

CS FOR HOUSE BILL NO. 163(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 2/28/00
Referred: Finance

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to qualifications of voters; relating to the registration of voters;
2 relating to election districts and officials; relating to election procedures and
3 ballots; relating to special procedures for elections; relating to nomination of
4 candidates; relating to national elections; relating to special elections and
5 appointments; relating to constitutional amendments; relating to election offenses
6 and corrupt practices; relating to election pamphlets; relating to the deferral of
7 jury service for certain election officials; relating to an exemption from the State
8 Procurement Code regarding election ballots; relating to the provision and use of
9 mailing addresses on permanent fund dividend applications for election purposes;
10 relating to the inclusion of voter registration forms with permanent fund dividend
11 applications; relating to financial statements by public officials and candidates for
12 public office; making conforming amendments in references to 'election district,'

1 'chairman,' and similar terms; relating to initiative, referendum, and recall
 2 petitions; and providing for an effective date."

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

4 * **Section 1.** AS 09.20.035 is amended to read:

5 **Sec. 09.20.035. Deferral of jury service.** A person may have jury service
 6 deferred if the person shows that jury service at the time for which the person is
 7 summoned will cause hardship to that person or another, [OR] that transportation
 8 problems make it temporarily impossible for the person to serve, **or that the person**
 9 **summoned is employed as a full-time or temporary election official and the jury**
 10 **service is during the month in which a primary or general election is held.** Jury
 11 service may be deferred under this section only if the person seeking the deferment
 12 agrees to a deferred date. Jury service may not be deferred for more than 10 months
 13 from the date the initial jury service was to begin.

14 * **Sec. 2.** AS 15.07.010 is amended to read:

15 **Sec. 15.07.010. Registration of voters.** The precinct election **officials**
 16 [JUDGES] at any election shall allow a person to vote whose name is on the official
 17 registration list for that precinct and who is qualified under AS 15.05. A person whose
 18 name is not on the official registration list shall be allowed to vote a questioned ballot.

19 * **Sec. 3.** AS 15.07.064(e) is amended to read:

20 (e) The director shall review the information contained within an application
 21 by a voter for registration. The director may not reject an application of a voter who
 22 qualifies under (d) of this section because the voter provided information in excess of
 23 that required to establish qualifications, including excess information qualifying as a
 24 mailing address. The director may consider an application for registration within a
 25 municipality or established village described in (d) of this section to comply with law
 26 based on other information contained in the application, including evidence that

27 (1) the application was made in person before a voting registrar,
 28 election **official** [JUDGE], or absentee voting official appointed to serve in the
 29 municipality or established village;

30 (2) the application of a voter registering by mail was postmarked by

1 the postal official in the municipality or established village; and

2 (3) other information contained in the application does not negate the
3 presumption of residency provided under (a) of this section.

4 * **Sec. 4.** AS 15.07.064 is amended by adding a new subsection to read:

5 (h) Notwithstanding (a) - (g) of this section, the director may substitute a
6 mailing address provided by the voter for the permanent fund dividend program under
7 AS 43.23 as the mailing address for the voter on the registration records of the director
8 under procedures specified in regulations of the director if necessary to maintain
9 accuracy of voting registration records.

10 * **Sec. 5.** AS 15.07.081 is amended to read:

11 **Sec. 15.07.081. Registration officials.** The director shall appoint one or more
12 registration officials to serve in each precinct polling place in all elections during the
13 hours the polling places are open. An election **official** [CLERK OR ELECTION
14 JUDGE] appointed under AS 15.10 may also serve as a registration official. [IF
15 MORE THAN ONE REGISTRATION OFFICIAL IS APPOINTED TO SERVE IN A
16 POLLING PLACE, EACH POLITICAL PARTY SHALL BE REPRESENTED.]

17 * **Sec. 6.** AS 15.07.100(a) is amended to read:

18 (a) A [THE DIRECTOR SHALL APPOINT ONE OR MORE
19 REGISTRATION OFFICIALS IN EACH PRECINCT. WHEN MORE THAN ONE
20 REGISTRATION OFFICIAL IS APPOINTED TO SERVE IN A PRECINCT, EACH
21 POLITICAL PARTY SHALL BE REPRESENTED. HOWEVER, ANY PRECINCT
22 CONTAINING MORE THAN 250 VOTERS MUST HAVE AT LEAST TWO
23 REGISTRATION OFFICIALS, ONE FROM EACH POLITICAL PARTY. THE]
24 registration official shall be a qualified state voter and shall take an oath to honestly,
25 faithfully, and promptly perform the duties of the office.

26 * **Sec. 7.** AS 15.07.140 is amended to read:

27 **Sec. 15.07.140. General administrative supervision by director.** The
28 director shall provide general administrative supervision over the registration and
29 reregistration of voters. The director shall, no later than 120 [40] days before any
30 **general** election, arrange to have the list of registered voters **in a usable electronic**
31 **format provided free of charge to each political party** [OF THE PRECINCT

1 PUBLICLY DISPLAYED. THE DIRECTOR SHALL INSTRUCT REGISTRATION
 2 OFFICIALS TO POST THE LIST OF REGISTERED VOTERS IN A NUMBER OF
 3 LOCATIONS CALCULATED TO OBTAIN MAXIMUM RECOGNITION]. Upon
 4 request by the mayor or manager of a municipality, the director shall furnish
 5 registration information for all precincts all or part of which are within the boundaries
 6 of the local government unit.

7 * **Sec. 8.** AS 15.10.107 is amended to read:

8 **Sec. 15.10.107. Staff training.** The director shall, before each primary
 9 election in even-numbered years, provide for a comprehensive training program for
 10 election officials, both the full-time members of the staff of the division of elections
 11 and those who are appointed as members of election boards [BOARD JUDGES,
 12 CLERKS, AND COUNTERS] under AS 15.10.120 - 15.10.140 [AS 15.10.120 -
 13 15.10.150] and other temporary election employees. The director shall annually
 14 prepare and, not later than January 10, file with the lieutenant governor a plan that
 15 describes the comprehensive training program for election officials to be provided to
 16 those officials during that calendar year.

17 * **Sec. 9.** AS 15.10.120 is repealed and reenacted to read:

18 **Sec. 15.10.120. Appointment of election board.** (a) An election supervisor
 19 shall appoint in each precinct within the election supervisor's district an election board
 20 composed of at least three qualified voters registered to vote in that precinct.

21 (b) On or before April 15 in each regular election year, or at least 60 days
 22 before a special election, a party district committee or state party central committee of
 23 each political party may nominate two candidates for each election board.
 24 Nominations shall be presented in writing to the election supervisor for the district in
 25 which the precinct is located.

26 (c) An election supervisor shall appoint one nominee of the political party of
 27 which the governor is a member and one nominee of the political party that received
 28 the second largest number of votes statewide in the preceding gubernatorial election.
 29 The election supervisor shall appoint at least one additional qualified individual
 30 registered to vote in that precinct. If a party district committee or state party central
 31 committee of the party of which the governor is a member or the party that received

1 the second largest number of votes statewide in the preceding gubernatorial election
 2 fails to present the names prescribed by (b) of this section by April 15 of a regular
 3 election year or at least 60 days before a special election, the election supervisor may
 4 appoint any qualified individual registered to vote in that precinct.

5 (d) An election supervisor shall appoint a chairperson for each election board
 6 within the election supervisor's district.

7 (e) When appointments to the election board have been accepted by the
 8 respective appointees, the election supervisor shall notify the director of the names and
 9 mailing addresses of the designated chairperson and other election board officials.

10 (f) Election boards for municipal elections shall be appointed by the
 11 appropriate municipality.

