How to Run for Local Office Legal Requirements



Qualifications for Office

Eligibility:

"Qualified Voter" means a voter who, at the time of the election, is qualified to vote due to the following qualifications:

- 1) qualified to vote in State elections;
- 2) a resident of the municipality for at least thirty days immediately preceding the election;
- 3) registered to vote in state elections at a residence address within the municipality at least thirty days before the municipal election at which the person seeks to vote; and
- 4) not disqualified under Article V of the Alaska Constitution.

<u>Assembly</u>

Only a qualified voter of the municipality, who has been a resident of the municipality for at least one year immediately preceding election or appointment to office, shall be qualified for the office of mayor or Assemblymember. In addition, an Assemblymember shall be a resident of the district from which elected or appointed at the time of the Assemblymember's election or appointment.

No person who has been elected to the office of mayor or Assemblymember for three consecutive terms shall again be eligible to hold the office which he or she held for the three consecutive terms until one full year has intervened. Appointment or election to serve the unexpired portion of a term shall not be considered a term for purposes of the limitation provided in this section.

No Assemblymember may hold any other compensated municipal office or employment or elected partisan political office while serving on the assembly. According to CBJ Code 11.10.020 Eligibility:

"No Assemblymember may be an employee of the Bartlett Memorial Hospital, the City and Borough administration or any department or division thereunder, a City and Borough service area, or any municipal board, commission, committee or other group, except for the school district, which is funded in whole or in part by assembly appropriations, nor may an Assemblymember serve on the planning commission, the City and Borough personnel board, the school board of the City and Borough, nor any public body created by the assembly except when an Assemblymember holds a position on such body as a representative of the assembly."

School Board

To be eligible to be a member of a school board, a person must have the same qualifications as are necessary to be a municipal voter in the school district as outlined above, and in addition:

- not be an employee of the Juneau School District; and
- not be a member of the Alaska Legislature.

Nomination:

Petitions

Nomination for elective office shall be made only by petition accompanied by a signed acceptance. Nomination petition forms are available at the Election Official/Municipal Clerk's office, located at City Hall, 155 S. Seward St., Rm 202, and on-line at:

https://beta.juneau.org/clerk/elections

A form may be requested by mail to CBJ Clerk, 155 S. Seward St., Juneau, AK, 99801, by fax (907) 586-4552, by email (<u>city.clerk@juneau.org</u>), or by phoning the clerk's office at: (907) 586-5278.

Procedures

Nomination forms must be completed and filed with the Election Official not earlier than 8:00 a.m. on Friday, July 17, 2020, nor later than 4:30 p.m. on Monday, July 27, 2020. For a petition to be sufficient, it must be signed by 25 qualified voters. It is highly recommended that anyone circulating a petition obtain more than 25 signatures, in the event that the petition is inadvertently signed by a person who is not a qualified voter, the clerk cannot decipher the handwriting, the person has moved and not changed their voter registration, or other reasons to question the validity of the signature.

<u>Public Official Financial Disclosure and Campaign Disclosure Information</u>

All candidates <u>must</u> file a printed and signed Public Official Financial Disclosure Statement (POFD) with the Election Official/Municipal Clerk prior to the closing date of the candidacy filing period. Once the POFD Statement is filed on-line, please print a copy, sign it, and submit it with the candidate nominating petition. <u>Late filings of Public Official Disclosure Statements must be refused and the candidate's name removed from the filing records</u>. (ref. AS 39.50.020)

A Letter of Intent to Run for Office and Campaign Disclosure forms <u>must</u> be filed with the Alaska Public Offices Commission. These records are maintained by the APOC and not with the CBJ Clerk's office.

Complete information about financial and campaign disclosure can be found at the Alaska Public Offices Commission website at:

http://doa.alaska.gov/apoc/home.html

To file POFD Statements and Campaign Disclosure forms, a candidate in the City and Borough of Juneau must file on-line through the State of Alaska's internet portal "myAlaska."

https://my.alaska.gov/

Alaska Public Offices Commission

Office Hours of Operation: 8:30am to 5pm (Alaskan time)

Anchorage Office

2221 E. Northern Lights, Room 128 Anchorage, AK 99508-4149

Phone: (907) 276-4176 Toll-Free: 1-800-478-4176 Fax: (907) 276-7018

General Email: apoc@alaska.gov

Filer Reports: doa.apoc.reports@alaska.gov

Juneau Office

240 Main St. #201 PO Box 110222 Juneau, AK 99811

Phone: (907) 465-4864 Toll-Free: 1-866-465-4864 Fax: (907) 465-4832

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Juneau Group eMail: doa.apocjnu@alaska.gov

Write-in candidates:

For write-in votes to be counted, a write-in candidate must file a Letter of Intent and a Public Officials Financial Disclosure Statement (POFD) no later than 4:30 p.m., on Thursday, September 29, 2020, with the Election Official/Municipal Clerk. Filing forms are available from the Municipal Clerk's Office and interested persons are encouraged to contact the Clerk to review the process.

