

Kodiak Island Borough Regular Municipal Election

Candidates Handbook

Borough Assembly and School Board



FILING FOR CANDIDACY

AUGUST 1 –14, 2021

8 a.m. – 5 p.m.

AUGUST 16, 2021

8 a.m. – 4:30 p.m.

Office Of The Borough Clerk
710 Mill Bay Road, Room 234

Kodiak, AK 99615

Phone: (907) 486-9310

Fax: (907) 486-9391

clerks@kodiakak.us www.kodiakak.us

2021 Municipal Election Candidates' Handbook

The information provided in this handbook has been prepared by the Borough Clerk's Office as an aid to candidates seeking office. We hope the material it contains will help you in your campaign efforts. For your convenience, a calendar of important dates, filing forms, and instructions for their completion are included.

In addition to this pamphlet, there are other publications and materials available from the Office of the Borough Clerk, Division of Elections, and Alaska Public Offices Commission (APOC) which may assist you during your campaign. **Most of the files are available online** and some may be requested for a fee.

- Kodiak Island Borough Code Title 7 *Elections*
- State Election Code
- Precinct Maps
- Precinct Voter Lists
- Alaska Public Offices Commission, State and Municipal Candidates Campaign Disclosure Manual
- Alaska Public Offices Commission, Political Action Committee (PAC) Campaign Disclosure Manual

Please call the Borough Clerk's office at (907) 486-9310 if we can be of assistance.

Directory of Borough and State Offices

Kodiak Island Borough
Office of the Borough Clerk
710 Mill Bay Road, Room 234
Kodiak, AK 99615

Phone: (907) 486-9310 Fax: (907) 486-9391
Email: clerks@kodiakak.us
Website: www.kodiaak.us

Division of Elections - Region 1
P.O. Box 110018
Juneau, AK 99811-0018

Lauri Wilson, Election Supervisor
Phone: (907) 465-3021
Fax: (907) 465-2289
Email: Lauri.Wilson@alaska.gov

Alaska Public Offices Commission
2221 E. Northern Lights Blvd, Room #128
Anchorage, AK 99508
Website: www.doa.alaska.gov/apoc

Phone: (907) 334-1731
Fax: (907) 276-7018
General Information: (907) 276-4176

Brief Calendar of Key Dates

August 1, 2021 - First Day to Accept Candidate Filing Materials.

KIBC 7.20.030 (D) Filing for elective offices shall be made by filing a declaration of candidacy with the Clerk from August 1 through August 15, 4:30 p.m. August 17 at 4:30 p.m.

Within 7 Days of Declaring

Campaign reporting exemption form or registration statement filed on APOC website and clerk's office.

August 16, 2021 - Last Day to File Candidate Filing Materials.

KIBC 7.20.030 (D) Last day file Declaration of Candidacy with the Clerk's Office. Should August 15th fall on a Saturday or Sunday, candidates shall have until 4:30 p.m. on the first Monday following to file their declaration.

September 5, 2021 - Last day to Register to Vote or Change Address

KIBC 7.20.010 (A) person is qualified to vote if he has been a resident of the state and of the borough for at least thirty (30) days preceding the election.

September 20, 2021 - Absentee in Person Ballots Available

KIBC 7.50.030 (A) Any person may apply for an absentee ballot in person from the clerk or an absentee voting official 15 days before an election, up to and including the day before the date of the election during regular office hours, by completing an absentee in person envelope.

September 28, 2021 - Last Day to Apply for Absentee Ballot By Mail.

KIBC 7.50.050 No earlier than 6 months and no later than 7 days prior to election.

October 4, 2021 - Absentee Voting in Person ends.

KIBC 7.50.030 (A) Any person may apply for an absentee ballot in person from the clerk or an absentee voting official 15 days before an election, up to and including the day before the date of the election during regular office hours, by completing an absentee in person envelope.

