

CS FOR HOUSE BILL NO. 4(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES VANCE, Rauscher, McCabe, Tomaszewski

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to elections."**

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

3 * **Section 1.** AS 15.10.120(c) is amended to read:

4 (c) An election supervisor shall appoint one nominee of the political party **of**
5 **which the governor is a member** [OR POLITICAL GROUP WITH THE LARGEST
6 NUMBER OF REGISTERED VOTERS AT THE TIME OF THE PRECEDING
7 GUBERNATORIAL ELECTION] and one nominee of the political party **that**
8 **received** [OR POLITICAL GROUP WITH] the second largest number of **votes**
9 **statewide in** [REGISTERED VOTERS AT THE TIME OF] the preceding
10 gubernatorial election. **If** [HOWEVER, THE ELECTION SUPERVISOR MAY
11 APPOINT A QUALIFIED PERSON REGISTERED AS A MEMBER OF A THIRD
12 POLITICAL PARTY OR POLITICAL GROUP OR AS A NONPARTISAN OR
13 UNDECLARED VOTER IF] a party district committee or state party central
14 committee of the party **of which the governor is a member** [OR GROUP WITH
15 THE LARGEST NUMBER OF REGISTERED VOTERS] or the party **that received**

1 [OR GROUP WITH] the second largest number of votes statewide in [REGISTERED
 2 VOTERS AT THE TIME OF] the preceding gubernatorial election fails to present the
 3 names prescribed by (b) of this section by April 15 of a regular election year or at least
 4 60 days before a special [PRIMARY] election, the election supervisor may appoint
 5 any qualified individual registered to vote.

6 * **Sec. 2.** AS 15.10.170 is amended to read:

7 **Sec. 15.10.170. Appointment and privileges of watchers.** (a) The precinct
 8 party committee, where an organized precinct committee exists, or the party district
 9 committee where no organized precinct committee exists, or the state party
 10 chairperson where neither a precinct nor a party district committee exists, may appoint
 11 one or more persons as watchers in each precinct and counting center for any election.
 12 Each candidate not representing a political party may appoint one or more watchers
 13 for each precinct or counting center in the candidate's respective district or the state for
 14 any election. Any organization or organized group that sponsors or opposes an
 15 initiative, referendum, or recall may have one or more persons as watchers at the polls
 16 and counting centers after first obtaining authorization from the director. A state party
 17 chairperson, a precinct party committee, a party district committee, or a candidate not
 18 representing a political party or organization or organized group may not have
 19 more than one watcher on duty at a time in any precinct or counting center. A watcher
 20 must be a United States citizen. The watcher may be present at a position inside the
 21 place of voting or counting that affords a full view of all action of the election officials
 22 taken from the time the polls are opened until the ballots are finally counted and the
 23 results certified by the election board or the data processing review board. The
 24 election board or the data processing review board may require each watcher to
 25 present written proof showing appointment by the precinct party committee, the party
 26 district committee, the organization or organized group, or the candidate the watcher
 27 represents that is signed by the chairperson of the precinct party committee, the
 28 party district committee, the state party chairperson, the organization or
 29 organized group, or the candidate representing no party.

30 (b) In addition to the watchers appointed under (a) of this section, in a primary
 31 election, [OR] special [PRIMARY] election [OR SPECIAL ELECTION] under

1 AS 15.40.140, or special runoff election under AS 15.40.143, each candidate may
2 appoint one watcher in each precinct and counting center.

3 * **Sec. 3.** AS 15.13.020(b) is amended to read:

4 (b) The governor shall appoint two members of each of the two political
5 parties whose candidate for governor received the highest number of votes in [OR
6 POLITICAL GROUPS WITH THE LARGEST NUMBER OF REGISTERED
7 VOTERS AT THE TIME OF] the most recent preceding general election at which a
8 governor was elected. The two appointees from each of these two parties [OR
9 GROUPS] shall be chosen from a list of four names to be submitted by the central
10 committee of each party [OR GROUP].

11 * **Sec. 4.** AS 15.13.020(d) is amended to read:

12 (d) Members of the commission serve staggered terms of five years, or until a
13 successor is appointed and qualifies. The terms of no two members who are members
14 of the same political party [OR POLITICAL GROUP] may expire in consecutive
15 years. A member may not serve more than one term. However, a person appointed to
16 fill the unexpired term of a predecessor may be appointed to a successive full five-year
17 term.

18 * **Sec. 5.** AS 15.13.040(j) is amended to read:

19 (j) Except as provided in (l) of this section, each nongroup entity shall make a
20 full report in accordance with AS 15.13.110 upon a form prescribed by the
21 commission and certified by the nongroup entity's treasurer, listing

22 (1) the name and address of each officer and director of the nongroup
23 entity;

24 (2) the aggregate amount of all contributions made to the nongroup
25 entity for the purpose of influencing the outcome of an election;

26 (3) for all contributions described in (2) of this subsection, the name,
27 address, date, and amount contributed by each contributor, **and** for all contributions
28 described in (2) of this subsection in excess of \$250 in the aggregate during a calendar
29 year, the principal occupation and employer of the contributor [, AND FOR ALL
30 CONTRIBUTIONS DESCRIBED IN (2) OF THIS SUBSECTION IN EXCESS OF
31 \$2,000 IN THE AGGREGATE DURING A CALENDAR YEAR, THE TRUE

1 SOURCE OF SUCH CONTRIBUTIONS AND ALL INTERMEDIARIES, IF ANY,
2 WHO TRANSFERRED SUCH FUNDS, AND A CERTIFICATION FROM THE
3 TREASURER THAT THE REPORT DISCLOSES ALL OF THE INFORMATION
4 REQUIRED BY THIS PARAGRAPH]; and

5 (4) the date and amount of all contributions made by the nongroup
6 entity, and, except as provided for certain independent expenditures in
7 AS 15.13.135(a), all expenditures made, incurred, or authorized by the nongroup
8 entity, for the purpose of influencing the outcome of an election; a nongroup entity
9 shall report contributions made to a different nongroup entity for the purpose of
10 influencing the outcome of an election and expenditures made on behalf of a different
11 nongroup entity for the purpose of influencing the outcome of an election as soon as
12 the total contributions and expenditures to that nongroup entity for the purpose of
13 influencing the outcome of an election reach \$500 in a year and for all subsequent
14 contributions and expenditures to that nongroup entity in a year whenever the total
15 contributions and expenditures to that nongroup entity for the purpose of influencing
16 the outcome of an election that have not been reported under this paragraph reach
17 \$500.

18 * **Sec. 6.** AS 15.13.074(b) is amended to read:

19 (b) A person or group may not make a contribution anonymously, using a
20 fictitious name, or using the name of another. [INDIVIDUALS, PERSONS,
21 NONGROUP ENTITIES, OR GROUPS SUBJECT TO AS 15.13.040(r) MAY NOT
22 CONTRIBUTE OR ACCEPT \$2,000 OR MORE OF DARK MONEY AS THAT
23 TERM IS DEFINED IN AS 15.13.400(5), AND MAY NOT MAKE A
24 CONTRIBUTION WHILE ACTING AS AN INTERMEDIARY WITHOUT
25 DISCLOSING THE TRUE SOURCE OF THE CONTRIBUTION AS DEFINED IN
26 AS 15.13.400(19).]

27 * **Sec. 7.** AS 15.13.074(c) is amended to read:

28 (c) A person or group may not make a contribution

29 (1) to a candidate or an individual who files with the commission the
30 document necessary to permit that individual to incur certain election-related expenses
31 as authorized by AS 15.13.100 when the office is to be filled at a general election

1 before the date that is 18 months before the general election;

2 (2) to a candidate or an individual who files with the commission the
3 document necessary to permit that individual to incur certain election-related expenses
4 as authorized by AS 15.13.100 for an office that is to be filled at a special election or
5 municipal election before the date that is 18 months before the date of the regular
6 municipal election or that is before the date of the proclamation of the special election
7 at which the candidate or individual seeks election to public office; or

8 (3) to any candidate later than the 45th day

9 (A) after the date of the primary [OR SPECIAL PRIMARY]
10 election if the candidate was on the ballot and was not nominated [CHOSEN
11 TO APPEAR ON THE GENERAL OR SPECIAL ELECTION BALLOT] at
12 the primary [OR SPECIAL PRIMARY] election; or

13 (B) after the date of the general [OR SPECIAL] election, or
14 after the date of a municipal or municipal runoff election.

