

**HB**

**13**

<TARGET><BILL>HB 13</BILL><SUBJECT>HB  
13</SUBJECT><COMM>HSTA29</COMM></TARGET>



**This is a bill previously heard. All of us have had a chance to take a second look at the bill – and I'd like to move this bill out of committee this morning.**

**As we know, the official election pamphlet performs a great public service in helping inform the Alaska voting public before they cast their ballots. Many voters don't make up their mind on how to vote until they read the pamphlet. The information in the pamphlet enjoys an aura of authenticity, rightly or wrongly, because it's an official government publication.**

**The pamphlet allows candidates for public office to display their photo, a short biography, and a candidate position statement. It provides information on ballot initiatives with pro and con statements. It allows information on judicial retention. We vote on candidates, we vote on initiatives, and we vote on retention of judges.**

**But we do NOT vote on political parties. Yet the current election pamphlet allows advertisements from political parties. This provides a platform – an open invitation – for party attack ads on any candidate or any issue on the ballot – and the attacks will only escalate as one party tries to outdo the other in the pamphlet. There’s no shortage of venues for political parties to advertise whatever they want – but this stuff has no place in the government published official election pamphlet.**

**I ask this committee to pass this bill out of committee this morning – and I would invite a motion to move the bill.**

*Keller moved E*  
*Gruenberg objects. For discussion*  
*He removed his objection at 9:17 A. 2/5*  
*So version E is now before the committee*

29-LS0091E  
 Bullard  
 2/3/15

**CS FOR HOUSE BILL NO. 13( )**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES LYNN AND GARA, Josephson, Tarr, Gruenberg

*Heard & Held*  
*Moved from Committee*  
*on 2-10-15*

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act repealing the authority to include certain material from a political party in the  
 2 election pamphlet."

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

4 \* **Section 1.** AS 15.58.020(a)(8), 15.58.040, and 15.58.060(b) are repealed.

*2/10/15 951a + b legal x2450*  
*to do a final to ver. E*  
*No amendments*

Bill put aside as

29-LS0091\H

Public testimony Bob  
open & closed

**HOUSE BILL NO. 13**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES LYNN AND GARA, Josephson, Tarr, Gruenberg

Introduced: 1/21/15  
Referred: State Affairs

a CS V.E. was adopted

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act requiring notice of the postage required to mail an absentee ballot on the  
2 envelope provided by the division of elections for returning an absentee ballot; and  
3 repealing the authority to include certain material from a political party in the election  
4 pamphlet."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** AS 15.20.030 is amended to read:

7 **Sec. 15.20.030. Preparation of ballots, envelopes, and other material.** The  
8 director shall provide ballots for use as absentee ballots in all districts. The director  
9 shall provide a secrecy sleeve in which the voter shall initially place the marked ballot,  
10 and shall provide an envelope with the prescribed voter's certificate on it, in which the  
11 secrecy sleeve with ballot enclosed shall be placed. The director shall prescribe the  
12 form of and prepare the voter's certificate, envelopes, and other material used in  
13 absentee voting. The voter's certificate shall include a declaration, for use when  
14 required, that the voter is a qualified voter in all respects, a blank for the voter's

1 signature, a certification that the affiant properly executed the marking of the ballot  
2 and gave the voter's identity, blanks for the attesting official or witness, and a place for  
3 recording the date the envelope was sealed and witnessed. The envelope with the  
4 voter's certificate must include a notice that false statements made by the voter or by  
5 the attesting official or witness on the certificate are punishable by law. **The mailing**  
6 **envelope for returning an absentee ballot must be preaddressed to the election**  
7 **supervisor in the district in which the voter is a resident. The envelope for**  
8 **returning an absentee ballot must include a notice of the postage required to**  
9 **return the ballot by way of the United States Postal Service within the United**  
10 **States.**

11 \* **Sec. 2.** AS 15.20.081(c) is amended to read:

12 (c) After receipt of an application, the director shall send the absentee ballot  
13 and other absentee voting material to the applicant by the most expeditious mail  
14 service. However, if the application requests that an absentee ballot for a state election  
15 be sent by electronic transmission, the director shall send the absentee ballot and other  
16 absentee voting material to the applicant by electronic transmission. Except as  
17 provided in (k) of this section, the absentee ballot and other absentee voting material  
18 shall be sent as soon as they are ready for distribution. If the absentee ballot and other  
19 absentee voting material are mailed to the applicant, the **director shall provide a**  
20 **return envelope that meets the requirements of AS 15.20.030** [SENT] with the ballot  
21 and other materials [SHALL BE ADDRESSED TO THE ELECTION SUPERVISOR  
22 IN THE DISTRICT IN WHICH THE VOTER IS A RESIDENT].

