

**SENATE CS FOR CS FOR HOUSE BILL NO. 163(RLS) am S**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-FIRST LEGISLATURE - SECOND SESSION**

**BY THE SENATE RULES COMMITTEE**

**Amended: 4/20/00**

**Offered: 4/20/00**

**Sponsor(s): REPRESENTATIVE JAMES**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to qualifications of voters; relating to the registration of voters;  
2 relating to election districts and officials; relating to election procedures and  
3 ballots; relating to special procedures for elections; relating to nomination of  
4 candidates; relating to national elections; relating to special elections and  
5 appointments; relating to constitutional amendments; relating to election offenses  
6 and corrupt practices; relating to election pamphlets; relating to the deferral of  
7 jury service for certain election officials; relating to an exemption from the State  
8 Procurement Code regarding election ballots; relating to the provision and use of  
9 mailing addresses on permanent fund dividend applications for election purposes;  
10 relating to the inclusion of voter registration forms with permanent fund dividend  
11 applications; relating to financial statements by public officials and candidates for  
12 public office; making conforming amendments in references to 'election district,'

1 'chairman,' and similar terms; relating to initiative, referendum, and recall  
 2 petitions; relating to municipal assembly forms of representation and  
 3 apportionment; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** The uncoded law of the State of Alaska is amended by adding a new  
 6 section to read:

7 **INTENT.** The division of elections shall facilitate the coordination of local  
 8 government elections with regular state elections if requested to do so by a local government.

9 \* **Sec. 2.** AS 09.20.035 is amended to read:

10 **Sec. 09.20.035. Deferral of jury service.** A person may have jury service  
 11 deferred if the person shows that jury service at the time for which the person is  
 12 summoned will cause hardship to that person or another, [OR] that transportation  
 13 problems make it temporarily impossible for the person to serve, or that the person  
 14 summoned is employed as a full-time or temporary election official and the jury  
 15 service is during the month in which a primary or general election is held. Jury  
 16 service may be deferred under this section only if the person seeking the deferment  
 17 agrees to a deferred date. Jury service may not be deferred for more than 10 months  
 18 from the date the initial jury service was to begin.

19 \* **Sec. 3.** AS 15.07.010 is amended to read:

20 **Sec. 15.07.010. Registration of voters.** The precinct election officials  
 21 [JUDGES] at any election shall allow a person to vote whose name is on the official  
 22 registration list for that precinct and who is qualified under AS 15.05. A person whose  
 23 name is not on the official registration list shall be allowed to vote a questioned ballot.

24 \* **Sec. 4.** AS 15.07.064(e) is amended to read:

25 (e) The director shall review the information contained within an application  
 26 by a voter for registration. The director may not reject an application of a voter who  
 27 qualifies under (d) of this section because the voter provided information in excess of  
 28 that required to establish qualifications, including excess information qualifying as a  
 29 mailing address. The director may consider an application for registration within a  
 30 municipality or established village described in (d) of this section to comply with law

based on other information contained in the application, including evidence that

(1) the application was made in person before a voting registrar, election **official** [JUDGE], or absentee voting official appointed to serve in the municipality or established village;

(2) the application of a voter registering by mail was postmarked by the postal official in the municipality or established village; and

(3) other information contained in the application does not negate the presumption of residency provided under (a) of this section.

\* **Sec. 5.** AS 15.07.064 is amended by adding a new subsection to read:

(h) Notwithstanding (a) - (g) of this section, the director may substitute a mailing address provided by the voter for the permanent fund dividend program under AS 43.23 as the mailing address for the voter on the registration records of the director under procedures specified in regulations of the director if necessary to maintain accuracy of voting registration records.

\* **Sec. 6.** AS 15.07.081 is amended to read:

**Sec. 15.07.081. Registration officials.** The director shall appoint one or more registration officials to serve in each precinct polling place in all elections during the hours the polling places are open. An election **official** [CLERK OR ELECTION JUDGE] appointed under AS 15.10 may also serve as a registration official. [IF MORE THAN ONE REGISTRATION OFFICIAL IS APPOINTED TO SERVE IN A POLLING PLACE, EACH POLITICAL PARTY SHALL BE REPRESENTED.]

\* **Sec. 7.** AS 15.07.100(a) is amended to read:

(a) A [THE DIRECTOR SHALL APPOINT ONE OR MORE REGISTRATION OFFICIALS IN EACH PRECINCT. WHEN MORE THAN ONE REGISTRATION OFFICIAL IS APPOINTED TO SERVE IN A PRECINCT, EACH POLITICAL PARTY SHALL BE REPRESENTED. HOWEVER, ANY PRECINCT CONTAINING MORE THAN 250 VOTERS MUST HAVE AT LEAST TWO REGISTRATION OFFICIALS, ONE FROM EACH POLITICAL PARTY. THE] registration official shall be a qualified state voter and shall take an oath to honestly, faithfully, and promptly perform the duties of the office.

\* **Sec. 8.** AS 15.07.140 is amended to read:

**Sec. 15.07.140. General administrative supervision by director.** The director shall provide general administrative supervision over the registration and reregistration of voters. The director shall, no later than **120** [40] days before any **general** election, arrange to have the list of registered voters **in a usable electronic format provided free of charge to each political party** [OF THE PRECINCT PUBLICLY DISPLAYED. THE DIRECTOR SHALL INSTRUCT REGISTRATION OFFICIALS TO POST THE LIST OF REGISTERED VOTERS IN A NUMBER OF LOCATIONS CALCULATED TO OBTAIN MAXIMUM RECOGNITION]. Upon request by the mayor or manager of a municipality, the director shall furnish registration information for all precincts all or part of which are within the boundaries of the local government unit.

\* **Sec. 9.** AS 15.10.107 is amended to read:

**Sec. 15.10.107. Staff training.** The director shall, before each primary election in even-numbered years, provide for a comprehensive training program for election officials, both the full-time members of the staff of the division of elections and those who are appointed as **members of** election **boards** [BOARD JUDGES, CLERKS, AND COUNTERS] under **AS 15.10.120 - 15.10.140** [AS 15.10.120 - 15.10.150] and other temporary election employees. The director shall annually prepare and, not later than January 10, file with the lieutenant governor a plan that describes the comprehensive training program for election officials to be provided to those officials during that calendar year.

\* **Sec. 10.** AS 15.10.120 is repealed and reenacted to read:

**Sec. 15.10.120. Appointment of election board.** (a) An election supervisor shall appoint in each precinct within the election supervisor's district an election board composed of at least three qualified voters registered to vote in that precinct.

(b) On or before April 15 in each regular election year, or at least 60 days before a special election, a party district committee or state party central committee of each political party may nominate two candidates for each election board. Nominations shall be presented in writing to the election supervisor for the district in which the precinct is located.

(c) An election supervisor shall appoint one nominee of the political party of

which the governor is a member and one nominee of the political party that received the second largest number of votes statewide in the preceding gubernatorial election. The election supervisor shall appoint at least one additional qualified individual registered to vote in that precinct. If a party district committee or state party central committee of the party of which the governor is a member or the party that received the second largest number of votes statewide in the preceding gubernatorial election fails to present the names prescribed by (b) of this section by April 15 of a regular election year or at least 60 days before a special election, the election supervisor may appoint any qualified individual registered to vote in that precinct.

(d) An election supervisor shall appoint a chairperson for each election board within the election supervisor's district.

(e) When appointments to the election board have been accepted by the respective appointees, the election supervisor shall notify the director of the names and mailing addresses of the designated chairperson and other election board officials.

(f) Election boards for municipal elections shall be appointed by the appropriate municipality.

