

SENATE BILL NO. 120

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST

Introduced: 3/25/99

Referred: State Affairs, Finance

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; making conforming amendments in references to 'election district' and
12 'chairman'; and providing for an effective date."

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

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

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

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

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

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

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

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

28 (2) the application of a voter registering by mail was postmarked by
 29 the postal official in the municipality or established village; and

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

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

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

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

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

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

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

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

24 **Sec. 15.07.140. General administrative supervision by director.** The
25 director shall provide general administrative supervision over the registration and
26 reregistration of voters. The director shall, no later than **120** [40] days before any
27 **general** election, arrange to have the list of registered voters **in a usable electronic**
28 **format provided free of charge to each political party** [OF THE PRECINCT
29 PUBLICLY DISPLAYED. THE DIRECTOR SHALL INSTRUCT REGISTRATION
30 OFFICIALS TO POST THE LIST OF REGISTERED VOTERS IN A NUMBER OF
31 LOCATIONS CALCULATED TO OBTAIN MAXIMUM RECOGNITION]. Upon

1 request by the mayor or manager of a municipality, the director shall furnish
 2 registration information for all precincts all or part of which are within the boundaries
 3 of the local government unit.

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

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

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

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

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

23 (c) An election supervisor shall appoint one nominee of the political party of
 24 which the governor is a member and one nominee of the political party that received
 25 the second largest number of votes statewide in the preceding gubernatorial election.
 26 The election supervisor shall appoint at least one additional qualified individual
 27 registered to vote in that precinct. If a party district committee or state party central
 28 committee of the party of which the governor is a member or the party that received
 29 the second largest number of votes statewide in the preceding gubernatorial election
 30 fails to present the names prescribed by (b) of this section by April 15 of a regular
 31 election year or at least 60 days before a special election, the election supervisor may

1 appoint any qualified individual registered to vote in that precinct.

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

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

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

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

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

1 party committee, the **party district** [DISTRICT PARTY] committee, the state party
 2 **chairperson** [CHAIRMAN], the organization or organized group, or the candidate
 3 representing no party.

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

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

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

24 (8) The general or special election ballot shall be designed with the title
 25 and proposition for any initiative, referendum, or constitutional amendment formulated
 26 as prescribed by law and placed on the ballot in the manner prescribed by the director.
 27 When placed on the ballot, a state ballot proposition or ballot question shall carry the
 28 number **that** [WHICH] was assigned to the petition for the proposition or question.
 29 Provision shall be made for marking the proposition **"Yes"** ["FOR"] or **"No."**
 30 ["AGAINST."]

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

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

13 "Bonds. Yes" or "Bonds No,"

14 followed by an appropriate oval [SQUARE].

15 * **Sec. 14.** AS 15.15.050 is amended to read:

16 **Sec. 15.15.050. Distribution of election materials.** The director shall
 17 distribute an adequate supply of sample and official ballots and all other materials,
 18 forms, and supplies required for the election to the election supervisors for distribution
 19 to chairpersons [CHAIRMEN] of election boards in precincts not less than 25 days
 20 before the date for the election.

21 * **Sec. 15.** AS 15.15.070(b) is amended to read:

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

28 * **Sec. 16.** AS 15.15.070(c) is amended to read:

29 (c) Public notice shall also be given by posting notices in those communities
 30 that do not have newspapers of general circulation where posting of notice is
 31 considered necessary by the director [TWO OR MORE CONSPICUOUS PLACES]

1 IN EACH ELECTION PRECINCT]. The posted notice **must** [SHALL] specifically
 2 include [BUT IS NOT LIMITED TO] the date of election, the location of the polling
 3 **places** [PLACE], the hours between which the polling places will be open, the offices
 4 to which candidates are to be nominated or elected, [AND] the subject of the
 5 propositions and questions **that** [WHICH] are to be voted on, **and other information**
 6 **considered necessary by the director.**

7 * **Sec. 17.** AS 15.15.070(h) is amended to read:

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

16 * **Sec. 18.** AS 15.15.110 is amended to read:

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

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

26 * **Sec. 19.** AS 15.15.120 is amended to read:

27 **Sec. 15.15.120. Filling vacancies in election board.** If an appointed **election**
 28 **board member** [JUDGE OR CLERK] fails to appear and subscribe to the oath on
 29 election day or becomes incapacitated during the time of the election or the counting
 30 of the ballots, the election board members present shall elect, by a majority voice vote,
 31 a qualified voter to fill the vacancy. The qualified voter elected to fill the vacancy

1 shall be of the same political party as the person for whom the substitution is made
 2 unless, after reasonable effort, the election board members determine that a qualified
 3 voter of the same political party is not available.

