

ALASKA LEGISLATURE COMMITTEE FILES 1993-1994 8672

8111 HOUSE STATE AFFAIRS

# Air miles wanted by state

By TROY K. SCHNEIDER  
Governing Magazine

Alaska's state employees rack up millions of frequent-flier miles traveling back and forth over a state that's bigger than Texas, California and Colorado combined.

Alaska officials would like to capture all of that free air travel for the state's own use, but so far the effort doesn't seem to be able to get off the ground.

Alaska's government spends \$15.5 million a year on travel, delivering services in a state where the distance from the capital, Juneau, to the biggest city, Anchorage, is 571 miles.

Naturally, state employees' frequent-flier miles add up quickly. The Alaska State Employees Association, the state's major employee union, takes the position that the miles constitute an employee benefit. But state officials argue that benefits earned at taxpayer expense should be going to the state for official travel.

Last spring, when the state solicited bids for exclusive contracts on nine frequently traveled routes, officials hoped to emulate California's arrangement. There, employees fly for as little as half the standard fare and no frequent-flier miles are given.

## State gets nowhere in efforts to capture frequent-flier miles

By SHELLA TOOMEY  
Daily News reporter

Pity the poor state worker who must travel from Juneau to Anchorage twice a month on state business. What a drag.

True, he's probably well paid and traveling is part of his job description. But still, that's 29,692 miles a year in airplanes.

Enough miles to earn Mr. Bureaucrat a free vacation trip to Mexico on Alaska Airlines' frequent-flier plan. Or he may prefer to accumulate another 11,308 miles

of travel on official state business and get a free ticket to Europe, Hawaii or Asia instead.

Is something wrong with this picture?

Frequent-flier plans were designed to encourage brand loyalty among people who fly a lot, to get frequent fliers to buy all their tickets from the same airline or group of airlines. The reward for buying all those tickets can be hundreds, even thousands, of dollars in free air travel.

The hitch is, when state

employees travel on state business, they don't pay for their tickets. The people of Alaska do, to the tune of \$15.5 million a year, according to Robert Libbey, deputy commissioner of administration.

No one in government seems to know how many miles all that state money buys each year, so it's impossible to figure out how many free trips the state could reap if it captured the mileage awards for govern-

# MILES: State travel pays for private trips

Continued from Page A-1

ment use. A mere 15,000 miles — about 13 round trips between Juneau and Anchorage — earns a free round-trip ticket to anywhere in the state that Alaska Airlines flies. Which means that every 14th trip could be free.

Right now, the state of Alaska makes no effort to capture the miles it pays for, and it does not contract with airlines for cut rates in lieu of the mileage awards.

Before it stopped flying to Southeast, MarkAir, one of Alaska's two major carriers, offered the Hickel administration \$10 million worth of air travel for \$7 million and state officials "just sat on it," according to MarkAir spokesman Larry Anderson.

"We heard all this rhetoric about the state trying to cut their budget. They could have saved 30 percent of their travel budget," Anderson said.

State officials say MarkAir's offer came with a short take-it-or-leave-it deadline that a government committed to fair procurement practices couldn't possibly meet.

Capturing air travel benefits for the state is very complicated and probably impossible, said Nancy Bear Usera, commissioner of administration. The airlines won't cooperate and the unions say those miles are a benefit that can't be taken away.

But there is little doubt

the state has a legal right to take them away, even if it can't get all of them transferred to public use.

"(B)e assured that, in our view, even a very strict position on the acceptance of these premiums would be wholly defensible," wrote Assistant Attorney General Jim Baldwin in a 1983 attorney general's opinion.

There certainly are obstacles, but other states, the federal government and even some private corporations have overcome most of them.

□

Of the three states along the West Coast of the United States, two forbid personal use of frequent-flier miles earned by state workers traveling on state business. Washington lets state workers keep them. But state employees don't fly often, said Gary Ogden of the Office of Financial Management in Olympia. Their cities are connected by roads. The state capital doesn't even have an airport.

In Oregon, frequent-flier miles have been classified as a benefit and using them for personal travel is a violation of the state ethics law, said Theresa McHugh of the Oregon state Executive Department. "If you're on state business, those are state miles."

The state buys its tickets through a single travel agent, who bids for the con-

tract. "It's generally pretty easy for us to track," McHugh said.

In 1991, Oregon adopted a policy of encouraging state employees to join frequent-flier clubs so the mileage could be used by the people who earned it for future state trips, said Barbara Carranza of the Executive Department budget and management division. Each employee is required to keep travel records going back three years. Agencies monitor their own staffs, Carranza said.

"It's really cumbersome," she said. "The airlines don't make it easy." They won't allow the miles to be pooled and used by someone other than the person who earned them. "They're banking on a lot of these miles never being used."

A lot of state employees just don't collect the mileage, Carranza said. "It's too much trouble."

Again, most travel in Oregon is by car.

California is big enough to require a lot of in-state air travel, and no one keeps any benefits earned while traveling on state business, according to James Lee in Gov. Pete Wilson's office in Sacramento.

The state negotiates exclusive paired-cities contracts with airlines in return for significantly cheaper fares — usually half the standard coach ticket, said Charles

Adams of the California General Services Department. No one flying on a state ticket gets frequent-flier miles.

Policing the program is pretty simple, according to Lee. Except in rare circumstances, state tickets must be purchased with special state air travel charge cards. The cards may only be used to buy approved tickets on contract airlines. Use of the charge cards triggers the special state rate and blocks the awarding of frequent-flier miles.

The federal government has a similar program. Federal employees who use frequent-flier miles earned on government-purchased tickets are stealing government property and can be punished if caught — anything from a reprimand to criminal prosecution, said Larry Tucker, chief of the regulatory policy branch of the General Services Administration in Virginia.

Federal workers must use designated carriers. And because the contract rate is so much lower than standard fares, other airlines won't let them trade in their tickets so they can fly on, and illegally collect benefits from an unauthorized carrier.

Ticket switching is one of the loopholes any government travel plan must address. In Alaska, MarkAir

Please see Back Page, MILES

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# THE VOICE OF THE TIMES

## Frequent flyers soar on state's money

By LEW WILLIAMS, JR.

The new fiscal year started July 1 for Alaska. The governor signed the \$2.41 billion state operating budget the day before. Whether it will be a happy new year depends upon whether one is a state employee or a critic of state government. I'd write "taxpayer" instead of "critic" except that there are few taxpayers in a state which hands out more to its people than it collects from them.

More than 150 state employees who received layoff notices in the last few weeks are not happy. The number of unhappies — those whose jobs are terminated — will increase throughout the year because of the fiscal '93 budget. It is the only way to stay within the budgeted amount and absorb the increase in state worker pay, the increase in school support and the increase in other entitlement programs which by law must be funded.

Last year, in Walter J. Hickel's first year as governor, the administration cut 400 state jobs. Most of those were unfilled positions — phantom workers. This fiscal year the cuts draw blood. The positions eliminated will be held by flesh and blood people.

The governor and the Legislature only followed what they perceived as the consensus of Alaskans when they cut the state budget by not allowing for increases required by law or inflation. Now Alaskans will see if they like it.

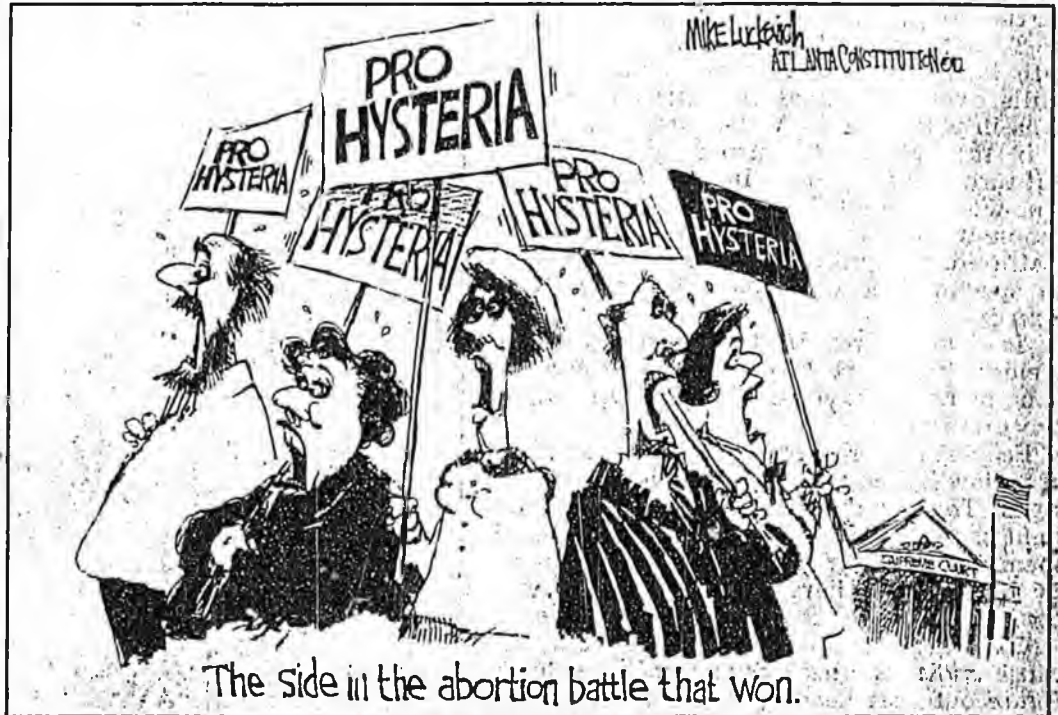
State trooper posts have been closed. Fisheries surveillance has been reduced. State jails have been closed. The number of certified nurses in Pioneer Homes are being reduced. Department of Transportation has reduced road maintenance crews, and so it goes throughout state agencies.

All of those cuts have evoked complaints. When those complaints exceed the demand to cut government costs, maybe some will agree to pay for the services the state provides.

With all lawmakers standing for election this year, it is up to the people of the state to tell the candidates what they expect in state services, what they are willing to pay for and how, and what they want abolished or reduced.



Williams



The side in the abortion battle that won.

The Hickel administration is working on a government reorganization plan whereby some departments may be combined to absorb cuts and maintain the level of service. The governor has promised a committee to look at revenue enhancement. The results of the governor's studies and public reaction will give the Legislature plenty to work on in January.

In the meantime, it behooves state workers and administrators to avoid questionable actions which create reaction against the 16,000 men and women who are collectively doing a good job, or as good as the budget and public opinion will allow.

A questionable action, which also creates resentment among agency personnel, is that of state workers capitalizing on state travel for personal benefit.

The state spends \$15.5 million a year with major airlines to fly state employees on state business.

Each employee collects frequent flyer miles to his or her personal account although it is the state taxpayers paying for the airline ticket. Alaskans who have to buy their own airline tickets and those in state agencies whose jobs don't require state travel resent the practice.

Alaska Airlines and other carriers have been uncooperative in trying to credit those frequent flyer miles to the state to use for further state business travel. The state

tried asking for bids on travel without the frequent flyer miles but had no response. And the employees' unions say the frequent flyer miles are a benefit that can't be taken away. The practice of state employees receiving the free miles could be banned.

The federal government bans the practice, taking the view that accepting such free miles is misappropriation of public funds.

The state of Oregon has a plan that Alaska might adopt.

Because the airlines don't credit the miles to a state account, the state business travelers keep track of their miles and use them for tickets on future state business travel. It couldn't be simpler, except that state workers are inclined to be negligent in keeping the mileage records where they don't benefit individually.

The private use of public financed frequent flyer miles is a bigger issue in Alaska than in any other state because of Alaska's unique transportation system. In most states, a state worker jumps in a car and drives to the next town. In Alaska, everyone flies.

Alaska's \$2.41 billion budget and talks of deficits of \$500 million make the frequent flyer leak of state funds a small issue. But taking care of those small leaks will help keep the ship of state afloat.

Lew Williams Jr. is former publisher of the Ketchikan Daily News.

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB46

Revision Date: \_\_\_\_\_  
Title: State-Paid Travel Mileage Credits  
Sponsor: Representative Martin  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Elections  
Component: Primary and General  
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	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:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Charlot E. Thickstun, Director *Charlot E. Thickstun* Phone: 465-4611  
Division: Division of Elections Date: 3/24/93  
Approved by Commissioner: John B. Coghill, Lieutenant Governor *John B. Coghill*  
Agency: Office of the Governor Date: 3/24/93

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FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 46

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

Department Affected: Office of the Governor

Title: "An Act relating to frequent travel credit..."

BRU: Executive Operations

Component: Executive Office

Sponsor: Representative Martin

Requestor: Representative Martin

COMPONENT SERIAL NO. 0006

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
<b>TOTAL</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>	<b>(4.0)</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: none

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

Prepared by: Michael A. Nizich, Director *MN/ao*

Phone: 465-3616

Division: Division of Administrative Services

Date: 3/18/93

Approved by Commissioner: Patrick P. Ryan, Chief of Staff *Patrick P. Ryan*

Agency: Office of the Governor

Date: 3/18/93

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Fiscal impact determined by review of FY92 Executive Office travel (destinations and frequency) to arrive at total annual mileage. Fiscal note assumes same level of travel (destinations and frequency) in subsequent fiscal years.