23 \* **Sec. 3.** AS 15.58.020(a)(8), 15.58.040, and 15.58.060(b) are repealed.

# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Member**  
Judiciary Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
Administration  
Corrections  
Military and Veterans Affairs



**Session:**  
Alaska State Capitol #108  
Juneau, AK 99801-1182

Phone: (907) 465-4931  
Fax: (907) 465-4316  
Toll Free: (800) 870-4391

**Interim:**  
716 W. 4<sup>th</sup> Ave.  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 26 Anchorage**  
**E-Mail: Rep.Bob.Lynn@akleg.gov**  
**REPRESENTATIVE LES GARA**  
**District 20 Anchorage**  
**E-Mail: Rep.Les.Gara@akleg.gov**

## **SPONSOR STATEMENT**

### **HB 13**

**“An Act requiring notice of the postage required to mail an absentee ballot on the envelope provided by the division of elections for returning an absentee ballot; and repealing the authority to include certain material from a political party in the election pamphlet.”**

Current statute allows political parties to purchase two pages of material in the Official Election Pamphlet, the state’s publication to alert the public of candidates for office. In the past, political parties have used the pages to give general information about their platforms, however, in the 2014 election, an attack ad against a candidate was placed in the Official Election Pamphlet for the first time by a party. It may be that no party realized they could use their space for this purpose, or only one party chose to do so. That is irrelevant. No political party has proven to be above placing attack ads, and in the future we can expect to see more of these from multiple parties, turning a relatively non-partisan pamphlet into one that adds to the excessive noise of undesirable attack ads during election season. This bill repeals those sections of the law that allow political parties to place ads in the Official Election Pamphlet.

HB 13 also addresses the issue of postage on absentee ballots. Voters are often unaware that an absentee ballot requires more than a first class stamp for postage. The postage required to mail in an absentee ballot varies from year to year, depending on the size of the ballot. If voters do not affix the correct postage, the post office delivers the ballot to the Division of Elections, but the Division must pay the missing postage. There is no way to guarantee that all postal employees actually deliver ballots with insufficient postage to the Division. To save the Division money, and prevent the inadvertent return of a ballot to a voter, thereby disenfranchising that person, a visible statement in the area of the postage stamp box on the envelope about the necessary postage should be required.

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3887 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101


State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 8th St., Rm. 329

## MEMORANDUM

December 17, 2014

**SUBJECT:** Sectional summary of Work Order No. 29-LS0091\W

**TO:** Representative Les Gara  
Attn: Joe Caissie

**FROM:** Alpheus L. Bullard   
Legislative Counsel

You have requested a sectional summary of the above-described Work Order.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents. If you would like an interpretation of the bill as it may apply to a particular set of circumstances, please advise.

**Section 1.** Amends AS 15.20.030 to require that the mailing envelope for returning an absentee ballot include a notice of the postage required to return the ballot.

**Section 2.** Conforms AS 15.20.081(c) to the change made by sec.1 of the bill.

**Section 3.** Repeals AS 15.58.020(a)(8), 15.58.040, and 15.58.060(b). AS 15.58.020(a)(8) permits a political party to submit a maximum of two pages of material for inclusion in the general election pamphlet; AS 15.58.040 relates to certain requirements for that material; and AS 15.58.060(b) relates to the charges imposed on a political party for purchasing the pages.

ALB:lnd  
14-372.lnd

## Joseph Caissie

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**From:** Fenumiai, Gail M (GOV) <gail.fenumiai@alaska.gov>  
**Sent:** Wednesday, January 28, 2015 9:06 AM  
**To:** Joseph Caissie  
**Cc:** Molly Carver  
**Subject:** RE: Official Election Pamphlet information

I erred in the per page amount for political parties. It is \$600 per page. There were four pages, so the state received \$2400.

### *Gail Fenumiai*

Director, Division of Elections  
PO Box 110017  
Juneau AK 99811-0017  
907-465-4611

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**From:** Fenumiai, Gail M (GOV)  
**Sent:** Monday, January 26, 2015 10:33 AM  
**To:** Caissie, Joseph A (LAA)  
**Cc:** Carver, Molly M (LAA)  
**Subject:** RE: Official Election Pamphlet information

The 2014 Official Election Pamphlet had four pages submitted by political parties. Each page cost \$200. The total the state received for these pages was \$800.  
The total cost of the 2014 Official Election Pamphlet was \$256,090 (printing \$ 194,479; \$48,403 postage; \$4,135 travel; \$9,073 temp staff assistant).

