

HOUSE BILL NO. 63

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES BERKOWITZ, Cissna, Kerttula, Gara

Introduced: 1/24/03

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to filling the vacancy in the office of United States Senator."**

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

3 * **Section 1.** AS 15.40.140 is amended to read:

4 **Sec. 15.40.140. Condition and time of calling special election.** When a
5 vacancy occurs in the office of United States senator or United States representative,
6 the governor shall, by proclamation, call a special election to be held on a date not less
7 than 60, nor more than 90, days after the date the vacancy occurs. However, if the
8 vacancy occurs on a date that is less than 60 days before or is on or after the date of
9 the primary election in the general election year during which a candidate to fill the
10 office is regularly elected [YEARS], the governor may not call a special election.

11 * **Sec. 2.** AS 15.40 is amended by adding a new section to read:

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

1 director.

2 * **Sec. 3.** AS 15.40.200 is amended to read:

3 **Sec. 15.40.200. Requirements of party petition.** Petitions for the
4 nomination of candidates of political parties shall state in substance that the party
5 desires and intends to support the named candidate for the office of **United States**
6 **senator or** United States representative, **as appropriate,** at the special election and
7 requests that the name of the candidate nominated be placed on the ballot.

8 * **Sec. 4.** AS 15.40.220 is amended to read:

9 **Sec. 15.40.220. General provisions for conduct of special election.** Unless
10 specifically provided otherwise, all provisions regarding the conduct of the general
11 election shall govern the conduct of the special election of the **United States senator**
12 **or** United States representative, including [, BUT NOT LIMITED TO,] provisions
13 **concerning voter qualifications; provisions regarding the duties, powers, rights,**
14 **and obligations of the director, of other election officials, and of municipalities;**
15 **provision for notification of the election; provision for payment of election**
16 **expenses; provisions regarding employees being allowed time from work to vote;**
17 **provisions for the counting, reviewing, and certification of returns; provisions for**
18 **the determination of the votes and of recounts, contests, and appeal; and**
19 **provision for absentee voting** [SPECIFICALLY REFERRED TO IN AS 15.40.130].

20 * **Sec. 5.** AS 15.40.310 is amended to read:

21 **Sec. 15.40.310. General provisions for conduct of special election.** Unless
22 specifically provided otherwise, all provisions regarding the conduct of the general
23 election shall govern the conduct of the special election of the governor and lieutenant
24 governor, including [, BUT NOT LIMITED TO,] provisions **concerning voter**
25 **qualifications; provisions regarding the duties, powers, rights, and obligations of**
26 **the director, of other election officials, and of municipalities; provision for**
27 **notification of the election; provision for payment of election expenses; provisions**
28 **regarding employees being allowed time from work to vote; provisions for the**
29 **counting, reviewing, and certification of returns; provisions for the**
30 **determination of the votes and of recounts, contests, and appeal; and provision**
31 **for absentee voting** [SPECIFICALLY REFERRED TO IN AS 15.40.130].

1 * **Sec. 6.** AS 15.40.470 is amended to read:

2 **Sec. 15.40.470. General provision for conduct of special election.** Unless
3 specifically provided otherwise, all provisions regarding the conduct of the general
4 election shall govern the conduct of the special election of state senators, including [,
5 BUT NOT LIMITED TO, THE] provisions **concerning voter qualifications;**
6 **provisions regarding the duties, powers, rights, and obligations of the director, of**
7 **other election officials, and of municipalities; provision for notification of the**
8 **election; provision for payment of election expenses; provisions regarding**
9 **employees being allowed time from work to vote; provisions for the counting,**
10 **reviewing, and certification of returns; provisions for the determination of the**
11 **votes and of recounts, contests, and appeal; and provision for absentee voting**
12 [SPECIFICALLY REFERRED TO IN AS 15.40.130].

13 * **Sec. 7.** AS 15.40.010, 15.40.050, 15.40.060, 15.40.070, 15.40.075, 15.40.130, and
14 15.40.135 are repealed.