\* **Sec. 11.** AS 15.10.170 is amended to read:

**Sec. 15.10.170. Appointment and privileges of watchers.** The precinct party committee, where an organized precinct committee exists, or the party district [PARTY] committee where no organized precinct committee exists, or the state party chairperson [CHAIRMAN] where neither a precinct nor a party district committee exists, may appoint one or more persons as watchers in each precinct and counting center for any election. Each candidate not representing a political party may appoint one or more watchers for each precinct or counting center in the candidate's respective district or the state for any election. Any organization or organized group that sponsors or opposes an initiative, referendum or recall may have one or more persons as watchers at the polls and counting centers after first obtaining authorization from the director. A [NO] state party chairperson, a [CHAIRMAN, NO] precinct party committee, a party [NO] district committee, or a candidate not representing a political party or organization or organized group may not have more than one watcher on duty at a time in any precinct or counting center. The watcher may be present at a position

inside the place of voting or counting that [WHICH] affords a full view of all action of the election officials [BOARD AND OTHER COUNTERS] taken from the time the polls are opened until the ballots are finally counted and the results certified by the election board or the data processing review board. The election board or the data processing review board may require each watcher to present written proof showing appointment by the precinct party committee, the party district [DISTRICT PARTY] committee, the organization or organized group, or the candidate the watcher represents that [WHICH] is signed by the chairperson [CHAIRMAN] of the precinct party committee, the party district [DISTRICT PARTY] committee, the state party chairperson [CHAIRMAN], the organization or organized group, or the candidate representing no party.

\* Sec. 12. AS 15.10.180 is amended to read:

**Sec. 15.10.180. Appointment of [PARTY REPRESENTATIVES FOR] state ballot counting review board.** The director shall appoint two persons from the political party of which the governor is a member and two persons from the political party that received the second largest number of votes statewide in the preceding gubernatorial election [EACH POLITICAL PARTY] to participate in the state ballot counting review. The director may appoint additional individuals to participate in the state ballot counting review. [EACH PERSON WHO IS APPOINTED AND SERVES IS ENTITLED TO COMPENSATION AS PROVIDED IN AS 15.15.380.] Each political party may present to the director a list of three or more names from which the director shall select the persons to represent the party. The list of names may be submitted in writing at least 30 days before the date of the election. [THE PERSONS TO REPRESENT THE PARTY ON THE STATE BALLOT COUNTING REVIEW BOARD MAY BE SELECTED BY THE STATE PARTY CENTRAL COMMITTEE OR IN ANY OTHER MANNER PRESCRIBED BY THE BYLAWS OF THE PARTY.] The list of names shall be certified by the state chairperson [CHAIRMAN] of the political [STATE CENTRAL COMMITTEE OF THE] party or by the person authorized by the party bylaws to act in the absence of the chairperson [CHAIRMAN].

\* Sec. 13. AS 15.15.030(8) is amended to read:

(8) The general or special election ballot shall be designed with the title and proposition for any initiative, referendum, or constitutional amendment formulated as prescribed by law and placed on the ballot in the manner prescribed by the director. When placed on the ballot, a state ballot proposition or ballot question shall carry the number that [WHICH] was assigned to the petition for the proposition or question. Provision shall be made for marking the proposition "Yes" ["FOR"] or "No." ["AGAINST."]

\* **Sec. 14.** AS 15.15.030(11) is amended to read:

(11) When the legislature by law authorizes a state debt for capital improvements, the director shall place the question of whether the specific authorization shall be ratified by placing the ballot title and question on the next general election ballot, or on the special election ballot if a special election is held for the purpose of ratifying the state debt for capital improvements before the time of the next general election. Unless specifically provided otherwise in the Act authorizing the debt, the ballot title shall, by the use of a few words in a succinct manner, indicate the general subject of the Act. The question shall, by the use of a few sentences in a succinct manner, give a true and impartial summary of the Act authorizing the state debt. The question of whether state debt shall be contracted shall be assigned a letter of the alphabet on the ballot. Provision shall be made for marking the question substantially as follows:

"Bonds. . . . . Yes" or "Bonds . . . . . No,"

followed by an appropriate oval [SQUARE].

\* **Sec. 15.** AS 15.15.070(b) is amended to read:

(b) The notice shall be given by publication at least twice in one or more newspapers of general circulation in each of the four judicial [MAJOR ELECTION] districts. The printed notice must [SHALL] specifically include [BUT IS NOT LIMITED TO] the date of election, the hours between which the polling places will be open, the offices to which candidates are to be nominated or elected, and the subject of the propositions and questions that [WHICH] are to be voted on.

\* **Sec. 16.** AS 15.15.070(c) is amended to read:

(c) Public notice shall also be given by posting notices in those communities

1 that do not have newspapers of general circulation where posting of notice is  
 2 considered necessary by the director [TWO OR MORE CONSPICUOUS PLACES  
 3 IN EACH ELECTION PRECINCT]. The posted notice must [SHALL] specifically  
 4 include [BUT IS NOT LIMITED TO] the date of election, the location of the polling  
 5 places [PLACE], the hours between which the polling places will be open, the offices  
 6 to which candidates are to be nominated or elected, [AND] the subject of the  
 7 propositions and questions that [WHICH] are to be voted on, and other information  
 8 considered necessary by the director.

9 \* **Sec. 17.** AS 15.15.070(h) is amended to read:

10 (h) An abbreviated form of the notice published under (b) of this section shall  
 11 be broadcast on one or more radio or television stations in each of the four judicial  
 12 districts. The broadcast notice must include at a minimum the date of the election, the  
 13 hours between which the polling places will be open, and the address and phone  
 14 number of the election supervisor or supervisors for the judicial district in which  
 15 the notice is broadcast [THE NAMES OF THE NEWSPAPERS IN WHICH THE  
 16 NOTICE IS PUBLISHED, AND THE DATES OF PUBLICATION IN THE  
 17 NEWSPAPERS].

18 \* **Sec. 18.** AS 15.15.110 is amended to read:

19 **Sec. 15.15.110. General duties and oath of election board [AND CLERKS].**

20 The election board shall supervise the election in the precinct. Before entering upon  
 21 the duties of office, each election official [JUDGE AND CLERK] shall take an oath  
 22 to honestly, faithfully, and promptly perform the duties of office. Any appointed  
 23 election official, including an appointed election official who has [JUDGE,  
 24 WHETHER OR] not [HAVING] personally subscribed to the oath, may administer the  
 25 oath to another election official [JUDGE]. The chairperson [CHAIRMAN] of the  
 26 election board shall rotate the time at which election officials [JUDGES AND  
 27 CLERKS] may be relieved for meals.

28 \* **Sec. 19.** AS 15.15.120 is amended to read:

29 **Sec. 15.15.120. Filling vacancies in election board.** If an appointed election  
 30 board member [JUDGE OR CLERK] fails to appear and subscribe to the oath on  
 31 election day or becomes incapacitated during the time of the election or the counting



of the ballots, the election board members present shall elect, by a majority voice vote, a qualified voter to fill the vacancy. The qualified voter elected to fill the vacancy shall be of the same political party as the person for whom the substitution is made unless, after reasonable effort, the election board members determine that a qualified voter of the same political party is not available.

\* **Sec. 20.** AS 15.15.130 is amended to read:

**Sec. 15.15.130. Majority decision of election board.** The decision of the majority of election board members [JUDGES] determines the action that the election board shall take regarding any question that [WHICH] arises during the course of the election.

\* **Sec. 21.** AS 15.15.140(c) is amended to read:

(c) On disclosure that unofficial ballots have been used without the certification required under (b) of this section, the director shall notify the chairperson [CHAIRMAN] of the election board by telephone or electronic transmission [TELEGRAM] of the failure to certify the ballots properly.

\* **Sec. 22.** AS 15.15.140(d) is amended to read:

(d) The director may accept a certificate made by electronic transmission [TELEGRAM] and count the ballots if the certificate is proper and actually received by the director within 10 days after [OF] the date that the chairperson [CHAIRMAN] of the election board was notified under (c) of this section.

\* **Sec. 23.** AS 15.15.160 is amended to read:

**Sec. 15.15.160. Prohibition of political discussion by election board.** During the hours that the polls are open, an election board member [A JUDGE OR CLERK] may not discuss any political party, candidate, or issue while on duty.

\* **Sec. 24.** AS 15.15.170 is amended to read:

**Sec. 15.15.170. Prohibition of political persuasion near election polls.** During the hours the polls are open, a person who is in the polling place or within 200 feet of any entrance to the polling place may not attempt to persuade a person to vote for or against a candidate, proposition, or question. The election officials [JUDGES] shall post warning notices at the required distance in the form and manner prescribed by the director.

1     \* **Sec. 25.** AS 15.15.180 is amended to read:

2                 **Sec. 15.15.180. Keeping of register.** The election officials [JUDGES] shall  
 3     keep a register or registers in which each voter before receiving a ballot shall sign the  
 4     voter's name and give both a residence [RESIDENT] and mailing address. A record  
 5     shall be kept in the registration book in space provided of the names [NAME] of  
 6     persons who offer to vote but who actually do not vote, and a brief statement of  
 7     explanation. The signing of the register constitutes a declaration by the voter that the  
 8     voter is qualified to vote.