October 12, 2021 - Last Day to Accept Absentee Voted Ballots By Mail.

KIBC 7.50.050 (D.) An absentee ballot must be marked and attested on or before the date of the election.

Official Results

Canvass Board Certification - *KIBC 7.40.010.(B)* On the day following each election or as soon as is practicable, the election canvass board shall meet in public session and canvass all election returns.

Recount request deadline - *KIBC 7.40.030 (A)* A defeated candidate, or 10 qualified voters, who believe there has been a mistake made by an election official or by the canvassing board in counting the votes in an election, may file an application requesting a recount with the clerk no later than 5 p.m. on the Monday following the election or 24 hours after completion of the canvass board, whichever is later.

Certification of Election - *KIBC 7.40.020.(A)* As soon as possible after completion of the canvass, the assembly shall meet in public session to receive the report of the canvass board. If, after considering said report, the assembly determines that the election was validly held, the election shall be certified by resolution and entered upon the minutes of the meeting.

Newly elected officials take office. *KIBC 2.25.020* The regular term of office begins on the first Monday following certification of the election and upon taking an oath of office.

Deadline for Contest or Superior Court Appeal Of Election - *KIBC 7.40.040 (A)* defeated candidate or any 10 qualified voters who contested an election may bring an action in the superior court within 10 days after the assembly has concluded that said election was validly held and the results entered upon the minutes.

*Dates may change depending on the completion of canvass.

2021 Regular Municipal Election Offices to Be Filled

Borough Assembly Two Seats, Three Year Term

Incumbents: James Turner and Dennis Symmons

School Board Two Seats, 3 Year Term

Incumbent: Judy Carstens and Kelly Bell

KIBC 7.20.020 Qualifications for Candidacy

- A. Candidates for mayor, assembly, and school board must be qualified voters of the borough and residents of the borough for one year at the time of filing.
- B. A person may not serve simultaneously as mayor and as a member of the assembly, as mayor and a member of the school board, or as a member of the assembly and member of the school board.
- C. No elected official of the borough may hold any other compensated borough office or borough employment, or elected position in the state or federal government while in office.
- D. No person shall be a candidate for more than one assembly seat at any election.
- E. Candidates for service area boards must be qualified voters of the borough and residents of the service area for at least 30 days immediately preceding filing for office.
- F. Candidates shall provide proof that they are eligible or shall be eligible by the date of the election, to be recognized as a candidate for any election.
- G. Write-in candidates for mayor, assembly, and school board shall file an Alaska Public Offices Commission (APOC) official financial disclosure statement with the clerk as required by the provisions of AS 39.50.

School Board Candidates:

BB9220.

Any person eligible to be a voter in the District is eligible for Board membership. A District employee may seek election to the Board but must resign his/her position with the District if elected. A Board member should resign from the Board before seeking to secure District employment. In no event shall a final decision for hire be made prior to receiving the Board member's resignation.

The required forms are in this booklet and must be filed with the Borough Clerk as a single instrument between

August 1st, to August 14th 8:00 am to 5:00 p.m. and August 16th , 8:00 am to 4:30 p.m.

- A. Complete the Declaration of Candidacy and have your signature notarized. Notaries are available free of charge at the Office of the Borough Clerk.

The Declaration Of Candidacy must be signed by 10 qualified voters of the Kodiak Island Borough.

- B. Complete the Election Pamphlet Candidate Questionnaire to be included in the official election pamphlet. This pamphlet is mailed to each registered voter household within the Kodiak Island Borough.

- C. Complete a Public Official Financial Disclosure (POFD) Statement. Please see information on the back of this handbook and also refer to the attached APOC documents.

Declarations of Candidacy may be filed with the clerk by electronic transmission (fax or email) and the original signed and notarized statement must be delivered to the clerk by the close of the filing period. If the original is not received by the clerk at the close of the filing period, the candidate's name shall not appear on the ballot.