4 * **Sec. 20.** AS 15.15.130 is amended to read:

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

9 * **Sec. 21.** AS 15.15.140(c) is amended to read:

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

14 * **Sec. 22.** AS 15.15.140(d) is amended to read:

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

19 * **Sec. 23.** AS 15.15.160 is amended to read:

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

23 * **Sec. 24.** AS 15.15.170 is amended to read:

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

30 * **Sec. 25.** AS 15.15.180 is amended to read:

31 **Sec. 15.15.180. Keeping of register.** The election officials [JUDGES] shall

1 keep a register or registers in which each voter before receiving a ballot shall sign the
 2 voter's name and give both a **residence** [RESIDENT] and mailing address. A record
 3 shall be kept in the registration book in space provided of the **names** [NAME] of
 4 persons who offer to vote but who actually do not vote, and a brief statement of
 5 explanation. The signing of the register constitutes a declaration by the voter that the
 6 voter is qualified to vote.

7 * **Sec. 26.** AS 15.15.195 is amended to read:

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

11 * **Sec. 27.** AS 15.15.198 is amended to read:

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

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

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

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

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

23 * **Sec. 28.** AS 15.15.210 is amended to read:

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

1 in each particular the person meets all the qualifications of a voter, is not disqualified,
 2 and has not voted at the same election, and certifying that the person understands that
 3 a false statement on the declaration may subject the person to prosecution for a
 4 misdemeanor under this title or AS 11. [THE QUESTIONED PERSON SHALL
 5 ALSO STATE THE PLACE FROM WHICH THAT PERSON CAME
 6 IMMEDIATELY BEFORE LIVING IN THE PRECINCT WHERE OFFERING TO
 7 VOTE AND THE LENGTH OF TIME OF RESIDENCE IN THE FORMER PLACE.]
 8 After the questioned person has executed the declaration, the person may vote. If the
 9 questioned person refuses to execute the declaration, the person may not vote.

10 * **Sec. 29.** AS 15.15.215(a) is amended to read:

11 (a) A voter who casts a questioned ballot shall vote the ballot in the same
 12 manner as prescribed for other voters. The voter shall insert the ballot into a secrecy
 13 sleeve, the election **official** [JUDGE] shall remove the numbered stub from the ballot,
 14 and the voter shall put the secrecy sleeve into an envelope on which the statement the
 15 voter previously signed is located. The envelope shall be sealed and deposited in the
 16 ballot box. When the ballot box is opened, the envelopes shall be segregated, counted,
 17 compared to the voting list, and delivered to the official or body supervising the
 18 election. The merits of the question shall be determined by this official or body in
 19 accordance with the procedure prescribed for questioned votes in AS 15.20.207.

20 * **Sec. 30.** AS 15.15.220 is amended to read:

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

23 * **Sec. 31.** AS 15.15.225(a) is amended to read:

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

28 * **Sec. 32.** AS 15.15.225(b) is amended to read:

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

31 * **Sec. 33.** AS 15.15.230 is amended to read:

1 **Sec. 15.15.230. Providing ballot to voter.** When the voter has qualified to
 2 vote, the election official [JUDGE] shall give the voter an official ballot. The voter
 3 shall retire to a booth or private place to mark the ballot.

4 * **Sec. 34.** AS 15.15.240 is amended to read:

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

14 * **Sec. 35.** AS 15.15.250 is amended to read:

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

22 * **Sec. 36.** AS 15.15.260 is amended to read:

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

1 used for separate ballots.

