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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

FAQs for Special Election Press Briefing

March 22, 2022

Why can't the Governor appoint someone?

The U.S. Constitution requires an election for a vacant U.S. House seat. It does not allow for appointments.

When will the election be?

State law requires two elections: a special primary election within 60 to 90 days and a special election on the first Tuesday that is 60 days after that. The Division of Elections prefers to hold the special primary on June 11 and the special election on August 16, the same day as the primary election. Barring any changes to state law, the Governor needs to issue a proclamation for these elections by Friday, March 25 in order to meet all relevant federal and state deadlines.

Does Ballot Measure 2 apply?

Yes. The special primary election will be an open, non-partisan primary where the top four candidates advance. This election will not determine party nominees. The special election will be a ranked choice election, where voters may rank up to four candidates and a write-in candidate from first to last.

Why these dates?

By holding the special primary election on June 11, candidates would have time to declare their candidacy and the Division of Elections would have time to mail ballots to overseas and military voters 45 days before the election. This also allows the Division to hold the special election with the primary election on August 16. The Division will also provide absentee and early voting for the special election.

What about the witness requirement for by-mail ballots?

Witness signatures will be required because they are required by state law. The Alaska Supreme Court only eliminated the witness requirement for the 2020 general election.

What will the ballot look like on August 16?

The ballot will include both the primary ballot and the special election ballot. It will list all of the state and federal races with primary elections, where voters can vote for one candidate in each race. It will also include the special election, where voters can rank the four candidates and a write-in candidate by filling in a grid. The Division of Elections will count all the votes in the primary and the special election and determine the winner of the special election using ranked choice voting.

How does ranked choice voting work?

Voters will rank the candidates from first to last. The Division of Elections will count the votes in rounds. If a candidate gets the majority of votes in the first round, that candidate wins. If not, the candidate with the least votes is eliminated. The votes for the losing candidate then go to the voters' second choices. This continues until two candidates are left and the candidate with the most votes wins.

To better understand ranked choice voting, visit the Division's website:

<https://www.elections.alaska.gov/RCV.php>

What do candidates have to do to file for the vacant seat?

Candidates must file a declaration of candidacy and pay a \$100 filing fee, just like for a regularly scheduled election. They must file this declaration after the proclamation and before the deadline, which will be April 1 at 5 PM. The Division of Elections' five regional offices will be open for in-person filing on:

- Saturday, March 26 from 10 AM to 2 PM
- Sunday, March 27 from Noon to 2 PM
- Seward's Day, Monday, March 28 from 10 AM to 2 PM
- Tuesday, March 29 through Friday, April 1 from 8 AM to 5 PM

The Division will also accept declarations of candidacy by mail, fax, and email, although these must be received by the Division by 5 PM on Friday, April 1. Due to state and federal deadlines, any candidate that wants to withdraw from the special primary or special election must do so by noon on Monday, April 4 or by noon on Sunday, June 26, respectively.

If you have questions about filing a declaration of candidacy, please contact the Division.

Can a candidate for state office run for the vacant seat?

Yes. Candidates may only declare for one office per election. Even though the special election will occur on the same day—and on the same ballot—as the primary election, these are actually two different elections. So a candidate could run in the special election for the vacant seat and in the primary for state office. Whoever wins the election for the vacant seat cannot hold two offices at the same time.

When does the elected representative take the vacant seat and how long will they serve?

The person elected will take office after they are certified as the winner and sworn in to the U.S. House. They will serve for the remainder of the vacant term.

When will we know the results?

The Division of Elections plans to certify the results of the special primary election on June 25. It plans to certify the results of the primary and special election on September 2. For the two weeks after the special election, the Division can only release preliminary first-choice results.

What about redistricting?

The 2021 Redistricting Plan is currently being litigated, with a decision from the Alaska Supreme Court expected on April 1. The Redistricting Board may have to amend its plan and the Division of Elections will have to implement the final plan. Voters may not be associated with their new districts in the Division's systems by

the time of the special primary election. However, because the special primary will be a statewide, by-mail election, all ballots that are properly cast will be fully counted, regardless of a voter's district or precinct.

Can the special primary election be held by mail?

Yes, the Division of Elections can conduct elections by mail when they are not held at the same time as a general, primary, or municipal election. The decision on whether to hold a special primary election by mail falls to the Division Director.

If the special primary is held by mail, will there be a way to vote in person?

Yes. The Division still offers absentee-in-person voting at many locations for the two weeks before the election day for a by mail election. Voters could show identification and cast ballots with election officials.