9     \* **Sec. 26.** AS 15.15.195 is amended to read:

10                **Sec. 15.15.195. Voters on official registration list.** An election official  
 11     [JUDGE] in a precinct shall allow a voter on the official registration list to vote in the  
 12     precinct unless the voter is questioned in accordance with AS 15.15.210.

13     \* **Sec. 27.** AS 15.15.198 is amended to read:

14                **Sec. 15.15.198. Voters not on official registration list.** (a) If a voter's name  
 15     does not appear on the official registration list in the precinct in which the voter seeks  
 16     to vote, the election official [JUDGE] shall affirmatively advise the voter that the voter  
 17     may cast a questioned ballot, and the voter shall be allowed to vote a questioned  
 18     ballot.

19                (b) A person whose registration is inactive under AS 15.07.130(b) and who  
 20     votes a questioned or absentee ballot shall have the ballot counted if

21                         (1) the person was registered to vote in the last four calendar years  
 22     [FOR EITHER OF THE TWO MOST RECENT GENERAL ELECTIONS];

23                         (2) the person signs a statement to that effect; and

24                         (3) the earlier registration is verified by the director.

25     \* **Sec. 28.** AS 15.15.210 is amended to read:

26                **Sec. 15.15.210. Questioning of voters of suspect qualification.** Every  
 27     election official [JUDGE AND ELECTION CLERK] shall question, and every watcher  
 28     and any other person qualified to vote in the precinct may question, a person  
 29     attempting to vote if the questioner has good reason to suspect that the questioned  
 30     person is not qualified under AS 15.05 [TO VOTE]. All questions regarding a  
 31     person's qualifications to vote shall be made in writing setting out the reason the

person has been questioned. A questioned person shall, before voting, [SHALL] subscribe to a declaration in a form provided by the director attesting to the fact that in each particular the person meets all the qualifications of a voter, is not disqualified, and has not voted at the same election, and certifying that the person understands that a false statement on the declaration may subject the person to prosecution for a misdemeanor under this title or AS 11. [THE QUESTIONED PERSON SHALL ALSO STATE THE PLACE FROM WHICH THAT PERSON CAME IMMEDIATELY BEFORE LIVING IN THE PRECINCT WHERE OFFERING TO VOTE AND THE LENGTH OF TIME OF RESIDENCE IN THE FORMER PLACE.] After the questioned person has executed the declaration, the person may vote. If the questioned person refuses to execute the declaration, the person may not vote.

\* **Sec. 29.** AS 15.15.215(a) is amended to read:

(a) A voter who casts a questioned ballot shall vote the ballot in the same manner as prescribed for other voters. The voter shall insert the ballot into a secrecy sleeve and [, THE ELECTION JUDGE SHALL REMOVE THE NUMBERED STUB FROM THE BALLOT, AND THE VOTER SHALL] put the secrecy sleeve into an envelope on which the statement the voter previously signed is located. The envelope shall be sealed and deposited in the ballot box. When the ballot box is opened, the envelopes shall be segregated, counted, compared to the voting list, and delivered to the official or body supervising the election. The merits of the question shall be determined by this official or body in accordance with the procedure prescribed for questioned votes in AS 15.20.207.

\* **Sec. 30.** AS 15.15.220 is amended to read:

**Sec. 15.15.220. Administration of oaths.** Any election official [JUDGE] may administer to a voter any oath that is necessary in the administration of the election.

\* **Sec. 31.** AS 15.15.225(a) is amended to read:

(a) Before being allowed to vote, each voter shall exhibit to an election official [JUDGE] one form of identification, including [BUT NOT LIMITED TO] an official voter registration card, driver's license, birth certificate, passport, [OR] hunting or fishing license, or other form of identification as prescribed by regulation.

\* **Sec. 32.** AS 15.15.225(b) is amended to read:

1 (b) An election **official** [JUDGE] may waive the identification requirement if  
 2 the election **official** [JUDGE] knows the identity of the voter.

3 \* **Sec. 33.** AS 15.15.230 is amended to read:

4 **Sec. 15.15.230. Providing ballot to voter.** When the voter has qualified to  
 5 vote, the election **official** [JUDGE] shall give the voter an official ballot. The voter  
 6 shall retire to a booth or private place to mark the ballot.

7 \* **Sec. 34.** AS 15.15.240 is amended to read:

8 **Sec. 15.15.240. Voter assistance** [ASSISTING VOTER BY JUDGE]. A  
 9 qualified voter **needing assistance in voting** [WHO CANNOT READ, MARK THE  
 10 BALLOT, OR SIGN THE VOTER'S NAME] may request an election **official**  
 11 [JUDGE], a person, or not more than two persons of the voter's choice to assist. If the  
 12 election **official** [JUDGE] is requested, the election **official** [JUDGE] shall assist the  
 13 voter. If any other person is requested, the person shall state upon oath before the  
 14 election **official** [JUDGE] that the person will not divulge the vote cast by the person  
 15 assisted.

16 \* **Sec. 35.** AS 15.15.250 is amended to read:

17 **Sec. 15.15.250. Disposition of spoiled [IMPROPERLY MARKED] ballot.**  
 18 If a voter improperly marks, [OR OTHERWISE] damages, **or otherwise spoils** a  
 19 ballot, the voter may request and the election board shall provide another ballot, with  
 20 a maximum of three. **The** [, AND THE] board shall record **on the precinct register**  
 21 **that there was a spoiled** [THE NUMBER OF THE IMPROPERLY MARKED OR  
 22 DAMAGED] ballot and destroy **the spoiled ballot** [IT] immediately without  
 23 examining it.

24 \* **Sec. 36.** AS 15.15.260 is amended to read:

25 **Sec. 15.15.260. Placing ballot in ballot box by voter.** When the voter has  
 26 marked a ballot, the voter shall inform the election **official** [JUDGE]. The  
 27 [DIRECTOR MAY REQUIRE THAT THE VOTER RETURN THE BALLOT TO  
 28 THE ELECTION JUDGE TEMPORARILY SO THAT ANY STUB WHICH MAY BE  
 29 PART OF THE BALLOT MAY BE REMOVED BY THE ELECTION JUDGE. ANY  
 30 SUCH REQUIREMENT SHALL PROTECT THE SECRECY OF THE BALLOT. IN  
 31 ALL CASES THE] ballot shall be deposited in the ballot box by the voter in the

presence of the election **official** [JUDGE] unless the voter requests the election **official** [JUDGE] to deposit the ballot on the voter's behalf. Separate ballot boxes may be used for separate ballots.

\* **Sec. 37.** AS 15.15.330 is amended to read:

**Sec. 15.15.330. Commencement of ballot count.** When the polls are closed and the last vote has been cast **in a hand-count precinct**, the election board [AND CLERKS OR COUNTERS] shall immediately proceed to open the ballot box and to count the votes cast. In all cases, the election board shall cause the count to be continued without adjournment until the count is complete.

\* **Sec. 38.** AS 15.15.340 is amended to read:

**Sec. 15.15.340. Report, oath, and vacancies of additional election officials** [COUNTERS]. **Additional election officials** [COUNTERS] shall report to the election board at the polls at the time designated by the election supervisor or the **chairperson** [CHAIRMAN] of the election board to assume their duties to assist the election board in counting the vote. Before undertaking the duties of office, each **additional election official** [COUNTER] shall subscribe to an oath to honestly, faithfully, impartially, and promptly carry out the duties of the position. [AN ELECTION JUDGE MAY ADMINISTER THE OATH.] If an **additional election official** [APPOINTED COUNTER] fails to appear and subscribe to the oath at the time designated by the election supervisor, the election board shall appoint any qualified voter to fill the vacancy.

\* **Sec. 39.** AS 15.15.350(a) is amended to read:

(a) The director may adopt regulations prescribing the manner in which the precinct ballot count is accomplished so as to assure accuracy in the count and to expedite the process. The election board shall account for all ballots by completing a ballot statement containing (1) the number of official ballots received; (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4) the number of official ballots unused and destroyed. The board shall count the number of questioned ballots and shall compare that number to the number of questioned voters in the register. Discrepancies shall be noted and the numbers included in the certificate prescribed by AS 15.15.370. The election board, **in hand-count precincts**, shall count

the ballots in a manner that allows watchers to see the ballots when opened and read.  
A [NO] person handling the ballot after it has been taken from the ballot box and  
 before it is placed in the envelope for mailing may **not** have a marking device in hand  
 or remove a ballot from the immediate vicinity of the polls.

