

**SENATE BILL NO. 356**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**Introduced: 2/27/04**

**Referred: State Affairs, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to qualifications of voters, voter registration, voter residence, precinct**  
2 **boundary modification, recognized political parties, voters unaffiliated with political**  
3 **parties, early voting, absentee voting, ballot counting, voting by mail, initiative,**  
4 **referendum, recall, and definitions; and providing for an effective date."**

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

6 \* **Section 1.** AS 15.05.020 is amended to read:

7 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose  
8 of determining residence for voting, the place of residence is governed by the  
9 following rules:

10 (1) A person may not be considered to have gained a residence solely  
11 by reason of presence nor may a person lose it solely by reason of absence while in the  
12 civil or military service of this state or of the United States or of absence because of  
13 marriage to a person engaged in the civil or military service of this state or the United  
14 States, while a student at an institution of learning, while in an institution or asylum at

1 public expense, while confined in public prison, while engaged in the navigation of  
 2 waters of this state, or the United States or of the high seas, while residing upon an  
 3 Indian or military reservation, or while residing in the Alaska Pioneers' Home.

4 (2) The residence of a person is that place in which the person's  
 5 habitation is fixed, and to which, whenever absent, the person has the intention to  
 6 return. If a person resides in one place, but does business in another, the former is the  
 7 person's place of residence. Temporary **work sites** [CONSTRUCTION CAMPS] do  
 8 not constitute a dwelling place.

9 (3) A change of residence is made only by the act of removal joined  
 10 with the intent to remain in another place. There can only be one residence.

11 (4) A person does not lose residence if the person leaves home and  
 12 goes to another country, state or place in this state for temporary purposes only and  
 13 with the intent of returning.

14 (5) A person does not gain residence in any place to which the person  
 15 comes without the present intention to establish a permanent dwelling at that place.

16 (6) A person loses residence in this state if the person votes in another  
 17 state's election, either in person or by absentee ballot, and will not be eligible to vote  
 18 in this state until again qualifying under AS 15.05.010.

19 (7) [REPEALED

20 (8)] The term of residence is computed by including the day on which  
 21 the person's residence begins and excluding the day of election.

22 **(8)** [(9) REPEALED

23 (10)] The address of a voter as it appears on **the** [AN] official voter  
 24 registration **record** [CARD] is presumptive evidence of the person's voting residence.  
 25 This presumption is negated only by the voter notifying the director in writing of a  
 26 change of voting residence.

27 \* **Sec. 2.** AS 15.07.060(a) is amended to read:

28 (a) Each applicant who requests registration or reregistration shall supply the  
 29 following information:

30 (1) name and sex;

31 (2) if issued, the applicant's State of Alaska driver's license number or

1 State of Alaska identification card number, or the last four digits of the applicant's  
2 social security number;

3 (3) date of birth;

4 (4) **Alaska resident** address, **as specified in regulations adopted by**  
5 **the director** [AND OTHER NECESSARY INFORMATION ESTABLISHING  
6 RESIDENCE, INCLUDING THE TERM OF RESIDENCE IN THE STATE AND IN  
7 THE DISTRICT, IF REQUESTED];

8 (5) whether the applicant has previously been registered to vote in  
9 another jurisdiction, and, if so, the jurisdiction and the address of the previous  
10 registration;

11 (6) a declaration that the registrant will be 18 years of age or older  
12 within 90 days of the date of registration;

13 (7) a declaration that the registrant is a citizen of the United States;

14 (8) date of application;

15 (9) signature or mark;

16 (10) any former name under which the applicant was registered to vote  
17 in the state;

18 (11) an attestation that the information provided by the applicant in  
19 (1) - (10) of this subsection is true; and

20 (12) a certification that the applicant understands that a false statement  
21 on the application may make the applicant subject to prosecution for a misdemeanor  
22 under this title or AS 11.

