

# LEGAL SERVICES

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## MEMORANDUM

February 16, 2011

**SUBJECT:** Sectional summary (HB 77; Work Order No. 27-LS0095\D)

**TO:** Representative Max Gruenberg  
Attn: Gretchen Staft

**FROM:** Alpheus Bullard *AB*  
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

**Section 1.** Changes the qualifications of persons appointed to election boards.

**Section 2.** Changes who may appoint watchers in a voting precinct or counting center and how many watchers that represent a state party chairperson, precinct party committee, party district committee, or candidate may be on duty at any one time in a precinct or counting center.

**Section 3.** Changes the qualifications of persons appointed to the Alaska Public Offices Commission.

**Section 4.** Contains a conforming change relating to the previous section's change in the qualifications of persons appointed to the Alaska Public Offices Commission.

**Sections 5 - 7.** Add or edit language in statutes that relate to the financing of political campaigns that conform the sections to the bill's implementation of a top two nonpartisan blanket primary system.

**Section 8.** Provides that a qualified voter may vote for any candidate at a primary election without a limitation based on the political party or political group affiliation of either the candidate or the voter.

**Section 9.** Removes a candidate's party designation from the official ballot. Permits a candidate to indicate on the ballot a political party or group preference or a designation as nonpartisan or undeclared.

**Section 10.** Requires a statement to appear on certain pages of the ballot that a political party or group preference indicated by a candidate on the ballot reflects only the designation requested by that candidate.

**Section 11.** Requires a statement to appear in each polling place that a political party or group preference indicated by a candidate on the ballot reflects only the designation requested by that candidate.

**Sections 12 - 13.** Make conforming changes to absentee voting statutes relating to the bill's implementation of a top two nonpartisan blanket primary system.

**Section 14.** Changes the qualifications of persons appointed to district counting boards.

**Section 15.** Changes the state's primary election from an election that selects which candidate of each participating political party will appear on the general election ballot as that party's nominee to an election in which the two candidates who have received the greatest number of votes for an office, regardless of the candidates' party affiliation, advance to the general election.

**Section 16.** Changes what a person must state on a declaration of candidacy. Includes conforming references to the bill's extension of primary elections to special elections.

**Section 17.** Conforms the section to a change in the previous bill section.

**Section 18.** Requires that ballots be prepared and distributed in a manner consistent with the bill's establishment of a top two nonpartisan blanket primary election system.

**Section 19.** Provides which candidates will be placed on the general election ballot.

**Section 20.** Changes what a person who desires to be a write-in candidate in the general election must state in the person's letter of intent.

**Section 21.** Eliminates a requirement that a write-in candidate for the office of governor must be of the same political party as the candidate for the office of lieutenant governor who is running with that write-in candidate for the office of governor.

**Section 22.** Provides that, if a vacancy occurs in the office of United States Senator or United States Representative, there will be both a special primary election and a subsequent special election to fill that vacancy.

**Section 23.** Conforms AS 15.40.160 (providing that the governor shall issue a proclamation calling a special primary election and subsequent special election) to the changes made in the previous bill section.

**Section 24.** Provides that a petition for the nomination of a candidate for a vacancy in the office of United States Senator or Representative must be executed under oath and state in substance that which is required under AS 15.25.030 (declaration of candidacy).

**Section 25.** Provides, unless specifically provided otherwise, that a special primary election and subsequent special election to fill a vacancy in the office of United States Senator or Representative will be conducted in the same manner as a regular primary or general election.

**Sections 26 - 27.** Provide for the conditions for, and timing of, the special primary election and subsequent special election to fill the office of governor when a person appointed to succeed to the office of lieutenant governor succeeds to the office of acting governor.

**Section 28.** Requires the acting governor to issue a proclamation calling for a special primary election and special election for the office of governor at least 50 days before the special primary election.

**Section 29.** Provides that a petition for the nomination of a candidate for a vacancy in the office of governor must be executed under oath and state in substance that which is required under AS 15.25.030 (declaration of candidacy).

**Section 30.** Provides, unless specifically provided otherwise, that a special primary election and subsequent special election to fill a vacancy in the office of governor will be conducted in the same manner as a regular primary or general election.

**Section 31.** Amends the qualifications of a person appointed by the governor to fill a vacancy in the state legislature. The changes relate to the bill's establishment of a top two blanket primary system.

**Sections 32 - 33.** Provide for the conditions for, and timing of, the special primary election and subsequent special election to fill the office of state senator.

**Section 34.** Requires the governor to issue a proclamation calling for a special primary election and special election for the office of state senator at least 50 days before the special primary election.

**Section 35.** Provides that a petition for the nomination of a candidate for a vacancy in the state senate must be executed under oath and state in substance that which is required under AS 15.25.030 (declaration of candidacy).

**Section 36.** Provides, unless specifically provided otherwise, that a special primary election and subsequent special election to fill a vacancy in the state senate will be conducted in the same manner as a regular primary or general election.

**Section 37.** Requires a statement to be written in bold and placed in a conspicuous location in the general election pamphlet that a political party or group preference indicated by a candidate on the ballot reflects only the designation requested by that candidate and is not an official endorsement by any political party or group.

**Section 38.** Removes language relating to individuals who become candidates through party petition.

**Section 39.** Eliminates a paragraph requiring a political group to submit its bylaws to the director and the United States Department of Justice.

**Section 40.** Changes the definition of "political party."

**Section 41.** Removes a reference to a statute repealed by the bill.

**Section 42.** Repeals AS 15.25.014, 15.25.056, 15.25.110, 15.25.120, 15.25.130, 15.25.140, 15.25.150, 15.25.160, 15.25.170, 15.25.180, 15.25.185, 15.25.190, 15.25.200; AS 15.40.145, 15.40.150, 15.40.200, 15.40.210, 15.40.290, 15.40.300, 15.40.450, 15.40.460; AS 15.56.030(a)(4), 15.56.030(a)(5), and 15.56.035(a)(5).

**Section 43.** Requires the director of elections to inform voters of the changes made to the state's election system under the bill.

TLAB:ljw  
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