**TRAVEL**

**4.0**

Savings based on mileage credit redemption for "peak" roundtrip coach domestic tickets:

approximately 210,000 miles annually equates to 7 ticket coupons at 30,000 miles redemption level

estimated airfare savings = \$4,000

FISCAL NOTE

BILL NO. HB 46

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

Revision Date: \_\_\_\_\_  
 Title: "An Act relating to frequent travel credit..."  
 Sponsor: Representative Martin  
 Requestor: Representative Martin

Department Affected: Office of the Governor  
 BRU: Executive Operations  
 Component: Office of the Lt. Governor  
 COMPONENT SERIAL NO. 0011

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL	(0.7)	(0.7)	(1.3)	(0.7)	(0.7)	(1.3)
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>(0.7)</b>	<b>(0.7)</b>	<b>(1.3)</b>	<b>(0.7)</b>	<b>(0.7)</b>	<b>(1.3)</b>

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	(0.7)	(0.7)	(1.3)	(0.7)	(0.7)	(1.3)
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
<b>TOTAL</b>	<b>(0.7)</b>	<b>(0.7)</b>	<b>(1.3)</b>	<b>(0.7)</b>	<b>(0.7)</b>	<b>(1.3)</b>

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: none

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

Prepared by: Don Harris, Chief of Staff  
 Division: Office of the Lieutenant Governor

Phone: 465-3520  
 Date: 3/18/93

Approved by Commissioner: The Honorable John A. "Jack" Conboy  
 Agency: Lieutenant Governor

Date: 3/18/93

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Fiscal impact determined by review of Office of the Lt. Governor FY92 travel (destinations and frequency) to arrive at total annual mileage. Fiscal note assumes same level of travel (destinations and frequency) in subsequent fiscal years.

**TRAVEL**

0.7

Savings based on mileage credit redemption for "peak" roundtrip coach domestic tickets:

approximately 42,200 miles annually equates to 1 ticket coupon at 30,000 miles redemption level

estimated airfare savings = \$735

every third year, mileage balance should provide for redemption of 2 ticket coupons

Date Referred: January 12, 1993

FURTHER REFERRALS:

Transportation  
Finance

Date of Committee Action: 4-3-93

The STATE AFFAIRS Committee considered:

HB 46

HOUSE BILL NO. 46

STATE-PAID TRAVEL MILEAGE CREDITS

An Act relating to frequent traveler credit for state-paid travel."

RECOMMENDATIONS:

be replaced with CS HB-46 (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 STANDARD 3/19/93

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

zero fiscal note \_\_\_\_\_

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

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	X	<i>[Signature]</i>	X		
<i>Harley Ellberg</i>	✓	<i>[Signature]</i>		X	
		<i>[Signature]</i>		✓	
		<i>[Signature]</i>		✓	

*[Signature]*  
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 46

Revision Date: \_\_\_\_\_  
Title: "An Act relating to frequent travel credit..."  
Sponsor: Representative Martin  
Requestor: Representative Martin

Department Affected: Office of the Governor  
BRU: Executive Operations  
Component: Office of the Lt. Governor  
COMPONENT SERIAL NO. 0011

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL	(0.7)	(0.7)	(1.3)	(0.7)	(0.7)	(1.3)
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	(0.7)	(0.7)	(1.3)	(0.7)	(0.7)	(1.3)

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	(0.7)	(0.7)	(1.3)	(0.7)	(0.7)	(1.3)
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	(0.7)	(0.7)	(1.3)	(0.7)	(0.7)	(1.3)

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: none

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

Prepared by: Don Harris, Chief of Staff  
Division: Office of the Lieutenant Governor

Phone: 465-3520  
Date: 3/18/93

Approved by Commissioner: The Honorable John P. "Jack" Conboy  
Agency: Lieutenant Governor

Date: 3/18/93

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Fiscal impact determined by review of Office of the Lt. Governor FY92 travel (destinations and frequency) to arrive at total annual mileage. Fiscal note assumes same level of travel (destinations and frequency) in subsequent fiscal years.

**TRAVEL**

0.7

Savings based on mileage credit redemption for "peak" roundtrip coach domestic tickets:

approximately 42,200 miles annually equates to 1 ticket coupon at 30,000 miles redemption level

estimated airfare savings = \$735

every third year, mileage balance should provide for redemption of 2 ticket coupons

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 46

Revision Date: \_\_\_\_\_  
Title: "An Act relating to frequent travel credit..."  
Sponsor: Representative Martin  
Requestor: Representative Martin

Department Affected: Office of the Governor  
BRU: Executive Operations  
Component: Executive Office  
COMPONENT SERIAL NO. 0006

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)

CAPITAL						
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REVENUE FUND SOURCE:						
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)	(4.0)

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY93) impact: none

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

Prepared by: Michael A. Nizich, Director  
Division: Division of Administrative Services  
Approved by Commissioner: Patrick P. Ryan, Chief of Staff  
Agency: Office of the Governor

Phone: 465-3616  
Date: 3/18/93  
Date: 3/18/93

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Fiscal impact determined by review of FY92 Executive Office travel (destinations and frequency) to arrive at total annual mileage. Fiscal note assumes same level of travel (destinations and frequency) in subsequent fiscal years.

**TRAVEL**

4.0

Savings based on mileage credit redemption for "peak" roundtrip coach domestic tickets:

approximately 210,000 miles annually equates to 7 ticket coupons at 30,000 miles redemption level

estimated airfare savings = \$4,000

FISCAL NOTE

Revision Date:  
Title: State-Paid Travel Mileage Credits

Department Affected: DOT&PF  
BRU:

Sponsor: Martin  
Requestor: Martin

Component:  
Component Serial Number:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING:	0	0	0	0	0	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)

1(X)2 FEDERAL RECEIPTS	0	0	0	0	0	0
1003 GF MATCH	0	0	0	0	0	0
1004 GF	0	0	0	0	0	0
1005 GF/PROGRAM RECEIPTS	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL FUNDING:	0	0	0	0	0	0

POSITIONS

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

Estimate of current year (FY93) impact: \$0

ANALYSIS: (Attach a separate page if necessary)

As the airlines serving Juneau have already stated that they will not establish a separate account for state mileage, mileage accrued during state travel will not be credited to anyone; therefore, there will be no cost savings to the state.

Prepared by: Katy McHugh

Phone: 465-3904

Division: Special Assistant to the Commissioner

Date: March 15, 1993

Approved by Commissioner: 

Phone: 465-3901

Agency: Department of Transportation and Public Facilities

Date: March 15, 1993

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FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 46

Revision Date:  
Title: "An Act Relating to Frequent Traveler Credit for State-Paid Travel"

Department Affected: University of Alaska  
BRU: ALL  
Component: ALL

Sponsor: Rep. Martin  
Requestor: Rep. Martin

COMPONENT SERIAL NO.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY94	FY95	FY96	FY97	FY98	FY99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
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REVENUE FD SOURCE						
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FUNDING: (Thousands of Dollars)	FY94	FY95	FY96	FY97	FY98	FY99
GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL FUNDING	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:	FY94	FY95	FY96	FY97	FY98	FY99
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Marsha Hubbard, Director  
 Division: Statewide Budget Office  
 Approved by: Brian Rogers, Vice President for Finance  
 Agency: University of Alaska

Phone: 474-7593  
 Date: 3/5/93  
 Date: 3/15/93

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

# FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO: HB 46

Revision Date: \_\_\_\_\_ Dept. Affected: Public Safety  
 Title: "An Act relating to frequent traveler credit  
for state-paid travel" BRU: DPS Statewide Support  
 Component: Commissioner's Office  
 Sponsor: Representative Martin  
 Requestor: Representative Martin COMPONENT SERIAL NO. 523

**EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)**

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

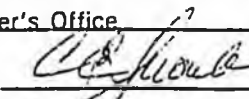
**POSITIONS:**

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

Estimate of current year (FY 93) impact: \$ \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact is anticipated.

Prepared By: C.E. Swackhammer Phone: 465-4322  
 Division: Commissioner's Office Date: 3/15/93  
 Approved by Commissioner:  Date: 3/15/93  
 Agency: Richard L. Burton, Dept. of Public Safety

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**HB**

**47**

**DIVISION OF LEGAL SERVICES**

**LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

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

130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

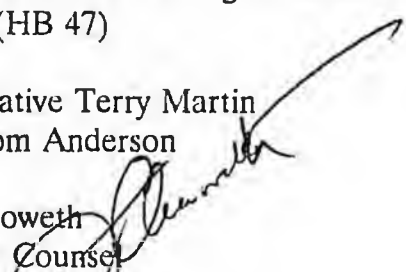
**MEMORANDUM**

February 11, 1993

**SUBJECT:** Voter misconduct: voting two or more ballots in a single election. (HB 47)

**TO:** Representative Terry Martin  
ATTN: Tom Anderson

**FROM:** Jack Chenoweth  
Legislative Counsel



Casting multiple votes in a single election may constitute a class C felony. <sup>1/</sup> Under AS 15.56.040(a)(2):

(a) A person commits the crime of voter misconduct in the first degree if the person

...

(2) votes or attempts to vote more than once at the same election with the intent that the person's vote be counted more than once;

....

The key, of course, is whether or not there is evidence that the voter intended that his or her vote be counted more than once. For purposes of the state's Criminal Code, AS 11, an "intentional" violation is one in which "the person's conscious objective is to cause" the particular result that is sought. AS 11.81.900(a)(1).

I find it hard to believe that a voter would typically want to have more than one vote cast and counted in an election. Under the circumstances in which this question is raised--voting under the regular absentee procedure now in place and also by electronically transmitted facsimile vote--would more probably be treated as zealotry on the part of a voter that the voter's one vote be received by elections

---

<sup>1/</sup> Classification of the penalty for the offense is set out in AS 15.56.040(b). Violation of the provision carries a sentence of not more than five years, AS 12.55.125(e), and a fine of not more than \$50,000 (AS 12.55.035(b)(2)).

Representative Terry Martin

February 11, 1993

Page 2

officials and counted and not as evidence that the voter sought to cast multiple votes. My hunch is that prosecutions brought under the statute based on sound evidence of intentional violation would be uncommon.

But if multiple voting under the state Elections Code is viewed as a potential problem, it is not a problem that is, in the first instance, generated by House Bill 47. Under current law, a person may seek (and presumably receive) absentee ballots under the regular absentee voting application procedures set out in the state Elections Code and, separately, under the Uniformed and Overseas Citizens Voting Rights Act enacted by the Congress. Since the federal Act now provides a second way for a voter to obtain access to and submit completed absentee ballots, the chances of a violation of the statute would seem to be increased. In the committee's deliberations, legislators may want to inquire as to whether and to what extent the elections division is providing ballot security for these overseas absentee requests in light of the criminal statute and if the employees of the division have any sense of whether or not the probability of a voter's intentionally casting two or more ballots has materially increased due to the federal enactment. If it has, then perhaps the criminal provisions of the title should be revisited.

JBC:glc

93-118.glc

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB47

Revision Date: \_\_\_\_\_  
Title: Absentee Ballots - Primary Election  
Sponsor: Representative Martin  
Requestor: 22

Department Affected: Office of the Governor  
BRU: Division of Elections  
Component: Primary and General  
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	6.0	0	6.0	0	6.0	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	6.0	0	6.0	0	6.0	0

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	6.0	0	6.0	0	6.0	0
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

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

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)  
Increased ballot printing costs associated with mailing multiple by-mail ballots.

Prepared by: Charlot E. Thickstun, Director Phone: 465-4611  
Division: Division of Elections Date: 1/26/93  
Approved by Commissioner: John B. Coghill, Lieutenant Governor  
Agency: Office of the Governor Date: 1/26/93

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ELECTIVE DISTRICT 14  
ELMENDORF A.F.B.  
EAST ANCHORAGE  
GOVERNMENT HILL

REP. TERRY MARTIN

HOME  
355 DONNA DR., #11  
ANCHORAGE, AK 99504  
PHONE: 333-6990

DURING SESSION  
P.O. BOX V  
STATE CAPITOL BUILDING  
JUNEAU, AK 99811  
PHONE: 465-3783

Alaska House of Representatives

MEMORANDUM

DATE: January 20, 1993

TO: Representative Al Vezey, Chairman  
State Affairs Committee

FROM: Representative Terry Martin *TJM*

RE: HB 47 - Scheduling

---

At your earliest convenience, please schedule HB 47, relating to primary ballots for absentee voters. If you have any questions, please contact my aide Tom Anderson at 6618.

ELECTIVE DISTRICT 14  
ELMENDORF A.F.B.  
EAST ANCHORAGE  
GOVERNMENT HILL

REP. TERRY MARTIN

HOME  
355 DONNA DR., #11  
ANCHORAGE, AK 99504  
PHONE: 333-6990

DURING SESSION  
P.O. BOX V  
STATE CAPITOL BUILDING  
JUNEAU, AK 99811  
PHONE: 465-3783

Alaska House of Representatives

## SPONSOR STATEMENT

HB 47

An Act pertaining to the delivery of primary ballots under political party rule, when two or more ballots must be provided.

As a direct result of the 1992 Primary Election, this specific legislation requires that absentee ballot applicants receive the primary ballot selection of their choice or, in the event they do not indicate their choice or lack the opportunity, they shall receive the appropriate primary election ballots and be directed to choose one.

