

**SB**

**63**

<TARGET><BILL>SB 63</BILL><SUBJECT>SB  
63</SUBJECT><COMM>HSTA28</COMM></TARGET>





# Alaska State Legislature

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**Senator Anna Fairclough — Senate District M**

## **Sponsor Statement**

### **Senate Bill 63**

**"An Act making contracts for the preparation of election ballots subject to the provisions of the state procurement code."**

Senate Bill 63 is legislation that would require the Alaska Division of Elections to use the state procurement code to solicit bids for the preparation of election ballots.

While it is of the utmost importance to all Alaskans that our ballots be prepared properly and with attention to all aspects of fair elections, the bidding process is one that is essential to providing an equal opportunity for businesses across Alaska.

The procurement process will allow the Division to have control over the evaluating criteria used to award the contract of printing ballots for our statewide elections.

Currently, Alaska's election ballots are sole sourced and prepared by one company that has been printing our ballots since 2002. While it may come to be that the current company is awarded the bid following the procurement process, it is only reasonable to allow others to compete for that business with our state, ensuring the state pays the most competitive and fair amount.

I appreciate your support and consideration of this legislation.



# Alaska State Legislature

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**Senator Anna Fairclough** — Senate District M

## Sectional Analysis

### Senate Bill 63

**\* Section 1:** Amends AS 15.15.030

Changes current language from “assure” to “ensure.” This is to provide for certainty in statute.

Also changes the word “may” to “shall” requiring the director to contract for the preparation of ballots under the state procurement code.

Technical changes were made on page three, subsection 10.

**\*Section 2:** Amends AS 36.30850(b)(7)

Removes the reference to preparation of ballots.

**\*Section 3:** Applicability

This legislation would apply to the printing of ballots for elections conducted after January 1, 2014.



# Alaska State Legislature

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**Senator Anna Fairclough** — Senate District M

## Explanation of Changes

### Senate Bill 63

- \* **Title:** Title changed to include reference to the state procurement code.
- \* **Section 1:** Removed language in subsection (3) “may contract for the preparation of the ballots on a regional basis if necessary,” and inserted the language, “contract for the preparation of ballots under AS 36.30 (State Procurement Code).”
- \* **Section 2:** Replaced all of section 2 with a new section 2 which removes the reference to preparation of ballots in AS 36.30850(b)(7)

# Fiscal Note

State of Alaska  
2013 Legislative Session

Bill Version: CSSB 63(STA)  
Fiscal Note Number: 1  
(S) Publish Date: 3/27/13

Identifier: SB063-OOG-DOE-2-28-13  
Title: CONTRACTS FOR PREPARATION OF BALLOTS  
Sponsor: FAIRCLOUGH  
Requester: Senate State Affairs

Department: Office of the Governor  
Appropriation: Elections  
Allocation: Elections  
OMB Component Number: 21

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2014 Appropriation Requested	Included in Governor's FY2014 Request	Out-Year Cost Estimates				
			FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
<b>OPERATING EXPENDITURES</b>	<b>FY 2014</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
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Estimated SUPPLEMENTAL (FY2013) cost: 0.0

Estimated CAPITAL (FY2014) cost: 0.0

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

initial version.

Prepared By: <u>Gail Fenumiai, Director</u>	Phone: <u>(907)465-2644</u>
Division: <u>Division of Elections</u>	Date: <u>02/28/2013 01:54 PM</u>
Approved By: <u>Guy Bell, Administrative Director</u>	Date: <u>02/28/13</u>
<u>Office of the Governor</u>	

FISCAL NOTE ANALYSIS #1

STATE OF ALASKA  
2013 LEGISLATIVE SESSION

BILL NO. CSSB 63(STA)

**Analysis**

This legislation would require the division to award a contract for the preparation of election ballots to the lowest responsible and responsive bidder.

Currently, ballot printing is exempted from the procurement statutes.

March 12, 2013

The Honorable Anna Fairclough  
Senator, Alaska State Senate  
Alaska State Capitol, Room 514  
Juneau, AK 99801

Re: Senate Bill 63

Dear Senator Fairclough:

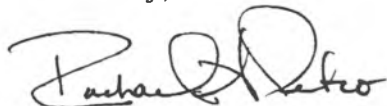
The mission of the Alaska State Chamber of Commerce (Alaska Chamber) is to promote a positive business environment in Alaska. The Alaska Chamber represents hundreds of businesses and local chambers from across Alaska. These member businesses support a fair and open marketplace in which to do business and Senate Bill 63 is a part of achieving that goal.

The Alaska Chamber supports SB 63 because it addresses two issues important to the Alaska Chamber and its members. First, it creates a level playing field where all businesses may compete for a state contract. Second, it specifically supports our goal of achieving a more efficient and cost effective government.

While the bill requires a competitive bidding process for the production of election ballots, it does not force the Division of Elections to use the state procurement code and instead lets them develop their own evaluation criteria. This ensures that the department is able to secure properly prepared ballots in a timely manner.

The Alaska Chamber appreciates your work to improve Alaska's business climate and fully supports SB 63.

