

**SENATE BILL NO. 183**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 4/22/97

Referred: State Affairs, Finance

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to voter qualification, disqualification, and registration; to voter  
2 registration officials; to election notices; to mail elections; to certain voting  
3 procedures; to the transportation of ballots; and to the official election pamphlet  
4 and certain immunity from liability regarding claims arising from publication of  
5 the official election pamphlet."

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

7 \* **Section 1.** AS 14.08 is amended by adding a new section to read:

8 **Sec. 14.08.082. Elections by mail.** Elections supervised by the lieutenant  
9 governor under AS 14.08.071 and 14.08.081 may be conducted by mail as permitted  
10 by AS 15.20.800.

11 \* **Sec. 2.** AS 15.07.010 is amended to read:

12 **Sec. 15.07.010. Registration of voters.** The precinct election judges at any  
13 election shall allow a person to vote whose name is on the official registration list for

1 that precinct and who is qualified under AS 15.05. A person whose name is not on  
2 the official registration list shall be allowed to vote a **special review** [QUESTIONED]  
3 ballot.

4 \* **Sec. 3.** AS 15.07.070(h) is amended to read:

5 (h) The director shall design the form of the voter's certificate appearing on  
6 the envelope that is used for voting a **special review** [QUESTIONED] ballot so that  
7 all information required for registration by AS 15.07.060(a) may be obtained from a  
8 voter who votes a **special review** [QUESTIONED] ballot. If the voter voting a **special**  
9 **review** [QUESTIONED] ballot has completed all information on the voter registration  
10 portion of the **special review** [QUESTIONED] ballot voter's certificate, the director  
11 shall place the name of the voter on the official registration list.

12 \* **Sec. 4.** AS 15.07.090(a) is amended to read:

13 (a) A voter whose name is changed by marriage or court order may vote under  
14 the previous name, but a voter who desires to use a new name shall vote a **special**  
15 **review** [QUESTIONED] ballot.

16 \* **Sec. 5.** AS 15.07.090(c) is amended to read:

17 (c) The director shall transfer the registration of a voter from one precinct to  
18 another within an election district when requested by the voter. The request shall be  
19 made 30 or more days before the election day. The director shall transfer the  
20 registration of a voter from one election district to another when requested by the  
21 voter. The voter must reside in the new election district for at least 30 days in order  
22 to vote **for that district's candidates.**

23 \* **Sec. 6.** AS 15.07.090(d) is amended to read:

24 (d) A person who claims to be a registered voter, but for whom no evidence  
25 of registration in the precinct can be found, shall be granted the right to vote in the  
26 same manner as that of a [QUESTIONED] voter **whose ballot is subject to special**  
27 **review** and the ballot shall be treated in the same manner. The ballot shall be  
28 considered to be a "**special review** [QUESTIONED] ballot" and shall be so designated.  
29 The director or the director's representative shall determine whether the voter is  
30 registered in the election district before counting the ballot. A voter who has failed  
31 to obtain a transfer as provided in (c) of this section shall vote a "**special review**

1 [QUESTIONED] ballot" in the precinct in which the voter resides.

2 \* **Sec. 7.** AS 15.07.100 is amended to read:

3 **Sec. 15.07.100. Registration officials.** (a) The director shall appoint one or  
4 more persons to serve as registration officials in each precinct. When more than one  
5 registration official is appointed to serve in a precinct, each political party shall be  
6 represented. However, any precinct containing more than 250 voters must have at  
7 least two registration officials, one from each political party. The registration official  
8 shall be a qualified state voter and shall take an oath to honestly, faithfully and  
9 promptly perform the duties of the office.

10 (b) Training for registration officials appointed under (a) of this section shall  
11 be provided by the director. On the completion of training, the director may require  
12 that officials demonstrate their competence by a test or other method.

