750.0			
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>1.5</b>	<b>0.0</b>	<b>750.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1.5		750.0			
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
<b>TOTAL</b>	<b>1.5</b>	<b>0.0</b>	<b>750.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2000) cost: 0.0

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This figure includes the cost of providing information about this issue in the Official Election Pamphlet, as required by AS 15.58. However, only six measures can be printed on an 8-1/2 by 14 inch ballot. If this measure requires printing an 8-1/2 by 18 inch ballot, the cost will increase by \$22.0.

For FY2003, it is anticipated that a runoff election for the office of governor and lieutenant governor would be required. The cost of a runoff election is projected to be \$750,000 based on the cost of the 1999 statewide special election.

Prepared by: Gail Fenunial *Gail Fenunial* Phone 465-3935  
 Division Division of Elections Date/Time 4/24/00 10:23 AM  
 Approved by: G. Governor Fran Ulmer *Fran Ulmer* Date 04/24/2000  
 Agency Office of the Lieutenant Governor

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## Bullets for SJR 40

With the exception of the 1998 confusion election.

*In which 99% of the voters did not support the incumbents*

This body has not worked with a Governor elected by the majority of voters Since 1970.

Governor Bill Egan received 51-point 34 percent.

We feel this lack of a majority every election day with low voter turnout.

The feeling of "my vote doesn't count if I don't vote for the right person," is the norm.

SJR 40 will give the public that vote should the public decide to pass it in November.

Governor and Lt. Governor races will be determined by a vote of **50 percent plus 1 vote**. A majority.

For the ease of simplicity, the resolution only addresses the gubernatorial candidates

The next Alaska Legislature will be responsible for how the run-off is conducted.

More than half of Alaska's population is already used to a majority election process.

The Municipality of Anchorage mayoral race resulted in a run-off election.

SJR 40 means our next statewide elected officials will truly be a representative of the majority of Alaskans.

## Governor/Lieutenant Governor Election Results

<b>Year</b>	<b>Winners</b>	<b>Percent</b>
1998:	Knowles/Ulmer	51.27%
1994:	Knowles/Ulmer	41.1%
1990:	Hicke/Coghill	38.8%
1986:	Cowper/McAlpine	47.3%
1982:	Sheffield/McAlpine	45.10%
1978:	Hammond/Miller	38.22%
1974:	Hammond/Thomas	46.51%
1970:	Egan/Boucher	51.34%

This information was supplied courtesy of the Division of Elections.

Shannon Morgan, Elections Clerk  
Alaska Division of Elections  
PO Box 110017  
Juneau AK 99811-0017  
(907) 465-4611



## Alaska Division of Elections

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### RECOGNIZED POLITICAL PARTIES IN ALASKA Updated 2/17/00

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A Recognized Political Party is an organized group of voters that represents a political program and either nominated a candidate for Governor who received at least 3% of the total votes cast for Governor at the preceding General Election or has registered voters equal to 3% of the votes cast for Governor in the last election. Candidates of a recognized political party file a Declaration of Candidacy. Until it qualifies as a recognized political party under this definition, an independent Political Group may field candidates for statewide and district-wide offices only by filing nominating petitions as required by AS 15.25.140 - 15.25.205. Reference: AS 15.60.010(20)

The following parties are currently recognized political parties in Alaska:

#### **ALASKAN INDEPENDENCE PARTY**

Mark Chryson, Chair  
(907) 376-8285

#### **DEMOCRATIC PARTY OF ALASKA**

Christopher Cooke, Chair  
(907) 258-3050

#### **GREEN PARTY OF ALASKA**

Soren Wuerth, Chair  
(907) 344-9888

#### **LIBERTARIAN PARTY**

Len Karpinski  
(907) 248-4367

#### **REPUBLICAN MODERATE PARTY, INC.**

Ray Metcalfe, Chair  
(907) 344-4514

#### **REPUBLICAN PARTY OF ALASKA**

Tom McKay, Chair  
(907) 276-4467

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### LIMITED POLITICAL PARTIES IN ALASKA