23 \* **Sec. 3.** AS 15.10.090 is amended to read:

24 **Sec. 15.10.090. Notice of precinct boundary designation and modification.**

25 The director shall give full public notice when precinct boundaries are designated and  
26 when the boundaries of a precinct are modified or when a precinct is established or  
27 abolished. Public notice **must** [SHALL] include

28 **(1)** [, BUT IS NOT LIMITED TO,] the publication **of notice** on three  
29 different days in a daily newspaper of general circulation, if such a newspaper is  
30 published in the house district where the precinct is located; **however, if a daily**  
31 **newspaper of general circulation is not published in the house district where the**

1        **precinct is located, public notice must include** [, BY] posting written notice in **a**  
 2        [THREE] conspicuous **place** [PLACES] in the designated precinct;

3                    **(2) posting on the division of elections' Internet web site;** [,] and

4                    **(3)** [BY] notification to appropriate municipal clerks.

5        \* **Sec. 4.** AS 15.15.350(a) is amended to read:

6                    (a) The director may adopt regulations prescribing the manner in which the  
 7        precinct ballot count is accomplished so as to assure accuracy in the count and to  
 8        expedite the process. The election board shall account for all ballots by completing a  
 9        ballot statement containing (1) the number of official ballots received; (2) the number  
 10       of official ballots voted; (3) the number of official ballots spoiled; (4) the number of  
 11       official ballots unused and **either** destroyed **or returned to the elections supervisor**  
 12       **or the election supervisor's designee for destruction.** The board shall count the  
 13       number of questioned ballots and shall compare that number to the number of  
 14       questioned voters in the register. Discrepancies shall be noted and the numbers  
 15       included in the certificate prescribed by AS 15.15.370. The election board, in hand-  
 16       count precincts, shall count the ballots in a manner that allows watchers to see the  
 17       ballots when opened and read. A person handling the ballot after it has been taken  
 18       from the ballot box and before it is placed in the envelope for mailing may not have a  
 19       marking device in hand or remove a ballot from the immediate vicinity of the polls.

20       \* **Sec. 5.** AS 15.20.064(a) is amended to read:

21                    (a) **On or after the 15th day before an election up to and including**  
 22        **election day, a** [A] qualified voter who meets the requirements set out in this section  
 23        may vote early in the office of an election supervisor **or in other locations designated**  
 24        **by the director** [ON OR AFTER THE 15TH DAY BEFORE AN ELECTION UP TO  
 25        AND INCLUDING ELECTION DAY].

26       \* **Sec. 6.** AS 15.20.064(b) is amended to read:

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

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

30                    (2) verification that the voter's residence address appearing on the  
 31        official registration list is current [AND WITHIN THE ELECTION SUPERVISOR'S

1 JURISDICTION]; and

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

3 \* **Sec. 7.** AS 15.20.066(b) is amended to read:

4 (b) An absentee ballot that is completed and returned by the voter by  
5 electronic transmission must

6 (1) contain the following statement: "I understand that by using  
7 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
8 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
9 that my vote will be held as confidential as possible." followed by the voter's signature  
10 and date of signature; and

11 (2) be accompanied by a statement executed under oath as to the  
12 voter's identity; the statement under oath must be witnessed by

13 (A) a commissioned or noncommissioned officer of the armed  
14 forces of the United States;

15 (B) an official authorized by federal law or the law of the state  
16 in which the absentee ballot is cast to administer an oath; or

17 (C) a [TWO] United States **citizen** [CITIZENS] who **is** [ARE]  
18 18 years of age or older.

19 \* **Sec. 8.** AS 15.20.081(d) is amended to read:

20 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a  
21 notary public, commissioned officer of the armed forces including the National Guard,  
22 district judge or magistrate, United States postal official, registration official, or other  
23 person qualified to administer oaths, may proceed to mark the ballot in secret, to place  
24 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,  
25 and to sign the voter's certificate on the envelope in the presence of an official listed in  
26 this subsection who shall sign as attesting official and shall date the signature. If none  
27 of the officials listed in this subsection is reasonably accessible, an absentee voter  
28 shall sign the voter's certificate in the presence of **one person who is a United States**  
29 **citizen and is** [TWO PERSONS OVER THE AGE OF] 18 years **of age or older**, who  
30 shall sign as **a witness** [WITNESSES] and attest to the date on which the voter signed  
31 the certificate in **the person's** [THEIR] presence, and, in addition, the voter shall

1 provide the certification prescribed in AS 09.63.020.

