

SUPREME COURT LIVE

March 29, 2018

Kenai Central High School, Kenai

ORAL ARGUMENT CASE SUMMARY

State of Alaska,

Appellant,

v.

Alaska Democratic Party,

Appellee.

Supreme Court Case No. S-16875

Disclaimer: *This summary of the case highlights the major issues raised but is not intended to be comprehensive. It has been prepared for educational purposes only by the Supreme Court LIVE program staff and does not reflect the input or views of any member of the court.*

OVERVIEW OF THE CASE

When voters go to the polls in a state general election, they choose from a list of candidates on a ballot. Candidates must follow certain steps to be included on the general election ballot. Some candidates on the general election ballot are associated with specific political parties, and others are not. The dispute in this case is related to the way political parties choose the candidate who will represent them on the general election ballot. How much control should a state have over the way a political party selects which candidate will appear on the general election ballot to represent that political party? Can a state require that only voters who indicate, when they register to vote, that they are affiliated with a specific political party appear on the ballot as that political party's candidate?

In this case, the Alaska Democratic Party wants to allow persons who are not affiliated with any political party — those who registered to vote as nonpartisan or undeclared — to run as candidates for the Democratic Party in a primary election. The Alaska Democratic Party changed its internal rules to allow this. But a state law requires candidates who want to run in a primary election for a political party's nomination to swear that they are registered to vote as a member of the political party whose nomination they are seeking. The Alaska Democratic Party sued the State of Alaska,

arguing that the law was unconstitutional. The trial court agreed with the Democratic Party. The State has appealed to the Alaska Supreme Court and is asking the court to decide the law is constitutional because the requirement is reasonable, helps the State protect important interests, and imposes little if any burden on the Democratic Party's association rights.

ATTORNEYS

Attorneys for Appellant, State of Alaska:

Jahna Lindemuth, Attorney General, Juneau;
Laura Fox, Assistant Attorney General, Anchorage.

Attorneys for Appellee, Alaska Democratic Party:

Jon Choate, Mark Choate
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QUESTION PRESENTED ON APPEAL

Does the requirement that a candidate for a political party's nomination in the primary election be registered to vote as a member of that party unconstitutionally infringe on the political party's association rights under the United States and Alaska Constitutions?

MAJOR AUTHORITIES TO CONSIDER

- **U.S. Constitution, Amendment I**, Freedom of Speech
- **U.S. Constitution, Amendment XIV, § 1**, No Abridgment of Rights by States
- **Alaska Constitution, Article 1, § 5**, Freedom of Speech

United States Supreme Court Case Law

- ***Storer v. Brown***, 415 U.S. 724 (1974).
- ***Tashjian v. Republican Party of Connecticut***, 479 U.S. 208 (1986).
- ***Eu v. San Francisco Democratic Central Committee***, 489 U.S. 214 (1989).
- ***Timmons v. Twin Cities Area New Party***, 520 U.S. 351 (1997).
- ***California Democratic Party v. Jones***, 530 U.S. 567 (2000).

Alaska Statutes

- **Alaska Statutes 15.25.010-.130**
- **Alaska Statutes 15.25.140-.200**
- **Alaska Statute 15.80.010**

Alaska Supreme Court Case Law

- ***O'Callaghan v. State***, 914 P.2d 1250 (Alaska 1996).
- ***State, Division of Elections v. Metcalfe***, 110 P.3d 976 (Alaska 2005).
- ***State, Division of Elections v. Green Party of Alaska***, 118 P.3d 1054 (Alaska 2005).
- ***Green Party of Alaska v. State, Division of Elections***, 147 P.3d 728 (Alaska 2006).

VOTER REGISTRATION AND POLITICAL PARTIES

When Alaskans register to vote, they can choose to disclose a **political affiliation** on their **voter registration form**, indicating their support for a **recognized political party** or a **political group**. (A copy of the voter registration form is attached below.) Alaskans can also show that they are not affiliated with any political party or political group (**nonpartisan**) or can choose not to declare a political affiliation (**undeclared**). People can change their affiliation by completing a new voter registration form online or by mail.

