

CS FOR SENATE BILL NO. 120(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

**Offered: 4/14/00
Referred: Finance**

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST

A BILL

FOR AN ACT ENTITLED

**1 "An Act relating to qualifications of voters, the registration of voters, election
2 districts and officials, the use of state seals and emblems in election campaigns,
3 election procedures and ballots, special procedures for elections, nomination of
4 candidates, national elections, special elections and appointments, constitutional
5 amendments, election offenses and corrupt practices, election pamphlets, the deferral
6 of jury service for certain election officials, an exemption from the State
7 Procurement Code regarding election ballots, the provision and use of mailing
8 addresses on permanent fund dividend applications for election purposes, and the
9 inclusion of voter registration forms with permanent fund dividend applications;
10 relating to municipal assembly forms of representation and apportionment;
11 requiring a majority vote for certain offices and providing for a runoff election;
12 making conforming amendments in references to 'election district' and 'chairman';**

1 and providing for an effective date."

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

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

4 **Sec. 09.20.035. Deferral of jury service.** A person may have jury service
5 deferred if the person shows that jury service at the time for which the person is
6 summoned will cause hardship to that person or another, [OR] that transportation
7 problems make it temporarily impossible for the person to serve, or that the person
8 summoned is employed as a full-time or temporary election official and the jury
9 service is during the 30 days preceding a primary or general election. Jury service
10 may be deferred under this section only if the person seeking the deferment agrees to
11 a deferred date. Jury service may not be deferred for more than 10 months from the
12 date the initial jury service was to begin.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 **Sec. 15.07.140. General administrative supervision by director.** The
27 director shall provide general administrative supervision over the registration and
28 reregistration of voters. The director shall, [NO LATER THAN 40 DAYS] before any
29 **general** election, arrange to have the list of registered voters **in a usable electronic**
30 **format provided free of charge to each political party** [OF THE PRECINCT
31 PUBLICLY DISPLAYED. THE DIRECTOR SHALL INSTRUCT REGISTRATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 * **Sec. 12.** AS 15.13 is amended by adding a new section to read:

26 **Sec. 15.13.092. Use of state seals and emblems in election campaigns.** A
 27 person may not use a state seal or emblem in an advertisement, billboard, handbill,
 28 paid-for television announcement, or other communication intended to influence the
 29 election of a candidate or the outcome of a ballot proposition or question.

30 * **Sec. 13.** AS 15.15.030(8) is amended to read:

31 (8) The general or special election ballot shall be designed with the title

1 and proposition for any initiative, referendum, or constitutional amendment formulated
 2 as prescribed by law and placed on the ballot in the manner prescribed by the director.
 3 When placed on the ballot, a state ballot proposition or ballot question shall carry the
 4 number **that** [WHICH] was assigned to the petition for the proposition or question.
 5 Provision shall be made for marking the proposition **"Yes"** ["FOR"] or **"No."**
 6 ["AGAINST."]

7 * **Sec. 14.** AS 15.15.030(11) is amended to read:

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

20 "Bonds. Yes" or "Bonds No,"

21 followed by an appropriate **oval** [SQUARE].

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

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

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

29 (b) The notice shall be given by publication at least twice in one or more
 30 newspapers of general circulation in each of the four **judicial** [MAJOR ELECTION]
 31 districts. The printed notice **must** [SHALL] specifically include [BUT IS NOT

1 LIMITED TO] the date of election, the hours between which the polling places will
 2 be open, the offices to which candidates are to be nominated or elected, and the
 3 subject of the propositions and questions **that** [WHICH] are to be voted on.

4 * **Sec. 17.** AS 15.15.070(c) is amended to read:

5 (c) Public notice shall also be given by posting notices in **those communities**
 6 **that do not have newspapers of general circulation where posting of notice is**
 7 **considered necessary by the director** [TWO OR MORE CONSPICUOUS PLACES
 8 IN EACH ELECTION PRECINCT]. The posted notice **must** [SHALL] specifically
 9 include [BUT IS NOT LIMITED TO] the date of election, the location of the polling
 10 **places** [PLACE], the hours between which the polling places will be open, the offices
 11 to which candidates are to be nominated or elected, [AND] the subject of the
 12 propositions and questions **that** [WHICH] are to be voted on, **and other information**
 13 **considered necessary by the director.**

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

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

23 * **Sec. 19.** AS 15.15.110 is amended to read:

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

25 The election board shall supervise the election in the precinct. Before entering upon
 26 the duties of office, each election **official** [JUDGE AND CLERK] shall take an oath
 27 to honestly, faithfully, and promptly perform the duties of office. Any appointed
 28 **election official, including an appointed election official who has** [JUDGE,
 29 WHETHER OR] not [HAVING] personally subscribed to the oath, may administer the
 30 oath to another **election official** [JUDGE]. The **chairperson** [CHAIRMAN] of the
 31 election board shall rotate the time at which **election officials** [JUDGES AND

1 CLERKS] may be relieved for meals.

2 * **Sec. 20.** AS 15.15.120 is amended to read:

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

11 * **Sec. 21.** AS 15.15.130 is amended to read:

12 **Sec. 15.15.130. Majority decision of election board.** The decision of the
13 majority of **election board members** [JUDGES] determines the action that the election
14 board shall take regarding any question **that** [WHICH] arises during the course of the
15 election.

