

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
7259 HOUSE STATE AFFAIRS

REPRESENTATIVE
BEN GRUSSENDORF

1801 HALEBUT POINT ROAD
SIKA, ALASKA 99500
(907) 747-0408

RULES COMMITTEE
LEGISLATIVE COUNCIL

DISTRICT 3
SUPHI COVE
PELICAN
PORT ALEXANDER
SIKA
SENATOR

Alaska State Legislature



House of Representatives
SPEAKER OF THE HOUSE

WHILE IN JUNEAU
P.O. Box V
JUNEAU, ALASKA 99811

(907) 485-0824
(907) 485-0700

MEMORANDUM

To: Rep. Gene Kubina
Chairman
House State Affairs Committee

From: Rep. ^B Ben Grussendorf

Date: February 4, 1992

Re: House Bill 323
"An Act relating to credited service in the public employees retirement system for certain employment with the Alaska Bureau of Indian Affairs"

Thank you for honoring my request to hold a hearing on House Bill 323, of which I am the prime sponsor.

The bill would allow all non-certificated school employees in the Public Employees Retirement System (PERS) to receive credit for years in which they were employed in non-teaching positions in Bureau of Indian Affairs (BIA) schools.

The original version of the legislation that brought these employees into PERS (Senate Bill 469, which became law as Chapter 170 SLA 1984) would have treated them in the same manner as the former BIA teachers: state retirement credit for all the years of BIA service. Unfortunately, the bill that finally passed during the 1984 session had been amended to the point where only two classes of employees could claim BIA service: those who did not have enough BIA service to be vested in the federal system and those who had so much BIA service they were less than three years away from retirement. This result naturally caused much consternation among those employees who were excluded from those classes.

House Bill 323 would rectify the inconsistent treatment of former BIA employees and put them on the same footing as former BIA teachers for purposes of state retirement credit. As with the teachers, any benefit paid through PERS would be reduced by the amount of the benefit they are paid by the federal retirement system for the same years of service.

This issue is of great concern to former BIA employees in my district, specifically a number of non-teacher workers at Mt. Edgecumbe school. I have attached to this memorandum copies of letters received from some of those employees.

Again, thank you for your courtesy in scheduling House Bill 323 bill for hearing before the State Affairs Committee.



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: February 10, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:
 *HCR 43 - Relating to the Twenty-Fourth Annual Girls' State
 *HCR 44 - Relating to the Twenty-Six Annual Boys' State
 *HB 61 - Relating to Childcare Centers in Public Buildings

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
✓ Don Valasco	Local 71	2516 Arctic Bldg Anch	99503	346-3821	2767211	(Y) N	HB 323
✓ Harvey Kitta	Local 71	Box 1199 Sittka AK	99830	747-8930	966-3246	(Y) N	HB 323
Deborah Fehre	Dept of Law	P.O. Box K Juneau AK	99801		465-3600	Y (N)	HB 320
Bob Benytko	AAAP	157 Robinson Ave JUNO	99801			Y (N)	
Dugan Petty	Deputy Director of Admin	State Office Bldg, 700 2nd 99501	99501	465-2000	465-2200	Y N	HB 61 if needed
Anne McLeod	Retiree	State Office Bldg	99501		2253	Y (N)	HB 61
Bob STALNAKER	RETIREMENT BENEFIT	PO Box 1102103 DEPT OF ADMIN 99811		4	4470	(Y) N	HB 323 IF NEEDED
Dugan Petty	POA				2250	(Y) N	HB 61
						Y N	
						Y N	
						Y N	

C.

HB

3 2 4

(7)

HOUSE COMMITTEE REPORT

Date Referred: May 10, 1991

FURTHER REFERRALS:

Finance

Date of Committee Action: 2/12/92

The STATE AFFAIRS Committee considered:

HB 324

HOUSE BILL NO. 324

DISABLED BIDDER PROCUREMENT PREFERENCE

"An Act relating to state procurement preferences for persons with a disability, for persons who hire persons with a disability, and for employment programs for persons with a disability; and providing for an effective date."

RECOMMENDATIONS:

be replaced with CS HB 324 (STA) the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact ADMIN

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) _____

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene D. Kubera</i>	<input checked="" type="checkbox"/>				
<i>David ...</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				

Eugene D. Kubera
CHAIRMAN'S SIGNATURE

7-LS0064M -
Bannister
2/10/92

CS FOR FOR HOUSE BILL NO. 324 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES ELLIS, Brown

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to state procurement preferences for persons with a disability, for persons
2 who hire persons with a disability, and for employment programs for persons with a
3 disability; and providing for an effective date."

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

5 • Section 1. AS 36.30.170(a) is amended to read:

6 (a) Except as provided in (b) - (g) [(b), (c), AND (d)] of this section, the procurement
7 officer shall award a contract based on the solicited bids with reasonable promptness by written
8 notice to the lowest responsible and responsive bidder whose bid conforms in all material
9 respects to the requirements and criteria set out in the invitation to bid.

10 • Sec. 2. AS 36.30.170(c) is amended to read:

11 (c) Except as otherwise provided under (e) or (f) of this section, if [IF] a bidder
12 qualifies under (b) of this section as an Alaska bidder, is offering services through an
13 employment program, and is the lowest responsible and responsive bidder with a bid that is not
14 more than 15 [10] percent higher than the lowest bid [OF A NONRESIDENT], the procurement

1 officer shall award the contract to that bidder. This subsection does not give a bidder who
2 would otherwise qualify for a preference under this subsection a preference over another
3 bidder who would otherwise qualify for a preference under this subsection.

4 * Sec. 3. AS 36.30.170 is amended by adding new subsections to read:

5 (e) If a bidder qualifies under (b) of this section as an Alaska bidder, is a person with
6 a disability, and is the lowest responsible and responsive bidder with a bid that is not more than
7 10 percent higher than the lowest bid, the procurement officer shall award the contract to that
8 bidder. This subsection does not give a bidder who would otherwise qualify for a preference
9 under this subsection a preference over another bidder who would otherwise qualify for a
10 preference under this subsection or (f) of this section.

11 (f) If a bidder qualifies under (b) of this section as an Alaska bidder, if 50 percent or
12 more of the bidder's employees at the time the bid is submitted are persons with a disability, and
13 if the bidder is the lowest responsible and responsive bidder with a bid that is not more than 10
14 percent higher than the lowest bid, the procurement officer shall award the contract to that bidder.
15 The contract must contain a promise by the bidder that the percentage of the bidder's employees
16 who are persons with a disability will remain at 50 percent or more during the contract term.
17 This subsection does not give a bidder who would otherwise qualify for a preference under this
18 subsection a preference over another bidder who would otherwise qualify for a preference under
19 this subsection or (e) of this section.

20 (g) A preference under (c), (e), or (f) of this section is in addition to any other preference
21 for which the bidder qualifies, including the preference under (b) of this section.

22 (h) In this section, "person with a disability" means a person who has a permanent
23 physical or mental impairment that substantially limits one or more major life activities; in this
24 subsection,

25 (1) "major life activities" includes caring for one's self, performing manual tasks,
26 walking, seeing, hearing, speaking, breathing, learning, and working;

27 (2) "physical or mental impairment" means a

28 (A) physiological disorder or condition, cosmetic disfigurement, or
29 anatomical loss affecting one or more of the following body systems: neurological,
30 musculoskeletal, special sense organs, respiratory including speech organs, cardiovascular,
31 reproductive, digestive, genito-urinary, hemic and lymphatic, skin, and endocrine; or

1 (B) mental or psychological disorder, including mental retardation, organic
 2 brain syndrome, emotional or mental illness, and specific learning disabilities.

3 * Sec. 4. AS 36.30.250(b) is amended to read:

4 (b) In determining whether a proposal is advantageous to the state, the procurement
 5 officer shall take into account, in accordance with regulations of the commissioner, whether the
 6 offeror qualifies as an Alaska bidder under AS 36.30.170(b), [OR] is offering the service of an
 7 employment program, or qualifies for a preference under AS 36.30.170(e) or (f).

8 * Sec. 5. AS 36.30.900 is amended to read:

9 Sec. 36.30.900. PRODUCT PREFERENCES. This chapter does not modify
 10 AS 36.15.010 and 36.15.020 regarding preference for Alaska forest products, or AS 36.15.050
 11 and 36.15.060 regarding preference for Alaska agricultural and fisheries products, except as
 12 provided in AS 36.30.170(b), [AND] (c), (e), (f), and (g), and 36.30.339.

13 * Sec. 6. This Act applies to procurements that begin on or after the effective date of this Act.

14 * Sec. 7. This Act takes effect immediately under AS 01.10.070(c).

Rep. Johnny Ellis

Proposed amendments to adopt with new CS for HB 324

Amendment #1

Section 3 New subsection (g) — current (g) will become (h) and (h) will become (i)
Page 2, Line 20

The Division of Vocational Rehabilitation shall add to its current list of qualified employment programs a list of persons who qualify as persons with a disability under (e) of this section and of persons who qualify as employers of persons with 50 percent or more employees being persons with disabilities under (f) of this section. A person must be on this list at the time the bid is opened in order to qualify for a preference under (e) or (f) of this section.

Amendment #2

Section 5

Page 3, line 12

add (h) after (g)

WALTER J. HICKEL, GOVL

DEPARTMENT OF EDUCATION

DIVISION OF VOCATIONAL REHABILITATION

CENTRAL OFFICE
P.O. BOX F
JUNEAU, ALASKA 99811-0581
PHONE: (907) 465-2814
FAX: (907) 465-2856
TTD: (907) 465-2440

February 5, 1992

Representative Johnny Ellis
Alaska State Legislature
Room 204, Capitol
P.O. Box V
Juneau, Alaska, 99811

Re: House Bill No. 324

Dear Representative Ellis:

Thank you for asking the division to respond to your bill allowing preference for qualified work programs and Alaskan business owners who are, or employ, people with disabilities.

Over the last several years there has been a shift in philosophy related to work programs which are owned by or employ persons with disabilities. The shift is away from what have been traditionally known as "sheltered workshops" to community based placements. Because of this shift your bill, as written, would provide incentives for sheltered workshops, supported employment programs and businesses which are either owned by or provide employment to persons with disabilities.

The division endorses H.B. 324 which allows bidder preference for a wide range of employment options for Alaskans with disabilities.

As you know, the Division of Vocational Rehabilitation has the responsibility of identifying qualified employment programs throughout the state. We offer our assistance to the Chief Procurement Officer to further identify bidders who meet the definition as outlined in this bill.

Sincerely,



Stan Ridgeway for
Keith J. Anderson, Director
Division of Vocational Rehabilitation

ALASKA STATE HOUSE

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CHAIR
RULES COMMITTEE

JUDICIARY

SPECIAL COMMITTEE ON INTERNATIONAL
TRADE & TOURISM

LEGISLATIVE COUNCIL

REPRESENTATIVE JOHNNY ELLIS

MEMORANDUM

TO: Representative Gene Kubina
Chair, House State Affairs Committee

FROM: Representative Johnny Ellis *JE*

RE: Scheduling SSHB 324

DATE: January 28, 1992

Please consider scheduling HB 324 for a hearing before your committee. I will be introducing a sponsor substitute which reflects changes I made over the summer.

HB 324 amends Alaska's procurement statutes to make three changes in favor of people with disabilities. It will increase the current procurement preference for employment programs from 10 percent to 15 percent, creates a 10 percent preference for a business that employs more than 50 percent of its workforce with people who experience a disability, and creates a 10 percent preference for a business that is owned by a person with a disability.

The Americans with Disabilities Act (ADA) of 1990 will take effect this July. This mandates the elimination of discrimination against persons with disabilities — a right many Alaskans have been fighting to achieve for years. The purpose of HB 324 is to give an added incentive for businesses to hire people with disabilities. As of now, there are no Alaska for-profit businesses that employ people with disabilities as their main workforce, or any for-profit businesses owned by people with disabilities. As a result, the state gives grants to non-profits and state bonded employment programs to hire people with disabilities and the State's division of Mental Health and Developmental Disabilities gives grants to non-profits for services.

It is time to get rid of the perceptions and attitudes that keep businesses from hiring people with disabilities. People who want to work should have the opportunity to contribute to the workforce. Having a job increases a person's independence and ability for self support and decreases reliance on public funds.

Thank you for your consideration of HB 324.



ISER RESEARCH SUMMARY

Institute of Social and Economic Research, University of Alaska Anchorage

April 1991, R.S. No. 47

What Do Alaskans with Disabilities Need?

More than 20,000 Alaskans—4 percent of the state population—are disabled and live outside institutions. Most of them are getting medical care, but many lack special equipment, information, and other help they need.

These are among the findings of a recent ISER survey of more than 4,300 Alaska households. It is the first survey of its kind in the nation to determine how many disabled persons live on their own and what they need to continue living independently. ISER did the survey for the Division of Vocational Rehabilitation in the Alaska Department of Education, which will use the results to improve services for disabled Alaskans.

What Disabilities Do Alaskans Have?

Most disabled Alaskans have more than one disability. The estimated 22,220 disabled Alaskans living outside institutions report about 61,000 disabilities.

Inability to walk or difficulty walking is the most common disability, followed by arthritis; deafness or hearing loss; learning disabilities; blindness or vision loss; and circulatory or respiratory problems. A variety of other disabilities are less common. (Table 1.)

What Services Do Disabled Alaskans Need?

Figure 1 shows how many disabled Alaskans need specific services, and how many of them are getting what they need.

All disabled Alaskans need medical care, and 85 percent are receiving it—but that leaves 3,400 who aren't.

Most disabled persons also need information on their disabilities and help in getting benefits and in making their problems known. About 70 percent are receiving those services—which means several thousand are not.

Table 1. Most Common Disabilities

Impaired Mobility	19%
Arthritis	12%
Deafness or Hearing Loss	12%
Learning Disability	10%
Blindness or Vision Loss	9%
Circulatory or Respiratory Disorder	8%
Others	30%
Estimated Number of Alaskans with One or More Disabilities	22,220
Average Number per Person	2.75

Many disabled Alaskans also need information on special equipment or the loan of equipment, as well as newsletters to tell them about available services. Fewer than half of those who need equipment information or loans are getting what they need, and only 20 percent are receiving newsletters.

Large numbers of disabled Alaskans also need job training, centralized information and counseling about their disabilities, and support groups. Most (70 percent) are getting job training and counseling, but fewer than half get centralized information and only 20 percent belong to support groups.

What Special Equipment Do Disabled Alaskans Need?

Figure 2 shows kinds of special equipment or information about available technology disabled Alaskans need.

Disabled Alaskans most commonly need devices to help them hear, see, or speak better (either in person or over the telephone); wheelchairs, walkers, and other devices to improve mobility; and building modifications for their homes or offices.