12 * **Sec. 10.** AS 15.10.170 is amended to read:

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

1 appointment by the precinct party committee, the **party district** [DISTRICT PARTY]
 2 committee, the organization or organized group, or the candidate **the** watcher
 3 represents **that** [WHICH] is signed by the **chairperson** [CHAIRMAN] of the precinct
 4 party committee, the **party district** [DISTRICT PARTY] committee, the state party
 5 **chairperson** [CHAIRMAN], the organization or organized group, or the candidate
 6 representing no party.

7 * **Sec. 11.** AS 15.10.180 is amended to read:

8 **Sec. 15.10.180. Appointment of [PARTY REPRESENTATIVES FOR] state**
 9 **ballot counting review board.** The director shall appoint two persons from **the**
 10 **political party of which the governor is a member and two persons from the**
 11 **political party that received the second largest number of votes statewide in the**
 12 **preceding gubernatorial election** [EACH POLITICAL PARTY] to participate in the
 13 state ballot counting review. **The director may appoint additional individuals to**
 14 **participate in the state ballot counting review.** [EACH PERSON WHO IS
 15 APPOINTED AND SERVES IS ENTITLED TO COMPENSATION AS PROVIDED
 16 IN AS 15.15.380.] Each political party may present to the director a list of three or
 17 more names from which the director shall select the persons to represent the party.
 18 The list of names may be submitted in writing at least 30 days before the date of the
 19 election. [THE PERSONS TO REPRESENT THE PARTY ON THE STATE
 20 BALLOT COUNTING REVIEW BOARD MAY BE SELECTED BY THE STATE
 21 PARTY CENTRAL COMMITTEE OR IN ANY OTHER MANNER PRESCRIBED
 22 BY THE BYLAWS OF THE PARTY.] The list of names shall be certified by the
 23 **state chairperson** [CHAIRMAN] of the **political** [STATE CENTRAL COMMITTEE
 24 OF THE] party or by the person authorized by the party bylaws to act in the absence
 25 of the **chairperson** [CHAIRMAN].

26 * **Sec. 12.** AS 15.15.030(8) is amended to read:

27 (8) The general or special election ballot shall be designed with the title
 28 and proposition for any initiative, referendum, or constitutional amendment formulated
 29 as prescribed by law and placed on the ballot in the manner prescribed by the director.
 30 When placed on the ballot, a state ballot proposition or ballot question shall carry the
 31 number **that** [WHICH] was assigned to the petition for the proposition or question.

1 Provision shall be made for marking the proposition "Yes" ["FOR"] or "No."
2 ["AGAINST."]

3 * **Sec. 13.** AS 15.15.030(11) is amended to read:

4 (11) When the legislature by law authorizes a state debt for capital
5 improvements, the director shall place the question of whether the specific
6 authorization shall be ratified by placing the ballot title and question on the next
7 general election ballot, or on the special election ballot if a special election is held for
8 the purpose of ratifying the state debt for capital improvements before the time of the
9 next general election. Unless specifically provided otherwise in the Act authorizing
10 the debt, the ballot title shall, by the use of a few words in a succinct manner, indicate
11 the general subject of the Act. The question shall, by the use of a few sentences in
12 a succinct manner, give a true and impartial summary of the Act authorizing the state
13 debt. The question of whether state debt shall be contracted shall be assigned a letter
14 of the alphabet on the ballot. Provision shall be made for marking the question
15 substantially as follows:

16 "Bonds. Yes" or "Bonds No,"
17 followed by an appropriate **oval** [SQUARE].

18 * **Sec. 14.** AS 15.15.070(b) is amended to read:

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

25 * **Sec. 15.** AS 15.15.070(c) is amended to read:

26 (c) Public notice shall also be given by posting notices in **those communities**
27 **that do not have newspapers of general circulation where posting of notice is**
28 **considered necessary by the director** [TWO OR MORE CONSPICUOUS PLACES
29 IN EACH ELECTION PRECINCT]. The posted notice **must** [SHALL] specifically
30 include [BUT IS NOT LIMITED TO] the date of election, the location of the polling
31 **places** [PLACE], the hours between which the polling places will be open, the offices

1 to which candidates are to be nominated or elected, [AND] the subject of the
 2 propositions and questions that [WHICH] are to be voted on, **and other information**
 3 **considered necessary by the director.**

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

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

13 * **Sec. 17.** AS 15.15.110 is amended to read:

14 **Sec. 15.15.110. General duties and oath of election board [AND CLERKS].**

15 The election board shall supervise the election in the precinct. Before entering upon
 16 the duties of office, each election **official** [JUDGE AND CLERK] shall take an oath
 17 to honestly, faithfully, and promptly perform the duties of office. Any appointed
 18 **election official, including an appointed election official who has** [JUDGE,
 19 WHETHER OR] not [HAVING] personally subscribed to the oath, may administer the
 20 oath to another **election official** [JUDGE]. The **chairperson** [CHAIRMAN] of the
 21 election board shall rotate the time at which **election officials** [JUDGES AND
 22 CLERKS] may be relieved for meals.

23 * **Sec. 18.** AS 15.15.120 is amended to read:

24 **Sec. 15.15.120. Filling vacancies in election board.** If an appointed **election**
 25 **board member** [JUDGE OR CLERK] fails to appear and subscribe to the oath on
 26 election day or becomes incapacitated during the time of the election or the counting
 27 of the ballots, the election board members present shall elect, by a majority voice vote,
 28 a qualified voter to fill the vacancy. The qualified voter elected to fill the vacancy
 29 shall be of the same political party as the person for whom the substitution is made
 30 unless, after reasonable effort, the election board members determine that a qualified
 31 voter of the same political party is not available.

1 * **Sec. 19.** AS 15.15.130 is amended to read:

2 **Sec. 15.15.130. Majority decision of election board.** The decision of the
3 majority of **election board members** [JUDGES] determines the action that the election
4 board shall take regarding any question **that** [WHICH] arises during the course of the
5 election.

6 * **Sec. 20.** AS 15.15.140(c) is amended to read:

7 (c) On disclosure that unofficial ballots have been used without the
8 certification required under (b) of this section, the director shall notify the **chairperson**
9 [CHAIRMAN] of the election board by telephone or **electronic transmission**
10 [TELEGRAM] of the failure to certify the ballots properly.

11 * **Sec. 21.** AS 15.15.140(d) is amended to read:

12 (d) The director may accept a certificate made by **electronic transmission**
13 [TELEGRAM] and count the ballots if the certificate is proper and actually received
14 by the director within 10 days **after** [OF] the date that the **chairperson** [CHAIRMAN]
15 of the election board was notified under (c) of this section.

16 * **Sec. 22.** AS 15.15.160 is amended to read:

17 **Sec. 15.15.160. Prohibition of political discussion by election board.** During
18 the hours that the polls are open, **an election board member** [A JUDGE OR CLERK]
19 may not discuss any political party, candidate, or issue while on duty.

20 * **Sec. 23.** AS 15.15.170 is amended to read:

21 **Sec. 15.15.170. Prohibition of political persuasion near election polls.**
22 During the hours the polls are open, a person who is in the polling place or within 200
23 feet of any entrance to the polling place may not attempt to persuade a person to vote
24 for or against a candidate, proposition, or question. The election **officials** [JUDGES]
25 shall post warning notices at the required distance in the form and manner prescribed
26 by the director.