16 * **Sec. 22.** AS 15.15.140(c) is amended to read:

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

21 * **Sec. 23.** AS 15.15.140(d) is amended to read:

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

26 * **Sec. 24.** AS 15.15.160 is amended to read:

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

30 * **Sec. 25.** AS 15.15.170 is amended to read:

31 **Sec. 15.15.170. Prohibition of political persuasion near election polls.**

1 During the hours the polls are open, a person who is in the polling place or within 200
2 feet of any entrance to the polling place may not attempt to persuade a person to vote
3 for or against a candidate, proposition, or question. The election **officials** [JUDGES]
4 shall post warning notices at the required distance in the form and manner prescribed
5 by the director.

6 * **Sec. 26.** AS 15.15.180 is amended to read:

7 **Sec. 15.15.180. Keeping of register.** The **election officials** [JUDGES] shall
8 keep a register or registers in which each voter before receiving a ballot shall sign the
9 voter's name and give both a **residence** [RESIDENT] and mailing address. A record
10 shall be kept in the registration book in space provided of the **names** [NAME] of
11 persons who offer to vote but who actually do not vote, and a brief statement of
12 explanation. The signing of the register constitutes a declaration by the voter that the
13 voter is qualified to vote.

14 * **Sec. 27.** AS 15.15.195 is amended to read:

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

18 * **Sec. 28.** AS 15.15.198 is amended to read:

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

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

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

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

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

30 * **Sec. 29.** AS 15.15.210 is amended to read:

31 **Sec. 15.15.210. Questioning of voters of suspect qualification.** Every

1 election **official** [JUDGE AND ELECTION CLERK] shall question, and every watcher
 2 and any other person qualified to vote in the precinct may question, a person
 3 attempting to vote if the questioner has good reason to suspect that the questioned
 4 person is not qualified **under AS 15.05** [TO VOTE]. All questions regarding a
 5 person's qualifications to vote shall be made in writing setting out the reason the
 6 person has been questioned. A questioned person **shall**, before voting, [SHALL]
 7 subscribe to a declaration in a form provided by the director attesting to the fact that
 8 in each particular the person meets all the qualifications of a voter, is not disqualified,
 9 and has not voted at the same election, and certifying that the person understands that
 10 a false statement on the declaration may subject the person to prosecution for a
 11 misdemeanor under this title or AS 11. [THE QUESTIONED PERSON SHALL
 12 ALSO STATE THE PLACE FROM WHICH THAT PERSON CAME
 13 IMMEDIATELY BEFORE LIVING IN THE PRECINCT WHERE OFFERING TO
 14 VOTE AND THE LENGTH OF TIME OF RESIDENCE IN THE FORMER PLACE.]
 15 After the questioned person has executed the declaration, the person may vote. If the
 16 questioned person refuses to execute the declaration, the person may not vote.

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

18 (a) A voter who casts a questioned ballot shall vote the ballot in the same
 19 manner as prescribed for other voters. The voter shall insert the ballot into a secrecy
 20 sleeve [, THE ELECTION JUDGE SHALL REMOVE THE NUMBERED STUB
 21 FROM THE BALLOT,] and the voter shall put the secrecy sleeve into an envelope on
 22 which the statement the voter previously signed is located. The envelope shall be
 23 sealed and deposited in the ballot box. When the ballot box is opened, the envelopes
 24 shall be segregated, counted, compared to the voting list, and delivered to the official
 25 or body supervising the election. The merits of the question shall be determined by
 26 this official or body in accordance with the procedure prescribed for questioned votes
 27 in AS 15.20.207.

28 * **Sec. 31.** AS 15.15.220 is amended to read:

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

31 * **Sec. 32.** AS 15.15.225(a) is amended to read:

1 (a) Before being allowed to vote, each voter shall exhibit to an election **official**
 2 [JUDGE] one form of identification, including [BUT NOT LIMITED TO] an official
 3 voter registration card, driver's license, birth certificate, passport, [OR] hunting or
 4 fishing license, **military identification card, senior citizen identification card, or**
 5 **Indian Health Service identification card.**

6 * **Sec. 33.** AS 15.15.225(b) is amended to read:

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

9 * **Sec. 34.** AS 15.15.230 is amended to read:

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

13 * **Sec. 35.** AS 15.15.240 is amended to read:

14 **Sec. 15.15.240. Voter assistance [ASSISTING VOTER BY JUDGE].** A
 15 qualified voter **with a disability** [WHO CANNOT READ, MARK THE BALLOT, OR
 16 SIGN THE VOTER'S NAME] may request an election **official** [JUDGE], a person, or
 17 not more than two persons of the voter's choice to assist. If the election **official**
 18 [JUDGE] is requested, the election **official** [JUDGE] shall assist the voter. If any
 19 other person is requested, the person shall state upon oath before the election **official**
 20 [JUDGE] that the person will not divulge the vote cast by the person assisted. **If a**
 21 **person from whom assistance is requested refuses to take an oath, the voter**
 22 **requesting assistance will be required to vote a questioned ballot.**