2 * **Sec. 37.** AS 15.15.330 is amended to read:

3 **Sec. 15.15.330. Commencement of ballot count.** When the polls are closed
4 and the last vote has been cast in a hand-count precinct, the election board [AND
5 CLERKS OR COUNTERS] shall immediately proceed to open the ballot box and to
6 count the votes cast. In all cases, the election board shall cause the count to be
7 continued without adjournment until the count is complete.

8 * **Sec. 38.** AS 15.15.340 is amended to read:

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

20 * **Sec. 39.** AS 15.15.350(a) is amended to read:

21 (a) The director may adopt regulations prescribing the manner in which the
22 precinct ballot count is accomplished so as to assure accuracy in the count and to
23 expedite the process. The election board shall account for all ballots by completing
24 a ballot statement containing (1) the number of official ballots received; (2) the number
25 of official ballots voted; (3) the number of official ballots spoiled; (4) the number of
26 official ballots unused and destroyed. The board shall count the number of questioned
27 ballots and shall compare that number to the number of questioned voters in the
28 register. Discrepancies shall be noted and the numbers included in the certificate
29 prescribed by AS 15.15.370. The election board, **in hand-count precincts**, shall count
30 the ballots in a manner that allows watchers to see the ballots when opened and read.
31 A [NO] person handling the ballot after it has been taken from the ballot box and

1 before it is placed in the envelope for mailing may **not** have a marking device in hand
 2 or remove a ballot from the immediate vicinity of the polls.

3 * **Sec. 40.** AS 15.15.360 is amended to read:

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

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

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

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

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

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

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

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

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

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

1 identifying the ballot.

2 (10) [STICKERS BEARING A CANDIDATE'S NAME MAY BE
3 AFFIXED TO THE BALLOT IN PLACE OF WRITING IN A CANDIDATE'S
4 NAME IF WRITE-IN VOTES ARE OTHERWISE PERMITTED. STICKERS MAY
5 NOT BE ISSUED BY MEMBERS OF THE ELECTION BOARD WHILE SERVING
6 AT THE POLLS. STICKERS MAY NOT BE OFFERED TO VOTERS WITHIN 200
7 FEET OF THE POLLING PLACE.

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

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

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

18 * **Sec. 41.** AS 15.15.361 is repealed and reenacted to read:

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

21 * **Sec. 42.** AS 15.15.380 is amended to read:

22 **Sec. 15.15.380. Payment of election board members.** The director shall pay
23 each election board member for time spent at election duties, including the receiving
24 of instructions. Election board chairpersons [CHAIRMEN] and the chairpersons
25 [CHAIRMAN] and members of the absentee ballot, questioned ballot, and state ballot
26 counting review boards shall be paid for time spent at their election duties. The
27 director shall set the compensation to be paid under this section by regulation.

28 * **Sec. 43.** AS 15.15.390 is amended to read:

29 **Sec. 15.15.390. Certifying election expenses.** The director shall prescribe the
30 manner of certifying, auditing, and paying election expenses, including the cost of
31 giving notice, renting polling places, paying election officials [JUDGES, CLERKS,

1 AND COUNTERS], securing a ballot box, postage, and stationery, and obtaining
2 similar election necessities.

3 * **Sec. 44.** AS 15.15.430 is repealed and reenacted to read:

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

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

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

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

12 * **Sec. 45.** AS 15.15.470 is amended to read:

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

22 * **Sec. 46.** AS 15.20.015 is amended to read:

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

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

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

31 **(3) candidates for the state senate if the voter's former residence**

1 and present residence are in the same senate district; and

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

4 * **Sec. 47.** AS 15.20.020 is amended to read:

5 **Sec. 15.20.020. Provision for general administrative supervision.** The
 6 director shall provide general administrative supervision over the conduct of absentee
 7 voting. The director shall make available instructions to absentee voters regarding the
 8 procedure for absentee voting. [ONE SET OF INSTRUCTIONS SHALL
 9 ACCOMPANY EACH ABSENTEE BALLOT.]