15 * **Sec. 8.** AS 15.13.090(c) is amended to read:

16 (c) To satisfy the requirements of (a)(1) of this section and, if applicable,
17 (a)(2)(C) of this section, a communication that includes a print or video component
18 must have the following statement or statements placed in the communication so as to
19 be easily discernible [, AND, IN A BROADCAST, CABLE, SATELLITE,
20 INTERNET OR OTHER DIGITAL COMMUNICATION, THE STATEMENT
21 MUST REMAIN ONSCREEN THROUGHOUT THE ENTIRETY OF THE
22 COMMUNICATION]; the second statement is not required if the person paying for
23 the communication has no contributors or is a political party:

24 This communication was paid for by (person's name and city and state of
25 principal place of business). The top contributors of (person's name) are (the
26 name and city and state of residence or principal place of business, as
27 applicable, of the largest contributors to the person under
28 AS 15.13.090(a)(2)(C)).

29 * **Sec. 9.** AS 15.13.110(f) is amended to read:

30 (f) During the year in which the election is scheduled, each of the following
31 shall file the campaign disclosure reports in the manner and at the times required by

1 this section:

2 (1) a person who, under the regulations adopted by the commission to
3 implement AS 15.13.100, indicates an intention to become a candidate for elective
4 state executive or legislative office;

5 (2) a person who has filed a nominating petition under
6 AS 15.25.141 - 15.25.201 to become a candidate at the general election for elective
7 state executive or legislative office;

8 (3) a person who campaigns as a write-in candidate for elective state
9 executive or legislative office at the general election; and

10 (4) [(3)] a group or nongroup entity that receives contributions or
11 makes expenditures on behalf of or in opposition to a person described in (1) - (3) [(1)
12 OR (2)] of this subsection, except as provided for certain independent expenditures by
13 nongroup entities in AS 15.13.135(a).

14 * **Sec. 10.** AS 15.13.110(j) is amended to read:

15 (j) Before the primary election, a candidate seeking nomination by petition
16 under AS 15.25.141 - 15.25.201 [AS 15.25.140 - 15.25.200] for the office of
17 governor, lieutenant governor, state senator, or state representative shall file the
18 reports under (a)(1) and (2) of this section.

19 * **Sec. 11.** AS 15.13.390(a) is amended to read:

20 (a) A person who
21 [(1)] fails to register when required by AS 15.13.050(a) or who fails to
22 file a properly completed and certified report within the time required by
23 AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a
24 civil penalty of not more than \$50 a day for each day the delinquency continues as
25 determined by the commission subject to right of appeal to the superior court. A
26 person who fails to file a properly completed and certified report within the time
27 required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not
28 more than \$500 a day for each day the delinquency continues as determined by the
29 commission subject to right of appeal to the superior court. A person who [;

30 (2) WHETHER AS A CONTRIBUTOR OR INTERMEDIARY,
31 DELAYS IN REPORTING A CONTRIBUTION AS REQUIRED BY

1 AS 15.13.040(r) IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN
 2 \$1,000 A DAY FOR EACH DAY THE DELINQUENCY CONTINUES AS
 3 DETERMINED BY THE COMMISSION SUBJECT TO RIGHT OF APPEAL TO
 4 THE SUPERIOR COURT;

5 (3) WHETHER AS A CONTRIBUTOR OR INTERMEDIARY,
 6 MISREPORTS OR FAILS TO DISCLOSE THE TRUE SOURCE OF A
 7 CONTRIBUTION IN VIOLATION OF AS 15.13.040(r) OR 15.13.074(b) IS
 8 SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN THE AMOUNT OF
 9 THE CONTRIBUTION THAT IS THE SUBJECT OF THE MISREPORTING OR
 10 FAILURE TO DISCLOSE; UPON A SHOWING THAT THE VIOLATION WAS
 11 INTENTIONAL, A CIVIL PENALTY OF NOT MORE THAN THREE TIMES THE
 12 AMOUNT OF THE CONTRIBUTION IN VIOLATION MAY BE IMPOSED;
 13 THESE PENALTIES AS DETERMINED BY THE COMMISSION ARE SUBJECT
 14 TO RIGHT OF APPEAL TO THE SUPERIOR COURT;

15 (4)] violates a provision of this chapter, except **a provision requiring**
 16 **registration or filing of a report within a time required** as otherwise specified in
 17 this section, is subject to a civil penalty of not more than \$50 a day for each day the
 18 violation continues as determined by the commission, subject to right of appeal to the
 19 superior court. **An** [; AND

20 (5) IS ASSESSED A CIVIL PENALTY MAY SUBMIT TO THE
 21 COMMISSION AN] affidavit stating facts in mitigation **may be submitted to the**
 22 **commission by a person against whom a civil penalty is assessed. However** [;
 23 HOWEVER], the imposition of the penalties prescribed in this section or in
 24 AS 15.13.380 does not excuse that person from registering or filing reports required
 25 by this chapter.

26 * **Sec. 12.** AS 15.13.400(4) is amended to read:

27 (4) "contribution"

28 (A) means a purchase, payment, promise or obligation to pay,
 29 loan or loan guarantee, deposit or gift of money, goods, or services for which
 30 charge is ordinarily made, and includes the payment by a person other than a
 31 candidate or political party, or compensation for the personal services of

1 another person, that is rendered to the candidate or political party, and that is
2 made for the purpose of

3 (i) influencing the nomination or election of a
4 candidate;

5 (ii) influencing a ballot proposition or question; or

6 (iii) supporting or opposing an initiative proposal
7 application filed with the lieutenant governor under AS 15.45.020;

8 (B) does not include

9 (i) services provided without compensation by
10 individuals volunteering a portion or all of their time on behalf of a
11 political party, candidate, or ballot proposition or question;

12 (ii) ordinary hospitality in a home;

13 (iii) two or fewer mass mailings before each election by
14 each political party describing the party's slate of candidates for
15 [MEMBERS OF THE PARTY RUNNING AS CANDIDATES FOR
16 PUBLIC OFFICE IN THAT] election, which may include photographs,
17 biographies, and information about the party's candidates;

18 (iv) the results of a poll limited to issues and not
19 mentioning any candidate, unless the poll was requested by or designed
20 primarily to benefit the candidate;

21 (v) any communication in the form of a newsletter from
22 a legislator to the legislator's constituents, except a communication
23 expressly advocating the election or defeat of a candidate or a
24 newsletter or material in a newsletter that is clearly only for the private
25 benefit of a legislator or a legislative employee;

26 (vi) a fundraising list provided without compensation
27 by one candidate or political party to a candidate or political party; or

28 (vii) an opportunity to participate in a candidate forum
29 provided to a candidate without compensation to the candidate by
30 another person and for which a candidate is not ordinarily charged;

31 * **Sec. 13.** AS 15.15.030(5) is amended to read:

1 (5) The names of the candidates **and their party designations** shall be
2 placed in separate sections on the state general election ballot under the office
3 designation to which they were nominated. **The** [IF A CANDIDATE IS
4 REGISTERED AS AFFILIATED WITH A POLITICAL PARTY OR POLITICAL
5 GROUP, THE] party affiliation, if any, **shall** [MAY] be designated after the name of
6 the candidate [, UPON REQUEST OF THE CANDIDATE. IF A CANDIDATE HAS
7 REQUESTED DESIGNATION AS NONPARTISAN OR UNDECLARED, THAT
8 DESIGNATION SHALL BE PLACED AFTER THE NAME OF THE CANDIDATE.
9 IF A CANDIDATE IS NOT REGISTERED AS AFFILIATED WITH A POLITICAL
10 PARTY OR POLITICAL GROUP AND HAS NOT REQUESTED TO BE
11 DESIGNATED AS NONPARTISAN OR UNDECLARED, THE CANDIDATE
12 SHALL BE DESIGNATED AS UNDECLARED]. The lieutenant governor and the
13 governor shall be included under the same section. Provision shall be made for voting
14 for write-in **and no-party** candidates within each section. Paper ballots for the state
15 general election shall be printed on white paper.

16 * **Sec. 14.** AS 15.15.360(a) is amended to read:

17 (a) The election board shall count ballots according to the following rules:

18 (1) A voter may mark a ballot only by filling in, making "X" marks,
19 diagonal, horizontal, or vertical marks, solid marks, stars, circles, asterisks, checks, or
20 plus signs that are clearly spaced in the oval opposite the name of the candidate,
21 proposition, or question that the voter desires to designate. [IN A GENERAL
22 ELECTION, A VOTER MAY MARK A BALLOT THAT REQUIRES THE VOTER
23 TO VOTE FOR CANDIDATES IN ORDER OF RANKED PREFERENCE BY THE
24 USE OF NUMERALS THAT ARE CLEARLY SPACED IN ONE OF THE OVALS
25 OPPOSITE THE NAME OF THE CANDIDATE THAT THE VOTER DESIRES TO
26 DESIGNATE.]

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

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

31 (4) **If a voter marks more names than there are persons to be elected to**

1 the office, the votes for candidates for that office may not be counted.