23 * **Sec. 36.** AS 15.15.250 is amended to read:

24 **Sec. 15.15.250. Disposition of spoiled [IMPROPERLY MARKED] ballot.**
 25 If a voter improperly marks, [OR OTHERWISE] damages, **or otherwise spoils** a
 26 ballot, the voter may request and the election board shall provide another ballot, with
 27 a maximum of three. **The** [, AND THE] board shall record **on the precinct register**
 28 **that there was a spoiled** [THE NUMBER OF THE IMPROPERLY MARKED OR
 29 DAMAGED] ballot and destroy **the spoiled ballot** [IT] immediately without
 30 examining it.

31 * **Sec. 37.** AS 15.15.260 is amended to read:

1 **Sec. 15.15.260. Placing ballot in ballot box by voter.** When the voter has
 2 marked a ballot, the voter shall inform the election official [JUDGE]. The
 3 [DIRECTOR MAY REQUIRE THAT THE VOTER RETURN THE BALLOT TO
 4 THE ELECTION JUDGE TEMPORARILY SO THAT ANY STUB WHICH MAY BE
 5 PART OF THE BALLOT MAY BE REMOVED BY THE ELECTION JUDGE. ANY
 6 SUCH REQUIREMENT SHALL PROTECT THE SECRECY OF THE BALLOT. IN
 7 ALL CASES THE] ballot shall be deposited in the ballot box by the voter in the
 8 presence of the election official [JUDGE] unless the voter requests the election official
 9 [JUDGE] to deposit the ballot on the voter's behalf. Separate ballot boxes may be
 10 used for separate ballots.

11 * **Sec. 38.** AS 15.15.330 is amended to read:

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

17 * **Sec. 39.** AS 15.15.340 is amended to read:

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

29 * **Sec. 40.** AS 15.15.350 is amended to read:

30 **Sec. 15.15.350. General procedure for ballot count.** (a) The director may
 31 adopt regulations prescribing the manner in which the precinct ballot count is

1 accomplished so as to assure accuracy in the count and to expedite the process. The
 2 election board shall account for all ballots by completing a ballot statement containing
 3 (1) the number of official ballots received; (2) the number of official ballots voted; (3)
 4 the number of official ballots spoiled; (4) the number of official ballots unused and
 5 destroyed. The board shall count the number of questioned ballots and shall compare
 6 that number to the number of questioned voters in the register. Discrepancies shall be
 7 noted and the numbers included in the certificate prescribed by AS 15.15.370. The
 8 election board, **in hand-count precincts**, shall count the ballots in a manner that
 9 allows watchers to see the ballots when opened and read. A [NO] person handling the
 10 ballot after it has been taken from the ballot box and before it is placed in the
 11 envelope for mailing may **not** have a marking device in hand or remove a ballot from
 12 the immediate vicinity of the polls.

13 (b) Ballots may not be counted before 8:00 p.m. **prevailing** [, LOCAL] time
 14 [,] on the day of the election.

15 * **Sec. 41.** AS 15.15.360 is amended to read:

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

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

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

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

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

30 (5) The mark specified in (1) of this subsection shall be counted only
 31 if it is substantially inside the **oval** [SQUARE] provided, or touching the **oval**

1 [SQUARE] so as to indicate clearly that the voter intended the particular **oval**
2 [SQUARE] to be designated.

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

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

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

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

14 (10) Stickers bearing a candidate's name may be affixed to the ballot
15 in place of writing in a candidate's name if write-in votes are otherwise permitted.
16 Stickers may not be issued by members of the election board while serving at the
17 polls. Stickers may not be offered to voters within 200 feet of the polling place.

18 (11) In order to vote for a write-in candidate, the voter must write in
19 the candidate's name in the space provided or place a sticker in the space and **fill in**
20 [, IN ADDITION, MARK] the **oval** [SQUARE] opposite the candidate's name in
21 accordance with (1) of this subsection.

22 **(12) A vote for a write-in candidate, other than a write-in vote for**
23 **governor and lieutenant governor, shall be counted if the oval is filled in for that**
24 **candidate and if the name, as it appears on the write-in declaration of candidacy,**
25 **of the candidate or the last name of the candidate is written in or appears on a**
26 **sticker placed in the space provided.**

27 **(13) If the write-in vote is for governor and lieutenant governor, the**
28 **vote shall be counted if the oval is filled in and the names, as they appear on the**
29 **write-in declaration of candidacy, of the candidates for governor and lieutenant**
30 **governor or the last names of the candidates for governor and lieutenant**
31 **governor, or the name, as it appears on the write-in declaration of candidacy, of**

1 the candidate for governor or the last name of the candidate for governor is
 2 written in or appears on a sticker placed in the space provided.