2 \* **Sec. 9.** AS 15.20.081(h) is amended to read:

3 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail  
4 from outside the United States or from **an overseas voter qualifying under**  
5 **AS 15.05.011** [A MILITARY APO OR FPO ADDRESS] that has been marked and  
6 mailed not later than election day may not be counted unless the ballot is received by  
7 the election supervisor not later than the close of business on the 15th day following  
8 the election.

9 \* **Sec. 10.** AS 15.20.800(b) is amended to read.

10 (b) If the director conducts an election under (a) of this section by mail, the  
11 director shall send a ballot for each election described in (a) of this section to each  
12 person whose name appears on the official registration list prepared under  
13 AS 15.07.125 for that election. **The director shall send ballots by first class,**  
14 **nonforwardable mail.** The ballot shall be sent to the address stated on the official  
15 registration list unless the

16 (1) voter has notified the director or an election supervisor of a  
17 different address to which the ballot should be sent; **or**

18 (2) **address on the official registration list has been identified as**  
19 **being an undeliverable address.** [THE DIRECTOR SHALL SEND BALLOTS BY  
20 FIRST CLASS, NONFORWARDABLE MAIL.]

21 \* **Sec. 11.** AS 15.20 is amended by adding a new section to article 5 to read:

22 **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The  
23 director may approve a voting machine or vote tally system for use in an election in  
24 the state upon consideration of factors relevant to the administration of state elections,  
25 including whether the Federal Election Commission has certified the voting machine  
26 or vote tally system to be in compliance with the voting system standards approved by  
27 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America  
28 Vote Act).

29 \* **Sec. 12.** AS 15.45.030 is amended to read:

30 **Sec. 15.45.030. Form of application.** The application **must** [SHALL]  
31 include **the**

1 (1) [THE] proposed bill to be initiated; [,]

2 (2) **printed name, signature, address, and date of birth of not less**  
 3 **than 100 qualified voters who will serve as sponsors; each signature page must**  
 4 **include** a statement that the sponsors are qualified voters who signed the application  
 5 with the proposed bill attached; **and** [,]

6 (3) the designation of an initiative committee **consisting** of three **of the**  
 7 sponsors who **subscribed to the application, and** shall represent all sponsors and  
 8 subscribers in matters relating to the initiative; **the designation must include the**  
 9 **name, mailing address, and signature of each committee member** [, AND (4) THE  
 10 SIGNATURES AND ADDRESSES OF NOT LESS THAN 100 QUALIFIED  
 11 VOTERS].

12 \* **Sec. 13.** AS 15.45.060 is amended to read:

13 **Sec. 15.45.060. Designation of sponsors.** The qualified voters who subscribe  
 14 to the application **in support of the proposed bill** are designated as sponsors. The  
 15 initiative committee may designate additional sponsors by giving written notice to the  
 16 lieutenant governor of the names and addresses of those so designated.

17 \* **Sec. 14.** AS 15.45.090 is amended to read:

18 **Sec. 15.45.090. Preparation of petition.** If the application is certified, the  
 19 lieutenant governor shall prescribe the form of and prepare petitions containing (1) a  
 20 copy of the proposed bill if the number of words included in both the formal and  
 21 substantive provisions of the bill is 500 or less; [,] (2) an impartial summary of the  
 22 subject matter of the bill; [,] (3) the warning prescribed in AS 15.45.100; [,] (4)  
 23 sufficient space for **the printed name, date of birth,** signature, and address; [,] (5)  
 24 sufficient space at the bottom of each **signature** page for the information required by  
 25 AS 15.45.130(8); [,] and (6) other specifications prescribed by the lieutenant governor  
 26 to assure proper handling and control. Petitions, for purposes of circulation, shall be  
 27 prepared by the lieutenant governor in a number reasonably calculated to allow full  
 28 circulation throughout the state **and shall be sequentially numbered.** [THE  
 29 LIEUTENANT GOVERNOR SHALL NUMBER EACH PETITION AND SHALL  
 30 KEEP A RECORD OF THE PETITION DELIVERED TO EACH SPONSOR.] Upon  
 31 request of the committee, the lieutenant governor shall report the number of persons

1 who voted in the preceding general election to the initiative committee.