13 (c) A registration official appointed under (a) of this section serves at the  
14 pleasure of the director. Each such registration official shall be periodically evaluated  
15 by the director based on the completeness of the registration forms, timely filing of  
16 registration forms, and the voter registration activity attributed to the registration  
17 official.

18 (d) A registration official appointed under (a) of this section shall transmit  
19 completed voter registration forms to the election supervisor within five days following  
20 completion by the voter.

21 \* **Sec. 8.** AS 15.07.100 is amended by adding a new subsection to read:

22 (e) In addition to registration officials appointed under (a) of this section,  
23 election board judges and clerks appointed under AS 15.10.120 - 15.10.150 serve as  
24 registration officials at the polls on election day.

25 \* **Sec. 9.** AS 15.07.130(d) is amended to read:

26 (d) The notice described in (b) of this section must include a postage prepaid  
27 and pre-addressed return card on which the voter may state the voter's current address.  
28 The notice must indicate

29 (1) that the voter should return the card not later than 30 days before  
30 the next primary election if the voter did not change residence;

31 (2) that the voter may vote only a special review [QUESTIONED] or

1 absentee ballot if the voter does not return the card at least 30 days before the next  
2 primary election;

3 (3) that the voter's registration will be canceled if the voter does not  
4 vote or appear to vote in an election held during the period beginning on the date of  
5 the notice and ending on the day after the last day of the fourth calendar year that  
6 occurs after the date of notice; and

7 (4) how the voter can continue to be eligible to vote if the voter has  
8 changed residence.

9 \* **Sec. 10.** AS 15.15.070(b) is amended to read

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

16 \* **Sec. 11.** AS 15.15.070(h) is amended to read:

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

25 \* **Sec. 12.** AS 15.15.198(a) is amended to read:

26 (a) If a voter's name does not appear on the official registration list in the  
27 precinct in which the voter seeks to vote, the election judge shall affirmatively advise  
28 the voter that the voter may cast a **special review** [QUESTIONED] ballot, and the  
29 voter shall be allowed to vote a **special review** [QUESTIONED] ballot.

30 \* **Sec. 13.** AS 15.15.215(a) is amended to read:

31 (a) A voter who casts a **special review** [QUESTIONED] ballot shall vote the

1 ballot in the same manner as prescribed for other voters. The voter shall insert the  
 2 ballot into a secrecy sleeve, the election judge shall remove the numbered stub from  
 3 the ballot, and the voter shall put the secrecy sleeve into an envelope on which the  
 4 statement the voter previously signed is located. The envelope shall be sealed and  
 5 deposited in the ballot box. When the ballot box is opened, the envelopes shall be  
 6 segregated, counted, compared to the voting list, and delivered to the official or body  
 7 supervising the election. The merits of the question shall be determined by this  
 8 official or body in accordance with the procedure prescribed for **special review**  
 9 [QUESTIONED] votes in AS 15.20.207.

10 \* **Sec. 14.** AS 15.15.225(c) is amended to read:

11 (c) A voter who cannot exhibit a required form of identification shall be  
 12 allowed to vote a **special review** [QUESTIONED] ballot.

13 \* **Sec. 15.** AS 15.15.350(a) is amended to read:

14 (a) The director may adopt regulations prescribing the manner in which the  
 15 precinct ballot count is accomplished so as to assure accuracy in the count and to  
 16 expedite the process. The election board shall account for all ballots by completing  
 17 a ballot statement containing (1) the number of official ballots received; (2) the number  
 18 of official ballots voted; (3) the number of official ballots spoiled; (4) the number of  
 19 official ballots unused and destroyed. The board shall count the number of **special**  
 20 **review** [QUESTIONED] ballots and shall compare that number to the number of  
 21 [QUESTIONED] voters **whose ballots are subject to special review** in the register.  
 22 Discrepancies shall be noted and the numbers included in the certificate prescribed by  
 23 AS 15.15.370. The election board shall count the ballots in a manner that allows  
 24 watchers to see the ballots when opened and read. A [NO] person handling the ballot  
 25 after it has been taken from the ballot box and before it is placed in the envelope for  
 26 mailing may **not** have a marking device in hand or remove a ballot from the  
 27 immediate vicinity of the polls.

