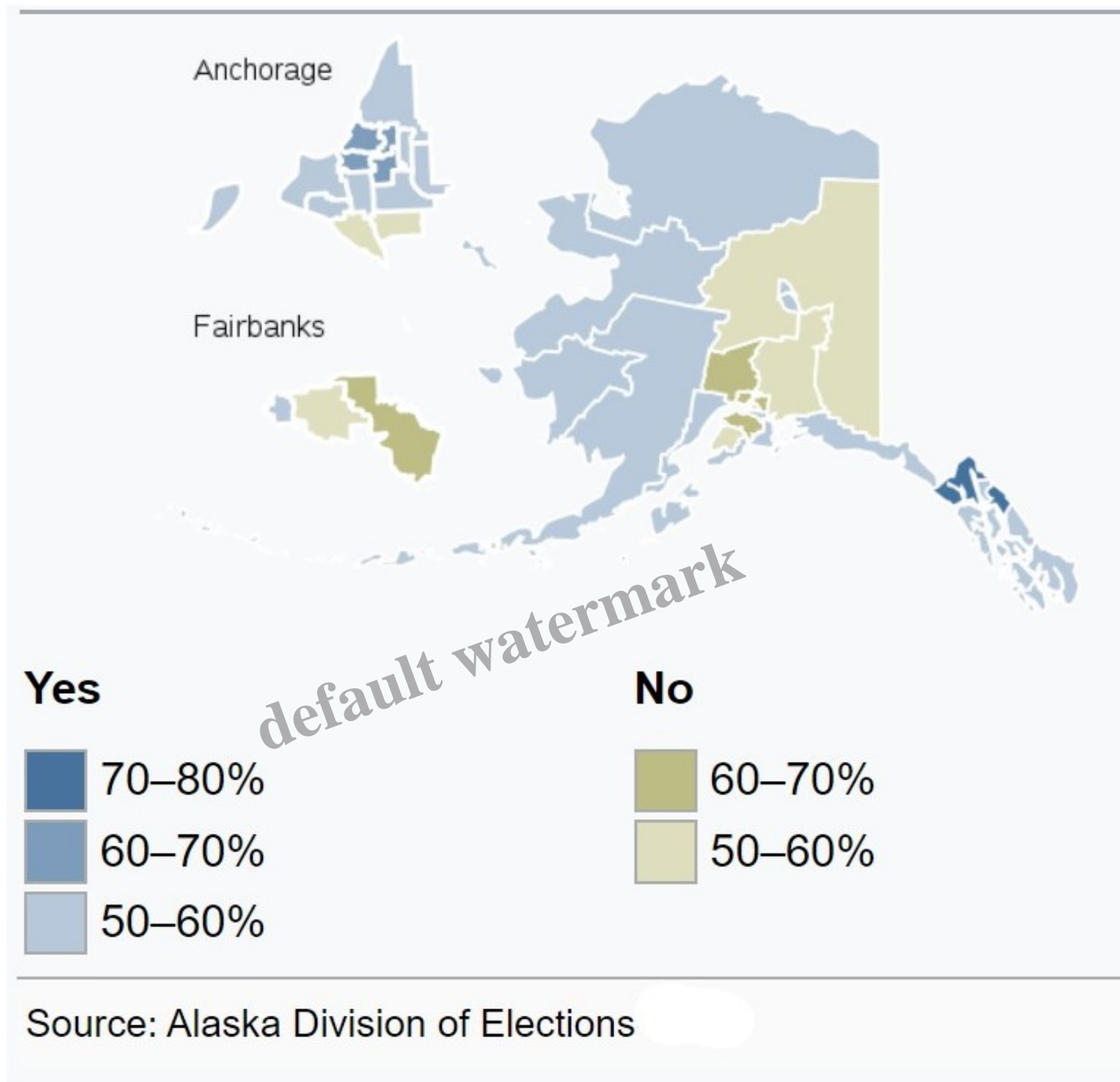


Election Reform Bait-And-Switch

Description

We have Options

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Many Alaskans appear to be in denial that our modern elections could be circumvented by forces of evil. They seem to think the *Alaska Ranked Choice Voting* proposition that barely passed in 2020 is about taking power away from the established **Democrat** and **Republican** parties.[1] Other concerned Alaskans continue to comb the *Alaska Division of Elections'* sanitized voter rolls, asking questions and identifying election problems, in search of the smoking gun of election fraud.

