

Director's Office
240 Main Street Suite 400
P.O. Box 110017
Juneau, Alaska 99811-0017
☎ 907-465-4611 📠 907-465-3203
elections@alaska.gov



Elections Offices 📠
Absentee-Petition 907-270-2700
Anchorage 907-522-8683
Fairbanks 907-451-2835
Juneau 907-465-3021
Nome 907-443-5285
Mat-Su 907-373-8952

STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

April 18, 2018

Mr. Tuckerman Babcock, Chairman
Alaska Republican Party
P.O. Box 201049
Anchorage, AK 99503

Subject: Alaska Republican Party candidate eligibility rule

Dear Mr. Babcock,

I received your April 12, 2018 letter regarding the recent ruling in *State of Alaska v. Alaska Democratic Party*, S-16875 (April 4, 2018). In that case, the superior court struck down a subsection of Alaska's candidate eligibility statute, AS 15.25.030(16), as unconstitutional. The Alaska Supreme Court affirmed the ruling. Thus, political parties may now choose to open their primary elections to non-member candidates.

You assert that because of that case, the Division of Elections ("Division") must implement the Republican Party leadership's desire to exclude from the primary election any party member who you conclude has "engaged in actions detrimental to . . . Republican values and goals." The Division of Elections does not agree with your analysis. In AS 15.25.030, the Alaska legislature adopted broad, inclusive primary candidate eligibility requirements. The Alaska Democratic Party case instructs that parties must be allowed to further broaden the choice of candidates for voters. But nothing in the superior court's analysis or the Supreme Court's order creates a new right for party leadership to eliminate candidate choices for the party's voters. And history demonstrates strong public policy reasons to legislate against that.

Absent controlling authority to the contrary, the Division of Elections must follow existing law. The Division will allow any eligible Republican who files a timely declaration of candidacy to appear on the ballot, and the voters will decide.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josie Bahnke".

Josie Bahnke, Director
Division of Elections