### Need for Legislation

In retrospect of last year's primary, an unprecedented amount of votes were lost for candidates due to the fact that ballot requests had a very unobtrusive and obscure notation asking what ballot was desired. If the voter did not indicate that he/she desired a particular ballot, the open ballot was sent in its place. Many voters expected a ballot aligned with their registered party affiliation. In my new district there were a considerable amount of individuals, far exceeding 100 voters, who notified our office that they had received a ballot without any Republican candidates to choose from. As a result, they either voted for another candidate or opted not to vote. In either case, this hindrance to equal selection is an example of why the regulation of the electoral process should be changed.

ELECTIVE DISTRICT 14  
ELMENDORF A.F.B.  
EAST ANCHORAGE  
GOVERNMENT HILL

REP. TERRY MARTIN

HOME  
355 DONNA DR., #11  
ANCHORAGE, AK 99504  
PHONE: 333-6990

DURING SESSION  
P.O. BOX V  
STATE CAPITOL BUILDING  
JUNEAU, AK 99811  
PHONE: 465-3783

Alaska House of Representatives

SECTIONAL ANALYSIS

HB 47

An Act pertaining to the delivery of primary ballots under political party rule, when two or more ballots must be provided.

Section 1.

This is uncodified law, inserted principally to explain the recent history of the primary ballot controversy. Given the complexity of the question and the obscurity of the source of the problem (a lapsed emergency regulation arising out of a federal court case), it is important and informative to add this section.

Section 2.

This is the operative provision, stating that in the event a political party opts to close its primary, thereby compelling the director of elections to use multiple ballots, a ballot would be sent as designated by the absentee voter. If the absentee voter fails to make the choice, or the choice is not provided, the appropriate ballot (s)\* are to be distributed. If the individual votes both ballots, he/she may be charged with voter misconduct in the first degree under AS 15.56.040(a)(2) which constitutes a class C felony.

\* Note: "appropriate ballot" in terms of the person's voter registration record.

The end result of this bill would be the removal of barriers to the democratic process of voting. If an individual does not answer the question as to what ballot he/she desires, he/she will be sent both ballots and requested to select one. If the individual is not eligible to vote a specific ballot (e.g., a Democrat cannot vote on the Republican ballot), the ballot will not be sent. If the individual is able to vote either ballot (Independent, Undeclared, or Republican), and both ballots are marked and returned to the Division of Elections, they will both be voided.

In the interest of fair election practices, HB 47 would afford all voters in Alaska the complete slate of candidates they are allowed to choose from on the ballot. Last year's primary election was not conducive towards the freedom of choice, which is the underlying premise for all elections in the United States.

**HB**

**48**

# HOUSE COMMITTEE REPORT

(7)

Date Referred: January 25, 1993

FURTHER REFERRALS:

Judiciary  
Finance

Date of Committee Action: 2-9-93

The STATE AFFAIRS Committee considered:

SSHB 48

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 48

DELAYED PAY. OF LEGISLTS' SALARIES

"An Act relating to delayed payment of legislators' salaries, and to state agency operating and capital budgets; and providing for an effective date."

- RECOMMENDATIONS:  the same title  
 be replaced with \_\_\_\_\_  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 \_\_\_\_\_

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

zero fiscal note \_\_\_\_\_

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

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Kenn Libman</i>	X	<i>Al Vezey</i>	X		
<i>Betty Davis</i>	X				
<i>Harley Olberg</i>	X				
		<i>Gary L. Dan.</i>		✓	
		<i>Jim Sanders</i>	X		
		<i>Pete Cott</i>		X	

*Al Vezey*  
 \_\_\_\_\_  
 CHAIRMAN'S SIGNATURE

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES



### REPRESENTATIVE FRAN ULMER

#### SSHB 48

#### Delayed Payment of Legislators' Salaries

SSHB 48 withholds payment of legislators' salaries if the operating budget is not passed by the 90th day of the legislative session; payment does not resume until after the budget is passed by both houses or is sent to a conference committee. The bill also specifies that requests by the governor for budget amendments to state agency budgets may be received by the Finance Committees only through the 45th day.

#### SSHB 48:

**Purpose:** To provide a strong incentive for the legislature to get its work done in a timely manner.

**Benefits:** Will enable the legislature to finalize a spending plan for capital expenditures earlier in the session;

Will enable the legislature to make a realistic assessment of funding available for new legislation;

Will avoid end of session confusion caused by the Finance Committees completing the operating budget in the final days of the session and not allowing a thorough review by both bodies before a vote on the fiscal plan.

Will avoid the end of session backlog of legislation which is either rushed through committee or dies for lack of time to hold public hearings;



FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO: SSHB 48

Revision Date: \_\_\_\_\_  
Title: "An Act relating to delayed payment of legislators' salaries, and to state agency operating..."  
Sponsor: Representative Ulmer  
Requestor: Representative Ulmer

Department Affected: Legislative Affairs Agency  
BRU: Legislative Council  
Component: Salaries and Allowances

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & 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	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary)

Zero fiscal impact.

Prepared By: Pamela A. Stoops, Director *Pamela Stoops* Phone: 465-3850  
Division: Administrative Services Date: 1/27/93

Approved By: Warren W. Endicott, Executive Director *Warren W Endicott*  
Agency: Legislative Affairs Agency Date: 1/27/93

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES



**REPRESENTATIVE FRAN ULMER**

### MEMORANDUM

January 15, 1992

TO: Rep. Al Vezey, Chair  
House State Affairs Committee

FROM: Rep. Fran Ulmer

RE: HB 48, relating to delayed payment of legislators' salaries

JAN 21 1992

---

I would like to request a hearing before the House State Affairs Committee for HB 48, relating to delayed payment of legislators' salaries at your earliest convenience. This legislation seeks to improve the efficiency of government by providing legislators with an additional motivation for moving expeditiously to finalize the state's spending plan. Legislators' pay would be withheld if the operating budget is not passed by the 90th day; payment would not resume until after the budget is passed by both chambers or sent to a conference committee.

I believe this legislation will receive bipartisan support and will help eliminate the potential for chaos at the end of session by accomplishing legislative business in a timely manner.

Thank you for your attention to this request.



# Alaska State Legislature

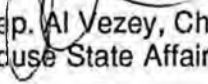
## HOUSE OF REPRESENTATIVES




**REPRESENTATIVE FRAN ULMER**

### MEMORANDUM

January 27, 1993

TO:  Rep. Al Vezey, Chair  
House State Affairs Committee

FROM:  Rep. Fran Ulmer

RE: Scheduling of SSHB 48, relating to delayed payment of legislators' salaries

---

I would like to request a hearing before the House State Affairs Committee for SSHB 48, relating to delayed payment of legislators' salaries, at your earliest convenience. This legislation seeks to improve the efficiency of government by providing legislators with an additional motivation for moving expeditiously to finalize the state's spending plan. Legislators' pay would be withheld if the operating budget is not passed by the 90th day; payment would not resume until after the budget is passed by both chambers or sent to a conference committee.

The sponsor substitute for HB 48 contains two amendments to the original bill which clarify that legislators' pay will be withheld unless a general appropriations bill is passed, and that the Governor may request budget amendments only through the 45th legislative day.

I believe this legislation will receive bipartisan support and will help eliminate the potential for chaos at the end of session by accomplishing legislative business in a timely manner.

Thank you for your attention to this request.



# Alaska State Legislature

## HOUSE OF REPRESENTATIVES



### REPRESENTATIVE FRAN ULMER

#### SSHB 48

#### Delayed Payment of Legislators' Salaries

SSHB 48 withholds payment of legislators' salaries if the operating budget is not passed by the 90th day of the legislative session; payment does not resume until after the budget is passed by both houses or is sent to a conference committee. The bill also specifies that requests by the governor for budget amendments to state agency budgets may be received by the Finance Committees only through the 45th day.

#### SSHB 48:

**Purpose:** To provide a strong incentive for the legislature to get its work done in a timely manner.

**Benefits:** Will enable the legislature to finalize a spending plan for capital expenditures earlier in the session;

Will enable the legislature to make a realistic assessment of funding available for new legislation;

Will avoid end of session confusion caused by the Finance Committees completing the operating budget in the final days of the session and not allowing a thorough review by both bodies before a vote on the fiscal plan.

Will avoid the end of session backlog of legislation which is either rushed through committee or dies for lack of time to hold public hearings;



## **SSHB 48 - Delayed Payment of Legislators' Salaries**

### **Sectional Analysis**

**Section 1:** Provides that legislators' salaries will be withheld after the 90th day of a regular session unless the operating budget has passed both houses of the legislature or been referred to a conference committee. After the budget has been adopted to referred to conference committee, each legislator will be paid amounts which were withheld.

**Section 2:** Amends legislative review timelines for the Governor's operating and capital budgets to specify that requests by the Governor to amend state agency budgets may only be received by the Finance Committees through the 45th legislative day.

**Section 3:** Specifies that the act takes effect immediately.

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO: SSHP 48

Revision Date: \_\_\_\_\_  
Title: "An Act relating to delayed payment of legislators' salaries, and to state agency operating..."  
Sponsor: Representative Ulmer  
Requestor: Representative Ulmer

Department Affected: Legislative Affairs Agency  
BRU: Legislative Council  
Component: Salaries and Allowances

COMPONENT SERIAL NO:

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL	0	0	0	0	0	0
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REVENUE FUND SOURCE	0	0	0	0	0	0
---------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER FUND SOURCE						
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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)

Zero fiscal impact.

Prepared By: Pamela A. Stoops, Director  
Division: Administrative Services

*Pamela A. Stoops*

Phone: 465-3850  
Date: 1/27/93

Approved By: Warren W. Endicott, Executive Director  
Agency: Legislative Affairs Agency

*Warren W. Endicott*

Date: 1/27/93

Distribution (by preparer): Leg. Finance, Legislative Sponsor, Requestor, OMB, Gov. , & Impacted Agency(ies).

# Alaska State Legislature

## HOUSE OF REPRESENTATIVES



REPRESENTATIVE FRAN ULMER

### MEMORANDUM

January 15, 1992

TO: Rep. Al Vezey, Chair  
House State Affairs Committee

FROM: Rep. Fran Ulmer

RE: HB 48, relating to delayed payment of legislators' salaries

JAN 21 1992

---

I would like to request a hearing before the House State Affairs Committee for HB 48, relating to delayed payment of legislators' salaries at your earliest convenience. This legislation seeks to improve the efficiency of government by providing legislators with an additional motivation for moving expeditiously to finalize the state's spending plan. Legislators' pay would be withheld if the operating budget is not passed by the 90th day; payment would not resume until after the budget is passed by both chambers or sent to a conference committee.

I believe this legislation will receive bipartisan support and will help eliminate the potential for chaos at the end of session by accomplishing legislative business in a timely manner.

Thank you for your attention to this request.

## SSHB 48 - Delayed Payment of Legislators' Salaries

### Sectional Analysis

**Section 1:** Provides that legislators' salaries will be withheld after the 90th day of a regular session unless the operating budget has passed both houses of the legislature or been referred to a conference committee. After the budget has been adopted to referred to conference committee, each legislator will be paid amounts which were withheld.

**Section 2:** Amends legislative review timelines for the Governor's operating and capital budgets to specify that requests by the Governor to amend state agency budgets may only be received by the Finance Committees through the 45th legislative day.

**Section 3:** Specifies that the act takes effect immediately.

**HB**

**49**

# HOUSE COMMITTEE REPORT

(7)  
Date Referred: January 13, 1993

FURTHER REFERRALS:

Judiciary  
Finance

Date of Committee Action: 3-4-93

The STATE AFFAIRS Committee considered:

HB 49

HOUSE BILL NO. 49

ABSENTEE BALLOTING BY FAX

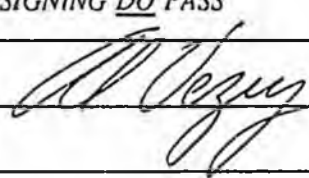
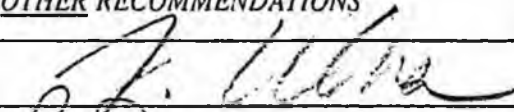
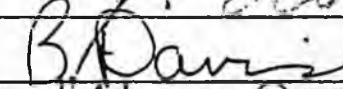
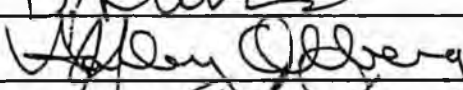
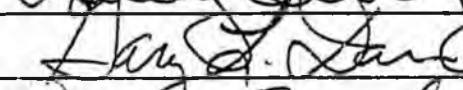
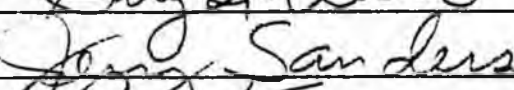
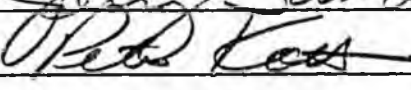
"An Act relating to facsimile absentee ballot application and facsimile absentee voting."

- RECOMMENDATIONS:  the same title  
 be replaced with \_\_\_\_\_  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) \_\_\_\_\_  
 fiscal impact \_\_\_\_\_  
 zero fiscal note \_\_\_\_\_

- APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_  
 fiscal note(s) \_\_\_\_\_  
 zero fiscal note(s) \_\_\_\_\_

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
	X		X		
				X	
				X	
				✓	
				✓	
				✓	

  
 \_\_\_\_\_  
 CHAIRMAN'S SIGNATURE

8-LS03590  
Chenoweth  
2/17/93

**CS FOR HOUSE BILL NO. 49( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**EIGHTEENTH LEGISLATURE - FIRST SESSION**

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES MARTIN, Brice

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to absentee voting, to electronic transmission of absentee ballot  
2 applications, and to delivery of ballots to absentee ballot applicants by electronic  
3 transmission."