This Research Summary is based on An Assessment of the Needs of Alaska Residents Who Are Disabled, by Virgene Hanna and Jack Kruse. The full report is available from ISER at a cost of 10 cents per page. This publication is printed on recycled paper.

Most of those (85 percent) who need wheelchairs or other aids to mobility have them, and about 60 percent who need devices to help them in face-to-face communication have them. But only about half of those who need modifications to buildings have them, and only 30 percent who need devices to improve telephone communication have them. Additional equipment disabled Alaskans need but relatively few have includes adapted computers and customized vehicles.

Disabled Alaskans also need help keeping track of technological changes. Many need to be evaluated to learn what new technology might help them and to receive ongoing information on new developments. About 70 percent say they have been evaluated, but only about a third receive current information.

Others need help paying for new equipment, and sales and service establishments for specialized equipment. Less than half of those who need such services are getting them.

Summary

Most (but not all) disabled Alaskans are receiving the medical care they need, and most who need wheelchairs, hearing aids, and other kinds of equipment that have been available for many years have them.

What many disabled Alaskans lack are services and equipment that have been developed more recently. These include newsletters that help disabled persons keep track of new technology or treatment, and support groups for people with similar disabilities. Also, many of those who are aware of new equipment are unable to buy or borrow what they need.

Figure 1. What Services Do Disabled Alaskans Need?

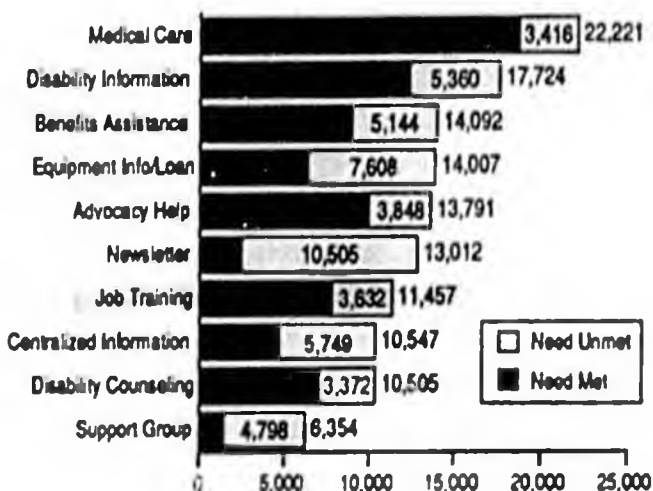
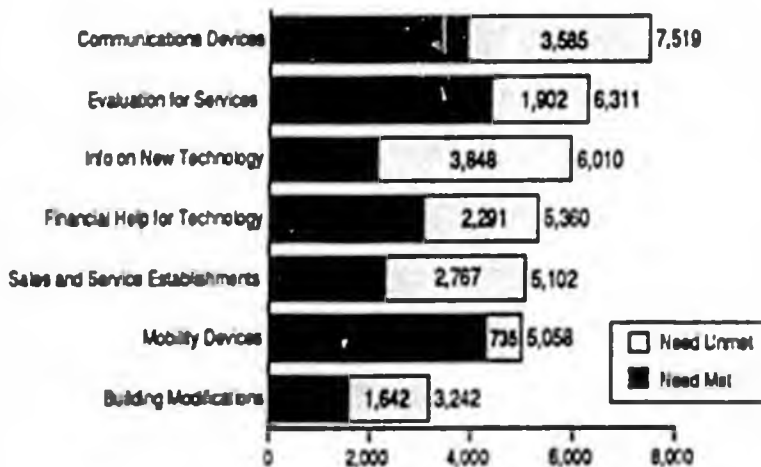


Figure 2. What Equipment and Information Do Disabled Alaskans Need?



Research Summary (No. 47)

Institute of Social and Economic Research
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*Alaska Specialized Education and Training Services, Inc.

Volume 8, Number 2

Winter Issue 1991

ADA and EMPLOYMENT

The Americans With Disabilities Act of 1990, PL 101-336, more commonly known as ADA, mandates the elimination of discrimination against persons with disabilities. It provides statutory deadlines for accomplishing this in the areas of Employment, Public Accommodations, Transportation, State and Local Government Operations, and Telecommunications.

Date of implementation of ADA in the area of employment is broken out into two categories of employers. For those employers who have had twenty-five or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, the implementation date is ~~July 26, 1992~~. For those employers who have had between fifteen and twenty-four employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, the implementation date is July 26, 1994.

Employers may not discriminate against an individual with a disability in hiring or promotion if that person is otherwise qualified for the job. Employers can ask about one's ability to perform a job, but cannot inquire if someone has a disability or subject a person to tests that tend to screen out people with disabilities. Employers will need to provide "reasonable accommodations" to individuals with disabilities; the law does further state that employers do not need to provide accommodations that impose an "undue hardship" on business operations.

At what point do "reasonable accommodations" become an "undue hardship" on business operations? Reasonable accommodation may include:

- (A) making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and
- (B) job restructuring, part-time or modified work schedules,

reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

Undue hardship means an action requiring significant difficulty or expense, when considered in light of the factors set forth in subparagraph (B). In considering whether an accommodation would impose an undue hardship on a covered entity, factors to be considered include:

- (i) the nature and cost of the accommodation needed under this Act;
- (ii) the overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation; the number of persons employed at such a facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility;
- (iii) the overall financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type and location of its facilities; and
- (iv) the type of operation or operations of a covered entity; including the composition, structure, and functions of the workplace of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity;

For more information on ADA and its impact on your business, contact either the Division of Vocational Rehabilitation at 274-9100, Access Alaska at 248-4777 or Advocacy Services of Alaska at 344-1002.

Easing the disabled into the workplace

By DEBORAH A. SAKAMOTO

Mary Hanes, 36, job coach for the disabled. Hanes' career with Alaska Specialized Education Training Services — a non-profit business that trains disabled people for the workplace — started seven years ago when she substituted for a cafeteria worker at ASETS.

The organization's supervisor liked the way she worked with the disabled and offered her a permanent position training both mentally and physically handicapped people to work for various employers in the community.

But before Hanes can train a worker, she has to learn the task at hand herself.

"My supervisor finds an available job and then we try to match it with a worker. A job coach is then selected to train for that job before a worker is trained. I've learned many a job. I'm a jack-of-all-trades. One of the first sites I had was out at the airport learning how to sweep carpets.

"I've learned how to pull carts and work the dishwashers at Humana Hospital. ... We have a contract at the commissary out on base to learn how to stock. I also did janitorial work at the old federal building. They have nine miles of carpet that we had to vacuum every night. That is where a worker dropped a lot of weight.

"We have workers in a veterinary clinic cleaning cages and moving animals and another who works at Alaska Silk Pies. We also have people at Alaska Cleaners.

"We are trying to branch out to other jobs that offer more versatility. We don't want to give them only 'grungy jobs' that no one else wants. We want them to take pride in what they do.

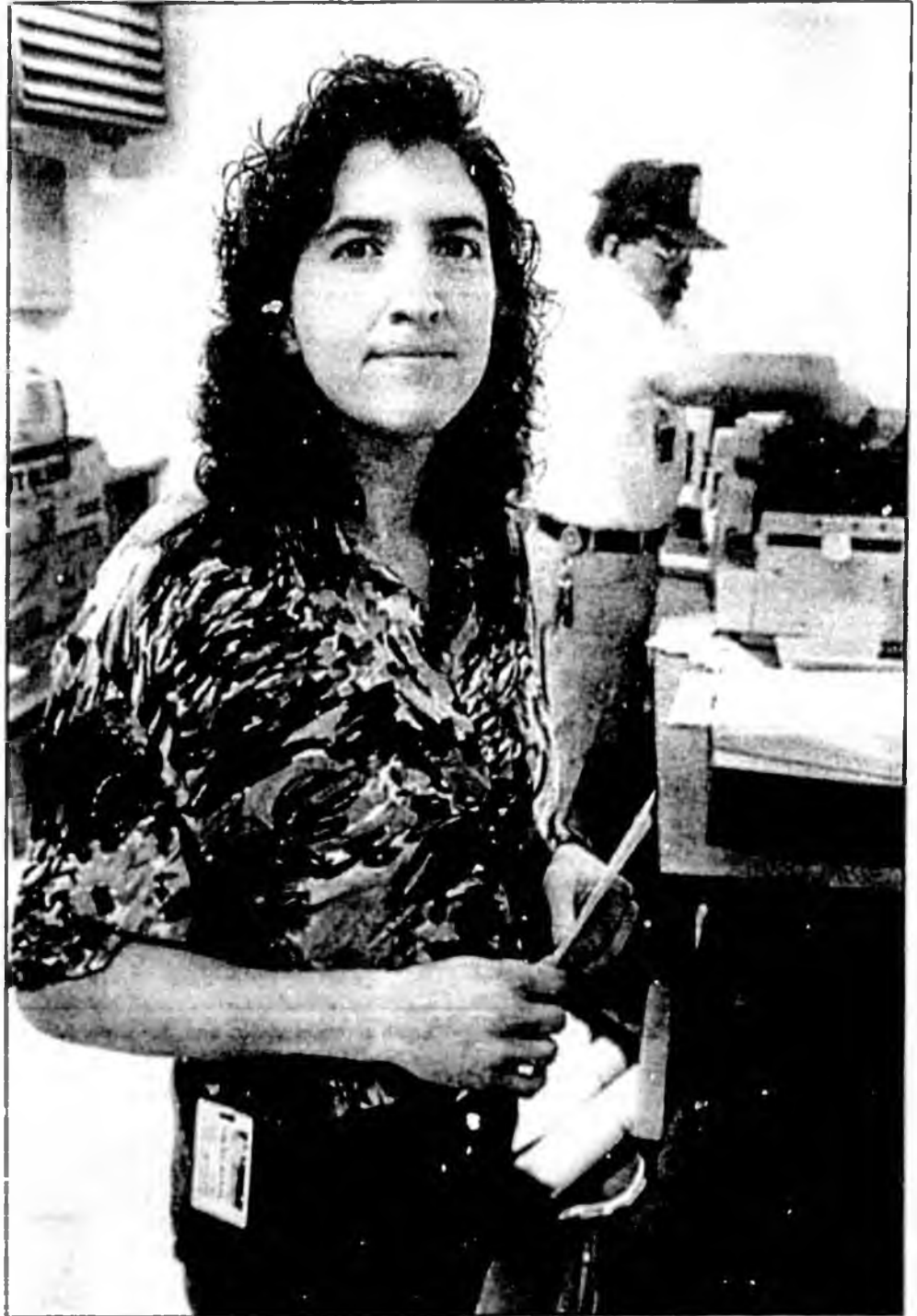
"It gives the disabled a more fulfilling life and is a learning experience for the community. Getting the disabled into the workplace is better than keeping them in sheltered workshops, out of sight.

"In my department ... there are six job coaches, each with about six to eight people on their case load.

"I have no official education for this job. I think it helps coming from a large family because you're used to getting along with all different kinds of people. I have nine brothers and sisters. I'm right in the middle.

The most important trait one must have for this job is the ability to get along with people. It's amazing the amount of patience I've learned since I've had this job. You try and put yourself in their position and realize you have to keep trying different ways to get them to understand (the required task). Each trainee functions at a different level. You have to put yourself in their shoes and try to get the point across to them.

"I'm working with (a disabled person) right now. The (invoicing) machine we are working on is very frustrating. It's frustrating to me, but I can't let him see that. I have to be able to see him if he's frustrated, to see if he can brainstorm that, and then encourage him to take a break.



BOB HALLNER / Anchorage Daily News

"I also have to make sure to tell him that it is OK to be frustrated. He may not even know that it is frustration he's feeling.

"Job proper training, consistent and physically disabled people function wonderfully. I've never had my own business. I would hire disabled people because they are joyful — they

will always be there. They love performing for themselves and getting the feedback that they are doing a wonderful job." ■

Deborah Sakamoto is a Daily News editorial assistant.

Alaska State Legislature

Legislative Research Agency



P.O. Box Y
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Phone: (907) 183-3991
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March 5, 1990

MEMORANDUM

TO: Representative Johnny Ellis

ATTN: Rex Gist

FROM: Carol R. Vandor *CRV*
Legislative Analyst

RE: Bidder's Preference for the Handicapped
Research Request 90.188

You asked if there are any bidder's preference provisions under Alaska state and local government law designed to increase business opportunities for the handicapped. You also wanted to know if any other states had bidder's preference for the handicapped.

Alaska State Law

Chapter 30 under Title 36 of the Alaska Statutes mandates the State Procurement Code. Under A.S. 36.30.170, if a bidder who qualifies as an Alaska bidder is offering services through an employment program, and is the lowest bidder with a bid that is not more than 10 percent higher than the lowest bid of a nonresident, the bid is awarded to that bidder. In other words, the maximum preference for the handicapped under this statute is 10 percent if the handicapped bidder is competing with a nonresident. There is no preference for a handicapped bidder over an Alaska resident. An employment program is defined under A.S. 36.30.990 as a nonprofit program to increase employment opportunities for individuals with physical or mental disabilities that constitute substantial handicaps to employment.¹

¹I thought you might be interested in services available in Alaska for vocational rehabilitation and therefore have included some additional information. The Alaska Division of Vocational Rehabilitation's primary mission is the placement of handicapped workers in occupations that are compatible with their interests and abilities. The division offers an array of comprehensive services to prepare handicapped persons for employment. They include vocational guidance and counseling; vocational evaluation; job training; rehabilitation engineering; physical and mental restoration; and technical assistance to employers. The division also provides, on a limited scale, self-employment opportunities for handicapped persons to start their own business. Attached are three pamphlets which discuss the services provided by the division.

Representative Ellis

March 5, 1990

Page 2

Alaska Local Law

I contacted the purchasing offices of the Municipality of Anchorage, the Fairbanks North Star Borough, and the City and Borough of Juneau. There are no local government laws that provide bidder's preference for the handicapped.

Other State's Laws

In November 1987, the Council of State Governments conducted a preference policy survey for the National Association of State Purchasing Officials. The results of the survey are presented on the attached table which summarizes the preferences for various categories of people, i.e., the handicapped and minorities. I have included statutes from Idaho, Indiana, Louisiana, Maryland, Texas, Washington, and Wisconsin which address preference policies for the handicapped. Following is a brief explanation of these statutes.

Idaho - Products which are manufactured by and services which are provided for nonprofit corporations and public agencies operating rehabilitation facilities serving the handicapped and disadvantaged, and offered for sale at the fair market price as determined by the administrator of the division of purchasing which meet the specific requirement for such products, may be procured by state agencies or departments or any political subdivision of the state from nonprofit corporations or public agencies without advertising or calling for bids.

