

HOUSE BILL NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SADDLER

Introduced: 1/22/25

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to write-in candidates for President and Vice-President of the United**
2 **States."**

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

4 * **Section 1.** AS 15.15.030 is amended to read:

5 **Sec. 15.15.030. Preparation of official ballot.** The director shall prepare all
6 official ballots to facilitate fairness, simplicity, and clarity in the voting procedure, to
7 reflect most accurately the intent of the voter, and to expedite the administration of
8 elections. The following directives shall be followed when applicable:

9 (1) The director shall determine the size of the ballot, the type of print,
10 necessary additional instruction notes to voters, and other similar matters of form not
11 provided by law.

12 (2) The director shall number ballots in series to ensure simplicity and
13 secrecy and to prevent fraud.

14 (3) The director shall contract for the preparation of ballots under

1 AS 36.30 (State Procurement Code).

2 (4) The director may not include on the ballot, as a part of a candidate's
3 name, any honorary or assumed title or prefix but may include in the candidate's name
4 any nickname or familiar form of a proper name of the candidate.

5 (5) The names of the candidates shall be placed in separate sections on
6 the state general election ballot under the office designation to which they were
7 nominated. If a candidate is registered as affiliated with a political party or political
8 group, the party affiliation, if any, may be designated after the name of the candidate,
9 upon request of the candidate. If a candidate has requested designation as nonpartisan
10 or undeclared, that designation shall be placed after the name of the candidate. If a
11 candidate is not registered as affiliated with a political party or political group and has
12 not requested to be designated as nonpartisan or undeclared, the candidate shall be
13 designated as undeclared. The lieutenant governor and the governor shall be included
14 under the same section. Provision shall be made for voting for write-in candidates
15 within each section. Paper ballots for the state general election shall be printed on
16 white paper.

17 (6) The names of the candidates for each office shall be set out in the
18 same order on ballots printed for use in each house district. The director shall
19 randomly determine the order of the names of the candidates for state representative
20 for each house district. The director shall rotate the order of placement of the names of
21 candidates for governor, lieutenant governor, United States senator, United States
22 representative, and state senator on the ballot for each house district.

23 (7) The general election ballot shall be designed with the names of
24 candidates of each political party, and of any independent candidates qualified under
25 AS 15.30.026, for the office of President and Vice-President of the United States
26 placed in the same section on the ballot rather than the names of electors of President
27 and Vice-President. **Provision shall be made for voting for write-in candidates for**
28 **President and Vice-President.**

29 (8) The general or special election ballot shall be designed with the
30 title and proposition for any initiative, referendum, or constitutional amendment
31 formulated as prescribed by law and placed on the ballot in the manner prescribed by

1 the director. When placed on the ballot, a state ballot proposition or ballot question
 2 shall carry the number that was assigned to the petition for the proposition or question.
 3 Provision shall be made for marking the proposition "Yes" or "No."

4 (9) The general or special election ballot shall be designed with the
 5 question of whether a constitutional convention shall be called placed on the ballot in
 6 the following manner: "Shall there be a constitutional convention?" Provision shall be
 7 made for marking the question "Yes" or "No."

8 (10) A nonpartisan ballot shall be designed for each judicial district in
 9 which a justice or judge is seeking retention in office. The ballot shall be divided into
 10 four parts. Each part must bear a heading indicating the court to which the candidate is
 11 seeking approval, and provision shall be made for marking each question "Yes" or
 12 "No." Within each part, the question of whether the justice or judge shall be approved
 13 or rejected shall be set out in substantially the following manner:

14 (A) "Shall be retained as justice of the supreme court for
 15 10 years?";

16 (B) "Shall be retained as judge of the court of appeals for
 17 eight years?";

18 (C) "Shall be retained as judge of the superior court for six
 19 years?"; or

20 (D) "Shall be retained as judge of the district court for four
 21 years?"

22 (11) When the legislature by law authorizes a state debt for capital
 23 improvements, the director shall place the question of whether the specific
 24 authorization shall be ratified by placing the ballot title and question on the next
 25 general election ballot, or on the special election ballot if a special election is held for
 26 the purpose of ratifying the state debt for capital improvements before the time of the
 27 next general election. Unless specifically provided otherwise in the Act authorizing
 28 the debt, the ballot title shall, by the use of a few words in a succinct manner, indicate
 29 the general subject of the Act. The question shall, by the use of a few sentences in a
 30 succinct manner, give a true and impartial summary of the Act authorizing the state
 31 debt. The question of whether state debt shall be contracted shall be assigned a letter

1 of the alphabet on the ballot. Provision shall be made for marking the question
 2 substantially as follows:

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

4 followed by an appropriate oval.

5 (12) The director may provide for the optical scanning of ballots where
 6 the requisite equipment is available.

7 (13) The director may provide for voting by use of electronically
 8 generated ballots by a voter who requests to use a machine that produces electronically
 9 generated ballots.

10 (14) The director shall include the following statement on the ballot:

11 A candidate's designated affiliation does not imply that
 12 the candidate is nominated or endorsed by the political
 13 party or group or that the party or group approves of or
 14 associates with that candidate, but only that the
 15 candidate is registered as affiliated with the political
 16 party or political group.

17 (15) Instead of the statement provided by (14) of this section, when
 18 candidates for President and Vice-President of the United States appear on a general
 19 election ballot, the director shall include the following statement on the ballot:

20 A candidate's designated affiliation does not imply that
 21 the candidate is nominated or endorsed by the political
 22 party or political group or that the political party or
 23 political group approves of or associates with that
 24 candidate, but only that the candidate is registered as
 25 affiliated with the party or group. The election for
 26 President and Vice-President of the United States is
 27 different. Some candidates for President and Vice-
 28 President are the official nominees of their political
 29 party.

30 (16) The director shall design the general election ballots so that the
 31 candidates are selected by ranked-choice voting.

(17) The director shall design the general election ballot to direct the voter to mark candidates in order of preference and to mark as many choices as the voter wishes, but not to assign the same ranking to more than one candidate for the same office.

* **Sec. 2.** AS 15.15.360(d) is amended to read:

(d) Write-in votes shall be counted according to the following rules:

(1) writing in the name of a candidate whose name is printed on the ballot does not invalidate a write-in vote unless the director determines, on the basis of other evidence, that the ballot was so marked for the purpose of identifying the ballot;

(2) in order to vote for a write-in candidate, the voter must write in the candidate's name in the space provided and fill in the oval opposite the candidate's name in accordance with (a)(1) of this section;

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

(4) 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 of the candidates for governor and lieutenant governor, as they appear on the write-in declaration of candidacy, or the last names of the candidates for governor and lieutenant governor, or the name of the candidate for governor, as it appears on the write-in declaration of candidacy, or the last name of the candidate for governor is written in the space provided;

(5) **if the write-in vote is for President and Vice-President of the United States, the vote shall be counted if the oval is filled in and the names of the candidates for President and Vice-President, as they appear on the write-in declaration of candidacy, or the last names of the candidates for President and Vice-President, or the name of the candidate for President, as it appears on the write-in declaration of candidacy, or the last name of the candidate for President is written in the space provided;**

(6) in counting votes for a write-in candidate, the director shall

1 disregard any abbreviation, misspelling, or other minor variation in the form of the
2 name of a candidate if the intention of the voter can be ascertained.

3 * **Sec. 3.** AS 15.25.105 is amended by adding a new subsection to read:

4 (d) A write-in candidate running for the office of President of the United
5 States must file a letter with the director certifying the information required under
6 AS 15.30.026(b).