The voter registration form lists both “Recognized Political Parties” and “Political Groups” that voters can choose from if they indicate their political affiliation. Right now the voter registration form lists four recognized political parties: the Alaska Democratic Party, the Alaska Libertarian Party, the Alaska Republican Party, and the Alaskan Independence Party. Whether a political party is a recognized political party is based on either the percentage of votes its candidate got in the last **general election** for specific offices or on the number of voters who have registered as affiliated with that political party. If a political group persuades enough voters to say they are affiliated with that political group when they register to vote, the group can become a recognized political party.

Qualifying as a recognized political party has some advantages under Alaska law. A recognized political party can receive more money from individual donors and can also contribute more money to a candidate than a group can. Also, only a recognized political party can hold a **primary election** in Alaska to choose the person who will represent that political party on the general election ballot. The State is required to put the names of the winners of primary elections on the general election ballot.

PRIMARY ELECTIONS AND BALLOT ACCESS

In Alaska, **candidates** who want to run for state and national elected offices other than the U.S. presidency and vice presidency¹ can be **nominated** (qualify to have their names on the **general election** ballot) either through a **primary election** or by **petition**. The candidate who wins a political party's primary election is that political party's **nominee**, and the State is required to put the nominee's name on the general election ballot. Candidates can also use a **write-in process** in a **general election** if their names are not on the general election ballot, that is if they either did not file for the primary election, or lost their party's primary election, or did not submit a nominating petition.

Currently Alaska allows recognized political parties some choices in the way they conduct their primary elections. A political party can decide to have a separate primary ballot, or it can decide to appear on a primary ballot shared with other political parties. State law permits all voters who have registered as affiliated with a political party to vote in that political party's primary. State law also allows political parties to open their primaries to undeclared and nonpartisan voters and even to voters who have registered as affiliated with another political party.

State **statutes** also set some limits on the candidates who can run in a party's primary election. The statute at issue here says that the candidate must be registered to vote as a member of the political party whose nomination the candidate is seeking. This means that to run as a candidate in the Alaska Democratic Party's primary, a candidate must have shown an affiliation with the Alaska Democratic Party when registering to vote.

SUMMARY OF THE CASE

The Alaska Democratic Party changed its **bylaws** so that people who are registered as undeclared or nonpartisan can run in the Alaska Democratic Party's primary for the Democratic nomination. The Alaska Democratic Party then asked the Alaska Division of Elections, a part of the Lieutenant Governor's office, to adopt a **regulation** that would allow candidates who were registered as either nonpartisan or undeclared to become candidates in the Democratic Party's primary election. The Director of the Division of Elections refused to do so because the proposed regulation would conflict with the statute.

¹ Access to the general election ballot for the offices of U.S. President and Vice President is very different. Those who are interested in reading the Division of Election's summary of the process candidates use to get on the ballot for the offices of U.S. President and Vice President can visit the following website for information: http://www.elections.alaska.gov/doc/info/PresidentialBallotAccessPacket_2016.pdf.

The Alaska Democratic Party then sued the State in **superior court** (trial court) in Juneau and asked the court to declare that part of the statute unconstitutional. The Alaska Democratic Party argued that the restriction on who could run for its nomination violated the Alaska Democratic Party's constitutional **right of association**. The State argued that any burden on the Alaska Democratic Party's association right was minimal, so the law was constitutional.

Because there were no disputed facts, the State and the Alaska Democratic Party filed legal arguments for **summary judgment**, and the superior court heard oral arguments before it made its decision. Because the case was decided on **summary judgment**, there was no trial.

DECISION BELOW

After considering some procedural questions that are not related to this appeal, the superior court declared unconstitutional the statute that the Division of Elections had relied on to refuse the Alaska Democratic Party's request. In its decision the superior court decided first that the Alaska Democratic Party has a constitutionally protected right to associate with candidates of its own choosing. It then decided that the restriction the statute placed on the Alaska Democratic Party's right to associate was a substantial burden to its ability to exercise the right. The superior court then decided that the interests the State identified were not strong enough to justify the restrictions the statute placed on which candidates could be on the Alaska Democratic Party primary ballot.

The superior court briefly discussed proposed ballot designs, but it decided it would not get involved in that question at that time.