In addition, and separately from the submissions to the Clerk's office, a write-in candidate must submit a Public Officials Financial Disclosure Statement and comply with Alaska Campaign Finance Laws.

CBJ Code 29.07.050(f) A write-in candidate shall, not later than 4:30 p.m. of the fifth day before the election (Thursday, September 29, 2020), file with the election official a letter of intent stating:

- 1) full name of candidate;
- 2) full residence address of the candidate and the date on which residency at that address began;
- 3) full mailing address of candidate;
- 4) the office the candidate seeks;
- 5) the date of the election at which the candidate seeks election;
- 6) the length of residency in the City and Borough;
- 7) the name of the candidate as the candidate wishes it to be written on the ballot by the voter;
- 8) that the candidate will meet the specific age requirements of the office for which the person is a candidate by the time that candidate, if elected, is sworn into office;
- 9) that the candidate is a qualified voter as required by law; and
- 10) that the candidate is not a candidate for any other office to be voted on at the election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy.

<u>Procedures for counting write-in ballots</u>

CBJ Code Section 29.07.150 General procedures for ballot count:

(d) Write-in votes shall not be counted unless the candidate has filed a letter of intent as required by subsection 29.07.050(f). If the total number of ballots containing write-in votes in the general election are at least the second highest in number in a race with two or more candidates, the write-in votes will be counted individually. In races where a candidate is unopposed, write-ins will be counted individually if they are within 100 votes or less. Write-in votes will be counted after the date of the election, but before the certification of the election in which the write-ins occurred. Write-in vote totals that do not fall within either of these two categories will not be individually counted.

Withdrawal from candidacy:

Any candidate nominated may withdraw his or her nomination not later than 4:30 p.m. on Friday, July 31, 2020, through written notification to the Election Official.

Official Candidate Statement:

A candidate for elected office has the OPTION of filing an official candidate statement for publication on the CBJ website. All information must be received by the election official for formatting by 4:30 p.m. on Friday, August 21, 2020. (CBJ Code 29.07.055)

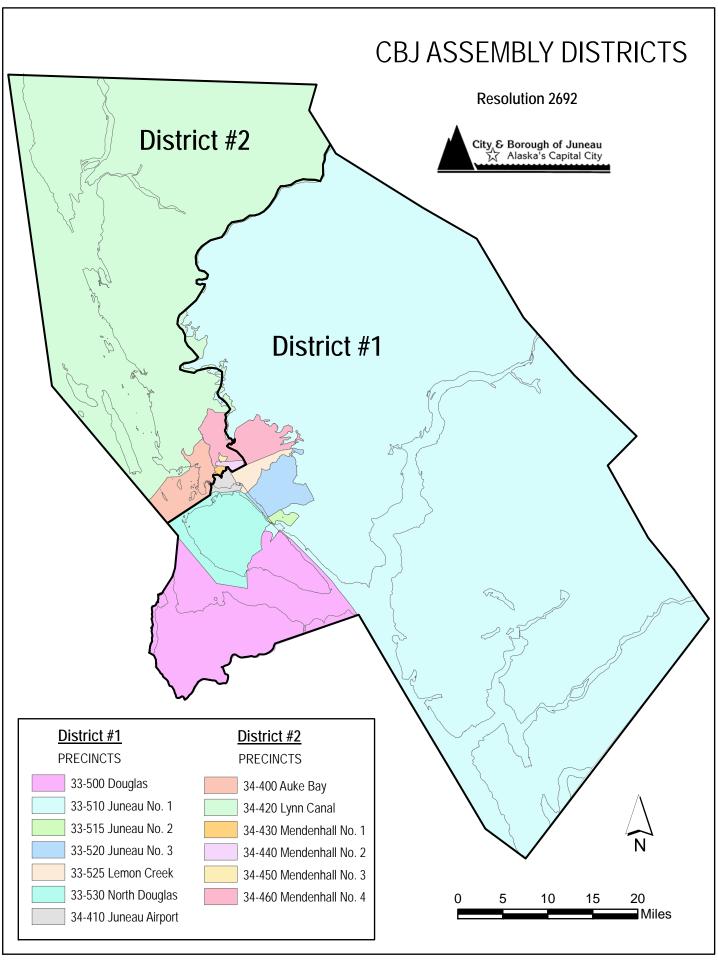
REVISED Dates for October 6, 2020 CBJ Regular Election