Ballot Measure No. 2 - 19AKBE

Precincts Reported: 441 of 441 (100.00%)

		Total	
Times Cast		360,852 / 594,966	60.65%
Candidate	Party	Total	
YES		174,032	50.55%
NO		170,251	49.45%
Total Votes		344,283	
		Total	
Unresolved Write-In		0	

<https://www.elections.alaska.gov/results/20GENR/data/sovc/ElectionSummaryReportRPT24.pdf>

But what if the circumstances of the diseased election were manipulated so that the symptoms are all we can discern? Smoke but no fire.

*I am myself extremely concerned about **Ranked Choice Voting** that passed in this state, **Wall Street Journal Editorial Board Member** and **Fox News Contributor, Kimberley Strassel** explained to a group of conservative Alaskans gathered Saturday, September 20. *I realize it must go through one voting cycle, but it is an issue we should not just let pass. It needs a lot of attention because that is also part of the game: **To change very trusted and tried systems not because it is viewed as necessary voting reform but rather as a means to gain political dominance.****



What we face as Alaskans

As a colony of the *United States of America* we in Alaska are easily manipulated by other states. We cannot look to our nearest neighbors, Russia or Canada, for help. We must run our state in accordance with laws of **Mother America**. Still, Alaskans must stand our ground when faced with policies and practices foisted on us by outside interests with ulterior motives who do not share our long-term values.

So, we look to Washington, to Oregon, to California and wonder: *Why would we do what THEY are doing?*

Strassel: *We know Democrats used Covid as an excuse to change all the rules in a way that would help them on election day. The reason we know this is very telling: when **Nancy Pelosi** was elected Speaker again in 2018 the very first bill she brought up to the floor for consideration—long before Covid—was about **election reform**.*

The Democrats called it an “anti-corruption” bill.[2] Haha.

Strassel writes the *Potomac Watch* column and podcast for the WSJ helping international readers understand correlation between actions in DC and politician's words.

Strassel explained: *Whenever a new majority takes over in the **U.S House of Representatives** the first bill they bring up is considered their greatest priority, and it gets the title **HR 1**. House Speaker **Pelosi** and her people had campaigned on all kinds of things—healthcare, immigration reform, cost of living—but yet, when they took over, their number one priority HR 1—was **Election Reform**. That tells you everything you need to know about what has happened in the subsequent two years.*

This is called *duplicity* (deceitfulness; double-dealing).

*That election takeover bill they pushed in 2018—and that they are pushing now—and that they want to break the Senate filibuster rule for[3], is a bill that replicates what we saw in the Covid Emergency: Same-day voter registration, all mail-in balloting, ballot harvesting—In which people are paid to go out and collect voter's ballots to turn them in. You can't know what is happening behind the scenes, continued Strassel. This is essentially the system they have in California; Pelosi wants to "California-ize" the entire country's election laws by a **federal election takeover**.*

Big government politicians and bureaucrats must understand: **ELECTIONS ARE RUN BY THE STATES.**

As residents of a modern-day colony of the US, Alaskans know what federal takeover means. We have seen policies regarding access and development of our natural resource bounty played like a football at the **Super Bowl**. **Medicaid** has swamped our healthcare system, giving better benefits to people on the dole than to **Medicare** seniors who earned their benefits over years of working and contributing. If it weren't for our strategic location on the globe Alaska might be relegated to a federal preserve for the **US Park Service**.

Oh, and don't forget: The filibuster they now want to replace has traditionally been a tool of the Democrats. The record for the longest individual speech goes to South Carolina's Strom Thurmond, who filibustered for 24 hours and 18 minutes against the *Civil Rights Act of 1957*. [3]

Strassel continued: *Democrats will say "we need this because it makes it easier to vote and it will cause greater voter participation. If you don't believe in this, then obviously you are for **Jim Crow** and you are racist."*

What ABOUT California voter participation?