The State **appealed** the decision to the Alaska Supreme Court, asking the Supreme Court to overturn the superior court's decision.

LEGAL ISSUES GENERALLY

This case involves an issue of constitutional rights. **Constitutions** set out the basic framework of government. Both the United States Constitution, for the federal government, and the Alaska Constitution, for the state government, set up three branches of government and describe the powers of those branches of government. In addition to setting out the basic structure of our government, a number of **individual rights** are guaranteed in the **Bill of Rights**, the first ten amendments to the United States Constitution, as well as in the Alaska Constitution's **Declaration of Rights**. The U.S. Constitution provides a minimum standard that applies throughout the entire United States. Individual state constitutions may give individuals greater rights or more protection of their rights than the U.S. Constitution, but state constitutions cannot restrict rights more than the U.S. Constitution. This means that even if a state statute is constitutional under the U.S. Constitution, it could be unconstitutional under the state's constitution.

The **First Amendment** of the U.S. Constitution does not allow the government to pass laws limiting “**freedom of speech**” or “**the right of the people peaceably to assemble**.” The Declaration of Rights in the Alaska Constitution has separate sections for these rights. Section 5 gives people the rights to “freely speak, write, and publish on all subjects, being responsible for the abuse of that right.” Section 6 says, “The right of the people peaceably to assemble, and to petition the government shall never be abridged.”

Even though neither the U.S. Constitution nor the Alaska Constitution explicitly says individuals have a **right of association**, the United States Supreme Court has decided that in order for citizens to exercise their rights to free speech and assembly, a **right of association** is implied in the First Amendment. The Alaska Supreme Court has tied the right of association to Alaska Constitution’s free speech clause, section 5 of the Declaration of Rights.

Generally individual rights are not absolute; the government can impose some restrictions on the exercise of rights as long as it has a good reason to do so and does not make exercise of the right too difficult. For example a U.S. Supreme Court case, *Schenck v. United States*, 249 U.S. 47, 52 (1919), said that freedom of speech “would not protect a man in falsely shouting fire in a theatre and causing a panic.” When courts look at laws imposing restrictions on free speech and rights associated with it, they apply a type of **balancing test**, where they consider how important the free speech right is, the reasons the government has for restricting or regulating the speech, the way the government is trying to regulate the speech, and how closely the government’s need to regulate the right fits with the way the government has chosen to restrict or regulate the speech.

One of the main reasons the First Amendment was included in the Bill of Rights was to protect **political speech**, so laws that relate to political activity may be looked at more closely than laws that apply to things like television commercials or radio broadcasts.

The United States Supreme Court has decided that political parties have some right of association and that those rights of association can be impacted by the way a state conducts its primary and the ways the state allows candidates to be listed on the ballot. For example, in a case that both the **parties**² in this case discuss, the U.S. Supreme Court decided that a Minnesota law that permitted a candidate to run for office as the representative of only one party did not place too much of a burden on the association rights of political parties.

Primary election laws impact several groups of people, and the parties to this case represent only two of them. In addition to political parties and the State, primary

² In this context, the word “party” means the people or organizations who participating in a lawsuit. “Party” can also mean a political organization, so keep the two different definitions in mind.

election laws affect voters and candidates. Court decisions in both state and federal courts reflect this: cases can be brought by individual voters, by candidates for office, and by political parties against a state to challenge election laws. Because each of these groups has a slightly different role to play in an election, each group may also have a slightly different associational interest in the way a primary election is conducted.

Because of prior decisions of both the Alaska Supreme Court and the U.S. Supreme Court, the Alaska Supreme Court can focus on more specific questions in this **appeal**. The Alaska Supreme Court has already decided to use a specific **balancing test** in this type of case, so the State and the Alaska Democratic Party concentrate their arguments on explaining to the Supreme Court how the statute fits into this balancing test. The U.S. Supreme Court has decided that political parties have some association right to choose their candidates and that some state primary laws placed too much of a burden on those rights. The Alaska Supreme Court has also had to consider whether Alaska's primary laws violate rights of association under the Alaska Constitution.