2 \* **Sec. 15.** AS 15.45 is amended by adding a new section to read:

3 **Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet,  
4 a person must be

5 (1) 18 years of age or older; and

6 (2) a resident of the state as determined under AS 15.05.020.

7 \* **Sec. 16.** AS 15.45.120 is amended to read:

8 **Sec. 15.45.120. Manner of signing and withdrawing name from petition.**

9 Any qualified voter may subscribe to the petition by printing the voter's name, date  
10 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
11 who has signed the initiative petition may withdraw the person's name only by giving  
12 written notice to the lieutenant governor before the date the petition is filed.

13 \* **Sec. 17.** AS 15.45.130 is amended to read:

14 **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition  
15 shall be certified by an affidavit by the person who personally circulated the petition.  
16 The affidavit must state in substance that (1) the person signing the affidavit meets the  
17 residency and [,] age [, AND CITIZENSHIP] qualifications for circulating a petition  
18 under AS 15.45.105; [OF AS 15.05.010,] (2) the person is the only circulator of that  
19 petition; [,] (3) the signatures were made in the circulator's actual presence; [,] (4) to  
20 the best of the circulator's knowledge, the signatures are those of the persons whose  
21 names they purport to be; [,] (5) the signatures are of persons who were qualified  
22 voters on the date of signature; [,] (6) the person has not entered into an agreement  
23 with a person or organization in violation of AS 15.45.110(c); [,] (7) the person has  
24 not violated AS 15.45.110(d) with respect to that petition; [,] and (8) before  
25 circulation of the petition, the circulator prominently placed, in the space provided  
26 under AS 15.45.090(5), and [BEFORE CIRCULATION OF THE PETITION, IN  
27 BOLD CAPITAL LETTERS, THE CIRCULATOR'S NAME AND,] if the circulator  
28 has received payment or agreed to receive payment for the collection of signatures on  
29 the petition, the name of each person or organization that has paid or agreed to pay the  
30 circulator for collection of signatures on the petition. In determining the sufficiency of  
31 the petition, the lieutenant governor may not count subscriptions on petitions not

1 properly certified.

2 \* **Sec. 18.** AS 15.45.200 is amended to read:

3 **Sec. 15.45.200. Display of proposed law.** The director shall provide each  
4 election board with five [10] copies of the proposed law being initiated, and the  
5 election board shall display one copy [THREE COPIES] of the proposed law in a  
6 conspicuous place in the room where the election is held.

7 \* **Sec. 19.** AS 15.45.270 is amended to read:

8 **Sec. 15.45.270. Form of application.** The application must [SHALL]  
9 include

10 (1) the act to be referred;

11 (2) a statement of approval or rejection;

12 (3) the printed name, signature, address, and date of birth of not  
13 less than 100 qualified voters who will serve as sponsors; each signature page  
14 must include a statement that the sponsors are qualified voters who signed the  
15 application with the act to be referred and the statement of approval or rejection  
16 [PROPOSED BILL] attached; and

17 (4) [(3)] the designation of a referendum committee consisting of three  
18 of the sponsors who subscribed to the application and shall represent all sponsors  
19 and subscribers in matters relating to the referendum; the designation must include  
20 the name, address, and signature of each committee member [AND

21 (4) THE SIGNATURES AND ADDRESSES OF NOT FEWER  
22 THAN 100 QUALIFIED VOTERS].

23 \* **Sec. 20.** AS 15.45.290 is amended to read:

24 **Sec. 15.45.290. Designation of sponsors.** The qualified voters who subscribe  
25 to the application in support of the referendum are designated as sponsors. The  
26 referendum committee may designate additional sponsors by giving notice to the  
27 lieutenant governor of the names and addresses of those so designated.