### *Gail Fenumiai*

Director, Division of Elections  
PO Box 110017  
Juneau AK 99811-0017  
907-465-4611

---

**From:** Joseph Caissie [<mailto:Joseph.Caissie@akleg.gov>]  
**Sent:** Friday, January 23, 2015 4:49 PM  
**To:** Fenumiai, Gail M (GOV)  
**Cc:** Carver, Molly M (LAA)  
**Subject:** Official Election Pamphlet information

Hi; I would like information on the cost to the state of publishing the Official Election Pamphlet, and also on how much revenue the OEP generates from the pages placed by the parties.

Thanks,  
Joe

Joseph Caissie  
Office of Rep. Les Gara  
Session: (907) 465-2647  
Interim: (907) 269-0106

## Joseph Caissie

---

**From:** Thompson, Carol A (GOV) <carol.thompson@alaska.gov>  
**Sent:** Tuesday, November 25, 2014 12:45 PM  
**To:** Joseph Caissie  
**Cc:** Fenumiai, Gail M (GOV)  
**Subject:** RE: Absentee Information

At this time the state is not bearing any costs. If we were to provide postage paid return envelopes, we would bear the cost of the 49 to 70 cents to mail the ballot and an additional 83 cents handling fee charged by the USPS.

Depending upon the number of issues on a ballot determines the size of the ballot which can range in size from 8.5 x 11, 8.5 x 14 and 8.5 x 17 inches. Due to the size and weight of the ballot will change the amount of postage needed. For example, for the recent primary election it was an 8.5 x 11 inch ballot and the cost to return the ballot was 49 cents. In the recent general election the ballot was an 8.5 x 17 inch ballot and the cost to return the ballot was 70 cents.

Absentee and Petition Office  
State of Alaska  
Division of Elections  
907-375-6400  
877-375-6508 (toll free within the U.S.)

---

**From:** Joseph Caissie [mailto:Joseph.Caissie@akleg.gov]  
**Sent:** Tuesday, November 25, 2014 12:37 PM  
**To:** Thompson, Carol A (GOV)  
**Cc:** Fenumiai, Gail M (GOV)  
**Subject:** RE: Absentee Information

Do you know if the 83 cents is currently borne by the state? We are looking for the additional cost to the state if we were to send postage-paid envelopes.

And the cost would vary every election, depending on the size of the ballot?

Thanks,  
Joe

**From:** Thompson, Carol A (GOV) [mailto:carol.thompson@alaska.gov]  
**Sent:** Tuesday, November 25, 2014 12:33 PM  
**To:** Joseph Caissie  
**Cc:** Fenumiai, Gail M (GOV)  
**Subject:** Absentee Information

Dear Mr. Caissie:

Per your request, please find attached instruction for the 2014 General Election that spoke to the amount of postage needed for a voter mail their voted ballot.

The cost to the state to provide postage paid envelopes to voters would be the cost to mail the ballot which can range from 49 cents to 70 cents per ballot package depending upon the size of the ballot plus an additional handling fee for each ballot package of 83 cents.

Absentee and Petition Office

State of Alaska

Division of Elections

907-375-6400

877-375-6508 (toll free within the U.S.)

## Joseph Caissie

---

**From:** Thompson, Carol A (GOV) <carol.thompson@alaska.gov>  
**Sent:** Wednesday, November 26, 2014 11:11 AM  
**To:** Joseph Caissie  
**Cc:** Fenumiai, Gail M (GOV)  
**Subject:** RE: Absentee Information

Joe,

As per our phone conversation, if the voter does not apply sufficient postage to mail their ballot the USPS will still deliver their ballot to the election office and will acquire the additional funds needed from the election office.

Absentee and Petition Office  
State of Alaska  
Division of Elections  
907-375-6400  
877-375-6508 (toll free within the U.S.)

---

**From:** Joseph Caissie [mailto:Joseph.Caissie@akleg.gov]  
**Sent:** Tuesday, November 25, 2014 10:16 PM  
**To:** Thompson, Carol A (GOV)  
**Cc:** Fenumiai, Gail M (GOV)  
**Subject:** RE: Absentee Information

Hi; quick follow-up—we want this in writing—is it true that if voters do not attach the correct postage to their envelopes, the ballot will be returned to them?

Thanks,  
Joe

**From:** Thompson, Carol A (GOV) [mailto:carol.thompson@alaska.gov]  
**Sent:** Tuesday, November 25, 2014 12:33 PM  
**To:** Joseph Caissie  
**Cc:** Fenumiai, Gail M (GOV)  
**Subject:** Absentee Information

Dear Mr. Caissie:

Per your request, please find attached instruction for the 2014 General Election that spoke to the amount of postage needed for a voter mail their voted ballot.

The cost to the state to provide postage paid envelopes to voters would be the cost to mail the ballot which can range from 49 cents to 70 cents per ballot package depending upon the size of the ballot plus an additional handling fee for each ballot package of 83 cents.

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877-375-6508 (toll free within the U.S.)