27 * **Sec. 24.** AS 15.15.180 is amended to read:

28 **Sec. 15.15.180. Keeping of register.** The **election officials** [JUDGES] shall
29 keep a register or registers in which each voter before receiving a ballot shall sign the
30 voter's name and give both a **residence** [RESIDENT] and mailing address. A record
31 shall be kept in the registration book in space provided of the **names** [NAME] of

1 persons who offer to vote but who actually do not vote, and a brief statement of
 2 explanation. The signing of the register constitutes a declaration by the voter that the
 3 voter is qualified to vote.

4 * **Sec. 25.** AS 15.15.195 is amended to read:

5 **Sec. 15.15.195. Voters on official registration list.** An election **official**
 6 [JUDGE] in a precinct shall allow a voter on the official registration list to vote in the
 7 precinct unless the voter is questioned in accordance with AS 15.15.210.

8 * **Sec. 26.** AS 15.15.198 is amended to read:

9 **Sec. 15.15.198. Voters not on official registration list.** (a) If a voter's name
 10 does not appear on the official registration list in the precinct in which the voter seeks
 11 to vote, the election **official** [JUDGE] shall affirmatively advise the voter that the voter
 12 may cast a questioned ballot, and the voter shall be allowed to vote a questioned
 13 ballot.

14 (b) A person whose registration is inactive under AS 15.07.130(b) and who
 15 votes a questioned or absentee ballot shall have the ballot counted if

16 (1) the person was registered to vote **in the last four calendar years**
 17 [FOR EITHER OF THE TWO MOST RECENT GENERAL ELECTIONS];

18 (2) the person signs a statement to that effect; and

19 (3) the earlier registration is verified by the director.

20 * **Sec. 27.** AS 15.15.210 is amended to read:

21 **Sec. 15.15.210. Questioning of voters of suspect qualification.** Every
 22 election **official** [JUDGE AND ELECTION CLERK] shall question, and every watcher
 23 and any other person qualified to vote in the precinct may question, a person
 24 attempting to vote if the questioner has good reason to suspect that the questioned
 25 person is not qualified **under AS 15.05** [TO VOTE]. All questions regarding a
 26 person's qualifications to vote shall be made in writing setting out the reason the
 27 person has been questioned. A questioned person **shall**, before voting, [SHALL]
 28 subscribe to a declaration in a form provided by the director attesting to the fact that
 29 in each particular the person meets all the qualifications of a voter, is not disqualified,
 30 and has not voted at the same election, and certifying that the person understands that
 31 a false statement on the declaration may subject the person to prosecution for a

1 misdemeanor under this title or AS 11. [THE QUESTIONED PERSON SHALL
2 ALSO STATE THE PLACE FROM WHICH THAT PERSON CAME
3 IMMEDIATELY BEFORE LIVING IN THE PRECINCT WHERE OFFERING TO
4 VOTE AND THE LENGTH OF TIME OF RESIDENCE IN THE FORMER PLACE.]

5 After the questioned person has executed the declaration, the person may vote. If the
6 questioned person refuses to execute the declaration, the person may not vote.

7 * **Sec. 28.** AS 15.15.215(a) is amended to read:

8 (a) A voter who casts a questioned ballot shall vote the ballot in the same
9 manner as prescribed for other voters. The voter shall insert the ballot into a secrecy
10 sleeve and [, THE ELECTION JUDGE SHALL REMOVE THE NUMBERED STUB
11 FROM THE BALLOT, AND THE VOTER SHALL] put the secrecy sleeve into an
12 envelope on which the statement the voter previously signed is located. The envelope
13 shall be sealed and deposited in the ballot box. When the ballot box is opened, the
14 envelopes shall be segregated, counted, compared to the voting list, and delivered to
15 the official or body supervising the election. The merits of the question shall be
16 determined by this official or body in accordance with the procedure prescribed for
17 questioned votes in AS 15.20.207.

18 * **Sec. 29.** AS 15.15.220 is amended to read:

19 **Sec. 15.15.220. Administration of oaths.** Any election official [JUDGE] may
20 administer to a voter any oath that is necessary in the administration of the election.

21 * **Sec. 30.** AS 15.15.225(a) is amended to read:

22 (a) Before being allowed to vote, each voter shall exhibit to an election official
23 [JUDGE] one form of identification, including [BUT NOT LIMITED TO] an official
24 voter registration card, driver's license, birth certificate, passport, [OR] hunting or
25 fishing license, or other form of identification as prescribed by regulation.

26 * **Sec. 31.** AS 15.15.225(b) is amended to read:

27 (b) An election official [JUDGE] may waive the identification requirement if
28 the election official [JUDGE] knows the identity of the voter.

29 * **Sec. 32.** AS 15.15.230 is amended to read:

30 **Sec. 15.15.230. Providing ballot to voter.** When the voter has qualified to
31 vote, the election official [JUDGE] shall give the voter an official ballot. The voter

1 shall retire to a booth or private place to mark the ballot.

2 * **Sec. 33.** AS 15.15.240 is amended to read:

3 **Sec. 15.15.240. Voter assistance [ASSISTING VOTER BY JUDGE].** A
 4 qualified voter **needing assistance in voting** [WHO CANNOT READ, MARK THE
 5 BALLOT, OR SIGN THE VOTER'S NAME] may request an election **official**
 6 [JUDGE], a person, or not more than two persons of the voter's choice to assist. If the
 7 election **official** [JUDGE] is requested, the election **official** [JUDGE] shall assist the
 8 voter. If any other person is requested, the person shall state upon oath before the
 9 election **official** [JUDGE] that the person will not divulge the vote cast by the person
 10 assisted.

11 * **Sec. 34.** AS 15.15.250 is amended to read:

12 **Sec. 15.15.250. Disposition of spoiled [IMPROPERLY MARKED] ballot.**
 13 If a voter improperly marks, [OR OTHERWISE] damages, **or otherwise spoils** a
 14 ballot, the voter may request and the election board shall provide another ballot, with
 15 a maximum of three. **The** [, AND THE] board shall record **on the precinct register**
 16 **that there was a spoiled** [THE NUMBER OF THE IMPROPERLY MARKED OR
 17 DAMAGED] ballot and destroy **the spoiled ballot** [IT] immediately without
 18 examining it.

19 * **Sec. 35.** AS 15.15.260 is amended to read:

20 **Sec. 15.15.260. Placing ballot in ballot box by voter.** When the voter has
 21 marked a ballot, the voter shall inform the election **official** [JUDGE]. The
 22 [DIRECTOR MAY REQUIRE THAT THE VOTER RETURN THE BALLOT TO
 23 THE ELECTION JUDGE TEMPORARILY SO THAT ANY STUB WHICH MAY BE
 24 PART OF THE BALLOT MAY BE REMOVED BY THE ELECTION JUDGE. ANY
 25 SUCH REQUIREMENT SHALL PROTECT THE SECRECY OF THE BALLOT. IN
 26 ALL CASES THE] ballot shall be deposited in the ballot box by the voter in the
 27 presence of the election **official** [JUDGE] unless the voter requests the election **official**
 28 [JUDGE] to deposit the ballot on the voter's behalf. Separate ballot boxes may be
 29 used for separate ballots.

30 * **Sec. 36.** AS 15.15.330 is amended to read:

31 **Sec. 15.15.330. Commencement of ballot count.** When the polls are closed

1 and the last vote has been cast **in a hand-count precinct**, the election board [AND
2 CLERKS OR COUNTERS] shall immediately proceed to open the ballot box and to
3 count the votes cast. In all cases, the election board shall cause the count to be
4 continued without adjournment until the count is complete.