10 * **Sec. 48.** AS 15.20.061(a) is amended to read:

11 (a) A qualified voter may apply in person for an absentee ballot to the
 12 following election officials at the times specified:

13 (1) to an absentee voting official [IN THE ELECTION DISTRICT IN
 14 WHICH THE VOTER RESIDES] on or after the 15th day before an election up to and
 15 including [THE DAY BEFORE] the date of the election;

16 (2) to an election supervisor

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

19 (B) on or after the 15th day before an election up to and
 20 including the date of the election;

21 (3) to an absentee voting official at an absentee voting station
 22 designated under AS 15.20.045(b) at any time when the absentee voting station is
 23 operating [;

24 (4) TO AN ABSENTEE VOTING OFFICIAL IN THE PRECINCT IN
 25 WHICH THE VOTER RESIDES WHEN DISTANCES PRECLUDE EASY ACCESS
 26 TO THE POLLING PLACE ON OR AFTER THE 15TH DAY BEFORE AN
 27 ELECTION UP TO AND INCLUDING ELECTION DAY;

28 (5) TO AN ABSENTEE VOTING OFFICIAL IN THE PRECINCT IN
 29 WHICH NO VOLUNTEERS CAN BE LOCATED TO SERVE ON THE ELECTION
 30 BOARD ON OR AFTER THE 15TH DAY BEFORE AN ELECTION UP TO AND
 31 INCLUDING ELECTION DAY].

1 * **Sec. 49.** AS 15.20.061(d) is amended to read:

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

9 * **Sec. 50.** AS 15.20 is amended by adding a new section to read:

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

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

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

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

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

19 (c) After the voter has marked the ballot, the voter shall place the ballot in the
20 secrecy sleeve and inform the election supervisor or other election official. The voter
21 shall deposit the ballot in the ballot box in the presence of the election supervisor or
22 other election official unless the voter requests the election supervisor or other election
23 official to deposit the ballot on the voter's behalf.

24 * **Sec. 51.** AS 15.20 is amended by adding a new section to read:

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

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

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

- 1 (2) from an election supervisor
- 2 (A) after a date announced by the director under
- 3 AS 15.20.048(b); and
- 4 (B) on or after the 15th day before an election up to and
- 5 including election day;
- 6 (3) from an absentee voting official at an absentee voting station
- 7 designated under AS 15.20.045(b) at a time when the absentee voting station is in
- 8 operation; or
- 9 (4) from a member of the precinct election board on election day.
- 10 (c) If the request for a special needs ballot is made through a representative,
- 11 the representative shall sign a register provided by an election official. The register
- 12 must include the following information:
- 13 (1) the representative's name;
- 14 (2) the representative's residence and mailing address;
- 15 (3) the representative's social security number, voter number, or date
- 16 of birth;
- 17 (4) the name of the voter on whose behalf the representative is
- 18 requesting a ballot and voting materials;
- 19 (5) an oath that the representative
- 20 (A) is receiving a ballot and voting materials on behalf of the
- 21 voter;
- 22 (B) will not vote the ballot for the voter;
- 23 (C) will not coerce the voter;
- 24 (D) will not divulge the vote cast by the voter; and
- 25 (E) has been notified that unlawful interference with voting is
- 26 punishable under AS 15.56.030;
- 27 (6) the representative's signature.
- 28 (d) The representative shall deliver the special needs ballot and other voting
- 29 materials to the voter as soon as practicable. The voter shall mark the ballot in secret,
- 30 place the ballot in the secrecy sleeve, and place the secrecy sleeve in the envelope
- 31 provided. The voter shall provide the information on the envelope that would be

1 required for absentee voting if the voter voted in person. The voter shall sign the
 2 voter's certificate in the presence of the representative. The representative shall sign
 3 as attesting official and date the voter's signature.

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

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

9 (g) The voter's employer, an agent of the voter's employer, or an officer or
 10 agent of the voter's union may not act as a representative for the voter. A candidate
 11 for office at an election may not act as a representative for a voter in the election.

