

ADVISORY OPINION REQUEST

Number: AO 21-01-CD
Requested By: Jenny-Marie Stryker on behalf of the
Alaska Center Independent Expenditure (“AKC IE”)
Prepared By: Heather Hebdon, Executive Director
Date Issued: February 11, 2021
Subject: Application of new provisions enacted under Ballot Measure 2 (“BM2”)¹
Commission Decision:

I. BACKGROUND

In November 2020, BM2 appeared on the state’s general election ballot.² The measure, among other things, sought to prohibit the use of “dark money” in Alaska’s candidate elections.³ A majority of votes cast favored the adoption of BM2 and the election results were certified on November 30, 2020.⁴ Therefore, provisions of BM2 become effective on February 28, 2021.⁵

The Municipality of Anchorage (“MOA”) will hold a regular election on April 6, 2021, where voters will, among other offices, elect a mayor.⁶

II. SUMMARY OF REQUEST

AKC IE wishes to participate in the upcoming MOA election by making independent expenditures supporting or opposing one or more candidates.⁷ Because BM2 will take effect during the MOA election cycle, AKC IE seeks guidance on the permissible use of existing funds, as well as prospective funds it intends to raise.⁸

III. QUESTIONS PRESENTED

1. In connection with its independent expenditures, may AKC IE disclose funds received prior to February 28, 2021, by identifying its contributors as the individuals or persons who wrote the check or otherwise made the contribution to AKC IE, even if under the new law they may not be the “true source”?

¹ Ex. 1, Request for Advisory Opinion.

² Ex. 2, Sample General Election Ballot.

³ *Id.* See also, AS 15.13.400(17) (eff. Feb. 28, 2021).

⁴ Ex. 3, Ballot Measure 2 Certificate.

⁵ AS 15.45.220 [act becomes effective 90 days after certification].

⁶ Ex. 4, Notice of Vacancy.

⁷ Ex. 1.

⁸ *Id.*

2. In connection with its independent expenditures, for funds received on and after February 28, 2021, must AKC IE report the “true source” of its contributions, even if received through an intermediary?

IV SHORT ANSWERS

1. Yes. Prior to February 28, 2021, contributions should be disclosed by identifying the individual or person who made the contribution, but until then AKC IE is not required to make further inquiry as to the “true source” of the contributor.
2. Contributions AKC IE receives on and after February 28, 2021, that exceed \$2,000 in the aggregate from a contributor must be disclosed by identifying the “true source” and any intermediaries.

V. LAW

A. Pre-BM2

Prior to the effective date of BM2, persons who intend to engage in candidate-related independent expenditure activities must first register and establish a political activities account from which all funds used for independent expenditures must be drawn.⁹

Independent expenditures must be disclosed to include, among other things, contributions received, expenditures made, and debts incurred.¹⁰ These disclosures must be filed “not later than 10 days after an...expenditure has been made” unless it is within the nine days prior to the election, in which case must be filed “not later than 24 hours after the expenditure is made.”¹¹

If the person solicits contributions for the purpose of making independent expenditures, the person must disclose the aggregate amount of contributions it receives and for each contributor, identify the date of the contribution, the amount, and if from an individual and over \$50, the person must identify the “name, address, principal occupation, and employer of the contributor.”¹² If the contributor is not an individual, the person must disclose “the name and address of the contributor and the name and address of each officer and director of the contributor.”¹³

⁹ AS 15.13.050(a); AS 15.13.052

¹⁰ AS 15.13.040(d)-(e).

¹¹ AS 15.13.110(h).

¹² AS 15.13.040(e)(5)(A).

¹³ AS 15.13.040(e)(5)(B).

Post-BM2

BM2 does not change a person's or group's registration requirements. Indeed, persons and groups who make independent expenditures must still register prior to making expenditures.¹⁴ However, BM2 requires additional reporting for individuals and persons who make contributions to entities such as AKC IE who are involved in candidate independent expenditures and requires the true source, and any intermediaries, of contributions, in excess of \$2,000, be identified.¹⁵

For contributors who give more than \$2,000 to an entity involved in candidate independent expenditure activities, the contributor must disclose to APOC the name, address, and principal occupation and employer of the individual filing the report, the amount of the contribution and the aggregate amount contributed to the person during the calendar year within 24 hours of making the contribution.¹⁶ The contributor must also report and certify the true sources of the contribution, and any intermediaries, and provide the same information to the receiving entity at the time of making the contribution.¹⁷