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

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

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

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

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

17 **Sec. 15.15.390. Certifying election expenses.** The director shall prescribe the
 18 manner of certifying, auditing, and paying election expenses, including the cost of
 19 giving notice, renting polling places, paying election **officials** [JUDGES, CLERKS,
 20 AND COUNTERS], securing a ballot box, postage, and stationery, and obtaining
 21 similar election necessities.

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

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

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

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

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

31 * **Sec. 45.** AS 15.15.450 is amended to read:

1 **Sec. 15.15.450. Certification of state ballot counting review.** Upon
 2 completion of the state ballot counting review, the director shall certify the **persons**
 3 [PERSON] receiving the largest number of votes for the **offices of governor and**
 4 **lieutenant governor** [OFFICE FOR WHICH THAT PERSON WAS A CANDIDATE]
 5 as elected to **those offices, shall certify the person receiving a majority of the votes**
 6 **cast for an office other than governor or lieutenant governor as elected to** that
 7 office, and shall certify the approval of a justice or judge not rejected by a majority
 8 of the voters voting on the question. The director shall issue to the elected candidates
 9 and approved justices and judges [,] a certificate of their election or approval. The
 10 director shall also certify the results of a proposition and other question, except that
 11 the lieutenant governor shall certify the results of an initiative, referendum, or
 12 constitutional amendment. **If no person received a majority of the votes cast for**
 13 **an office other than governor or lieutenant governor, the director shall hold a**
 14 **runoff election 30 days after the general election. The director shall place on the**
 15 **ballot the names of the two persons who received the greatest number of votes in**
 16 **the general election for each office other than governor and lieutenant governor**
 17 **for which no person obtained a majority of the votes cast. The director shall**
 18 **certify the person receiving a majority of the votes cast for an office in a runoff**
 19 **election as elected to that office.**

20 * **Sec. 46.** AS 15.15.470 is amended to read:

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

30 * **Sec. 47.** AS 15.20.015 is amended to read:

31 **Sec. 15.20.015. Moving from house [ELECTION] district just before**

1 **election.** A person who meets all voter qualifications except **the requirement** [THAT
 2 LISTED] in AS 15.05.010(4) is qualified to vote by absentee ballot in the **house**
 3 [ELECTION] district in which the person formerly resided if the person lived in that
 4 **house** [ELECTION] district for at least 30 days immediately before changing
 5 residence, **except that the person may vote only for**

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

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

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

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

12 * **Sec. 48.** AS 15.20.020 is amended to read:

13 **Sec. 15.20.020. Provision for general administrative supervision.** The
 14 director shall provide general administrative supervision over the conduct of absentee
 15 voting. The director shall make available instructions to absentee voters regarding the
 16 procedure for absentee voting. [ONE SET OF INSTRUCTIONS SHALL
 17 ACCOMPANY EACH ABSENTEE BALLOT.]

18 * **Sec. 49.** AS 15.20.061(a) is amended to read:

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

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

24 (2) to an election supervisor

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

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

29 (3) to an absentee voting official at an absentee voting station
 30 designated under AS 15.20.045(b) at any time when the absentee voting station is
 31 operating;

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

5 (5)] to an absentee voting official in the precinct in which no volunteers
 6 can be located to serve on the election board on or after the 15th day before an
 7 election up to and including election day.

8 * **Sec. 50.** AS 15.20.061(d) is amended to read:

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

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

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

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

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

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

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

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

1 * **Sec. 52.** AS 15.20 is amended by adding a new section to read:

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

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

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

9 (2) from an election supervisor

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

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

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

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

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

21 (1) the representative's name;

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

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

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

27 (5) an oath that the representative

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

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

31 (C) will not coerce the voter;

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

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

4 (6) the representative's signature.

5 (d) The representative shall deliver the special needs ballot and other voting
6 materials to the voter as soon as practicable. The voter shall mark the ballot in secret,
7 place the ballot in the secrecy sleeve, and place the secrecy sleeve in the envelope
8 provided. The voter shall provide the information on the envelope that would be
9 required for absentee voting if the voter voted in person. The voter shall sign the
10 voter's certificate in the presence of the representative. The representative shall sign
11 as attesting official and date the voter's signature.

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

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

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

20 * **Sec. 53.** AS 15.20.081(b) is amended to read:

21 (b) An application requesting delivery of an absentee ballot to the applicant
22 by mail must be received by the division of elections not less than seven days before
23 the election for which the absentee ballot is sought. An application for an absentee
24 ballot for a state election from a qualified voter requesting delivery of an absentee
25 ballot to the applicant by electronic transmission must be received by the division of
26 elections not later than 5:00 p.m. prevailing [ALASKA] time on the day before the
27 election for which the absentee ballot is sought. An absentee ballot application
28 submitted by mail under this section must permit the person to register to vote under
29 AS 15.07.070 and to request an absentee ballot for each state election held within that
30 calendar year for which the voter is eligible to vote. An absentee ballot application
31 submitted by electronic transmission under this section may not include a provision

1 that permits a person to register to vote under AS 15.07.070.