2 (5) [(4)] The mark specified in (1) of this subsection shall be counted
3 only if it is substantially inside the oval provided, or touching the oval so as to indicate
4 clearly that the voter intended the particular oval to be designated.

5 (6) [(5)] Improper marks on the ballot may not be counted and do not
6 invalidate marks for candidates properly made.

7 (7) [(6)] An erasure or correction invalidates only that section of the
8 ballot in which it appears.

9 (8) [(7)] A vote marked for the candidate for President or Vice-
10 President of the United States is considered and counted as a vote for the election of
11 the presidential electors.

12 [(9) REPEALED

13 (10) REPEALED

14 (11) REPEALED

15 (12) REPEALED]

16 * **Sec. 15.** AS 15.15.370 is amended to read:

17 **Sec. 15.15.370. Completion of ballot count; certificate.** When the count of
18 ballots is completed, and in no event later than the day after the election, the election
19 board shall make a certificate in duplicate of the results. The certificate includes the
20 number of votes cast for each candidate, [INCLUDING, FOR A CANDIDATE IN A
21 GENERAL ELECTION, THE NUMBER OF VOTES AT EACH ROUND OF THE
22 RANKED-CHOICE TABULATION PROCESS UNDER AS 15.15.350, THE
23 NUMBER OF VOTES] for and against each proposition, yes or no on each question,
24 and any additional information prescribed by the director. The election board shall,
25 immediately upon completion of the certificate or as soon thereafter as the local mail
26 service permits, send in one sealed package to the director one copy of the certificate
27 and the register. In addition, all ballots properly cast shall be mailed to the director in a
28 separate, sealed package. Both packages, in addition to an address on the outside, shall
29 clearly indicate the precinct from which they come. Each board shall, immediately
30 upon completion of the certification and as soon thereafter as the local mail service
31 permits, send the duplicate certificate to the respective election supervisor. The

1 director may authorize election boards in precincts in those areas of the state where
2 distance and weather make mail communication unreliable to forward their election
3 results by telephone or radio. The director may authorize the unofficial totaling of
4 votes on a regional basis by election supervisors, tallying the votes as indicated on
5 duplicate certificates. To ensure adequate protection, the director shall prescribe the
6 manner in which the ballots, registers, and all other election records and materials are
7 thereafter preserved, transferred, and destroyed.

8 * **Sec. 16.** AS 15.15.450 is amended to read:

9 **Sec. 15.15.450. Certification of state ballot counting review.** Upon
10 completion of the state ballot counting review, the director shall certify the person
11 receiving the largest number of votes for the office for which that person was a
12 candidate as elected to that office [NOMINATED OR ELECTED, AS
13 APPLICABLE,] and shall certify the approval of a justice or judge not rejected by a
14 majority of the voters voting on the question. The director shall issue to the elected
15 candidates and approved justices and judges a certificate of their election or approval.
16 The director shall also certify the results of a proposition and other question except
17 that the lieutenant governor shall certify the results of an initiative, referendum, or
18 constitutional amendment.

19 * **Sec. 17.** AS 15.20.081(a) is amended to read:

20 (a) A qualified voter may apply in person, by mail, or by facsimile, scanning,
21 or other electronic transmission to the director for an absentee ballot under this
22 section. Another individual may apply for an absentee ballot on behalf of a qualified
23 voter if that individual is designated to act on behalf of the voter in a written general
24 power of attorney or a written special power of attorney that authorizes the other
25 individual to apply for an absentee ballot on behalf of the voter. The application must
26 include the address or, if the application requests delivery of an absentee ballot by
27 electronic transmission, the telephone electronic transmission number, to which the
28 absentee ballot is to be returned, the applicant's full Alaska residence address, and the
29 applicant's signature. However, a person residing outside the United States and
30 applying to vote absentee in federal elections in accordance with AS 15.05.011 need
31 not include an Alaska residence address in the application. A person may supply to a

1 voter an absentee ballot application form with a political party or group affiliation
2 indicated only if the voter is already registered as affiliated with the political party or
3 group indicated. **Only the voter or the individual designated by the voter in a**
4 **written power of attorney under this subsection may mark the voter's choice of**
5 **primary ballot on an application. A person supplying an absentee ballot**
6 **application form may not design or mark the application in a manner that**
7 **suggests choice of one ballot over another, except that ballot choices may be listed**
8 **on an application as authorized by the division.** The application must be made on a
9 form prescribed or approved by the director. The voter or registration official shall
10 submit the application directly to the division of elections. For purposes of this
11 subsection, "directly to the division of elections" means that an application may not be
12 submitted to any intermediary that could control or delay the submission of the
13 application to the division or gather data on the applicant from the application form.
14 However, nothing in this subsection is intended to prohibit a voter from giving a
15 completed absentee ballot application to a friend, relative, or associate for transfer to
16 the United States Postal Service or a private commercial delivery service for delivery
17 to the division.

18 * **Sec. 18.** AS 15.20.081(h) is amended to read:

19 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail
20 from outside the United States or from an overseas voter qualifying under
21 AS 15.05.011 that has been marked and mailed not later than election day may not be
22 counted unless the ballot is received by the election supervisor not later than the close
23 of business on the

24 (1) 10th day following a primary election or special [PRIMARY]
25 election under AS 15.40.140; or

26 (2) 15th day following a general election, **special runoff election,** or
27 special election, other than a special [PRIMARY] election described in (1) of this
28 subsection.

29 * **Sec. 19.** AS 15.20.190(a) is amended to read:

30 (a) Thirty days before the date of an election, the election supervisors shall
31 appoint, in the same manner provided for the appointment of election officials

1 prescribed in AS 15.10, district absentee ballot counting boards and district questioned
2 ballot counting boards, each composed of at least four members. At least one member
3 of each board must be a member of the same political party **of which the governor is**
4 **a member** [OR POLITICAL GROUP WITH THE LARGEST NUMBER OF
5 REGISTERED VOTERS AT THE TIME OF THE PRECEDING
6 GUBERNATORIAL ELECTION], and at least one member of each board must be a
7 member of the political party **whose candidate for governor received the second**
8 **largest number of votes in** [OR POLITICAL GROUP WITH THE SECOND
9 LARGEST NUMBER OF REGISTERED VOTERS AT THE TIME OF] the
10 preceding gubernatorial election. The district boards shall assist the election
11 supervisors in counting the absentee and questioned ballots and shall receive the same
12 compensation paid election officials under AS 15.15.380.

13 * **Sec. 20.** AS 15.20.203(i) is amended to read:

14 (i) The director shall mail the materials described in (h) of this section to the
15 voter not later than

16 (1) 10 days after completion of the review of ballots by the state
17 review board for a primary election or **for** a special [PRIMARY] election under
18 AS 15.40.140 **that is followed by a special runoff election;**

19 (2) 60 days after certification of the results of a general election,
20 **special runoff election,** or special election other than a special [PRIMARY] election
21 described in (1) of this subsection.

22 * **Sec. 21.** AS 15.20.203(j) is amended to read:

23 (j) The director shall make available through a free access system to each
24 absentee voter a system to check to see whether the voter's ballot was counted and, if
25 not counted, the reason why the ballot was not counted. The director shall make this
26 information available through the free access system not less than

27 (1) 10 days after certification of the results of a primary election, or a
28 special [PRIMARY] election under AS 15.40.140 **that is followed by a special**
29 **runoff election;** and

30 (2) 30 days after certification of the results of a general or special
31 election, other than a special [PRIMARY] election described in (1) of this subsection.

1 * **Sec. 22.** AS 15.20.207(i) is amended to read:

2 (i) The director shall mail the materials described in (h) of this section to the
3 voter not later than

4 (1) 10 days after completion of the review of ballots by the state
5 review board for a primary election, or **for** a special [PRIMARY] election under
6 AS 15.40.140 **that is followed by a special runoff election;**

7 (2) 60 days after certification of the results of a general or special
8 election, other than a special [PRIMARY] election described in (1) of this subsection.

9 * **Sec. 23.** AS 15.20.207(k) is amended to read:

10 (k) The director shall make available through a free access system to each
11 voter voting a questioned ballot a system to check to see whether the voter's ballot was
12 counted and, if not counted, the reason why the ballot was not counted. The director
13 shall make this information available through the free access system not less than

14 (1) 10 days after certification of the results of a primary election, or a
15 special [PRIMARY] election under AS 15.40.140 **that is followed by a special**
16 **runoff election;** and

17 (2) 30 days after certification of the results of a general or special
18 election, other than a special [PRIMARY] election described in (1) of this subsection.