5 * **Sec. 37.** AS 15.15.340 is amended to read:

6 **Sec. 15.15.340. Report, oath, and vacancies of additional election officials**
7 **[COUNTERS]. Additional election officials [COUNTERS]** shall report to the
8 election board at the polls at the time designated by the election supervisor or the
9 **chairperson [CHAIRMAN]** of the election board to assume their duties to assist the
10 election board in counting the vote. Before undertaking the duties of office, each
11 **additional election official [COUNTER]** shall subscribe to an oath to honestly,
12 faithfully, impartially, and promptly carry out the duties of the position. [AN
13 ELECTION JUDGE MAY ADMINISTER THE OATH.] If an **additional election**
14 **official [APPOINTED COUNTER]** fails to appear and subscribe to the oath at the time
15 designated by the election supervisor, the election board shall appoint any qualified
16 voter to fill the vacancy.

17 * **Sec. 38.** AS 15.15.350(a) is amended to read:

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

31 * **Sec. 39.** AS 15.15.360 is amended to read:

1 **Sec. 15.15.360. Rules for counting [HAND-MARKED] ballots in hand-**
2 **count precincts.** (a) The election board shall count [HAND-MARKED] ballots **in**
3 **hand-count precincts** according to the following rules: [.]

4 (1) A voter may mark a ballot only by **filling in, making** [THE USE
5 OF CROSS-MARKS,] "X" marks, diagonal, horizontal, or vertical marks, solid marks,
6 stars, circles, asterisks, checks, or plus signs that are clearly spaced in the **oval**
7 [SQUARE] opposite the name of the candidate, **proposition, or question that** the
8 voter desires to designate.

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

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

13 (4) If a voter marks more names than there are persons to be elected
14 to the office, the votes for candidates for that office may not be counted.

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

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

21 (7) An erasure or correction invalidates only that section of the ballot
22 in which it appears.

23 (8) A vote marked for the candidate for President or Vice-President of
24 the United States is considered and counted as a vote for the election of the
25 presidential electors.

26 (9) Write-in votes are not invalidated by writing in the name of a
27 candidate whose name is printed on the ballot unless the election board determines, on
28 the basis of other evidence, that the ballot was so marked for the purpose of
29 identifying the ballot.

30 (10) [STICKERS BEARING A CANDIDATE'S NAME MAY BE
31 AFFIXED TO THE BALLOT IN PLACE OF WRITING IN A CANDIDATE'S

1 NAME IF WRITE-IN VOTES ARE OTHERWISE PERMITTED. STICKERS MAY
 2 NOT BE ISSUED BY MEMBERS OF THE ELECTION BOARD WHILE SERVING
 3 AT THE POLLS. STICKERS MAY NOT BE OFFERED TO VOTERS WITHIN 200
 4 FEET OF THE POLLING PLACE.

5 (11) In order to vote for a write-in candidate, the voter must write in
 6 the candidate's name in the space provided [OR PLACE A STICKER IN THE SPACE]
 7 and **fill in** [, IN ADDITION, MARK] the **oval** [SQUARE] opposite the candidate's
 8 name in accordance with (1) of this subsection.

9 **(11) A vote for a write-in candidate, other than a write-in vote for**
 10 **governor and lieutenant governor, shall be counted if the oval is filled in for that**
 11 **candidate and if the name, as it appears on the write-in declaration of candidacy,**
 12 **of the candidate or the last name of the candidate is written in the space**
 13 **provided.**

14 **(12) If the write-in vote is for governor and lieutenant governor, the**
 15 **vote shall be counted if the oval is filled in and the names, as they appear on the**
 16 **write-in declaration of candidacy, of the candidates for governor and lieutenant**
 17 **governor or the last names of the candidates for governor and lieutenant**
 18 **governor, or the name, as it appears on the write-in declaration of candidacy, of**
 19 **the candidate for governor or the last name of the candidate for governor is**
 20 **written in the space provided.**

21 (b) The rules set out in this section are mandatory and there **are** [SHALL BE]
 22 no exceptions to them. A ballot may not be counted unless marked in compliance
 23 with these rules.

24 (c) The rules set out in this section apply to [HAND-MARKED PUNCH-
 25 CARD] ballots **used in hand-count precincts where precinct tabulators** [IF PUNCH-
 26 CARD MACHINES] are not available [IN A PRECINCT].

27 * **Sec. 40.** AS 15.15.361 is repealed and reenacted to read:

28 **Sec. 15.15.361. Stickers.** The use of stickers in an election to vote for a
 29 write-in candidate is prohibited.

30 * **Sec. 41.** AS 15.15.390 is amended to read:

31 **Sec. 15.15.390. Certifying election expenses.** The director shall prescribe the

1 manner of certifying, auditing, and paying election expenses, including the cost of
 2 giving notice, renting polling places, paying election **officials** [JUDGES, CLERKS,
 3 AND COUNTERS], securing a ballot box, postage, and stationery, and obtaining
 4 similar election necessities.

5 * **Sec. 42.** AS 15.15.430 is repealed and reenacted to read:

6 **Sec. 15.15.430. Scope of the review of ballot counting.** (a) The review of
 7 ballot counting by the director shall include only a review of

8 (1) the precinct registers, tallies, and ballots cast; and

9 (2) absentee and questioned ballots as prescribed by law.

10 (b) If, following the ballot review set out in (a) of this section, the director
 11 finds an unexplained discrepancy in the ballot count in any precinct, the director may
 12 count the ballots from that precinct. The director shall certify in writing to the state
 13 ballot counting review board any changes resulting from the count.

14 * **Sec. 43.** AS 15.15.470 is amended to read:

15 **Sec. 15.15.470. Preservation of election ballots, papers, and materials.** The
 16 director shall preserve all precinct election certificates, tallies, and registers for four
 17 years after the election. All ballots and stubs **for elections other than national**
 18 **elections** may be destroyed 30 days after the certification of the state ballot counting
 19 review unless an application for recount has been filed and not completed, or unless
 20 their destruction is stayed by an order of the court. **All ballots for national elections**
 21 **may be destroyed in accordance with federal law.** The director may permit the
 22 inspection of election materials upon call by **the** Congress, the state legislature, or a
 23 court of competent jurisdiction.

24 * **Sec. 44.** AS 15.20.015 is amended to read:

25 **Sec. 15.20.015. Moving from house [ELECTION] district just before**
 26 **election.** A person who meets all voter qualifications except **the requirement** [THAT
 27 LISTED] in AS 15.05.010(4) is qualified to vote by absentee ballot in the **house**
 28 [ELECTION] district in which the person formerly resided if the person lived in that
 29 **house** [ELECTION] district for at least 30 days immediately before changing
 30 residence, **except that the person may vote only for**

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

1 election up to and including election day.

2 * **Sec. 47.** AS 15.20.061(d) is amended to read:

3 (d) The election official may not accept a marked ballot that has been
4 exhibited by an absentee voter with intent to influence other voters. If the absentee
5 voter spoils [IMPROPERLY MARKS OR OTHERWISE DAMAGES] a ballot, the
6 voter may request and the election official shall provide another ballot up to a
7 maximum of three. Exhibited or spoiled [, IMPROPERLY MARKED, OR
8 DAMAGED] ballots shall be destroyed. The numbers of all ballots destroyed shall be
9 noted on the ballot statement.

10 * **Sec. 48.** AS 15.20 is amended by adding a new section to read:

11 **Sec. 15.20.064. Early voting.** (a) A qualified voter who meets the
12 requirements set out in this section may vote early in the office of an election
13 supervisor on or after the 15th day before an election up to and including election day.

14 (b) The election supervisor or other election official shall issue a ballot to the
15 voter upon

16 (1) exhibition of proof of identification as required in AS 15.15.225;

17 (2) verification that the voter's residence address appearing on the
18 official registration list is current and within the election supervisor's jurisdiction; and

19 (3) the voter's signing the early voting register.