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

5 \* Section 1. LEGISLATIVE FINDINGS AND PURPOSE. (a) The legislature finds that

6 (1) because of growth in use of absentee ballots and mail delays, the current  
7 deadline for receipt of absentee ballot applications not less than four days before an election  
8 has contributed to an increase in the number of absentee ballots that are not timely delivered  
9 to absentee ballot applicants residing outside Alaska;

10 (2) apart from mail handled by the United States Postal Service for the military  
11 and their dependents, international postal services at best only infrequently provide a reliable  
12 means by which to assure timely receipt of applications for and delivery of absentee ballots  
13 to qualified voters residing outside the United States;

14 (3) the increased use of electronic transmissions has encouraged the possibility

1 of absentee voter ballot application and the sending of absentee ballots by electronic  
2 transmission; and

3 (4) while federal law encourages but does not require the use of electronic  
4 transmissions in state elections, electronic transmission technology is sufficiently reliable and  
5 there is evidence that transmittal of absentee ballots by electronic transmission would be  
6 helpful to facilitate the absentee voting process.

7 (b) It is the purpose of this Act to allow, in state elections covered by AS 15 (Alaska  
8 Election Code),

9 (1) for absentee voting by electronic transmission by qualified voters living  
10 outside the United States, while recognizing that state election officials have the responsibility  
11 to maintain the accuracy, integrity, and secrecy of the election process; and

12 (2) delivery of absentee ballots by electronic transmission to certain qualified  
13 voters in the United States outside the state directing that these ballots, when completed, be  
14 returned by mail, consistent with reasonable assurance that voting security is maintained for  
15 the ultimate purpose of preventing election fraud and protecting the validity of the electoral  
16 process.

17 (c) Provision is not made for absentee ballot delivery to voters who reside within the  
18 state because of the opportunity of in-state voters to vote personally, by personal  
19 representative, or at absentee voting stations on election day.

20 \* Sec. 2. AS 15.20 is amended by adding a new section to read:

21 Sec. 15.20.066. VOTING BY ELECTRONIC TRANSMISSION. The director  
22 shall adopt regulations applicable to the delivery of absentee ballots by electronic  
23 transmission and to the use of electronic transmission absentee voting by qualified  
24 voters living outside the United States. The regulations must

25 (1) require the voter to comply with the same time deadlines as for  
26 voting in person on or before the closing hour of the polls;

27 (2) ensure the accuracy and, to the greatest degree possible, the  
28 integrity and secrecy of the ballot process.

29 \* Sec. 3. AS 15.20.081(a) is amended to read:

30 (a) A qualified voter may apply by mail to the director for an absentee ballot.

31 A qualified voter residing outside the United States may apply by electronic

1 transmission to the director for an absentee ballot. The application must [SHALL]  
2 include the address or, if the application is from a person residing outside the  
3 United States, the telephone electronic transmission number to which the absentee  
4 ballot is to be returned, the applicant's full Alaska residence address, and the  
5 applicant's signature. However, a person [PERSONS] residing outside the United  
6 States and applying to vote absentee in federal elections in accordance with  
7 AS 15.05.011 need not include an Alaska residence address in the application.

8 \* Sec. 4. AS 15.20.081(b) is amended to read:

9 (b) An application requesting delivery of [FOR] an absentee ballot to the  
10 applicant by mail must be addressed to [RECEIVED BY] the division of elections  
11 and postmarked not less than seven [FOUR] days before the election for which the  
12 absentee ballot is sought. An application from a qualified voter residing outside  
13 the United States requesting delivery of an absentee ballot to the applicant by  
14 electronic transmission must be received by the division of elections not less than  
15 seven days before the election for which the absentee ballot is sought. The  
16 absentee ballot application submitted by mail under this subsection must permit the  
17 person to register to vote under AS 15.07.070 and to request an absentee ballot for  
18 each state election held within that calendar year for which the voter is eligible to vote.  
19 An absentee ballot application submitted by electronic transmission under this  
20 subsection may not permit a person to register to vote under AS 15.07.070.

21 \* Sec. 5. AS 15.20.081(c) is amended to read:

22 (c) After receipt of an application [BY MAIL], the director shall send the  
23 absentee ballot and other absentee voting material to the applicant by the most  
24 expeditious mail service. However, if the application is from a qualified voter  
25 residing outside the United States and the application requests an absentee ballot  
26 by electronic transmission, the director shall send the absentee ballot and other  
27 absentee voting material to the applicant by electronic transmission. If the  
28 application is from a qualified voter residing in the United States outside the state,  
29 was mailed to the division of elections postmarked not later than seven days  
30 before the election for which the absentee ballot is sought, and is received by the  
31 division of elections less than seven days before the election for which the absentee

1 ballot is sought, the director shall make reasonable efforts to contact the applicant  
2 by telephone to determine whether the applicant will accept an absentee ballot  
3 provided by electronic transmission and, if the applicant agrees, the director shall  
4 send the absentee ballot and other absentee voting material to the applicant by  
5 electronic transmission. If mailed, the absentee ballot and other absentee voting  
6 [THE] material shall be sent as soon as they are ready for distribution. If the  
7 absentee ballot and other absentee voting material are mailed to the applicant, the  
8 [THE] return envelope sent with the ballot and other materials shall be addressed to  
9 the election supervisor in the district in which the voter is a resident.

10 \* Sec. 6. AS 15.20.081(e) is amended to read:

11 (e) An absentee ballot must be marked on or before the date of the election.  
12 Except as provided in (h) of this section, a voter who returns the absentee ballot,  
13 whether provided to the voter by mail or by electronic transmission, shall use a  
14 mail service at least equal to first class and mail the ballot not later than the day of the  
15 election to the election supervisor for the election district in which the voter seeks to  
16 vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is  
17 received by the close of business on the 10th day after the election. If the ballot is  
18 postmarked, it must be postmarked on or before election day. After the day of the  
19 election, [NO] ballots may not [SHALL] be accepted unless received by mail.

20 \* Sec. 7. AS 15.20.081(g) is amended to read:

21 (g) The director shall maintain a record of the name of each voter to whom  
22 an absentee ballot is sent under this section [BY MAIL]. The record must list the  
23 date on which the ballot is mailed or provided by electronic transmission and the  
24 date on which the ballot is received by the election supervisor and the dates on which  
25 the ballot was executed and postmarked.

26 \* Sec. 8. AS 15.20.082 is amended by adding a new subsection to read:

27 (e) The provisions of AS 15.20.066 and 15.20.081 relating to electronic  
28 transmission absentee voting do not apply to the procedures established in this section.

29 \* Sec. 9. AS 15.20.211(b) is amended to read:

30 (b) If a voter requested an absentee ballot [BY MAIL] and the proper absentee  
31 ballot was not sent to the voter, the votes cast by the voter on the ballot received

1

which are for write-in candidates the voter could have voted for if the voter had

2

received and voted the proper absentee ballot shall be counted.

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 49

Revision Date: 2/17/93  
Title: Absentee Balloting by FAX  
Sponsor: Representative Martin  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Division of Elections  
Component: Primary and General  
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	7.8	0	7.8	0	7.8
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	20.0	0	20.0	0	20.0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	3.4	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	0	31.2	0	27.8	0	27.8

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
-------------------------	---	---	---	---	---	---

FUNDING:

1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	31.2	0	27.8	0	27.8
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	31.2	0	27.8	0	27.8

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	1	0	1	0	1

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Charlot E. Thickstun, Director  
Division: Division of Elections

Phone: 465-4611  
Date: 2/17/93

Approved by Commissioner: John B. Coghill, Lieutenant Governor  
Agency: Office of the Governor

Date: 2/17/93

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FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 49

ANALYSIS: (Continued)

FAX ONLY TO REGISTERED VOTERS OVERSEAS

Personal Services:		
	Additional Clerk III (4 Months)	7.8
Contractual Services:		
73100	Professional Services	
	Printing and Binding (New Forms)	4.0
73300	Communications	
	Toll Charges (FAX App./Ballot and Phone)	16.0
	Total Contractual	--.-
		20.0
Equipment		
75790	Communications Equipment	
	Additional FAX Machine	3.4
	Total Communications	--.-
		3.4
	Grand Total	--.-
		31.2

**DIVISION OF LEGAL SERVICES**

**LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA**

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

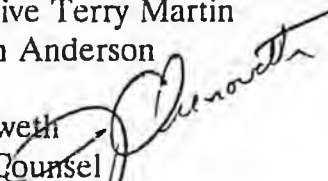
130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

MEMORANDUM

February 8, 1993

**SUBJECT:** Voter misconduct: voting two or more ballots in a single election. (HB 49)

**TO:** Representative Terry Martin  
ATTN: Tom Anderson

**FROM:** Jack Chenoweth  
Legislative Counsel 

Casting multiple votes in a single election may constitute a class C felony. <sup>1/</sup> Under AS 15.56.040(a)(2):

(a) A person commits the crime of voter misconduct in the first degree if the person

...

(2) votes or attempts to vote more than once at the same election with the intent that the person's vote be counted more than once;

....

The key, of course, is whether or not there is evidence that the voter intended that his or her vote be counted more than once. For purposes of the state's Criminal Code, AS 11, an "intentional" violation is one in which "the person's conscious objective is to cause" the particular result that is sought. AS 11.81.900(a)(1).

I find it hard to believe that a voter would typically want to have more than one vote cast and counted in an election. Under the circumstances in which this question is raised--voting under the regular absentee procedure now in place and also by electronically transmitted facsimile vote--would more probably be treated as zealously on the part of a voter that the voter's one vote be received by elections

---

<sup>1/</sup> Classification of the penalty for the offense is set out in AS 15.56.040(b). Violation of the provision carries a sentence of not more than five years, AS 12.55.125(e), and a fine of not more than \$50,000 (AS 12.55.035(b)(2)).

Representative Terry Martin

February 8, 1993

Page 2

officials and counted and not as evidence that the voter sought to cast multiple votes. My hunch is that prosecutions brought under the statute based on sound evidence of intentional violation would be uncommon.

But if multiple voting under the state Elections Code is viewed as a potential problem, it is not a problem that is, in the first instance, generated by House Bill 49. Under current law, a person may seek (and presumably receive) absentee ballots under the regular absentee voting application procedures set out in the state Elections Code and, separately, under the Uniformed and Overseas Citizens Voting Rights Act enacted by the Congress. Since the federal Act now provides a second way for a voter to obtain access to and submit completed absentee ballots, the chances of a violation of the statute would seem to be increased. In the committee's deliberations, legislators may want to inquire as to whether and to what extent the elections division is providing ballot security for these overseas absentee requests in light of the criminal statute and if the employees of the division have any sense of whether or not the probability of a voter's intentionally casting two or more ballots has materially increased due to the federal enactment. If it has, then perhaps the criminal provisions of the title should be revisited.

JBC:lmb

93-035.lmb

ELECTIVE DISTRICT 14  
ELMENDORF A.F.B.  
EAST ANCHORAGE  
GOVERNMENT HILL

REP. TERRY MARTIN

HOME  
355 DONNA DR., #11  
ANCHORAGE, AK 99504  
PHONE: 333-6990

DURING SESSION  
P.O. BOX V  
STATE CAPITOL BUILDING  
JUNEAU, AK 99811  
PHONE: 465-3783

Alaska House of Representatives

MEMORANDUM

TO: Representative Al Vezey, Chairman  
House State Affairs Committee

FROM: Representative Terry Martin *T.M.*

DATE: January 20, 1993

SUBJECT: HB 49 " An Act relating to facsimile absentee ballot  
application and facsimile absentee voting."

---

I respectfully request that you schedule HB 49 in the State Affairs Committee at your earliest convenience.

My aide, Tom Anderson, will follow up with the supporting documentation and summary. If you have any questions, please contact him at 6618.

Thank you.

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB49

Revision Date: \_\_\_\_\_  
Title: Absentee Ballotting By FAX  
Sponsor: Representative Martin  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Division of Elections  
Component: Primary and General  
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	46.8	0	46.8	0	46.8
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	22.1	0	22.1	0	22.1
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	20.4	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	0	89.3	0	68.9	0	68.9

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:

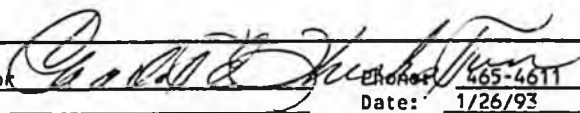
1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	89.3	0	68.9	0	68.9
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	89.3	0	68.9	0	68.9

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	6	0	6	0	6

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Charlot E. Thickstun, Director  Phone: 465-4611  
Division: Division of Elections Date: 1/26/93

Approved by Commissioner: John B. Coghill, Lieutenant Governor  
Agency: Office of the Governor Date: 1/26/93

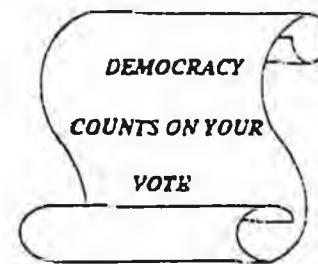
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ANALYSIS: (Continued)

Personal Services:		
	Additional Clerk IIIs (2 in Absentee and 1 in each Region)	46.8
Contractual Services:		
73100	Professional Services	
	Additional Review Board Members /Counting Teams (4 counters @ R I,III,IV) (8 counters @ R II)	10.6
	Printing and Binding (Revisions to Procedure Booklets)	5.0
73300	Communications	
	Toll Charges	6.5
	Total Contractual	--.- 22.1
Equipment		
75790	Communications Equipment	
	Additional FAX Machines (6 @ 3.4 ea.)	20.4
	Total Communications	--.- 20.4
	Grand Total	--.- 89.3



FEDERAL VOTING ASSISTANCE PROGRAM  
OFFICE OF THE SECRETARY OF DEFENSE  
WASHINGTON, D.C. 20301



FACSIMILE TRANSMITTAL

Date: January 8, 1993

From: Federal Voting Assistance Program, Room 1B457 Pentagon

Phone: (703) 695-0663 Autovon 225-0663

FAX No.: (703) 693-5507 Autovon 223-5507

Ombudsman No. 1 (800) 438-VOTE

Voting Information Center (VIC) Autovon 223-6500

Commercial (703) 693-6500

Subject: Absentee Voting Initiatives

To: Tom Anderson *1 Rep. Martin #A11*

Phone: 907-465-6618

FAX No. 907-465-2864

Number of pages including this page 6

Hi Tom...