Indiana - Any agency of the state or unit of local government may buy products and services from any qualified not-for-profit agency for the severely handicapped without advertising or calling for bids. The agency must comply with Indiana laws governing private not-for-profit organizations; be certified as a sheltered workshop by the wage and hour division of the U.S. Department of Labor; and meet the Indiana rehabilitation services and facilities joint standards. To participate, the not-for-profit agency for the severely handicapped must have indicated an interest in supplying the goods and services. Purchases of products and services may be apportioned on an equitable basis among the interested qualified not-for-profit agencies for the severely handicapped. Goods or services must meet the specifications and needs of the purchasing body and must be purchased at a fair market price.

Louisiana - Every governmental body in Louisiana gives a preference in its purchasing practices to goods manufactured and services performed by severely handicapped individuals in state-operated and state-supported sheltered workshops.

Maryland - Maryland has established a Pricing and Selection Committee for Rehabilitation and Employment Programs. The duties of the committee are to establish procedures to govern procurement of supplies and services from sheltered workshops; choose appropriate supplies and services for sheltered workshops to offer for procurement; provide that the state procure those

supplies and services from a sheltered workshop; and determine the fair market price of supplies and services that sheltered workshops provide. In addition, if supplies or services are not available for procurement from a unit of the state government, the committee will determine if the supplies or services are available from a sheltered workshop. The committee will, in accordance with market conditions, adjust prices for the supplies and services that sheltered workshops provide, and at the request of a sheltered workshop, the committee will review or change the price of a supply or service.

Texas - Texas has established a Committee on Purchases of Products and Services of Blind and Severely Disabled Persons. One of the committee's responsibilities is to determine the fair market price of all products and services manufactured by the blind or the handicapped. A suitable product or service that meets applicable specifications established by the state or its political subdivisions and that is available within the time specified must be procured from a nonprofit agency for blind or disabled persons at the price determined by the committee to be the fair market price.

Washington - Washington statute authorizes municipalities to negotiate directly with and to purchase products and services provided by sheltered workshops. The municipality determines the fair market price of the purchases of products and services. To determine the fair market price, a municipality uses the last comparable bid on the product or service or, in the alternative, the last price paid for the product or service. The increased cost of labor, materials, and other documented costs since the last comparable bid or the last price paid are additional cost factors which are considered in determining the fair market price. Washington statute also provides for a preference equal to 10 percent of the total bid amount for the purchase of goods and services from inmate work programs.

Wisconsin - If a sheltered workshop licensed by the Department of Industry, Labor and Human Relations submits a qualified responsible competitive bid with respect to an order or contract that is no more than 2 percent higher than the lowest responsible bid, or a competitive proposal with respect to an order or contract that is no more than 2 percent higher than the most advantageous proposal, the department and any agency making purchases will award the order or contract to that sheltered workshop. If more than one sheltered workshop submits a bid or proposal, the department or other agency will award the order or contract to the one submitting the lowest bid or proposal. This does not apply to purchases of printing and stationery.

If I may be of further assistance, please contact this office.

Attachments

LIFE QUEST

COMPREHENSIVE MENTAL HEALTH SERVICES

Please reply to:

230 E. Paulson, Wasilla, AK 99687
(907) 376-2411 FAX No. 907-376-1626

847 W. Evergreen, Palmer, AK 99645
(907) 745-1000 FAX No. 907-745-6126

P.O. Box 787, Talkeena, AK 99676
(907) 733-2274 FAX No. 907-733-1222

FEB 10 1992

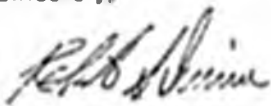
February 4, 1992

The Honorable Gene Kubina, Chair
House of Representatives
House State Affairs Committee
POB V
Juneau AK 99811

Dear Mr. Kubina:

I am writing to seek your support for HB 324 regarding business incentives for people with disabilities. As a community mental health director I have long been involved in trying to create vocational opportunities for people with a mental illness and other related disabilities. Programs which have created special incentives for businesses who hire disabled workers has worked throughout the country. They not only encourage businesses to hire the disabled, but they also encourage the disabled to create their own businesses. On behalf of the many disabled people in Alaska who would like to work, I encourage you to support the passage of HB 324.

Sincerely,



Robert S. Irvine, L.C.S.W., M.B.A.
Chief Executive Officer

lpd

REC'D FEB 10 1992

**Kodiak
Area
Native
Association**



402 Center Avenue
Kodiak, Alaska 99615
Phone (907) 486-5725

January 31, 1992

The Honorable Johnny Ellis, Representative
Alaska State House
P.O. Box 5
Juneau, AK 99811

Reference: House Bill 324, State Procurement Practices

Dear Representative Ellis,

Thank you very much for your letter of January 22, 1992, outlining the provisions of the above-named House Bill, and providing me with a copy of that proposed act. I'd like to thank you for your interest in this very significant Alaska resource, that of workers with disabilities.

I would like to indicate my agency's support for this bill. I think bills such as this are particularly important during times of economic depression, to give people with disabilities that additional competitive edge which they may need.

Again, thank you very much for your concern and this bill.

Sincerely,

KODIAK AREA NATIVE ASSOCIATION
KELLY SIMEONOFF, JR., PRESIDENT

Joe Kelley, CRC
Vocational Rehabilitation
Administrator

JK:kdc

cc: Rita Stevens
Vice President, KANA

3111 C STREET, SUITE 455
ANCHORAGE, ALASKA 99503
(907) 561-7628

WHILE IN SESSION
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3704

ALASKA STATE HOUSE



CHAIR
RULES COMMITTEE

JUDICIARY

SPECIAL COMMITTEE ON INTERNATIONAL
TRADE & TOURISM

LEGISLATIVE COUNCIL

REPRESENTATIVE JOHNNY ELLIS

Business Incentives for People with Disabilities • CS for HB 324

A bill to help implement the Americans with Disabilities Act

What is the purpose of introducing this legislation?

The purpose of this bill is to promote *and deliver* active business involvement between the State of Alaska and persons with a disability — who are either working for themselves, working in an employment program*, or working in a privately owned business which employs more than half its workforce with people who experience a disability.

* Employment programs are nonprofit agencies to increase employment opportunities for individuals who are experiencing mental or physical disabilities. Attached is a list of all statewide employment programs.

What are the changes made in the Committee Substitute?

The CS reflects changes in wording to make sure that the procurement preferences are for competition between residents and non-residents. The original draft was only for non-residents.

What does this legislation do?

This bill amends Alaska Statute Title 36.30 (State Procurement).

36.30.170 (c) is amended to increase the current bidding preference for an employment program from 10 percent to 15 percent. Although this is being increased, the preferences under (e) and (f) of this bill have priority over this group. This is understood from the language *Except as otherwise provided under (e) or (f)*

36.30.170 is amended by adding new sections (e), (f), (g)

36.30.170 (e) creates a 10 percent bidding preference for a person with a disability

36.30.170 (f) creates a 10 percent bidding preference for a business which has more than 50 percent of its workforce comprised of people with a disability.

36.30.170 (g) states that these preferences are in addition to any other preference for which the bidder qualifies.

36.30.170 (h) Uses the Human Rights definition of who qualifies as a person with a disability.

Example: When the State of Alaska solicits a bid for a service they must always accept the lowest responsible and responsive bid (according to current Alaska Statute). Supposing that HB 324 passed and became law, this is what should happen: Let's say the lowest bid was \$100 from an Outside bidder, \$105 from an Alaska bidder, \$110 from a person with a disability and a business who employs more than 50 percent of its workforce of people with a disability, and \$115 from an employment program. Of these bids, the

How does the State benefit?

LONG TERM JOBS FOR ALASKANS

State contracts with employment programs will provide long-term stable employment for persons with a disability, and as long as they are working, they are less likely to require public assistance.

STABLE LABOR POOLS

Unlike other contractors, employment programs are uniquely suited to provide stable labor pools.

SAVES TIME AND MONEY

The State saves time and money soliciting bids and providing follow up calls and letters for a bid — especially if they use services from an employment program before it goes out for a bid.

STATE CERTIFIED WORK PROGRAM • QUALITY

Employment programs offer a much different contractor/contractee relationship because the employment program has been certified by the State division of Vocational Rehabilitation as an employment program, which means that they are qualified and insured and stable.

What else needs to be done?

Current Alaska Administrative Code Regulations (2AAC 12.050) require Alaska procurement officers to maintain a list of employment programs in the State of Alaska, in order to purchase services before the bidding process. More communication is needed between the procurement or purchasing officers within State Agencies and Employment Programs.

Alaska regulations 2AAC 12.050(c) reads

...if it is determined that the requirements cannot be met by supplies or services produced by an employment program, or the price is not reasonable, then the procurement may be made from the private sector...

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 324

Revision Date: _____ Department Affected: Administration

Title: An Act relating to state procure- BRU: General Services

ment preferences for persons with ... Component: Purchasing

Sponsor: Ellis

Requestor: _____ COMPONENT SERIAL NO.

6	0		
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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	52.5	52.5	52.5	52.5	52.5	52.5
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	1.0	1.0	1.0	1.0	1.0	1.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	53.5	53.5	53.5	53.5	53.5	53.5

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	53.5	53.5	53.5	53.5	53.5	53.5
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	53.5	53.5	53.3	53.3	53.5	53.5

POSITIONS:

FULL-TIME	1.0	1.0	1.0	1.0	1.0	1.0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

See attached.

Prepared By: Dugan PREEV Phone: 465-2250

Division: General Services Date: _____

Approved by Commissioner: Nancy Bear Usery

Agency: Administration Date: 2/10/92

FISCAL NOTE ANALYSIS

HB 324

Analysis

The fiscal impact of this bill to agency expenditures depends upon the number of bidders who would qualify for the preference and the instances when they bid on a State solicitation.

Since the adoption of AS 36.30.170 there have been few, if any, bids awarded to employment programs as a result of the existing 10% preference.

The likelihood of fiscal impact to all agency expenditures from section 3 (e) and (f) (10% preference for bidders with a disability or bidders employing the disabled) is greater since there will be more bidders qualifying. It is not possible to determine the potential cost impact to agency expenditures.

The major impact to implementation to central purchasing is the addition of staff necessary to establish procedures and determine when a bidder qualifies for the preference.

Personal Services	
(1 Purchasing Agent II, Range 16)	\$ 52,257.47
Contractual Services	<u>1,000</u>
Total	\$ 53,257.47

This position would establish procedures for determining when a bidder meets the definition set out in this statute and would provide pre-certification that the bidder is a person with a disability or employs a sufficient number of persons with a disability at the time the bid is opened.

Position Title Purchasing Agent II		No. of Positions 1	Range / Step A	Barg. Unit CCU
Time Status PET	Staff Months 12	Location Juneau		Election District 4
TYPE OF EXPENDITURE		AMOUNT		
Salary	369	Justification The position would assist in preparation of procedures to precertify bidders with a disability and bidders who employ persons with a disability. After procedures are completed, the position would certify bidders qualifying for the preference under the terms of the statutes. The certification may involve: reviewing bidders' applications; reviewing and approving proof of the disability; providing an up-to-date list of certified bidders with a disability; and assisting in resolving protests regarding qualifications under this preference.		
Benefits	156			
Premium Pay				
Other				
Total Personal Services	525			
Travel				
Contractual	10			
Commodities				
Equipment				
Other				
Total Cost	535			
FUNDING SOURCE FOR TOTAL COST				
Federal Receipts	1002			
G.P. Match	1003			
General Fund	1004	535		
I-A Receipts	1007			
CIP Receipts	1061			
Other				

6/kg92/00811.kp

Request For New Position

AGENCY ADMINISTRATION

BRU DIVISION OF GENERAL SERVICES

COMPONENT PURCHASING

FY 93

Page 1 of 1
Revised Date: _____

POSITION PAPER
DEPARTMENT OF ADMINISTRATION

Bill Number" HB 324

Contact: Dugan Petty
Phone #: 465-2250

Bill Title: "An Act relating to state procurement preferences
for persons with a disability . . ."

This bill would increase the preference received by Alaska employment programs and create a preference for disabled Alaskan bidders and Alaskan bidders who employ the disabled.

- The current preference an employment program receives when their bids are evaluated would increase from 10% to 15%.
- A 10% cost preference would be required in the evaluation of bids and proposals submitted by a disabled bidder.
- A 10% cost preference would be required in the evaluation of bids and proposals submitted by a bidder if 50% or more of the bidder's employees at the time the bid is submitted are persons with a disability.

The bill could require award in some circumstances to a resident disabled bidder or employment program over a resident bidder. For example:

Type Bidder	Alaska Bidder Preference	Amount Bid	Bid Evaluation
Employment Program	5%	\$ 121	\$ 114.95
Alaska Bidder	5%	\$ 105	\$ 99.75
Non-resident (not qualifying for Alaska bidder's preference)	0%	\$ 100	\$ 100.00

In the above example, award would be made to the employment program because after application of the Alaska bidder's preference the employment program is "not more than 15 percent high than the lowest bid of a nonresident."

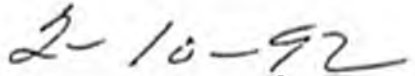
As with all preferences, it will result in additional costs to the State when the preference causes the award to be made to a bidder which has a higher bid but is within the 10% or 15% preference.

The bill does not provide for certification by a competent authority that the bidder qualifies as a "person with a disability" as defined under this bill. The responsibility to determine if a bidder qualifies will fall to the agency personnel assigned to the procurement. Without certification, the preference could lend itself to abuse or create difficulty for the State Procurement Officers to determine who is qualified to receive the preference.

The Department of Administration does not support this bill in its present form because it can result in awards other than the low responsive responsible Alaska bidder and because of difficulties in determining whether the bidder qualifies as a person with a disability.



Nancy Bear Usera
Commissioner



Date

July 12, 1991

Carolyn Morris, Administrative Coordinator
Governor's Committee on Employment of People with Disabilities
P.O. Box 107018
Anchorage, AK 99510-7018

Dear Ms. Morris,

Thank you very much for inviting me to attend the meeting in Anchorage on August 8 and 9, 1991. I am pleased to be able to accept your invitation. As you know HB 155, HB 157 and HB 324 have been referred to the House State Affairs Committee and I am most interested to learn more about disability legislation.

Thank you again for the invitation. I look forward to seeing you in Anchorage.