*If you look at the statistics from the past four presidential elections, do you know what state has some of the lowest participation rates—at the bottom of the pack in presidential elections? Over the past four presidential elections it has ranked 46th, 49th, 49th and 43rd in voter turnout—**CALIFORNIA!** By contrast, do you know what state has some of the toughest voting laws in the country? **NEW HAMPSHIRE!***

The Constitution of New Hampshire sets a high bar for voting integrity.

*It is written in their state constitution that you **MUST** vote in person in New Hampshire. There are a few exceptions—for serving overseas or for disability—but otherwise you must vote in person, explained*

Stossel. They don't have "provisional ballots," where a voter says: "oh, I forgot my ID so if you will just let me fill this out, if it is necessary after the election you can verify it," because New Hampshire has a rule—again in their Constitution—that says every ballot has to be opened on election day and must be called out in a public square at the end of the day. And each voter must show an ID.

Alaska's Constitution provides for *suffrage and elections* in Article V.[5] The two suffrage issues which generated the most controversy at the constitutional convention were voting age and literacy requirements. Our voting age is 18 and the requirement that voters must be able to read and write English has been eliminated.

And of course, running elections is the biggest job of the Lt. Governor. This writer has written previously about election management concerns.[6]



Lt Gov. **Kevin Meyers** is responsible for Alaska elections and responded to concerns at a recent meeting of the Alaska Roundtable in Anchorage.

A national effort to bring accountability continues and legal action is explained here:

Historically New Hampshire has had to stand its own ground.

As one of the original 13 colonies, control of the New Hampshire colony changed several times before the colony declared its independence. It was a Royal Province prior to 1641 when it was claimed by the Massachusetts Bay Colony and was dubbed the Upper Province of Massachusetts. In 1680, New Hampshire returned to its status as a Royal Province, but this lasted only until 1688 when it again became part of Massachusetts. New Hampshire regained independence—from Massachusetts, not from England—in 1741. At that time, the people elected Benning Wentworth as its own governor and remained under his leadership until 1766.[6]

We share some similarities. Alaska was first owned by the **Russian/American Company** under the relentless dictatorship of **Lord Aleksandr Baranof**. In the 1950's a Republican President, **Dwight Eisenhower** asked why a state that was wall-to-wall Democrats—and broke—should become a state? Alaska statehood became possible by bringing in Hawaii—which was rich with sugar production and wall-to-wall Republican. Tit for tat.

How things have changed!

Since the 2020 election many Alaskans have become exercised about election integrity. They are combing the **Division of Election** databases and a lawsuit was filed challenging the constitutionality of **Ranked-Choice-Voting**. I have posted the legal filing in its entirety in References.[7]

In her talk to Alaskans, Strassel further reflected on conditions that have made New Hampshire a bastion of election integrity and strong voter participation:

*They have a great **Secretary of State** there, named **Bill Gardner**, who is the longest serving **Secretary of State** in the nation, Strassel said. He has been there for something like 24 consecutive two-year terms, and he is a Democrat. But he came to Washington DC to rail against Pelosi's bill, and he made the point that what we should want in elections is both ease of voting—don't make it difficult for people to vote—and we must have belief and trust in the system. THAT is what encourages people to come out and vote.*

Many Alaskans who care about this state are longing for the same thing.

References:

[1]Happytalk about Ranked Choice Voting

<https://campaignlegal.org/democracy/accountability/ranked-choice-voting>

[2]HB 1 presented as “anti-corruption” legislation

<https://www.vox.com/policy-and-politics/2018/11/30/18118158/house-democrats-anti-corruption-bill-hr-1-pelosi>

[3]Senate Filibuster Rule

<https://www.senate.gov/about/powers-procedures/filibusters-cloture/overview.htm>

[4]Alaska Constitution

<https://ltgov.alaska.gov/information/alaskas-constitution/>

[5]What if Alaska's Election was hacked?