January 1	Absentee-by-mail ballot applications available	
April 20	Petitioner's Committee should contact Clerk's Office about timelines for submitting an affidave to the Clerk for an initiative or referendum petition.	
June 8	First day for Assembly to adopt or the clerk to certify a petition for a Charter amendment proposition	
July 8	Last day for Clerk to certify initiative or referendum petitions to submit to Assembly	
July 13 [8/3]	LAST Regular Assembly Meeting to Introduce a Ballot Proposition	
July 17 [8/7]	Filing for Municipal and School Board Candidacy opens - 8:00 a.m. Copies of electronically filed APOC POFD forms must accompany Nominating Petitions.	
July 27 [8/17]	Filing for Municipal and School Board Candidacy closes - 4:30 p.m.	
July 31 [8/21]	Last day for candidates to withdraw their name from the printed ballot – 4:30 p.m.	
Aug. 3 [8/2 4]	Last Regular Assembly Meeting to Adopt Ballot Proposition (or to make a motion placing an advisory question on the ballot.)	
Aug. 7	Last day for Assembly to adopt or the clerk to certify a petition for a Charter amendment	
Aug. 21	proposition Candidate Profiles due to Clerk for formatting	
Aug. 17 [8/26]	Final Ballot sent to Printer	
Aug. 26	Deadline for candidate approval for posting of Official Candidate Statements online.	
Aug. 26	Last day to submit Notice of Election to media for publication	
Sept. 6	Notice of Election Posted / Published	
Sept. 15 [9/21]	Ballots mailed out from printer/contractor (in Washington) to all qualified registered voters – [Voters will then proceed to vote their ballots, have them witnessed and return them to a CBJ P.O. Box to be set up in Anchorage or drop them off at a Juneau vote center or ballot drop box.]	
Sept. 15-Oct. 7	- Assembly Chambers in use 24/7 for Election purposes. [Vote Center Open 9/21-10/6]	
Sept. 21-Oct. 6	Vote Center(s) [taking the place of Early/Absentee Voting stations] open for 15 days prior to and including Election Day.	
Sept. 18-Oct. 1	5 Anchorage Election Center begins collecting ballots via mail and conducts the signature verification review process. Election staff will send signature cure letters to any voter whose return ballot does not pass the initial review under new CBJ 29.07.370(e) to give voters an option to cure any errors on their return envelope/signature.	
Sept. 29	Last day to receive applications for absentee by-mail ballots in Clerk's office	
Sept. 29 [10/1]	Last day to file "write-in" candidacy letter of intent.	
Oct. 5	Last day to submit application for a fax ballot (by electronic transmission) - 5 p.m.	
Oct. 6	Election Day - Polls Vote Centers open 7 a.m 8 p.m. [No results run until Friday, 10/9]	
Oct. 7	CBJ Election team prepares election materials to take to Anchorage – 2 (or more) person team flies up to Anchorage with ballots from Vote Center and drop boxes collected in Juneau	

I:\WP\CLERKS\ELECTION\2020 Regular Election\Calendar\Quick_Reference_Dates-2020_Regular_Election-REVISED For By Mail.Doc

REVISED Dates for October 6, 2020 CBJ Regular Election

Oct. 9	Ballots tabulated at Anchorage Election Center for those votes received at Anchorage Election Center, CBJ Vote Centers and Ballot Drop Boxes. This is the first instance during which preliminary "Unofficial Results" will be available.	
Oct. 9-16	Election Center continue acceptance of any by-mail ballots and reviews them for postmarked (postmarked prior to or on Election Day) and signature verification process.	
Oct. 16	Final Ballot tabulation in Anchorage for secondary "Unofficial Results" prior to the work in Juneau the Canvass Review Board to certify the election.	
Oct. 20 [10/13]	Canvass Board Election Certification in Juneau (Assembly Chambers Time TBA)	
Oct. 20 [10/13]	Last Day to Contest Election (must be filed before completion or during review of election returns)	
Oct. 22 [10/13] Last Day to request Recount		
Oct. 26 [10/20] First Regular Assembly meeting scheduled for New Assembly Members		
Oct. 30 [10/23] Last Day to file for Judicial Review of Election in Superior Court		





Alaska Public Offices Commission <u>MUNICIPAL ELECTIONS</u>

Please read this document carefully for important information about starting your campaign.