**Sec. 15.58.020. Contents of pamphlet.** (a) Each general election pamphlet must contain

- (1) photographs and campaign statements submitted by eligible candidates for elective office in the region;
- (2) information and recommendations filed under AS 15.58.050 on judicial officers subject to a retention election in the region;
- (3) a map of the house district or districts of the region;
- (4) sample ballots for house districts of the region;
- (5) an absentee ballot application;
- (6) for each ballot proposition submitted to the voters by initiative or referendum petition or by the legislature,

(A) the full text of the proposition specifying constitutional or statutory provisions proposed to be affected;

(B) the ballot title and the summary of the proposition prepared by the director or by the lieutenant governor;

(C) a statement of the costs to the state of implementing the law proposed in an initiative, or of voter approval or rejection of the act that is the subject of a referendum;

(D) a neutral summary of the proposition prepared by the Legislative Affairs Agency;

(E) statements submitted that advocate voter approval or rejection of the proposition not to exceed 500 words;

(7) for each bond question, a statement of the scope of each project as it appears in the bond authorization;

(8) a maximum of two pages of material submitted by each political party;

(9) additional information on voting procedures that the lieutenant governor considers necessary;

(10) for the question whether a constitutional convention shall be called,

**Sec. 15.58.040. Material to be filed by political parties.**

(a) No later than July 15 of a year in which a state general election will be held, a political party may file with the lieutenant governor a maximum of two pages of material.

(b) Each page purchased must be clearly identified with the words "paid for by" followed by the name of the political party, the name of the state chairperson of the party, and the name of the party treasurer.

**Sec. 15.58.060. Charges for space in pamphlet.** (a) Each general election candidate shall pay to the lieutenant governor at the time of filing material under this chapter the following:

- (1) President or Vice-President of the United States, United States senator, United States representative, governor, lieutenant governor, supreme court justice, and court of appeals judge, \$300 each;
- (2) superior court judge and district court judge, \$150 each;
- (3) state senator and state representative, \$100 each.

(b) The state chair or executive committee of a political party shall pay to the lieutenant governor at the time of filing material under this chapter \$600 for each page purchased.

(c) There is no charge for statements and recommendations submitted by the judicial council or for statements advocating approval or rejection of a proposition submitted to the voters for approval.

## Nancy Manly

---

**From:** Nancy Manly  
**Sent:** Friday, February 06, 2015 7:54 AM  
**To:** Rep. Wes Keller  
**Cc:** 'Ken Truitt'  
**Subject:** HB13 - Follow-up to request for information FW: Phone message

2/6/2015

Representative Keller:

You had asked me to check with Gail on whether other political parties could advertise in the election pamphlet. Here is Gail's answer.

Nancy Manly, Chief of Staff and  
House State Affairs Committee Aide *for*  
**Representative Bob Lynn**  
**House District 26**  
907-465-2794 Fax: 907-465-4316

**From:** Fenumiai, Gail M (GOV) [mailto:gail.fenumiai@alaska.gov]  
**Sent:** Thursday, February 05, 2015 7:20 PM  
**To:** Nancy Manly  
**Subject:** Phone message

Nancy,  
The law currently allows any recognized political party to submit up to two pages in the pamphlet. There are four recognized political parties in Alaska - Alaska Democratic Party, Alaska Libertarian Party, Alaska Republican Party and the Alaskan Independence Party.

Gail Fenumiai  
Director, Division of Elections  
P.O. Box 110017  
Juneau AK 99811-0017  
(907) 465-4611

# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Member**  
Judiciary Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
Administration  
Corrections  
Military and Veterans Affairs



*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 26 Anchorage**  
**E-Mail: Rep.Bob.Lynn@akleg.gov**  
**REPRESENTATIVE LES GARA**  
**District 20 Anchorage**  
**E-Mail: Rep.Les.Gara@akleg.gov**

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Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

## **EXPLANATION OF CHANGES TO HB 13**

Sections 1 and 2 have been removed, which were the portions relating to printing the postage required to mail the absentee ballot on the envelope itself. These portions had addressed our concern that people were unaware of what the correct postage was for mailing the absentee ballot. The bill language, according to the Division of Elections, creates some difficulties that they may be able to avoid by remedying the problem internally. The remaining portion of the bill still removes political party ads from the Official Election Pamphlet.