<https://donnliston.net/2021/04/what-if-alaskas-election-was-hacked.html>

Are Honest Alaskans Being Played for Fools?

<https://donnliston.net/2021/03/alaska-election-questions.html>

Fighting for Election Integrity

<https://donnliston.net/2021/04/what-if-alaskas-election-was-hacked.html>

[6]ThoughtCo.com: New Hampshire Colony

<https://www.thoughtco.com/new-hampshire-colony-103873>

Addendum: Legal filing for *Ranked Choice Voting* Lawsuit:

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IN THE SUPREME COURT

OF THE STATE OF ALASKA

DOCKETING STATEMENT A

For Use in Appeals Under Appellate Rule 204 and 218

INSTRUCTIONS FOR MULTIPLE PARTIES OR ATTORNEYS: If the multiple parties or attorneys, repeat the appropriate box. This may be done on a separate page. Please clearly indicate which attorney represents which party.

1. TYPE OF APPEAL

a. <input checked="" type="checkbox"/> General Civil Rule Appeal (App. Rule 204)	b. <input type="checkbox"/> Appeal in Child Custody Case (App. Rule 218)
--	--

2. PARTY FILING APPEAL (Appellant)

a. Name See attached list	b. Status in Case <input type="checkbox"/> Plaintiff <input type="checkbox"/> Other
c. Party Mailing Address (not attorney's address)	
CityStateZip Code	d. Telephone

3. APPELLANT'S ATTORNEY

a. Name Kenneth P. Jacobus	b. Bar Number
c. Attorney Mailing Address 310 K Street, Suite 200	d. Telephone 907-264-1234
CityStateZip Code AnchorageAK99501-2064	f. Firm/Association

4. PARTY APPEALED AGAINST (Appellee) [All parties in the trial court are appellees and must be listed if they did not file a notice of appeal. AR 204(b)]

a. Name See attached list	b. Status in Case <input type="checkbox"/> Plaintiff <input type="checkbox"/> Other
c. Party Mailing Address	
CityStateZip Code	d. Telephone

5. APPELLEE'S ATTORNEY

8. FINALITY OF JUDGMENT OR ORDER BEING APPEALED

- a. ☒ The judgment or order being appealed is final and disposes of **ALL** claims under City and Borough of Juneau v. Thiboudeau 595 P.2d 626 (AK 1979).
- b. ☐ The judgment or order being appealed does not dispose of all claims being appealed. (The trial court's Civil Rule 54(b) order must be attached.)
- c. ☐ The judgment or order being appealed is not final. The authority for the appeal is _____

9. ATTACHMENTS

The following items are submitted with this form (except that cross-appellants need not submit a copy of the final order or judgment from which the appeal is taken).

- a. ☐ A copy of the final order or judgment from which the appeal is taken.
- b. ☒ A statement of points on appeal.
- c. ☒ A \$250 filing fee or ☐ a motion to appeal at public expense (financial statement affidavit form must be included).
☐ a motion to waive filing fee (if basis for motion is inability to pay, financial statement affidavit form must be included).
☐ an application for exemption from filing fee.
☐ no filing fee is required because appellant is _____
- d. A \$750 cost bond or deposit or
☐ a copy of a superior court order approving appellant's supersedeas bond or a copy of the approval of a supersedeas bond.
☐ a motion to waive cost bond (if basis for motion is inability to pay, financial statement affidavit form must be included).
☐ a motion to appeal at public expense (financial statement affidavit form must be included).
☐ no cost bond is required because appellant is ☐ represented by court-appointed counsel.
☐ a state agency, municipal government, or federal agency.
☐ an employee appealing a personnel action under the Alaska Compensation Board or Public Employees' Retirement Security Act).
- e. Designation of transcript ☒ submitted ☐ not submitted (no transcript required)

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**ATTACHMENT TO DOCK
KOHLHAAS**