\* **Sec. 40.** AS 15.15.360 is amended to read:

**Sec. 15.15.360. Rules for counting [HAND-MARKED] ballots in hand-count precincts.** (a) The election board shall count [HAND-MARKED] ballots **in hand-count precincts** according to the following rules: [.]

(1) A voter may mark a ballot only by **filling in, making** [THE USE OF CROSS-MARKS,] "X" marks, diagonal, horizontal, or vertical marks, solid marks, stars, circles, asterisks, checks, or plus signs that are clearly spaced in the **oval** [SQUARE] opposite the name of the candidate, **proposition, or question that** the voter desires to designate.

(2) A failure to properly mark a ballot as to one or more candidates does not itself invalidate the entire ballot.

(3) If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.

(4) If a voter marks more names than there are persons to be elected to the office, the votes for candidates for that office may not be counted.

(5) The mark specified in (1) of this subsection shall be counted only if it is substantially inside the **oval** [SQUARE] provided, or touching the **oval** [SQUARE] so as to indicate clearly that the voter intended the particular **oval** [SQUARE] to be designated.

(6) Improper marks on the ballot may not be counted and do not invalidate marks for candidates properly made.

(7) An erasure or correction invalidates only that section of the ballot in which it appears.

(8) A vote marked for the candidate for President or Vice-President of the United States is considered and counted as a vote for the election of the presidential electors.

(9) Write-in votes are not invalidated by writing in the name of a

candidate whose name is printed on the ballot unless the election board determines, on the basis of other evidence, that the ballot was so marked for the purpose of identifying the ballot.

(10) [STICKERS BEARING A CANDIDATE'S NAME MAY BE AFFIXED TO THE BALLOT IN PLACE OF WRITING IN A CANDIDATE'S NAME IF WRITE-IN VOTES ARE OTHERWISE PERMITTED. STICKERS MAY NOT BE ISSUED BY MEMBERS OF THE ELECTION BOARD WHILE SERVING AT THE POLLS. STICKERS MAY NOT BE OFFERED TO VOTERS WITHIN 200 FEET OF THE POLLING PLACE.

(11) In order to vote for a write-in candidate, the voter must write in the candidate's name in the space provided [OR PLACE A STICKER IN THE SPACE] and fill in [, IN ADDITION, MARK] the oval [SQUARE] opposite the candidate's name in accordance with (1) of this subsection.

**(11) A vote for a write-in candidate, other than a write-in vote for governor and lieutenant governor, shall be counted if the oval is filled in for that candidate and if the name, as it appears on the write-in declaration of candidacy, of the candidate or the last name of the candidate is written in the space provided.**

**(12) If the write-in vote is for governor and lieutenant governor, the vote shall be counted if the oval is filled in and the names, as they appear on the write-in declaration of candidacy, of the candidates for governor and lieutenant governor or the last names of the candidates for governor and lieutenant governor, or the name, as it appears on the write-in declaration of candidacy, of the candidate for governor or the last name of the candidate for governor is written in the space provided.**

(b) The rules set out in this section are mandatory and there are [SHALL BE] no exceptions to them. A ballot may not be counted unless marked in compliance with these rules.

(c) The rules set out in this section apply to [HAND-MARKED PUNCH-CARD] ballots used in hand-count precincts where precinct tabulators [IF PUNCH-CARD MACHINES] are not available [IN A PRECINCT].

1 \* **Sec. 41.** AS 15.15.361 is repealed and reenacted to read:

2 **Sec. 15.15.361. Stickers.** Affixing stickers on a ballot in an election to vote  
3 for a write-in candidate is prohibited.

4 \* **Sec. 42.** AS 15.15.390 is amended to read:

5 **Sec. 15.15.390. Certifying election expenses.** The director shall prescribe the  
6 manner of certifying, auditing, and paying election expenses, including the cost of  
7 giving notice, renting polling places, paying election **officials** [JUDGES, CLERKS,  
8 AND COUNTERS], securing a ballot box, postage, and stationery, and obtaining  
9 similar election necessities.

10 \* **Sec. 43.** AS 15.15.430 is repealed and reenacted to read:

11 **Sec. 15.15.430. Scope of the review of ballot counting.** (a) The review of  
12 ballot counting by the director shall include only a review of

13 (1) the precinct registers, tallies, and ballots cast; and

14 (2) absentee and questioned ballots as prescribed by law.

15 (b) If, following the ballot review set out in (a) of this section, the director  
16 finds an unexplained discrepancy in the ballot count in any precinct, the director may  
17 count the ballots from that precinct. The director shall certify in writing to the state  
18 ballot counting review board any changes resulting from the count.

19 \* **Sec. 44.** AS 15.15.470 is amended to read:

20 **Sec. 15.15.470. Preservation of election ballots, papers, and materials.** The  
21 director shall preserve all precinct election certificates, tallies, and registers for four  
22 years after the election. All ballots and stubs **for elections other than national**  
23 **elections** may be destroyed 30 days after the certification of the state ballot counting  
24 review unless an application for recount has been filed and not completed, or unless  
25 their destruction is stayed by an order of the court. **All ballots for national elections**  
26 **may be destroyed in accordance with federal law.** The director may permit the  
27 inspection of election materials upon call by **the** Congress, the state legislature, or a  
28 court of competent jurisdiction.

29 \* **Sec. 45.** AS 15.20.015 is amended to read:

30 **Sec. 15.20.015. Moving from house [ELECTION] district just before**  
31 **election.** A person who meets all voter qualifications except **the requirement** [THAT



LISTED] in AS 15.05.010(4) is qualified to vote by absentee ballot in the house [ELECTION] district in which the person formerly resided if the person lived in that house [ELECTION] district for at least 30 days immediately before changing residence, except that the person may vote only for

(1) statewide ballot measures and questions;

(2) candidates for federal or statewide offices;

(3) candidates for the state senate if the voter's former residence and present residence are in the same senate district; and

(4) candidates for judicial retention if the voter's former residence and present residence are in the same judicial district.

\* **Sec. 46.** AS 15.20.020 is amended to read:

**Sec. 15.20.020. Provision for general administrative supervision.** The director shall provide general administrative supervision over the conduct of absentee voting. The director shall make available instructions to absentee voters regarding the procedure for absentee voting. [ONE SET OF INSTRUCTIONS SHALL ACCOMPANY EACH ABSENTEE BALLOT.]

\* **Sec. 47.** AS 15.20.061(a) is amended to read:

(a) A qualified voter may apply in person for an absentee ballot to the following election officials at the times specified:

(1) to an absentee voting official [IN THE ELECTION DISTRICT IN WHICH THE VOTER RESIDES] on or after the 15th day before an election up to and including [THE DAY BEFORE] the date of the election;

(2) to an election supervisor

(A) after a date announced by the director under AS 15.20.048(b); and

(B) on or after the 15th day before an election up to and including the date of the election;

(3) to an absentee voting official at an absentee voting station designated under AS 15.20.045(b) at any time when the absentee voting station is operating;

(4) [TO AN ABSENTEE VOTING OFFICIAL IN THE PRECINCT

1 IN WHICH THE VOTER RESIDES WHEN DISTANCES PRECLUDE EASY  
 2 ACCESS TO THE POLLING PLACE ON OR AFTER THE 15TH DAY BEFORE  
 3 AN ELECTION UP TO AND INCLUDING ELECTION DAY;

4 (5)] to an absentee voting official in the precinct in which no volunteers  
 5 can be located to serve on the election board on or after the 15th day before an  
 6 election up to and including election day.

7 \* **Sec. 48.** AS 15.20.061(d) is amended to read:

8 (d) The election official may not accept a marked ballot that has been  
 9 exhibited by an absentee voter with intent to influence other voters. If the absentee  
 10 voter spoils [IMPROPERLY MARKS OR OTHERWISE DAMAGES] a ballot, the  
 11 voter may request and the election official shall provide another ballot up to a  
 12 maximum of three. Exhibited or spoiled [, IMPROPERLY MARKED, OR  
 13 DAMAGED] ballots shall be destroyed. The numbers of all ballots destroyed shall be  
 14 noted on the ballot statement.