This information is presented only as an overview of your disclosure requirements. It is your responsibility to familiarize yourself and your campaign workers with the statutes and regulations to ensure you that you are in compliance with the law. Please visit the APOC homepage at www.doa.alaska.gov/apoc for further information, training opportunities, and to remain updated about your requirements and responsibilities as a candidate.

Unless they meet specific criteria found in AS 15.13.040(m)(1), candidates must file all forms and reports electronically through myAlaska. Many Alaskans already have a myAlaska account to apply for their Permanent Fund Dividend. You may use this same account for APOC purposes. Candidates have the option to allow others to view their filings, but this access is specific to APOC services only.

FORMS TO GET STARTED

Letter of Intent: Must be filed with the APOC *before* any candidate engages in campaign activity. A Letter of Intent allows the candidate to begin accepting and spending contributions and may be filed 18 months prior to the date of the election. However, if a candidate files their Declaration of Candidacy first, they do not need to file a Letter of Intent.

<u>The Declaration of Candidacy:</u> Municipal candidates file their Declaration with their specific Municipal Clerk's Office. The Declaration of Candidacy is what gets a municipal candidate's name on the ballot. Check with your Municipal Clerk's Office to find out when your filing period opens and closes.

<u>Public Official Financial Disclosure Statement:</u> Must be filed <u>with</u> the Declaration of Candidacy at the Municipal Clerk's Office. Some municipalities have opted out of the requirement of filing a Public Official Financial Disclosure Statement. Check with your municipal clerk to be sure that you are complying with the requirements of your municipality.

<u>Candidate Registration:</u> Must be filed within 7 days after filing the Declaration of Candidacy with the Municipal Clerk's Office. The registration provides your campaign contact information, designates your campaign committee, and your campaign depository. Candidates may amend registrations as needed. Until a candidate files their registration, designating a Treasurer or Deputy Treasurers, only the candidate may accept/expend campaign funds.

<u>Municipal Exemption Statement:</u> May be filed by *municipal* candidates that do not intend to exceed \$5,000 in campaign activity, including any personal money that they may use. As long as they remain under the \$5,000 threshold, this is the only form they are required to file with APOC. Although exempt candidates do not file campaign disclosure reports, they are still subject to the laws that apply to candidates, including the requirement that ads, yard signs, and other campaign materials include "paid for by" identifiers as required under <u>AS 15.13.090</u> and <u>2 AAC 50.306</u> (see page 2).

<u>Candidate Reimbursement Notification:</u> If candidates loan personal funds to their campaign with the intent to repay themselves after the election, they MUST file a Candidate Reimbursement Form **within 5 days** of depositing personal funds into their campaign account. The maximum limit a municipal candidate can loan and recover is \$5,000. HOWEVER, if the candidate is able to reimburse their personal contributions from the campaign account **within 72 hours** they may do so, and they do NOT need to file the Reimbursement Form.

CAMPAIGN DISCLOSURE REPORTS

Candidates, who are not exempt, are required to disclose financial information about their campaigns. The purpose of a campaign disclosure report is to provide a snapshot of a candidate's activity during a specific reporting period. The **reporting period** is the time period covered by a campaign disclosure report. A **due date** is the date when a report is due, and comes three days after the end of a reporting period. The three days allows a treasurer time to complete the report.

The number of reports filed by municipal candidates will vary depending on when the campaign begins. If a candidate filed a Letter of Intent on or before February 1, they will begin with a **Year Start Report**, due February 15. Otherwise the cycle will begin with a **30 Day Report** (due 30 days before the election), **7 Day Report** (due 7 days before the election) and a **105 Day Report** (which should be a final report and is due 105 days after the election). In addition, during the 9 days before an election, candidates must report the contributor name and the amount of all monetary and non-monetary contributions, from a single source, over \$250 (i.e. \$250.01) within 24 hours of receipt. Candidates may need to report each day during that period, or not at all.