28 \* **Sec. 16.** AS 15.15.380 is amended to read:

29 **Sec. 15.15.380. Payment of election board members.** The director shall pay  
 30 each election board member for time spent at election duties, including the receiving  
 31 of instructions. Election board chairmen and the chairman and members of the

1 absentee ballot, **special review** [QUESTIONED] ballot and state ballot counting review  
 2 boards shall be paid for time spent at their election duties. The director shall set the  
 3 compensation to be paid under this section by regulation.

4 \* **Sec. 17.** AS 15.15.430(a) is amended to read:

5 (a) The review of ballot counting by the director shall include only

6 (1) a review and comparison of the tallies of hand-marked ballots in  
 7 the election poll books with the precinct election certificates to correct any  
 8 mathematical error in the count of hand-marked ballots;

9 (2) a review of the tallies of write-in votes and a review of election  
 10 certificates as provided by law from precincts using punch-card ballots;

11 (3) a review of absentee and **special review** [QUESTIONED] ballots  
 12 as prescribed by law.

13 \* **Sec. 18.** AS 15.20.015 is amended to read:

14 **Sec. 15.20.015. Moving from election district just before election.** A person  
 15 who meets all voter qualifications except that listed in AS 15.05.010(4) is qualified to  
 16 vote by absentee ballot in the election district in which the person formerly resided if  
 17 the person lived in that election district for at least 30 days immediately before  
 18 changing residence, **except that the person may vote only for**

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

20 **(2) candidates for federal or statewide office;**

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

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

25 \* **Sec. 19.** AS 15.20.071 is repealed and reenacted to read:

26 **Sec. 15.20.071. Absentee voting by personal representative.** (a) A qualified  
 27 voter with a disability who, because of that disability, is unable to go to a polling place  
 28 to vote, may vote an absentee ballot through a personal representative.

29 (b) The voter must apply in writing to the following election officials, at the  
 30 times specified, for an absentee ballot:

31 (1) to an absentee voting official on or after the 15th day before an

1 election up to and including the day of the election;

2 (2) to an election supervisor

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

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

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

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

11 (c) The voter's application must include the following:

12 (1) the name and full residence address of the voter;

13 (2) a form of identification for the voter that meets the requirements  
14 established by the director for absentee voting by mail under AS 15.20.081(f);

15 (3) the full name of the personal representative; and

16 (4) the voter's signature or mark.

17 (d) The election official shall issue the ballot and voter's certificate, which  
18 includes the date and location from which the ballot was issued, upon

19 (1) receipt of the written application of the voter that meets the  
20 requirements of (c) of this section;

21 (2) presentation of identification by the personal representative; and

22 (3) completion by the personal representative of a certification that  
23 includes the personal representative's name, residence and mailing address, type and  
24 number of identification, and signature and the name of the voter on whose behalf the  
25 ballot is requested.

26 (e) The personal representative shall deliver the absentee ballot and other  
27 absentee voting materials to the voter as soon as practicable. The voter shall proceed  
28 to mark the ballot in secret, to place the ballot in the secrecy sleeve, and to place the  
29 secrecy sleeve in the envelope provided. On the voter's certificate portion of the  
30 envelope, the voter shall state the name of the personal representative who delivered  
31 the absentee ballot, shall state that because of a disability the voter is unable to go to

1 a polling place to vote, and shall sign the voter's certificate in the presence of the  
 2 personal representative. The personal representative shall witness and date the  
 3 signature of the voter. The voter shall mark the ballot, and complete and sign the  
 4 voter's certificate, not later than election day. The voter shall return the absentee  
 5 ballot to the personal representative who shall deliver the ballot to an election official  
 6 not later than 8:00 p.m. on election day.