12 * **Sec. 52.** AS 15.20.082(c) is amended to read:

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

27 * **Sec. 53.** AS 15.20.190(a) is amended to read:

28 (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 **officials**
 30 [JUDGES] prescribed in **AS 15.10** [AS 15.10.150], district absentee ballot counting
 31 boards and district questioned ballot counting boards, each composed of at least four

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

8 * **Sec. 54.** AS 15.20.205(c) is amended to read:

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

12 * **Sec. 55.** AS 15.20.211(a) is amended to read:

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

16 (1) statewide ballot measures and questions;

17 (2) candidates for federal or statewide offices;

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

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

29 * **Sec. 56.** AS 15.20.480 is amended to read:

30 **Sec. 15.20.480. Procedure for recount.** In conducting the recount, the
 31 director shall review all ballots, whether the ballots were counted at the precinct or by

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

19 * **Sec. 57.** AS 15.20.800(e) is amended to read:

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

24 * **Sec. 58.** AS 15.25.040(a) is amended to read:

25 (a) The declaration is filed by either
 26 (1) the actual physical delivery of the declaration in person or by mail
 27 at or before 5:00 p.m. **Alaska** [, PREVAILING] time **on** [,] June 1 of the year in
 28 which a general election is held for the office; or
 29 (2) **reliable electronic transmission** [THE ACTUAL PHYSICAL
 30 DELIVERY BY TELEGRAM] of a copy in substance of the statements made in
 31 paragraphs (1) - (5) of the declaration as required by AS 15.25.030(a) at or before 5:00

1 p.m. Alaska [, PREVAILING] time on [,] June 1 of the year in which a general
 2 election is held for the office and also the actual physical delivery of the declaration
 3 containing paragraphs (1) - (16) as required by AS 15.25.030(a) by [REGISTERED]
 4 mail that [WHICH] is received not more than 15 days after that time.

5 * **Sec. 59.** AS 15.25.100 is amended to read:

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

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

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

15 * **Sec. 60.** AS 15.25 is amended by adding a new section to read:

16 **Sec. 15.25.105. Write-in candidates.** If a candidate does not appear on the
 17 primary election ballot or is not successful in advancing to the general election and
 18 desires to appear on the general election ballot, the candidate may file as a write-in
 19 candidate. A write-in candidate shall file a letter of intent with the director stating

20 (1) the full name of the candidate;

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

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

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

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

28 (6) the office that the candidate seeks;

29 (7) if the candidate is running for the office of governor and is a
 30 member of a political party or political group, the name of a candidate for lieutenant
 31 governor from the same political party or political group, if any;

- 1 (8) the date of the election at which the candidate seeks election;
- 2 (9) the length of residency in the state and in the house district of the
3 candidate;
- 4 (10) the name of the candidate as the candidate wishes it to appear on
5 the ballot;
- 6 (11) that the candidate meets the specific citizenship requirements of
7 the office for which the person is a candidate;
- 8 (12) 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 (13) that the candidate is a qualified voter as required by law; and
- 12 (14) 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 * **Sec. 61.** AS 15.25.130 is amended to read:

16 **Sec. 15.25.130. Selection of nominees for party petition.** The nominees of
17 political parties by party petition may be selected for statewide offices by the **state**
18 party central committee or in any other manner prescribed by the party bylaws, and
19 the petition for statewide offices shall be signed by the **state chairperson**
20 [CHAIRMAN] of the **political party** [CENTRAL COMMITTEE,] or, in the absence
21 of the **state chairperson** [CHAIRMAN], by any two members of the **state party**
22 **central** committee. The nominees of political parties by party petition may be selected
23 for district-wide offices by the respective party district committee or in any other
24 manner prescribed by the party bylaws, and the petition for district-wide offices shall
25 be signed by the **chairperson** [CHAIRMAN] of the party district committee, or in the
26 absence of the **chairperson** [CHAIRMAN], by any two members of the party **district**
27 committee, or in any other manner prescribed by the party bylaws. The petition may
28 be delivered in person, or by mail, telegraph, [OR] facsimile, **or other reliable**
29 **electronic transmission.**

30 * **Sec. 62.** AS 15.25.150 is amended to read:

31 **Sec. 15.25.150. Date of filing petition.** The petition is filed with the director

1 by actual physical delivery in person at or before 5:00 p.m. Alaska [, PREVAILING]
 2 time on [,] June 1 in the year in which a general election is held for the office, or by
 3 actual physical delivery to the director by registered or certified mail return receipt
 4 requested that [WHICH] is postmarked at or before 5:00 p.m. Alaska [,
 5 PREVAILING] time on [,] June 1 in the year in which a general election is held for
 6 the office [,] and received not more than 15 days after that time. If the postmark is
 7 illegible, a dated receipt from the post office where dispatched shall be acceptable as
 8 evidence of mailing. If June 1 is a Sunday or holiday, the deadlines for postmarking
 9 and receipt of the petition shall be extended 24 hours in each instance.