Sincerely,

Representative Gene Kubina
House State Affairs Committee, Chairman
House of Representatives
District Six

*Governor's Committee on
Employment of People with Disabilities*

Mailing Address: P.O. Box 107018, Anchorage, Alaska 99510-7018

Office Location: 3301 Eagle Street, Suite 203, Anchorage Telephone: 907-264-2631

July 1, 1991

The Honorable Gene Kubina
Chairman
House State Affairs Committee
P.O. Box 1969
Valdez, Alaska 99686

Dear Chairman Kubina:

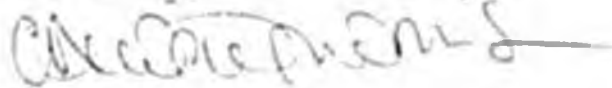
The Governor's Committee on Employment of People with Disabilities (GCEPD) will be meeting Thursday and Friday, August 8 and 9, 1991 in Anchorage. The meeting will be held in the Governor's Conference Room, Suite 758 of the Frontier Building at 3601 "C" Street.

The GCEPD would like to invite you to attend. We have also invited Representative Kay Brown as the sponsor of HB 155 and 157 and Johnny Ellis as the sponsor of HB 324 to join us at 10:00 a.m. Thursday, August 8.

We are pleased to have visiting at that time from Washington, D.C., Mr. Justin Dart, Chair of the President's Committee on Employment of People with Disabilities. We have planned a busy itinerary for Mr. Dart which includes time with the GCEPD. The committee feels that everyone would enjoy and benefit from a meeting which includes sponsors of disability legislation, and others involved with the political process.

The GCEPD is looking forward to hearing from you regarding this invitation.

Sincerely,



Carolyn Morris, Administrative Coordinator



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: February 12, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:

- *HB 324 - Relating to Disabled Bidder Procurement
- *HCR 46 - Relating to Disabled American Veterans Day
- HB 327 - Relating to Primary Elections
- HB 328 - Relating to Public Comment on Proposed Regulations

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Tom Wright	Spec. Comm. on Military & Vet Affairs	CAPITOL, RM 405 JUNEAU	99801		4527	<input checked="" type="radio"/>	N	HCR 46
Anne T. Todd	DOA	7th floor, 5015	99501		2250	Y	<input checked="" type="radio"/>	HB 61 HB 324
✓ DUGAN PETTY	DOA GEN. SV.	Box 110210 7th floor 5015	99501		2250	<input checked="" type="radio"/>	N	HB 61 if needed HB 324
Stan Rittberg	Loc. Pol. L.	801 W 10th St. S. 1. 200	99501		3711	<input checked="" type="radio"/>	N	HB 329
Dr. Bill Stoltze	Longley	CAPITOL RM 11			3711	<input checked="" type="radio"/>	N	SER 29
Robert Bartholomew	DOT IPF	3132 Chertoff Dr			3911	<input checked="" type="radio"/>	<input checked="" type="radio"/>	HB 324
						Y	N	
						Y	N	
						Y	N	
						Y	N	
						Y	N	

1.



House State Affairs Committee

Representative Gene Kubina, Chair

DATE: February 12, 1992

PLACE: Capitol Room 102

SUBJECT OF MEETING:

HCR 16 - Relating to Bone Marrow Donor Week
 SCR 29 - Relating to Bone Marrow Donor Week
 HB 61 - Relating to Child Care

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
Rod Moline	REACH	P.O. Box 34197	99813	3-3526	9-7673	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 324 ✓
Joe Ambrose	REP TAYLOR			41906		<input checked="" type="radio"/> Y <input type="radio"/> N	HB 61 ✓
Donald Gullikson	REACH	P.O. Box 24101	99803	4-2266	3-4411	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 324 ✓
Deborah Behr	DPT OF LAW	P.O. Box K, Juneau, P.O. Box 020 AIC	99803		465-3360	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 328 ✓
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
Walter Smith		lunch 99517 3710 Greenland	99501		248-4777	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 324
Stephen M. ...		lunch 2120 ...	99501		248-4777	<input checked="" type="radio"/> Y <input type="radio"/> N	HB 324
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	
						<input type="radio"/> Y <input type="radio"/> N	

1.

HB

327

7-LS1188b
Casey
3/3/92

CS FOR HOUSE BILL NO. 327 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to preliminary general elections, run-off general elections, special general
2 elections, declarations of affiliation with a political party, and the definition of 'political
3 party'; and providing for an effective date."

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

5 * Section 1. AS 15.15.030(5) is amended to read:

6 (5) The state run-off general election ballot shall be printed on white paper with
7 the names of the candidates [AND THEIR PARTY DESIGNATIONS] placed in separate sections
8 under the office designation to which they were nominated. An official endorsement of a
9 candidate by a political party as provided in AS 15.25.057 shall be noted immediately after
10 the name of the candidate. The party affiliation, if any, shall be designated after the name of
11 the candidate. The lieutenant governor and the governor shall be included under the same
12 section. Blank spaces may not be provided on a run-off general election ballot for the
13 writing or pasting in of names [PROVISION SHALL BE MADE FOR VOTING FOR
14 WRITE-IN AND NO-PARTY CANDIDATES WITHIN EACH SECTION]. The squares

1 appearing on the ballots shall measure 1/4 inch on each side.

2 • Sec. 2. AS 15.15 is amended by adding a new section to read:

3 Sec. 15.15.245. WRITE-IN AND PASTE-IN VOTES PROHIBITED IN RUN-OFF
4 GENERAL ELECTION. A voter may not vote for a person whose name is not on the ballot in
5 a run-off general election. Votes cast for a person whose name is not on the ballot in a run-off
6 general election may not be counted, but writing in a candidate's name for an office does not
7 invalidate votes properly cast in the ballot for other offices.

8 • Sec. 3. AS 15.25.030(a) is amended to read:

9 (a) A person [MEMBER OF A POLITICAL PARTY] who seeks to become a candidate
10 [OF THE PARTY] in the preliminary general [PRIMARY] election shall execute and file a
11 declaration of candidacy. The declaration shall be executed under oath before an officer
12 authorized to take acknowledgments and shall state in substance:

13 (1) the full name of the candidate;

14 (2) the full mailing address of the candidate;

15 (3) if the candidacy is for the office of state senator or state representative, the
16 election or senate district of which the candidate is a resident;

17 (4) the office for which the candidate seeks nomination;

18 (5) whether the candidate is affiliated with a political party and if so the
19 identity of the party [THE NAME OF THE POLITICAL PARTY OF WHICH THE PERSON
20 IS A CANDIDATE FOR NOMINATION];

21 (6) the full residence address of the candidate, and the date on which residency
22 at that address began;

23 (7) the date of the preliminary general [PRIMARY] election at which the
24 candidate seeks nomination;

25 (8) the length of residency in the state and in the district of the candidate;

26 (9) that the candidate will meet the specific citizenship requirements of the office
27 for which the person is a candidate;

28 (10) that the candidate is a qualified voter as required by law;

29 (11) that the candidate will meet the specific age requirements of the office for
30 which the person is a candidate;

31 (12) that the candidate requests that the candidate's name be placed on the

1 preliminary general [PRIMARY] election ballot;

2 (13) that the required fee accompanies the declaration;

3 (14) that the person is not a candidate for any other office to be voted on at the
4 preliminary general election or run-off [PRIMARY OR] general election and that the person
5 is not a candidate for this office under any other declaration of candidacy or nominating petition;
6 and

7 (15) the manner in which the candidate wishes the candidate's name to appear
8 on the ballot [; AND

9 (16) THAT THE CANDIDATE IS REGISTERED TO VOTE AS A MEMBER
10 OF THE POLITICAL PARTY WHOSE NOMINATION IS BEING SOUGHT],

11 * Sec. 4. AS 15.25.040(a) is amended to read:

12 (a) The declaration is filed by either

13 (1) the actual physical delivery of the declaration in person or by mail at or before
14 5:00 p.m., prevailing time, June 1 of the year in which a run-off general election is held for the
15 office; or

16 (2) the actual physical delivery by telegram or facsimile of a copy in substance
17 of the statements made in paragraphs (1) - (5) of the declaration as required by AS 15.25.030(a)
18 at or before 5:00 p.m., prevailing time, June 1 of the year in which a run-off general election
19 is held for the office and also the actual physical delivery of the declaration containing
20 paragraphs (1) - ~~(15)~~ [(16)] as required by AS 15.25.030(a) by certified or registered mail that
21 [WHICH] is received not more than 15 days after that time.

22 * Sec. 5. AS 15.25 is amended by adding a new section to read:

23 Sec. 15.25.057. OFFICIAL ENDORSEMENT OF CANDIDATES BY POLITICAL
24 PARTIES. A political party may officially endorse candidates for each office in an election. A
25 political party may prescribe and follow its own rules and procedures in determining the party's
26 official endorsement of candidates. If the candidate consents, notice of an official endorsement
27 of a candidate by a political party shall be placed by the director immediately after the name of
28 the candidate on preliminary general election and run-off general election ballots.

29 * Sec. 6. AS 15.25.060 is amended to read:

30 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The
31 preliminary general [PRIMARY] election ballot shall be prepared and distributed by the director

1 in the manner prescribed for run-off general election ballots except as specifically provided
2 otherwise for the preliminary general [PRIMARY] election. The director shall place the names
3 of all candidates who have properly filed in groups according to offices filed for, without regard
4 to party affiliation. The names for each office shall be rotated as provided for the run-off
5 general election ballot. Blank [NO BLANK] spaces shall be provided on the ballot for the
6 purpose of permitting voters to vote for candidates not appearing on the ballot by writing
7 or pasting in [OF] names. The director shall note an official endorsement of a candidate by
8 a political party under AS 15.25.057 immediately after the candidate's name.

- 9 • Sec. 7. AS 15.25.070 is amended to read:

10 Sec. 15.25.070. WRITE-IN OR PASTE-IN VOTING [SPECIAL PROVISIONS ON
11 COUNTING BALLOTS]. A voter may [NOT] vote in a preliminary general election for a
12 person whose name is not on the ballot by writing or pasting in the name of the person
13 receiving the vote [VOTES CAST FOR A PERSON WHOSE NAME IS NOT ON THE
14 BALLOT MAY NOT BE COUNTED, BUT WRITING IN A CANDIDATE'S NAME DOES
15 NOT INVALIDATE THE ENTIRE BALLOT].

- 16 • Sec. 8. AS 15.25.100 is repealed and reenacted to read:

17 Sec. 15.25.100. ELECTION IN PRELIMINARY GENERAL ELECTION FOR OFFICE
18 OTHER THAN GOVERNOR OR LIEUTENANT GOVERNOR. (a) A candidate for a state
19 office other than governor or lieutenant governor who receives more than 50 percent of the votes
20 cast for that office in a preliminary general election shall be declared elected.

21 (b) For a state office other than governor and lieutenant governor, if no candidate
22 receives more than 50 percent of the votes cast for that office in a preliminary general election,
23 the director shall place on the run-off general election ballot the names of the two candidates who
24 received the most votes in the preliminary general election.

25 (c) If a candidate for state office other than governor or lieutenant governor nominated
26 at the preliminary general election dies, withdraws, resigns, or becomes disqualified from holding
27 the office for which the candidate is nominated, the vacancy shall be filled by the candidate, if
28 any, for the same office in the preliminary general election who received the most votes among
29 candidates not otherwise placed on the run-off general election ballot.

30 (d) Party affiliation is irrelevant in determining candidates who receive the most votes
31 for office in a preliminary general election.

1 • Sec. 9. AS 15.25.110 is repealed and reenacted to read:

2 Sec. 15.25.110. PLACEMENT ON RUN-OFF GENERAL ELECTION BALLOT OF
3 NOMINEES FOR GOVERNOR. (a) The director shall place on a run-off general election ballot
4 the names of the two candidates who received the most votes for governor in the preliminary
5 general election.

6 (b) If a candidate for governor nominated at the preliminary general election dies,
7 withdraws, resigns, or becomes disqualified from holding office for which the candidate is
8 nominated, the vacancy shall be filled by the candidate, if any, for governor in the preliminary
9 general election who received the most votes among candidates not otherwise placed on the run-
10 off general election ballot.

11 (c) Party affiliation is irrelevant in determining candidates who receive the most votes
12 for governor in a preliminary general election, run-off general election, or special general
13 election.

14 • Sec. 10. AS 15.25.120 is repealed and reenacted to read:

15 Sec. 15.25.120. PLACEMENT ON RUN-OFF GENERAL ELECTION BALLOT OF
16 NOMINEES FOR LIEUTENANT GOVERNOR. (a) On a run-off general election ballot, the
17 director shall join with the candidate for governor who received the most votes in the preliminary
18 general election the name of the candidate, if any, of the same political party who received the
19 most votes for lieutenant governor in the preliminary general election.

20 (b) If candidates for governor on a run-off general election ballot are not affiliated with
21 the same political party, the director shall join with the candidate for governor who received the
22 second most votes in the preliminary general election the name of the candidate, if any, of the
23 same political party who received the most votes for lieutenant governor in the preliminary
24 general election.

25 (c) If both candidates for governor on a run-off general election ballot are of the same
26 political party, the director shall join with the candidate for governor who received the second
27 most votes in the preliminary general election the name of the candidate of the same political
28 party, if any, who received the second most votes for lieutenant governor in the preliminary
29 general election.

30 (d) A candidate for governor in a run-off general election who is affiliated with a
31 political party and who is not joined with a candidate for lieutenant governor under (a) - (c) of

1 this section shall select a nominee for lieutenant governor of the same political party under (h)
2 of this section and run jointly with that nominee in the run-off general election. The director
3 shall join on a run-off general election ballot the names of candidates for governor and lieutenant
4 governor running jointly under this section.

5 (e) If a candidate for governor in a preliminary general election who is not affiliated with
6 a political party is nominated to run in the run-off general election, the director shall join that
7 candidate on the run-off general election ballot with the candidate for lieutenant governor who
8 received the most votes in the preliminary general election and who is not otherwise joined with
9 a candidate for governor under (a) - (d) of this section. If neither candidate for governor in a
10 run-off general election is affiliated with a political party, the director shall join the candidate for
11 governor receiving the second most votes in the preliminary general election on the run-off
12 general election ballot with the name of the candidate for lieutenant governor who received the
13 second most votes in the preliminary general election.

14 (f) A candidate for governor in a run-off general election who is not affiliated with a
15 political party and who is not otherwise joined with a candidate for lieutenant governor under (e)
16 of this section shall select a nominee for lieutenant governor under (h) of this section and run
17 jointly with that nominee in the run-off general election. The director shall join on the run-off
18 general election ballot the names of candidates for governor and lieutenant governor running
19 jointly under this section.

20 (g) A candidate for governor in a run-off general election who is joined with a candidate
21 for lieutenant governor who dies, withdraws, resigns, or becomes disqualified from serving as
22 lieutenant governor shall be joined with a replacement candidate for lieutenant governor
23 determined by (a) - (f) of this section.