15 \* **Sec. 49.** AS 15.20 is amended by adding a new section to read:

16 **Sec. 15.20.064. Early voting.** (a) A qualified voter who meets the  
 17 requirements set out in this section may vote early in the office of an election  
 18 supervisor on or after the 15th day before an election up to and including election day.

19 (b) The election supervisor or other election official shall issue a ballot to the  
 20 voter upon

21 (1) exhibition of proof of identification as required in AS 15.15.225;

22 (2) verification that the voter's residence address appearing on the  
 23 official registration list is current and within the election supervisor's jurisdiction; and

24 (3) the voter's signing the early voting register.

25 (c) After the voter has marked the ballot, the voter shall place the ballot in the  
 26 secrecy sleeve and inform the election supervisor or other election official. The voter  
 27 shall deposit the ballot in the ballot box in the presence of the election supervisor or  
 28 other election official unless the voter requests the election supervisor or other election  
 29 official to deposit the ballot on the voter's behalf. The tabulation of early voting  
 30 ballots may not begin before 8:00 p.m. prevailing time on election day.

31 \* **Sec. 50.** AS 15.20 is amended by adding a new section to read:

**Sec. 15.20.072. Special needs voting.** (a) A qualified voter with a disability who, because of that disability, is unable to go to a polling place to vote may vote a special needs ballot.

(b) The voter may, through a representative, request a special needs ballot from the following election officials at the times specified:

(1) from an absentee voting official on or after the 15th day before an election, up to and including election day;

(2) from an election supervisor

(A) after a date announced by the director under AS 15.20.048(b); and

(B) on or after the 15th day before an election up to and including election day;

(3) from an absentee voting official at an absentee voting station designated under AS 15.20.045(b) at a time when the absentee voting station is in operation; or

(4) from a member of the precinct election board on election day.

(c) If the request for a special needs ballot is made through a representative, the representative shall sign a register provided by an election official. The register must include the following information:

(1) the representative's name;

(2) the representative's residence and mailing address;

(3) the representative's social security number, voter number, or date of birth;

(4) the name of the voter on whose behalf the representative is requesting a ballot and voting materials;

(5) an oath that the representative

(A) is receiving a ballot and voting materials on behalf of the voter;

(B) will not vote the ballot for the voter;

(C) will not coerce the voter;

(D) will not divulge the vote cast by the voter; and

(E) has been notified that unlawful interference with voting is punishable under AS 15.56.030;

(6) the representative's signature.

(d) The representative shall deliver the special needs ballot and other voting materials to the voter as soon as practicable. The voter shall mark the ballot in secret, place the ballot in the secrecy sleeve, and place the secrecy sleeve in the envelope provided. The voter shall provide the information on the envelope that would be required for absentee voting if the voter voted in person. The voter shall sign the voter's certificate in the presence of the representative. The representative shall sign as attesting official and date the voter's signature.

(e) The representative shall deliver the ballot and voter certificate to an election official not later than 8:00 p.m. Alaska time on election day.

(f) If a qualified voter's disability precludes the voter from performing any of the requirements of (d) of this section, the representative may perform those requirements, except making the voting decision, on the voter's behalf.

(g) The voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union may not act as a representative for the voter. A candidate for office at an election may not act as a representative for a voter in the election.

\* **Sec. 51.** AS 15.20.082(c) is amended to read:

(c) A special state absentee ballot prepared for the state general election or for a state special election shall, if the names of candidates are not yet certified, permit a voter to cast a ballot for all the candidates of a particular political party that expects to have candidates appear on the ballot; for this purpose, the director shall prepare the ballot with party boxes and a blank line for each office to be voted on in that election. The voter may vote for a candidate for that office by writing in the name of a person and **filling in** [MARKING] the **oval** [BOX] to the right of that name, or the voter may mark one of the party boxes. If the voter puts a mark in a party box for that office, the director shall count the mark as a vote cast for the candidate for that office nominated by that party. If the voter writes in a name for an office, the vote shall be counted as a write-in vote for that office. The director shall count the ballots under AS 15.15.360. The director shall provide the voter with the names of each candidate

1 appearing on the primary election ballot and the names of any candidates who have  
2 qualified by petition to appear on the general election ballot.

3 \* **Sec. 52.** AS 15.20.190(a) is amended to read:

4 (a) Thirty days before the date of an election, the election supervisors shall  
5 appoint, in the same manner provided for the appointment of election **officials**  
6 [JUDGES] prescribed in **AS 15.10** [AS 15.10.150], district absentee ballot counting  
7 boards and district questioned ballot counting boards, each composed of at least four  
8 members. At least one member of each board must be a member of the same political  
9 party of which the governor is a member, and at least one member of each board must  
10 be a member of the political party whose candidate for governor received the second  
11 largest number of votes in the preceding gubernatorial election. The district boards  
12 shall assist the election supervisors in counting the absentee and questioned ballots and  
13 shall receive the same compensation paid election **officials** [JUDGES] under  
14 AS 15.15.380.

15 \* **Sec. 53.** AS 15.20.205(c) is amended to read:

16 (c) The district questioned ballot counting board **may** [SHALL] certify the  
17 questioned ballot totals as soon as the count is completed but no later than the **15th**  
18 [10TH] day following the election.

19 \* **Sec. 54.** AS 15.20.211(a) is amended to read:

20 (a) If a qualified voter of the state votes a ballot for **a house** [AN ELECTION]  
21 district other than the **house** [ELECTION] district in which the voter is registered, **that**  
22 **person may vote only for**

23 **(1) statewide ballot measures and questions;**

24 **(2) candidates for federal or statewide offices;**

25 **(3) candidates for the state senate if the voter's former residence**  
26 **and present residence are in the same senate district; and**

27 **(4) candidates for judicial retention if the voter's former residence**  
28 **and present residence are in the same judicial district** [THE VOTES CAST FOR  
29 STATEWIDE CANDIDATES AND FOR STATEWIDE BALLOT PROPOSITIONS  
30 AND STATEWIDE QUESTIONS SHALL BE COUNTED. IF THE QUALIFIED  
31 VOTER VOTED FOR A CANDIDATE FOR THE STATE SENATE FROM THE

1 SENATE DISTRICT IN WHICH THE VOTER IS A RESIDENT, THE VOTE  
 2 SHALL BE COUNTED. THE VOTES CAST FOR CANDIDATES OR BALLOT  
 3 PROPOSITIONS OR QUESTIONS NOT APPEARING ON THE BALLOT OF THE  
 4 DISTRICT IN WHICH THE VOTER IS A RESIDENT MAY NOT BE COUNTED].

5 \* **Sec. 55.** AS 15.20.480 is amended to read:

6 **Sec. 15.20.480. Procedure for recount.** In conducting the recount, the  
 7 director shall review all ballots, whether the ballots were counted at the precinct or by  
 8 computer or by the district absentee counting board or the questioned ballot counting  
 9 board, to determine which ballots, or part of ballots, were properly marked and which  
 10 ballots are to be counted in the recount, and shall check the accuracy of the original  
 11 count, the precinct certificate, and the review. [THE DIRECTOR SHALL CHECK  
 12 THE NUMBER OF BALLOTS AND QUESTIONED BALLOTS CAST IN A  
 13 PRECINCT AGAINST THE REGISTERS AND SHALL CHECK ABSENTEE  
 14 BALLOTS VOTED AGAINST ABSENTEE BALLOTS DISTRIBUTED.] The  
 15 director shall count absentee ballots received before the completion of the recount. For  
 16 administrative purposes, the director may join and include two or more applications  
 17 in a single review and count of votes. The rules in AS 15.15.360 governing the  
 18 counting of [HAND-MARKED] ballots **in hand-count precincts** [AND THE RULES  
 19 IN AS 15.20.730 GOVERNING THE COUNTING OF PUNCH-CARD BALLOTS]  
 20 shall be followed in the recount **when a ballot is challenged on the basis of a**  
 21 **question regarding the voter's intent to vote for the candidate, proposition, or**  
 22 **question.** The ballots and other election material must remain in the custody of the  
 23 director during the recount, and the highest degree of care shall be exercised to protect  
 24 the ballots against alteration or mutilation. The recount shall be completed within 10  
 25 days. The director may employ additional personnel necessary to assist in the recount.