For entities making independent expenditures in candidate elections, once contributions received “in the current election cycle exceed \$2,000 in a single year, that entity shall report that contribution, and all subsequent contributions, not later than 24 hours after receipt.”¹⁸ Moreover, the entity is required to “certify and report the true source, and all intermediaries, if any, of the contribution.”¹⁹

BM2 defines true source to mean “the person or legal entity whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services.”²⁰ It provides that funds derived from contributions, donations, dues, or gifts are not true source funds but are instead considered intermediary funds.²¹ There is an exception which provides that membership organizations who receive dues or contributions of less than \$2,000 per person per year are considered the true sources.²²

¹⁴ AS 15.13.050.

¹⁵ AS 15.13.040(s) and AS 15.13.110(k) (eff. Feb. 28, 2021).

¹⁶ AS 15.13.040(s) (eff. Feb. 28, 2021).

¹⁷ *Id.*

¹⁸ AS 15.13.110(k) (Feb. 28, 2021).

¹⁹ *Id.*

²⁰ AS 15.13.400(18) (eff. Feb. 28, 2021).

²¹ *Id.*

²² *Id.*

VI. ANALYSIS

As an entity that intends to make independent expenditures in the upcoming Anchorage mayoral race, AKC IE will need to file under both the current law and the law as amended by BM2, once effective and depending on when independent expenditures are made. Because BM2 does not change the existing reporting requirements for independent expenditures, AKC IE will need to file IE reports after making independent expenditures, and 24-hour reports if and when it receives more than \$2,000 in contributions.

A. Contributions Received Prior To February 28, 2021

Contributions that ACK IE collects prior to the effective date of the new law will be subject to the reporting regime as it currently exists. That is to say that its independent expenditures would trigger a requirement to file an IE report within 10 days. When filing an IE report and disclosing its contributors, if the contributions are received prior to February 28, 2021, AKC IE would disclose the contributor as the person who transmitted the funds.

B. Contributions Received On And After February 28, 2021

Once effective, BM2 will require that AKC IE track its cumulative contributions and once those contributions exceed \$2,000, AKC IE will be required to file a 24-hour report disclosing the contribution and any subsequent contributions it receives, within 24 hours. This 24-hour report must identify the true source of the contribution and any intermediaries.

This report is similar to the 24-hour report that is filed by candidates and groups under the current AS 15.13.110(b) and will be incorporated into the existing online form. The 24-hour report, by nature, is not a full report and contributions are disclosed only by date, amount, and contributor name. Full disclosure to include contributor address and principal occupation and employer information will be required when AKC IE files its independent expenditure reports under AS 15.13.110(h).

During the nine days prior to the election, in the event that AKC IE's activities trigger both the 24-hour contribution and 24-hour IE reporting requirements, it can satisfy both requirements by filing the more comprehensive 24-hour IE report.

C. AKC IE's Contributors

AKC IE should be aware that under BM2, its contributors are also subject to reporting requirements and face possible civil penalties for late-filed reports and misreporting or failing to identify true source information.²³ Under BM2, contributors must

²³ AS 15.13.390(a)(2)-(3) (eff. Feb. 28, 2021).

provide and certify the true source funding information to AKC IE at the time the contribution is made.²⁴ APOC staff will strive to inform contributors, but AKC IE, as the receiving entity is in the best position to ensure its contributors are aware of its reporting requirements. Additionally, because BM2 prohibits AKC IE from accepting contributions without attaining the true source information, AKC IE must take care to obtain the true source information at the time the contribution is received.

VII. CONCLUSION

BM2 does not change AKC IE's existing registration or reporting requirements for their candidate-related independent expenditure activities. However, once effective, BM2 requires that AKC IE ensure it receives true source contributor information for all contributions it receives and once its contributions exceed \$2,000 in the aggregate, AKC IE must disclose its contributions to include true source contributor information and any intermediaries, within 24 hours to comply with the new provisions enacted under BM2.

VIII. COMMISSION DECISION

Only the Commission has the authority to approve an advisory opinion.²⁵ The Commission will rule on staff's proposed advice at its next regular meeting on June 9, 2021. The Commission may approve, disapprove, or modify the proposed advice. An advisory opinion must be approved by an affirmative vote of at least four members or it will be considered disapproved. Both staff's proposed advice and the Commission's final advisory opinion apply only to the specific facts and activity for which advice was requested.