As discussed, here's information on faxing as Montana recently enacted. I'll contact you about mid-week next week regarding expansion of the Federal Write-In Absentee Ballot and reference to 42 USC. Regards...

*John Uschold*  
John Uschold  
Deputy Director

*FROM:  
REP. MARTIN  
HB49  
SUBMITTED  
1/29/93*

## TITLE 13 - MONTANA ELECTION LAW

**13-13-273. Counting of federal write-in absentee ballots.** (1) A federal write-in absentee ballot must be counted if:

- (a) the condition in 13-13-271(3) has been met;
- (b) the regular absentee ballot has not been received by 8 p.m. election day;
- (c) it has not been submitted from any location within the continental United States, Alaska, Hawaii, or Guam; and
- (d) it is received by 8 p.m. election day.

(2) Federal write-in absentee ballots received before the close of the poll's election day will not be counted until the polls have closed.

History: En. Sec. 1, Ch. 43, L. 1987.

13-13-274 and 13-13-275 reserved.

**13-13-276. Legislative findings and purpose.** The legislature finds that the increased use of facsimile transmissions has encouraged the possibility of absentee voter registration and the sending and receiving of absentee ballots by facsimile. The legislature also finds that while federal law encourages but does not require the use of facsimile transmissions in federal elections, there are sufficient reliability in facsimile technology and sufficient evidence that absentee facsimile voting would be of benefit to electors in the United States service, to provide for absentee registration and voting by facsimile. It is the purpose of 13-13-276 through 13-13-279 to allow for absentee voter registration and voting by facsimile, while recognizing that state and local election officials have the responsibility to maintain the accuracy, integrity, and secrecy of the election process and the individual election ballot. It is the purpose of the legislature to allow facsimile voting for electors in the United States service but to continue to ensure that voting security is maintained for the ultimate purpose of preventing election fraud and maintaining the validity of the election process.

History: En. Sec. 1, Ch. 111, L. 1991.

Compiler's Comments 1991

Effective Date: Section 4(1), Ch. 111, L. 1991, provided: "[Sections 1 (13-13-276), 2(2) (13-13-278(1)), 2(3) (13-13-278(2)), 3 (13-13-279), 5 (not codified), and this section] are effective on passage and approval." Approved March 20, 1991.

**13-13-277. (Effective July 1, 1992) Registration and voting by facsimile authorized.** Notwithstanding other provisions of this title, each election administrator may, in any primary election, general election, and special election, take the following acts by facsimile transmission, if facsimile facilities are

available, in place of the us for the purposes of registra become an elector, in the U

- (1) register an individ
- (2) give notice of regl
- (3) receive requests fo
- (4) transmit absentee b
- (5) receive absentee b

History: En. Sec. 2(1), Ch.

Compiler's Comments 1991

Effective Date: Section 4(2) effective July 1, 1992."

**13-13-278. Adoption of state shall adopt reasonable: Administrative Procedure Act upon election administrator: time requirements or deadli by use of the public mails, for the acceptance of facsile must maintain the accuracy, allow registration and votin or other private entity for tra of state finds that the use is e 279.**

(2) The secretary of sta any agency or office of the or private source and may us 276 through 13-13-279.

History: En. Sec. 2(2), (3), C

Compiler's Comments 1991

Effective Date: Section 4(1), C 278(1)), 2(3) (13-13-278(2)), 3 (1: passage and approval." Approved

**13-13-279. Advisory c secretary of state shall ad assistance of the secretary's**

**ELECTION PROCEDURE**

available, in place of the use of the public mails when requested by an elector or, for the purposes of registration under subsection (1), an individual intending to become an elector, in the United States service, as defined in 13-2-211:

- (1) register an individual to vote;
- (2) give notice of registration;
- (3) receive requests for an absentee ballot;
- (4) transmit absentee ballots to electors; and
- (5) receive absentee ballots from electors.

History: En. Sec. 2(1), Ch. 111, L. 1991.

Compiler's Comments 1991

Effective Date: Section 4(2), Ch. 111, L. 1991, provided: "[Section 2(1)] [13-13-277] is effective July 1, 1992."

**13-13-278. Adoption of rules -- acceptance of funds.** (1) The secretary of state shall adopt reasonable rules under the rulemaking provisions of the Montana Administrative Procedure Act to implement 13-13-277. The rules are binding upon election administrators. The rules must require compliance with the same time requirements or deadlines as for registration and voting by absentee ballot by use of the public mails, except that the rules may provide for different times for the acceptance of facsimile ballots after the closing of the polls. The rules must maintain the accuracy, integrity, and secrecy of the ballot process and must allow registration and voting by facsimile through use of a private corporation or other private entity for transmission of facsimile messages only if the secretary of state finds that the use is essential to the purposes of 13-13-276 through 13-13-279.

(2) The secretary of state may apply for and receive a grant of funds from any agency or office of the United States government or from any other public or private source and may use the money for the purpose of implementing 13-13-276 through 13-13-279.

History: En. Sec. 2(2), (3), Ch. 111, L. 1991.

Compiler's Comments 1991

Effective Date: Section 4(1), Ch. 111, L. 1991, provided: "[Sections 1 [13-13-276], 2(2) [13-13-278(1)], 2(3) [13-13-278(2)], 3 [13-13-279], 5 [not codified], and this section] are effective on passage and approval." Approved March 20, 1991.

**13-13-279. Advisory council assistance -- report to legislature.** (1) The secretary of state shall adopt the rules required by 13-13-278(1) with the assistance of the secretary's election administrators advisory council, and the

A federal  
 tion day;  
 cal United  
 f the polls  
 nds that the  
 ssibility of  
 a ballots by  
 es but does  
 , there are  
 at absentee  
 i service, to  
 r of 13-  
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 are effective on  
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 ecial election,  
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etary of State

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Co. <b>FUAC</b>	Co. <b>SOS - MT</b>	
Dept.	Phone #	
Fax # <b>703 - 693 - 5507</b>	Fax #	

**TITLE 13 - MONTANA ELECTION LAW**

advisory council shall assist and advise the secretary in the implementation of 13-13-276 through 13-13-279.

(2) The secretary of state shall by January 1, 1995, prepare a written report to the legislature concerning the implementation of 13-13-276 through 13-13-279 and the activities of the advisory council in implementing 13-13-276 through 13-13-279. The report must:

(a) include copies of rules adopted by the secretary of state in accordance with 13-13-277 and 13-13-278;

(b) contain a detailed summary of the experience of the secretary of state and local election administrators in implementing 13-13-276 through 13-13-279; and

(c) include any recommendations for changes to the applicable laws.

History: En. Sec. 3, Ch. 111, L. 1991.

Compiler's Comments 1991

Effective Date: Section 4(1), Ch. 111, L. 1991, provided: "[Sections 1 [13-13-276], 2(2) [13-13-278(1)], 2(3) [13-13-278(2)], 3 [13-13-279], 5 [not codified], and this section] are effective on passage and approval." Approved March 20, 1991.

**Part 3**

**Challenges**

13-13-301. Challenges on election day. (1) An elector's right to vote may be challenged on election day by any registered elector by orally stating to the election judges the grounds of the challenge.

(2) An individual offering to vote may be orally challenged by any elector of the county upon the following grounds:

(a) that he is not the individual whose name appears on the register;

(b) that he does not reside at the residence listed unless the elector is voting under the provisions of 13-2-512 and 13-2-514;

(c) that he is of unsound mind, as determined by a court;

(d) that he has voted before in that election;

(e) that he has been convicted of a felony and is serving a sentence in a penal institution.

History: (1) En. Sec. 34, Ch. 368, L. 1969; and, Sec. 11, Ch. 365, L. 1977; Sec. 23-3015, R.C.M. 1947; (2) En. Sec. 111, Ch. 368, L. 1969; and, Sec. 33, Ch. 365, L. 1977; Sec. 23-3611, R.C.M. 1947; R.C.M. 1947, 23-3015(3), 23-3611; and, Sec. 132, Ch. 571, L. 1979.

## **FAX BALLOT FOR VOTERS IN THE U.S. SERVICE**

### **Suggestions**

#### **Equipment and personnel**

1. If the fax machine does not have the technology to store ballots, then it should be in a secure room where again it may only be accessed by authorized personnel. This may be in a closet that can be locked when unattended or in the election administrator's office (which could be locked when unattended).
2. Designate a specific deputy to have responsibility for the fax machine if the election administrator will be absent from the office so that transmission problems can be resolved in a timely fashion.
3. Designate one or two key personnel to handle the transmission of the ballot. Since transmission may take up to fifteen minutes, employees should be alert until the transmission has been completed.
4. Make sure the ballots that are received are readable and that no part of the ballot was cut off or lost in transmission.

#### **Procedures**

1. Ballots are not directly faxed to military personnel, but to the Military Office of Technology (MOT) at (800) 368-VOTE. If you have trouble with reaching this fax number, you should call 1-800-966-VOTE.
2. Place election administrator's return fax and telephone number on all information and transmissions, since the voter can fax directly back to the election administrator and does not have to go through the MOT.
3. When transcribing the faxed ballot to the original ballot, do not make any mark on the ballot that might identify the voter.
4. Survey the voters who were faxed a ballot, but did not return one to determine whether they received a ballot or if there is some other problem with the system.
5. A faxed ballot is an absentee ballot, but instead of being delivered by mail, it is delivered by facsimile transmission. If the fax ballot rules do not cover a situation, follow the absentee ballot procedure.

#### **Application procedures**

1. An application for a faxed ballot can be made by a registered Montana voter who is:
  - a. a member of the U.S. armed forces in the active service or the member's spouse or dependents,
  - b. a member of the U.S. merchant marine or the member's spouse or dependents,
  - c. a member of a religious group or welfare agency assisting and attached to

U.S. and the District of Columbia or the member's spouse or dependents when residing or accompanying the citizen.

2. Three items should be faxed to the Military Office of Technology:
  - a. the "Official Election Materials Electronic Transmission Sheet,"
  - b. instructions for voting the faxed ballot, and
  - c. the ballot with elector's affirmation attached to each page of the ballot.
3. The three items faxed must be retained in a secure absentee envelope.
4. Any action on a faxed ballot should be recorded in the fax ballot log.

### Background on the Federal Voting Assistance Program

The Federal Voting Assistance Program (FVAP) is part of the Department of the Defense. They have arranged for the transmission of absentee ballots to military personnel.

Because military personnel are often moving from base to base, the FVAP has set up a service that will ensure that electors in the U.S. service who request absentee ballots receive them. Ballots are faxed to 1(800) 368-VOTE, where the FVAP will then forward the ballot to the voter.

Ballots sent must include the "Official Election Materials Electronic Transmission Sheet." This will ensure that the ballot is routed to the correct voter and returned to the correct election administrator.