10 * **Sec. 63.** AS 15.25.180(a) is amended to read:

11 (a) The petition must state in substance

- 12 (1) the full name of the candidate;
- 13 (2) the full residence address of the candidate [,] and the date on which
 14 residency at that address began;
- 15 (3) the full mailing address of the candidate;
- 16 (4) the name of the political group, if any, supporting the candidate;
- 17 (5) if the candidacy is for the office of state senator or state
 18 representative, the house [ELECTION] or senate district of which the candidate is a
 19 resident;
- 20 (6) the office for which the candidate is nominated;
- 21 (7) the date of the election at which the candidate seeks election;
- 22 (8) the length of residency in the state and in the district of the
 23 candidate;
- 24 (9) that the subscribers are qualified voters of the state or house
 25 [ELECTION] or senate district in which the candidate resides;
- 26 (10) that the subscribers request that the candidate's name be placed on
 27 the primary election ballot;
- 28 (11) that the proposed candidate accepts the nomination and will serve
 29 if elected, with the statement signed by the proposed candidate;
- 30 (12) the name of the candidate as the candidate wishes it to appear on
 31 the ballot; [AND]

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

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

6 (15) that the candidate will meet the specific age requirements of
 7 the office for which the person is a candidate by the time that the candidate, if
 8 elected, is sworn into office; and

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

10 * **Sec. 64.** AS 15.30.020 is amended to read:

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

20 * **Sec. 65.** AS 15.40.075(b) is amended to read:

21 (b) Notwithstanding AS 15.25.040, the declaration of a member of a political
 22 party who seeks to become a candidate of the party in the special primary election
 23 under AS 15.40.010 is filed by either the actual physical delivery (1) of the declaration
 24 in person or by mail at or before 5:00 p.m. **Alaska** [, PREVAILING] time [,] on the
 25 third day following the proclamation; or (2) by telegram or other reliable electronic
 26 means of a copy in substance of the statements made in paragraphs (1) - (5) of the
 27 declaration as required by AS 15.25.030(a) at or before 5:00 p.m. **Alaska** [,
 28 PREVAILING] time [,] on the third day following the proclamation and also the actual
 29 physical delivery of the declaration containing paragraphs (1) - (16) as required by
 30 AS 15.25.030(a) to the United States Postal Service for delivery by the most
 31 expeditious means possible. If the declaration is not received within seven calendar

1 days, the candidate shall be notified of nonreceipt. The candidate shall have the
2 opportunity to refile the declaration with proof that a previous declaration has been
3 filed in a timely manner and in accordance with law.

4 * **Sec. 66.** AS 15.40.300 is amended to read:

5 **Sec. 15.40.300. Selection of party nominees.** The nominees of political
6 parties may be selected by state convention or in any other manner prescribed by the
7 party bylaws, and the petition shall be signed by the **chairperson** [CHAIRMAN] and
8 secretary of the state convention, or, if the nominees are selected by the party central
9 committee, the petition shall be signed by the **state chairperson of the political party**
10 [CHAIRMAN OF THE CENTRAL COMMITTEE] or in any other manner prescribed
11 by the party bylaws.