If you rely on staff's proposed advisory opinion in good faith and the Commission subsequently rejects the proposed advice, staff will take no enforcement action on your activities up to that point if you acted under the specific facts described. If you have any additional questions or would like to discuss this proposed advice, please contact me at (907) 276-4176.

I hereby certify that on this date, I caused a true and correct copy of the foregoing to be delivered to:	
Jenny-Marie Stryker The Alaska Center IE 311 W. 22 nd Ave., Unit C Anchorage, AK 99503 jennymarie@akcenter.org	<input checked="" type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Email

Law Office Assistant

Date

²⁴ AS 15.13.040(s) (eff. Feb. 28, 2021).

²⁵ AS 15.13.374.

APPLICABLE LAW

ALASKA STATUTES

Sec. 15.13.040. Contributions, expenditures, and supplying of services to be reported.

(d) Every person making an independent expenditure shall make a full report of expenditures made and contributions received, upon a form prescribed by the commission, unless exempt from reporting.

(e) Each person required to report under (d) of this section shall file a full report in accordance with AS 15.13.110(h) on a form prescribed by the commission. The report must contain

- (1) the name, address, principal occupation, and employer of the individual filing the report;
- (2) an itemized list of all expenditures made, incurred, or authorized by the person;
- (3) the name of the candidate or the title of the ballot proposition or question supported or opposed by each expenditure and whether the expenditure is made to support or oppose the candidate or ballot proposition or question;
- (4) the name and address of each officer and director, when applicable;
- (5) the aggregate amount of all contributions made to the person, if any, for the purpose of influencing the outcome of an election; for all contributions, the date of the contribution and amount contributed by each contributor; and, for a contributor

(A) who is an individual, the name and address of the contributor and, for contributions in excess of \$50 in the aggregate during a calendar year, the name, address, principal occupation, and employer of the contributor; or

(B) that is not an individual, the name and address of the contributor and the name and address of each officer and director of the contributor.

(s) Every individual, person, nongroup entity, or group that contributes more than \$2,000 in the aggregate in a calendar year to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle shall report making the contribution or contributions on a form prescribed by the commission not later than 24 hours after the contribution that requires the contributor to report under this subsection is made. The report must include the name, address, principal occupation, and employer of the individual filing the report and the amount of the contribution, as well as the total amount of contributions made to that entity by that individual, person, nongroup entity, or group during the calendar year. For purposes of this subsection, the reporting contributor is required to report and certify the true sources of the contribution, and intermediaries, if any, as defined by AS 15.13.400(18). This contributor is also required to provide the identity of the true source to the recipient of the contribution simultaneously with providing the contribution itself.

Sec. 15.13.050. Registration before expenditure.

(a) Before making an expenditure in support of or in opposition to a candidate or before making an expenditure in support of or in opposition to a ballot proposition or question or to an initiative proposal application filed with the lieutenant governor under AS 15.45.020, each person other than an individual shall register, on forms provided by the commission, with the commission.

Sec. 15.13.052. Independent expenditures; political activities accounts.

(a) Before making an independent expenditure in support of or in opposition to a candidate or before making an independent expenditure in support of or in opposition to a ballot proposition or question, each person other than an individual, candidate, or nongroup entity with an annual operating budget of \$250 or less shall establish a political activities account. The political activities account may be a separate account in the person's general treasury. The political activities account must be administered using generally accepted accounting principles. All funds used by the person to make independent expenditures must be drawn from the person's political activities account.

Sec. 15.13.110. Filing of reports.

(h) An independent expenditure report required under AS 15.13.040(e) shall be filed with the commission not later than 10 days after an independent expenditure has been made. However, an independent expenditure that exceeds \$250 and that is made within nine days of an election shall be reported to the commission not later than 24 hours after the expenditure is made.

(k) Once contributions from an individual, person, nongroup entity, or group to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle exceed \$2,000 in a single year, that entity shall report that contribution, and all subsequent contributions, not later than 24 hours after receipt. For purposes of this subsection, the entity is required to certify and report the true source, and all intermediaries if any, of the contribution as defined by AS 15.13.400(18).

Sec. 15.13.390. Civil penalty; late filing of required reports.