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A Limited Political Party is a political group that organizes for the purpose of selecting candidates for electors for President and Vice President of the United States. A Limited Political Party ceases to be recognized in the State of Alaska if its presidential candidate fails to receive at least 3% of the votes cast for President. Reference: AS 15.60.010(12) and 15.30.025

The following party is a Limited Political Party in Alaska, holding that status for the 2000 General Election:

**NATURAL LAW PARTY**

Barbara Morgan, Alaska Chair  
(907) 258-6261

**REFORM PARTY**

Edward Wassell, Alaska Chair  
(907) 245-5113



**Alaska Division of Elections Home Page**

*To comment on this page, contact Barbara Whiting  
at the Alaska Division of Elections.*

## **AN INITIATIVE PROVIDING FOR ELECTION BY VOTER MAJORITY**

**BE IT ENACTED BY THE PEOPLE OF THE STATE OF ALASKA:**

### **Section 1. Findings and Purpose**

The people of the State of Alaska find that it is in the public interest to adopt an election system in Alaska, known as preferential or instant run-off voting, to insure that candidates elected are acceptable to the greatest number of voters. Under the present system, in many elections, the majority of voters voted for someone other than the winner. Preferential or instant run-off voting should have the following positive effects on Alaskan elections:

(a) Candidates will be elected by a majority vote, rather than by a mere plurality vote as often occurs under the present system,

(b) The taxpayers and candidates will save money because run-off elections will no longer be necessary,

(c) Supporters of third-party, independent, or underdog candidates will not have to waste their votes in order to support their parties, issues, or candidates, but will be able to voice support for their true beliefs with their first choice votes and their acceptable choices among the remaining candidates with their second and subsequent choices,

(d) Negative campaigning should be virtually eliminated because candidates will know that they may have to obtain the second and third choice votes of voters supporting other candidates in order to be elected,

(e) Losing candidates, who offered valid programs acceptable to some of the voters, will not be forever tagged as "spoilers", "vote-splitters", or the "candidate that ensured the election of the candidate of the opposing party",

(f) Voter interest and turn-out should increase because a voter's vote will be more valuable than it is under the present system, and

(g) The new system is easy and very user-friendly - as simple as 1-2-3.

### **Section 2. Preferential or Instant Run-Off Voting**

Preferential or instant run-off voting shall be used in Alaskan elections. The ballots used in these elections shall provide that the voter may vote for candidates in order of preference, mark no more than five choices for each office, and not assign the same ranking to more than

one candidate for each office. The ballot shall permit the ranking of one write-in candidate per race with candidates whose names are printed on the ballot.

**Section 3. Counting of Ballots**

**AS 15.15.350. General Procedure for Ballot Count** shall be amended to add additional subsections to read as follows:

- (a) The first choice votes of each voter for each race shall be counted first. If, after all ballots are counted, a candidate has obtained a majority of the first choice votes for that race, further counting is not necessary, and that candidate is declared the winner.
- (b) If no candidate has obtained a majority of the first choice votes, then the candidate with the fewest number of first choice votes shall be declared defeated, and votes cast for this candidate shall be transferred to the next choice continuing candidate marked on each continuing ballot, and added to that continuing candidate's vote total. However, if the total of the votes of the two or more candidates credited with the lowest number of votes is less than the number of votes credited to the candidate with the next highest number of votes, these candidates shall be declared defeated simultaneously and their votes transferred to the next choice continuing candidate marked on each ballot in a single counting operation. If the next-choice candidate has been eliminated, the vote is transferred to the next-choice candidate who is a continuing candidate. After this tabulation, if no continuing candidate receives a majority of the votes, then the continuing candidate with the fewest votes shall be declared defeated. This process of eliminating last-place candidates, transferring ballots from these candidates, and adding them to the totals of continuing candidates shall proceed until a candidate has a majority of the continuing ballots, in which case that candidate is declared the winner, or there is a tie between all remaining continuing candidates.
- (c) If, in any election, a ballot has no more available preferences stated, that ballot shall be declared exhausted and shall not be counted further. A ballot assigning the same ranking to more than one candidate for an office shall be declared exhausted when the double ranking is reached. If, in a primary election, a voter ranks a candidate in a particular race outside of the party for which the voter has cast the first-choice vote, then that ballot will be declared exhausted with respect to all subsequent rankings for that particular office. If a ballot skips a ranking, then the next ranking shall be counted.
- (d) If there is a tie vote between candidates, the procedures of AS 15.15.460 shall be followed.