2. Parties Filing Appeal (Plaintiffs in Trial Court)

Scott A. Kohlhaas
4716 Mills Drive
Anchorage AK 99508
907-337-3171

The Alaskan Independence Party
Robert M. Bird
50615 Shemya Way
Kenai AK 99611
907-398-9373

Kenneth P. Jacobus
310 K Street, Suite 200
Anchorage AK 99501-2064
907-277-3333

4. Parties Appealed Against (Defendants and Amici Curiae)

State of Alaska
Division of Elections
Lt. Governor Kevin Meyer
Gail Fenumiai
P.O. Box 110017
Juneau AK 99811-0017
907-465-4611

Alaskans for Better Elections, Inc.
721 Depot Drive
Anchorage AK 99501

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anc.law.ecf@alaska.gov

IN THE SUPERIOR COURT
THIRD JUDICIAL DISTRICT

SCOTT A. KOHLHAAS, THE
ALASKAN INDEPENDENCE
PARTY, ROBERT M. BIRD, and
KENNETH P. JACOBUS,

Plaintiffs,

v.

STATE OF ALASKA; STATE OF
ALASKA DIVISION OF
ELECTIONS; LIEUTENANT
GOVERNOR KEVIN MEYER, in his
official capacity as Supervisor of
Elections; and GAIL FENUMIAI, in
her official capacity of Director of the
Division of Elections,

Defendants,

ALASKANS FOR BETTER
ELECTIONS, INC.,

Intervenor.

CLERK OF COURT, STATE OF ALASKA
1 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE (907) 269-5100

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DATED September 14

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I certify that on 9/13/21 a copy
of the following was mailed/emailed to each
of the following at their addresses of record

S. Spradley

Administrative Assistant

K. Jacobson

M. Patton

T. Flynn

KEY GENERAL, STATE OF ALASKA
031 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE (907) 269-5100

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Scott M. Kendall
Alaska Bar No. 0405019
Jahna M. Lindemuth
Alaska Bar No. 9711068
Samuel G. Gottstein
Alaska Bar No. 1511099
Holmes Weddle & Barcott, P.C.
701 West 8th Avenue, Ste. 700
Anchorage, AK 99501
Phone: 907.274.0666
Fax: 907.277.4657

Attorneys for Intervenor Alaskans for Better E

IN THE SUPERIOR COURT FOR

THIRD JUDICIAL DISTRICT

SCOTT A. KOHLHAAS, THE ALASKAN
INDEPENDENCE PARTY, ROBERT M.
BIRD, AND KENNETH P. JACOBUS,

Plaintiffs,

v.

STATE OF ALASKA; STATE OF
ALASKA: DIVISION OF ELECTIONS;
LIEUTENANT GOVERNOR KEVIN
MEYER, in his official capacity as Supervisor
of Elections; and GAIL FENUMIAI, in her

HOLMES WEDDLE & BARCOTT, PC
701 WEST EIGHTH AVENUE, SUITE 700
ANCHORAGE, AK 99501-3408
TELEPHONE (907) 274-0666
FACSIMILE (907) 277-4657

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The parties filed cross-motions for summary judgment. The Court denied Plaintiffs' motions and granted the motions for Better Elections, Inc.'s ("ABE") motions.

IT IS ORDERED that final judgment is entered in favor of ABE and against Plaintiffs pursuant to Alaska State Court's July 29, 2021, *Order Re: All Pending Cases*. As the prevailing parties, the State Defendants are ordered to pay that Ballot Measure 2 is facially constitutional on its merit.