7 (f) Notwithstanding (e) of this section, if a qualified voter's disability  
 8 precludes the voter from performing any of the requirements of (e) of this section, the  
 9 personal representative may perform those requirements on the voter's behalf, except  
 10 the voting decision.

11 (g) The voter's employer, an agent of the voter's employer, or an officer or  
 12 agent of the voter's union may not act as a personal representative for that voter.

13 \* **Sec. 20.** AS 15.20.081(b) is amended to read:

14 (b) An application requesting delivery of an absentee ballot to the applicant  
 15 by mail must be received by the division of elections not less than seven days before  
 16 the election for which the absentee ballot is sought. An application for an absentee  
 17 ballot for a state election from a qualified voter requesting delivery of an absentee  
 18 ballot to the applicant by electronic transmission must be received by the division of  
 19 elections not **later than 5:00 p.m. the last weekday** [LESS THAN FOUR DAYS]  
 20 before the election for which the absentee ballot is sought. An absentee ballot  
 21 application submitted by mail under this section must permit the person to register to  
 22 vote under AS 15.07.070 and to request an absentee ballot for each state election held  
 23 within that calendar year for which the voter is eligible to vote. An absentee ballot  
 24 application submitted by electronic transmission under this section may not include a  
 25 provision that permits a person to register to vote under AS 15.07.070.

26 \* **Sec. 21.** AS 15.20.190 is amended to read:

27 **Sec. 15.20.190. Appointment, duties, and compensation of district counting**  
 28 **boards.** (a) Thirty days before the date of an election, the election supervisors shall  
 29 appoint, in the same manner provided for the appointment of election judges prescribed  
 30 in AS 15.10.150, district absentee ballot counting boards and district **special review**  
 31 [QUESTIONED] ballot counting boards, each composed of at least four members. At

1 least one member of each board must be a member of the same political party of  
 2 which the governor is a member, and at least one member of each board must be a  
 3 member of the political party whose candidate for governor received the second largest  
 4 number of votes in the preceding gubernatorial election. The district boards shall  
 5 assist the election supervisors in counting the absentee and special review  
 6 [QUESTIONED] ballots and shall receive the same compensation paid election judges  
 7 under AS 15.15.380.

8 (b) The election supervisor shall appoint a counting team or teams to aid the  
 9 district absentee ballot counting board in counting absentee ballots and the district  
 10 special review [QUESTIONED] ballot counting board in counting special review  
 11 [QUESTIONED] ballots. There shall be four counters on each counting team, no more  
 12 than two of whom may be members of the same political party.

13 \* **Sec. 22.** AS 15.20.205 is amended to read:

14 **Sec. 15.20.205. District examination of special review ballots** [TIME OF  
 15 DISTRICT QUESTIONED BALLOT COUNTING REVIEW]. (a) On the second day  
 16 following the day of the election, the election supervisor or the supervisor's designee,  
 17 in the presence and with the assistance of the district special review [QUESTIONED]  
 18 ballot counting board, shall examine [REVIEW] all voter certificates of special review  
 19 [QUESTIONED] ballots received by that date. The examination [REVIEW] of the  
 20 special review [QUESTIONED] ballots shall continue at times designated by the  
 21 election supervisor until completed.

22 (b) Counting of special review [QUESTIONED] ballots that [WHICH] have  
 23 been examined [REVIEWED] shall begin on the third day following the day of the  
 24 election and shall continue at times designated by the election supervisor until all  
 25 special review [QUESTIONED] ballots examined [REVIEWED] and eligible for  
 26 counting have been counted. The counting teams shall report the count to the district  
 27 special review [QUESTIONED] ballot counting board.

28 (c) The district special review [QUESTIONED] ballot counting board shall  
 29 certify the special review [QUESTIONED] ballot totals as soon as the count is  
 30 completed but no later than the 10th day following the election.