28 \* **Sec. 21.** AS 15.45.320 is amended to read:

29 **Sec. 15.45.320. Preparation of petition.** If the application is certified, the  
30 lieutenant governor shall, within seven calendar days after the date of certification,  
31 prescribe the form of, and prepare, a petition containing (1) a copy of the act to be

referred, if the number of words included in both the formal and substantive provisions of the bill is 500 or less; [,] (2) **the statement of rejection or approval;** (3) **an impartial summary of the subject matter of the act;** (4) [, (3)] the warning prescribed in AS 15.45.330; (5) [(4)] sufficient space for **the printed names, dates of birth,** signatures, and addresses; (6) **sufficient space at the bottom of each page for the information required by AS 15.45.360(8);** [,] and (7) [(5)] other specifications prescribed by the lieutenant governor to assure proper handling and control. Petitions, for purposes of circulation, shall be prepared by the lieutenant governor in a number reasonably calculated to allow full circulation throughout the state **and shall be sequentially numbered.** [THE LIEUTENANT GOVERNOR SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR.] Upon request of the referendum committee, the lieutenant governor shall specify the number of persons who voted in the preceding general election **to the referendum committee.**

\* **Sec. 22.** AS 15.45 is amended by adding a new section to read:

**Sec. 15.45.335. Qualifications of circulator.** To circulate a petition booklet, a person must be

(1) 18 years of age or older; and

(2) a resident of the state as determined under AS 15.05.020.

\* **Sec. 23.** AS 15.45.340 is amended by adding new subsections to read:

(b) A circulator may not receive payment or agree to receive payment that is greater than \$1 a signature, and a person or an organization may not pay or agree to pay an amount that is greater than \$1 a signature, for the collection of signatures on a petition.

(c) A person or organization may not knowingly pay, offer to pay, or cause to be paid money or other valuable thing to a person to sign or refrain from signing a petition.

(d) A person or organization that violates (b) or (c) of this section is guilty of a class B misdemeanor.

(e) In this section,

(1) "organization" has the meaning given in AS 11.81.900;

1 (2) "other valuable thing" has the meaning given in AS 15.56.030(d);

2 (3) "person" has the meaning given in AS 11.81.900.

3 \* **Sec. 24.** AS 15.45.350 is amended to read:

4 **Sec. 15.45.350. Manner of signing and withdrawing name from petition.**

5 Any qualified voter may subscribe to the petition by **printing the voter's name, date**  
6 **of birth, and address, and by** signing the voter's name [AND ADDRESS]. A person  
7 who has signed the referendum petition may withdraw the person's name only by  
8 giving written notice to the lieutenant governor before the date the petition is filed.

9 \* **Sec. 25.** AS 15.45.360 is amended to read:

10 **Sec. 15.45.360. Certification of circulator.** Before being filed, each petition

11 shall be certified by an affidavit by the person who circulated the petition. The  
12 affidavit **must** [SHALL] state in substance that (1) the person signing the affidavit  
13 meets the residency **and** [,] age [, AND CITIZENSHIP] qualifications **for circulating**  
14 **a petition under AS 15.45.335;** [OF AS 15.05.010,] (2) the person is the only  
15 circulator of the petition; [,] (3) the signatures were made in the circulator's actual  
16 presence; [, AND] (4) to the best of the circulator's knowledge, the signatures are the  
17 signatures of persons whose names they purport to be; **(5) the signatures are of**  
18 **persons who were qualified voters on the date of signature;** **(6) the person has**  
19 **not entered into an agreement with a person or organization in violation of**  
20 **AS 15.45.340(b);** **(7) the person has not violated AS 15.45.340(c) with respect to**  
21 **that petition; and** **(8) before circulation of the petition, the circulator**  
22 **prominently placed, in the space provided under AS 15.45.320(6), and if the**  
23 **circulator has received payment or agreed to receive payment for the collection**  
24 **of signatures on the petition, the name of each person or organization that has**  
25 **paid or agreed to pay the circulator for collection of signatures on the petition.** In  
26 determining the sufficiency of the petition, the lieutenant governor may not count  
27 subscriptions on petitions not properly certified.

