

In the Supreme Court of the State of Alaska

**Scott A. Kohlhaas, The Alaskan
Independence Party, Robert M. Bird,
and Kenneth P. Jacobus,**
Appellants,

v.

**State of Alaska; State of Alaska,
Division of Elections; Lieutenant
Governor Kevin Meyer, in his Official
Capacity as Supervisor of Elections;
Gail Fenumiai, in her Official
Capacity of Director of the Division of
Elections,**

Appellees,

and

Alaskans for Better Elections, Inc.,
Intervenor-Appellee.

Supreme Court No. **S-18210**

Order

Date of Order: **January 19, 2022**

Trial Court Case No. **3AN-20-09532CI**

Before: Winfree, Chief Justice, Maassen, Carney, Borghesan, and
Henderson, Justices.

Appellants Scott Kohlhaas, Robert M. Bird, Kenneth P. Jacobus, and the Alaskan Independence Party have appealed the decision of the superior court rejecting a constitutional challenge to Proposition 2, a voter initiative making significant changes to Alaska's election laws. Among these changes are: replacing partisan primary elections with an open primary election in which the four candidates receiving the most votes advance to the general election; and enacting ranked-choice voting for the general election. Appellants argue that these changes burden the constitutional rights of political

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parties and voters and violate provisions of Alaska's constitution governing the election of the governor and lieutenant governor. After expedited briefing, the Court heard argument on January 18, 2021. Having considered the parties' briefs, the superior court record, and the parties' arguments,

IT IS ORDERED that the superior court's order of July 29, 2021 and its final judgment dated September 14, 2021 are **AFFIRMED**. A full opinion explaining this order will follow.

Entered at the direction of the court.

Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

cc: Supreme Court Justices
Judge Miller
Trial Court Clerk - Anchorage

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