26 \* **Sec. 56.** AS 15.20.800(e) is amended to read:

27 (e) The director shall review ballots voted under this section under procedures  
 28 established for the review of absentee ballots under AS 15.20.201 and 15.20.203. **The**  
 29 **director shall establish the schedule for counting ballots in an election conducted**  
 30 **by mail.**

31 \* **Sec. 57.** AS 15.25.040(a) is amended to read:

1 (a) The declaration is filed by either  
 2 (1) the actual physical delivery of the declaration in person or by mail  
 3 at or before 5:00 p.m., prevailing time, June 1 of the year in which a general election  
 4 is held for the office; or

5 (2) **reliable electronic transmission** [THE ACTUAL PHYSICAL  
 6 DELIVERY BY TELEGRAM] of a copy in substance of the statements made in  
 7 paragraphs (1) - (5) of the declaration as required by AS 15.25.030(a) at or before 5:00  
 8 p.m., prevailing time, June 1 of the year in which a general election is held for the  
 9 office and also the actual physical delivery of the declaration containing paragraphs  
 10 (1) - (16) as required by AS 15.25.030(a) by [REGISTERED] mail **that** [WHICH] is  
 11 received not more than 15 days after that time.

12 \* **Sec. 58.** AS 15.25 is amended by adding a new section to read:

13 **Sec. 15.25.105. Write-in candidates.** (a) If a candidate does not appear on  
 14 the primary election ballot or is not successful in advancing to the general election and  
 15 wishes to be a candidate in the general election, the candidate may file as a write-in  
 16 candidate. Votes for a write-in candidate may not be counted unless that candidate has  
 17 filed a letter of intent with the director stating

18 (1) the full name of the candidate;  
 19 (2) the full residence address of the candidate and the date on which  
 20 residency at that address began;

21 (3) the full mailing address of the candidate;  
 22 (4) the name of the political party or political group of which the  
 23 candidate is a member, if any;

24 (5) if the candidate is for the office of state senator or state  
 25 representative, the house or senate district of which the candidate is a resident;

26 (6) the office that the candidate seeks;  
 27 (7) the date of the election at which the candidate seeks election;  
 28 (8) the length of residency in the state and in the house district of the  
 29 candidate;

30 (9) the name of the candidate as the candidate wishes it to be written  
 31 on the ballot by the voter;

(10) that the candidate meets the specific citizenship requirements of the office for which the person is a candidate;

(11) that the candidate will meet the specific age requirements of the office for which the person is a candidate by the time that the candidate, if elected, is sworn into office;

(12) that the candidate is a qualified voter as required by law; and

(13) that the candidate is not a candidate for any other office to be voted on at the general election and that the candidate is not a candidate for this office under any other nominating petition or declaration of candidacy.

(b) If a write-in candidate is running for the office of governor, the candidate must file a joint letter of intent together with a candidate for lieutenant governor. Both candidates must be of the same political party or group.

(c) A letter of intent under (a) of this section must be filed not later than five days before the general election.

\* **Sec. 59.** AS 15.25.130 is amended to read:

**Sec. 15.25.130. Selection of nominees for party petition.** The nominees of political parties by party petition may be selected for statewide offices by the state party central committee or in any other manner prescribed by the party bylaws, and the petition for statewide offices shall be signed by the state chairperson [CHAIRMAN] of the political party [CENTRAL COMMITTEE,] or, in the absence of the state chairperson [CHAIRMAN], by any two members of the state party central committee. The nominees of political parties by party petition may be selected for district-wide offices by the respective party district committee or in any other manner prescribed by the party bylaws, and the petition for district-wide offices shall be signed by the chairperson [CHAIRMAN] of the party district committee, or in the absence of the chairperson [CHAIRMAN], by any two members of the party district committee, or in any other manner prescribed by the party bylaws. The petition may be delivered in person, or by mail, telegraph, [OR] facsimile, or other reliable electronic transmission.

\* **Sec. 60.** AS 15.25.180(a) is amended to read:

(a) The petition must state in substance



- 1 (1) the full name of the candidate;
- 2 (2) the full residence address of the candidate [,] and the date on which
- 3 residency at that address began;
- 4 (3) the full mailing address of the candidate;
- 5 (4) the name of the political group, if any, supporting the candidate;
- 6 (5) if the candidacy is for the office of state senator or state
- 7 representative, the **house** [ELECTION] or senate district of which the candidate is a
- 8 resident;
- 9 (6) the office for which the candidate is nominated;
- 10 (7) the date of the election at which the candidate seeks election;
- 11 (8) the length of residency in the state and in the district of the
- 12 candidate;
- 13 (9) that the subscribers are qualified voters of the state or **house**
- 14 [ELECTION] or senate district in which the candidate resides;
- 15 (10) that the subscribers request that the candidate's name be placed on
- 16 the primary election ballot;
- 17 (11) that the proposed candidate accepts the nomination and will serve
- 18 if elected, with the statement signed by the proposed candidate;
- 19 (12) the name of the candidate as the candidate wishes it to appear on
- 20 the ballot; [AND]
- 21 (13) that the candidate is not a candidate for any other office to be
- 22 voted on at the primary or general election and that the candidate is not a candidate
- 23 for this office under any other nominating petition or declaration of candidacy;
- 24 **(14) that the candidate meets the specific citizenship requirements**
- 25 **of the office for which the person is a candidate;**
- 26 **(15) that the candidate will meet the specific age requirements of**
- 27 **the office for which the person is a candidate by the time that the candidate, if**
- 28 **elected, is sworn into office; and**
- 29 **(16) that the candidate is a qualified voter.**

30 \* **Sec. 61.** AS 15.30.020 is amended to read:

31 **Sec. 15.30.020. Number and manner of selecting candidates.** Each political

party shall select a number of candidates for electors of President and **Vice-President** [VICE PRESIDENT] of the United States equal to the number of senators and representatives to which the state is entitled in Congress. The candidates for electors shall be selected by the state party convention or in any other manner prescribed by the bylaws of the party. The **chairperson** [CHAIRMAN] and secretary of the state convention or any other party official designated by the party bylaws shall certify a list of the names of candidates for electors to the director on or before September 1 in presidential election years.

\* **Sec. 62.** AS 15.40.300 is amended to read:

**Sec. 15.40.300. Selection of party nominees.** The nominees of political parties may be selected by state convention or in any other manner prescribed by the party bylaws, and the petition shall be signed by the **chairperson** [CHAIRMAN] and secretary of the state convention, or, if the nominees are selected by the party central committee, the petition shall be signed by the **state chairperson of the political party** [CHAIRMAN OF THE CENTRAL COMMITTEE] or in any other manner prescribed by the party bylaws.

\* **Sec. 63.** AS 15.45.110(a) is amended to read:

(a) The petitions may be circulated throughout the state [ONLY BY A SPONSOR AND] only in person.

\* **Sec. 64.** AS 15.45.110(c) is amended to read:

(c) A **circulator** [SPONSOR] may not receive payment or agree to receive payment that is greater than \$1 a signature, and a person or an organization may not pay or agree to pay an amount that is greater than \$1 a signature, for the collection of signatures on a petition.

\* **Sec. 65.** AS 15.45.110(e) is amended to read:

(e) A person or organization that violates **(c) or (d)** [(b) - (d)] of this section is guilty of a class B misdemeanor.

\* **Sec. 66.** AS 15.45.130 is amended to read:

**Sec. 15.45.130. Certification of circulator [SPONSOR].** Before being filed, each petition shall be certified by an affidavit by the **person** [SPONSOR] who personally circulated the petition. The affidavit must state in substance that (1) the

person signing the affidavit **meets the residency, age, and citizenship qualifications of AS 15.05.010** [IS A SPONSOR], (2) the person is the only circulator of that petition, (3) the signatures were made in the **circulator's** [SPONSOR'S] actual presence, (4) to the best of the **circulator's** [SPONSOR'S] knowledge, the signatures are those of the persons whose names they purport to be, (5) the signatures are of persons who were qualified voters on the date of signature, (6) the person has not entered into an agreement with a person or organization in violation of AS 15.45.110(c), (7) the person has not violated AS 15.45.110(d) with respect to that petition, and (8) the **circulator** [SPONSOR] prominently placed, in the space provided under AS 15.45.090(5) before circulation of the petition, in bold capital letters, the **circulator's** [SPONSOR'S] name and, if the **circulator** [SPONSOR] has received payment or agreed to receive payment for the collection of signatures on the petition, the name of each person or organization that has paid or agreed to pay the **circulator** [SPONSOR] for collection of signatures on the petition. In determining the sufficiency of the petition, the lieutenant governor may not count subscriptions on petitions not properly certified.