28 \* **Sec. 26.** AS 15.45.430 is amended to read:

29 **Sec. 15.45.430. Display of act being referred.** The director shall provide

30 each election board with **five** [10] copies of the act being referred, and the election  
31 board shall display **one copy** [THREE COPIES] of the act in a conspicuous place in

1 the room where the election is held.

2 \* **Sec. 27.** AS 15.45.500 is amended to read:

3 **Sec. 15.45.500. Form of application.** The application must include

4 (1) the name and office of the person to be recalled;

5 (2) the grounds for recall described in particular in not more than 200  
6 words;

7 (3) **the printed name, signature, address, and date of birth of**  
8 **qualified voters equal in number to 10 percent of those who voted in the**  
9 **preceding general election in the state or in the senate or house district of the**  
10 **official sought to be recalled; each signature page must include** a statement that the  
11 sponsors are qualified voters who

12 **(A) will serve as sponsors; and**

13 **(B)** signed the application with

14 **(i) the name and office of the person to be recalled;**

15 **and**

16 **(ii)** the statement of grounds for recall attached; **and**

17 (4) the designation of a recall committee **consisting** of three **of the**  
18 sponsors who **subscribed to the application and** shall represent all sponsors and  
19 subscribers in matters relating to the recall; **the designation must include the name,**  
20 **mailing address, and signature of each committee member**

21 [(5) THE SIGNATURES OF AT LEAST 100 QUALIFIED VOTERS  
22 WHO SUBSCRIBE TO THE APPLICATION AS SPONSORS FOR PURPOSES OF  
23 CIRCULATION; AND

24 (6) THE SIGNATURES AND ADDRESSES OF QUALIFIED  
25 VOTERS EQUAL IN NUMBER TO 10 PERCENT OF THOSE WHO VOTED IN  
26 THE PRECEDING GENERAL ELECTION IN THE STATE OR IN THE SENATE  
27 OR HOUSE DISTRICT OF THE OFFICIAL SOUGHT TO BE RECALLED].

28 \* **Sec. 28.** AS 15.45 is amended by adding a new section to read:

29 **Sec. 15.45.515. Designation of sponsors.** The qualified voters who subscribe  
30 to the application in support of the recall are designated as sponsors. The recall  
31 committee may designate additional sponsors by giving notice to the lieutenant

1 governor of the names, addresses, and dates of birth of those so designated.

2 \* **Sec. 29.** AS 15.45.560 is amended to read:

3 **Sec. 15.45.560. Preparation of petition.** **If** [UPON CERTIFYING] the  
 4 application **is certified**, the director shall prescribe the form of, and prepare, a petition  
 5 containing (1) the name and office of the person to be recalled; [,] (2) the statement  
 6 of the grounds for recall included in the application; [,] (3) the statement of warning  
 7 required in AS 15.45.570; [,] (4) sufficient space for **the printed name, date of**  
 8 **birth, signatures, and addresses; [, AND]** (5) **sufficient space at the bottom of each**  
 9 **page for the information required by AS 15.45.600(8); and (6)** other specifications  
 10 prescribed by the director to assure proper handling and control. Petitions, for  
 11 purposes of circulation, shall be prepared by the director in a number reasonably  
 12 calculated to allow full circulation throughout the state or throughout the senate or  
 13 house district of the official sought to be recalled, **and shall be sequentially**  
 14 **numbered. Upon request of the recall committee, the lieutenant governor shall**  
 15 **specify the number of persons who voted in the preceding general election in the**  
 16 **state or in the district of the official sought to be recalled to the recall committee**  
 17 [THE DIRECTOR SHALL NUMBER EACH PETITION AND SHALL KEEP A  
 18 RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR].

19 \* **Sec. 30.** AS 15.45 is amended by adding a new section to read:

20 **Sec. 15.45.575. Qualifications of circulator.** To circulate a petition booklet,  
 21 a person must be

22 (1) 18 years of age or older; and

23 (2) a resident of the state as determined under AS 15.05.020.