Sincerely,



Rachael A. Petro  
President/CEO



ALASKA STATE  
**CHAMBER**  
OF COMMERCE

*The Voice of  
Alaska Business*

**Headquarters**

471 W 36th Ave  
Suite 201  
Anchorage  
AK 99503  
(907) 278-2722

**Regional Office**

3100 Channel Dr.  
Suite 300  
Juneau  
AK 99801  
(907) 586-2323

[www.alaskachamber.com](http://www.alaskachamber.com)

# Advance PRINTING

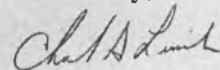
612 30th Avenue  
Fairbanks, AK 99701  
(907) 451-1111 • Fax: 451-4511  
www.hotprinter.com • printer@hotprinter.com

February 28, 2013

To Whom it May Concern,

I am writing to voice my support for SB63, allowing the printing of the Alaska State election ballots to be open for competitive bids. The practice of sole source printing of these elections ballots (or any other State Printing) to a single Alaska printing company is unfair to Alaskan businesses and should be stopped. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would show good faith in the right direction. The Alaska printing industry would benefit by this legislation, as well as the people of the state of Alaska by ensuring the best value for our tax dollars.

Sincerely,



Charles A. Lincoln  
Vice President

*From Design, to Print, to Signs & Banners, to Bulk Mailing,  
We are Your Full Service **PRINTING COMPANY!***



**A.T. Publishing  
& Printing, Inc.**

907-349-7506 Phone

907-349-4398 Fax

February 28, 2013

To Whom It May Concern!

I am writing in support of SB63, a bill that would require the printing of the State of Alaska election ballots be contracted by a competitive bidding process.

Allowing the Division of Elections to continue to sole-source the printing of the elections ballots is an unfair business practice, particularly since there are other Alaskan companies capable of producing the ballots.

I strongly encourage passage of this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "AM", is written over a faint, illegible background.

Andy Martone

President

A.T. Publishing & Printing, Inc.

**W E C O L O R A L A S K A**

1720 Abbott Road • Anchorage, AK 99507-3443 • 800-478-0452 Toll Free • E-mail: [atpub@alaska.net](mailto:atpub@alaska.net)



**SERVICE**  
BUSINESS PRINTING

To Whom it May Concern!

I am writing to support SB63 opening the Alaska State election ballots to competitive bid. I believe the practice of sole-sourcing the printing of the elections ballots to a single Alaska printing company should stop. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,

Onnie Kendall



*More than just  
creative print...*

To whom it may Concern:

3-01-2013

I am writing to support SB63 opening the Alaska state election ballots to competitive bid. I believe the practice of sole-sourcing the printing of the election ballots to a single Alaska printing company should stop. I believe the State has a responsibility to foster fair business practices and opening the printing of the election ballots to competitive bidding would do exactly that. The Alaska printing industry would benefit by this legislation.

Sincerely,

Robb Marshall  
Owner

**Nancy Manly**

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**From:** Carolyn Kuckertz  
**Sent:** Wednesday, April 03, 2013 3:20 PM  
**To:** pressreleasedistribution  
**Subject:** Senate Passes Bill Creating Fair Business Practices for Ballot Printing  
**Attachments:** 040313\_Fairclough\_SB63\_Passes\_Senate.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



## SENATOR ANNA FAIRCLOUGH ALASKA SENATE MAJORITY

PRESS RELEASE

State Capitol Building Room 1  
Senator.Anna.Fairclough@akleg.gov  
907-465-3111

For Immediate Release: April 3<sup>rd</sup>, 2013

### **Senate Passes Bill Creating Fair Business Practices for Ballot Printing**

*Senate Bill 63 opens up printing of Alaska State election ballots to competitive bids*

JUNEAU—Today, the Alaska State Senate unanimously passed Senate Bill 63, which would require the Alaska Division of Elections to use the state procurement code to solicit bids for the preparation of election ballots. Currently, Alaska's election ballots are prepared by one company through a sole-source contract. This company has held the printing contract since 2002.

"The practice of not putting the printing of these elections ballots out to a competitive bid is unfair to Alaskan businesses," said Senator Fairclough. "I believe the State has a responsibility to foster fair business practices and the bidding process is one that is essential to providing an equal opportunity for businesses across Alaska."

Under Senate Bill 63, the competitive bidding for ballot printing would be part of the RFP (Request for Proposal) process, which specifically allows for the evaluation of prior experience, qualifications, and quality of equipment rather than just price.

"It is very important to all Alaskans for our ballots to be prepared properly and with attention to all aspects of fair elections," said Senator Fairclough. "While the current company may be the one the contract is awarded to following the procurement process, it is only reasonable to allow others to compete for that business with our state, ensuring the state pays the most competitive and fair amount."

The legislation would apply to the printing of ballots for elections which take place after January 1, 2014.

Senate Bill 63 now heads to the House for further consideration.

For more information, please call Laura Pierre in Senator Fairclough's office at (907) 465-3777.

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# Alaska State Legislature

Senator Anna Fairclough — Senate District M

## MEMORANDUM

**DATE:** April 3, 2013

**TO:** Representative Bob Lynn  
Chair, House State Affairs Committee

**FROM:** Senator Anna Fairclough *Anna*

**RE:** Senate Bill 63 Hearing Request

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I am requesting a hearing as soon as your committee schedule will permit for Senate Bill 63 relating to contracts for preparation of ballots.

This bill will require the Division of Elections to go out to bid under the state procurement code for the preparation of our election ballots. Currently the division director can award this through a sole source contract. I believe the current process is not providing equal opportunity for businesses across Alaska. This legislation has the potential to save the state money through the competitive bidding process.

Thank you for your consideration and attention to this request. Please do not hesitate to contact Laura Pierre on my staff with any questions at 465-4695.