2 * **Sec. 54.** AS 15.20.082(c) is amended to read:

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

17 * **Sec. 55.** AS 15.20.190(a) is amended to read:

18 (a) Thirty days before the date of an election, the election supervisors shall
19 appoint, in the same manner provided for the appointment of election **officials**
20 [JUDGES] prescribed in **AS 15.10** [AS 15.10.150], district absentee ballot counting
21 boards and district questioned ballot counting boards, each composed of at least four
22 members. At least one member of each board must be a member of the same political
23 party of which the governor is a member, and at least one member of each board must
24 be a member of the political party whose candidate for governor received the second
25 largest number of votes in the preceding gubernatorial election. The district boards
26 shall assist the election supervisors in counting the absentee and questioned ballots and
27 shall receive the same compensation paid election **officials** [JUDGES] under
28 AS 15.15.380.

29 * **Sec. 56.** AS 15.20.201(b) is amended to read:

30 (b) Counting of absentee ballots that have been reviewed shall begin at
31 8:00 p.m. **prevailing** [, LOCAL] time [,] on the day of the election at places

1 designated by each election supervisor and shall continue until all absentee ballots
 2 reviewed and eligible for counting have been counted. The counting teams shall report
 3 the count of absentee ballots to the district absentee ballot counting board. An election
 4 supervisor or an election official may not count absentee ballots before 8:00 p.m.
 5 **prevailing** [, LOCAL] time [,] on the day of the election. Counting of the absentee
 6 ballots shall continue at times designated by the election supervisor until all absentee
 7 ballots are counted.

8 * **Sec. 57.** 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. 58.** 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. 59.** AS 15.20.430(b) is amended to read:

30 (b) The date on which the director receives an application rather than the date
 31 of mailing or transmission determines whether the application is filed within the time

1 allowed under (a) of this section. If the actual physical delivery by telegram of a copy
 2 in substance of the statements made in the application for recount is received in the
 3 office of the director at or before 5:00 p.m. **prevailing** [ALASKA STANDARD] time
 4 on the due date, the application will be accepted; providing the original signed
 5 application is postmarked at or before 5:00 p.m. **prevailing** [ALASKA STANDARD]
 6 time of the same day.

7 * **Sec. 60.** AS 15.20.480 is amended to read:

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

28 * **Sec. 61.** AS 15.20.490 is amended to read:

29 **Sec. 15.20.490. Certification of results.** If it is determined by recount that
 30 the plurality of votes was cast for **candidates for the offices of governor and**
 31 **lieutenant governor, or that a majority of votes was cast for a candidate for an**

1 **office other than governor or lieutenant governor** [A CANDIDATE], the director
 2 shall issue a certificate of election or nomination to the elected or nominated candidate
 3 as determined by the recount. If it is determined by the recount that a proposition or
 4 question should be certified as having received the required vote, the director shall so
 5 certify except that the lieutenant governor shall so certify if the proposition or question
 6 involves an initiative, a referendum, or a constitutional amendment.

7 * **Sec. 62.** AS 15.20.800(e) is amended to read:

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

12 * **Sec. 63.** AS 15.25.040(a) is amended to read:

13 (a) The declaration is filed by either

14 (1) the actual physical delivery of the declaration in person or by mail
 15 at or before 5:00 p.m. [,] prevailing time **on** [,] June 1 of the year in which a general
 16 election is held for the office; or

17 (2) **reliable electronic transmission** [THE ACTUAL PHYSICAL
 18 DELIVERY BY TELEGRAM] of a copy in substance of the statements made in
 19 paragraphs (1) - (5) of the declaration as required by AS 15.25.030(a) at or before
 20 5:00 p.m. [,] prevailing time **on** [,] June 1 of the year in which a general election is
 21 held for the office and also the actual physical delivery of the declaration containing
 22 paragraphs (1) - (16) as required by AS 15.25.030(a) by [REGISTERED] mail **that**
 23 [WHICH] is received not more than 15 days after that time.

24 * **Sec. 64.** AS 15.25.100 is amended to read:

25 **Sec. 15.25.100. Placement of nominees on general election ballot.** The
 26 director shall place the name of the candidate receiving the highest number of votes
 27 for an office by a political party on the general election ballot. **However, the director**
 28 **may not place on the general election ballot the name of the candidate from a**
 29 **political party receiving the greatest number of votes for the office of**
 30 **(1) governor unless there is also a candidate for lieutenant governor**
 31 **of that political party;**

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

* **Sec. 65.** AS 15.25 is amended by adding a new section to read:

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

(1) the full name of the candidate;

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

(3) the full mailing address of the candidate;

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

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

(6) the office that the candidate seeks;

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

(8) the date of the election at which the candidate seeks election;

(9) the length of residency in the state and in the house district of the candidate;

(10) the name of the candidate as the candidate wishes it to be written by the voter;

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

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

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

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

4 (b) Votes for a write-in candidate may not be counted unless the candidate
 5 files a letter of intent in accordance with (a) of this section before 5:00 p.m. prevailing
 6 time on the day before the general election.