This Court also enters a monetary judgment against Plaintiffs as follows:

a. Intervenor's Attorneys' Fees

Date Awarded: _____

Judge: _____

b. Intervenor's Costs

Date Awarded: _____

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of August 2021, a true and correct copy of the foregoing was sent to the following via U.S. Mail and e-mail:

Kenneth P. Jacobus, Esq.
Kenneth P. Jacobus, P.C.
310 K Street, Ste 200
Anchorage, AK 99501-2064
jacobuskenneth@gmail.com

Margaret Paton-Walsh, Esq.
Thomas S. Flynn, Esq.
Attorney General's Office
1031 W. 4th Avenue, Suite 200
Anchorage, AK 99501
margaret.paton-walsh@alaska.gov
thomas.flynn@alaska.gov

/s/ Brian Fontaine
Brian Fontaine

x:\7349\32585\pldgs\drafts\2021-08-02 - proposed order motion for attorney

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THE SUPREME COURT OF

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SCOTT A. KOHLHAAS, THE ALASKAN
INDEPENDENCE PARTY, ROBERT M.
BIRD, and KENNETH P. JACOBUS,

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Appellants,

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VS.

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STATE OF ALASKA; STATE OF
ALASKA; DIVISION OF ELECTIONS;
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MEYER, in his official capacity as Supervisor
of Elections; and GAIL FENUMIAI, in her
official capacity of Director of the Division of
Elections; and ALASKANS FOR BETTER
ELECTIONS, INC.

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Appellees.

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NOTICE OF

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Scott A. Kohlhaas, the Alaskan Independence

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Jacobus, appellants, hereby give notice of appeal

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entirety of the two judgments entered in favor of

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distributed September 15, 2021..

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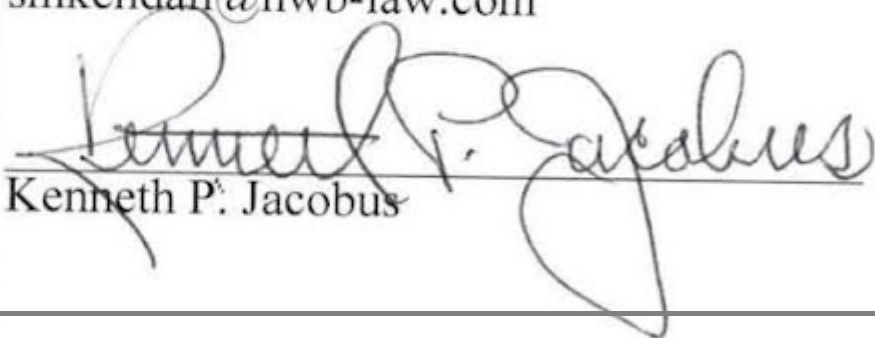
1
2 **CERTIFICATE OF SERVICE**

3 I hereby certify that on this 11th day of October,
4 2021, copies of this Notice of Appeal, Statement
of Points on Appeal, Designation of Record on
and Filing of Cost Bond were emailed to:

5 Margaret Paton-Walsh
6 Office of the Attorney General
1031 West Fourth Avenue, Suite 200
7 Anchorage AK 99501
margaret.paton-walsh@alaska.gov

8 Thomas S. Flynn
9 Office of the Attorney General
1031 West Fourth Avenue, Suite 200
10 Anchorage AK 99501
thomas.flynn@alaska.gov

11 Scott Kendall
12 Samuel Gottstein
Jahna Lindemuth
13 Holmes, Weddle and Barcott, P.C.
14 701 West 8th Avenue, Suite 700
Anchorage AK 99501
15 smkendall@hwb-law.com

16 
17 Kenneth P. Jacobus
18
19

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1

THE SUPREME COURT OF

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SCOTT A. KOHLHAAS, THE ALASKAN
INDEPENDENCE PARTY, ROBERT M.
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official capacity of Director of the Division of
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ELECTIONS, INC.

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Appellees.

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STATEMENT OF POSITIONS

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Scott A. Kohlhaas, the Alaskan Independence
Party, Robert M. Bird, and Kenneth P. Jacobus, appellants, state the following points of contention:

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Jacobus, appellants, state the following points of contention:

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(1) The trial court erred in granting summary judgment to the appellants on all

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summary judgment to the appellants on all

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Proposition 2.