OTHER START UP CONSIDERATIONS

Only the candidate, a registered treasurer or a registered deputy treasurer may spend money on behalf of the campaign. Any action by a treasurer or registered deputy treasurer is considered an action of the candidate.

If a registered treasurer or deputy treasurer uses personal funds to make a purchase on behalf of the campaign, it is a personal non-monetary contribution to the campaign (against their individual \$500 contribution limit) **unless** it is (1) \$500 or less **and** (2) it is reimbursed within the same reporting cycle.

PAID FOR BY IDENTIFIERS

Alaska Statute 15.13.090 and Regulation 2 AAC 50.306 require a paid for by identifier on all political communications. For <u>candidate</u> campaigns, print or video communications (i.e. newspaper ads, videos, Facebook pages, yard signs, etc.) must have the visible identifier:

"paid for by" followed by the name and address of the candidate

Audible communications (i.e. radio ads, videos with sound, robo calls, etc.) must have the audible identifier:

"This communication was paid for by (candidate's name only)"

If the communication has both a print/video and audio component (i.e. commercials, YouTube videos, etc.) it must have both a visual and audible disclaimer. Fixing missing or incomplete paid for by disclaimers costs time and money for a campaign, and can result in civil penalties.

CIVIL PENALTIES

Civil penalties apply to candidates who violate campaign disclosure law. Violations include failure to file a campaign disclosure report on time or failure to file a complete and accurate campaign disclosure report. Even if you are filing a report indicating that you have had no activity in that report period, you will be assessed a civil penalty if the report is late. It is YOUR responsibility, as the filer, to familiarize yourself (and your campaign workers) with the campaign disclosure law requirements and reporting deadlines. Penalties range from \$50 to \$500 a day depending on the report.

Review the APOC website for further reporting requirements. This information is only meant to provide you with an initial overview of your requirements as you begin your campaign. Do not hesitate to call APOC staff if you have questions. Thank you!

CONTACT INFORMATION

Anchorage Office

2221 East Northern Lights Blvd., #128 Anchorage, AK 99508 Phone: (907) 276-4176 Toll Free: (800) 478-4176 Fax: (907) 276-7018

Juneau Office

P.O. Box 110222 240 Main Street, #500 Juneau, AK 99811-0222 Phone: (907) 465-4864 Toll Free: (866) 465-4864 Fax: (907) 465-4832

Website: www.doa.alaska.gov/apoc
Information Email: <a href="majoc@alaska.gov/apoc@alask

ALASKA PUBLIC OFFICES COMMISSION

CANDIDATE REPORTING DATES 2020 STATEWIDE MUNICIPAL ELECTION

Tuesday, October 6, 2020 Statewide Municipal Election

Report:	Covers:	Due:
Year Start Report	February 2, 2019 – February 1, 2020	Tuesday, February 18, 2020
30 Day Report	February 2 – September 4	Tuesday, September 8, 2020
7 Day Report	September 5 – September 26	Tuesday, September 29, 2020
24 Hour Reports**	September 27 – October 5	Daily As Needed**
105 Day Report	September 27 – January 4, 2021	Tuesday, January 19, 2021

^{**}During the 9 days before an election, you must report the contributor name and amount of all monetary and non-monetary contributions <u>over</u> \$250 to APOC within 24 hours of the time you receive each contribution. You may need to report each day during that period, or not at all.

Other Relevant Dates for the 2020 Statewide Municipal Election:

Friday, September 4, 2020, (Last day of 30 day reporting period for the Statewide Municipal Election)

The last day that a candidate may give or loan their campaign more than \$5000.

Friday, November 20, 2020, (45 days after the date of the Statewide Municipal Election)

The last day a candidate may accept contributions.

Monday, January 4, 2021 (90 days after the date of the Statewide Municipal Election)
The date by which candidates must distribute the amount held in their campaign account.

Please visit the APOC website for updates and more information. You may also access information about the statutes, regulations, and reports filed by groups, lobbyists and candidates.

Contact Information

Website: doa.alaska.gov/apoc Information Email: apoc@alaska.gov File Reports at: https://my.alaska.gov/

Anchorage APOC – 2221 East Northern Lights Blvd., Room 128, Anchorage, Alaska 99508 General Information: (907) 276-4176 / (800) 478-4176 / FAX (907) 276-7018

Juneau APOC – PO Box 110222/ 240 Main Street, Room 500, Juneau, Alaska 99811-0222 General Information: (907) 465-4864 / (866) 465-4864 / FAX (907) 465-4832

COMMON ERRORS THAT WILL CAUSE YOUR REPORTS TO BE RETURNED TO YOU FOR CORRECTION:

ILLEGIBLE REPORTS

Illegible reports will be returned to the filer to be re-submitted in a readable format.