(a)(1) A person who fails to register when required by AS 15.13.050(a) or who fails to file a properly completed and certified report within the time required by AS 15.13.040, 15.13.060(b)-(d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a civil penalty of not more than \$50 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court. A person who fails to file a properly completed and certified report within the time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not more than \$500 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(2) A person who, whether as a contributor or intermediary, delays in reporting a contribution as required by AS 15.13.040(s) is subject to a civil penalty of not more than \$1,000 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(3) A person who, whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS 15.13.040(s) or AS 15.13.074(b) is subject to a civil penalty of not more than the amount of the contribution that is the subject of the misreporting or failure to disclose. Upon a showing that the violation was intentional. A civil penalty of not more than three times the amount of the contribution in violation may be imposed. These penalties as determined by the commission are subject to right of appeal to the superior court;

Sec. 15.13.400. Definitions.

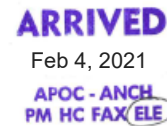
(17) "dark money" means a contribution whose source or sources, whether from wages, investment income, inheritance, or revenue generated from selling goods or services, is not disclosed to the public. Notwithstanding the foregoing, to the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source.

(18) "true source" means the person or legal entity whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services. A person or legal entity who derived funds via contributions, donations, dues, or gifts is not the true source, but rather an intermediary for the true source. Notwithstanding the foregoing, to the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source.

Sec. 15.45.220. Adoption and effective date of proposed law.

If a majority of the votes cast on the initiative proposition favor its adoption, the proposed law is enacted, and the lieutenant governor shall so certify. The act becomes effective 90 days after certification.

Heather Hebdon, Executive Director
Alaska Public Offices Commission
2221 E. Northern Lights Blvd., Room 128
Anchorage, Alaska 99508



Dear Ms. Hebdon:

The purpose of this letter is to request--pursuant to AS 15.13.374 and 2 AAC 50.840--an advisory opinion regarding certain campaign activities that the Alaska Center Independent Expenditure "AKC IE" intends to participate in. Specifically, AKC IE anticipates that it will engage in independent expenditures for the upcoming mayor's race in support of, or in opposition to, one or more candidates. However, AKC IE notes that Ballot Measure 2 was recently enacted by the voters of Alaska and now contains a prohibition on "Dark Money" being spent to influence candidate races.

The provisions of Ballot Measure 2 become effective 90 days after the certification of the 2020 general election results. Those results were certified by the Lieutenant Governor on November 30, 2020--meaning that the effective date of Ballot Measure 2 is February 28, 2021. Given the short amount of time between the enactment of Measure 2 and its effective date, AKC IE understands why APOC has not yet published any guidance regarding how to comply with its new provisions, which gives rise to this Advisory Opinion request.

Specifically, AKC IE asks for guidance and approval regarding how it plans to disclose the source of donations for any independent expenditures it undertakes this year:

- 1.) With respect to any funds raised from donors prior to February 28, 2021 AKC IE plans to disclose those donations in the manner currently prescribed by law. That is, AKC IE will report the contribution as coming from the entity or individual who wrote the check or transmitted the funds. I.e.-- AKC IE will report the proximate donor without making additional inquiry regarding that entity's source of funds. Because AKC IE believes that Ballot Measure 2 cannot be given retroactive effect--and because the funds in AKC IE's accounts are essentially fungible once deposited--it plans to follow this reporting scheme regardless of when the funds are actually expended.
- 2.) With respect to any funds received by AKC IE from February 28, 2021 or later, AKC IE understands that it will be under an obligation to report the "true source" of its donations, which will require it to inquire further of its donors regarding where the funds originated from. Meaning that AKC IE will make additional inquiries and ask its donors to attribute any funds donated to the entity or individual who earned or inherited the funds (unless the funds actually originated with the proximate donor).

In response to this advisory opinion request, AKC IE asks that the APOC Staff confirm that AKC IE's plans with respect to #1 above--to comply with current law until BM2 goes into effect-- are correct. With respect to issue #2, AKC IE asks whether APOC will provide some form, or will adjust its online reporting, to allow for the additional disclosures required by Ballot Measure 2. Any guidance regarding point #2 in particular would be greatly appreciated. We look forward to your response.

Thank you,

A handwritten signature in black ink, appearing to read "Jenny Marie Stryker".

Jenny-Marie Stryker

SAMPLE BALLOT



State of Alaska Official Ballot
General Election
November 3, 2020

House District 18
Judicial 3

422

Instructions: To vote, completely fill in the oval next to your choice, like this: Use a blue or black ink pen to mark your ballot. NO RED INK. If you make a mistake, ask for a new ballot.