The balancing test the Alaska Supreme Court adopted has four parts: (1) whether a constitutionally protected right is at issue; (2) how heavy of a burden the law places on that right; (3) what interests the state is trying to protect or foster; and (4) whether the state's interests are important enough to justify the burden. The parties' main arguments in this case are about how much of a burden the law imposes on the Alaska Democratic Party's associational rights, whether the State's interests are important, and how much the requirement supports those interests.

1. The Right of Association

In this case, the State does not explicitly deny that the Alaska Democratic Party has some constitutionally protected association right to choose the candidate it will nominate. In fact, the United States Supreme Court has called a party's right to select its own candidate "uncontroversial." The Alaska Democratic Party spends some time in its brief arguing that the associational right at issue is one of its **core**, or most important, rights to order its internal affairs. The superior court thought the right of association at issue in this case was "the right to open its primary to unaffiliated and independent candidates."

2. The Burden on the Right of Association

One of the main points of dispute is how much of a burden is placed on the Alaska Democratic Party's association rights by the requirement that people who run in its political primary must show on their voter registration that they are affiliated with the Alaska Democratic Party.

State's Position: There is very little burden on the Alaska Democratic Party's associational rights because all it has to do is convince potential candidates to say they are affiliated with the Democratic Party on their

voter registration. By asking the Party and the State to put their name on the ballot as representing the Alaska Democratic Party, candidates are already showing publicly that they are affiliated with the Alaska Democratic Party. Requiring candidates to take a small, additional step does not present that much of a burden to the Alaska Democratic Party. Also, even though many Alaskan voters are not affiliated with any political party, the number of those voters who want to run for office is small, so the rule does not have the broad application that the Alaska Democratic Party claims it has. Finally, the requirement the State imposes here is no different from similar requirements that the U.S. Supreme Court has said are constitutional.

Alaska Democratic Party's Position: By requiring nonpartisan or undeclared voters to register to vote with the Alaska Democratic Party before those voters can run as candidates in the Alaska Democratic Party primary, the State is substituting its own ideas about how the Alaska Democratic Party should run its internal affairs, and that is not the State's role. Because so many Alaskans have registered to vote as either nonpartisan or undeclared, the State makes it difficult for those voters to increase their political involvement and become candidates. Alaska's party-affiliation requirement is different from the laws the U.S. Supreme Court has considered because all of those laws were related to people who changed parties or were somehow associated with other political parties before they became candidates for another party. The Alaska Democratic Party's changes to its bylaws only applies to people who are not affiliated with another political party or group.

3. The State's Interests

The State identifies three main interests the state has in requiring candidates in a party's primary to register as affiliated with that party on their voter registration: making sure parties and candidates have enough support to appear on a general election ballot, avoiding voter confusion, and protecting political stability.

State's Position: All of these interests are very important and concrete interests that are at risk if the Alaska Democratic Party can open its primary to candidates who are registered as nonpartisan and undeclared. Courts have already decided that states can limit their general election ballots to candidates with a certain level of support. Party primaries are only one way a candidate can get on the general election ballot in Alaska, but the support the party has (as shown by past elections or voter registration) allows recognized parties to choose candidates through primaries instead of through petitions. Voters will assume that candidates nominated by the Alaska Democratic Party are registered with that party, and any attempt to show that a nonpartisan or undeclared voter is the

Alaska Democratic Party's nominee will be too confusing. Finally, if the Alaska Democratic Party's nominee is not registered as member of the party, party labels will lose their meaning.

Alaska Democratic Party's Position: The interests that the State has identified may be important or compelling in the abstract, but in practice they are not that important. The State's interest needs to be more than just abstract; the State needs to show that its interests are specifically at issue. Because the State can never know whether voter support for a candidate is related to whether the candidate represents a specific party, its reasons are too abstract.

4. Fit Between Burden and Means to Protect Interest

The last step in the constitutional analysis in this case is deciding whether the State's interests are compelling enough to justify burdening the associational interests at stake. (There is some mixing of the third and fourth issues in the superior court's decision and in the parties' briefs.) The superior court thought that none of the interests that the State identified were strong enough to impose what the superior court thought was a significant burden on the Alaska Democratic Party's association rights.