**Section 4. Applicability**

Preferential or instant run-off voting shall be used in all primary, regular and special elections for the election of members of the Alaska Legislature, for the offices of President and Vice-President of the United States, and for members of the United States Congress.

**Section 5. Local Option Authorized**

A municipality or school district may utilize preferential or instant run-off voting in municipal or school board elections if authorized by appropriate action of its governing body.

**Section 6. Political Party Definition**

For the purpose of defining a "political party" under AS 15.13.400(10) and AS 15.60.010(20), the total first choice votes cast for governor at the preceding general election shall be used in calculating the three percent (3%) requirement.

**Section 7. Ordering of Names on Primary Election Ballot**

For the convenience of the voters in casting votes in the primary election, AS 15.26.060 is amended to provide that the names of all candidates who have properly filed shall be placed in groups according to offices filed for and party affiliation.

**Section 8. Definitions**

- (a) "Continuing ballot" means a ballot that is not exhausted.
- (b) "Continuing candidate" means a candidate who has not been eliminated.
- (c) "Exhausted ballot" means a ballot which has no more available preferential votes which may be counted.

**Section 9. Repeal of Conflicting Statutes**

All statutes and parts of statutes which conflict with the provisions of Sections (2) through (8) of this Act are hereby repealed.

**Section 10. Severability**

The provisions of this Act are independent and severable. If any provision of this Act, or the applicability of any provision to any person or circumstance, shall be held to be invalid by a court of competent jurisdiction, the remainder of this Act shall not be affected and shall be given effect to the fullest extent possible.

## LETTER TO THE EDITOR

### Preferential voting

EDITOR, Daily News:

Since when has Alaska been afraid to take a "radical measure no other state has embraced"?

New Mexico progressives call it Instant Runoff Voting and Alaska has dubbed it preferential voting, but the outcome is the same: Voters can vote for the candidate they truly prefer, and then they can vote for second or third best without the expense and hassle of a runoff election.

Rep. Pete Kott's bill is progressive, which has the old boys scared. It is

something that gives the voters a new tool for electing their representatives. Of course old-time legislators and conservative editors will bluster and posture that it is just too complicated to even consider, it could affect the outcome of an election they hope to win by politics-as-usual.

The truth is, preferential voting is so simple a child could do it: "List your top three favorite ice cream flavors, number one being your most favorite." Chocolate, vanilla, strawberry. If there is no chocolate available, (i.e. not enough votes for the first choice) the child will be satisfied with vanilla (second choice).

Even strawberry would be palatable.

Voters understand that if their first choice candidate does not win, their vote for second choice counts as if it were their first. No more "throwing away" votes, one can vote their conscience and their compromise at the same time.

It's a brilliant idea that could bring disenfranchised, disgruntled and disgusted citizens back to the voting booths.

The Anchorage Times editorial writers call it "clunky and confusing." What could be more confusing than the current system in which voters believe that by voting for a candidate they agree

with most, but who is not expected to win, is "throwing away" a perfectly good vote? Public confusion comes from being forced to play a tic-tac-toe blocking strategy that does not allow citizens to vote for what they truly believe is best for the state or the nation.

If indeed, as stated in The Anchorage Times editorial reprinted in the May 19 Ketchikan Daily News, this legislation is so head-scratching confusing for our state's lawmakers, maybe it's time to get some smarter folks elected. That would be my preference.

DIANE RAAB  
Ketchikan