7 * **Sec. 66.** AS 15.25.130 is amended to read:

8 **Sec. 15.25.130. Selection of nominees for party petition.** The nominees of
 9 political parties by party petition may be selected for statewide offices by the state
 10 party central committee or in any other manner prescribed by the party bylaws, and
 11 the petition for statewide offices shall be signed by the state chairperson
 12 [CHAIRMAN] of the political party [CENTRAL COMMITTEE,] or, in the absence
 13 of the state chairperson [CHAIRMAN], by any two members of the state party
 14 central committee. The nominees of political parties by party petition may be selected
 15 for district-wide offices by the respective party district committee or in any other
 16 manner prescribed by the party bylaws, and the petition for district-wide offices shall
 17 be signed by the chairperson [CHAIRMAN] of the party district committee, or in the
 18 absence of the chairperson [CHAIRMAN], by any two members of the party district
 19 committee, or in any other manner prescribed by the party bylaws. The petition may
 20 be delivered in person, or by mail, telegraph, [OR] facsimile, or other reliable
 21 electronic transmission.

22 * **Sec. 67.** AS 15.25.150 is amended to read:

23 **Sec. 15.25.150. Date of filing petition.** The petition is filed with the director
 24 by actual physical delivery in person at or before 5:00 p.m. [,] prevailing time on [,]
 25 June 1 in the year in which a general election is held for the office, or by actual
 26 physical delivery to the director by registered or certified mail return receipt requested
 27 that [WHICH] is postmarked at or before 5:00 p.m. [,] prevailing time on [,] June 1
 28 in the year in which a general election is held for the office [,] and received not more
 29 than 15 days after that time. If the postmark is illegible, a dated receipt from the post
 30 office where dispatched shall be acceptable as evidence of mailing. If June 1 is a
 31 Sunday or holiday, the deadlines for postmarking and receipt of the petition shall be

1 extended 24 hours in each instance.

2 * **Sec. 68.** AS 15.25.180(a) is amended to read:

3 (a) The petition must state in substance

4 (1) the full name of the candidate;

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

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

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

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

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

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

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

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

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

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

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

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

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

29 **(15) that the candidate will meet the specific age requirements of**
30 **the office for which the person is a candidate by the time that the candidate, if**
31 **elected, is sworn into office; and**

1 **(16) that the candidate is a qualified voter.**

2 * **Sec. 69.** AS 15.30.020 is amended to read:

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

12 * **Sec. 70.** AS 15.40.075(b) is amended to read:

13 (b) Notwithstanding AS 15.25.040, the declaration of a member of a political
14 party who seeks to become a candidate of the party in the special primary election
15 under AS 15.40.010 is filed by either the actual physical delivery (1) of the declaration
16 in person or by mail at or before 5:00 p.m. [,] prevailing time [,] on the third day
17 following the proclamation; or (2) by telegram or other reliable electronic means of
18 a copy in substance of the statements made in paragraphs (1) - (5) of the declaration
19 as required by AS 15.25.030(a) at or before 5:00 p.m. [,] prevailing time [,] on the
20 third day following the proclamation and also the actual physical delivery of the
21 declaration containing paragraphs (1) - (16) as required by AS 15.25.030(a) to the
22 United States Postal Service for delivery by the most expeditious means possible. If
23 the declaration is not received within seven calendar days, the candidate shall be
24 notified of nonreceipt. The candidate shall have the opportunity to refile the
25 declaration with proof that a previous declaration has been filed in a timely manner
26 and in accordance with law.

27 * **Sec. 71.** AS 15.40.300 is amended to read:

28 **Sec. 15.40.300. Selection of party nominees.** The nominees of political
29 parties may be selected by state convention or in any other manner prescribed by the
30 party bylaws, and the petition shall be signed by the **chairperson** [**CHAIRMAN**] and
31 secretary of the state convention, or, if the nominees are selected by the party central

1 committee, the petition shall be signed by the **state chairperson of the political party**
 2 [CHAIRMAN OF THE CENTRAL COMMITTEE] or in any other manner prescribed
 3 by the party bylaws.

4 * **Sec. 72.** AS 15.50.040 is amended to read:

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

10 * **Sec. 73.** AS 15.56.016(a) is amended to read:

11 (a) A person commits the crime of campaign misconduct in the third degree
 12 if

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

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

19 (A) violates AS 15.15.170; or

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

23 * **Sec. 74.** AS 15.56.030(d) is amended to read:

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

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

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

30 (B) government employment or benefits;

31 (2) does not include

1 (A) materials having a nominal value bearing the name,
 2 likeness, or other identification of a candidate, political party, political group,
 3 party district committee, or organization, or stating a position on a ballot
 4 proposition or question;

5 (B) food and refreshments provided incidental to an activity that
 6 is nonpartisan in nature and directed at encouraging persons to vote, or
 7 incidental to a gathering in support of or in opposition to a candidate, political
 8 party, political group, party district committee, organization, or ballot question
 9 or proposition;

