

REPRESENTATIVE JUSTIN PARISH

Alaska State Legislature / Juneau, Alaska District 34



Sectional Analysis

HB 390 – RANKED-CHOICE PRIMARY ELECTIONS

Section 1 amends AS 15.10.170(b) to allow each candidate to appoint one watcher in each precinct and counting center.

Section 2 amends AS 15.13.074(c) prohibiting a person or group from contributing within 18 months of a general election, proclamation of a special election, or regular municipal election. It prohibits contributions after the 45th day to the unnominate individual of a primary, or after the general or special election, or the municipal or municipal runoff election.

Section 3 amends AS 15.15.030 replaces current election methods with ranked choice voting for the governor, lieutenant governor, state legislature, and United States Congress. General and Special Election's will use ranked choice voting for the state legislature and United States Congress. The general and special elections for governor and lieutenant governor seats are elected using the current plurality system. This is to conform with Article III Section 3 of the Alaska Constitution.

Section 4 amends AS 15.15.350 to subsections (c) through (f) defining how to implement ranked choice voting and offers definitions for words related to ranked choice voting.

Section 5 amends AS 15.15.360(a) to allow the use of Roman or Arabic numbers to rank their preference; Failure to mark one candidate does not invalidate the whole ballot; Correctly marked names do count; When more than one name is marked for governor or lieutenant governor at a general or special election, the vote may not count; The mark only counts if it is clearly inside the provided oval and it is clear of the voters intent; Improper marks aren't counted but do not invalidate properly marked candidates.

Section 6 amends AS 15.15.370 to include the number of votes on the ballot count certificate at each round of the ranked choice tabulation process and number of votes.

Section 7 amends AS 15.15.450 to include certification of ranked choice vote winner. The governor and lieutenant governor race receiving the highest number of votes (plurality) is the winner.

Section 8 amends AS 15.20.081(h) to accept absentee ballots by mail from outside the U.S. and overseas voter qualifying under AS 15.05.011.

Section 9 amends AS 15.20.203(i) requiring the elections director to mail voter materials within the designated time-period.

Section 10 amends AS 15.20.203(j) to state the director must make access to the free access system to absentee voters to check the status of their absentee ballot within the designated time-period.

Section 11 amends AS 15.20.207(i) to state the director must mail ballot materials within the designated time-period.

Section 12 amends AS 15.20.207(k) to conform to Section 10.

Section 13 amends AS 15.20.211(d) to conform to Section 11.

Section 14 amends AS 15.20.211(f) to conform to Section 10.

Section 15 amends AS 15.25.010 to require ranked choice voting in all primary elections. It declares rules for nonpartisan and partisan voters.

Section 16 amends AS 15.25.060 to state voters should rank candidates by preference but not assign the same rank to more than one candidate.

Section 17 amends AS 15.25.100 to require the candidate with the largest number of votes per political party to go on the general election ballot. In the event a tie, the tie is broken by lot under AS 15.20.530.

Section 18 amends AS 15.40.142(c) to state the requirements for holding a scheduled primary or general election.

Section 19 amends AS 15.40.160. requiring the governor to issue the proclamation at least 50 days before the special election. Section 20 amends AS 15.40.165 that a U.S. Senator who wins a special election to fill the remainder of an unexpired term, shall take office when the U.S. House meets, convenes, or reconvenes following the election certification.

Section 21 amends AS 15.40.170 that a U.S. Representative who wins a special election to fill the remainder of an unexpired term, shall take office when the U.S. House meets, convenes, or reconvenes following the election certification.

Section 22 amends AS 15.58.020(a) to require a statement is posted in a conspicuous location and explains how to vote in each race.

Section 23 amends AS 15.58.020 to say if a pamphlet is prepared for a primary election it must contain the exact statement written in bold in a conspicuous location. The statement explains how ranked choice voting works.

Section 24 amends AS 15.80.010 to explain the definition of ranked choice voting.

Section 25 repeals AS 15.40.141, 15.40.142(b), and 15.40.150 are repealed.

Section 26 amends the uncodified law of the State of Alaska to give the director of elections at least one full election cycle to educate the public on ranked choice voting.