



We've received a number of questions about the Alaska Supreme Court's order issued April 4, 2018, which strikes down state law requiring a candidate to be a member of a political party to run in that party's primary election. Here are a few of them:

How and when will the Division of Elections implement the new ruling?

The Division of Elections has been proactively implementing the new ruling since the superior court's decision in late 2017 by accepting candidate filings from non-affiliated candidates who wish to run in the Alaska Democratic Party Primary. The division has developed the necessary candidate filing forms, which are available on our website. A ballot design has been created for the primary election that will account for the presence of non-affiliated candidates in the Alaska Democratic Party Primary.

How does the Supreme Court's ruling affect the Republican Party?

The new ruling will not affect the Alaska Republican Party for the 2018 elections because the Alaska Republican Party's bylaws do not allow non-affiliated candidates to run in its primary.

If someone runs in a partisan primary as an independent candidate and loses, can they run in the general election, just not under that party's ballot line?

Candidates who wish to have their names on the general election ballot must choose either the nomination petition process or the party primary process; they may not pursue both filing methods at once. If a candidate chooses to run in a party primary and loses, the candidate may still run as a write-in candidate in the general election. Such a candidate must file as a write-in candidate no later than five days before the General Election.

Can an independent candidate run in any partisan party primary?

No, a non-affiliated (those registered Undeclared or Non-Partisan) candidate may run only in the primary of a political party that has elected to open its primary to such candidates. Currently, only the Alaska Democratic Party has timely amended its bylaws to allow such candidates to run in its 2018 Primary.

Who can run in the Alaska Democratic Party Primary?

Any registered Democrat, Undeclared or Non-Partisan candidate who properly files for candidacy.

Who can run in the Alaska Republican Party Primary?

Any registered Republican who properly files for candidacy.

Why are parties wishing to change their bylaws for the next election cycle required to do so by September 1st? (15.25.014)

If the party has bylaw changes that affect who can vote in a party's primary or who can run for office in a political party, the division needs to know in order to prepare the election materials for the election cycle. It is also important to note that beginning January 1st voters can apply for absentee ballots. The absentee ballot application includes an area for the voter to select the primary ballot they want sent to them. If there is a change expanding or limiting who can vote in a party's primary after January 1, any voter who has already applied for an absentee ballot would need to be given the opportunity to change their ballot selection.

Early in an election year, the division orders various forms and finalizes training materials for the election cycle. These materials will list the different primary ballot choices and who can participate in them. Any change who can participate in a primary ballot would require these materials to be updated.

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