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

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

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

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

17 * **Sec. 75.** AS 15.58.030(b) is amended to read:

18 (b) No later than **July 22** [JULY 15] of a year in which a state general
 19 election will be held, an individual who becomes a candidate for the office of United
 20 States senator, United States representative, governor, lieutenant governor, state
 21 senator, or state representative under AS 15.25.030 or **15.25.180** [UNDER
 22 AS 15.25.180] may file with the lieutenant governor a photograph and a statement
 23 advocating the candidacy. An individual who becomes a candidate for the office of
 24 United States senator, United States representative, governor, lieutenant governor, state
 25 senator, or state representative by party petition filed under AS 15.25.110 may file
 26 with the lieutenant governor a photograph and a statement advocating the candidacy
 27 within 10 days of becoming a candidate.

28 * **Sec. 76.** AS 15.58.080(a) is amended to read:

29 (a) Not less than **22** [30] days before the general election, the lieutenant
 30 governor shall mail to every registered voter one copy of the pamphlet prepared for
 31 the region in which the voter resides. Additional pamphlets may be obtained from the

1 director, the office of the lieutenant governor, and the area election offices.

2 * **Sec. 77.** AS 15.60.010(2) is amended to read:

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

6 * **Sec. 78.** AS 15.60.010(4) is amended to read:

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

10 * **Sec. 79.** AS 15.60.010(5) is amended to read:

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

15 * **Sec. 80.** AS 15.60.010(6) is amended to read:

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

19 * **Sec. 81.** AS 15.60.010(8) is repealed and reenacted to read:

20 (8) "felony involving moral turpitude" includes those felony crimes that
 21 are immoral or wrong in themselves such as murder, manslaughter, criminally
 22 negligent homicide, assault, sexual assault, sexual abuse of a minor, robbery, extortion,
 23 coercion, kidnapping, incest, arson, burglary, theft, forgery, criminal possession of a
 24 forgery device, offering a false instrument for recording, scheme to defraud, falsifying
 25 business records, commercial bribe receiving, commercial bribery, bribery, receiving
 26 a bribe, perjury, perjury by inconsistent statements, endangering the welfare of a child,
 27 escape, promoting contraband, interference with official proceedings, receiving a bribe
 28 by a witness or a juror, jury tampering, misconduct by a juror, tampering with physical
 29 evidence, hindering prosecution, terroristic threatening, riot, criminal possession of
 30 explosives, unlawful furnishing of explosives, promoting prostitution, criminal
 31 mischief, misconduct involving a controlled substance or an imitation controlled

1 substance, unlawful exploitation of a minor, permitting an escape, promoting gambling,
 2 possession of gambling records, distribution of child pornography, possession of child
 3 pornography, and similar crimes from this state or another jurisdiction;

4 * **Sec. 82.** AS 15.60.010(10) is amended to read:

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

8 * **Sec. 83.** AS 15.60.010(28) is amended to read:

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

13 * **Sec. 84.** AS 15.60.010(31) is amended to read:

14 (31) "state **chairperson** [CHAIRMAN]" **or "state party chairperson"**
 15 means the **political** party official elected as the highest ranking statewide party
 16 executive;

17 * **Sec. 85.** AS 15.60.010 is amended by adding new paragraphs to read:

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

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

23 * **Sec. 86.** AS 29.20.070(b) is amended to read:

24 (b) Not later than the first regular election that occurs after **adoption of a final**
 25 **state redistricting plan under art. VI, sec. 10, Constitution of the State of Alaska**
 26 [THE REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall propose
 27 and submit to the voters of the borough, at that regular election or at a special election
 28 called for the purpose, one or more forms of assembly representation. The forms of
 29 representation that the assembly may submit to the voters are:

30 (1) election of members of the assembly at large by the voters
 31 throughout the borough;

- 1 (2) election of members of the assembly by district, including
 2 (A) election at large by the voters throughout the borough, but
 3 with a requirement that a candidate live in an election district established by
 4 the borough for election of assembly members; or
 5 (B) election from election districts established by the borough
 6 for the election of assembly members by the voters of a district;
 7 (3) election of members of the assembly both at large and by district.

8 * **Sec. 87.** AS 29.20.080(a) is amended to read:

9 (a) Not later than two months after **adoption of a final state redistricting**
 10 **plan under art. VI, sec. 10, Constitution of the State of Alaska** [THE OFFICIAL
 11 REPORT OF A FEDERAL DECENNIAL CENSUS], the assembly shall determine and
 12 declare by resolution whether the existing apportionment of the assembly meets the
 13 standards of AS 29.20.060. If the assembly submits to the voters a form of
 14 representation that includes election of assembly members under AS 29.20.070(b)(2)
 15 or **(3)**, [(b)(3)] the assembly shall submit with the proposition a proposed plan of
 16 apportionment that corresponds to the form of representation proposed. The assembly
 17 shall describe the plan of apportionment in the ballot proposition, and may present the
 18 plan in any manner that it believes accurately describes the apportionment that is
 19 proposed under the form of representation. If the assembly determines that its existing
 20 apportionment meets the standards of AS 29.20.060, the assembly may include the
 21 existing apportionment as a proposed plan of apportionment of assembly seats that
 22 corresponds to a form of representation that is proposed.