24 (h) Nomination of a lieutenant governor for the purpose of (d) or (f) of this section is
25 accomplished by physical delivery to the director, no later than 48 days before the date of the
26 run-off general election, of a signed written notice of selection by the candidate for governor and
27 a signed written notice of acceptance of selection by the candidate for lieutenant governor.
28 Disclosure of a candidate's affiliation with a political party and all information and
29 representations listed in AS 15.25.030(a)(1) - (15) and 15.25.030(b) must be contained in a
30 candidate's notice of acceptance under this subsection.

31 • Sec. 11. AS 15.40.180 is repealed and reenacted to read:

1 Sec. 15.40.180. SELECTION OF NOMINEES IN MANNER PROVIDED FOR RUN-
2 OFF GENERAL ELECTION. If the vacancy in the office of the United States representative
3 occurs one calendar month or more before the filing date for the preliminary general election,
4 candidates for the special general election shall be nominated in the manner provided for the
5 nomination of candidates for run-off general elections.

6 • Sec. 12. AS 15.40.270 is repealed and reenacted to read:

7 Sec. 15.40.270. SELECTION OF NOMINEES IN MANNER PROVIDED FOR RUN-
8 OFF GENERAL ELECTION. If a vacancy in the office of the governor or the lieutenant
9 governor occurs one calendar month or more before the filing date for the preliminary general
10 election, candidates for the special general election shall be nominated in the manner provided
11 for the nomination of candidates for run-off general elections..

12 • Sec. 13. AS 15.58.030(b) is amended to read:

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

23 • Sec. 14. AS 15.60.010(20) is repealed and reenacted to read:

24 (20) "political party" means an organized group of voters who represent a political
25 program and with whom at least one candidate, who received at least three percent of the total
26 votes cast for that office in the preceding preliminary general election, declared affiliation under
27 AS 15.25.030(a).

28 • Sec. 15. AS 39.50.020(b) is amended to read:

29 (b) The governor, lieutenant governor, members of the legislature, judicial officers, each
30 commissioner, head or deputy head of, or director of a division within, a department in the
31 executive branch, assistant to the governor or chairman or member of a commission or board

1 required to report under this chapter, shall file the statement with the Alaska Public Offices
2 Commission. Candidates for the office of governor, lieutenant governor, and the legislature shall
3 file the statement under AS 15.25.030 [OR 15.25.180]. Municipal officers, and candidates for
4 elective municipal office, shall file with the municipal clerk or other municipal official designated
5 to receive their filing for office. All statements required to be filed under this chapter are public
6 records.

7 • Sec. 16. AS 15.25.056, 15.25.130, 15.25.140, 15.25.150, 15.25.160, 15.25.170, 15.25.180,
8 15.25.190, 15.25.200; AS 15.40.090, 15.40.100, 15.40.110, 15.40.120, 15.40.190, 15.40.200, 15.40.210,
9 15.40.280, 15.40.290, 15.40.300, 15.40.430, 15.40.440, 15.40.450, and 15.40.460 are repealed.

10 • Sec. 17. IMPLEMENTING NAME CHANGES. To be consistent with the name changes made by
11 this Act, wherever in the Alaska Statutes, and in regulations adopted under those statutes, "primary" or
12 "primary election" is used, it shall be read as referring to a "preliminary general election." Wherever
13 in the Alaska Statutes, and in regulations adopted under those statutes, "general election" is used, it shall
14 be read as referring to a "run-off general election." Wherever in the Alaska Statutes, and in regulations
15 adopted under those statutes, "special election" is used, it shall be read as referring to a "special general
16 election." Under AS 01.05.031, the revisor of statutes shall implement this section in the statutes, and,
17 under AS 44.62.125(b)(6), the regulations attorney shall implement the section in the administrative
18 regulations.

19 • Sec. 18. This Act takes effect June 1, 1992.

7-LS1181VP
Dierdorff
2/27/92

CS FOF HOUSE BILL NO.327 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to primary election ballots and nomination for general elections; and
2 providing for an effective date."

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

4 * Section 1. INTENT. The legislature is passing this Act in response to Tashjian v. Republican Party
5 of Connecticut, 479 U.S. 208 (1986). If it is determined that the case does not apply in this state, it is
6 the intent of the legislature to repeal this Act and return to an open primary election.

7 * [Sec. 2. AS 15.25.060 is amended by adding a new subsection to read:

8 (b) If the election is not an open primary under AS 15.25.070(b), the director shall place
9 on the ballot the name of each political party that has delivered its rules and evidence of
10 preclearance to the director under AS 15.25.070(a). If a voter is eligible to vote for an affiliated
11 candidate under the rules of a party named on the ballot under this subsection, an election official
12 shall indicate on the ballot either

13 (1) the party affiliation of the voter; or

14 (2) that the voter is not affiliated with a political party if the rules of a party

* replaced with text
that follows

1 named on the ballot allow the vote of a nonaffiliated voter to be counted in the primary election.]

- 2 • Sec. 3. AS 15.25.070 is amended to read:

3 Sec. 15.25.070. SPECIAL PROVISIONS ON COUNTING BALLOTS. A voter may not
4 vote for a person whose name is not on the ballot. Votes cast for a person whose name is not on
5 the ballot may not be counted, but writing in a candidate's name does not invalidate the entire
6 ballot. Votes cast for a candidate by all voters and votes cast for a candidate by voters
7 whose votes are permitted, by the rules of the political party with whom the candidate is
8 affiliated, to be counted for election to that office, shall be separately counted.] In this
9 section, a political party's rules permit the votes of all qualified voters to be counted, unless
10 the political party delivers to the director

11 (1) at least 150 days before the date of the election, a written copy of rules
12 providing otherwise; and

13 (2) at least 90 days before the date of election, evidence that the rules have
14 been precleared by the federal government.

- 15 • Sec. 4. AS 15.25.070 is amended by adding a new subsection to read:

16 (b) If no political party delivers to the director its rules and evidence of preclearance
17 under (a) of this section, the election shall be conducted as an open primary and the votes of all
18 qualified voters shall be counted in nominating candidates.

- 19 • Sec. 5. AS 15.25.100 is amended to read:

20 Sec. 15.25.100. PLACEMENT OF NOMINEES ON GENERAL ELECTION BALLOT.
21 The director shall place on the general election ballot the name of the candidate receiving the
22 highest number of votes for an office cast by voters whose votes are permitted, by the rules
23 of the [A] political party with whom the candidate is affiliated, to be counted for election to
24 that office. [In this section, a political party's rules permit the votes of all qualified voters
25 to be counted in nominating a candidate to a general election ballot, unless the political
26 party delivers to the director

27 (1) at least 150 days before the date of the primary election, a written copy
28 of rules providing otherwise; and

29 (2) at least 90 days before the election, evidence that the rules have been
30 precleared by the federal government [ON THE GENERAL ELECTION BALLOT].

- 31 • Sec. 6. This Act takes effect immediately under AS 01.10.070(c).]

Section 2. AS 15.25.060 is amended by adding a new subsection to read:

(b) If the election is not an open primary under AS 15.25.070 (b), the director shall promulgate regulations to implement an election which meets the requirements of individual political party rules following the delivery of its rules and evidence of preclearance to the director under AS 15.25.070(a).

7-LS1188E

Cook

2/22/92

CS FOR HOUSE BILL NO. 327 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:

Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to primary election ballots and nomination for general elections; and
2 providing for an effective date."

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

4 * Section 1. INTENT. The legislature is passing this Act in response to Tashjian v. Republican Party
5 of Connecticut, 479 U.S. 208 (1986). If it is determined that the case does not apply in this state, it is
6 the intent of the legislature to repeal this Act and return to an open primary election.

7 * Sec. 2. AS 15.25.070 is amended to read:

8 Sec. 15.25.070. SPECIAL PROVISIONS ON COUNTING BALLOTS. A voter may not
9 vote for a person whose name is not on the ballot. Votes cast for a person whose name is not on
10 the ballot may not be counted, but writing in a candidate's name does not invalidate the entire
11 ballot. Votes cast for a candidate by all voters and votes cast for a candidate by voters
12 whose votes are permitted, by the rules of the political party with whom the candidate is
13 affiliated, to be counted for election to that office, shall be separately counted. In this
14 section, a political party's rules permit the votes of all qualified voters to be counted, unless

1 the political party delivers to the director

2 (1) at least 150 days before the date of the election, a written copy of rules
3 providing otherwise; and

4 (2) at least 90 days before the date of election, evidence that the rules have
5 been precleared by the federal government.

6 * Sec. 3. AS 15.25.100 is amended to read:

7 Sec. 15.25.100. PLACEMENT OF NOMINEES ON GENERAL ELECTION BALLOT.

8 The director shall place on the general election ballot the name of the candidate receiving the
9 highest number of votes for an office cast by voters whose votes are permitted, by the rules
10 of the [A] political party with whom the candidate is affiliated, to be counted for election to
11 that office. In this section, a political party's rules permit the votes of all qualified voters
12 to be counted in nominating a candidate to a general election ballot, unless the political
13 party delivers to the director

14 (1) at least 150 days before the date of the primary election, a written copy
15 of rules providing otherwise; and

16 (2) at least 90 days before the election, evidence that the rules have been
17 precleared by the federal government [ON THE GENERAL ELECTION BALLOT].

18 * Sec. 4. This Act takes effect immediately under AS 01.10.070(c).

7-LS1188Y ✓
Casey
2/18/92

CS FOR HOUSE BILI. NO. 327 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to primary election ballots, voter registration, and nomination for general
2 elections."

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

4 * Section 1. AS 15.07.070(d) is amended to read:

5 (d) Qualified voters may register in person before a registration official at any time
6 throughout the year. A [. EXCEPT THAT A] person registering within 30 days preceding an
7 election may not vote at that election. unless the registration consists only of changing political
8 party affiliation. Upon receipt and approval of the registration forms the director or the election
9 supervisor shall forward to the voter an acknowledgment in the form of a registration card and
10 the voter's name shall immediately be placed on the master register located in the office of the
11 director and on the district register located in the office of the election supervisor. Names of
12 persons registering 30 or more days before an election shall be placed on the official registration
13 list for that election.

14 * Sec. 2. AS 15.25.010 is amended to read:

1 Sec. 15.25.010. PROVISION FOR PRIMARY ELECTION. Candidates for the elective
2 state executive and state and national legislative offices who state an affiliation with a political
3 party in a declaration of candidacy under AS 15.25.030 shall be nominated in a primary
4 election by direct vote of the people in the manner prescribed by this chapter.

5 * Sec. 3. AS 15.25.060 is amended to read:

6 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF PRIMARY ELECTION
7 BALLOTS. There shall be only one ballot for a primary election. The primary election ballot
8 shall be prepared and distributed by the director in the manner prescribed for general election
9 ballots except as specifically provided otherwise for the primary election. The director shall
10 place the names of all candidates who have properly filed under AS 15.25.030 in groups
11 according to offices filed for, without regard to party affiliation. The names for each office shall
12 be rotated as provided for the general election ballot. No blank spaces shall be provided on the
13 ballot for the writing or pasting in of names.

14 * Sec. 4. AS 15.25.090 is amended by adding a new subsection to read:

15 (b) A person qualified to vote in a primary election may vote for a candidate whose
16 name appears on the primary election ballot without regard to political party affiliation.

17 * Sec. 5. AS 15.25.100 is repealed and reenacted to read:

18 Sec. 15.25.100. PLACEMENT OF NOMINEES ON GENERAL ELECTION BALLOT.

19 (a) A candidate receiving the highest number of votes in a primary election among all candidates
20 for an office who declared affiliation with the same political party under AS 15.25.030 is
21 nominated for the general election ballot.

22 (b) A candidate who does not declare affiliation with a political party under
23 AS 15.25.030(a) may be nominated for the general election ballot as provided in AS 15.25.140 -
24 15.25.190.

25 * Sec. 6. AS 15.25.150 is amended to read:

26 Sec. 15.25.150. DATE OF FILING PETITION. The petition is filed with the director
27 by actual physical delivery in person at or before 5:00 p.m., prevailing time, on the day of the
28 primary election [AUGUST 1 IN THE YEAR IN WHICH A GENERAL ELECTION IS HELD
29 FOR THE OFFICE], or by actual physical delivery to the director by registered or certified mail,
30 return receipt requested that [WHICH] is postmarked at or before 5:00 p.m., prevailing time, on
31 the day of the primary election [AUGUST 1 IN THE YEAR IN WHICH A GENERAL

1 ELECTION IS HELD FOR THE OFFICE], and received not more than 15 days after that time.
2 If the postmark is illegible, a dated receipt from the post office where dispatched shall be
3 acceptable as evidence of mailing. [IF AUGUST 1 IS A SUNDAY OR HOLIDAY, THE
4 DEADLINES FOR POSTMARKING AND RECEIPT OF THE PETITION SHALL BE
5 EXTENDED 24 HOURS IN EACH INSTANCE.]

7-LS1188D
Gaguine
10/31/91

CS FOR HOUSE BILL NO. 327 (STATE AFFAIRS)
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to primary elections and declarations of affiliation with a political party."

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

3 • Section 1. AS 15.07 is amended by adding a new section to read:

4 Sec. 15.07.062. DESIGNATION OF POLITICAL AFFILIATION. (a) The director shall
5 provide a person registering to vote under this chapter with the opportunity to declare affiliation
6 with a political party or to declare no affiliation with a party. The director shall explain that a
7 person registering is not required to furnish information relating to party affiliation, and that the
8 information furnished by the person, or the person's failure to furnish information, might affect
9 the person's eligibility to vote in a primary election that has been limited under AS 15.25.060(b).
10 The director may satisfy the requirement of this section by including the explanation on a voter
11 registration form that the director may distribute.

12 (b) A person who has previously registered to vote under this chapter may declare an
13 affiliation or nonaffiliation with a political party, or change a previously declared affiliation, at
14 any time. The director shall provide an opportunity at every polling place for a registered voter

1 to declare or change an affiliation.

2 • Sec. 2. AS 15.25.060 is amended to read:

3 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The primary
4 election ballot shall be prepared and distributed by the director in the manner prescribed for
5 general election ballots except as specifically provided otherwise for the primary election.
6 Except when (b) of this section otherwise requires, the [THE] director shall place the names
7 of all candidates who have properly filed in groups according to offices filed for, without regard
8 to party affiliation. The names for each office shall be rotated as provided for the general
9 election ballot. No blank spaces shall be provided on the ballot for the writing or pasting in of
10 names.

