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STATE OF ALASKA
Division of Elections
Office of the Lieutenant Governor

December 7, 2017

Tuckerman Babcock, Chairman
Alaska Republican Party
P.O. Box 201049
Anchorage, AK 99520

Dear Mr. Babcock,

Thank you for your letter of December 4, 2017. The Division will not take any action at this time for several reasons. First, assuming the Party's rule was validly adopted, submission of a rule change to the Division of Elections at this date is untimely under AS 15.25.014. Elections deadlines must be strictly construed. *See, e.g., State v. Jeffrey*, 170 P.3d 226, 234 (Alaska 2007). The superior court's order of October 17, 2017 in *Alaska Democratic Party v. State* (1JU-17-563 CI)—a case involving a change to a different rule—does not toll that statutory deadline. Second, Alaska law currently allows any registered Republican to run in the Republican primary, and *Alaskan Independence Party v. Alaska*, 545 F.3d 1173 (9th Cir. 2008) is controlling precedent on this issue. Finally, none of the three candidates targeted by the proposed rule change has yet filed for re-election in 2018, so any action by the Division would be premature at this time.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Josie Bahnke".

Josie Bahnke
Director