23 * **Sec. 88.** AS 29.20.080(b) is amended to read:

24 (b) The assembly shall provide, by ordinance, for a change in an existing
 25 apportionment of the assembly whenever it determines that the apportionment does not
 26 meet the standards of AS 29.20.060. **The assembly may provide, by ordinance, for**
 27 **a change in an existing apportionment of the assembly whenever a final state**
 28 **redistricting plan is changed as a result of federal or court action.** At the same
 29 time **a change in apportionment is provided for under this subsection,** the assembly
 30 may, by ordinance, change the composition of the assembly.

31 * **Sec. 89.** AS 29.20.080(e) is amended to read:

1 (e) Within six months after a determination by the assembly under (b) or (c)
 2 of this section that the current apportionment **should be changed** [DOES NOT MEET
 3 THE STANDARDS OF AS 29.20.060] the assembly shall adopt an ordinance
 4 providing for reapportionment and submit the ordinance to the voters. If, at the end
 5 of the six-month time period, an ordinance providing for reapportionment has not been
 6 approved by the voters **and if the current apportionment does not meet the**
 7 **standards of AS 29.20.060**, the commissioner shall provide for the reapportionment
 8 in accordance with the standards of AS 29.20.060 by preparing an order of
 9 reapportionment and delivering the order to the borough mayor.

10 * **Sec. 90.** AS 29.26.050(b) is amended to read:

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

18 * **Sec. 91.** AS 36.30.850(b)(7) is amended to read:

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

21 * **Sec. 92.** AS 43.23.016 is amended to read:

22 **Sec. 43.23.016. Voter registration.** The commissioner shall include, **at the**
 23 **department's expense**, voter registration forms prepared under AS 15.07.070(b) **in the**
 24 **[WITH] permanent fund dividend application packet. The voter registration forms**
 25 **must be set out following the permanent fund dividend application forms. The**
 26 **forms must include a notice that an individual is not required to register to vote**
 27 **in order to be eligible to receive a permanent fund dividend. For purposes of**
 28 **maintaining accurate voter registration records, the commissioner shall provide**
 29 **the director of elections with the mailing addresses of all applicants for a**
 30 **permanent fund dividend** [APPLICATIONS].

31 * **Sec. 93.** AS 44.09.015(a) is amended to read:

1 (a) A person may not use or make a die or impression of the state seal for any
 2 advertising or commercial purpose, unless written permission has first been obtained
 3 from the lieutenant governor. **The lieutenant governor may not grant written**
 4 **permission for the use of the state seal in an advertisement, billboard, handbill,**
 5 **paid-for television announcement, or other communication intended to influence**
 6 **the election of a candidate or the outcome of a ballot proposition or question.**

7 * **Sec. 94.** AS 15.10.130, 15.10.150; AS 15.15.030(12); 15.15.070(e); 15.15.070(f);
 8 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,
 9 15.20.640, 15.20.650, 15.20.660, 15.20.670, 15.20.680, 15.20.685, 15.20.690, 15.20.700,
 10 15.20.710, 15.20.720, 15.20.730, 15.20.740; AS 15.58.070; and AS 15.60.010(24) are repealed.

11 * **Sec. 95.** The uncodified law of the State of Alaska is amended by adding a new section
 12 to read:

13 TRANSITION: REGULATIONS. Notwithstanding sec. 98 of this Act, the director
 14 of elections may proceed to adopt regulations necessary to interpret or implement this Act.
 15 The regulations take effect under AS 44.62 (Administrative Procedure Act), but not before
 16 July 1, 2000.

17 * **Sec. 96.** The uncodified law of the State of Alaska is amended by adding a new section
 18 to read:

19 REVISOR'S INSTRUCTION. In the following statute sections, the revisor shall
 20 change

21 (1) references to "election district," "electoral district," or "house election
 22 district" to read "house district": AS 03.20.050, AS 15.05.010(4), 15.05.012, AS 15.07.030(b),
 23 15.07.090(c), 15.07.090(d), 15.07.120, AS 15.10.040, 15.10.090, AS 15.13.020(j),
 24 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),
 25 15.20.450, AS 15.25.030(a)(3), 15.25.043, 15.25.170, AS 15.40.440, AS 15.45.500,
 26 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),
 27 and AS 46.03.313(d);

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

31 (3) references to "chairman" to read "chairperson": AS 15.10.140,

- 1 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
- 2 AS 15.58.040(b).
- 3 * **Sec. 97.** Section 95 of this Act takes effect immediately under AS 01.10.070(c).
- 4 * **Sec. 98.** Except as provided in sec. 97 of this Act, this Act takes effect July 1, 2000.