11 • Sec. 3. AS 15.25.060 is amended by adding new subsections to read:

12 (b) If (1) the central committee or other governing body of a political party adopts a rule
13 that, notwithstanding AS 15.25.010 - 15.25.130, nominees of the party may not be chosen by a
14 primary election open to all voters, but rather shall be chosen by a primary election limited to
15 voters whose political affiliation or nonaffiliation is designated by the party rules; and (2) the
16 central committee or other governing body of the party delivers a copy of the rule to the director,
17 no later than March 1 of the year in which a primary election is to take place, the director shall
18 prepare a separate ballot listing only the candidates of that party, and shall authorize the
19 distribution of that ballot only to the registered voters who are eligible to vote in that party's
20 primary under the party rule. Candidates who are listed on a separate ballot under this subsection
21 may not be listed on the ballot described in (a) of this section. The names of the candidates for
22 each office shall be rotated as provided for the general election ballot, and no blank spaces shall
23 be provided on the ballot for the writing or pasting in of names.

24 (c) If at a primary election under AS 15.25.010 there is more than one ballot available,
25 a registered voter may choose which ballot the voter wishes to use. A voter may not be given
26 more than one ballot, and may not be given a ballot of a political party if under the rules of that
27 party, as delivered to the director under (b) of this section, the voter would not be eligible to vote
28 in that party's primary election.

29 (d) If the director is required to prepare separate ballots for all political parties under (b)
30 of this section, the director is not required to prepare a ballot under (a) of this section.

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 327 (STATE AFFAIRS)

Page 1, line 1:

Delete "ballots and"

Insert "ballots,"

After "general elections"

Insert ", and the deadline for filing petitions to appear on general election ballots"

Page 2, after line 17:

Insert a new bill section to read:

"Sec. 4. AS 15.25.150 is amended to read:

Sec. 15.25.150. DATE OF FILING PETITION. The petition is filed with the director by actual physical delivery in person at or before 5:00 p.m., prevailing time, on the date set by AS 15.25.020 for the primary election [AUGUST 1] in the year in which a general election is held for the office [, OR BY ACTUAL PHYSICAL DELIVERY TO THE DIRECTOR BY REGISTERED OR CERTIFIED MAIL RETURN RECEIPT REQUESTED WHICH IS POSTMARKED AT OR BEFORE 5:00 P.M., PREVAILING TIME, AUGUST 1 IN THE YEAR IN WHICH A GENERAL ELECTION IS HELD FOR THE OFFICE, AND RECEIVED NOT MORE THAN 15 DAYS AFTER THAT TIME. IF THE POSTMARK IS ILLEGIBLE, A DATED RECEIPT FROM THE POST OFFICE WHERE DISPATCHED SHALL BE ACCEPTABLE AS EVIDENCE OF MAILING. IF AUGUST 1 IS A SUNDAY OR HOLIDAY, THE DEADLINES FOR POSTMARKING AND RECEIPT OF THE PETITION SHALL BE EXTENDED 24 HOURS IN EACH INSTANCE]."

Renumber the following bill section accordingly.

A M E N D M E N T

OFFERED IN THE HOUSE

TO: CSHB 327 (STATE AFFAIRS)

Page 1, line 1:

Delete "ballots and"

Insert "ballots,"

After "general elections"

Insert ", and voter registration"

Page 1, after line 6:

Insert a new bill section to read:

"* Sec. 2. AS 15.07.070(d) is amended to read:

(d) Qualified voters may register in person before a registration official at any time throughout the year. A [, EXCEPT THAT A] person registering within 30 days preceding an election may not vote at that election, unless the registration consists only of changing political party affiliation. Upon receipt and approval of the registration forms the director or the election supervisor shall forward to the voter an acknowledgment in the form of a registration card and the voter's name shall immediately be placed on the master register located in the office of the director and on the district register located in the office of the election supervisor. Names of persons registering 30 or more days before an election shall be placed on the official registration list for that election."

Renumber the following bill sections accordingly.

SYNOPSIS OF GRUENBERG AMENDMENT TO HB 327

Briefly, the substitute bill does the following:

1. Allows any political party to endorse candidates in any election under its rules and procedures. Notice of an endorsement must be placed on the ballot immediately after the candidate's name. (Secs. 5 and 1).
2. All voters will receive the same ballot, containing the names of all candidates (present law). All candidates, partisan and non-partisan, must declare by June 1 (present law). Write-ins are permitted only in the primary (preliminary general) election. The dates of that election and the general ("runoff") elections remain unchanged.
3. Candidates, other than Governor, receiving more than 50 percent of the votes cast for that office in the preliminary general election are elected. If no candidate receives more than 50 percent of the vote for an office other than Governor, the top two candidates, regardless of party, advance to the runoff general election (Sec. 8). Because the Alaska Constitution requires that the voters be allowed to vote for a governor-lieutenant governor ticket in November, the top two governor candidates, regardless of party, advance to the runoff general election (Sec. 9). The top governor candidate will be paired with the top lieutenant governor candidate of the same party for the runoff. (Sec. 9)

7-LS1188M
Casey
2/4/92

*potential amendment
to HB 327*

By Gruenberg

CS FOR HOUSE BILL NO. 327 ()
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): HOUSE STATE AFFAIRS COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to preliminary general elections, run-off general elections, and declarations
2 of affiliation with a political party."

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

4 • Section 1. AS 15.15.030(5) is amended to read:

5 (5) The state run-off general election ballot shall be printed on white paper with
6 the names of the candidates [AND THEIR PARTY DESIGNATIONS] placed in separate sections
7 under the office designation to which they were nominated. An official endorsement of a
8 candidate by a political party as provided in AS 15.25.057 shall be noted immediately after
9 the name of the candidate. The party affiliation, if any, shall be designated after the name of
10 the candidate. The lieutenant governor and the governor shall be included under the same
11 section. Blank spaces may not be provided on a run-off general election ballot for the
12 writing or pasting in of names [PROVISION SHALL BE MADE FOR VOTING FOR
13 WRITE-IN AND NO-PARTY CANDIDATES WITHIN EACH SECTION]. The squares
14 appearing on the ballots shall measure 1/4 inch on each side.

1 • Sec. 2. AS 15.15 is amended by adding a new section to read:

2 Sec. 15.15.245. WRITE-IN AND PASTE-IN VOTES PROHIBITED IN RUN-OFF
3 GENERAL ELECTION. A voter may not vote for a person whose name is not on the ballot in
4 a run-off general election. Votes cast for a person whose name is not on the ballot in a run-off
5 general election may not be counted, but writing in a candidate's name for an office does not
6 invalidate votes properly cast in the ballot for other offices.

7 • Sec. 3. AS 15.25.030(a) is amended to read:

8 (a) A person [MEMBER OF A POLITICAL PARTY] who seeks to become a candidate
9 [OF THE PARTY] in the preliminary general [PRIMARY] election shall execute and file a
10 declaration of candidacy. The declaration shall be executed under oath before an officer
11 authorized to take acknowledgments and shall state in substance:

12 (1) the full name of the candidate;

13 (2) the full mailing address of the candidate;

14 (3) if the candidacy is for the office of state senator or state representative, the
15 election or senate district of which the candidate is a resident;

16 (4) the office for which the candidate seeks nomination;

17 (5) whether the candidate is affiliated with a political party and if so the
18 identity of the party [THE NAME OF THE POLITICAL PARTY OF WHICH THE PERSON
19 IS A CANDIDATE FOR NOMINATION];

20 (6) the full residence address of the candidate, and the date on which residency
21 at that address began;

22 (7) the date of the preliminary general [PRIMARY] election at which the
23 candidate seeks nomination;

24 (8) the length of residency in the state and in the district of the candidate;

25 (9) that the candidate will meet the specific citizenship requirements of the office
26 for which the person is a candidate;

27 (10) that the candidate is a qualified voter as required by law;

28 (11) that the candidate will meet the specific age requirements of the office for
29 which the person is a candidate;

30 (12) that the candidate requests that the candidate's name be placed on the
31 preliminary general [PRIMARY] election ballot;

(13) that the required fee accompanies the declaration;

(14) that the person is not a candidate for any other office to be voted on at the preliminary general election or run-off [PRIMARY OR] general election and that the person is not a candidate for this office under any other declaration of candidacy or nominating petition; and

(15) the manner in which the candidate wishes the candidate's name to appear on the ballot (; AND

(16) THAT THE CANDIDATE IS REGISTERED TO VOTE AS A MEMBER OF THE POLITICAL PARTY WHOSE NOMINATION IS BEING SOUGHT].

• Sec. 4. AS 15.25.040(a) is amended to read:

(a) The declaration is filed by either

(1) the actual physical delivery of the declaration in person or by mail at or before 5:00 p.m., prevailing time, June 1 of the year in which a run-off general election is held for the office; or

(2) the actual physical delivery by telegram ^{or facsimile} of a copy in substance of the statements made in paragraphs (1) - (5) of the declaration as required by AS 15.25.030(a) at or before 5:00 p.m., prevailing time, June 1 of the year in which a run-off general election is held for the office and also the actual physical delivery of the declaration containing paragraphs (1) - (15) [(16)] as required by AS 15.25.030(a) ^{certified or} by registered mail that [WHICH] is received not more than 15 days after that time.

• Sec. 5. AS 15.25 is amended by adding a new section to read:

Sec. 15.25.057. OFFICIAL ENDORSEMENT OF CANDIDATES BY POLITICAL PARTIES. A political party may officially endorse candidates for each office in an election. A political party may prescribe and follow its own rules and procedures in determining the party's official endorsement of candidates. ^{If the candidate consents,} Notice of an official endorsement of a candidate by a political party shall be placed by the director immediately after the name of the candidate on preliminary general election and run-off general election ballots.

• Sec. 6. AS 15.25.060 is amended to read:

Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The preliminary general [PRIMARY] election ballot shall be prepared and distributed by the director in the manner prescribed for run-off general election ballots except as specifically provided

1 otherwise for the preliminary general [PRIMARY] election. The director shall place the names
2 of all candidates who have properly filed in groups according to offices filed for, without regard
3 to party affiliation. The names for each office shall be rotated as provided for the run-off
4 general election ballot. Blank [NO BLANK] spaces shall be provided on the ballot for the
5 purpose of permitting voters to vote for candidates not appearing on the ballot by writing
6 or pasting in [OF] names. The director shall note an official endorsement of a candidate by
7 a political party under AS 15.25.057 immediately after the candidate's name.

- 8 * Sec. 7. AS 15.25.070 is amended to read:

9 Sec. 15.25.070. WRITE-IN OR PASTE-IN VOTING [SPECIAL PROVISIONS ON
10 COUNTING BALLOTS]. A voter may [NOT] vote in a preliminary general election for a
11 person whose name is not on the ballot by writing or pasting in the name of the person
12 receiving the vote [VOTES CAST FOR A PERSON WHOSE NAME IS NOT ON THE
13 BALLOT MAY NOT BE COUNTED, BUT WRITING IN A CANDIDATE'S NAME DOES
14 NOT INVALIDATE THE ENTIRE BALLOT].

- 15 * Sec. 8. AS 15.25.100 is repealed and reenacted to read:

16 Sec. 15.25.100. ELECTION IN PRELIMINARY GENERAL ELECTION FOR OFFICE
17 OTHER THAN GOVERNOR OR LIEUTENANT GOVERNOR. (a) A candidate for a state
18 office other than governor or lieutenant governor who receives more than 50 percent of the votes
19 cast for that office in a preliminary general election shall be declared elected.

20 (b) For a state office other than governor and lieutenant governor, if no candidate
21 receives more than 50 percent of the votes cast for that office in a preliminary general election,
22 the director shall place on the run-off general election ballot the names of the two candidates who
23 received the most votes in the preliminary general election.

24 (c) If a candidate for state office other than governor or lieutenant governor nominated
25 at the preliminary general election dies, withdraws, resigns, or becomes disqualified from holding
26 the office for which the candidate is nominated, the vacancy shall be filled by the candidate, if
27 any, for the same office in the preliminary general election who received the most votes among
28 candidates not otherwise placed on the run-off general election ballot.

29 (d) Party affiliation is irrelevant in determining candidates who receive the most votes
30 for office in a preliminary general election.

- 31 * Sec. 9. AS 15.25.110 is repealed and reenacted to read:

1 Sec. 15.25.110. PLACEMENT ON RUN-OFF GENERAL ELECTION BALLOT OF
2 NOMINEES FOR GOVERNOR. (a) The director shall place on a run-off general election ballot
3 the names of the two candidates who received the most votes for governor in the preliminary
4 general election.

5 (b) If a candidate for governor nominated at the preliminary general election dies,
6 withdraws, resigns, or becomes disqualified from holding office for which the candidate is
7 nominated, the vacancy shall be filled by the candidate, if any, for governor in the preliminary
8 general election who received the most votes among candidates not otherwise placed on the run-
9 off general election ballot.

10 (c) Party affiliation is irrelevant in determining candidates who receive the most votes
11 for governor in a preliminary general election, run-off general election, or special general
12 election.

13 • Sec. 10. AS 15.25.120 is repealed and reenacted to read:

14 Sec. 15.25.120. PLACEMENT ON RUN-OFF GENERAL ELECTION BALLOT OF
15 NOMINEES FOR LIEUTENANT GOVERNOR. (a) On a run-off general election ballot, the
16 director shall join with the candidate for governor who received the most votes in the preliminary
17 general election the name of the candidate, if any, of the same political party who received the
18 most votes for lieutenant governor in the preliminary general election.

19 (b) If candidates for governor on a run-off general election ballot are not affiliated with
20 the same political party, the director shall join with the candidate for governor who received the
21 second most votes in the preliminary general election the name of the candidate, if any, of the
22 same political party who received the most votes for lieutenant governor in the preliminary
23 general election.

24 (c) If both candidates for governor on a run-off general election ballot are of the same
25 political party, the director shall join with the candidate for governor who received the second
26 most votes in the preliminary general election the name of the candidate of the same political
27 party, if any, who received the second most votes for lieutenant governor in the preliminary
28 general election.

29 (d) A candidate for governor in a run-off general election who is affiliated with a
30 political party and who is not joined with a candidate for lieutenant governor under (a) - (c) of
31 this section shall select a nominee for lieutenant governor of the same political party under (h)

1 of this section and run jointly with that nominee in the run-off general election. The director
2 shall join on a run-off general election ballot the names of candidates for governor and lieutenant
3 governor running jointly under this section.

4 (e) If a candidate for governor in a preliminary general election who is not affiliated with
5 a political party is nominated to run in the run-off general election, the director shall join that
6 candidate on the run-off general election ballot with the candidate for lieutenant governor who
7 received the most votes in the preliminary general election and who is not otherwise joined with
8 a candidate for governor under (a) - (d) of this section. If neither candidate for governor in a
9 run-off general election is affiliated with a political party, the director shall join the candidate for
10 governor receiving the second most votes in the preliminary general election on the run-off
11 general election ballot with the name of the candidate for lieutenant governor who received the
12 second most votes in the preliminary general election.