19 * **Sec. 24.** AS 15.20.211(d) is amended to read:

20 (d) The director shall mail the materials described in (c) of this section to the
21 voter not later than

22 (1) 10 days after completion of the review of ballots by the state
23 review board for a primary election, or **for** a special [PRIMARY] election under
24 AS 15.40.140 **that is followed by a special runoff election;**

25 (2) 60 days after certification of the results of a general or special
26 election, other than a special [PRIMARY] election described in (1) of this subsection.

27 * **Sec. 25.** AS 15.20.211(f) is amended to read:

28 (f) The director shall make available through a free access system to each
29 voter whose ballot was subject to partial counting under this section a system to check
30 to see whether the voter's ballot was partially counted and, if not counted, the reason
31 why the ballot was not counted. The director shall make this information available

1 through the free access system not less than

2 (1) 10 days after certification of the results of a primary election, or a
3 special [PRIMARY] election under AS 15.40.140 that is followed by a special
4 runoff election; and

5 (2) 30 days after the certification of the results of a general or special
6 election, other than a special [PRIMARY] election described in (1) of this subsection.

7 * **Sec. 26.** AS 15.25.010 is amended to read:

8 **Sec. 15.25.010. Provision for primary election.** Candidates for the elective
9 state executive and state and national legislative offices shall be nominated in a
10 primary election by direct vote of the people in the manner prescribed by this chapter.
11 Unless two or more political parties have jointly requested a combined primary
12 election ballot, the director shall prepare and provide a primary election ballot
13 for each political party. The director shall prepare and provide a combined
14 primary election ballot for two or more parties that have jointly requested a
15 combined primary election ballot. A voter registered as affiliated with a political
16 party may vote that party's ballot, or, a combined primary election ballot if the
17 party's candidates are listed on the combined primary election ballot. A voter
18 registered as nonpartisan or undeclared rather than as affiliated with a
19 particular political party may vote the political party ballot or combined primary
20 election ballot of the voter's choice unless prohibited from doing so under
21 AS 15.25.015. A voter registered as affiliated with a political party may not vote
22 the ballot of a different political party or a combined primary election ballot that
23 only includes candidates of political parties other than the party the voter is
24 registered as affiliated with unless permitted to do so under AS 15.25.015 [THE
25 PRIMARY ELECTION DOES NOT SERVE TO DETERMINE THE NOMINEE OF
26 A POLITICAL PARTY OR POLITICAL GROUP BUT SERVES ONLY TO
27 NARROW THE NUMBER OF CANDIDATES WHOSE NAMES WILL APPEAR
28 ON THE BALLOT AT THE GENERAL ELECTION. EXCEPT AS PROVIDED IN
29 AS 15.25.100(d), ONLY THE FOUR CANDIDATES WHO RECEIVE THE
30 GREATEST NUMBER OF VOTES FOR ANY OFFICE SHALL ADVANCE TO
31 THE GENERAL ELECTION].

1 * **Sec. 27.** AS 15.25 is amended by adding a new section to read:

2 **Sec. 15.25.015. Participation in primary election selection of a political**
3 **party's candidates.** (a) Not later than 5:00 p.m., Alaska time, on September 1 of the
4 calendar year before the calendar year in which a primary election is to be held, a
5 political party shall submit a notice in writing to the director stating whether the party
6 bylaws expand or limit who may participate in the primary election for selection of the
7 party's candidates for elective state executive and state and national legislative offices
8 and whether the party requests a combined primary election ballot. If the party
9 requests a combined primary election ballot, the party shall request the combined
10 primary election ballot jointly with the other parties requesting the combined primary
11 election ballot. A copy of the party's bylaws expanding or limiting who may
12 participate in the primary election for selection of the party's candidates,
13 documentation required under (b) of this section, and other information required by
14 the director, must be submitted along with the notice. The notice, bylaws,
15 documentation, and other information required by the director shall be provided by the
16 party's chairperson or another party official designated by the party's bylaws.

17 (b) Once a political party timely submits a notice and bylaws under (a) of this
18 section and the director finds that the party has met the requirements of this chapter
19 and other applicable laws, the director shall permit a voter registered as affiliated with
20 another party to vote the party's ballot or a combined primary election ballot that
21 includes the party's candidates if the voter is permitted by the party's bylaws to
22 participate in the selection of the party's candidates and may not permit a voter
23 registered as nonpartisan or undeclared to vote a party's ballot or a combined primary
24 election ballot that includes the party's candidates if the party's bylaws restrict
25 participation by nonpartisan or undeclared voters in the party's primary; however, for a
26 subsequent primary election, the party shall timely submit another notice, bylaws,
27 documentation, and other information under (a) of this section if the party's bylaws
28 regarding who may participate in the primary election for selection of the party's
29 candidates change.

30 * **Sec. 28.** AS 15.25.030(a) is amended to read:

31 (a) A **member of a political party** [PERSON] who seeks to become a

1 candidate of the party in the primary election [OR A SPECIAL PRIMARY
2 ELECTION] shall execute and file a declaration of candidacy. The declaration shall be
3 executed under oath before an officer authorized to take acknowledgments and must
4 state in substance

5 (1) the full name of the candidate;

6 (2) the full mailing address of the candidate;

7 (3) if the candidacy is for the office of state senator or state
8 representative, the house or senate district of which the candidate is a resident;

9 (4) the office for which the candidate seeks nomination;

10 (5) the name of the political party of which the person is a candidate
11 for nomination [OR POLITICAL GROUP WITH WHICH THE CANDIDATE IS
12 REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD
13 PREFER A NONPARTISAN OR UNDECLARED DESIGNATION PLACED
14 AFTER THE CANDIDATE'S NAME ON THE BALLOT];

15 (6) the full residence address of the candidate, and the date on which
16 residency at that address began;

17 (7) the date of the primary election [OR SPECIAL PRIMARY
18 ELECTION] at which the candidate seeks nomination;

19 (8) the length of residency in the state and in the district of the
20 candidate;

21 (9) that the candidate will meet the specific citizenship requirements of
22 the office for which the person is a candidate;

23 (10) that the candidate is a qualified voter as required by law;

24 (11) that the candidate will meet the specific age requirements of the
25 office for which the person is a candidate; if the candidacy is for the office of state
26 representative, that the candidate will be at least 21 years of age on the first scheduled
27 day of the first regular session of the legislature convened after the election; if the
28 candidacy is for the office of state senator, that the candidate will be at least 25 years
29 of age on the first scheduled day of the first regular session of the legislature convened
30 after the election; if the candidacy is for the office of governor or lieutenant governor,
31 that the candidate will be at least 30 years of age on the first Monday in December

1 following election or, if the office is to be filled by special election under
2 AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on the
3 date of certification of the results of the special election; or, for any other office, by
4 the time that the candidate, if elected, is sworn into office;

5 (12) that the candidate requests that the candidate's name be placed on
6 the primary [ELECTION OR SPECIAL PRIMARY] election ballot;

7 (13) that the required fee accompanies the declaration;

8 (14) that the person is not a candidate for any other office to be voted
9 on at the primary or general election and that the person is not a candidate for this
10 office under any other declaration of candidacy or nominating petition; **and**

11 (15) the manner in which the candidate wishes the candidate's name to
12 appear on the ballot [;

13 (16) IF THE CANDIDACY IS FOR THE OFFICE OF THE
14 GOVERNOR, THE NAME OF THE CANDIDATE FOR LIEUTENANT
15 GOVERNOR RUNNING JOINTLY WITH THE CANDIDATE FOR GOVERNOR;
16 AND

17 (17) IF THE CANDIDACY IS FOR THE OFFICE OF LIEUTENANT
18 GOVERNOR, THE NAME OF THE CANDIDATE FOR GOVERNOR RUNNING
19 JOINTLY WITH THE CANDIDATE FOR LIEUTENANT GOVERNOR].

20 * **Sec. 29.** AS 15.25 is amended by adding a new section to read:

21 **Sec. 15.25.057. Nomination by party petition where incumbent dies or is**
22 **disqualified or incapacitated.** (a) If an unopposed incumbent candidate for
23 renomination dies, becomes disqualified from holding the office the candidate is
24 seeking, or is certified as being incapacitated between June 1 of the election year and
25 that date which is more than 54 days before the date of the primary election, the
26 candidate's place on the ballot may be filled by party petition. The petition shall state
27 that the political party requests the name of the proposed candidate replace that of the
28 incumbent on the primary election ballot and shall be accompanied by a declaration of
29 candidacy from the person named in the petition. The petition must be received by the
30 director not later than 14 days after the death, disqualification, or certification of
31 incapacity of the incumbent or 52 days before the primary election date, whichever

1 time is earlier.