State's Position: The requirement that a candidate for the Alaska Democratic Party's nomination be registered as a Democrat is a slight burden when compared to the State's interests. Registration with the State as a party member shows the public that the nominee actually supports the Alaska Democratic Party and helps preserve the meaning of party labels. If anyone can run for the Alaska Democratic Party's nomination, party labels become meaningless; this puts political stability at risk because people will no longer be able to know what a candidate stands for. It is reasonable for the State to consider votes for a party and its candidates as a method to measure support for a political party.

Alaska Democratic Party's Position: Even if the State's interests are legitimate, the requirement does not promote those interests. Because anyone can register to vote for a political party, a candidate who does not really support the party can already misuse the process to get on the general election ballot. Major political parties with many registered members already show substantial support. Voters can be informed of changes on the ballot, which will make it less likely they will be confused.

QUESTIONS FOR STUDENTS TO CONSIDER

1. The statute requires a candidate in a political party's primary to be a "member of a political party" and defines that term as "a person who supports the political program of the party." Can someone who did not list an affiliation on their voter

registration still support the political program of the party? If you think they can, how could the State determine that fact without requiring registration with the party?

2. Does anything prevent candidates from registering to vote with a party in order to run in that party's primary election and then changing their voter registration affiliation after they win the primary? Assuming nothing prevents them from changing their registration, how does that affect the State's arguments? How would it affect the Alaska Democratic Party's arguments?
3. The State identifies political stability as an important interest and argues that the voter registration requirement promotes that interest. Summarize both sides' arguments about political stability. How important do you think having two major political parties is to political stability?
4. Why might candidates not want to register with a party even if they support the party? How burdensome do you think it is for candidates to register with the party whose nomination they seek?
5. Think about using the petition process to get on the general election ballot. Why might a candidate prefer to run in a political primary rather than use a petition? What advantages might there be to running as a political party's nominee?
6. The Alaska Democratic Party argues that its right to determine who will participate in its primary election includes both voters and candidates. Do you agree with this argument? Why or why not? How is the relationship voters have to a party different from the relationship candidates have?
7. Look at the actual ballots from 2016 and the possible ballots (in the State's brief at pages 36-38) and in the excerpt of record (pages 243-246). How confusing do you think the different ballot designs might be for voters?
8. The State argues that using the word "Independent" to designate an unaffiliated candidate may cause voter confusion because one of Alaska's recognized political parties is the Alaskan Independence Party. This has been an issue in California, as the following news article describes. Can you think of a way to avoid this type of confusion? What does the confusion described in this article say about how voters perceive ballots or voter registration forms?
<http://static.latimes.com/american-independent-party-california-voters/>
9. From the perspective of a voter trying to choose which candidate to vote for, how important do you think it is to know how a candidate listed their party affiliation on their voter registration? Explain your answer.

10. A candidate who is elected to office can change party affiliation after the election, as a state representative from Anchorage did after the 2012 election, changing from Democrat to Republican. And in 1990, under a different primary election system, the Alaska Republican Party's nominee for lieutenant governor changed parties and ran as a candidate for the Alaskan Independence Party. If an elected official can change parties after a primary or general election, how strong is the connection between being a party's candidate and supporting the party's political program?
11. How much control should a political party be able to exercise over which candidates run in its primary if the candidates do say they are affiliated with a party when they register to vote? Based on the superior court's decision in the Alaska Democratic Party case, the Alaska Republican Party has asked the Division of Elections not to allow three state legislators to run in the Alaska Republican primary. See <http://www.ktva.com/story/36980608/alaska-gop-votes-to-kick-three-incumbents-out-of-party-primary>. Is this request different from the request the Alaska Democratic Party made? Explain the reasons you think it is the same or different.
12. The State discusses the issue of candidates using a party primary to get on the general ballot without having to go through the petition process. If a minor political party can get a popular candidate to run for office as a candidate for that party, does this mean the candidate supports the party's political program? Do you think voters would be showing support for the candidate or the party?
13. What do you think is the State's strongest argument on appeal? What do you think is its weakest argument? Explain.
14. What do you think the Alaska Democratic Party's strongest argument is? What do you think is its weakest argument? Explain.
15. If you were a justice on the Alaska Supreme Court, how would you decide this case? Explain.