United States President Vice President (vote for one)	Third Judicial District Superior Court
<div><div><div><input type="radio"/> Janos, James G."Jesse Ventura" McKinney, Cynthia</div><div>Green Nominee</div></div><div><div><input type="radio"/> Jorgensen, Jo Cohen, Jeremy "Spike"</div><div>Libertarian Nominee</div></div><div><div><input type="radio"/> Pierce, Brock Ballard, Karla</div><div>Petition Nominee</div></div><div><div><input type="radio"/> Trump, Donald J. Pence, Michael R.</div><div>Republican Nominee</div></div><div><div><input type="radio"/> Biden, Joseph R. Jr. Harris, Kamala D.</div><div>Democratic Nominee</div></div><div><div><input type="radio"/> Blankenship, Don Mohr, William</div><div>Constitution Nominee</div></div><div><div><input type="radio"/> De La Fuente, Rocque "Rocky" Richardson, Darcy G.</div><div>Alliance Nominee</div></div><div><div><input type="radio"/></div><div>Write-in</div></div></div>	Shall Danya R. "Dani" Crosby be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
	Judge Guidi
	Shall Andrew Guidi be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
	Judge Henderson
	Shall Jennifer S. Henderson be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
	Judge Lamoureux
	Shall Yvonne Lamoureux be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
	Judge Miller
United States Senator (vote for one)	Shall Gregory A. Miller be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
<div><div><div><input type="radio"/> Sullivan, Dan</div><div>Republican Nominee</div></div><div><div><input type="radio"/> Gross, Al</div><div>Democratic Nominee</div></div><div><div><input type="radio"/> Howe, John Wayne</div><div>AK Indep. Nominee</div></div><div><div><input type="radio"/></div><div>Write-in</div></div></div>	Judge Reigh
	Shall Christina L. Reigh be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
United States Representative (vote for one)	Judge Wells
<div><div><div><input type="radio"/> Young, Don</div><div>Republican Nominee</div></div><div><div><input type="radio"/> Galvin, Alyse S.</div><div>Democratic Nominee</div></div><div><div><input type="radio"/></div><div>Write-in</div></div></div>	Shall Jennifer K. Wells be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
	Judge Woodman
	Shall Jonathan A. Woodman be retained as judge of the superior court for six years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
State Representative District 18 (vote for one)	Third Judicial District District Court
<div><div><div><input type="radio"/> Drummond, Harriet A.</div><div>Democratic Nominee</div></div><div><div><input type="radio"/></div><div>Write-in</div></div></div>	Judge Dickson
Supreme Court	Shall Leslie Dickson be retained as judge of the district court for four years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
Justice Carney	Judge Franciosi
Shall Susan M. "Sue" Carney be retained as justice of the supreme court for ten years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>	Shall Michael J. Franciosi be retained as judge of the district court for four years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
Court of Appeals	Judge Hanley
Judge Wollenberg	Shall J. Patrick Hanley be retained as judge of the district court for four years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
Shall Tracey Wollenberg be retained as judge of the court of appeals for eight years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>	Judge Logue
	Shall Michael B. Logue be retained as judge of the district court for four years? <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>