2 (b) The method for certifying an incumbent candidate for nomination as being
3 incapacitated, the method for selecting the person who is to be named in the party
4 petition, and the method for placing the name of the person selected on the primary
5 nomination ballot are the same as those prescribed in AS 15.25.111 and 15.25.131
6 relating to filling vacancies of party nominees in a general election.

7 (c) The death, disqualification, or certification of incapacity of the incumbent
8 within 52 days before or on the primary election date does not affect the counting and
9 review of the ballots. If the result of the counting and review discloses that the
10 candidate, if the candidate had lived, would have been nominated, the candidate shall
11 be declared nominated. The vacancy may be filled by party petition as provided in
12 AS 15.25.111 - 15.25.131.

13 * **Sec. 30.** AS 15.25.060 is repealed and reenacted to read:

14 **Sec. 15.25.060. Preparation and distribution of ballots; appropriate ballot.**

15 (a) The primary election ballots shall be prepared and distributed by the director in the
16 manner prescribed in this section. Unless two or more political parties have jointly
17 requested a combined primary election ballot, the director shall prepare and provide a
18 primary election ballot for each political party that contains all of the candidates of
19 that party for elective state executive and state and national legislative offices and all
20 of the ballot titles and propositions required to appear on the ballot at the primary
21 election. Upon the joint request of two or more political parties, the director shall
22 prepare and provide a combined primary election ballot for those parties that contains
23 all of the candidates of the parties for elective state executive and state and national
24 legislative offices and all of the ballot titles and propositions required to appear on the
25 ballot at the primary election. The director shall print the ballots on white paper and
26 place the names of all candidates who have properly filed in groups according to
27 offices. The order of the placement of the names for each office shall be as provided
28 for the general election ballot. Blank spaces may not be provided on the ballot for the
29 writing or pasting in of names. The director shall also prepare and print a separate
30 primary election ballot including only the ballot titles and propositions required to
31 appear on the ballot.

1 (b) A voter may vote only one primary election ballot. A voter may vote a
2 political party ballot only if the voter is registered as affiliated with that party, is
3 allowed to participate in the party primary under the party's bylaws, or is registered as
4 nonpartisan or undeclared rather than as affiliated with a particular political party and
5 the party's bylaws do not restrict participation by nonpartisan or undeclared voters in
6 the party's primary. A voter may vote a combined primary election ballot only if the
7 voter is registered as affiliated with a party appearing on the ballot, is allowed to
8 participate in the party primary under the parties' bylaws, or is registered as
9 nonpartisan or undeclared rather than as affiliated with a particular political party and
10 the parties' bylaws do not restrict participation by nonpartisan or undeclared voters in
11 the parties' primaries. For the purpose of determining which primary election ballot a
12 voter may use, a voter's party affiliation is considered to be the affiliation registered
13 with the director as of the 30th day before the primary election. If a voter changes
14 party affiliation within the 30 days before the primary election, the voter's previous
15 party affiliation shall be used for the determination under this subsection.

16 (c) If a voter is not voting in person and has requested an absentee ballot or
17 special needs ballot but has not indicated a choice of ballot, the director shall provide
18 the voter with the ballot listing the candidates of the political party or group with
19 which the voter is affiliated, as determined under (b) of this section.

20 * **Sec. 31.** AS 15.25.100 is repealed and reenacted to read:

21 **Sec. 15.25.100. Placement of nominees on general election ballot.** The
22 director shall place the name of the candidate receiving the highest number of votes
23 for an office by a political party on the general election ballot.

24 * **Sec. 32.** AS 15.25.105(a) is amended to read:

25 (a) If a candidate does not appear on the primary election ballot or is not
26 successful in advancing to the general election and wishes to be a candidate in the
27 general election, the candidate may file as a write-in candidate. Votes for a write-in
28 candidate may not be counted unless that candidate has filed a letter of intent with the
29 director stating

30 (1) the full name of the candidate;

31 (2) the full residence address of the candidate and the date on which

1 residency at that address began;

2 (3) the full mailing address of the candidate;

3 (4) the **name of the** political party or political group **of which the**
4 **candidate is a member, if any** [WITH WHICH THE CANDIDATE IS
5 REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD
6 PREFER A NONPARTISAN OR UNDECLARED DESIGNATION];

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

9 (6) the office that the candidate seeks;

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 house district of the
12 candidate;

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

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

17 (11) that the candidate will meet the specific age requirements of the
18 office for which the person is a candidate; if the candidacy is for the office of state
19 representative, that the candidate will be at least 21 years of age on the first scheduled
20 day of the first regular session of the legislature convened after the election; if the
21 candidacy is for the office of state senator, that the candidate will be at least 25 years
22 of age on the first scheduled day of the first regular session of the legislature convened
23 after the election; if the candidacy is for the office of governor or lieutenant governor,
24 that the candidate will be at least 30 years of age on the first Monday in December
25 following election or, if the office is to be filled by special election under
26 AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on the
27 date of certification of the results of the special election; or, for any other office, by
28 the time that the candidate, if elected, is sworn into office;

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

30 (13) that the candidate is not a candidate for any other office to be
31 voted on at the general election and that the candidate is not a candidate for this office

1 under any other nominating petition or declaration of candidacy.

2 * **Sec. 33.** AS 15.25.105(b) is amended to read:

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

6 * **Sec. 34.** AS 15.25 is amended by adding new sections to article 1 to read:

7 **Sec. 15.25.111. Filling vacancies by party petition.** If a candidate of a
8 political party nominated at the primary election dies, withdraws, resigns, becomes
9 disqualified from holding the office for which the candidate is nominated, or is
10 certified as being incapacitated in the manner prescribed by this section after the
11 primary election and 64 days or more before the general election, the vacancy may be
12 filled by party petition. The central committee of any political party or any party
13 district committee may certify as being incapacitated any candidate nominated by their
14 respective party by presenting to the director a sworn statement made by a panel of
15 three licensed physicians, not more than two of whom may be of the same political
16 party, that the candidate is physically or mentally incapacitated to an extent that
17 would, in the panel's judgment, prevent the candidate from active service during the
18 term of office if elected. The director shall place the name of the person nominated by
19 party petition on the general election ballot. The name of a candidate disqualified
20 under this section may not appear on the general election ballot.

21 **Sec. 15.25.121. Requirements for party petition.** Party petitions for the
22 nomination of candidates shall state in substance that the political party desires and
23 intends to support the named candidate for the named office and requests that the
24 name of the proposed candidate be placed on the general election ballot. The petition
25 may be filed not later than 64 days before the date of the general election.

26 **Sec. 15.25.131. Selection of nominees for party petition.** The nominees of
27 political parties by party petition may be selected for statewide offices by the state
28 party central committee or in any other manner prescribed by the party bylaws, and the
29 petition for statewide offices shall be signed by the state chairperson of the political
30 party or, in the absence of the state chairperson, by any two members of the state party
31 central committee. The nominees of political parties by party petition may be selected

1 for district-wide offices by the respective party district committee or in any other
2 manner prescribed by the party bylaws, and the petition for district-wide offices shall
3 be signed by the chairperson of the party district committee, or in the absence of the
4 chairperson, by any two members of the party district committee, or in any other
5 manner prescribed by the party bylaws. The petition may be delivered in person or by
6 mail, facsimile, or other reliable electronic transmission.

7 * **Sec. 35.** AS 15.25 is amended by adding new sections to article 2 to read:

8 **Sec. 15.25.141. Provision for no-party candidate nominations.** Candidates
9 not representing a political party are nominated by petition.

10 **Sec. 15.25.151. Date of filing petition.** A candidate seeking nomination by
11 petition shall submit the information required under AS 15.25.181(a)(1) - (8) and (11)
12 - (17) to the director in the time and manner specified in AS 15.25.040. The full
13 petition with voter signatures shall be filed with the director by actual physical
14 delivery in person at or before 5:00 p.m., prevailing time, on the day of the primary
15 election in the year in which a general election is held for the office, or by actual
16 physical delivery to the director by registered or certified mail return receipt requested
17 which is postmarked at or before 5:00 p.m., prevailing time, on the day of the primary
18 election in the year in which a general election is held for the office, and received not
19 more than 15 days after that time. If the postmark is illegible, a dated receipt from the
20 post office where dispatched shall be acceptable as evidence of mailing.

21 **Sec. 15.25.161. Required number of signatures for statewide office.**
22 Petitions for the nomination of candidates for the office of governor, lieutenant
23 governor, United States senator, and United States representative shall be signed by
24 qualified voters of the state equal in number to at least one percent of the number of
25 voters who cast ballots in the preceding general election.