24 \* **Sec. 31.** AS 15.45.580 is amended by adding new subsections to read:

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

29 (c) A person or organization may not knowingly pay, offer to pay, or cause to  
 30 be paid money or other valuable thing to a person to sign or refrain from signing a  
 31 petition.

1 (d) A person or organization that violates (b) or (c) of this section is guilty of a  
2 class B misdemeanor.

3 (e) In this section,

4 (1) "organization" has the meaning given in AS 11.81.900;

5 (2) "other valuable thing" has the meaning given in AS 15.56.030(d);

6 (3) "person" has the meaning given in AS 11.81.900.

7 \* **Sec. 32.** AS 15.45.590 is amended to read:

8 **Sec. 15.45.590. Manner of signing and withdrawing name from petition.**

9 Any qualified voter may subscribe to the petition by **printing the voter's name, date**  
10 **of birth, and address, and by** signing the voter's name [AND ADDRESS]. A person  
11 who has signed the petition may withdraw the person's name only by giving written  
12 notice to the director before the date the petition is filed.

13 \* **Sec. 33.** AS 15.45.600 is amended to read:

14 **Sec. 15.45.600. Certification of circulator.** Before being filed, each petition

15 shall be certified by an affidavit by the person who personally circulated the petition.  
16 The affidavit **must** [SHALL] state in substance that (1) the person signing the  
17 affidavit meets the residency **and** [,] age [, AND CITIZENSHIP] qualifications of  
18 **AS 15.45.575;** [AS 15.05.010,] (2) the person is the only circulator of that petition or  
19 copy; [,] (3) the signatures were made in the circulator's actual presence; [, AND] (4)  
20 to the best of the circulator's knowledge, the signatures are those of the persons whose  
21 names they purport to be; **(5) the signatures are of persons who were qualified**  
22 **voters on the date of signature; (6) the person has not entered into an agreement**  
23 **with a person or organization in violation of AS 15.45.580(b); (7) the person has**  
24 **not violated AS 15.45.580(c) with respect to that petition; and (8) before**  
25 **circulation of the petition, the circulator prominently placed, in the space**  
26 **provided under AS 15.45.560(5), and if the circulator has received payment or**  
27 **agreed to receive payment for the collection of signatures on the petition, the**  
28 **name of each person or organization that has paid or agreed to pay the circulator**  
29 **for collection of signatures on the petition.** In determining the sufficiency of the  
30 petition, the director may not count subscriptions on petitions not properly certified.

31 \* **Sec. 34.** AS 15.45.680 is amended to read:

1           **Sec. 15.45.680. Display of grounds [BASES] for and against recall.** The  
 2 director shall provide each election board in the state or in the senate or house district  
 3 of the person subject to recall with **five** [10] copies of the statement of the grounds for  
 4 recall included in the application and **five** [10] copies of the statement of not more  
 5 than 200 words made by the official subject to recall in justification of the official's  
 6 conduct in office. The person subject to recall may provide the director with the  
 7 statement within 10 days after the date the director gave notification that the petition  
 8 was properly filed. The election board shall post **one copy** [THREE COPIES] of the  
 9 statements for and against recall in **a** [THREE] conspicuous **place** [PLACES] in the  
 10 polling place.

11 \* **Sec. 35.** AS 15.60 is amended by adding a new section to read:

12           **Sec. 15.60.003. Voters unaffiliated with political parties.** The director shall  
 13 consider a voter to be a voter registered as

14                           (1) "nonpartisan" and without a preference for a political party if the  
 15 voter registers as nonpartisan on a voter registration form; or

16                           (2) "undeclared" if the voter

17   (A) registers as undeclared on a voter registration form;

18   (B) fails to declare on a voter registration form an affiliation  
 19 with a political group or political party; or

20   (C) declares on a voter registration form an affiliation with an  
 21 entity other than a political party or political group; or

22                           (3) "other" if the voter declares on a voter registration form an  
 23 affiliation with a political group.