\* **Sec. 67.** AS 15.45.340 is amended to read:

**Sec. 15.45.340. Circulation [BY SPONSOR].** The petitions may be circulated throughout the state [ONLY BY A SPONSOR AND] only in person.

\* **Sec. 68.** AS 15.45.360 is amended to read:

**Sec. 15.45.360. Certification of circulator [SPONSOR].** Before being filed, each petition shall be certified by an affidavit by the **person** [SPONSOR] who circulated the petition. The affidavit shall state in substance that (1) the person signing the affidavit **meets the residency, age, and citizenship qualifications of AS 15.05.010** [IS A SPONSOR], (2) the person is the only circulator of the petition, (3) the signatures were made in the **circulator's** [SPONSOR'S] actual presence, and (4) to the best of the **circulator's** [SPONSOR'S] knowledge, the signatures are the signatures of persons whose names they purport to be. In determining the sufficiency of the petition, the lieutenant governor may not count subscriptions on petitions not properly certified.

\* **Sec. 69.** AS 15.45.580 is amended to read:

1           **Sec. 15.45.580. Circulation [BY SPONSOR].** The petitions may be  
 2           circulated [ONLY BY A SPONSOR AND] only in person throughout the state or  
 3           senate or house [ELECTION] district represented by the official sought to be recalled.

4    \* **Sec. 70.** AS 15.45.600 is amended to read:

5           **Sec. 15.45.600. Certification of circulator [SPONSOR].** Before being filed,  
 6           each petition shall be certified by an affidavit by the person [SPONSOR] who  
 7           personally circulated the petition. The affidavit shall state in substance that (1) the  
 8           person signing the affidavit meets the residency, age, and citizenship qualifications  
 9           of AS 15.05.010 [IS A SPONSOR], (2) the person is the only circulator of that petition  
 10          or copy, (3) the signatures were made in the circulator's [SPONSOR'S] actual  
 11          presence, and (4) to the best of the circulator's [SPONSOR'S] knowledge, the  
 12          signatures are those of the persons whose names they purport to be. In determining  
 13          the sufficiency of the petition, the director may not count subscriptions on petitions not  
 14          properly certified.

15   \* **Sec. 71.** AS 15.50.040 is amended to read:

16          **Sec. 15.50.040. Display of resolution.** The director shall provide each  
 17          election board with one copy [10 COPIES] of the resolution proposing the  
 18          constitutional amendment by the legislature or by the convention, and the election  
 19          board shall display the copy [THREE COPIES] of the resolution in a conspicuous  
 20          place in the room where the election is held.

21   \* **Sec. 72.** AS 15.56.016(a) is amended to read:

22           (a) A person commits the crime of campaign misconduct in the third degree  
 23           if

24                   (1) the person violates a provision of AS 15.13 or a regulation adopted  
 25                   under AS 15.13; or

26                   (2) during the hours the polls are open and after election officials  
 27                   [JUDGES] have posted warning notices as required by AS 15.15.170 or at the required  
 28                   distance in the form and manner prescribed by the chief municipal elections official  
 29                   in a local election, the person is within 200 feet of an entrance to a polling place, and

30                           (A) violates AS 15.15.170; or

31                           (B) circulates cards, handbills, or marked ballots, or posts

1 political signs or posters relating to a candidate at an election or election  
2 proposition or question.

3 \* **Sec. 73.** AS 15.56.030(d) is amended to read:

4 (d) For purposes of (a)(2) and (3) of this section, "other valuable thing"

5 (1) includes [, BUT IS NOT LIMITED TO,]

6 (A) an entry in a game of chance in which a prize of money or  
7 other present or future pecuniary gain or advantage may be awarded to a  
8 participant wherein the total of the prizes offered is greater than \$2 per  
9 participant with a maximum of \$100; and

10 (B) government employment or benefits;

11 (2) does not include

12 (A) materials having a nominal value bearing the name,  
13 likeness, or other identification of a candidate, political party, political group,  
14 party district committee, or organization, or stating a position on a ballot  
15 proposition or question;

16 (B) food and refreshments provided incidental to an activity that  
17 is nonpartisan in nature and directed at encouraging persons to vote, or  
18 incidental to a gathering in support of or in opposition to a candidate, political  
19 party, political group, party district committee, organization, or ballot question  
20 or proposition;

21 (C) care of the voter's dependents provided in connection with  
22 the absence of a voter from home for the purpose of voting;

23 (D) services provided by a person acting as a [PERSONAL]  
24 representative under AS 15.20.072 [AS DEFINED IN AS 15.20.071];

25 (E) services provided by an election official as defined in  
26 AS 15.60.010; and

27 (F) transportation of a voter to or from the polls without charge.

28 \* **Sec. 74.** AS 15.58.030(b) is amended to read:

29 (b) No later than July 22 [JULY 15] of a year in which a state general  
30 election will be held, an individual who becomes a candidate for the office of United  
31 States senator, United States representative, governor, lieutenant governor, state

senator, or state representative under AS 15.25.030 or **15.25.180** [UNDER AS 15.25.180] may file with the lieutenant governor a photograph and a statement advocating the candidacy. An individual who becomes a candidate for the office of United States senator, United States representative, governor, lieutenant governor, state senator, or state representative by party petition filed under AS 15.25.110 may file with the lieutenant governor a photograph and a statement advocating the candidacy within 10 days of becoming a candidate.

\* **Sec. 75.** AS 15.58.080(a) is amended to read:

(a) Not less than **22** [30] days before the general election, the lieutenant governor shall mail to every registered voter one copy of the pamphlet prepared for the region in which the voter resides. Additional pamphlets may be obtained from the director, the office of the lieutenant governor, and the area election offices.

\* **Sec. 76.** AS 15.60.010(2) is amended to read:

(2) "ballot" means **any document provided by the director on which votes may be cast for candidates, propositions, or questions** [A HAND-MARKED BALLOT AND A PUNCH-CARD BALLOT];

\* **Sec. 77.** AS 15.60.010(4) is amended to read:

(4) "election board" means the **board appointed in accordance with AS 15.10.120** [LOCAL PRECINCT BOARD COMPOSED OF THE THREE ELECTION JUDGES];

\* **Sec. 78.** AS 15.60.010(6) is amended to read:

(6) "election official" means election **board members** [JUDGES, CLERKS, COUNTERS], members of counting or review boards, employees of the division of elections, and absentee voting officials;

\* **Sec. 79.** AS 15.60.010(8) is repealed and reenacted to read:

(8) "felony involving moral turpitude" includes those crimes that are immoral or wrong in themselves such as murder, manslaughter, assault, sexual assault, sexual abuse of a minor, unlawful exploitation of a minor, robbery, extortion, coercion, kidnapping, incest, arson, burglary, theft, forgery, criminal possession of a forgery device, offering a false instrument for recording, scheme to defraud, falsifying business records, commercial bribe receiving, commercial bribery, bribery, receiving a bribe,

perjury, perjury by inconsistent statements, endangering the welfare of a minor, escape, promoting contraband, interference with official proceedings, receiving a bribe by a witness or a juror, jury tampering, misconduct by a juror, tampering with physical evidence, hindering prosecution, terroristic threatening, riot, criminal possession of explosives, unlawful furnishing of explosives, promoting prostitution, criminal mischief, misconduct involving a controlled substance or an imitation controlled substance, permitting an escape, promoting gambling, possession of gambling records, distribution of child pornography, and possession of child pornography;

\* **Sec. 80.** AS 15.60.010(10) is amended to read:

(10) "**hand-counted** [HAND-MARKED] ballot" means a ballot designated to be **counted** [MARKED] by hand **in precincts where precinct tabulators are not available** [WITH A PEN OR PENCIL];

\* **Sec. 81.** AS 15.60.010(28) is amended to read:

(28) "senate district" means **one of** the [TERRITORY INCLUDED IN THE ELECTION] districts **described in** [AS DESIGNATED IN ART. XIV, SEC. 2, OF THE STATE CONSTITUTION, AS MAY BE MODIFIED UNDER] art. VI, **sec. 2, Constitution of the State of Alaska** [OF THE STATE CONSTITUTION];

\* **Sec. 82.** AS 15.60.010(31) is amended to read:

(31) "state **chairperson** [CHAIRMAN]" **or "state party chairperson"** means the **political** party official elected as the highest ranking statewide party executive;

\* **Sec. 83.** AS 15.60.010 is amended by adding new paragraphs to read:

(37) "house district" means one of the districts described in art. VI, sec. 1, Constitution of the State of Alaska;

(38) "judicial district" means one of the districts defined in AS 22.10.010;

(39) "precinct tabulators" means an electronic optical scanning ballot tabulation system or other tabulator designated by the director to electronically count ballots.

