



STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

Press Briefing on Filling U.S. House Representative Vacancy

March 22, 2022

By: Department of Law and Division of Elections

Alaska Congressman Don Young passed away on March 18. The Congressman's death leaves a vacancy to Alaska's sole seat in the U.S. House of Representatives. This briefing shows what the current law is on filling that vacancy and a potential timeline for the special primary.

1. U.S. Constitution Requires an Election

Under the U.S. Constitution (Article I, Section 2, Clause 4), vacancies to the U.S. House of Representatives must be filled by an election. Appointments are not allowed.

2. Current State Law Requires Special Primary and Special Election

To fill a vacancy, the State must hold two special elections—a special primary and a special (general) election. AS 15.40.140. The Division of Elections estimates that they will need an additional \$2.5 million to conduct these special elections.

The special primary election must be held on a date that is “no less than 60, nor more than 90” days from the vacancy of the seat. AS 15.40.140. The primary is an open, non-partisan primary, where the top four candidates advance to the special general. AS 15.40.220. Because of other deadlines, such as the requirement to send military and overseas voters ballots 45 days in advance of the election, the Division of Elections would need to hold the election between June 11 and June 16. Due to pressures from the regular primary election, June 11 is the preferred date for the special primary.¹

The special (general) election must be held on the first Tuesday (that is not a holiday) occurring not less than 60 days after the special primary. AS 15.40.140. The special (general) election is a ranked choice voting election. AS 15.40.220. The candidate elected will serve the remainder of the unexpired term. AS 15.40.170. If the special primary is held on June 11, then the special (general) election will fall on August 16, the date of the regular primary. The special (general) election and the regular primary would then show up on the same ballot.

In order to give time for candidates to file for the office, the Governor needs to issue the proclamation by March 25.

¹ The Division Director is authorized to conduct the special primary by mail under AS 15.20.800(a). This decision is at the discretion of the Director.

3. Potential Timeline

The following is an initial, rough timeline of dates based on a June 11 special primary (please note that these dates are subject to change as the Division finalizes the process):

90 days prior to Election Day - NOW	Candidacy filing period begins as soon as proclamation signed (must occur by March 25 ²)
71 days prior to Election Day – APRIL 1	Candidacy filing deadline
69 days prior to Election Day – APRIL 4	Withdrawal deadline, Election Project set, and ballot artwork to printer
54 days prior to Election Day – APRIL 18	State Review Board conducts Logic & Accuracy Testing (Test ballots must be received by this date)
45 days prior to Election Day – APRIL 27	Must give notice of absentee voting stations (AS 15.20.050)
	First extraction of registered voter file to print/mail vendor for updates and additions.
	UOCAVA ballots must be mailed
	Hire Bi-Lingual Absentee Voting Officials and Outreach Workers

² Statute provides that the proclamation has to be issued at least 50 days before the special primary, but since the military overseas ballots have to go out 45 days in advance, the proclamation needs to be issued with sufficient time for candidacy filings and then to design and print ballots and meet the 45 day federal requirement.

40 days prior to Election Day – MAY 3	Public notice of election (AS 15.07.140 and AS 15.15.070)
	Hire Absentee Review Boards (at least double regular size)
	Hire temporary staff for ballot logging
	Conduct telephonic training for Bi-lingual Absentee Voting Officials and Outreach Workers.
	Regional offices conduct Logic & Accuracy Testing
30 days prior to Election Day – MAY 13	30 day voter registration cutoff
25 days prior to Election Day – MAY 17	Updated registered voter file to print/mail vendor for updated and new registrations
25 days prior to Election Day – MAY 17	Ballots and other election materials must be in regional offices (AS 15.15.050)
25 days prior to Election Day – MAY 17	Ballots and supplies mailed to absentee voting officials
15 days prior to Election Day – MAY 27	Absentee vote centers open in regional offices and other areas across the state
	Review board begins review of received ballots
ELECTION DAY – JUNE 11	First count of ballots
10 days after Election Day – JUNE 21	Deadline to receive absentee ballots
11 days after Election Day – JUNE 22	State Review Board begins
14 days after Election Day – JUNE 25	Target certification date