13 (f) A candidate for governor in a run-off general election who is not affiliated with a
14 political party and who is not otherwise joined with a candidate for lieutenant governor under (e)
15 of this section shall select a nominee for lieutenant governor under (h) of this section and run
16 jointly with that nominee in the run-off general election. The director shall join on the run-off
17 general election ballot the names of candidates for governor and lieutenant governor running
18 jointly under this section.

19 (g) A candidate for governor in a run-off general election who is joined with a candidate
20 for lieutenant governor who dies, withdraws, resigns, or becomes disqualified from serving as
21 lieutenant governor shall be joined with a replacement candidate for lieutenant governor
22 determined by (a) - (f) of this section.

23 (h) Nomination of a lieutenant governor for the purpose of (d) or (f) of this section is
24 accomplished by physical delivery to the director, no later than 48 days before the date of the
25 run-off general election, of a signed written notice of selection by the candidate for governor and
26 a signed written notice of acceptance of selection by the candidate for lieutenant governor.
27 Disclosure of a candidate's affiliation with a political party and all information and
28 representations listed in AS 15.25.030(a)(1) - (15) and 15.25.030(b) must be contained in a
29 candidate's notice of acceptance under this subsection.

30 ↓ • Sec. 11. AS 15.40.180 is repealed and reenacted to read:

31 Sec. 15.40.180. SELECTION OF NOMINEES IN MANNER PROVIDED FOR RUN-

We may want these 2 sections and amend AS 15.40.270

Supersedes see page 9

1 OFF GENERAL ELECTION. If the vacancy in the office of the United States representative
2 occurs one calendar month or more before the filing date for the preliminary general election,
3 candidates for the special general election shall be nominated in the manner provided for the
4 nomination of candidates for run-off general elections.

5 • Sec. 12. AS 15.40.270 is repealed and reenacted to read:

6 Sec. 15.40.270. SELECTION OF NOMINEES IN MANNER PROVIDED FOR RUN-
7 OFF GENERAL ELECTION. If a vacancy in the office of the governor or the lieutenant
8 governor occurs one calendar month or more before the filing date for the preliminary general
9 election, candidates for the special general election shall be nominated in the manner provided
10 for the nomination of candidates for run-off general elections.

11 • Sec. 13. AS 15.58.030(b) is amended to read:

12 (b) No later than July 15 of a year in which a state run-off general election will be held,
13 an individual who becomes a candidate for the office of United States senator, United States
14 representative, governor, lieutenant governor, state senator, or state representative under
15 AS 15.25.030 may file with the lieutenant governor a photograph and a statement advocating the
16 candidacy. An individual who becomes a candidate for the office of United States senator,
17 United States representative, governor, lieutenant governor, state senator, or state representative
18 [UNDER AS 15.25.180 BY FILING A NOMINATING PETITION OR] by another means ^{write in} may
19 file with the lieutenant governor a photograph and a statement advocating the candidacy [by
20 July 15 or] within 10 days of becoming a candidate [whichever is later.] in the run-off general
21 election.

22 • Sec. 14. AS 15.60.010(20) is amended to read:

23 (20) "political party" means an organized group of voters who represent [THAT
24 REPRESENTS] a political program and who officially endorsed [THAT NOMINATED] a
25 candidate for governor who received at least three percent of the total votes cast at the preceding
26 preliminary general election for governor.

27 • Sec. 15. AS 39.50.020(b) is amended to read:

28 (b) The governor, lieutenant governor, members of the legislature, judicial officers, each
29 commissioner, head or deputy head of, or director of a division within, a department in the
30 executive branch, assistant to the governor or chairman or member of a commission or board
31 required to report under this chapter, shall file the statement with the Alaska Public Offices
Commission. Candidates for the office of governor, lieutenant governor, and the legislature shall

1 file the statement under AS 15.25.030 (OR 15.25.180). Municipal officers, and candidates for
 2 elective municipal office, shall file with the municipal clerk or other municipal official designated
 3 to receive their filing for office. All statements required to be filed under this chapter are public
 4 records.

5 * Sec. 16. AS 15.25.056, 15.25.130, 15.25.140, 15.25.150, 15.25.160, 15.25.170, 15.25.180,
 6 15.25.190, 15.25.200; AS 15.40.090, 15.40.100, 15.40.110, 15.40.120, 15.40.190, 15.40.280, 15.40.290,
 7 15.40.300, 15.40.430, 15.40.440, 15.40.450, and 15.40.460 are repealed. ^{15.40.200, 15.40.210} [^]

8 * Sec. 17. IMPLEMENTING NAME CHANGES. To be consistent with the name changes made by
 9 this Act, wherever in the Alaska Statutes, and in regulations adopted under those statutes, "primary" or
 10 "primary election" is used, it shall be read as referring to a "preliminary general election." Wherever
 11 in the Alaska Statutes, and in regulations adopted under those statutes, "general election" is used, it shall
 12 be read as referring to a "run-off general election." Wherever in the Alaska Statutes, and in regulations
 13 adopted under those statutes, "special election" is used, it shall be read as referring to a "special general
 14 election." Under AS 01.05.031, the revisor of statutes shall implement this section in the statutes, and,
 15 under AS 44.62.125(b)(6), the regulations attorney shall implement the section in the administrative
 16 regulations.

* Sec. 14. AS 15.60.010(20) is repealed and reenacted to read:
(20) "political party" means an organized group of voters who represent a political program and with whom one candidate, who in the preceding preliminary general election received at least three percent of the total votes cast for that office, declared affiliation under AS 15.25.030(a).

**DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA**

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(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

October 31, 1991

SUBJECT: CS for HB 327

TO: Representative Gene Kubina
Chair, House State Affairs Committee
Attn: Annie

FROM: John B. Gaguine *JBG*
Legislative Counsel

Enclosed is a committee substitute for HB 327. As you requested, the bill amends HB 327 to allow for a change of party affiliation by a registered voter at any time (it requires the director of elections to make the opportunity for such a change available at the polling place), and to require party rule changes to be delivered to the director by March 1 of election year in order to take effect in that year's primary. Note that nothing in the bill would change the current requirement, in AS 15.07.070(d), that a person register at least 30 days before an election to be eligible to vote in that election.

I see no problems with the first change (to section 1 of the bill) if no party objects. If, though, a party by rule requests that its primary be limited to persons registered as party members 30 days (or 60 days, or whatever) before the primary, I think that rule would override this statute. Otherwise the primary would essentially still be an open primary, where anyone can vote in any primary he or she chooses. ✓

The change to March 1 I think would also be susceptible to a successful constitutional challenge by a party that adopted its rule change shortly after that date. The only justification for any cutoff date on party rule changes is administrative necessity - the Division of Elections cannot produce a separate party ballot if it first learns of a party rule change ten days before the primary. I thought that 90 days was probably pushing the limits; I feel quite sure that nearly six months is well beyond the

U In Rosario v. Rockefeller, 410 U.S. 752, 35 L.Ed.2d 1 (1973), the U.S. Supreme Court upheld against an equal protection challenge a New York statute that required a person to register in a party before the general election in order to vote in that party's primary during the following year. The Court noted the state's interest in preventing "raiding". The rationale of Rosario is why I think that a party rule requiring a voter to register in a party a reasonable length of time before the primary to be eligible to vote in the party's primary would override the contrary provision of this bill.

Representative Gene Kubina
October 31, 1991
Page 2

permissible limits.^{2/} I know that the parties have all supported this change - why I do not understand, since the change can only work to their detriment - but I do not think that their current support would estop any of them from later bringing a challenge to the law.

As I mentioned, I will be leaving this office soon, so any further work on this bill will be done by someone else.

JBG:gc
91-389.glc

Enclosure

^{2/} The superior court in Anchorage last year, in a challenge brought by Green Party gubernatorial candidate Jim Sykes, invalidated the provision in AS 15.25.150 requiring independent candidates to file their nominating petitions by June 1. The court found that the Division of Elections did not need five months to process a petition and list its candidate, so that the law unconstitutionally burdened ballot access. Since the March 1 date in this bill requires parties to act six months before the primary, I think that it would be no more likely to withstand a challenge than the law in Sykes.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

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

May 1, 1991

Mr. Mark Posner
Voting Section, Civil Rights Division
Department of Justice
P.O. Box 66128
320 First Avenue N.W., Room 720
Washington, D.C. 20534

Re: Case No. 91-0962

Dear Mr. Posner;

The purpose of this letter is to comment on the recent submission made by the Republican Party of Alaska (RPA) pursuant to Sec. 5 of the Voting Rights Act of 1965 (42 USC 1973c).

The Division of Elections (DOE) does not oppose any political party's right to limit its association with other political parties, but we cannot abide with rule changes that interfere and could jeopardize the integrity of the election process.

The DOE cannot support the RPA assertion that voters may change their party affiliation by amending voter registration records up to and including election day.

Under existing state law, all voter qualifications must be fixed and evidenced by a valid registration at least 30 days before the election. AS 15.07.070 (c) and (d). Since one's party affiliation would determine whether they could vote in the Republican primary, party status would become a voter qualification subject to the 30-day requirement. Declaration of party affiliation on election day as proposed by the RPA would cause many voters to be required to vote a questioned ballot, with the effect that many would be disenfranchised on the basis that they failed to register under their declared party affiliation 30 days prior to the election.

Furthermore, both urban and rural election workers will be implementing new voting procedures if the DOJ preclears the RPA request; the additional burden of allowing voters to change their party affiliation on election day would be confusing and could jeopardize the integrity of the voting process across the state.

The DOE also objects to Section 3, Article XIV, "A Rule to Maximize Voter Participation in Primary Elections." This change would allow Republicans and nonpartisans to vote in the primary election of any other party unless prohibited by another party's

rules, or state or federal law.

The division views this provision as particularly onerous for the following reasons:

The DOE believes in one-person, one vote. In a state of many diverse ethnic and minority groups, it would be impracticable to explain why one could vote more than once in a primary regardless of how the process was characterized. The credibility of the election process would be seriously jeopardized.

Furthermore, the division questions how the RPA can legally assert that its members or nonpartisans can vote in other party primaries. This is a state law matter.

If and when the DOJ preclears the RPA rule changes, the DOE will submit its plan for implementation of the open-classic primary. The division will also be working with the state legislature to make the necessary statute changes that may be required.

Sincerely,



Charlot Thickstun
Director
Division of Elections



Democratic Party of Alaska

March 4, 1992

Rep. Betty Bruokman
Alaska State Legislature
State Capitol
Juneau, AK 99801

Dear Rep. Bruokman

Thank you for your request to comment on CSSB 297 (STA) on changing the primary election in Alaska.

I'd like to start by reviewing what has taken place over the past several months and then comment on the proposed legislation. In September of 1991 the central committee of the Alaska Democratic Party amended the Democratic Party Rules to be, anyone can vote in the Democratic Party primary regardless of party registration unless they have voted in another primary or participated in a nominating convention. The reason for this change was that we had been advised by attorneys that we needed to protect ourselves against the Republican Rule which was, persons who vote in the Republican Party primary can vote in any other primary unless restricted from doing so by the other party's rules. The attorneys said that since the primary election is in fact a nominating procedure and not an actual election that this rule change by the Alaska Republican Party might be upheld by a court.

Since that time we have been told by the Div. of Elections and Lt. Gov. Coghill that it was their opinion that this went against "one person, one vote" and would not be allowed. However, we were not comfortable with this statement until Attorney General Cole addressed this issue in his statement on Monday, March 2, 1992. We now feel certain the Republican Party's Rule allowing them to vote twice will not be allowed by the State of Alaska.

From the beginning of this discussion, we have supported an open primary. In February, 1992, the State Central Committee decided not to change our rule further because we did not want to complicate the issue even more. We felt there was good debate going on within the legislature and the administration and that we would continue to be involved in that. We felt our language took care of our concerns about "one person, one vote." The intent of our rule was to prohibit an individual from voting twice for the same office. To interpret it differently would be to infer that we are not in favor of an "open primary". We would consider the election under CSSB 297 (STA) one primary with separate vote counts.

(907) 286-9600

P.O. Box 10-4199 • 1443 West Northern Lights, Suite J • Anchorage, Alaska 99510

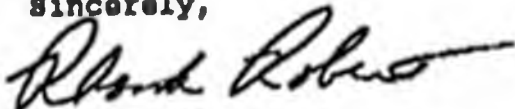
Rep. Betty Bruckman
March 4, 1992
Page 2

Therefore, the "Ballot Box Scenarios" that was presented at the House State Affairs Committee meeting on Wednesday, March 4, 1992, is incorrect under our party rules in example 1, 2, 4 and 5.

In closing, I want to state once again that the Democratic Party of Alaska supports an open primary, one which gives the voter the widest possible choices. However, we will not support any legislation that is unfair to the Democratic Party even though it meets the rule changes of the other parties.

Betty, I hope this clarifies our position. If you have any other questions, please give me a call.

Sincerely,



Rhonda Roberts
State Chair

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

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Mail Stop 3101

MEMORANDUM

September 17, 1991

SUBJECT: Sectional analysis of HB 327

TO: Representative Gene Kubina
Attn: Annie

FROM: John B. Gaguine ^{J06}
Legislative Counsel

You have requested a sectional analysis of the above described bill.

As a preliminary matter, note that a sectional analysis or 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 the voter registration laws to require the director of elections to allow a voter to declare political affiliation and to explain to a voter that his or her declaration of affiliation might affect his or her right to vote in the primary election. Currently, the voter registration form provides for declaring party affiliation. However, because of Alaska's current blanket primary laws, a person's affiliation (or lack thereof) cannot affect his or her right to vote in a primary. Because under this bill the declaration of affiliation becomes much more important, the section adds the requirement of notice by the director. However, the section provides that the required notice can be satisfied by including it on the registration form.

Section 2 amends AS 15.25.060 to provide that a blanket primary will continue to exist for those parties that do not elect a closed primary.

Section 3 is the central part of the bill, and is intended to bring Alaska law into compliance with the holding of Tashjian v. Republican Party of Connecticut, 479 U.S. 208 (1986) (political party's First Amendment right of association overrides state primary laws, and party can therefore specify what groups of voters it wants to participate in its primary, notwithstanding state law).

Representative Gene Kubina

September 17, 1991

Page 2

Proposed AS 15.25.060(b) codifies the Tashjian rule, but provides that a party must notify the director of a change in its rules at least 90 days before the primary election if the party wants its new rules to apply in that primary. The subsection provides, as does current law, that candidates on a party ballot be listed randomly, and that no space be provided for write-in votes.