\* **Sec. 84.** AS 29.20.070(b) is amended to read:

(b) Not later than the first regular election that occurs after **adoption of a final**

**state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska**  
 [THE REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall propose and submit to the voters of the borough, at that regular election or at a special election called for the purpose, one or more forms of assembly representation. The forms of representation that the assembly may submit to the voters are:

(1) election of members of the assembly at large by the voters throughout the borough;

(2) election of members of the assembly by district, including

(A) election at large by the voters throughout the borough, but with a requirement that a candidate live in an election district established by the borough for election of assembly members; or

(B) election from election districts established by the borough for the election of assembly members by the voters of a district;

(3) election of members of the assembly both at large and by district.

\* **Sec. 85.** AS 29.20.080(a) is amended to read:

(a) Not later than two months after **adoption of a final state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska** [THE OFFICIAL REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall determine and declare by resolution whether the existing apportionment of the assembly meets the standards of AS 29.20.060. If the assembly submits to the voters a form of representation that includes election of assembly members under AS 29.20.070(b)(2) or **(3)**, [(b)(3)] the assembly shall submit with the proposition a proposed plan of apportionment that corresponds to the form of representation proposed. The assembly shall describe the plan of apportionment in the ballot proposition, and may present the plan in any manner that it believes accurately describes the apportionment that is proposed under the form of representation. If the assembly determines that its existing apportionment meets the standards of AS 29.20.060, the assembly may include the existing apportionment as a proposed plan of apportionment of assembly seats that corresponds to a form of representation that is proposed.

\* **Sec. 86.** AS 29.20.080(b) is amended to read:

(b) The assembly shall provide, by ordinance, for a change in an existing



apportionment of the assembly whenever it determines that the apportionment does not meet the standards of AS 29.20.060. The assembly may provide, by ordinance, for a change in an existing apportionment of the assembly whenever a final state redistricting plan is changed as a result of federal or court action. At the same time a change in apportionment is provided for under this subsection, the assembly may, by ordinance, change the composition of the assembly.

\* **Sec. 87.** AS 29.20.080(e) is amended to read:

(e) Within six months after a determination by the assembly under (b) or (c) of this section that the current apportionment should be changed [DOES NOT MEET THE STANDARDS OF AS 29.20.060] the assembly shall adopt an ordinance providing for reapportionment and submit the ordinance to the voters. If, at the end of the six-month time period, an ordinance providing for reapportionment has not been approved by the voters and if the current apportionment does not meet the standards of AS 29.20.060, the commissioner shall provide for the reapportionment in accordance with the standards of AS 29.20.060 by preparing an order of reapportionment and delivering the order to the borough mayor.

\* **Sec. 88.** AS 29.26.050(b) is amended to read:

(b) Voter registration by the municipality may not be required. However, in order to vote for a candidate or on a ballot measure relating to a specific local election district or service area, a municipality may by ordinance require that a person be registered to vote in state elections at least 30 days before the municipal election at an address within the boundaries of that local election district or service area. The municipality has the responsibility to determine if a voter meets the requirements of the ordinance and this section.

\* **Sec. 89.** AS 36.30.850(b)(7) is amended to read:

(7) contracts for the preparation and transportation of ballots under AS 15 [AS 15.15.030];

\* **Sec. 90.** AS 39.50.020(a) is amended to read:

(a) A public official other than the governor or the lieutenant governor shall file a statement giving income sources and business interests, under oath and on penalty of perjury, within 30 days after taking office as a public official. Candidates

for state elective office other than a candidate who is subject to AS 24.60 shall file the statement with the director of elections at the time of filing a declaration of candidacy or a nominating petition or becoming a candidate by any other means. Candidates for elective municipal office shall file the statement at the time of filing a nominating petition, declaration of candidacy, or other required filing for the elective municipal office. Refusal or failure to file within [30 DAYS AFTER] the time prescribed shall require that the candidate's filing fees, if any, and filing for office be refused or that a previously accepted filing fee be returned and the candidate's name removed from the filing records. A statement shall also be filed by public officials no later than March 15 in each following year. Persons who are members of boards or commissions not named in AS 39.50.200(b) are not required to file financial statements.

\* **Sec. 91.** AS 43.23.016 is amended to read:

**Sec. 43.23.016. Voter registration.** The commissioner shall include, at the department's expense, voter registration forms prepared under AS 15.07.070(b) in the [WITH] permanent fund dividend application packet. The forms must include a notice that an individual is not required to register to vote in order to be eligible to receive a permanent fund dividend. For purposes of maintaining accurate voter registration records, the commissioner shall provide the director of elections with the mailing addresses of all applicants for a permanent fund dividend [APPLICATIONS].

\* **Sec. 92.** AS 15.10.130, 15.10.150; AS 15.15.030(12); 15.15.070(e); 15.15.070(f); AS 15.20.190(b), 15.20.590, 15.20.600, 15.20.609, 15.20.610, 15.20.620, 15.20.630, 15.20.640, 15.20.650, 15.20.660, 15.20.670, 15.20.680, 15.20.685, 15.20.690, 15.20.700, 15.20.710, 15.20.720, 15.20.730, 15.20.740; AS 15.45.110(b); AS 15.58.070; AS 15.60.010(5), and 15.60.010(24) are repealed.

\* **Sec. 93.** AS 15.20.071 is repealed.

\* **Sec. 94.** The uncoded law of the State of Alaska is amended by adding a new section to read:

TRANSITION: REGULATIONS. Notwithstanding sec. 98 of this Act, the director of elections may proceed to adopt regulations necessary to implement this Act. The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before July 1,

1 2000.

2 \* **Sec. 95.** The uncoded law of the State of Alaska is amended by adding a new section  
3 to read:

4 REVISOR'S INSTRUCTION. In the following statute sections, the revisor shall  
5 change

6 (1) references to "election district," "electoral district," or "house election  
7 district" to read "house district": AS 03.20.050, AS 15.05.010(4), 15.05.012, AS 15.07.030(b),  
8 15.07.090(c), 15.07.090(d), 15.07.120, AS 15.10.040, 15.10.090, AS 15.13.020(j),  
9 15.13.400(10), AS 15.15.030(6), 15.15.060(d), AS 15.20.081(e), 15.20.430(a), 15.20.440(a),  
10 15.20.450, AS 15.25.030(a)(3), 15.25.043, 15.25.170, AS 15.40.440, AS 15.45.500,  
11 AS 15.45.530, 15.45.560, 15.45.610, 15.45.680, AS 15.58.020(3), AS 44.62.430(b), and  
12 AS 46.03.313(d);

13 (2) references to "election districts" to read "house districts": AS 03.20.020(a),  
14 AS 15.10.110, AS 15.20.045(b), AS 15.45.140, 15.45.160, 15.45.370, 15.45.390(2), and  
15 AS 15.58.020(4);

16 (3) references to "chairman" to read "chairperson": AS 15.10.140,  
17 AS 15.13.020(g), 15.13.090(a), AS 15.15.090, AS 15.20.470, AS 15.40.210, 15.40.460, and  
18 AS 15.58.040(b); and

19 (4) references to "chairmen" to read "chairpersons": AS 15.15.050 and  
20 15.15.380.

21 \* **Sec. 96.** Section 94 of this Act takes effect immediately under AS 01.10.070(c).

22 \* **Sec. 97.** Sections 49, 50, 73, and 93 of this Act take effect January 1, 2001.

23 \* **Sec. 98.** Except as provided in secs. 96 and 97 of this Act, this Act takes effect July 1,  
24 2000.