20 (c) After the voter has marked the ballot, the voter shall place the ballot in the
21 secrecy sleeve and inform the election supervisor or other election official. The voter
22 shall deposit the ballot in the ballot box in the presence of the election supervisor or
23 other election official unless the voter requests the election supervisor or other election
24 official to deposit the ballot on the voter's behalf. The tabulation of early voting
25 ballots may not begin before 8:00 p.m. prevailing time on election day.

26 * **Sec. 49.** AS 15.20 is amended by adding a new section to read:

27 **Sec. 15.20.072. Special needs voting.** (a) A qualified voter with a disability
28 who, because of that disability, is unable to go to a polling place to vote may vote a
29 special needs ballot.

30 (b) The voter may, through a representative, request a special needs ballot
31 from the following election officials at the times specified:

1 (1) from an absentee voting official on or after the 15th day before an
2 election, up to and including election day;

3 (2) from an election supervisor

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

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

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

11 (4) from a member of the precinct election board on election day.

12 (c) If the request for a special needs ballot is made through a representative,
13 the representative shall sign a register provided by an election official. The register
14 must include the following information:

15 (1) the representative's name;

16 (2) the representative's residence and mailing address;

17 (3) the representative's social security number, voter number, or date
18 of birth;

19 (4) the name of the voter on whose behalf the representative is
20 requesting a ballot and voting materials;

21 (5) an oath that the representative

22 (A) is receiving a ballot and voting materials on behalf of the
23 voter;

24 (B) will not vote the ballot for the voter;

25 (C) will not coerce the voter;

26 (D) will not divulge the vote cast by the voter; and

27 (E) has been notified that unlawful interference with voting is
28 punishable under AS 15.56.030;

29 (6) the representative's signature.

30 (d) The representative shall deliver the special needs ballot and other voting
31 materials to the voter as soon as practicable. The voter shall mark the ballot in secret,

1 place the ballot in the secrecy sleeve, and place the secrecy sleeve in the envelope
 2 provided. The voter shall provide the information on the envelope that would be
 3 required for absentee voting if the voter voted in person. The voter shall sign the
 4 voter's certificate in the presence of the representative. The representative shall sign
 5 as attesting official and date the voter's signature.

6 (e) The representative shall deliver the ballot and voter certificate to an
 7 election official not later than 8:00 p.m. Alaska time on election day.

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

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 representative for the voter. A candidate
 13 for office at an election may not act as a representative for a voter in the election.

14 * **Sec. 50.** AS 15.20.082(c) is amended to read:

15 (c) A special state absentee ballot prepared for the state general election or for
 16 a state special election shall, if the names of candidates are not yet certified, permit
 17 a voter to cast a ballot for all the candidates of a particular political party that expects
 18 to have candidates appear on the ballot; for this purpose, the director shall prepare the
 19 ballot with party boxes and a blank line for each office to be voted on in that election.
 20 The voter may vote for a candidate for that office by writing in the name of a person
 21 and filling in [MARKING] the oval [BOX] to the right of that name, or the voter may
 22 mark one of the party boxes. If the voter puts a mark in a party box for that office,
 23 the director shall count the mark as a vote cast for the candidate for that office
 24 nominated by that party. If the voter writes in a name for an office, the vote shall be
 25 counted as a write-in vote for that office. The director shall count the ballots under
 26 AS 15.15.360. The director shall provide the voter with the names of each candidate
 27 appearing on the primary election ballot and the names of any candidates who have
 28 qualified by petition to appear on the general election ballot.

29 * **Sec. 51.** 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 [JUDGES] prescribed in **AS 15.10** [AS 15.10.150], district absentee ballot counting
 2 boards and district questioned ballot counting boards, each composed of at least four
 3 members. At least one member of each board must be a member of the same political
 4 party of which the governor is a member, and at least one member of each board must
 5 be a member of the political party whose candidate for governor received the second
 6 largest number of votes in the preceding gubernatorial election. The district boards
 7 shall assist the election supervisors in counting the absentee and questioned ballots and
 8 shall receive the same compensation paid election **officials** [JUDGES] under
 9 AS 15.15.380.

10 * **Sec. 52.** AS 15.20.205(c) is amended to read:

11 (c) The district questioned ballot counting board **may** [SHALL] certify the
 12 questioned ballot totals as soon as the count is completed but no later than the **15th**
 13 [10TH] day following the election.

14 * **Sec. 53.** AS 15.20.211(a) is amended to read:

15 (a) If a qualified voter of the state votes a ballot for **a house** [AN ELECTION]
 16 district other than the **house** [ELECTION] district in which the voter is registered, **that**
 17 **person may vote only for**

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

19 **(2) candidates for federal or statewide offices;**

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

22 **(4) candidates for judicial retention if the voter's former residence**
 23 **and present residence are in the same judicial district** [THE VOTES CAST FOR
 24 STATEWIDE CANDIDATES AND FOR STATEWIDE BALLOT PROPOSITIONS
 25 AND STATEWIDE QUESTIONS SHALL BE COUNTED. IF THE QUALIFIED
 26 VOTER VOTED FOR A CANDIDATE FOR THE STATE SENATE FROM THE
 27 SENATE DISTRICT IN WHICH THE VOTER IS A RESIDENT, THE VOTE
 28 SHALL BE COUNTED. THE VOTES CAST FOR CANDIDATES OR BALLOT
 29 PROPOSITIONS OR QUESTIONS NOT APPEARING ON THE BALLOT OF THE
 30 DISTRICT IN WHICH THE VOTER IS A RESIDENT MAY NOT BE COUNTED].

31 * **Sec. 54.** AS 15.20.480 is amended to read:

1 **Sec. 15.20.480. Procedure for recount.** In conducting the recount, the
 2 director shall review all ballots, whether the ballots were counted at the precinct or by
 3 computer or by the district absentee counting board or the questioned ballot counting
 4 board, to determine which ballots, or part of ballots, were properly marked and which
 5 ballots are to be counted in the recount, and shall check the accuracy of the original
 6 count, the precinct certificate, and the review. [THE DIRECTOR SHALL CHECK
 7 THE NUMBER OF BALLOTS AND QUESTIONED BALLOTS CAST IN A
 8 PRECINCT AGAINST THE REGISTERS AND SHALL CHECK ABSENTEE
 9 BALLOTS VOTED AGAINST ABSENTEE BALLOTS DISTRIBUTED.] The
 10 director shall count absentee ballots received before the completion of the recount. For
 11 administrative purposes, the director may join and include two or more applications
 12 in a single review and count of votes. The rules in AS 15.15.360 governing the
 13 counting of [HAND-MARKED] ballots **in hand-count precincts** [AND THE RULES
 14 IN AS 15.20.730 GOVERNING THE COUNTING OF PUNCH-CARD BALLOTS]
 15 shall be followed in the recount **when a ballot is challenged on the basis of a**
 16 **question regarding the voter's intent to vote for the candidate, proposition, or**
 17 **question**. The ballots and other election material must remain in the custody of the
 18 director during the recount, and the highest degree of care shall be exercised to protect
 19 the ballots against alteration or mutilation. The recount shall be completed within 10
 20 days. The director may employ additional personnel necessary to assist in the recount.