Proposed AS 15.25.060(c) provides that if there is more than one ballot available at a primary election, a registered voter may choose which ballot he or she wishes to vote. However, a voter may not vote more than one ballot, and a voter may not vote the ballot of a party if the party rules do not allow it. (For example, if the Republican party rules limit participation in the Republican primary to Republicans and independents, a registered Democrat may not be given a Republican ballot.)

Proposed AS 15.25.060(d) provides that if all political parties eligible to nominate candidates in the primary adopt rules calling for separate ballots, the director of elections is not required to print a "blanket" ballot. This is logical, since if all parties have separate ballots there would be no candidates appearing on the "blanket" ballot.

It seems clear that whether or not this bill, or a similar bill, passes, a party can force a closed primary. However, it is certainly preferable that the statutes be consistent with federal constitutional requirements, and at present the primary election statutes are not consistent. Moreover, this bill addresses certain matters that should be addressed by statute, such as the amount of notice a party must give to the director of elections in order to have an upcoming primary closed.

If I may be of further assistance, please advise.

JBG:lmb
91-255.lmb



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

House State Affairs Committee

P.O. Box V
State Capitol
Juneau, Alaska 99811

SPONSOR STATEMENT FOR HB 327

At the present time, the Alaska statutes regarding primary elections are not consistent with federal constitutional requirements. HB 327 has been introduced as a vehicle by which to correct these inconsistencies.

Under current state law, Alaska has a blanket primary in which a voter may vote for any candidate on the ballot, regardless of party affiliation. However, now that the Democratic, Republican and Green Parties have all voted to close their primaries, Alaska law must be amended to reflect a party's ability to restrict who votes in its primary. In a U.S. Supreme Court ruling, [Tashjian v. Republican Party of Connecticut, 479 U.S. 208 (1986)], it was decided that a political party's First Amendment right of association overrides state law. Alaska law must be changed to reflect that ruling.

Under the closed primary system, a voter must declare a party affiliation, or non-affiliation, in order to receive a ballot of that party. Currently, party affiliation is optional under Alaska State law and this must be addressed. Although a person may now designate party affiliation at the time of registration (thirty days in advance of an election), a change of party affiliation may need to be allowed at the time of the primary in order to not disenfranchise voters. This also will need to be addressed statutorily because of the current law. Section One of HB 327 addresses this issue.

Section Two of HB 327 provides for a blanket primary to continue for those parties that do not close their primaries. HB 327 would also require that a party notify the Division of Elections of any change in their primary at least ninety days in advance of the election in order to give the Division time to implement the changes.

HB 327 provides that the Director of Elections need not print a blanket ballot if all of the parties close their primaries.



JOHN B. COGHILL
LIEUTENANT GOVERNOR

STATE OF ALASKA
P O BOX AA
JUNEAU 99811-0111
(907) 485-3880

April 22, 1992

Ms. Cornie Zawacki, Chair
Republican Party of Alaska
P. O. Box 243732
Anchorage, Alaska 99524-3732

Dear Ms. Zawacki:

This letter is in response to your request to know what our current position is regarding the Primary Election. Secondly, you asked us to be specific about how the ballots would be printed.

The Alaska Statutes describe an open primary as being for the benefit of all the people of Alaska. If one party wishes to close their nomination process in the Primary Election, the logical position for us to take is to provide a separate ballot. If a second party wishes to close its nomination process, then we would provide them with their separate ballot. There would then be a third ballot for the parties who wish to remain with an open primary.

The ballots, then, would be as follows:

- A. One ballot with only Republican candidates listed
- B. One ballot with only Democratic candidates listed
- C. One ballot with Alaskan Independence candidates and Green candidates listed.

Our desire is to provide the people of Alaska with the clearest balloting process possible to prevent disenfranchising the electorate. The open primary has been in effect in Alaska for 25 years, and the clearest way to change that process through the "open classic" approach is to have separate ballots.

If you have any further questions, please let me know.

Sincerely,


John B. Coghill

cc: Joe Vogler, Alaskan Independence Party
Rhonda Roberts, Democratic Party of Alaska
Ronnie Roberts, Green Party of Alaska



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

April 5, 1991

The Honorable Jay Kerttula
The Honorable Pat Pourchot
Co-Chairmen, Senate Finance
Committee
Seventeenth Alaska State
Legislature

Dear Senators Kerttula and Pourchot:

The following is provided in response to your requests pertaining to the Division of Elections, General and Primary component.

During the first half of FY 92, the Division of Elections will be accomplishing the major portion of its purchasing of printed materials and supplies for the 1992 election cycle. The accommodation of the requirements of the Republican Party "classic open primary" in place of the former primary election system will require comprehensive revisions to all elections materials, forms and training materials, ballot specifications and ballot counting programs.

Contractual funding will be necessary for the following:

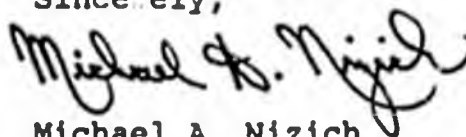
1. Preparation, typesetting and printing of unique forms and election materials to be used at all precincts and absentee voting sites specifically and only for the primary election. They will be required in sufficient supply to accommodate all statewide voters at 439 polling places and 165 absentee voting sites.
2. Preliminary design work and programming for Data-Vote counting of the two party types of "party primary ballots" statewide.
3. Preparation, typesetting and printing of procedural handbooks and materials for training election workers in the new primary election procedures.

April 5, 1991

4. Statewide advertising and public notice to voters regarding the new registration requirements and the significance of party affiliation as an eligibility requirement for voting in primary elections.
5. Preliminary specifications and orders of gang punched ballot stock which will be required to accommodate the separate party type ballots.

Enclosed is a memorandum from Elizabeth Ziegler, Division of Elections, detailing the 14 temporary positions for FY 92. Please call me if you have additional questions or need further information.

Sincerely,



Michael A. Nizich
Director
Division of Administrative
Services

Enclosure

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

P.O. Box 7, Juneau, Alaska 99811
(907) 465-3867 or 465-2450
FAX (907) 465-2029

Deliveries to: 240 Main Street
Court Plaza, Room 500
Mail Stop 3101

MEMORANDUM

September 17, 1991

SUBJECT: Sectional analysis of HB 327

TO: Representative Gene Kubina
Attn: Annie

FROM: John B. Gaguine ^{J06}
Legislative Counsel

You have requested a sectional analysis of the above described bill.

As a preliminary matter, note that a sectional analysis or 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 the voter registration laws to require the director of elections to allow a voter to declare political affiliation and to explain to a voter that his or her declaration of affiliation might affect his or her right to vote in the primary election. Currently, the voter registration form provides for declaring party affiliation. However, because of Alaska's current blanket primary laws, a person's affiliation (or lack thereof) cannot affect his or her right to vote in a primary. Because under this bill the declaration of affiliation becomes much more important, the section adds the requirement of notice by the director. However, the section provides that the required notice can be satisfied by including it on the registration form.

Section 2 amends AS 15.25.060 to provide that a blanket primary will continue to exist for those parties that do not elect a closed primary.

Section 3 is the central part of the bill, and is intended to bring Alaska law into compliance with the holding of Tashjian v. Republican Party of Connecticut, 479 U.S. 208 (1986) (political party's First Amendment right of association overrides state primary laws, and party can therefore specify what groups of voters it wants to participate in its primary, notwithstanding state law).

SECTIONAL ANALYSIS

Representative Gene Kubina

September 17, 1991

Page 2

Proposed AS 15.25.060(b) codifies the Tashjian rule, but provides that a party must notify the director of a change in its rules at least 90 days before the primary election if the party wants its new rules to apply in that primary. The subsection provides, as does current law, that candidates on a party ballot be listed randomly, and that no space be provided for write-in votes.

Proposed AS 15.25.060(c) provides that if there is more than one ballot available at a primary election, a registered voter may choose which ballot he or she wishes to vote. However, a voter may not vote more than one ballot, and a voter may not vote the ballot of a party if the party rules do not allow it. (For example, if the Republican party rules limit participation in the Republican primary to Republicans and independents, a registered Democrat may not be given a Republican ballot.)

Proposed AS 15.25.060(d) provides that if all political parties eligible to nominate candidates in the primary adopt rules calling for separate ballots, the director of elections is not required to print a "blanket" ballot. This is logical, since if all parties have separate ballots there would be no candidates appearing on the "blanket" ballot.

It seems clear that whether or not this bill, or a similar bill, passes, a party can force a closed primary. However, it is certainly preferable that the statutes be consistent with federal constitutional requirements, and at present the primary election statutes are not consistent. Moreover, this bill addresses certain matters that should be addressed by statute, such as the amount of notice a party must give to the director of elections in order to have an upcoming primary closed.

If I may be of further assistance, please advise.

JBG:lmb
91-255.lmb

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 327

Revision Date: _____ Department Affected: Office of Gov.-Div. of Election
Title: Primary Elections BRU: _____
Component: _____

Sponsor: House State Affairs Committee

Requestor: House State Affairs Committee COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS: N/A

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

There is no fiscal impact because the funding is included in the FY93 House budget.

Prepared By: House State Affairs Committee

Phone: 465-4850

Division: _____

Date: 6/29/92

Approved by Commissioner: Representative Gene Kubina, Chairman

Agency: House State Affairs Committee

Date: 6/29/92

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 327

Revision Date: March 9, 1992

Title: Relating to Primary Elections

Sponsor: House State Affairs

Requestor: House State Affairs

Department Affected: Office of the Governor-Elections

BRU: Primary and General

Component: Primary and General

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	118.0	0	129.8	0	142.8	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	118.0	0	129.8	0	142.8	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	118.0	0	129.8	0	142.8	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	118.0	0	129.8	0	142.8	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 impact: 0

ANALYSIS: (Attach a separate page if necessary.)
Please see attached sheet for narrative

Prepared by: Fred Fisher, Administrative Officer Phone: 465-4611
Division: Elections Date: 3/9/92

Approved by Commissioner: [Signature] Date: 3/10/92
Agency: Office of the Governor

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

**FACTS AND ASSUMPTIONS UPON WHICH THE REVISED FISCAL NOTE FOR
CSSB297 AND CSHB327 ARE BASED:**

- 1) One ballot for all candidates
- 2) Ballot to be "keyed" according to party affiliation
- 3) Voters would vote for the candidate of their choice regardless of their party affiliation
- 4) Party rules would determine how ballots are to be counted with respect to nomination of candidates
- 5) The Division of Elections would be required to tabulate and report on both "popular" and "nominating" vote counts.

Additional costs related to the change in how we conduct the Primary which have been included in the FY 93 Budget request account for additional travel in the field and administrative travel to train pollworkers, increased costs in communication, advertising, voter education, printing and binding of new training and information manuals and other costs totaling \$573.5 (thousand).

Additional costs generated by the Division of Elections are as a result of items 2, 4, and 5. In effect, the Division would have to count all ballots twice in order to provide the information required by this bill (a popular and nominating vote total). In order to do so, additional programming services would be incorporated into the scope of the Division's data processing support contract. The Division's previous contractor provided an estimate of approximately \$115,000 in additional costs, of which \$12,000 has already been included in the FY 93 request.

Therefore, the fiscal note should reflect an additional \$103,000 in the professional services (contractual) category.

In addition, approximately one half of precincts still hand count ballots. It is presumed that the double counting of the ballots would generate approximately \$15.0 (thousand) in additional payments to election workers, based on 2 additional hours for four workers at each hand count precinct or:

$$1/2 \times 500 \times 2 \times 4 \times \$7.50 = \$15,000.00$$

**TOTAL ADDITIONAL COSTS RELATED TO THE IMPLEMENTATION OF
CSSB 297 OR CSHB 327 \$118. (thousand)**

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. BB 297 / SCS HB 327

Revision Date: 01/14/92
Title: Relating to Primary Elections
Sponsor: Senate State Affairs
Requestor: Senate State Affairs

Department Affected: Office of the Governor-Elections
BRU: Primary and General
Component: Primary and General

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	41.7	41.7	0	41.7	0	41.7
CONTRACTUAL	581.8	60.0	531.8	60.0	531.8	60.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	633.5	101.7	531.8	101.7	531.8	101.7

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	633.5	101.7	531.8	101.7	531.8	101.7
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	633.5	101.7	531.8	101.7	531.8	101.7

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 impact:

ANALYSIS: (Attach a separate page if necessary.)
See attached.

Prepared by: Elizabeth Ziegler, Deputy Director
Division: Elections

Phone: 465-4611
Date: 01/14/92

Approved by Commissioner: *Charles H. Hickman*
Agency: Office of the Governor

Date: 01/15/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

BILL NO. CS HB 327 / SB 297

STATE OF ALASKA
1992 LEGISLATIVE SESSION

ANALYSIS: (continued)

Semi-Closed Primary Costs:

Travels:

72240	Field Travel	6.5
72270	Administrative Travel (To Train Review Boards and Poll Workers for New Precincts)	33.6
72250	Per Diem (To Cover Additional Travel To New Precincts)	1.6
	Total Travel	<u>41.7</u>

Contractual Services:

73100	Professional Services	60.0
	Voter Education Program	12.0
	DCA Contract	51.2
	Voting Rights Act Program	73.2
	Additional Poll Workers/ Review Boards	63.9
73300	Contracted Poll Worker Training Communications	89.5
	Additional Postage	6.4
	Toll Charges	
73400	Transportation	13.3
	New Booth Set Up	
73420	Transportation/State Equipment fleet Locating New Polling Places	1.3
73500	Advertising, Printing, and Binding Statewide Advertising of Primary and Precinct Changes	39.0
	Ballot Printing for Semi-Closed Primary Party Ballots	180.0
73800	Rental for Land, Buildings, and Space Rental of Additional Polling Places	2.0
	Total Contractual	<u>535.8</u>

Total Costs of Implemental Primary Changes

633.3

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CS HB 327

Revision Date: 01/10/92
Title: Relating to Primary Elections
Sponsor: House State Affairs
Requestor: House State Affairs

Department Affected: Office of the Governor-Elections
BRU: Primary and General
Component: Primary and General

COMPONENT SERIAL NO.

0	0	2	2
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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	41.7	41.7	0	41.7	0	41.7
CONTRACTUAL	581.8	60.0	531.8	60.0	531.8	60.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	633.5	101.7	531.8	101.7	531.8	101.7

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	633.5	101.7	531.8	101.7	531.8	101.7
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	633.5	101.7	531.8	101.7	531.8	101.7

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 impact:

ANALYSIS: (Attach a separate page if necessary.)
See attached.

Prepared by: Elizabeth Ziegler, Deputy Director
Division: Elections

Phone: 465-4611
Date: 01/10/92

Approved by Commissioner: Charles E. Thielman
Agency: Office of the Governor

Date: 01/10/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/GSA, Gov. Legis. Ofc., & Impacted Agency(ies).