26 **Sec. 15.25.171. Required number of signatures for district-wide office.**
27 Petitions for the nomination of candidates for the office of state senator or state
28 representative shall be signed by qualified voters of the house or senate district in
29 which the proposed nominee desires to be a candidate equal in number to at least one
30 percent of the number of voters who cast ballots in the proposed nominee's respective
31 house or senate district in the preceding general election. A nominating petition may

1 not contain fewer than 50 signatures for any district.

2 **Sec. 15.25.181. Requirements for petition.** (a) The petition must state in
3 substance

4 (1) the full name of the candidate;

5 (2) the full residence address of the candidate and the date on which
6 residency at that address began;

7 (3) the full mailing address of the candidate;

8 (4) the name of the political group, if any, supporting the candidate;

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

11 (6) the office for which the candidate is nominated;

12 (7) the date of the election at which the candidate seeks election;

13 (8) the length of residency in the state and in the district of the
14 candidate;

15 (9) that the subscribers are qualified voters of the state or house or
16 senate district in which the candidate resides;

17 (10) that the subscribers request that the candidate's name be placed on
18 the general election ballot;

19 (11) that the proposed candidate accepts the nomination and will serve
20 if elected with the statement signed by the proposed candidate;

21 (12) the name of the candidate as the candidate wishes it to appear on
22 the ballot;

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

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

28 (15) that the candidate will meet the specific age requirements of the
29 office for which the person is a candidate; if the candidacy is for the office of state
30 representative, that the candidate will be at least 21 years of age on the first scheduled
31 day of the first regular session of the legislature convened after the election; if the

1 candidacy is for the office of state senator, that the candidate will be at least 25 years
2 of age on the first scheduled day of the first regular session of the legislature convened
3 after the election; and if the candidacy is for the office of governor or lieutenant
4 governor, that the candidate will be at least 30 years of age on the first Monday in
5 December following the election or, if the office is to be filled by special election
6 under AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on
7 the date of certification of the results of the special election; or, for any other office,
8 by the time that the candidate, if elected, is sworn into office;

9 (16) that the candidate is a qualified voter; and

10 (17) if the candidacy is for the office of the governor, the name of the
11 candidate for lieutenant governor running jointly with the candidate for governor.

12 (b) A person filing a nominating petition under this section, other than a
13 person subject to AS 24.60 who is filing a petition for a state legislative office, shall
14 simultaneously file with the director a statement of income sources and business
15 interests that complies with the requirements of AS 39.50. A person who is subject to
16 AS 24.60 and is filing a nominating petition for state legislative office shall
17 simultaneously file with the director a disclosure statement that complies with the
18 requirements of AS 24.60.200.

19 (c) An incumbent public official, other than a legislator, who has a current
20 statement of income sources and business interests under AS 39.50 on file with the
21 Alaska Public Offices Commission, or an incumbent legislator who has a current
22 disclosure statement under AS 24.60.200 on file with the Alaska Public Offices
23 Commission, is not required to file a statement of income sources and business
24 interests or a disclosure statement with the nominating petition under (b) of this
25 section.

26 **Sec. 15.25.186. Eligibility of candidate.** The provisions of AS 15.25.042 and
27 15.25.043 apply to determinations of a candidate's eligibility when a candidate seeks
28 nomination by petition under AS 15.25.141 - 15.25.201.

29 **Sec. 15.25.191. Placement of names on general election ballot.** The director
30 shall place the names and the political group affiliation of persons who have been
31 properly nominated by petition on the general election ballot.

1 **Sec. 15.25.201. Withdrawal of candidate's name.** If a candidate nominated
 2 by petition dies or withdraws after the petition has been filed and 64 days or more
 3 before the general election, the director may not place the name of the candidate on
 4 the general election ballot.

5 * **Sec. 36.** AS 15.30.010 is amended to read:

6 **Sec. 15.30.010. Provision for selection of electors.** Electors of President and
 7 Vice President of the United States are selected by election at the general election in
 8 presidential election years [, IN THE MANNER AND AS DETERMINED BY THE
 9 RANKED-CHOICE METHOD OF TABULATING VOTES DESCRIBED IN
 10 AS 15.15.350 - 15.15.370].

11 * **Sec. 37.** AS 15.40.140 is amended to read:

12 **Sec. 15.40.140. Condition of calling [SPECIAL PRIMARY ELECTION**
 13 **AND] special election.** When a vacancy occurs in the office of United States senator
 14 or United States representative, the governor shall, by proclamation, call a special
 15 [PRIMARY] election under AS 15.40.144(a); however, [TO BE HELD ON A DATE
 16 NOT LESS THAN 60, NOR MORE THAN 90, DAYS AFTER THE DATE THE
 17 VACANCY OCCURS, TO BE FOLLOWED BY A SPECIAL ELECTION ON THE
 18 FIRST TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING NOT LESS
 19 THAN 60 DAYS AFTER THE SPECIAL PRIMARY ELECTION. HOWEVER, IN
 20 AN ELECTION YEAR IN WHICH A CANDIDATE FOR THAT OFFICE IS NOT
 21 REGULARLY ELECTED,] if the vacancy occurs on a date that is [NOT] less than 60
 22 days [, NOR MORE THAN 90,] before or is on or after the date of

23 [(1)] the primary election in the general election year during which
 24 a candidate to fill the office is regularly elected, the governor may not call a [,
 25 THE] special [PRIMARY] election [SHALL BE HELD ON THE DATE OF THE
 26 PRIMARY ELECTION WITH THE SUBSEQUENT SPECIAL ELECTION TO BE
 27 HELD ON THE DATE OF THE GENERAL ELECTION; OR

28 (2) THE GENERAL ELECTION, THE SPECIAL PRIMARY
 29 ELECTION SHALL BE HELD ON THE DATE OF THE GENERAL ELECTION
 30 WITH THE SUBSEQUENT SPECIAL ELECTION TO BE HELD ON THE FIRST
 31 TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING NOT LESS THAN

1 60 DAYS AFTER THE SPECIAL PRIMARY AND GENERAL ELECTION].

2 * **Sec. 38.** AS 15.40 is amended by adding new sections to read:

3 **Sec. 15.40.143. Condition of calling a special runoff election.** (a) If no
4 candidate in a special election called under AS 15.40.140 receives over 50 percent of
5 the votes cast for the office, the governor shall, by proclamation, call a special runoff
6 election under AS 15.40.144(b).

7 (b) In a special runoff election called under (a) of this section, the director
8 shall place the names of the candidates receiving the greatest number of votes and the
9 second greatest number of votes in the special election on the special runoff election
10 ballot.

11 **Sec. 15.40.144. Time of calling the special election and special runoff**
12 **election.** (a) Except as provided in (c) of this section, if a special election is called
13 under AS 15.40.140, it shall be held on a date not less than 60, nor more than 90, days
14 after the date the vacancy occurs.

15 (b) Except as provided in (c) of this section, a special runoff election under
16 AS 15.40.143 shall be held on the first Tuesday that is not a state holiday occurring
17 not less than 60 days after the special election.

18 (c) In an election year in which a candidate for the vacant office is not
19 regularly elected, and the vacancy occurs on a date that is not less than 60, nor more
20 than 90, days before the date of

21 (1) the primary election, the special election shall be held on the date
22 of the primary election with any subsequent special runoff election under
23 AS 15.40.143 to be held on the date of the general election; or

24 (2) the general election, the special election shall be held on the date of
25 the general election with any subsequent special runoff election under AS 15.40.143 to
26 be held on the first Tuesday that is not a state holiday occurring not less than 60 days
27 after the special and general election.

28 * **Sec. 39.** AS 15.40 is amended by adding a new section to read:

29 **Sec. 15.40.151. Condition for holding special election with primary.** If the
30 vacancy occurs on a date not less than 60, nor more than 90, days before the date of
31 the primary election, the governor shall, by proclamation, call the special election to

1 be held on the date of the primary election.

2 * **Sec. 40.** AS 15.40.160 is amended to read:

3 **Sec. 15.40.160. Proclamation.** The governor shall issue the proclamation
4 [CALLING THE SPECIAL PRIMARY ELECTION AND SPECIAL ELECTION] at
5 least 50 days before the

6 (1) special [PRIMARY] election; and

7 (2) if a special runoff election is required under AS 15.40.143(a),
8 special runoff election.

9 * **Sec. 41.** AS 15.40.165 is amended to read:

10 **Sec. 15.40.165. Term of elected senator.** At the special election, or, as
11 provided by AS 15.40.143, at the special runoff election, a United States senator
12 shall be elected to fill the remainder of the unexpired term. The person elected shall
13 take office on the date the United States Senate meets, convenes, or reconvenes
14 following the certification of the results of the special election or special runoff
15 election by the director.