31 (d) Special review [QUESTIONED] ballots received after certification of the

1 count shall be forwarded immediately to the director by the most expeditious service.

2 \* **Sec. 23.** AS 15.20.207 is amended to read:

3 **Sec. 15.20.207. Procedure for district special review [QUESTIONED] ballot**  
 4 **examination [REVIEW].** (a) The district **special review [QUESTIONED]** ballot  
 5 counting board shall examine each **special review [QUESTIONED]** ballot envelope  
 6 and shall determine whether the [QUESTIONED] voter **whose ballot is subject to**  
 7 **special review** is qualified to vote at the election and whether the **special review**  
 8 [QUESTIONED] ballot has been properly cast.

9 (b) A **special review [QUESTIONED]** ballot may not be counted if  
 10 (1) the voter has failed to properly execute the certificate; or  
 11 (2) an official or the witness authorized by law to attest the voter's  
 12 certificate fail to execute the certificate.

13 (c) Any person present at the district **special review [QUESTIONED]** ballot  
 14 **examination [REVIEW]** may challenge the name of a [QUESTIONED] voter **whose**  
 15 **ballot is subject to special review** when read from the voter's certificate on the  
 16 envelope if the person has good reason to suspect that the [QUESTIONED] voter  
 17 **whose ballot is subject to special review** is not qualified to vote, is disqualified, or  
 18 has voted at the same election. The person making the challenge shall specify the  
 19 basis of the challenge in writing. The district **special review [QUESTIONED]** ballot  
 20 counting board by majority vote may refuse to accept and count the **special review**  
 21 [QUESTIONED] ballot of a person properly challenged under grounds listed in (b) of  
 22 this section.

23 (d) The election supervisor shall place all rejected **special review**  
 24 [QUESTIONED] ballots in a separate envelope with statements of challenge. The  
 25 envelope shall be labeled "rejected **special review [QUESTIONED]** ballots" and shall  
 26 be forwarded to the director with the election certificates and other returns.

27 (e) If a **special review [QUESTIONED]** ballot is not rejected, the envelope  
 28 shall be opened and the secrecy sleeve containing the **special review [QUESTIONED]**  
 29 ballot shall be placed in a container and mixed with other secrecy sleeves containing  
 30 **special review [QUESTIONED]** ballots.

31 (f) The secrecy sleeves shall be drawn from the container, the **special review**

1 [QUESTIONED] ballots shall be removed from the secrecy sleeves, and the **special**  
 2 **review** [QUESTIONED] ballots counted at the times specified in AS 15.20.205 and  
 3 according to the rules for determining properly marked ballots in AS 15.15.360.

4 (g) Upon completion of the **special review** [QUESTIONED] ballot  
 5 **examination** [REVIEW], the election supervisor shall prepare an election certificate  
 6 for execution by the district **special review** [QUESTIONED] ballot counting board,  
 7 and shall forward the original certificate and returns to the director as soon as the  
 8 count is completed but no later than the 11th day following the election.

9 (h) The director shall prepare and mail to each [QUESTIONED] voter whose  
 10 **special review** [QUESTIONED] ballot was rejected under this section a summary of  
 11 the reason that the challenge to the **special review** [QUESTIONED] ballot was upheld  
 12 and the **special review** [QUESTIONED] ballot was rejected.

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

15 (1) 10 days after completion of the review of ballots by the state review  
 16 board for a primary election;

17 (2) 60 days after certification of the results of a general or special  
 18 election.

19 (j) In addition to mailing the materials under (i)(1) of this section, for a  
 20 [QUESTIONED] voter whose **special review** [QUESTIONED] primary election ballot  
 21 was rejected, not later than the deadline set out in (i)(1) of this section, the director  
 22 shall

23 (1) determine whether, from the information obtained under  
 24 AS 15.07.070(h), the voter's name may be entered on the voter registration list;

25 (2) if the voter is eligible, register the voter in accordance with the  
 26 information submitted by the voter under AS 15.07.070(h); and

27 (3) confirm or deny the registration **under this subsection** by written  
 28 notice mailed to the voter.