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SAMPLE BALLOT

<div>Third Judicial District District Court</div> <div>Judge McCrea</div> <div>Shall Kari L. McCrea be retained as judge of the district court for four years?</div> <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>	<div>Ballot Measure No. 2 - 19AKBE An Act Replacing the Political Party Primary with an Open Primary System and Ranked-Choice General Election, and Requiring Additional Campaign Finance Disclosures</div> <div>This act would get rid of the party primary system, and political parties would no longer select their candidates to appear on the general election ballot. Instead, this act would create an open nonpartisan primary where all candidates would appear on one ballot. Candidates could choose to have a political party preference listed next to their name or be listed as “undeclared” or “nonpartisan.” The four candidates with the most votes in the primary election would have their names placed on the general election ballot. This act would establish ranked-choice voting for the general election. Voters would have the option to “rank” candidates in order of choice. Voters would rank their first choice candidate as “1”, second choice candidate as “2”, and so on. Voters “1” choice would be counted first. If no candidate received a majority after counting the first-ranked votes, then the candidate with the least amount of “1” votes would be removed from counting. Those ballots that ranked the removed candidate as "1" would then be counted for the voters’ “2” ranked candidate. This process would repeat until one candidate received a majority of the remaining votes. If voters still want to choose only one candidate, they can. This act would also require additional disclosures for contributions to independent expenditure groups and relating to the sources of contributions. It would also require a disclaimer on paid election communications by independent expenditure groups funded by a majority of out of state money.</div> <div>Should this initiative become law?</div> <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>
<div>Ballot Measure No. 1 - 19OGTX An Act changing the oil and gas production tax for certain fields, units, and nonunitized reservoirs on the North Slope</div> <div>This act would change the oil and gas production tax for areas of the North Slope where a company produced more than 40,000 barrels of oil per day in the prior year and more than 400 million barrels total. The new areas would be divided up based on “fields, units, and nonunitized reservoirs” that meet the production threshold. The act does not define these terms. For any areas that meet the production threshold, the tax would be the greater of one of two new taxes. (1) One tax would be a tax on the gross value at the point of production of the oil at a rate of 10% when oil is less than \$50 per-barrel. This tax would increase to a maximum of 15% when oil is \$70 per-barrel or higher. No deductions could take the tax below the 10% to 15% floor. (2) The other tax, termed an “additional tax,” would be based on a calculation of a production tax value for the oil that would allow lease expenditure and transportation cost deductions. This tax on production tax value would be calculated based on the difference between the production tax value of the oil and \$50. The difference between the two would be multiplied by the volume of oil, and then that amount would be multiplied by 15%. The existing per-taxable-barrel credit would not apply. The act uses the term “additional tax” but it does not specify what the new tax is in addition to. The tax would be calculated for each field, unit, or nonunitized reservoir on a monthly basis. Taxes are currently calculated on an annual basis, with monthly estimated payments. Since these new taxes would only apply to certain areas, a taxpayer would still have to submit annual taxes for the areas where the new taxes do not apply. The act would also make all filings and supporting information relating to the calculation and payment of the new taxes “a matter of public record.” The act does not specify the process for disclosure of public records.</div> <div>Should this initiative become law?</div> <div><div><input type="radio"/> YES</div><div><input type="radio"/> NO</div></div>	

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STATE OF ALASKA
OFFICE OF THE LIEUTENANT GOVERNOR
ANCHORAGE

CERTIFICATE

I, Kevin Meyer, Lieutenant Governor for the State of Alaska, do hereby certify that in accordance with the provisions of AS 15.15.450, a General Election was held on the 3rd day of November, 2020, in the State of Alaska pursuant to AS 15.25.020 and the following are the certified results for

Ballot Measure No. 2:

BALLOT MEASURE

BALLOT MEASURE NO. 2 - 19AKBE

VOTES CAST

Yes No

174,032 170,251

An Act Replacing the Political Party Primary with an Open Primary System and Ranked-Choice General Election, and Requiring Additional Campaign Finance Disclosures

In Testimony Whereof, I have hereunto set my hand and affixed hereto the Seal of the State of Alaska, at Anchorage, this 30th day of November, A.D. 2020.



Kevin Meyer
Kevin Meyer, Lieutenant Governor
State of Alaska

**MUNICIPALITY OF ANCHORAGE
REGULAR ELECTION OF APRIL 6, 2021
NOTICE OF VACANCIES**

Notice is hereby given that the following offices will be filled at the Regular Municipal Election on APRIL 6, 2021. The period in which to file a declaration of candidacy will open JANUARY 15, 2021 at 8:00 a.m. and will close JANUARY 29, 2021 at 5:00 p.m. Candidate filing forms are available online at www.muni.org/elections. Forms are also available at the Municipal Clerk's Office, City Hall, 632 W. 6th Avenue, Suite 250, Anchorage, Alaska 99501 and at the MOA Election Center, 619 E. Ship Creek Avenue, Door D Entrance, Anchorage, Alaska 99501.

On JANUARY 14, 2021, at 1:00 p.m. at the Election Center (619 E. Ship Creek Avenue, Door D), the public is invited to witness the random drawing of letters of the alphabet by the Municipal Clerk, which will determine the order candidates' names will appear on the 2021 Regular Municipal Election ballot. Face masks and social distancing are required.