Please bring a picture with you or be prepared to have your picture taken.

OCTOBER 5, 2021 ELECTION

Candidate Check List

Dear Candidate,

For efficient processing of your declaration of candidacy, please make sure that all boxes are checked before turning in your packet to the clerk's office.

- Is your Declaration of Candidacy Form filled out *correctly and completely*?
- Is the form notarized?
- Are you a registered voter?
- Do you have 10 voter signatures on your petition?
Please secure more than 10 signatures to make sure that you will have the ten required.
- Did you complete the Election Pamphlet Questionnaire?
- Did you submit a photo for the Voter's Pamphlet?
(If not please be prepared for the Clerk's Office to take your picture.)
- Did you already file an APOC Financial Disclosure?
- Did you print a copy of the APOC Financial Disclosure for the Clerk's Office?

The Clerk's Office CANNOT accept your Declaration of Candidacy if you have not filed your financial disclosure to the State first.

For additional assistance on APOC Financial Disclosure please contact APOC (907) 276-4176.

**All Boxes Must Be Checked Before Submitting Your Declaration of Candidacy
To the Clerk's Office**

**DECLARATION OF CANDIDACY FOR
BOROUGH MAYOR, BOROUGH ASSEMBLY OR SCHOOL BOARD SEAT**

The back of this page must be signed by at least ten qualified voters of the Kodiak Island Borough.

GENERAL INFORMATION (Please Print)

I, _____, am a qualified voter and declare myself to be a resident and candidate for nomination to the office of:

Borough Assembly – Three year term

School Board – Three year term

My current residence address is: _____.

I have been a resident of the Kodiak Island Borough since _____.

My full mailing address is: _____.

Home phone: _____ Work Phone: _____ Email: _____.

I request that my name appear on the ballot in the following manner: _____.

Certification

I, the undersigned, certify that the information in this Declaration of Candidacy is true and complete, and that I meet the specific residency and citizenship requirements of this office. I further certify that I shall meet the age requirements upon taking the oath of office, if elected. I have not filed another Declaration of Candidacy for the office for which this declaration is filed. I also acknowledge that should I choose to withdraw my candidacy; my withdrawal must be submitted to the Borough Clerk in writing with my signature.

Candidate's Signature: _____

State of Alaska)

) ss:

Third Judicial District)

Subscribed and sworn before me this ____ day of August 2021. _____

Signature of Notary

My commission expires: _____

Please provide the following: (For office use only)

Voter # _____ Date of Birth _____

Declaration of Candidacy for Borough Assembly or School Board Seat

Candidate's Name: _____

Office for Which Candidate Is Filing: _____

The undersigned, pursuant to KIBC 7.20.030, represent and declare that: (a) they are qualified voters of the Kodiak Island Borough; (b) they request the candidate's name be placed on the ballot for the above referenced seat.

Signature	Printed Name (First, MI, Last)	Residence Address	Mailing Address
1.		Kodiak	Kodiak
2.		Kodiak	Kodiak
3.		Kodiak	Kodiak
4.		Kodiak	Kodiak
5.		Kodiak	Kodiak
6.		Kodiak	Kodiak
7.		Kodiak	Kodiak
8.		Kodiak	Kodiak
9.		Kodiak	Kodiak
10.		Kodiak	Kodiak
11.		Kodiak	Kodiak
12.		Kodiak	Kodiak
13.		Kodiak	Kodiak
14.		Kodiak	Kodiak
15.		Kodiak	Kodiak

IMPORTANT: DO NOT PHOTO COPY.
This page must remain on the back of the "Declaration of Candidacy."

Election Pamphlet Candidate Questionnaire

A candidate's information and statement submitted under this section may not exceed **350** words. An article such as "a," "an," and "the" will be counted as a word.