24 \* **Sec. 36.** AS 15.60 is amended by adding a new section to read:

25           **Sec. 15.60.008. Recognized political party status.** (a) A political group that  
 26 the director has not recognized as a political party may obtain recognized political  
 27 party status if, on or before May 31 of the first election year for which it seeks  
 28 recognition, the political group

29                           (1) files an application with the director;

30                           (2) submits bylaws to the director and the United States Department of  
 31 Justice as required of political parties in AS 15.25.014; and

1 (3) either

2 (A) nominated a candidate for statewide office who received at  
3 least three percent of the total votes cast for that statewide office at the  
4 preceding general election; or

5 (B) has registered voters in the state equal in number to at least  
6 three percent of the total votes cast for governor at the preceding general  
7 election.

8 (b) The director shall verify that each political group seeking recognized  
9 political party status under (a) of this section and each recognized political party

10 (1) nominated a candidate for statewide office who received at least  
11 three percent of the total votes cast for that statewide office at the preceding general  
12 election; or

13 (2) has registered voters in the state equal in number to at least three  
14 percent of the total votes cast for governor at the preceding general election.

15 (c) The director shall perform a verification described in (b) of this section at  
16 least once a month after the date of certification of the preceding general election. For  
17 purposes of (b)(2) of this section, the director shall verify that the voters who have  
18 submitted registration to the division of elections are qualified under AS 15.05.010  
19 and have declared affiliation with the political group or recognized political party for  
20 which the verification is performed.

21 (d) Except as provided in (e) of this section, within 10 days after a verification  
22 under (c) of this section, the director shall provide, to

23 (1) a political group seeking recognized political party status under (a)  
24 of this section, written notification when the political group has obtained recognized  
25 political party status; and

26 (2) any recognized political party that no longer qualifies under (b) of  
27 this section for recognized political party status, written notification that recognized  
28 political party status has been withdrawn, and an application to obtain recognized  
29 political party status under (a) of this section; if the application is not returned in  
30 accordance with (a) of this section within 45 days after the director sends the written  
31 notification, the director shall discontinue monthly verification under (c) of this

1 section for that political group.

2 (e) Notwithstanding (d) of this section, from June 1 of an election year  
3 through the date of the first verification under (b) of this section that occurs after  
4 certification of the results of the general election, the director may not withdraw  
5 recognized political party status.

6 \* **Sec. 37.** AS 15.60.010(21) is amended to read:

7 (21) "political party" means an organized group of voters that  
8 represents a political program and that either nominated a candidate for **statewide**  
9 **office** [GOVERNOR] who received at least three percent of the total votes cast for  
10 **that office** [GOVERNOR] at the preceding general election or has registered voters in  
11 the state equal in number to at least three percent of the total votes cast for governor at  
12 the preceding general election;

13 \* **Sec. 38.** AS 15.60.010 is amended by adding new paragraphs to read:

14 (38) "reregistration" means the submission of a registration form by a  
15 voter whose registration was inactivated on the master register maintained under  
16 AS 15.07, and the director's reactivation of that registration in accordance with that  
17 chapter; in this paragraph, "a voter whose registration was inactivated" does not  
18 include a voter whose registration was inactivated under AS 15.07.130 and whose  
19 ballot may be counted under AS 15.15.198;

20 (39) "statewide office" means the office of governor, lieutenant  
21 governor, United States senator, or United States representative.

22 \* **Sec. 39.** The uncodified law of the State of Alaska is amended by adding a new section to  
23 read:

24 APPLICABILITY. The changes made by secs. 12 - 34 of this Act apply to an  
25 application for an initiative, referendum, or recall filed with the lieutenant governor on or  
26 after the effective date of this Act.

27 \* **Sec. 40.** The uncodified law of the State of Alaska is amended by adding a new section to  
28 read:

29 TRANSITION. An initiative, referendum, or recall for which an application was filed  
30 with the lieutenant governor before the effective date of this Act is subject to the provisions of  
31 AS 15.45 as they existed on the day before the effective date of this Act.

1     \* **Sec. 41.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3           REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the  
4 heading of art. 5 of AS 15.20 from "Article 5. Optically Scanned Voting" to "Article 5.  
5 Optically Scanned Voting; Voting Machine or Tally System Standards."

6     \* **Sec. 42.** This Act takes effect immediately under AS 01.01.070(c).