### Transcription of ballots

1. On or before the election day, the election administrator may transcribe the faxed ballots that have been received.
2. The election administrator shall choose at least two election judges, each representing a different major political party, to handle the transcription. The judges may not reveal any information regarding the ballots they transcribe.
3. The election judges shall compare the signature on the affirmation on each page of the ballot with the absentee ballot request. If sufficient, the affirmations should be removed and kept with the ballot request in a secure location.
4. The judges shall transcribe the voter's marks on the faxed ballot onto the original ballot. They shall make no mark that might identify the voter who cast the ballot.
5. The judges shall sign in the faxed ballot log next to the absentee voter's name.
6. The judges shall mark a faxed ballot code number on the original and on the faxed ballots. This will allow for the faxed ballot to be checked if there is a question on the transcription.
7. The faxed ballot should be placed in a secure absentee ballot envelope. The original



## Alaska Permanent Fund Corporation

### FINANCIAL PROJECTIONS (in millions)

as of December 31, 1992

GROWTH OF FUND PRINCIPAL						
FY	FY Begin Balance	Appropriations	Dedicated State Revenues*	Inflation-Proofing	FY End Balance	Inflation-Proofing Shortfall
78	0		54		54	
79	54		84		139	
80	139		344		483	
81	483	900	385		1,769	
82	1,769	800	400		2,969	
83	2,969	400	421	231	4,021	
84	4,021	300	366	151	4,838	
85	4,838	300	368	235	5,741	
86	5,741		323	218	6,281	
87	6,281	1,264 **	170	148	7,864	
88	7,864		418	303	8,585	
89	8,585		228	360	9,173	
90	9,173		267	434	9,894	
91	9,894		435	559	10,888	
92	10,888		338	477	11,703	
93	11,703		256	360	12,319	
94	12,319		241	565	13,125	
95	13,125		249	602	13,978	
96	13,978		255	640	14,872	
97	14,872		248	680	15,800	
98	15,800		235	962	16,997	
99	16,997		209	1,032	18,239	
0	18,239		189	1,106	19,534	
1	19,534		172	1,182	20,887	
2	20,887		158	1,253	22,308	
3	22,308		143	1,347	23,798	
4	23,798		129	1,327	25,255	108
5	25,255		115	1,259	26,629	263
6	26,629		102	1,325	28,058	279
7	28,058		79	1,393	29,528	295
8	29,528		25	1,482	31,014	312
9	31,014		25	1,532	32,571	330
10	32,571		22	1,607	34,200	349
<b>Cumulative Totals Projected:</b>						
<b>For FY 1993 - 2010:</b>						<b>1,936</b>

USE OF FUND INCOME						
Net Income	Distributions			Reserves		FY
	Dividends	Inflation-Proofing	General Fund	Add (Delete)	FY End Balance	
2					1	78
8					7	79
32	12				12	80
150	28				28	81
368	71				71	82
471	108	231			110	83
530	175	151			203	84
658	217	235			206	85
1,021	303	216			501	86
1,069	391	148			529	87
789	424	303			62	88
868	460	360	4		44	89
918	487	454	4		(30)	90
1,030	489	559	4		(24)	91
1,036	488	477	5		64	92
1,069	517	360	3		190	93
1,121	543	565			12	94
1,190	572	602			16	95
1,264	596	640			27	96
1,341	628	680			32	97
1,587	683	962			(59)	98
1,693	743	1,032			(82)	99
1,802	807	1,106			(111)	0
1,912	875	1,182			(145)	1
2,026	947	1,263			(184)	2
2,141	1,005	1,347			(211)	3
2,261	1,065	1,327			(131)	4
2,386	1,126	1,259				5
2,514	1,189	1,325				6
2,648	1,255	1,393				7
2,784	1,322	1,462				8
2,924	1,392	1,532				9
3,071	1,464	1,607				10
<b>35,733</b>	<b>16,730</b>	<b>19,645</b>	<b>3</b>			

#### REALIZED RATE OF RETURN ASSUMPTIONS:

	Nominal	Inflation	Real
FY 83-87	8.33%	3.01%	5.32%
FY 88-92	8.10%	4.50%	3.60%
FY 93-2010	9.00%	6.00%	3.00%

\* Department of Revenue Fall 1992 Low-Case Revenue Forecast.  
 \*\* Earnings reserve appropriated to Fund principal by the Legislature July 1, 1987.  
 \*\*\* Based on capital market assumptions adopted by the Board of Trustees in March

STATUS QUO

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB49

Revision Date: \_\_\_\_\_  
Title: Absentee Ballotting By FAX  
Sponsor: Representative Martin  
Requestor: \_\_\_\_\_

Department Affected: Office of the Governor  
BRU: Division of Elections  
Component: Primary and General  
COMPONENT SERIAL NO. 22

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES	0	46.8	0	46.8	0	46.8
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	22.1	0	22.1	0	22.1
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	20.4	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	0	89.3	0	68.9	0	68.9

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:

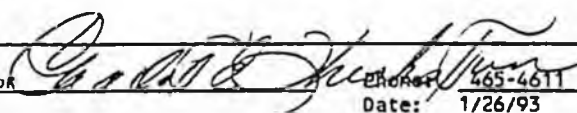
1002 Federal Receipts	0	0	0	0	0	0
1003 GF Match	0	0	0	0	0	0
1004 GF	0	89.3	0	68.9	0	68.9
1005 GF/Program	0	0	0	0	0	0
1006 GF/MHTIA	0	0	0	0	0	0
OTHER	0	0	0	0	0	0
TOTAL	0	89.3	0	68.9	0	68.9

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	6	0	6	0	6

Estimate of current year (FY93) impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Charlot E. Thickstun, Director  Date: 1/26/93  
Division: Division of Elections

Approved by Commissioner: John B. Coghill, Lieutenant Governor Date: 1/26/93  
Agency: Office of the Governor

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For further distribution information call the Governor's Legislative Office

ANALYSIS: (Continued)

Personal Services:		
	Additional Clerk IIIs (2 in Absentee and 1 in each Region)	46.8
Contractual Services:		
73100	Professional Services	
	Additional Review Board Members /Counting Teams (4 counters @ R I,III,IV) (8 counters @ R II)	10.6
	Printing and Binding (Revisions to Procedure Booklets)	5.0
73300	Communications	
	Toll Charges	6.5
	Total Contractual	--.- 22.1
Equipment		
75790	Communications Equipment	
	Additional FAX Machines (6 @ 3.4 ea.)	20.4
	Total Communications	--.- 20.4
	Grand Total	--.- 89.3

ORDER SUMMARY \*\*\*  
SPONSOR: ASIA HOUSE STATE AFFAIRS CHAIRS: KEAT  
PURPOSE: PUB PUBLIC HEARING  
CONTACT: JOE STAN TEL#: 301-462-3722  
MEETING SITE: JUVENU CAPITOL OFFICE  
TOLL FREE: (800)452-7213 FAX: # LID: (800)452-7213

SPONSOR REMARKS: 1/23/93 11:23:55  
SPONSOR REMARKS: 1/23/93 11:23:55  
FOR REQUESTED BY 01/23/93 AND HAS 2 UPDATES

\*\*\* ATTENDS \*\*\*  
JOE STAN

\*\*\* PARTICIPANTS \*\*\*  
JOE STAN CAPITOL OFFICE

\*\*\* VOLUNTEER & OFFICE SITE \*\*\*  
OFFICE OFFNET 1 JOE STAN  
OFFICE OFFNET 2 JOE STAN

\*\*\* CONSULTING NOTES \*\*\*  
GIVE THE 3RD COPY, 4222 2 DFC, THE ONLY 2ND COPY, THE 3RD NUMBER OF 1927 IN THE  
TO THE OFFICE. BK

\*\*\* UPDATE \*\*\*  
01 01/23/93 11:23:55 ANNOUNCING TELECONFERENCE  
02 01/23/93 11:23:55 OFFNET 2 ADDED UP

HB 49  
Rep Martin  
2-2-93

PUBLIC LAW 99-410 (H.R. 4393); August 28, 1986

UNIFORMED AND OVERSEAS CITIZENS  
ABSENTEE VOTING ACT

For Legislative History of Act see Report for P.L. 99-410  
in Legislative History Section, post.

An Act to consolidate and improve provisions of law relating to absentee registration and voting in  
elections for Federal office by members of uniformed services and persons who reside  
overseas.

Be it enacted by the Senate and House of Representatives of the  
United States of America in Congress assembled,

Uniformed and  
Overseas  
Citizens  
Absentee Voting  
Act.  
42 USC 1973ff  
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Uniformed and Overseas Citizens  
Absentee Voting Act".

TITLE I—REGISTRATION AND VOTING BY  
ABSENT UNIFORMED SERVICES  
VOTERS AND OVERSEAS VOTERS IN  
ELECTIONS FOR FEDERAL OFFICE

42 USC 1973ff.  
President of U.S.

SEC. 101. FEDERAL RESPONSIBILITIES.

(a) PRESIDENTIAL DESIGNEE.—The President shall designate the  
head of an executive department to have primary responsibility for  
Federal functions under this title.

(b) DUTIES OF PRESIDENTIAL DESIGNEE.—The Presidential designee  
shall—

State and local  
governments.

(1) consult State and local election officials in carrying out  
this title;

(2) prescribe an official post card form, containing both an  
absentee voter registration application and an absentee ballot  
application, for use by the States as recommended in section  
104;

(3) carry out section 103 with respect to the Federal write-in  
absentee ballot for overseas voters in general elections for  
Federal office;

(4) prescribe a suggested design for absentee ballot mailing  
envelopes for use by the States as recommended in section 104;

(5) compile and distribute (A) descriptive material on State  
absentee registration and voting procedures, and (B) to the  
extent practicable, facts relating to specific elections, including  
dates, offices involved, and the text of ballot questions; and

Reports.

(6) not later than the end of each year after a Presidential  
election year, transmit to the President and the Congress a  
report on the effectiveness of assistance under this title, includ-  
ing a statistical analysis of voter participation and a description  
of State-Federal cooperation.

(c) DUTIES OF OTHER FEDERAL OFFICIALS.—

(1) IN GENERAL.—The head of each Government department,  
agency, or other entity shall, upon request of the Presidential

Aug. 28

ABSE

designee, distribute ba  
in carrying out this tit  
(2) ADMINISTRATOR C  
Presidential designee.  
shall furnish official ;  
tion (b)) and Federal v  
section 103).

SEC. 102. STATE RESPONSIBI

Each State shall—

(1) permit absent  
voters to use absentee  
absentee ballot in gen  
for Federal office;

(2) accept and proc  
primary, or runoff e  
valid voter registrati  
services voter or over  
the appropriate Stat  
before the election; a

(3) permit oversea  
ballots (in accordance  
Federal office.

SEC. 103. FEDERAL WRITE-I  
IN GENERAL EL

(a) IN GENERAL.—The  
eral write-in absentee  
mailing envelope for su  
Federal office by oversea  
and do not receive, States

(b) SUBMISSION AND PR  
this title, a Federal writ  
processed in the manner  
State involved. A Feder  
voter shall not be counte

(1) if the ballot is  
States;

(2) if the applicati  
ballot is received by  
than 30 days before

(3) if a State abse  
by the appropriate  
deadline for receipt

(c) SPECIAL RULES.—T  
Federal write-in absente

(1) In completing  
a candidate by wr  
writing in the name  
shall be counted

(2) In the case of  
vote for a named ca  
political party sh  
supporting the can

(3) Any abbrevia  
the form of the na:

designee, distribute balloting materials and otherwise cooperate in carrying out this title.

(2) ADMINISTRATOR OF GENERAL SERVICES.—As directed by the Presidential designee, the Administrator of General Services shall furnish official post card forms (prescribed under subsection (b)) and Federal write-in absentee ballots (prescribed under section 103).

SEC. 102. STATE RESPONSIBILITIES.

42 USC 1973ff-1.

Each State shall—

(1) permit absent uniformed services voters and overseas voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for Federal office;

(2) accept and process, with respect to any general, special, primary, or runoff election for Federal office, any otherwise valid voter registration application from an absent uniformed services voter or overseas voter, if the application is received by the appropriate State election official not less than 30 days before the election; and

(3) permit overseas voters to use Federal write-in absentee ballots (in accordance with section 103) in general elections for Federal office.

SEC. 103. FEDERAL WRITE-IN ABSENTEE BALLOT FOR OVERSEAS VOTERS IN GENERAL ELECTIONS FOR FEDERAL OFFICE.

42 USC 1973ff-2.

(a) IN GENERAL.—The Presidential designee shall prescribe a Federal write-in absentee ballot (including a secrecy envelope and mailing envelope for such ballot) for use in general elections for Federal office by overseas voters who make timely application for, and do not receive, States, absentee ballots.

(b) SUBMISSION AND PROCESSING.—Except as otherwise provided in this title, a Federal write-in absentee ballot shall be submitted and processed in the manner provided by law for absentee ballots in the State involved. A Federal write-in absentee ballot of an overseas voter shall not be counted—

State and local governments.

(1) if the ballot is submitted from any location in the United States;

(2) if the application of the overseas voter for a State absentee ballot is received by the appropriate State election official less than 30 days before the general election; or

(3) if a State absentee ballot of the overseas voter is received by the appropriate State election official not later than the deadline for receipt of the State absentee ballot under State law.

(c) SPECIAL RULES.—The following rules shall apply with respect to Federal write-in absentee ballots:

(1) In completing the ballot, the overseas voter may designate a candidate by writing in the name of the candidate or by writing in the name of a political party (in which case the ballot shall be counted for the candidate of that political party).

(2) In the case of the offices of President and Vice President, a vote for a named candidate or a vote by writing in the name of a political party shall be counted as a vote for the electors supporting the candidate involved.

(3) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party shall be

F. M. GUN... VIGILIO... ALASKA 00011

Aug. 28, 1986  
CITIZENS  
L. 99-410  
registration and voting in  
and persons who reside  
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VOTING BY  
SERVICES  
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responsibility for  
Presidential designee  
in carrying out  
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absentee ballot  
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ederal write-in  
l elections for  
ballot mailing  
in section 104;  
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and (B) to the  
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questions; and  
a Presidential  
the Congress a  
his title, includ-  
nd a description  
nt department,  
he Presidential

disregarded in determining the validity of the ballot, if the intention of the voter can be ascertained.

(d) **SECOND BALLOT SUBMISSION; INSTRUCTION TO OVERSEAS VOTER.**—An overseas voter who submits a Federal write-in absentee ballot and later receives a State absentee ballot, may submit the State absentee ballot. The Presidential designee shall assure that the instructions for each Federal write-in absentee ballot clearly state that an overseas voter who submits a Federal write-in absentee ballot and later receives and submits a State absentee ballot should make every reasonable effort to inform the appropriate State election official that the voter has submitted more than one ballot.