12 * **Sec. 67.** AS 15.50.040 is amended to read:

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

18 * **Sec. 68.** AS 15.56.016(a) is amended to read:

19 (a) A person commits the crime of campaign misconduct in the third degree
20 if

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

23 (2) during the hours the polls are open and after election **officials**
24 [JUDGES] have posted warning notices as required by AS 15.15.170 or at the required
25 distance in the form and manner prescribed by the chief municipal elections official
26 in a local election, the person is within 200 feet of an entrance to a polling place, and

27 (A) violates AS 15.15.170; or

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

31 * **Sec. 69.** AS 15.56.030(d) is amended to read:

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

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

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

7 (B) government employment or benefits;

8 (2) does not include

9 (A) materials having a nominal value bearing the name,
10 likeness, or other identification of a candidate, political party, political group,
11 party district committee, or organization, or stating a position on a ballot
12 proposition or question;

13 (B) food and refreshments provided incidental to an activity that
14 is nonpartisan in nature and directed at encouraging persons to vote, or
15 incidental to a gathering in support of or in opposition to a candidate, political
16 party, political group, party district committee, organization, or ballot question
17 or proposition;

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

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

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

24 (F) transportation of a voter to or from the polls without charge.

25 * **Sec. 70.** AS 15.58.030(b) is amended to read:

26 (b) No later than July 22 [JULY 15] of a year in which a state general
27 election will be held, an individual who becomes a candidate for the office of United
28 States senator, United States representative, governor, lieutenant governor, state
29 senator, or state representative under AS 15.25.030 or 15.25.180 [UNDER
30 AS 15.25.180] may file with the lieutenant governor a photograph and a statement
31 advocating the candidacy. An individual who becomes a candidate for the office of

1 United States senator, United States representative, governor, lieutenant governor, state
 2 senator, or state representative by party petition filed under AS 15.25.110 may file
 3 with the lieutenant governor a photograph and a statement advocating the candidacy
 4 within 10 days of becoming a candidate.

5 * **Sec. 71.** AS 15.58.080(a) is amended to read:

6 (a) Not less than **22** [30] days before the general election, the lieutenant
 7 governor shall mail to every registered voter one copy of the pamphlet prepared for
 8 the region in which the voter resides. Additional pamphlets may be obtained from the
 9 director, the office of the lieutenant governor, and the area election offices.

10 * **Sec. 72.** AS 15.60.010(2) is amended to read:

11 (2) "ballot" means **any document provided by the director on which**
 12 **votes may be cast for candidates, propositions, or questions** [A HAND-MARKED
 13 BALLOT AND A PUNCH-CARD BALLOT];

14 * **Sec. 73.** AS 15.60.010(4) is amended to read:

15 (4) "election board" means the **board appointed in accordance with**
 16 **AS 15.10.120** [LOCAL PRECINCT BOARD COMPOSED OF THE THREE
 17 ELECTION JUDGES];

18 * **Sec. 74.** AS 15.60.010(5) is amended to read:

19 (5) "**house** [ELECTION] district" means one of the districts described
 20 in [ART. XIV, SEC. 3, OF THE STATE CONSTITUTION, AS MAY BE MODIFIED
 21 UNDER] art. VI, **sec. 1, Constitution of the State of Alaska** [OF THE STATE
 22 CONSTITUTION];

23 * **Sec. 75.** AS 15.60.010(6) is amended to read:

24 (6) "election official" means election **board members** [JUDGES,
 25 CLERKS, COUNTERS], members of counting or review boards, employees of the
 26 division of elections, and absentee voting officials;

27 * **Sec. 76.** AS 15.60.010(8) is repealed and reenacted to read:

28 (8) "felony involving moral turpitude" includes those crimes that are
 29 immoral or wrong in themselves such as murder, manslaughter, assault, sexual assault,
 30 sexual abuse of a minor, unlawful exploitation of a minor, robbery, extortion, coercion,
 31 kidnapping, incest, arson, burglary, theft, forgery, criminal possession of a forgery

1 device, offering a false instrument for recording, scheme to defraud, falsifying business
 2 records, commercial bribe receiving, commercial bribery, bribery, receiving a bribe,
 3 perjury, perjury by inconsistent statements, endangering the welfare of a minor, escape,
 4 promoting contraband, interference with official proceedings, receiving a bribe by a
 5 witness or a juror, jury tampering, misconduct by a juror, tampering with physical
 6 evidence, hindering prosecution, terroristic threatening, riot, criminal possession of
 7 explosives, unlawful furnishing of explosives, promoting prostitution, and criminal
 8 mischief;

9 * **Sec. 77.** AS 15.60.010(10) is amended to read:

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

13 * **Sec. 78.** AS 15.60.010(28) is amended to read:

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

18 * **Sec. 79.** AS 15.60.010(31) is amended to read:

19 (31) "state **chairperson** [CHAIRMAN]" **or "state party chairperson"**
 20 means the **political** party official elected as the highest ranking statewide party
 21 executive;

22 * **Sec. 80.** AS 15.60.010 is amended by adding new paragraphs to read:

23 (37) "judicial district" means one of the districts defined in
 24 AS 22.10.010;

25 (38) "precinct tabulators" means an electronic optical scanning ballot
 26 tabulation system or other tabulator designated by the director to electronically count
 27 ballots.