21 * **Sec. 55.** AS 15.20.800(e) is amended to read:

22 (e) The director shall review ballots voted under this section under procedures
 23 established for the review of absentee ballots under AS 15.20.201 and 15.20.203. **The**
 24 **director shall establish the schedule for counting ballots in an election conducted**
 25 **by mail.**

26 * **Sec. 56.** AS 15.25.040(a) is amended to read:

27 (a) The declaration is filed by either

28 (1) the actual physical delivery of the declaration in person or by mail
 29 at or before 5:00 p.m., prevailing time, June 1 of the year in which a general election
 30 is held for the office; or

31 (2) **reliable electronic transmission** [THE ACTUAL PHYSICAL

1 DELIVERY BY TELEGRAM] of a copy in substance of the statements made in
 2 paragraphs (1) - (5) of the declaration as required by AS 15.25.030(a) at or before 5:00
 3 p.m., prevailing time, June 1 of the year in which a general election is held for the
 4 office and also the actual physical delivery of the declaration containing paragraphs
 5 (1) - (16) as required by AS 15.25.030(a) by [REGISTERED] mail **that** [WHICH] is
 6 received not more than 15 days after that time.

7 * **Sec. 57.** AS 15.25.100 is amended to read:

8 **Sec. 15.25.100. Placement of nominees on general election ballot.** The
 9 director shall place the name of the candidate receiving the highest number of votes
 10 for an office by a political party on the general election ballot. **However, the director**
 11 **may not place on the general election ballot the name of the candidate from a**
 12 **political party receiving the greatest number of votes for the office of**

13 **(1) governor unless there is also a candidate for lieutenant governor**
 14 **of that political party;**

15 **(2) lieutenant governor unless there is also a candidate for governor**
 16 **of that political party.**

17 * **Sec. 58.** AS 15.25 is amended by adding a new section to read:

18 **Sec. 15.25.105. Write-in candidates.** (a) If a candidate does not appear on
 19 the primary election ballot or is not successful in advancing to the general election and
 20 wishes to be a candidate in the general election, the candidate may file as a write-in
 21 candidate. Votes for a write-in candidate may not be counted unless that candidate has
 22 filed a letter of intent with the director stating

23 (1) the full name of the candidate;

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

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

27 (4) the name of the political party or political group of which the
 28 candidate is a member, if any;

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

31 (6) the office that the candidate seeks;

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

2 (8) the length of residency in the state and in the house district of the
3 candidate;

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

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

8 (11) that the candidate will meet the specific age requirements of the
9 office for which the person is a candidate by the time that the candidate, if elected, is
10 sworn into office;

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

12 (13) that the candidate is not a candidate for any other office to be
13 voted on at the general election and that the candidate is not a candidate for this office
14 under any other nominating petition or declaration of candidacy.

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

18 (c) A letter of intent under (a) of this section must be filed not later than five
19 days before the general election.

20 * **Sec. 59.** AS 15.25.130 is amended to read:

21 **Sec. 15.25.130. Selection of nominees for party petition.** The nominees of
22 political parties by party petition may be selected for statewide offices by the **state**
23 party central committee or in any other manner prescribed by the party bylaws, and
24 the petition for statewide offices shall be signed by the **state chairperson**
25 [CHAIRMAN] of the **political party** [CENTRAL COMMITTEE,] or, in the absence
26 of the **state chairperson** [CHAIRMAN], by any two members of the **state party**
27 **central** committee. The nominees of political parties by party petition may be selected
28 for district-wide offices by the respective party district committee or in any other
29 manner prescribed by the party bylaws, and the petition for district-wide offices shall
30 be signed by the **chairperson** [CHAIRMAN] of the party district committee, or in the
31 absence of the **chairperson** [CHAIRMAN], by any two members of the party **district**

1 committee, or in any other manner prescribed by the party bylaws. The petition may
 2 be delivered in person, or by mail, telegraph, [OR] facsimile, or other reliable
 3 electronic transmission.

4 * **Sec. 60.** AS 15.25.180(a) is amended to read:

5 (a) The petition must state in substance

6 (1) the full name of the candidate;

7 (2) the full residence address of the candidate [,] and the date on which
 8 residency at that address began;

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

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

11 (5) if the candidacy is for the office of state senator or state
 12 representative, the **house** [ELECTION] or senate district of which the candidate is a
 13 resident;

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

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

16 (8) the length of residency in the state and in the district of the
 17 candidate;

18 (9) that the subscribers are qualified voters of the state or **house**
 19 [ELECTION] or senate district in which the candidate resides;

20 (10) that the subscribers request that the candidate's name be placed on
 21 the primary election ballot;

22 (11) that the proposed candidate accepts the nomination and will serve
 23 if elected, with the statement signed by the proposed candidate;

24 (12) the name of the candidate as the candidate wishes it to appear on
 25 the ballot; [AND]

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

29 **(14) that the candidate meets the specific citizenship requirements**
 30 **of the office for which the person is a candidate;**

31 **(15) that the candidate will meet the specific age requirements of**

1 the office for which the person is a candidate by the time that the candidate, if
 2 elected, is sworn into office; and

3 (16) that the candidate is a qualified voter.

4 * **Sec. 61.** AS 15.30.020 is amended to read:

5 **Sec. 15.30.020. Number and manner of selecting candidates.** Each political
 6 party shall select a number of candidates for electors of President and **Vice-President**
 7 [VICE PRESIDENT] of the United States equal to the number of senators and
 8 representatives to which the state is entitled in Congress. The candidates for electors
 9 shall be selected by the state party convention or in any other manner prescribed by
 10 the bylaws of the party. The **chairperson** [CHAIRMAN] and secretary of the state
 11 convention or any other party official designated by the party bylaws shall certify a
 12 list of the names of candidates for electors to the director on or before September 1
 13 in presidential election years.

14 * **Sec. 62.** AS 15.40.300 is amended to read:

15 **Sec. 15.40.300. Selection of party nominees.** The nominees of political
 16 parties may be selected by state convention or in any other manner prescribed by the
 17 party bylaws, and the petition shall be signed by the **chairperson** [CHAIRMAN] and
 18 secretary of the state convention, or, if the nominees are selected by the party central
 19 committee, the petition shall be signed by the **state chairperson of the political party**
 20 [CHAIRMAN OF THE CENTRAL COMMITTEE] or in any other manner prescribed
 21 by the party bylaws.

22 * **Sec. 63.** AS 15.45.110(a) is amended to read:

23 (a) The petitions may be circulated throughout the state [ONLY BY A
 24 SPONSOR AND] only in person.

25 * **Sec. 64.** AS 15.45.110(c) is amended to read:

26 (c) A **circulator** [SPONSOR] may not receive payment or agree to receive
 27 payment that is greater than \$1 a signature, and a person or an organization may not
 28 pay or agree to pay an amount that is greater than \$1 a signature, for the collection of
 29 signatures on a petition.

30 * **Sec. 65.** AS 15.45.110(e) is amended to read:

31 (e) A person or organization that violates **(c) or (d)** [(b) - (d)] of this section

1 is guilty of a class B misdemeanor.

2 * **Sec. 66.** AS 15.45.130 is amended to read:

3 **Sec. 15.45.130. Certification of circulator [SPONSOR].** Before being filed,
 4 each petition shall be certified by an affidavit by the **person** [SPONSOR] who
 5 personally circulated the petition. The affidavit must state in substance that (1) the
 6 person signing the affidavit **meets the residency, age, and citizenship qualifications**
 7 **of AS 15.05.010** [IS A SPONSOR], (2) the person is the only circulator of that
 8 petition, (3) the signatures were made in the **circulator's** [SPONSOR'S] actual
 9 presence, (4) to the best of the **circulator's** [SPONSOR'S] knowledge, the signatures
 10 are those of the persons whose names they purport to be, (5) the signatures are of
 11 persons who were qualified voters on the date of signature, (6) the person has not
 12 entered into an agreement with a person or organization in violation of
 13 AS 15.45.110(c), (7) the person has not violated AS 15.45.110(d) with respect to that
 14 petition, and (8) the **circulator** [SPONSOR] prominently placed, in the space provided
 15 under AS 15.45.090(5) before circulation of the petition, in bold capital letters, the
 16 **circulator's** [SPONSOR'S] name and, if the **circulator** [SPONSOR] has received
 17 payment or agreed to receive payment for the collection of signatures on the petition,
 18 the name of each person or organization that has paid or agreed to pay the **circulator**
 19 [SPONSOR] for collection of signatures on the petition. In determining the sufficiency
 20 of the petition, the lieutenant governor may not count subscriptions on petitions not
 21 properly certified.