INCOMPLETE INFORMATION

CANDIDATES

CONTRIBUTIONS UP TO \$50:

DATE (that the contribution was received by the campaign/not the date on the check),
TYPE OF CONTRIBUTION (Non-Monetary, Check, CC for Credit Card)
NAME (the person that signed the check is the contributor)
ADDRESS (complete address of the contributor; not just the city)

CONTRIBUTIONS OVER \$50:

All of the above (date, type, name, address) **plus** OCCUPATION **and** EMPLOYER information.

GROUPS

CONTRIBUTIONS UP TO AND INCLUDING \$100.00:

Groups may total the number of contributors that gave less than \$100 and report the total amount; i.e. 27 contributors gave a total of \$530.00

CONTRIBUTIONS OVER \$100.00:

Groups are now required to report the date, type of contribution, amount, name of the contributor, the contributor's address, AND the occupation and employer information for all contributions in excess of \$100.

CANDIDATES AND GROUPS

Expenditures

Candidates and groups, MUST report all expenditure information.

DATE (the date the candidate or group obligated itself to an expenditure)

PAYMENT TYPE: (Check, etc.)

VENDOR INFORMATION (Name AND address of the payee)
PURPOSE (A clear description of the Purpose)

Do not forget: An expense is reportable when the campaign *obligates* itself to a debt; report unpaid expenses (i.e. printing costs) on the debt page.

Non-Monetary Contributions

Both candidates and groups must report non-monetary, in-kind contributions as BOTH a contribution AND an expenditure. You may list it in exactly the same way under contributions and expenditures. Be sure to include a good description of the non-monetary contribution; i.e. stakes for yard signs, 100@ \$1.00 each.

These are just a few of the more common reporting errors or omissions; as always, if you have any questions, please call us or visit our website for more detailed assistance.

Anchorage APOC: (907) 276-4176 Toll Free in Alaska: Anchorage Office 1(800) 478-4176

Toll Free in Alaska: Juneau Office 1(866) 465-4864

www.doa.alaska.gov/apoc

Website: http://doa.alaska.gov/apoc/FilerResources/remindersTreasurers.html

Skip to main content



APOC Reminders For Treasurers And Deputy Treasurers

- Corporations and unions are prohibited from contributing to candidates
- · Only Candidates, registered Treasurers or Deputy Treasurers may accept or expend campaign funds
- The maximum an individual may contribute to a candidate in a calendar year is \$500
- The maximum cash contribution from an individual is \$100 in a calendar year
- A Political Action Committee (PAC) may contribute \$1000 to a candidate within a calendar year
- Report the date, amount, check number, name and address of all contributors and when a contributor exceeds \$50 include the contributor's occupation *and* employer information
- An expenditure is reportable when the campaign *obligates* itself to the vendor or supplier (Remember to report vendor addresses)
- Nonmonetary contributions count towards an individual's \$500 calendar year contribution limit (report them on both the
 contributor and expenditure schedules as nonmonetary contributions)
- The person who signs the check is considered the contributor; both account holders must sign the check if the contribution is to be split between them
- If a candidate intends to be reimbursed at the end of the campaign for personal contributions to their campaign, they must file a Candidate Reimbursement Form with APOC within 5 days of putting their money in (If the campaign reimburses the candidate within 72 hours, report the reimbursement as a paid expenditure to the candidate and describe the items purchased). An expense not repaid within 72 hours, becomes a nonmonetary contribution from the candidate and is reported as such
- If a registered Treasurer or Deputy Treasurer spends personal money on behalf of the campaign, they must be reimbursed within that reporting period. Treasurers and Deputy Treasurers must never spend more than \$500 of their own money on behalf of the campaign or it becomes a contribution to the campaign

Please Note: Civil penalties will be assessed for all late reports; even if there is no activity to report.

This list is incomplete; review the manual, laws and regulations and call us if you have any questions. Thank You!

- · State of Alaska
- myAlaska
- My Government
- Visiting Alaska
- Business in Alaska
- Resident
- Employee

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