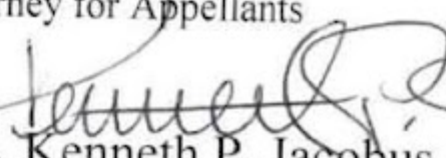
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(5) While this issue was not addressed by the court, we must
consider the effect that its decision in Meyer v. City of Anchorage
(Alaska 2020), which required the voters to vote on whether or not
the city should have upon whether or not the various provisions of the
constitution notwithstanding the severability clause in the

DATED this 11th day of October, 2020.

KENNETH P. JACOBUS
Attorney for Appellants

By 
Kenneth P. Jacobus
ABA #69-11036

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1

THE SUPREME COURT OF

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SCOTT A. KOHLHAAS, THE ALASKAN
INDEPENDENCE PARTY, ROBERT M.
BIRD, and KENNETH P. JACOBUS,

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Appellants,

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MEYER, in his official capacity as Supervisor
of Elections; and GAIL FENUMIAI, in her
official capacity of Director of the Division of
Elections; and ALASKANS FOR BETTER
ELECTIONS, INC

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Appellees.

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DESIGNATION OF RE

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Scott A. Kohlhaas, the Alaskan Independ

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Jacobus, appellants, designate the following as

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(1) All pleadings as that term is defined

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(2) All motions, responses, replies and su

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to the substantive matters in the case, includin

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

SCOTT KOHLHAAS et al.

Appellant (person bringing appeal)

vs.

STATE OF ALASKA et al

Appellee

APP

I am depositing cash in lieu of a bond as described below. If the judgment/decision is affirmed or modified, all of this cash deposit be paid to the appellee to cover the costs of appeal. In lieu of a supersedeas bond the court may also order the cash deposit to cover judgment, post-judgment costs and interest. If the court orders the cash deposit to be returned to me without interest, I understand that this deposit will stay execution of the judgment.

☒ Cash deposit in the amount of \$750.00 in lieu of a bond. I understand that this deposit will not result in a stay of execution of the judgment.

☐ Cash deposit in the amount of \$ in lieu of a bond. I understand that this deposit will stay execution of the judgment.

I am the owner of the cash deposited. I submit myself and my property irrevocably appoint the clerk of court as my agent upon whom process may be served. I agree that it is not necessary for an affidavit of ownership for this deposit to be used as described above.

10/04/2021

Date

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1

THE SUPREME COURT OF

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3

SCOTT A. KOHLHAAS, THE ALASKAN
INDEPENDENCE PARTY, ROBERT M.
BIRD, and KENNETH P. JACOBUS,

4

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Appellants,

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vs.

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ALASKA; DIVISION OF ELECTIONS;
LIEUTENANT GOVERNOR KEVIN
MEYER, in his official capacity as Supervisor
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official capacity of Director of the Division of
Elections; and ALASKANS FOR BETTER
ELECTIONS, INC.

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Appellees.

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REQUEST FOR ORAL ARGUMENT

15

Scott A. Kohlhaas, the Alaskan Independence Party,

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Jacobus, appellants, hereby request oral argument.

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DATED this 11th day of October, 2017.

18

KENNETH P. JACOBUS,
Attorney for Appellants

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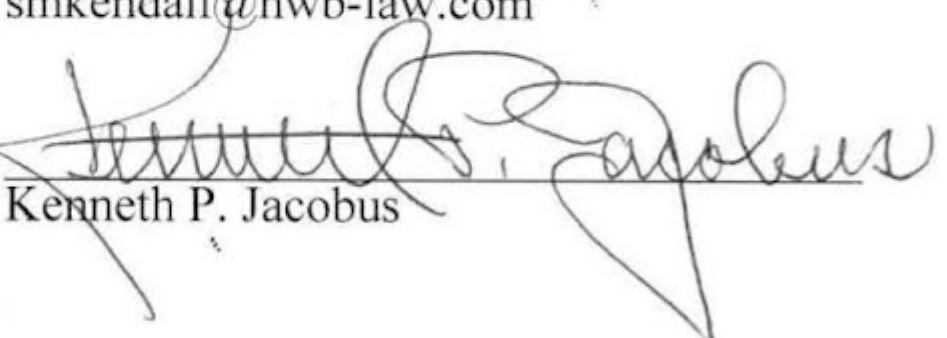
CERTIFICATE OF SERVICE