22 * **Sec. 67.** AS 15.45.340 is amended to read:

23 **Sec. 15.45.340. Circulation [BY SPONSOR].** The petitions may be
 24 circulated throughout the state [ONLY BY A SPONSOR AND] only in person.

25 * **Sec. 68.** AS 15.45.360 is amended to read:

26 **Sec. 15.45.360. Certification of circulator [SPONSOR].** Before being filed,
 27 each petition shall be certified by an affidavit by the **person** [SPONSOR] who
 28 circulated the petition. The affidavit shall state in substance that (1) the person signing
 29 the affidavit **meets the residency, age, and citizenship qualifications of**
 30 **AS 15.05.010** [IS A SPONSOR], (2) the person is the only circulator of the petition,
 31 (3) the signatures were made in the **circulator's** [SPONSOR'S] actual presence, and

1 (4) to the best of the **circulator's** [SPONSOR'S] knowledge, the signatures are the
 2 signatures of persons whose names they purport to be. In determining the sufficiency
 3 of the petition, the lieutenant governor may not count subscriptions on petitions not
 4 properly certified.

5 * **Sec. 69.** AS 15.45.580 is amended to read:

6 **Sec. 15.45.580. Circulation [BY SPONSOR].** The petitions may be
 7 circulated [ONLY BY A SPONSOR AND] only in person throughout the state or
 8 senate or **house** [ELECTION] district represented by the official sought to be recalled.

9 * **Sec. 70.** AS 15.45.600 is amended to read:

10 **Sec. 15.45.600. Certification of circulator [SPONSOR].** Before being filed,
 11 each petition shall be certified by an affidavit by the **person** [SPONSOR] who
 12 personally circulated the petition. The affidavit shall state in substance that (1) the
 13 person signing the affidavit **meets the residency, age, and citizenship qualifications**
 14 **of AS 15.05.010** [IS A SPONSOR], (2) the person is the only circulator of that petition
 15 or copy, (3) the signatures were made in the **circulator's** [SPONSOR'S] actual
 16 presence, and (4) to the best of the **circulator's** [SPONSOR'S] knowledge, the
 17 signatures are those of the persons whose names they purport to be. In determining
 18 the sufficiency of the petition, the director may not count subscriptions on petitions not
 19 properly certified.

20 * **Sec. 71.** AS 15.50.040 is amended to read:

21 **Sec. 15.50.040. Display of resolution.** The director shall provide each
 22 election board with **one copy** [10 COPIES] of the resolution proposing the
 23 constitutional amendment by the legislature or by the convention, and the election
 24 board shall display **the copy** [THREE COPIES] of the resolution in a conspicuous
 25 place in the room where the election is held.

26 * **Sec. 72.** AS 15.56.016(a) is amended to read:

27 (a) A person commits the crime of campaign misconduct in the third degree
 28 if

29 (1) the person violates a provision of AS 15.13 or a regulation adopted
 30 under AS 15.13; or

31 (2) during the hours the polls are open and after election **officials**

1 [JUDGES] have posted warning notices as required by AS 15.15.170 or at the required
 2 distance in the form and manner prescribed by the chief municipal elections official
 3 in a local election, the person is within 200 feet of an entrance to a polling place, and

4 (A) violates AS 15.15.170; or

5 (B) circulates cards, handbills, or marked ballots, or posts
 6 political signs or posters relating to a candidate at an election or election
 7 proposition or question.

8 * **Sec. 73.** AS 15.56.030(d) is amended to read:

9 (d) For purposes of (a)(2) and (3) of this section, "other valuable thing"

10 (1) includes [, BUT IS NOT LIMITED TO,]

11 (A) an entry in a game of chance in which a prize of money or
 12 other present or future pecuniary gain or advantage may be awarded to a
 13 participant wherein the total of the prizes offered is greater than \$2 per
 14 participant with a maximum of \$100; and

15 (B) government employment or benefits;

16 (2) does not include

17 (A) materials having a nominal value bearing the name,
 18 likeness, or other identification of a candidate, political party, political group,
 19 party district committee, or organization, or stating a position on a ballot
 20 proposition or question;

21 (B) food and refreshments provided incidental to an activity that
 22 is nonpartisan in nature and directed at encouraging persons to vote, or
 23 incidental to a gathering in support of or in opposition to a candidate, political
 24 party, political group, party district committee, organization, or ballot question
 25 or proposition;

26 (C) care of the voter's dependents provided in connection with
 27 the absence of a voter from home for the purpose of voting;

28 (D) services provided by a person acting as a [PERSONAL]
 29 representative under AS 15.20.072 [AS DEFINED IN AS 15.20.071];

30 (E) services provided by an election official as defined in
 31 AS 15.60.010; and

- 1 (F) transportation of a voter to or from the polls without charge.
- 2 * **Sec. 74.** AS 15.58.030(b) is amended to read:
- 3 (b) No later than **July 22** [JULY 15] of a year in which a state general
 4 election will be held, an individual who becomes a candidate for the office of United
 5 States senator, United States representative, governor, lieutenant governor, state
 6 senator, or state representative under AS 15.25.030 or **15.25.180** [UNDER
 7 AS 15.25.180] may file with the lieutenant governor a photograph and a statement
 8 advocating the candidacy. An individual who becomes a candidate for the office of
 9 United States senator, United States representative, governor, lieutenant governor, state
 10 senator, or state representative by party petition filed under AS 15.25.110 may file
 11 with the lieutenant governor a photograph and a statement advocating the candidacy
 12 within 10 days of becoming a candidate.
- 13 * **Sec. 75.** AS 15.58.080(a) is amended to read:
- 14 (a) Not less than **22** [30] days before the general election, the lieutenant
 15 governor shall mail to every registered voter one copy of the pamphlet prepared for
 16 the region in which the voter resides. Additional pamphlets may be obtained from the
 17 director, the office of the lieutenant governor, and the area election offices.
- 18 * **Sec. 76.** AS 15.60.010(2) is amended to read:
- 19 (2) "ballot" means **any document provided by the director on which**
 20 **votes may be cast for candidates, propositions, or questions** [A HAND-MARKED
 21 BALLOT AND A PUNCH-CARD BALLOT];
- 22 * **Sec. 77.** AS 15.60.010(4) is amended to read:
- 23 (4) "election board" means the **board appointed in accordance with**
 24 **AS 15.10.120** [LOCAL PRECINCT BOARD COMPOSED OF THE THREE
 25 ELECTION JUDGES];
- 26 * **Sec. 78.** AS 15.60.010(6) is amended to read:
- 27 (6) "election official" means election **board members** [JUDGES,
 28 CLERKS, COUNTERS], members of counting or review boards, employees of the
 29 division of elections, and absentee voting officials;
- 30 * **Sec. 79.** AS 15.60.010(8) is repealed and reenacted to read:
- 31 (8) "felony involving moral turpitude" includes those crimes that are