28 * **Sec. 81.** AS 29.26.050(b) is amended to read:

29 (b) Voter registration by the municipality may not be required. However, in
 30 order to vote for a candidate or on a ballot measure relating to a specific local election
 31 district or service area, a municipality may by ordinance require that a person be

1 registered to vote in state elections at least 30 days before the municipal election at an
 2 address within the boundaries of that local election district or service area. **The**
 3 **municipality has the responsibility to determine if a voter meets the requirements**
 4 **of the ordinance and this section.**

5 * **Sec. 82.** AS 36.30.850(b)(7) is amended to read:

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

8 * **Sec. 83.** AS 43.23.016 is amended to read:

9 **Sec. 43.23.016. Voter registration.** The commissioner shall include, **at the**
 10 **department's expense,** voter registration forms prepared under AS 15.07.070(b) **in the**
 11 [WITH] permanent fund dividend application packet. **The forms must include a**
 12 **notice that an individual is not required to register to vote in order to be eligible**
 13 **to receive a permanent fund dividend. For purposes of maintaining accurate**
 14 **voter registration records, the commissioner shall provide the director of**
 15 **elections with the mailing addresses of all applicants for a permanent fund**
 16 **dividend** [APPLICATIONS].

17 * **Sec. 84.** AS 15.10.130, 15.10.150; AS 15.15.030(12); 15.15.070(e); 15.15.070(f);
 18 AS 15.20.071, 15.20.190(b), 15.20.590, 15.20.600, 15.20.609, 15.20.610, 15.20.620, 15.20.630,
 19 15.20.640, 15.20.650, 15.20.660, 15.20.670, 15.20.680, 15.20.685, 15.20.690, 15.20.700,
 20 15.20.710, 15.20.720, 15.20.730, 15.20.740; AS 15.58.070; and AS 15.60.010(24) are repealed.

21 * **Sec. 85.** TRANSITION: REGULATIONS. Notwithstanding sec. 88 of this Act, the
 22 director of elections may proceed to adopt regulations necessary to interpret or implement this
 23 Act. The regulations take effect under AS 44.62 (Administrative procedure Act), but not
 24 before July 1, 1999.

25 * **Sec. 86.** REVISOR'S INSTRUCTION. In the following statute sections, the revisor shall
 26 change

27 (1) references to "election district," "electoral district," or "house election
 28 district" to read "house district": AS 03.20.050, AS 15.05.010(4), 15.05.012, AS 15.07.030(b),
 29 15.07.090(c), 15.07.090(d), 15.07.120, AS 15.10.040, 15.10.090, AS 15.13.020(j),
 30 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),
 31 15.20.450, AS 15.25.030(a)(3), 15.25.043, 15.25.170, AS 15.40.440, AS 15.45.500,

1 AS 15.45.530, 15.45.560, 15.45.580, 15.45.610, 15.45.680, AS 15.58.020(3), AS 44.62.430(b),
2 and AS 46.03.313(d);

3 (2) references to "election districts" to read "house districts": AS 03.20.020(a),
4 AS 15.10.110, AS 15.20.045(b), AS 15.45.140, 15.45.160, 15.45.370, 15.45.390(2), and
5 AS 15.58.020(4); and

6 (3) references to "chairman" to read "chairperson": AS 15.10.140,
7 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
8 AS 15.58.040(b).

9 * **Sec. 87.** Section 85 of this Act takes effect immediately under AS 01.10.070(c).

10 * **Sec. 88.** Except as provided in sec. 87 of this Act, this Act takes effect July 1, 1999.