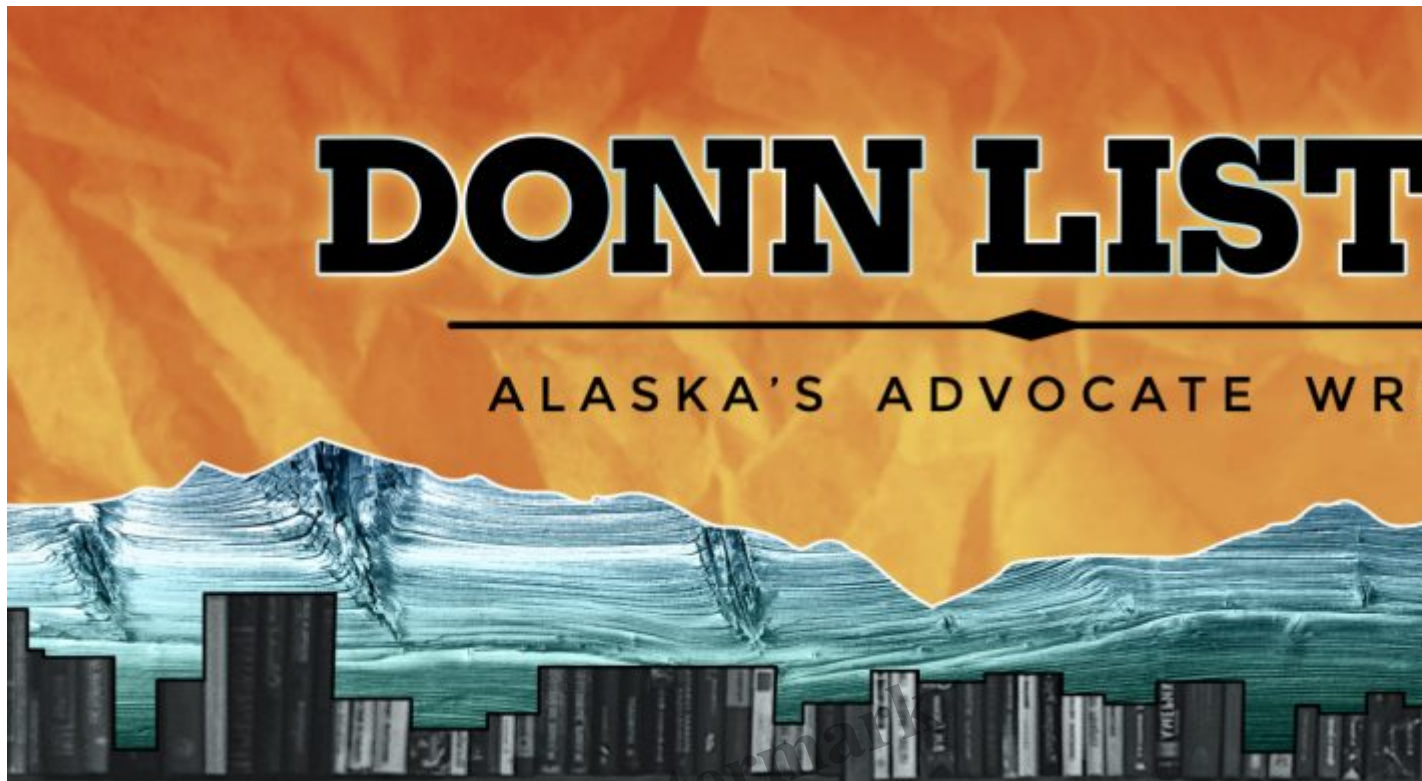
I hereby certify that on this 11th day of October, 2021, copies of this Request for Oral Argument were emailed to:

Margaret Paton-Walsh
Office of the Attorney General
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Kenneth P. Jacobus



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Category

1. Alaska Elected Officials
2. ALASKA! ELECTIONS

Date Created

November 24, 2021

Author

donn