STATE OF ALASKA VOTER REGISTRATION APPLICATION

Refer to instructions on the reverse side for specific information and identification requirements.

Please print clearly in blue or black ink.

1. You MUST complete this section for registration: <input type="checkbox"/> Yes <input type="checkbox"/> No I am a citizen of the United States. <input type="checkbox"/> Yes <input type="checkbox"/> No I am at least 18 years old or will be within 90 days of completing this application. If you checked NO to either question, do not complete this form as you are not eligible to register to vote.													
2. Last Name	First Name	Middle Initial	Suffix										
3. Former Name: (If your name has changed)													
4. You MUST provide the Alaska residence address where you claim residency. Do not use PO, PSC, HC or RR. <table style="width: 100%; border: none;"> <tr> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none;">_____</td> <td style="border: none; text-align: center;">Alaska</td> </tr> <tr> <td style="border: none; font-size: small;">House No.</td> <td style="border: none; font-size: small;">Street Name</td> <td style="border: none; font-size: small;">Apt No.</td> <td style="border: none; font-size: small;">City</td> <td style="border: none; font-size: small;">State</td> </tr> </table> <input type="checkbox"/> Keep my residence address confidential. (Your mailing address in section 5 must be DIFFERENT from your residence address in section 4 to remain confidential.)				_____	_____	_____	_____	Alaska	House No.	Street Name	Apt No.	City	State
_____	_____	_____	_____	Alaska									
House No.	Street Name	Apt No.	City	State									
5. Mailing Address: (Address where you receive your mail if different from above) _____ _____ _____		7. <input type="checkbox"/> I am a voter with a disability and would like information on alternative voting methods.											
		8. <input type="checkbox"/> I am interested in serving as an election official. (Provide your phone number and/or email address in section 9.)											
		9. Daytime Phone No.: _____ Evening Phone No.: _____ Email Address: _____											
6. *AK Voter Number: _____ <div style="text-align: center; font-size: small;">(If known)</div>													
10. Identifiers – You MUST provide at least one: *SSN or Last 4 of SSN: _____ *Alaska Driver’s License or State ID Number _____ <input type="checkbox"/> I have not been issued a Social Security Number, Alaska Driver’s License or State ID number.													
11. You MUST provide: *Date of Birth _____ <div style="text-align: center; font-size: small;">Month Day Year</div>		12. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female											
13. Political Affiliation For political affiliation choices in Alaska, see instruction number 5 on the reverse side. Write political affiliation: _____													
14 I am registered to vote in another state, cancel my registration in: City: _____ State: _____ County: _____ Zip: _____													
Voter Certificate. Read and Sign: I certify, under penalty of perjury, that the above information I provided on this document is true and correct. I am not registered to vote in another state, or I have provided information to cancel that registration. I further certify that I am a resident of Alaska and I have not been convicted of a felony, or having been so convicted, have been unconditionally discharged from incarceration, probation and/or parole. WARNING: If you provide false information on this application you can be convicted of a misdemeanor AS 15.56.050.													
*SIGNATURE: _____		DATE: _____											
Your signature must be a handwritten signature. A typed or digital signature is not valid.													
Registrar/Agency/Official – Check ID and complete this section _____ OR _____													
Registrar Name	Voter No or SSN	Agency Name											

*Items are kept confidential by the Division of Elections and are not available for public inspection except that confidential addresses may be released to government agencies or during election processes as set out in state law.

State of Alaska - Division of Elections

Voter Registration Application

To register to vote in Alaska you must be a U.S. Citizen, a resident of Alaska, and at least 18 years old or will be 18 years old within 90 days of completing this application.

Initial registration or registration changes must be made at least 30 days prior to an election. Once your application is processed, a notice will be mailed to you within 3 to 4 weeks.

1. When Completing This Application You **MUST** Provide:

- **Alaska Residence Address Where You Claim Residency** – A complete physical residence address in Alaska must be included on your application. The residence address you provide will be used to assign your voter record to a voting district and precinct. Your application will be denied if you do not provide an Alaska residence address or you provide a PO Box, HC No. and Box, PSC Box, Rural Route No., Commercial Address or Mail Stop Address or a residence address outside of Alaska on Line 4 of the application.