1 immoral or wrong in themselves such as murder, manslaughter, assault, sexual assault,
 2 sexual abuse of a minor, unlawful exploitation of a minor, robbery, extortion, coercion,
 3 kidnapping, incest, arson, burglary, theft, forgery, criminal possession of a forgery
 4 device, offering a false instrument for recording, scheme to defraud, falsifying business
 5 records, commercial bribe receiving, commercial bribery, bribery, receiving a bribe,
 6 perjury, perjury by inconsistent statements, endangering the welfare of a minor, escape,
 7 promoting contraband, interference with official proceedings, receiving a bribe by a
 8 witness or a juror, jury tampering, misconduct by a juror, tampering with physical
 9 evidence, hindering prosecution, terroristic threatening, riot, criminal possession of
 10 explosives, unlawful furnishing of explosives, promoting prostitution, criminal
 11 mischief, misconduct involving a controlled substance or an imitation controlled
 12 substance, permitting an escape, promoting gambling, possession of gambling records,
 13 distribution of child pornography, and possession of child pornography;

14 * **Sec. 80.** AS 15.60.010(10) is amended to read:

15 (10) "**hand-counted** [HAND-MARKED] ballot" means a ballot
 16 designated to be **counted** [MARKED] by hand **in precincts where precinct**
 17 **tabulators are not available** [WITH A PEN OR PENCIL];

18 * **Sec. 81.** AS 15.60.010(28) is amended to read:

19 (28) "senate district" means **one of** the [TERRITORY INCLUDED IN
 20 THE ELECTION] districts **described in** [AS DESIGNATED IN ART. XIV, SEC. 2,
 21 OF THE STATE CONSTITUTION, AS MAY BE MODIFIED UNDER] art. VI,
 22 **sec. 2, Constitution of the State of Alaska** [OF THE STATE CONSTITUTION];

23 * **Sec. 82.** AS 15.60.010(31) is amended to read:

24 (31) "state **chairperson** [CHAIRMAN]" **or "state party chairperson"**
 25 means the **political** party official elected as the highest ranking statewide party
 26 executive;

27 * **Sec. 83.** AS 15.60.010 is amended by adding new paragraphs to read:

28 (37) "house district" means one of the districts described in art. VI,
 29 sec. 1, Constitution of the State of Alaska;

30 (38) "judicial district" means one of the districts defined in
 31 AS 22.10.010;

1 (39) "precinct tabulators" means an electronic optical scanning ballot
2 tabulation system or other tabulator designated by the director to electronically count
3 ballots.

4 * **Sec. 84.** AS 29.26.050(b) is amended to read:

5 (b) Voter registration by the municipality may not be required. However, in
6 order to vote for a candidate or on a ballot measure relating to a specific local election
7 district or service area, a municipality may by ordinance require that a person be
8 registered to vote in state elections at least 30 days before the municipal election at an
9 address within the boundaries of that local election district or service area. **The**
10 **municipality has the responsibility to determine if a voter meets the requirements**
11 **of the ordinance and this section.**

12 * **Sec. 85.** AS 36.30.850(b)(7) is amended to read:

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

15 * **Sec. 86.** AS 39.50.020(a) is amended to read:

16 (a) A public official other than the governor or the lieutenant governor shall
17 file a statement giving income sources and business interests, under oath and on
18 penalty of perjury, within 30 days after taking office as a public official. Candidates
19 for state elective office other than a candidate who is subject to AS 24.60 shall file the
20 statement with the director of elections at the time of filing a declaration of candidacy
21 or a nominating petition or becoming a candidate by any other means. Candidates for
22 elective municipal office shall file the statement at the time of filing a nominating
23 petition, declaration of candidacy, or other required filing for the elective municipal
24 office. Refusal or failure to file within [30 DAYS AFTER] the time prescribed shall
25 require that the candidate's filing fees, if any, and filing for office be refused or that
26 a previously accepted filing fee be returned and the candidate's name removed from
27 the filing records. A statement shall also be filed by public officials no later than
28 March 15 in each following year. Persons who are members of boards or commissions
29 not named in AS 39.50.200(b) are not required to file financial statements.

30 * **Sec. 87.** AS 43.23.016 is amended to read:

31 **Sec. 43.23.016. Voter registration.** The commissioner shall include, **at the**

1 **department's expense**, voter registration forms prepared under AS 15.07.070(b) **in the**
 2 [WITH] permanent fund dividend application packet. **The forms must include a**
 3 **notice that an individual is not required to register to vote in order to be eligible**
 4 **to receive a permanent fund dividend. For purposes of maintaining accurate**
 5 **voter registration records, the commissioner shall provide the director of**
 6 **elections with the mailing addresses of all applicants for a permanent fund**
 7 **dividend** [APPLICATIONS].

8 * **Sec. 88.** AS 15.10.130, 15.10.150; AS 15.15.030(12); 15.15.070(e); 15.15.070(f);
 9 AS 15.20.190(b), 15.20.590, 15.20.600, 15.20.609, 15.20.610, 15.20.620, 15.20.630, 15.20.640,
 10 15.20.650, 15.20.660, 15.20.670, 15.20.680, 15.20.685, 15.20.690, 15.20.700, 15.20.710,
 11 15.20.720, 15.20.730, 15.20.740; AS 15.45.110(b); AS 15.58.070; AS 15.60.010(5),
 12 and 15.60.010(24) are repealed.

13 * **Sec. 89.** AS 15.20.071 is repealed.

14 * **Sec. 90.** The uncodified law of the State of Alaska is amended by adding a new section
 15 to read:

16 TRANSITION: REGULATIONS. Notwithstanding sec. 94 of this Act, the director
 17 of elections may proceed to adopt regulations necessary to interpret or implement this Act.
 18 The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before
 19 July 1, 2000.

20 * **Sec. 91.** The uncodified law of the State of Alaska is amended by adding a new section
 21 to read:

22 REVISOR'S INSTRUCTION. In the following statute sections, the revisor shall
 23 change

24 (1) references to "election district," "electoral district," or "house election
 25 district" to read "house district": AS 03.20.050, AS 15.05.010(4), 15.05.012, AS 15.07.030(b),
 26 15.07.090(c), 15.07.090(d), 15.07.120, AS 15.10.040, 15.10.090, AS 15.13.020(j),
 27 15.13.400(10), AS 15.15.030(6), 15.15.060(d), AS 15.20.081(e), 15.20.430(a), 15.20.440(a),
 28 15.20.450, AS 15.25.030(a)(3), 15.25.043, 15.25.170, AS 15.40.440, AS 15.45.500,
 29 AS 15.45.530, 15.45.560, 15.45.610, 15.45.680, AS 15.58.020(3), AS 44.62.430(b), and
 30 AS 46.03.313(d);

31 (2) references to "election districts" to read "house districts": AS 03.20.020(a),

1 AS 15.10.110, AS 15.20.045(b), AS 15.45.140, 15.45.160, 15.45.370, 15.45.390(2), and
2 AS 15.58.020(4);

3 (3) references to "chairman" to read "chairperson": AS 15.10.140,
4 AS 15.13.020(g), 15.13.090(a), AS 15.15.090, AS 15.20.470, AS 15.40.210, 15.40.460, and
5 AS 15.58.040(b); and

6 (4) references to "chairmen" to read "chairpersons": AS 15.15.050 and
7 15.15.380.

8 * **Sec. 92.** Section 90 of this Act takes effect immediately under AS 01.10.070(c).

9 * **Sec. 93.** Sections 48, 49, 73, and 89 of this Act take effect January 1, 2001.

10 * **Sec. 94.** Except as provided in secs. 92 and 93 of this Act, this Act takes effect July 1,
11 2000.