16 * **Sec. 42.** AS 15.40.170 is amended to read:

17 **Sec. 15.40.170. Term of elected representative.** At the special election, or, as
18 provided by AS 15.40.143, at the special runoff election, a United States
19 representative shall be elected to fill the remainder of the unexpired term. The person
20 elected shall take office on the date the United States house of representatives meets,
21 convenes, or reconvenes following the certification of the results of the special
22 election or special runoff election by the director.

23 * **Sec. 43.** AS 15.40.190 is amended to read:

24 **Sec. 15.40.190. Requirements of petition for no-party candidates.** Petitions
25 for the nomination of candidates not representing a political party shall be signed
26 by qualified voters of the state equal in number to at least one percent of the
27 number of voters who cast ballots in the preceding general election and shall
28 [MUST BE EXECUTED UNDER OATH,] state in substance that which is required
29 for nomination petitions by AS 15.25.181 [A DECLARATION OF CANDIDACY
30 UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER
31 AS 15.25.050(a)].

1 * **Sec. 44.** AS 15.40 is amended by adding new sections to read:

2 **Sec. 15.40.201. Requirements of party petition.** Petitions for the nomination
3 of candidates of political parties shall state in substance that the party desires and
4 intends to support the named candidate for the office of United States senator or
5 United States representative, as appropriate, at the special election and requests that
6 the name of the candidate nominated be placed on the ballot.

7 **Sec. 15.40.211. Selection of party nominees.** The nominees of political
8 parties may be selected by the state convention or in any other manner prescribed by
9 the party bylaws, and the petition shall be signed by the chairperson and secretary of
10 the state convention, or if the nominees are selected by the party central committee,
11 the petition shall be signed by the chairperson of the central committee or in any other
12 manner prescribed by the party bylaws.

13 * **Sec. 45.** AS 15.40.220 is amended to read:

14 **Sec. 15.40.220. General provisions for conduct of [THE] special**
15 **[PRIMARY] election and special runoff election.** Unless specifically provided
16 otherwise, all provisions regarding the conduct of the [PRIMARY ELECTION AND]
17 general election shall govern the conduct of the special [PRIMARY] election and **the**
18 **special runoff election** of the United States senator or United States representative,
19 including provisions concerning voter qualifications; provisions regarding the duties,
20 powers, rights, and obligations of the director, of other election officials, and of
21 municipalities; provision for notification of the election; provision for payment of
22 election expenses; provisions regarding employees being allowed time from work to
23 vote; provisions for the counting, reviewing, and certification of returns; **provisions**
24 **for running as, voting for, and counting ballots for a write-in candidate;**
25 provisions for the determination of the votes and of recounts, contests, and appeal; and
26 provision for absentee voting.

27 * **Sec. 46.** AS 15.40.230 is amended to read:

28 **Sec. 15.40.230. Condition and time of calling [SPECIAL PRIMARY**
29 **ELECTION AND] special election.** When a person appointed to succeed to the
30 office of lieutenant governor succeeds to the office of acting governor, the acting
31 governor shall, by proclamation, call a special [PRIMARY] election to be held on a

1 date not less than 60, nor more than 90, days after the date the vacancy in the office of
2 the governor occurred [AND A SUBSEQUENT SPECIAL ELECTION TO BE HELD
3 ON THE FIRST TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING
4 NOT LESS THAN 60 DAYS AFTER THE SPECIAL PRIMARY ELECTION].
5 However, if the vacancy occurs on a date that is less than 60 days before or is on or
6 after the date of the primary election in years in which a governor is regularly elected,
7 the acting governor shall serve the remainder of the unexpired term and may not call a
8 special election.

9 * **Sec. 47.** AS 15.40.240 is amended to read:

10 **Sec. 15.40.240. Conditions for holding special [PRIMARY ELECTION**
11 **AND SPECIAL] election with primary or general election.** If the vacancy occurs
12 on a date not less than 60, nor more than 90, days before the date of the primary
13 election in years in which a governor is regularly elected [IN AN ELECTION
14 YEAR IN WHICH A GOVERNOR IS NOT REGULARLY ELECTED, THE
15 ACTING GOVERNOR SHALL, BY PROCLAMATION, CALL THE SPECIAL
16 PRIMARY ELECTION TO BE HELD ON THE DATE OF THE PRIMARY
17 ELECTION AND THE SPECIAL ELECTION TO BE HELD ON THE DATE OF
18 THE GENERAL ELECTION,] or [,] if the vacancy occurs on a date not less than 60,
19 nor more than 90, days before the date of the primary election or general election in
20 election years in which a governor is not regularly elected, the acting governor shall,
21 by proclamation, call the special [PRIMARY] election to be held on the date of the
22 primary election or general election [WITH THE SUBSEQUENT SPECIAL
23 ELECTION TO BE HELD ON THE FIRST TUESDAY THAT IS NOT A STATE
24 HOLIDAY OCCURRING NOT LESS THAN 60 DAYS AFTER THE SPECIAL
25 PRIMARY AND GENERAL ELECTION].

26 * **Sec. 48.** AS 15.40.250 is amended to read:

27 **Sec. 15.40.250. Proclamation of [SPECIAL PRIMARY ELECTION AND]**
28 **special election.** The acting governor shall issue the proclamation [CALLING THE
29 SPECIAL PRIMARY ELECTION AND SPECIAL ELECTION] at least 50 days
30 before the [SPECIAL PRIMARY] election.

31 * **Sec. 49.** AS 15.40.280 is amended to read:

1 **Sec. 15.40.280. Requirements of petition for no-party candidates.** Petitions
2 for the nomination of candidates **not representing a political party shall be signed**
3 **by qualified voters of the state equal in number to at least one percent of the**
4 **number of voters who cast ballots in the preceding general election, shall include**
5 **nominees for the office of governor and lieutenant governor, and shall** [MUST BE
6 EXECUTED UNDER OATH,] state in substance that which is required for
7 **nomination petitions by AS 15.25.181** [A DECLARATION OF CANDIDACY
8 UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER
9 AS 15.25.050(a)].

10 * **Sec. 50.** AS 15.40 is amended by adding new sections to read:

11 **Sec. 15.40.291. Requirements of party petition.** Petitions for the nomination
12 of candidates of political parties shall state in substance that the party desires and
13 intends to support the named candidates for the offices of governor and lieutenant
14 governor at the special election and requests that the names of the two candidates
15 nominated be placed on the ballot.

16 **Sec. 15.40.301. Selection of party nominees.** The nominees of political
17 parties may be selected by state convention or in any other manner prescribed by the
18 party bylaws, and the petition shall be signed by the chairperson and secretary of the
19 state convention, or, if the nominees are selected by the party central committee, the
20 petition shall be signed by the state chairperson of the political party or in any other
21 manner prescribed by the party bylaws.

22 * **Sec. 51.** AS 15.40.310 is amended to read:

23 **Sec. 15.40.310. General provisions for conduct of [THE SPECIAL**
24 **PRIMARY ELECTION AND] special election.** Unless specifically provided
25 otherwise, all provisions regarding the conduct of the [PRIMARY AND] general
26 election shall govern the conduct of the special [PRIMARY ELECTION AND
27 SPECIAL] election of the governor and lieutenant governor, including provisions
28 concerning voter qualifications; provisions regarding the duties, powers, rights, and
29 obligations of the director, of other election officials, and of municipalities; provision
30 for notification of the election; provision for payment of election expenses; provisions
31 regarding employees being allowed time from work to vote; provisions for the

1 counting, reviewing, and certification of returns; provisions for the determination of
2 the votes and of recounts, contests, and appeal; and provision for absentee voting.

3 * **Sec. 52.** AS 15.40.330 is amended to read:

4 **Sec. 15.40.330. Qualification and confirmation of appointee.** (a) The
5 appointee shall meet the qualifications of a member of the legislature as prescribed in
6 art. II, sec. 2, Constitution of the State of Alaska, [AND, IF THE PREDECESSOR IN
7 OFFICE WAS A MEMBER OF A POLITICAL PARTY OR POLITICAL GROUP
8 AT THE TIME OF THE VACANCY, (1)] shall be a member of the same political
9 party [OR POLITICAL GROUP] as that which nominated the predecessor in office,
10 [;] and [(2)] shall be subject to confirmation by a majority of the members of the
11 legislature who are members of the same political party which nominated [OR
12 POLITICAL GROUP AS] the predecessor in office and of the same house as was the
13 predecessor in office. If the predecessor in office was not nominated by [A
14 MEMBER OF] a political party or [POLITICAL GROUP AT THE TIME OF THE
15 VACANCY, OR,] if no other member of the predecessor's political party [OR
16 POLITICAL GROUP] is a member of the predecessor's house of the legislature, the
17 governor may appoint any qualified person. If the appointee is not a member of a
18 political party [OR POLITICAL GROUP, AS PROVIDED IN (b) OF THIS
19 SECTION], the appointment is not subject to confirmation. If the appointee is a
20 member of a political party [OR POLITICAL GROUP], the appointment is subject to
21 confirmation as provided by [(b) OF] this section for the confirmation of political
22 party [OR POLITICAL GROUP] appointees.