Name: _____

Residence Address: _____

Mailing Address: _____

Home Phone: _____ Work Phone: _____ Email: _____

Length of Residency in Alaska: _____ In Kodiak: _____

Date of Birth (Not Published): _____ Place of Birth: _____

Occupation: _____

Spouse's name: _____ Children's names: _____

Education: _____

Service Organization(s) Membership: _____

Business and Professional Positions:

Special Interests: _____

Other: _____

Statement:

Please note if there is any information on this form that you do not want published.

Submit a recent photo with the candidate questionnaire.

ALASKA PUBLIC OFFICES COMMISSION (APOC) REQUIREMENTS

Please remember that it is **YOUR** responsibility as the candidate to familiarize yourself (and your campaign workers) with the requirements of the campaign disclosure law and reporting guidelines.

All Borough Assembly and School Board candidates, will have to fill out and file a **Public Official Financial Disclosure (POFD) Statement** at the same time that the Declaration of Candidacy is filed.

Public Offices Financial Disclosures

- Candidates are now required to file electronically on Alaska Public Offices Commission Website
- APOC has provided training for candidates at the following <http://doa.alaska.gov/apoc/training/index.html#onlineTraining>
- Under *AS15.13.040(m).(1)* you may request to file via paper if you do not have reasonable access to the technology necessary to file electronically.

Incumbents Financial Disclosures

- If you filed an **electronic** POFD, see the “Instructions for Copying Your POFD Report.” Submit the report online as a new form and print a copy for the Borough Clerk’s Office.

Any questions about the requirements of APOC, please contact:

Alaska Public Offices Commission
E. Northern Lights Blvd, Room #128
Anchorage, AK 99508

Phone: (907) 334-1731 2221
Fax: (907) 276-7018
General Information: (907) 276-4176
AK Toll Free Number: (800) 478-4176
Website: www.doa.alaska.gov/apoc

Mail Directly To APOC: P.O. Box 110222, Juneau, AK 99811

ALASKA PUBLIC OFFICES COMMISSION



ANCHORAGE
2221 E. Northern Lights, Room 128
Anchorage, AK 99508-4149
Phone: (907) 276-4176 or
Toll free: (800) 478-4176
Fax: (907) 276-7018

Website: www.doa.alaska.gov/apoc
Email: apoc@alaska.gov

JUNEAU
240 Main St. #500
PO Box 110222
Juneau, AK 99811
Phone: (907) 465-4864
Fax: (907) 465-4832

**MUNICIPAL EXEMPTION
STATEMENT**

Municipal candidates that do not intend to raise/spend more than \$5,000, including their personal funds, may file a Municipal Exemption Form. Exempt candidates are not required to file campaign disclosure reports during their campaign. If an exempt candidate exceeds \$5,000 in financial activity they must immediately file a Candidate Registration and file each report due after the change in status, disclosing all activity from the beginning of the campaign on their first report.

AS 15.13.040(g); 2 AAC 50.286.

Please note that unless a candidate meets the specific criteria found in *AS 15.13.040(m)(1)*, they are required to file all forms and reports electronically, through the APOC Forms Online Filing System (<https://my.alaska.gov/>).

A candidate's use of corporate, state, or municipal resources (i.e., office phone/address, equipment, staff time, etc.) for campaign purposes is prohibited. *AS 15.13.074(f); AS 15.13.145*

CANDIDATE NAME: _____

CAMPAIGN ADDRESS: _____

CAMPAIGN PHONE: _____ CAMPAIGN EMAIL: _____

Election Month and Year:	Office / Race: (Optional)
Municipality / Borough:	District / Seat: (Optional)

Certification: I certify that the information contained in the foregoing document is true, complete, and correct.