If your residence has been assigned a street name and house number, provide this information or indicate exactly where you live such as, highway name and milepost number, boat harbor, pier and slip number, subdivision name with lot and block or trailer park name and space number. If you live in rural Alaska, you may provide the community name as your residence address.

If you have a different mailing address than your residence address, you may choose to keep your residence address confidential. Confidential addresses are not released to the general public, but may be released to government agencies or during election processes as set out in state law.

If you are temporarily out of state and have intent to return, you may maintain your Alaska residence as it appears on your current record. If you provide a new residence address, it must be within Alaska. Active military and military spouses are exempt from intent requirement.

- **Proof of Identity** – Your identity must be verified. If you have been issued a Social Security number, Alaska Driver's License, or Alaska State ID card, you **MUST** provide at least one number on Line 10 of the application. If you have never been issued one of the identification numbers, please indicate so by checking the box on Line 10.
- **Date of Birth** – You **MUST** provide your date of birth.

2. Are you submitting this application by mail, by fax, or email? If so, and if you are not already registered to vote in Alaska, your identity must be verified either at the time you register or the first time you vote. If you would like to ensure that your identity is verified at the time you register, submit a copy of one of the below:

- Current and valid photo identification
- Driver's license
- Passport
- State identification card
- Birth certificate
- Hunting and Fishing license

3. Are you registering from outside the State of Alaska? If so, you must provide proof of Alaska residency, such as a copy of your current Alaska driver's license/ID, current Alaska hunting or fishing license, student loan or college tuition documents showing Alaska as state of residence, proof of employment in Alaska that indicates the date on which you were employed, military leave and earnings statement that identifies Alaska as the state of legal residence or other documentation that supports your claim as an Alaska resident. If you do not provide proof of Alaska residency, your application will not be processed.

4. Have you been convicted of a felony? If so, you may register to vote only if you have been unconditionally discharged. Provide a copy of your discharge papers with this application if available.

5. Political Affiliation. Write your political affiliation. Recognized political parties are parties who have gained recognized political party status under Alaska Statute. Political groups are parties who have applied for recognized political party status but have not met the qualifications. Alaska political affiliations are as follows:

Recognized Political Parties:

- Alaska Democratic Party
- Alaska Libertarian Party
- Alaska Republican Party
- Alaskan Independence Party

Political Groups:

- Alaska Constitution Party
- Green Party of Alaska
- Moderate Party of Alaska
- Patriot's Party of Alaska

- Progressive Party of Alaska
- Twelve Visions Party of Alaska
- UCES' Clowns Party
- Veterans Party of Alaska

Other:

- Nonpartisan (not affiliated with a political party or group)
- Undeclared (do not wish to declare a political affiliation)

Mail, fax or email (as a PDF, TIFF or JPEG attachment) your completed application to one of the offices listed below:

Region I Elections Office

PO Box 110018
Juneau, AK 99811-0018
(907) 465-3021 – Telephone
(907) 465-2289 – Fax
Toll Free 1-866-948-8683
electionsr1@alaska.gov

Region II Elections Office

Anchorage Office
2525 Gambell St Ste 100
Anchorage, AK 99503-2838
(907) 522-8683 – Telephone
(907) 522-2341 – Fax
Toll Free 1-866-958-8683
electionsr2a@alaska.gov

Region III Elections Office

675 7th Ave Ste H3
Fairbanks, AK 99701-4542
(907) 451-2835 – Telephone
(907) 451-2832 – Fax
Toll Free 1-866-959-8683
electionsr3@alaska.gov

Region IV Elections Office

PO Box 577
Nome, AK 99762-0577
(907) 443-5285 – Telephone
(907) 443-2973 – Fax
Toll Free 1-866-953-8683
electionsr4@alaska.gov

Matanuska-Susitna Office

North Fork Professional Building
1700 E Bogard Rd Ste B102
Wasilla AK 99654-6565
(907) 373-8952 – Telephone
(907) 373-8953 – Fax
electionsr2m@alaska.gov

Native Language Assistance

Toll Free 1-866-954-8683

Visit our website at: www.elections.alaska.gov