HB 13 Version H

Staff Contact: Joseph Caissie 465-2647

January 27, 2015

29-LS0091\E  
Bullard  
2/3/15

**CS FOR HOUSE BILL NO. 13( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-NINTH LEGISLATURE - FIRST SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): REPRESENTATIVES LYNN AND GARA, Josephson, Tarr, Gruenberg**

**A BILL**  
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3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

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# ALASKA STATE LEGISLATURE



REPRESENTATIVE LES GARA  
REPRESENTATIVE BOB LYNN

## MEMORANDUM

DATE: January 28, 2015  
TO: Representative Bob Lynn  
FROM: Representative Les Gara  
RE: Hearing Request for HB13: Official Election Pamphlet Ads

---

On behalf of two co-prime sponsors, I respectfully request that House Bill 13, relating to political party advertisements in the Official Election Pamphlet and notification of required postage on absentee ballots, be scheduled for a hearing in the House State Affairs Committee. Please feel free to contact me, or my aide Joseph Caissie, with questions or thoughts at 465-2647.

Attached you will find a background packet for HB 13. This includes the current version of the bill, a sponsor statement, a sectional analysis, and supporting documents.

Thank you for your consideration.

A handwritten signature in black ink, appearing to be "Les Gara".

Representative Les Gara

**This bill is about the official Alaska Election Pamphlet. Because the pamphlet is published by the government of the State of Alaska, it carries an aura of authenticity far beyond that of the campaign mailers that stuff our mailboxes during election seasons. As a result, voters tend to give far more credence to the words in the Election Pamphlet than they do to the words in campaign mailers most of us mail out when we're trying to get elected or re-elected. The pamphlet is also something of a campaign equalizer, because almost every candidate, of whatever personal means, can afford to advertise in the pamphlet, whatever their campaign funds.**

**The Pamphlet is basically a "Vote for Me" publication for candidates, judges, and initiatives. As we know, candidates can write almost anything they please, however ridiculous it may be, without editing by the State. And I think that's OK.**

**Unfortunately, there's now a section in the Pamphlet where any registered political party can make statements. Some of these statements are "hit pieces" on some candidates or the other political parties. If political parties are allowed to continue to advertise in the Pamphlet, we can expect the parties to escalate the attacks on the other parties, or on individual candidates. That's simply not appropriate in what's supposed to be a neutral governmental publication. The Pamphlet is supposed to be about who and what we can vote on. We don't cast a vote for parties at the ballot box, we vote for individual people and initiatives.**

**This bill simply eliminates political party advertisements in the official Election Pamphlet.**

We are not allowed  
to do hit pieces—

# DID YOU KNOW MARK BEGICH VOTES WITH PRESIDENT OBAMA 95% OF THE TIME ?

MARK BEGICH CLAIMS TO BE AN INDEPENDENT VOICE FOR ALASKA, BUT HIS SENATE RECORD SHOWS HIS LOYALTIES ARE ACTUALLY WITH BARACK OBAMA.



## 5 EXAMPLES OF MARK BEGICH SIDING WITH PRESIDENT OBAMA OVER ALASKANS

1. VOTED TO SUPPORT NEW EPA REGULATIONS OF FOSSIL FUELS
2. SUPPORTED A CAP-AND-TRADE PLAN IDENTICAL TO OBAMA'S ENERGY TAX RESULTING IN HIGHER ENERGY COSTS
3. HELPED PASS THE INTERNET SALES TAX
4. CAST THE DECIDING VOTE FOR OBAMACARE
5. SUPPORTED THE FINAL PASSAGE OF THE \$787 BILLION STIMULUS BILL

ALASKA DESERVES A NEW  
SENATOR WILLING TO  
STAND UP TO BARACK OBAMA

Paid for by the Alaska Republican Party, Peter S. Goldberg, Chairman and Glenn Clary, Treasurer - 1001 W. Fireweed Lane, Anchorage, AK 99503  
[www.alaskarepublicans.com](http://www.alaskarepublicans.com). Neither paid for nor endorsed by any candidate or candidate's committee.

# Protect **YOUR** vision of **ALASKA**



## Vote **REPUBLICAN**

### **ALASKAN VALUES:**

- Freedom
- Individual liberty
- Limited government
- Strong families
- Protecting the most vulnerable

### **OUR VISION:**

- Unlocking energy resources
- Job creation by encouraging free enterprise
- Strong national defense
- Defense of Constitutional rights
- Conservation, instead of preservation
- Lower taxes – Eliminating waste

### **OUR COMMITMENT:**

*We believe that Alaskans should control their own destiny, so we support policies that empower individuals and communities instead of government bureaucracies. In Washington, Republicans will side with Alaska's best interests instead of a liberal agenda. In Juneau, Republicans will focus on the issues and values that matter most to their communities.*



*Join all races, creeds, and  
faiths in voting for liberty and  
freedom!*

[www.alaskarepublicans.com](http://www.alaskarepublicans.com)  
907-276-4467



[Facebook.com/Alaska Republican Party](https://www.facebook.com/AlaskaRepublicanParty)



[@AKGOP](https://twitter.com/AKGOP)

Paid for by the Alaska Republican Party, Peter S. Goldberg, Chairman and Glenn Clary, Treasurer - 1001 W. Fireweed Lane, Anchorage, AK 99503  
[www.alaskarepublicans.com](http://www.alaskarepublicans.com). Neither paid for nor endorsed by any candidate or candidate's committee.