29 \* **Sec. 24.** AS 15.20.211(e) is amended to read:

30 (e) In addition to mailing the materials under (d)(1) of this section, for a  
 31 [QUESTIONED] voter whose **special review** [QUESTIONED] primary election ballot

1 was partially counted, not later than the deadline set out in (d)(1) of this section, the  
2 director shall

3 (1) determine whether, from the information obtained under  
4 AS 15.07.070(h), the voter's name may be entered on the voter registration list;

5 (2) if the voter is eligible, register the voter in accordance with the  
6 information submitted by the voter under AS 15.07.070(h); and

7 (3) confirm or deny the registration under this subsection by written  
8 notice mailed to the voter.

9 \* **Sec. 25.** AS 15.20.220 is amended to read:

10 **Sec. 15.20.220. Procedure for state review.** (a) When the director and  
11 appointed party representatives have completed the review of ballots cast at the voting  
12 precincts, they shall proceed to review the absentee and special review  
13 [QUESTIONED] ballot votes certified by the district counting boards. The review of  
14 the absentee and special review [QUESTIONED] ballot vote certified by the district  
15 counting boards shall be accomplished by reviewing the tallies of the recorded vote to  
16 check for mathematical error and by comparing the totals with the election certificate  
17 of results.

18 (b) The state review board shall review and count absentee ballots under  
19 AS 15.20.081(e) and (h) and special review [QUESTIONED] ballots that have been  
20 forwarded to the director and that have not been reviewed or counted by a district  
21 counting board.

22 \* **Sec. 26.** AS 15.20.480 is amended to read:

23 **Sec. 15.20.480. Procedure for recount.** In conducting the recount, the  
24 director shall review all ballots whether the ballots were counted at the precinct or by  
25 computer or by the district absentee counting board or the special review  
26 [QUESTIONED] ballot counting board to determine which ballots, or part of ballots,  
27 were properly marked and which ballots are to be counted in the recount, and shall  
28 check the accuracy of the original count, the precinct certificate and the review. The  
29 director shall check the number of ballots and special review [QUESTIONED] ballots  
30 cast in a precinct against the registers and shall check absentee ballots voted against  
31 absentee ballots distributed. The director shall count absentee ballots received before

1 the completion of the recount. For administrative purposes, the director may join and  
 2 include two or more applications in a single review and count of votes. The rules in  
 3 AS 15.15.360 governing the counting of hand-marked ballots and the rules in  
 4 AS 15.20.730 governing the counting of punch-card ballots shall be followed in the  
 5 recount. The ballots and other election material must remain in the custody of the  
 6 director during the recount and the highest degree of care shall be exercised to protect  
 7 the ballots against alteration or mutilation. The recount shall be completed within 10  
 8 days. The director may employ additional personnel necessary to assist in the recount.

9 \* **Sec. 27.** AS 15.20.620(b) is amended to read:

10 (b) In addition to the test specified in (a) of this section, other tests shall be  
 11 made to ensure that the system is functioning properly

12 (1) at least one day before the election at a time specified by the data  
 13 processing review board presiding officer;

14 (2) on the day of the election one hour before the polls close;

15 (3) immediately after the final vote tabulation is complete;

16 (4) approximately one hour before the processing of the **special review**  
 17 [QUESTIONED] and absentee ballots; and

18 (5) immediately after the final vote tabulation of **special review**  
 19 [QUESTIONED] and absentee ballots is complete.

20 \* **Sec. 28.** AS 15.20.640(c) is amended to read:

21 (c) The ballots containing write-in votes shall be banded together and placed  
 22 behind the other undamaged ballot cards which have been voted. The envelope  
 23 containing **special review** [QUESTIONED] ballots shall be banded to the computer-  
 24 ready ballots, and the bundle placed in a special container and sealed, with the seal  
 25 signed by the election board members.