I do not intend to raise/spend more than \$5,000 (including personal money) during my entire campaign for municipal office.	Signature	Date
	Printed name	

NOTICE: Candidates who loan personal funds to their campaign with the intent to repay themselves after the election may only do so if they file a Candidate Reimbursement Form within 5 days of putting personal funds into their campaign. If the campaign is able to repay the candidate's personal funds within 72 hours they may do so, and they do not need to file the Reimbursement Form. *AS 15.13.078(b); AS 15.13.116(a)(4); 2 AAC 50.990(7)(c)(x)*

PUBLIC OFFICIAL FINANCIAL DISCLOSURE (POFD) GUIDE

Who is required to file?

If you are a candidate or municipal officer in a municipality that requires a POFD you must file one. Candidates should file when they are filing a nominating petition or declaration of candidacy. Municipal officers should file an initial POFD within 30 days of assuming their duties, then every year on or before March 15, and then within 90 days of leaving office.

How do I file?

APOC has transitioned to an electronic filing system. Candidates, unless they meet specific criteria found in *AS 15.13.040(m)(1)*, are required to file all forms and reports using the new system. To file electronically you will need a myAlaska account. Many, if not the vast majority, of Alaskans have a myAlaska account so that they can file for their Permanent Fund Dividend. The link is at <https://my.alaska.gov/> It is not necessary to create a new account for APOC purposes. While filers may allow access to others who may assist in preparing forms or reports, doing so does not allow access to anything other than the APOC services of myAlaska.

If I file a candidate POFD do I still have to file an initial POFD even though they will contain the same information?

Yes, you must file two POFDs in this case, that is the statutory requirement. If you have filed electronically all you need to do is copy the information from your candidate POFD to an initial POFD and resubmit the form.

What are the basic requirements for the information needed on the report?

The best thing to do is to read the instructions on the form. Doing so will answer the vast majority of your questions.

The short answer is any income that totaled over \$1,000 during the previous calendar year, and the source of that income, should be reported whether you worked full or part time; income from dividends such as the PFD or any Native Corporation dividends should be reported; your ownership of any property; any stocks or retirement accounts you own, trust funds, and income from rental properties should also be reported. All the same information that applies to you the filer also applies to your spouse and any dependent children living with you.

Again, read the instructions of the form.

What if I want an exemption?

There are two regulations that are useful for you to read and are available on line. See 2 AAC 50.775 the regulation that explains what you may request an exemption for and how to do it. You should also see 2 AAC 50.821 regarding exemptions. Be aware that you must file the request for exemption before any report is due.



Alaska Public Offices Commission

MUNICIPAL ELECTIONS

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.

The Declaration of Candidacy: 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.

Public Official Financial Disclosure Statement: Must be filed with 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.

Candidate Registration: 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.**

Municipal Exemption Statement: 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 [AS 15.13.090](#) and [2 AAC 50.306](#) (see page 2).

Candidate Reimbursement Notification: 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 candidate 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	Juneau Office
2221 East Northern Lights Blvd., #128 Anchorage, AK 99508 Phone: (907) 276-4176 Toll Free: (800) 478-4176 Fax: (907) 276-7018	P.O. Box 110222 240 Main Street, #201 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: apoc@alaska.gov

<http://doa.alaska.gov/apoc/training/index.html>

The screenshot shows the Alaska Public Offices Commission (APOC) website. At the top, there is a navigation bar with links for "myAlaska", "My Government", "Resident", "Business in Alaska", "Visiting Alaska", and "State Employees". Below this is the APOC logo and the text "Alaska Department of Administration" and "Alaska Public Offices Commission". A search bar is located to the right of the logo. The main navigation menu includes "APOC Home", "Commission", "Filer Resources", and "Training". Under "Training", there are sub-links for "Insight", "Search Reports", "Find Complaints & AO's", and "Contact Us". A banner image of a city skyline is displayed below the navigation. Below the banner, the breadcrumb "Administration > Alaska Public Offices Commission" is visible. The main content area features the heading "Alaska Public Offices Commission" and a button labeled "Upcoming Dates".

Step One: Training

Step Two: Candidate Forms

Step Three: Begin filling out your APOC Candidacy Forms