# ALASKA STATE LEGISLATURE HOUSE FINANCE COMMITTEE

Representative Mark Neuman  
Co-Chairman  
(907) 465-2679  
[Rep.Mark.Neuman@akleg.gov](mailto:Rep.Mark.Neuman@akleg.gov)



Representative Steve Thompson  
Co-Chairman  
(907) 465-3004  
[Rep.Steve.Thompson@akleg.gov](mailto:Rep.Steve.Thompson@akleg.gov)

Alaska State Capitol Building- Rm 505

Alaska State Capitol Building- Rm 511

## House Finance Committee Waiver

**DATE:** February 24, 2015

**TO:** **Representative Steve Thompson and Representative Mark Neuman  
Co-Chairs House Finance Committee**

**FROM:** Representative Lynn and Representative Gara  
**Sponsor,**

**RE:** **Waiving HB 13 from the House Finance Committee**

I respectfully request the House Finance Committee waive HB 13 from Committee. I have attached a copy of the bill, accompanying fiscal note(s) and obtained the support of the members signing below.

\_\_\_\_\_  
Co-Chair Steve Thompson

\_\_\_\_\_  
Co-Chair Mark Neuman

\_\_\_\_\_  
Vice-Chair Dan Saddler

\_\_\_\_\_  
Representative Bryce Edgmon

\_\_\_\_\_  
Representative Lynn Gattis

\_\_\_\_\_  
Representative Cathy Munoz

\_\_\_\_\_  
Representative Lance Pruitt

\_\_\_\_\_  
Representative Tammie Wilson

\_\_\_\_\_  
Representative Les Gara

\_\_\_\_\_  
Representative David Guttenberg

\_\_\_\_\_  
Representative Scott Kawasaki

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

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

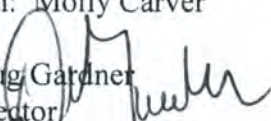
State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 17, 2015

**SUBJECT:** Re-Referral of a Bill to a Previous Committee of Referral

**TO:** Representative Les Gara  
Attn: Molly Carver

**FROM:** Doug Gardner  
Director 

You called this morning and provided me a procedural scenario regarding HB 13, and asked for options regarding attaching a recent zero fiscal note to the bill, and moving the bill into the House Rules Committee as soon as possible.

The bill you want to address is HB 13, a bill that you and Representative Bob Lynn introduced as joint prime sponsors. My understanding is that initially, the bill was given only a House State Affairs Committee referral on January 21, 2015. After it was passed out of affairs as amended, an indeterminate fiscal note was generated by what I understand was the division of elections. However, the amended version of the bill, from what you told me this morning, removed the section of the bill that resulted in the indeterminate fiscal note. Now, the bill has a zero fiscal note. However, in the series of events noted, the bill received a House Finance Committee referral from the speaker while the bill had an indeterminate fiscal note, and the bill is currently in the House Finance Committee without a hearing scheduled.

We discussed a motion to re-refer HB 13 that is probably the most effective course of action.

I move and ask unanimous consent that HB 13 be re-referred<sup>1</sup> to the House State Affairs Committee for the purpose of attaching a zero fiscal note that

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<sup>1</sup> A bill may be re-referred to a committee that originally considered the bill. *Mason's Manual* sec. 384. Uniform Rule 39(g). I note, that *Mason's Manual* sec. 384(4) provides that it is proper to re-refer a bill to a finance committee when a fiscal note is attached that has a fiscal impact; if the body and the chair has the authority noted in *Mason's Manual* sec. 384(4), then the body has the authority to re-refer for the converse purpose of sending a bill back to a previous committee to attach a zero fiscal note to the bill. Uniform Rule 39(b) provides that the vote required to refer a bill is a majority of the full membership, so if there is an objection, it will require 21 votes to pass this motion, or Option #2.

was prepared by the division of elections, and received after HB 13 was passed out of the House State Affairs Committee, and after HB 13 was given a House Finance Committee referral.

I note that if this motion is objected to, the vote on a re-referral will likely have the same requirement as any other referral by the body: a majority of the full membership of the house (21). In addition, the re-referral of the bill to House State Affairs for the attachment of the zero fiscal note might provide a subsequent opportunity on the floor, for the Speaker to cancel the referral to the Finance Committee.<sup>2</sup>

DDG:dla  
15-090.dla

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<sup>2</sup> Uniform Rule 39(b) provides that the presiding officer is to make one or more committee referrals following the first reading of the bill. The House may then, without concurrence of the presiding officer, make additional referrals of a bill if a majority of the full membership of the House concurs. Since under the rule the presiding officer does have authority to refer bills after first reading, it is a logical implication that the presiding officer retains the power to amend or correct the referral of a bill so long as this occurs before second reading. It has been the practice for the presiding officer to change referrals. The body itself always retains the power to refer a bill to committee, or remove a committee referral. *Mason's Manual of Legislative Procedure*, sec. 389(1) (2010 ed.).