The Municipal Clerk's Office believes it is important to vote in local elections because doing so impacts a citizen's quality of life. The Regular Municipal Election on April 6, 2021 is a Vote at Home (or Vote by Mail) election where qualified registered voters will be mailed a ballot package. Traditional polling locations are no longer an option. Why did Anchorage change to a Vote at Home (or Vote by Mail) system? A group of stakeholders recommended voting at home because it is more convenient for Anchorage voters, including voters who are elderly or disabled, work long hours in child care or the medical field, work on the slope, are deployed in the military, or are out of state at college. Voting at home keeps regular voters engaged while at the same time encourages new voter participation. Voters receive their ballot package in the mail 21 days before Election Day and have time to study the candidates and propositions on the ballot, in order to make well-informed decisions. Voters may return their voted ballot to one of 18 secure drop boxes, to an Anchorage Vote Center, or by mail with first-class postage. Questions about the election may be directed to MOA Elections by calling the Voter Hotline at 907-243-VOTE (8683), emailing elections@anchorageak.gov, or visiting muni.org/elections.

To vote in a Municipal Election, you must be registered to vote: it is imperative to update your voter registration to reflect where you currently reside. The deadline for voter registration, including updates, for the current election is Sunday, MARCH 7, 2021. Make sure your vote counts by updating your voter registration to ensure you receive the correct ballot in the mail for your current residence address.

A candidate elected on April 6, 2021, will be elected to a three-year term expiring upon certification of the Regular Municipal Election in April 2024, unless otherwise noted.

MAYOR

Areawide One person to be elected. A three-year term, expiring June 30, 2024.

A candidate for mayor must be a qualified voter of the Municipality of Anchorage and of the State of Alaska and shall have been a resident of Anchorage for at least two (2) years immediately preceding this election. Election is areawide.

SCHOOL BOARD

<u>Seat B</u>	One member to be elected. To complete one (1) final year of a three-year term, expiring upon certification of the Regular Municipal Election in April 2022.
<u>Seat E</u>	One member to be elected. A three-year term.
<u>Seat F</u>	One member to be elected. A three-year term.
<u>Seat G</u>	One member to be elected. A three-year term.

A candidate for one of the above seats must be a qualified voter of the Municipality of Anchorage and of the State of Alaska. Election is areawide.

SERVICE AREAS

A candidate for one of the seats listed below must be a qualified voter of the Municipality of Anchorage and of the State of Alaska and shall have been a resident of the stated Service Area for three (3) months immediately preceding this election. Write in candidates must register with the Municipal Clerk at least seven (7) days before the election. If no candidate files, the vacancy will be filled by Mayoral appointment upon confirmation by the Assembly. Election is by service area.

BEAR VALLEY LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat C One member to be elected. A three-year term.

BIRCH TREE/ELMORE LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

CHUGIAK FIRE SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

GIRDWOOD VALLEY SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.
Seat B One member to be elected. A three-year term.

GLEN ALPS SERVICE AREA BOARD OF SUPERVISORS

Seat E One member to be elected. A three-year term.

HOMESTEAD LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A one-year term expiring in 2022.
Seat B One member to be elected. A two-year term expiring in 2023.
Seat C One member to be elected. A three-year term expiring in 2024.

LAKEHILL LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

MOUNTAIN PARK ESTATES LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

MOUNTAIN PARK/ROBIN HILL LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

Seat B One member to be elected. A three-year term.

PARADISE VALLEY SOUTH LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat C One member to be elected. A three-year term.

RABBIT CREEK VIEW AND RABBIT CREEK HEIGHTS LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

RAVEN WOODS/BUBBLING BROOK LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

ROCKHILL LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

SECTION 6/CAMPBELL AIRSTRIp ROAD LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

Seat C One member to be elected. A three-year term.

SEQUOIA ESTATES LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat E One member to be elected. A three-year term.

SKYRANCH ESTATES LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

SOUTH GOLDENVIEW AREA RURAL ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

Seat C One member to be elected. A three-year term.

SRW HOMEOWNER’S LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

TALUS WEST LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

TOTEM LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat C One member to be elected. A three-year term.

UPPER GROVER LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

UPPER O'MALLEY LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat B One member to be elected. A three-year term.

Seat E One member to be elected. A three-year term.

VALLI VUE ESTATES LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat A One member to be elected. A three-year term.

Seat D One member to be elected. A three-year term.

VILLAGES SCENIC PARKWAY LIMITED ROAD SERVICE AREA BOARD OF SUPERVISORS

Seat C One member to be elected. A three-year term.

Questions about the election or this notice may be directed to MOA Elections by calling the Voter Hotline at 907-243-VOTE(8683), emailing elections@anchorageak.gov, or visiting muni.org/elections.

/s/ Barbara A. Jones, Municipal Clerk
/s/ Erika McConnell, Deputy Clerk - Elections
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