26 \* **Sec. 29.** AS 15.20.670 is amended to read:

27 **Sec. 15.20.670. Receipts of ballots by control board.** The control board shall

28 (1) cut the seal and remove all ballots and envelopes from the special  
 29 container;

30 (2) insert the proper header and end cards [INTO THE BALLOTS];

31 (3) place the ballot bundles and unprocessable ballots envelope in a tray

1 for delivery to the computer room; and

2 (4) give the envelopes [ENVELOPE] containing special review  
3 [QUESTIONED] ballots to the election supervisor.

4 \* **Sec. 30.** AS 15.20.700(a) is amended to read:

5 (a) The ballots that [WHICH] have been counted in the computer room shall  
6 be sealed by the data processing review board or the designated counting team. The  
7 sealed ballots shall then be transported to a designated place of security. The special  
8 review [QUESTIONED] ballots shall be sealed and given to the election supervisor  
9 for tallying.

10 \* **Sec. 31.** AS 15.20.740 is amended to read:

11 **Sec. 15.20.740. Special review [QUESTIONED] punch-card ballots.** The  
12 procedure for examining [REVIEWING] and counting special review  
13 [QUESTIONED] punch-card ballots is the same procedure established in AS 15.20.205  
14 and 15.20.207 for hand-marked ballots except that special review [QUESTIONED]  
15 punch-card ballots may be processed by the computer from the third through the 10th  
16 day following the election. The data processing review board shall supervise the count  
17 and shall follow the procedure established in AS 15.20.680 and 15.20.685.

18 \* **Sec. 32.** AS 15.20.800(a) is amended to read:

19 (a) The director may conduct an election by mail if it is held at a time other  
20 than when the general, [PARTY] primary, or municipal election is held.

21 \* **Sec. 33.** AS 15.58.020 is amended by adding a new paragraph to read:

22 (11) under AS 37.13.170, the Alaska permanent fund annual income  
23 statement and balance sheet for the two fiscal years preceding the publication of the  
24 election pamphlet.

25 \* **Sec. 34.** AS 15.58.030(a) is amended to read:

26 (a) No later than August 30 [JULY 15] of a presidential election year,  
27 candidates for the offices of the United States President and Vice-President may file  
28 with the lieutenant governor photographs and statements advocating their candidacy.

29 \* **Sec. 35.** AS 15.58.030(d) is amended to read:

30 (d) Pages on which candidates' photographs or statements appear must be  
31 clearly identified with the words "provided and paid for by the candidate."

1 \* **Sec. 36.** AS 15.58.030(f) is amended to read:

2 (f) A candidate's photograph must be [A] 5" x 7" **in size and must have been**  
3 [BLACK AND WHITE GLOSSY PRINT] taken within the past five years. The  
4 photograph must be limited to the head, neck, and shoulders of the candidate.

5 \* **Sec. 37.** AS 15.58 is amended by adding a new section to read:

6 **Sec. 15.58.100. Immunity from suit.** A person may not bring an action  
7 against the state, a state official or employee, or any election official, arising out of the  
8 publication of the official election pamphlet.

9 \* **Sec. 38.** AS 36.30.850(b)(7) is amended to read:

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

12 \* **Sec. 39.** AS 46.40.150 is amended to read:

13 **Sec. 46.40.150. Elections in coastal resource service areas.** Organization  
14 elections under AS 46.40.130 and other elections, including recall elections conducted  
15 under AS 46.40.140, shall be administered by the lieutenant governor in the general  
16 manner provided in AS 15 (Election Code). In addition, the lieutenant governor may  
17 adopt regulations necessary to the conduct of coastal resource service area board  
18 elections. The state shall pay all elections costs. **Elections supervised by the**  
19 **lieutenant governor under AS 46.40.110 - 46.40.180 may be conducted by mail as**  
20 **permitted by AS 15.20.800.**