**I move and ask unanimous consent that HB 13 be re-referred to the House State Affairs Committee for the purpose of attaching a zero fiscal note that was prepared by the division of elections, and received after HB 13 was passed out of the House State Affairs Committee, and after HB 13 was given a House Finance Committee referral.**

# ALASKA STATE LEGISLATURE



REPRESENTATIVE BOB LYNN  
REPRESENTATIVE LES GARA

## MEMORANDUM

DATE: March 9, 2015  
TO: Representatives Thompson and Neumann  
FROM: Representatives Lynn and Gara  
RE: Hearing Request for HB13: Official Election Pamphlet Ads

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On behalf of two co-prime sponsors, I respectfully request that House Bill 13, relating to political party advertisements in the Official Election Pamphlet, be scheduled for a hearing in the House Finance Committee. Please feel free to contact me, or my aide Joseph Caissie, with questions or thoughts at 465-2647.

Attached you will find a background packet for HB 13. This includes the current version of the bill, a sponsor statement, a sectional analysis, and supporting documents.

Thank you for your consideration.

Representative Bob Lynn  
Representative Les Gara

# ALASKA STATE LEGISLATURE



REPRESENTATIVE BOB LYNN  
REPRESENTATIVE LES GARA

## MEMORANDUM

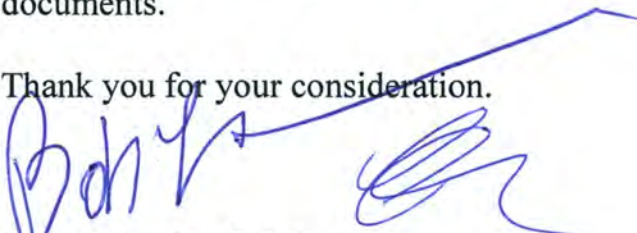
DATE: February 19, 2015  
TO: Representatives Mark Neuman and Steve Thompson  
FROM: Representatives Bob Lynn and Les Gara  
RE: Hearing Request for HB13: Official Election Pamphlet Ads

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On behalf of two co-prime sponsors, I respectfully request that House Bill 13, relating to political party advertisements in the Official Election Pamphlet and notification of required postage on absentee ballots, be scheduled for a hearing in the House State Affairs Committee. Please feel free to contact me, or my aide Joseph Caissie, with questions or thoughts at 465-2647.

Attached you will find a background packet for HB 13. This includes the current version of the bill, a sponsor statement, a sectional analysis, and supporting documents.

Thank you for your consideration.



Representative Bob Lynn  
Representative Les Gara

# Alaska State Legislature

**Chairman**  
State Affairs Committee

**Member**  
Judiciary Committee  
Joint Armed Services Committee

**Finance Subcommittees**  
Administration  
Corrections  
Military and Veterans Affairs



**Session:**  
Alaska State Capitol #108  
Juneau, AK 99801-1182

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716 W. 4<sup>th</sup> Ave.  
Anchorage, AK 99501-2133

Phone: (907) 269-0205  
Fax: (907) 269-0207

*A Communication From*  
**REPRESENTATIVE BOB LYNN**  
**District 26 Anchorage**  
**E-Mail: Rep.Bob.Lynn@akleg.gov**  
**REPRESENTATIVE LES GARA**  
**District 20 Anchorage**  
**E-Mail: Rep.Les.Gara@akleg.gov**

## **SPONSOR STATEMENT**

### **HB 13**

**“An Act repealing the authority to include certain material from a political party in the election pamphlet.”**

Current statute allows political parties to purchase two pages of material in the Official Election Pamphlet, the state’s publication to alert the public of candidates for office. In the past, political parties have used the pages to give general information about their platforms, however, in the 2014 election, an attack ad against a candidate was placed in the Official Election Pamphlet for the first time by a party. It may be that no party realized they could use their space for this purpose, or only one party chose to do so. That is irrelevant. No political party has proven to be above placing attack ads, and in the future we can expect to see more of these from multiple parties, turning a relatively non-partisan pamphlet into one that adds to the excessive noise of undesirable attack ads during election season. This bill repeals those sections of the law that allow political parties to place ads in the Official Election Pamphlet.