23 (b) A member of a political party [OR POLITICAL GROUP] is a person who
24 supports the political program of a [POLITICAL] party [OR POLITICAL GROUP].
25 The filing for office of a candidate as an independent or no-party candidate
26 [ABSENCE OF A POLITICAL PARTY OR POLITICAL GROUP DESIGNATION
27 AFTER A CANDIDATE'S NAME ON AN ELECTION BALLOT] does not preclude
28 a candidate from being a member of a political party [OR POLITICAL GROUP].
29 Recognition of an independent or no-party [A] candidate as a member of a
30 [POLITICAL] party [OR POLITICAL GROUP] caucus of members of the legislature
31 at the legislative session following the election of the independent or no-party

1 candidate is recognition of that person's [POLITICAL] party [OR POLITICAL
2 GROUP] membership at the time filings were made by party candidates for the
3 preceding general election [FOR THE PURPOSES OF CONFIRMATION UNDER
4 THIS SECTION].

5 * **Sec. 53.** AS 15.40.380 is amended to read:

6 **Sec. 15.40.380. Conditions for part-term senate appointment and special**
7 **election.** If the vacancy is for an unexpired senate term of more than two years and
8 five full calendar months, the governor shall call a special [PRIMARY ELECTION
9 AND A SPECIAL] election by proclamation and the appointment shall expire on the
10 date the state senate first convenes or reconvenes following the certification of the
11 results of the special election by the director.

12 * **Sec. 54.** AS 15.40.390 is amended to read:

13 **Sec. 15.40.390. Date of special [PRIMARY ELECTION AND SPECIAL]**
14 **election.** The special [PRIMARY] election to fill a vacancy in the state senate shall be
15 held on the date of the first general [PRIMARY] election held more than three full
16 calendar months [60 DAYS] after the senate vacancy occurs [, AND THE SPECIAL
17 ELECTION SHALL BE HELD ON THE DATE OF THE FIRST GENERAL
18 ELECTION THEREAFTER].

19 * **Sec. 55.** AS 15.40.400 is amended to read:

20 **Sec. 15.40.400. Proclamation of [SPECIAL PRIMARY ELECTION AND]**
21 **special election.** The governor shall issue the proclamation calling the [SPECIAL
22 PRIMARY ELECTION AND] special election at least 50 days before the [SPECIAL
23 PRIMARY] election.

24 * **Sec. 56.** AS 15.40.440 is amended to read:

25 **Sec. 15.40.440. Requirements of petition for no-party candidates.** Petitions
26 for the nomination of candidates not representing a political party shall be signed
27 by qualified voters equal in number to at least one percent of the number of
28 voters who cast ballots in the proposed nominee's respective house or senate
29 district in the preceding general election. A nominating petition may not contain
30 fewer than 50 signatures for any district and must [BE EXECUTED UNDER
31 OATH,] state in substance that which is required in petitions for nomination by

1 **AS 15.25.181** [A DECLARATION OF CANDIDACY UNDER AS 15.25.030, AND
2 INCLUDE THE FEE REQUIRED UNDER AS 15.25.050(a)].

3 * **Sec. 57.** AS 15.40 is amended by adding new sections to read:

4 **Sec. 15.40.451. Requirements of petition by political party.** Petitions for the
5 nomination of candidates of political parties shall state in substance that the party
6 desires and intends to support the named candidate for the office of state senator at the
7 special election and requests that the name of the candidate be placed on the ballot.

8 **Sec. 15.40.461. Selection of political party nominees.** The nominees of
9 political parties may be selected by the respective party district committee or by any
10 other manner as provided by the party bylaws, and the petition shall be signed by the
11 chairperson of the party district committee or by any other party official designated by
12 the party bylaws.

13 * **Sec. 58.** AS 15.40.470 is amended to read:

14 **Sec. 15.40.470. General provision for conduct of [THE SPECIAL**
15 **PRIMARY ELECTION AND] special election.** Unless specifically provided
16 otherwise, all provisions regarding the conduct of the [PRIMARY ELECTION AND]
17 general election shall govern the conduct of the special [PRIMARY ELECTION AND
18 SPECIAL] election of state senators, including provisions concerning voter
19 qualifications; provisions regarding the duties, powers, rights, and obligations of the
20 director, of other election officials, and of municipalities; provision for notification of
21 the election; provision for payment of election expenses; provisions regarding
22 employees being allowed time from work to vote; provisions for the counting,
23 reviewing, and certification of returns; provisions for the determination of the votes
24 and of recounts, contests, and appeal; and provision for absentee voting.

25 * **Sec. 59.** AS 15.45.190 is amended to read:

26 **Sec. 15.45.190. Placing proposition on ballot.** The lieutenant governor shall
27 direct the director to place the ballot title and proposition on the election ballot of the
28 first statewide general, special, special **runoff** [PRIMARY], or primary election that is
29 held after

30 (1) the petition has been filed;

31 (2) a legislative session has convened and adjourned; and

1 (3) a period of 120 days has expired since the adjournment of the
2 legislative session.

3 * **Sec. 60.** AS 15.45.420 is amended to read:

4 **Sec. 15.45.420. Placing proposition on ballot.** The lieutenant governor shall
5 direct the director to place the ballot title and proposition on the election ballot for the
6 first statewide general, special, special **runoff** [PRIMARY], or primary election held
7 more than 180 days after adjournment of the legislative session at which the act was
8 passed.

9 * **Sec. 61.** AS 15.58.010 is amended to read:

10 **Sec. 15.58.010. Election pamphlet.** Before each state general election, and
11 before each state primary, special, or special **runoff** [PRIMARY] election at which a
12 ballot proposition is scheduled to appear on the ballot, the lieutenant governor shall
13 prepare, publish, and mail at least one election pamphlet to each household identified
14 from the official registration list. The pamphlet shall be prepared on a regional basis as
15 determined by the lieutenant governor.

16 * **Sec. 62.** AS 15.58.020(b) is amended to read:

17 (b) Each primary, special, or special **runoff** [PRIMARY] election pamphlet
18 shall contain only the information specified in (a)(6) and (a)(9) of this section for each
19 ballot measure scheduled to appear on the primary, special, or special **runoff**
20 [PRIMARY] election ballot.

21 * **Sec. 63.** AS 15.58.030(b) is amended to read:

22 (b) **No** [NOT] later than July 22 of a year in which a state general election will
23 be held, an individual who becomes a candidate for the office of United States senator,
24 United States representative, governor, lieutenant governor, state senator, or state
25 representative under AS 15.25.030 **or 15.25.181** may file with the lieutenant governor
26 a photograph and a statement advocating the candidacy. **An individual who becomes**
27 **a candidate for the office of United States senator, United States representative,**
28 **governor, lieutenant governor, state senator, or state representative by party**
29 **petition filed under AS 15.25.111 may file with the lieutenant governor a**
30 **photograph and a statement advocating the candidacy within 10 days after**
31 **becoming a candidate.**

1 * **Sec. 64.** AS 15.80.010(9) is amended to read:

2 (9) "federal election" means a general, special, special **runoff**
3 [PRIMARY], or primary election held solely or in part for the purpose of selecting,
4 nominating, or electing a candidate for the office of President, Vice-President,
5 presidential elector, United States senator, or United States representative;

6 * **Sec. 65.** AS 39.50.020(b) is amended to read:

7 (b) A public official or former public official other than an elected or
8 appointed municipal officer shall file the statement with the Alaska Public Offices
9 Commission. Candidates for the office of governor and lieutenant governor and, if the
10 candidate is not subject to AS 24.60, the legislature shall file the statement under
11 AS 15.25.030 **or 15.25.181**. Municipal officers, former municipal officers, and
12 candidates for elective municipal office shall file with the municipal clerk or other
13 municipal official designated to receive their filing for office. All statements required
14 to be filed under this chapter are public records.

15 * **Sec. 66.** AS 15.13.040(r), 15.13.070(g), 15.13.090(g), 15.13.110(k), 15.13.400(5),
16 15.13.400(15), 15.13.400(19); AS 15.15.025, 15.15.030(14), 15.15.030(15), 15.15.030(16),
17 15.15.030(17), 15.15.060(e), 15.15.350(c), 15.15.350(d), 15.15.350(e), 15.15.350(f),
18 15.15.350(g); AS 15.58.020(a)(13), 15.58.020(c); AS 15.80.008(a)(2), and 15.80.010(34) are
19 repealed.