(e) **USE OF APPROVED STATE ABSENTEE BALLOT IN PLACE OF FEDERAL WRITE-IN ABSENTEE BALLOT.**—The Federal write-in absentee ballot shall not be valid for use in a general election if the State involved provides a State absentee ballot that—

(1) at the request of the State, is approved by the Presidential designee for use in place of the Federal write-in absentee ballot; and

(2) is made available to overseas voters at least 60 days before the deadline for receipt of the State ballot under State law.

(f) **CERTAIN STATES EXEMPTED.**—A State is not required to permit use of the Federal write-in absentee ballot, if, on and after the date of the enactment of this title, the State has in effect a law providing that—

(1) a State absentee ballot is required to be available to any voter described in section 107(5)(A) at least 90 days before the general election involved; and

(2) a State absentee ballot is required to be available to any voter described in section 107(5)(B) or (C), as soon as the official list of candidates in the general election is complete.

42 USC 1973ff-3. **SEC. 104. RECOMMENDATIONS TO THE STATES TO MAXIMIZE ACCESS TO THE POLLS BY ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS.**

To afford maximum access to the polls by absent uniformed services voters and overseas voters, it is recommended that the States—

(1) use the official post card form (prescribed under section 101) for simultaneous voter registration application and absentee ballot application;

(2) adopt the suggested design for absentee ballot mailing envelopes prescribed under section 101;

(3) waive registration requirements for absent uniformed services voters and overseas voters who, by reason of service or residence, do not have an opportunity to register;

(4) if an application other than an official post card form (prescribed under section 101) is required for absentee registration, provide that registration forms be sent with the absentee ballot and may be returned with it;

(5) expedite processing of balloting materials with respect to absent uniformed services voters and overseas voters;

(6) permit any oath required for a document under this title to be administered by a commissioned officer of the Armed Forces or any official authorized to administer oaths under Federal law or the law of the State or other place where the oath is administered;

Armed Forces.

(7) assure that absent uniformed services voters have an opportunity;

(8) assist the President in providing other information relating to the election;

(9) provide late registration information to voters separated from the Armed Forces.

**SEC. 105. ENFORCEMENT.**

The Attorney General may bring a civil action in any district court for such declaratory or injunctive relief as may be necessary to carry out this title.

**SEC. 106. EFFECT ON CERTAIN OTHER LAWS.**

The exercise of any right or privilege under the laws of a State for purposes of any Federal, State, or local law, if the domicile of a person exercising such right or privilege is in the State, shall not be affected by this title.

**SEC. 107. DEFINITIONS.**

As used in this title, the term—

(1) "absent uniformed services voter" means—

(A) a member of a uniformed services organization by reason of such a member's residence where the member is performing such service in the merchant marine;

(B) a member of a uniformed services organization whose residence where the member is performing such service is in the United States and

(C) a spouse or dependent of a member of a uniformed services organization as defined in subparagraph (A) or (B) who is performing such service of the member of a uniformed services organization where the spouse or dependent is performing such service;

(2) "balloting materials" means materials prescribed under section 101 (prescribed under section 101) that, as determined by the State, are essential to the carrying out of the election;

(3) "Federal office" means the office of the President, or of Senator, Representative, Resident Commissioner, or Delegate;

(4) "member of the merchant marine" means a member of the merchant marine who is employed, enrolled, or registered in inland waterways—

(A) employed as a member of the merchant marine as documented under the Uniformed Services Union Registry under chapter 101;

(B) enrolled with a uniformed services organization for training for employment in the United States for emergency services;

(5) "overseas voter" means—

(A) an absent uniformed services voter on active duty or service in the merchant marine on the date of the election;

ESS.

Aug. 28

Aug. 28

ABSENTEE VOTING ACT

P.L. 99-410

(7) assure that absentee ballots are mailed to absent uniformed services voters and overseas voters at the earliest opportunity;

Uniformed services.

(8) assist the Presidential designee in compiling statistical and other information relating to this title; and

(9) provide late registration procedures for persons recently separated from the Armed Forces.

Armed Forces.

SEC. 105. ENFORCEMENT.

42 USC 1973ff-4.

The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

SEC. 106. EFFECT ON CERTAIN OTHER LAWS.

Taxes.  
42 USC 1973ff-5.

The exercise of any right under this title shall not affect, for purposes of any Federal, State, or local tax, the residence or domicile of a person exercising such right.

SEC. 107. DEFINITIONS.

42 USC 1973ff-6.

As used in this title, the term—

(1) "absent uniformed services voter" means—

(A) a member of a uniformed service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;

(B) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; and

(C) a spouse or dependent of a member referred to in subparagraph (A) or (B) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote;

(2) "balloting materials" means official post card forms (prescribed under section 101), Federal write-in absentee ballots (prescribed under section 103), and any State balloting materials that, as determined by the Presidential designee, are essential to the carrying out of this title;

(3) "Federal office" means the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress;

(4) "member of the merchant marine" means an individual (other than a member of a uniformed service or an individual employed, enrolled, or maintained on the Great Lakes or the inland waterways)—

(A) employed as an officer or crew member of a vessel documented under the laws of the United States, or a vessel owned by the United States, or a vessel of foreign-flag registry under charter to or control of the United States; or

(B) enrolled with the United States for employment or training for employment, or maintained by the United States for emergency relief service, as an officer or crew member of any such vessel;

(5) "overseas voter" means—

(A) an absent uniformed services voter who, by reason of active duty or service is absent from the United States on the date of the election involved;

FILED IN THE OFFICE OF THE SECRETARY OF THE ARMY AND AIR FORCE

(B) a person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

(C) a person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

(6) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa;

(7) "uniformed services" means the Army, Navy, Air Force, Marine Corps, and Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration; and

(8) "United States", where used in the territorial sense, means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

## TITLE II—POSTAL, CRIMINAL, AND GENERAL PROVISIONS

### SEC. 201. AMENDMENTS TO TITLE 39, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 34 of title 39, United States Code, is amended by adding at the end the following new section:

39 USC 3406.

"§ 3406. Balloting materials under the Uniformed and Overseas Citizens Absentee Voting Act

"(a) Balloting materials under the Uniformed and Overseas Citizens Absentee Voting Act (individually or in bulk)—

"(1) shall be carried expeditiously and free of postage; and

39 USC 406.

"(2) may be mailed at a post office established outside the United States under section 406 of this title, unless such mailing is prohibited by treaty or other international agreement of the United States.

"(b) As used in this section, the term 'balloting materials' has the meaning given that term in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act."

(b) TECHNICAL AMENDMENTS.—

(1) The table of sections for chapter 34 of title 39, United States Code, is amended by adding at the end the following new item:

"3406. Balloting materials under the Uniformed and Overseas Citizens Absentee Voting Act."

(2) The first sentence of section 2401(c) of title 39, United States Code, is amended—

(A) by striking out "3405" and inserting in lieu thereof "3406"; and

Post. p. 930.

(B) by striking out "the Overseas Citizens Voting Rights Act of 1975, and the Federal Voting Assistance Act of 1955".

Post. p. 930.

(3) Section 3627 of title 39, United States Code, is amended—

(A) by striking out "3405" and inserting in lieu thereof "3406"; and

(B) by striking Act of 1955, or the Act of 1975".

(4) Section 3684 of striking out ". or of :

SEC. 202. AMENDMENTS TO

(a) IN GENERAL.—Chapter amended by adding at the

"§ 608. Absent uniformed

"(a) Whoever knowing person of a right under Absentee Voting Act she imprisoned not more than

"(b) Whoever knowing establishing the eligibility the Uniformed and Overseas Citizens Absentee Voting Act shall be fined not more than five years.

"§ 609. Use of military Armed Forces

"Whoever, being a petty officer of an Armed Force, induces the vote of a member of the Armed Forces to make a contribution to the discussion of political issues shall be fined in accordance with section 838, or both, not more than five years, or both.

(b) TECHNICAL AMENDMENTS.—

of title 18, United States Code, is amended following:

"608. Absent uniformed services; and

"609. Use of military authority;

United States and in which the person was registered; or the United States and qualified to vote in the precinct before leaving

ates, the District of Columbia, Guam, the Virgin

y, Navy, Air Force, commissioned corps of the United States Coast and Geodetic Survey, and the territorial government of Columbia, the Virgin Islands, and

AL, AND INS

CODE.

ited States Code, is section:

med and Overseas

and Overseas Citi-

ree of postage; and published outside the United States unless such mailing is in accordance with the agreement of the

materials' has the same effect as if the Uniformed and

of title 39, United States Code, and the following new

seas Citizens Absentee

of title 39, United

ing in lieu thereof

zens Voting Rights Assistance Act of

Code, is amended—adding in lieu thereof

(B) by striking out "under the Federal Voting Assistance Act of 1955, or under the Overseas Citizens Voting Rights Act of 1975".

(4) Section 3684 of title 39, United States Code, is amended by striking out " , or of the Federal Voting Assistance Act of 1955".

SEC. 202. AMENDMENTS TO TITLE 18, UNITED STATES CODE.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new sections:

"§ 608. Absent uniformed services voters and overseas voters

"(a) Whoever knowingly deprives or attempts to deprive any person of a right under the Uniformed and Overseas Citizens Absentee Voting Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

"(b) Whoever knowingly gives false information for the purpose of establishing the eligibility of any person to register or vote under the Uniformed and Overseas Citizens Absentee Voting Act, or pays or offers to pay, or accepts payment for registering or voting under such Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

"§ 609. Use of military authority to influence vote of member of Armed Forces

"Whoever, being a commissioned, noncommissioned, warrant, or petty officer of an Armed Force, uses military authority to influence the vote of a member of the Armed Forces or to require a member of the Armed Forces to march to a polling place, or attempts to do so, shall be fined in accordance with this title or imprisoned not more than five years, or both. Nothing in this section shall prohibit free discussion of political issues or candidates for public office."

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following:

"608. Absent uniformed services voters and overseas voters.

"609. Use of military authority to influence vote of member of Armed Forces."

Post, p. 330.

Post, p. 330.

Law enforcement and crime.

18 USC 608.

18 USC 609.

Freedom of speech.

100 STAT. 929  
UNIFORMED AND OVERSEAS CITIZENS  
ABSENTEE VOTING ACT

**HB**

**52**

# HOUSE COMMITTEE REPORT

(7)

Date Referred: January 14, 1993

FURTHER REFERRALS:

State Affairs  
Judiciary  
Finance

Date of Committee Action: 2-18-93

The COMMUNITY AND REGIONAL AFFAIRS Committee considered:

HB 52

HOUSE BILL NO. 52

RELATING TO TAX ON ALCOHOLIC BEVERAGES

"An Act relating to municipal taxation of alcoholic beverages; and providing for an effective date."

RECOMMENDATIONS:

[ ] the same title

be replaced with \_\_\_\_\_ [ ] a new title

[ ] have attached amendments(s)

[ ] do pass

[ ] do not pass

[ ] no recommendations

[X] individual recommendations

[ ] additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

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

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

[ ] fiscal impact \_\_\_\_\_

[ ] fiscal note(s) \_\_\_\_\_

[X] zero fiscal note LAW

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

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>John N. Davis</i>	✓	<i>John Sanders</i>	✓		
<i>W.R. Williams</i>	✓	<i>Earl Bunde</i>	✓		
		<i>Ed Willis</i>		✓	
		<i>Harley Olberg</i>		✓	

*Harley Olberg*  
CHARMAN'S SIGNATURE

# House Bill 52 Municipal Taxation of Alcoholic Beverages

Representative Kay Brown

## Sponsor Statement

### Current Law

Alaska Statute 04.21.010(c) prohibits municipalities from enacting an alcoholic beverage sales tax unless sales taxes are imposed on other sales within the municipality. A 1991 ruling by the Alaska Supreme Court interprets the same law as restricting the *rate* of taxation on permitted alcohol sales taxes to the same rate as other commodities.

So, under present law, unless a municipality had an alcohol sales tax before July 1, 1985, the municipality may not enact such a tax unless they have other sales taxes. Further, the municipality cannot enact an alcohol sales tax that exceeds other sales tax rates.

Clearly, this is an extreme limitation on the rights of local communities to determine the types of revenue measures most appropriate to their needs.

### Public Support

*Both national and local public opinion surveys indicate broad support among voters for alcohol sales taxes.*

On the national level, two-thirds of those surveyed support the imposition of an alcohol sales tax. In 1989, over 82% of Anchorage voters surveyed supported an alcohol sales tax. Last year, 68% of Anchorage property owners surveyed said they would support an alcohol sales tax.\*

### Local Revenue Needs

*Alaska municipalities need the flexibility to meet their revenue needs.*

The need to control state spending will inevitably lead to a greater demand on local revenue resources. Local communities should have the freedom to decide what kinds of legitimate taxation they may wish to impose. Why should the state restrict municipalities' ability to spread the taxation burden

among different groups? Why should only property owners and general consumers be contributors to the local treasury?

### The High Cost of Alcohol Abuse

*The abuse of alcohol costs millions in community health, public safety and social services.*

The imposition of a local alcohol sales tax is a way for communities to help pay for the high cost of alcohol abuse. Those who do not use alcohol will pay nothing. Light and moderate drinkers will pay less than heavy drinkers and abusers. Increasing the cost of alcoholic beverages may even discourage abuse.

### HB 52

Once enacted, this legislation will free municipalities from the restrictions of state law regarding local alcoholic beverage sales taxes. Municipalities in Alaska will be free to decide whether to impose such taxes and at what rates. Local governments will have greater flexibility to develop additional revenue sources.