## Joseph Caissie

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**From:** Linda Shore <sharasmom@gmail.com>  
**Sent:** Tuesday, February 10, 2015 12:35 PM  
**To:** Joseph Caissie  
**Subject:** HB13

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

To whom it may concern:

Please pass this bill. There should be no ads of any kind about anything in the voter information booklet.

Thank you!

Linda Shore  
Anchorage  
[sharasmom@gmail.com](mailto:sharasmom@gmail.com)

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There's nothing so good for the inside of a man as the outside of a horse....Lord Palmerston

## Joseph Caissie

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**From:** Gail Heineman <gail\_heineman@yahoo.com>  
**Sent:** Tuesday, February 10, 2015 1:52 PM  
**To:** Joseph Caissie  
**Subject:** HB13 - support

I support HB13, eliminating the language in state statutes that allows political parties to include up to 2 pages of material in the official Alaska Election Pamphlet. There should be no partisan ads in the election pamphlet. Thank you.

Gail Heineman  
2732 W 67th Ave  
Anchorage AK 99502  
gail\_heineman@yahoo.com

## Joseph Caissie

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**From:** Susan Ruddy <sruddyalaska@gmail.com>  
**Sent:** Tuesday, February 10, 2015 5:21 PM  
**To:** Joseph Caissie  
**Cc:** Les Gara  
**Subject:** HB 13

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

This message is to state my vigorous support for HB 13. It is simply unacceptable to permit political ads in the election pamphlet. It is as if those same ads were permitted inside the voting booth and everyone would find that intolerable.

Thank you for passing this message along to our lawmakers.

Susan Ruddy  
2435 LaHonda Drive  
Anchorage, AK 99517  
Sruddyalaska@gmail.com  
Alaska: 907-229-2707  
Sent from my iPad

# Fiscal Note

State of Alaska  
2015 Legislative Session

Bill Version: HB 13  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB013CS(STA)-OOG-DOE-2-11-15  
Title: ELECTION PAMPHLETS AND ABSENTEE  
BALLOTS  
Sponsor: LYNN, GARA  
Requester: House 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)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates					
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>OPERATING EXPENDITURES</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>	<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>	<b>0.0</b>

**Positions**

Full-time								
Part-time								
Temporary								

<b>Change in Revenues</b>								
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**Estimated SUPPLEMENTAL (FY2015) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2016) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**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? N/A

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

The bill was amended in House State Affairs, removing the section of the bill that would have had a fiscal impact on the Division of Elections.

Prepared By: <u>Gail Fenumiai, Director</u>	Phone: (907)465-2644
Division: <u>Division of Elections</u>	Date: 02/11/2015 01:22 PM
Approved By: <u>Guy Bell, Administrative Director</u>	Date: 02/11/15
Agency: <u>Office of the Governor</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2015 LEGISLATIVE SESSION

BILL NO. HB 13

**Analysis**

The bill was amended to remove the original section which would have required the division to print the amount of postage required to return a by-mail ballot. That section would have had an indeterminate fiscal impact on the division.

The remaining section of the bill repeals state law allowing political parties to purchase up to two pages in the Official Election Pamphlet. This has no fiscal impact on the division.

# Fiscal Note

State of Alaska  
2015 Legislative Session

Bill Version: HB 13  
Fiscal Note Number: \_\_\_\_\_  
( ) Publish Date: \_\_\_\_\_

Identifier: HB013-OOG-DOE-2-3-15  
Title: ELECTION PAMPHLETS AND ABSENTEE  
BALLOTS  
Sponsor: LYNN, GARA  
Requester: House 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)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>OPERATING EXPENDITURES</b>	<b>FY 2016</b>	<b>FY 2016</b>					
Personal Services	***		***	***	***	***	***
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	***	0.0	***	***	***	***	***

**Fund Source (Operating Only)**

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

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

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**Estimated SUPPLEMENTAL (FY2015) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2016) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**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:**

Not applicable, initial version.

Prepared By: Gail Fenumiai, Director  
Division: Division of Elections  
Approved By: Guy Bell, Administrative Director  
Agency: Office of the Governor

Phone: (907)465-2644  
Date: 02/02/2015 03:42 PM  
Date: 02/02/15

FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2015 LEGISLATIVE SESSION

BILL NO. HB 13

**Analysis**

This legislation would require the division to print envelopes showing the amount of postage required to return a by-mail ballot. This legislation also repeals the statutes allowing political parties to provide information in the Official Election Pamphlet.

The fiscal impact resulting from the requirement in Section 1, page 2, lines 8-10 of the proposed legislation cannot be accurately determined at this time. This provision would require the envelope used to return a voted by-mail ballot to have the required amount of postage printed on the envelope. At the time the envelopes are printed, the cost of the returning the ballot materials is not known. The division currently includes in the ballot mailer packet a bright colored notice indicating the amount of return postage required.