\* Partnership for a Healthy Community, Anchorage, Alaska.

House Bill 52  
Municipal Taxation of Alcoholic Beverages

Representative Kay Brown

Sectional Analysis

- Section 1. Amends Alaska Statute 04.21.010(c) to allow municipalities to impose a sales tax on alcoholic beverage sales. The tax may be equal to, higher than or lower than other sales taxes, if any.
- Deletes provisions in current law that restrict municipal alcoholic beverage taxes to municipalities that have other sales taxes, to rates equal to other sales taxes or to municipalities that had alcoholic beverage sales taxes before July 1, 1985.
- Section 2. Effective date, July 1, 1993.

FISCAL NOTE

STATE OF ALASKA  
1993 LEGISLATIVE SESSION

BILL NO. HB 52

Revision Date: January 20, 1993

Department Affected: Department of Law

Title: "An Act relating to municipal taxation of alcoholic beverages..."

BRU: Legal Services

Component: Operations

Sponsor: Representative Brown

Requestor: Representative Brown

COMPONENT SERIAL NO. 0093

EXPENDITURES/REVENUES:

OPERATING	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
---------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
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FUNDING:

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

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

Estimate of current year (FY93) impact: -0-

ANALYSIS: (Attach a separate page if necessary.)

This bill would allow a municipality to impose a sales tax on alcoholic beverages equal to, higher, or lower than a sales tax, if any, imposed on other sales in the municipality. The bill has the effect of overruling Laos v. City and Borough of Sitka. The bill will not have a fiscal impact for the Department of Law, because it deals with local taxing authority and does not otherwise involve the state.

Prepared by: Richard I. Pegues, Director Phone: 465-3672

Division: Administrative Services Division Date: January 20, 1993

Approved by Commissioner: Charles E. Cole, Attorney General

Agency: Department of Law Date: January 20, 1993

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further details see [REDACTED]

**A REPORT TO THE  
EIGHTEENTH STATE LEGISLATURE**

**Examining Court Decisions  
and Opinions of the Attorney General  
Construing Alaska Statutes**

Prepared by the  
Division of Legal Services  
Legislative Affairs Agency  
130 Seward Street, Suite 409  
Juneau, Alaska 99801-2105

November, 1992

AS 04.21.010(c)

**MUNICIPALITIES MAY NOT TAX ALCOHOLIC BEVERAGES AT A RATE DIFFERENT THAN THAT IMPOSED ON OTHER SALES WITHIN THE MUNICIPALITY.**

The Alaska Supreme Court ruled that municipalities may not impose a sales tax on alcoholic beverages, unless the tax is at the same rate as imposed on other sales made on other commodities. Under AS 04.21.010(c), municipalities are prohibited from imposing taxes on alcoholic beverages except for a sales tax when other commodities are also subject to the sales tax. The court recognized that the statute was ambiguous in the sense that it failed to clearly indicate if a different rate of taxation could be imposed on alcoholic beverages, than on other commodities. After examining the text of the statute and relevant legislative history, the court concluded that the statute required a uniform rate of taxation.

Lagos v. City and Borough of Sitka, 823 P.2d 641 (Alaska 1991).

The court's interpretation of the statute rests on marginal evidence of legislative intent. If the legislature wishes to allow a different rate of sales tax for alcoholic beverages, legislative review is recommended.

AS 04.21.020  
AS 09.17.060

**COMPARATIVE NEGLIGENCE IS NOT APPLICABLE IN A TORT ACTION FOR INJURIES CAUSED BY UNLAWFUL PURCHASE OF LIQUOR FROM A LIQUOR LICENSEE.**

The Supreme Court of Alaska ruled that in an action for injuries caused by a minor's use of liquor illegally purchased from a liquor licensee, comparative negligence cannot be used as a defense to reduce the damages awarded to the claimant. Justices Moore and Mathews dissented, pointing out that there is no evidence of any legislative intent that this type of case is an exception that precludes application of comparative negligence principles.

Loeb v. Rasmussen, 822 P.2d 914 (Alaska 1991)

As the court pointed out, there is considerable division of opinion among other states on this issue. Both the court's decision and the dissent make public policy arguments that are probably best decided by the legislature. Therefore legislative review is recommended.

**Alcoholic Beverages**  
(municipal taxation of)

HOUSE BILL NO. 52, by Reps. BROWN, B. Davis, Davies (Note: also see SB 42, this report, same subject). Changes language in state law relating to municipal taxation of alcoholic beverages [AS 04.21.010(c), Alcoholic Beverages. General Provisions. Municipal Taxation] to read: "...(c) A municipality may not impose taxes on alcoholic beverages except a ... (2) sales tax on alcoholic beverage sales; a sales tax imposed on alcoholic beverage sales may be equal to, higher, or lower than a sales tax, if any, imposed on other sales within the municipality."

Note: the law currently provides: "... (c) A municipality may not impose taxes on alcoholic beverages except a ... (2) sales tax on alcoholic beverage sales imposed on other sales within the municipality; (3) sales tax on alcoholic beverage sales that was in effect before July 1, 1985; and ..."

If enacted, the bill becomes law July 1, 1993.

Introduced January 14, 1993 and referred to the Community and Regional Affairs Committee, the Judiciary Committee, and the Finance Committee.



**Anne Marie Holen**  
11241 Latta Circle  
Anchorage, Alaska 99516  
907/346-2789

February 10, 1993

Harley Oldberg, Chair  
Committee on Community and Regional Affairs  
Alaska House of Representatives  
State Capitol  
Juneau, Alaska 99801-1182

Dear Mr. Oldberg:

I am writing to ask for your support of House Bills 52 and 53, both addressing the need for higher alcohol taxes in Alaska.

I know that the State of Alaska spends more than \$300 million a year on problems associated with alcohol abuse. The Municipality of Anchorage spends at least \$17 million a year to address alcohol-related problems. Higher taxes will help cover these costs while also discouraging consumption.

I feel strongly that alcohol taxes should pay for all the costs associated with alcohol abuse; otherwise, the state and municipal governments are in effect subsidizing the alcohol industry and alcohol consumption. Certainly this does not make sense either from an economic or a public health perspective.

Sincerely,

Anne Marie Holen



Tom Fink  
Mayor

# Municipality of Anchorage



Department of Health and Human Services

825 "L" Street

P.O. Box 196650 Anchorage, Alaska 99519-6650

ALCOHOL: THE COMMON THREAD

The economic and social costs of alcohol, predominantly, and other drug abuse are staggering. Using 1985 data, a conservative estimate of the economic cost to the State of Alaska and its residents is \$278,932,932.00 or \$516.97/year for every Alaskan. The state spends \$13.42 in Service/Costs for each \$1.00 of taxes collected on alcoholic beverages.

Below is a list of significant health and social problems in Alaska. The percentages indicate how frequently alcohol is involved in each problem.

Motor Vehicle Crashes, deaths (1)	58%
Fires (2)	52%
Drownings (3)	68%
Suicide (4)	59%
Violent crime (incl. homicide) (5)	72%
STD's/AIDS (6)	65%
Domestic Violence (7)	77%
Sexual Abuse (8)	79%
Unplanned Pregnancy (9)	60%
Incest (10)	63%
Fetal Alcohol Syndrome (11)	100%
Felonies (12)	73%

#### Sources:

- 1 State Traffic Analysis, 1988
2. Annual report of the Legislature, 1988, State Office of Alcoholism and Drug Abuse
3. Ak. Bureau of Vital Statistics
4. Position Paper on the Proposed tax, Anchorage Health & Human Service Commission, on retail alcohol sales taken from "Working papers: Descriptive Analysis of the Impact of Alcoholism and Alcohol Abuse in Alaska, Volume 1 and the Anchorage Police Report.
5. Center for Disease Control, Atlanta Georgia
6. Annual report to the Legislature, 1988 State Office of Alcoholism and Drug Abuse
7. Annual Report to the legislature, 1988 State Office of Alcoholism and Drug Abuse
8. Position Paper on the Proposed tax on retail alcohol sales taken from "Working papers: Descriptive Analysis of the Impact of Alcoholism and Alcohol Abuse in Alaska, Volume 1 " and the Anchorage Police Department
9. NIDA workshop on "Women and Aids "Promoting Healthy Behaviors"
10. See #6.
- 11-12. Annual report to the Legislature, 1988 State Office of Alcoholism and Drug Abuse

The above estimates are considered conservative. These injuries are No accident! Injuries are predictable when alcohol is involved.

OVER

## Community Response to the Outcomes of Alcohol

### AT HOME,

1. Consider making family parties non-alcoholic.
2. When serving alcohol at parties, make half non-alcoholic.
3. Bring non-alcoholic drinks to a party.
4. Never drink and drive any car, boat or motorcycle.
5. "Belt up" in every car, wear a helmet on every bike ride and a life jacket in every boat.
6. Be a designated driver who returns his friends home safe and sober.
7. Be vocal about your right to a safe neighborhood to your local Assembly.

### AT WORK,

1. Employers, private and public, can develop model policies to overcome the social acceptability of drinking alcohol.
2. Establish a non-alcoholic policy for business meetings, employee picnics, and celebrations, especially when driving is required.
3. Quantify injuries on and off the job when alcohol is involved.

### IN THE COMMUNITY,

1. **Support higher alcohol taxes.** (Research evidence shows that an increase in the alcohol tax could have the largest long-term effect on alcohol consumption of youth, including driving while impaired.
2. Report irresponsible sales by alcohol outlets to the Alcohol Beverage Control Board and demand enforcement and accountability.
3. Legislate for "checkpoints" for sobriety.
4. Record blood alcohol concentrations for all patients of appropriate age admitted to ERs for treatment of acute injury.
5. Adopt Administrative Revocation of Licenses for DWI offenses.
6. Support license plate or car confiscation for recidivists convicted of driving under the influence.
7. Demand Responsible Servers Training to all alcohol licensees, managers and employees.
8. Promote enactment for primary enforcement of seatbelt laws.
9. Support local MADD and SADD groups.
10. Support mandated health education in grades K-12.

For more information call, Joan Diamond, Municipality of Anchorage, DHHS, Community Health Education, 343-4603.



MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEMORANDUM

NO. AIM 180-92

Meeting Date: September 29, 1992

From: Assemblyman Wood  
Subject: MUNICIPAL BUDGET PRIORITIES SURVEY

During April, 1992, a survey of Municipal budget priorities was developed by Assemblymembers and staff, and reviewed by the Administration. On May 22, 1992, 78,185 surveys were inserted and mailed with property tax bills and 8,800 were placed on all in-service transit buses. Copies of the survey were available in the Municipal Clerk, Ombudsman and Assembly Budget Analyst Offices. We received 8,322 surveys from property owners and 239 from those placed on the buses.

When asked whether they would support higher taxes to pay for new or expanded services, 22% of the property owners said they would support an increase.

In order to maintain areawide services, 23% wanted to increase taxes, and 60% wanted to maintain taxes and reduce services. Seventeen percent (17%) were unsure.

Relative to the Anchorage School District budget, 26% wanted to increase taxes in order to maintain service, 58% wanted to maintain taxes and reduce services, and 16% were unsure.

A copy of the complete survey results is attached to this AIM.

Respectfully submitted,

John Wood  
Assemblyman

EGJ:egj  
DOCE/AM02

**MUNICIPAL  
BUDGET PRIORITIES SURVEY**

**INTRODUCTION**

The purpose of this survey was to solicit public opinion to determine the relative importance of Municipal programs and services. Its results are intended to serve as a guide during the 1993 budget process. Survey participants were asked to identify which services they would like increased, decreased, or maintained and whether they were willing to pay new or increased taxes to maintain the current level of service. Participants were also given an opportunity to comment on other services they desired to reduce or increase.

On May 22, 1992, 78,185 surveys were inserted and mailed with property tax bills and 8,800 were placed on all in-service transit buses. Copies of the survey were also available in the Municipal Clerk, Ombudsman and Assembly Budget Analyst Offices. The response from property owners was greater than anticipated; 8,322. Of the surveys placed on buses, 239 were returned. It should be noted that there were at least 400 duplicate surveys received from respondents who own multiple properties which statistics are included in the survey results. The overall response rate was 10%.

**OVERVIEW**

When asked "Would you support higher taxes to pay for new or expanded services?" - 44% of the transit users and 22% of the property owners responded that they would support an increase.

Property owners viewed additional taxes more conservatively than transit users as can be seen by their support of new or increased taxes when compared to transit users. The percentages below are reflective of only those respondents supporting new or increased taxes (See pages 27-30, Detailed Summary of Survey Results). The question asked was "What new taxes would you support?"

<b>NEW OR INCREASED TAXES</b>	<b>PROPERTY OWNERS</b>	<b>TRANSIT USERS</b>
Hotel-Motel Tax	57%	65%
Property Tax	10%	26%
Sales Tax	34%	36%
Alcohol Tax     5,629 people	68%	78%
Fuel Tax	39%	45%

# THE ECONOMIC COST OF ALCOHOL AND OTHER DRUG ABUSE IN ALASKA

MYRA M. MUNSON, COMMISSIONER, DHSS

MATT FELIX, COORDINATOR



STATE OFFICE OF ALCOHOLISM AND DRUG ABUSE  
BOX 805F, JUNEAU, ALASKA 99811-0607  
AK/DHSS/SQADA/89-1

Vol 1 of 2