

CS FOR HOUSE BILL NO. 94(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/18/05

Referred: Judiciary, Finance

Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to qualifications of voters, requirements and procedures regarding**
2 **independent candidates for President and Vice-President of the United States, voter**
3 **registration and voter registration records, voter registration and absentee ballot**
4 **requests through a power of attorney, voter registration using scanned documents, voter**
5 **residence, precinct boundary and polling place designation and modification, recognized**
6 **political parties, voters unaffiliated with a political party, early voting, absentee voting,**
7 **application for absentee ballots through a power of attorney or by scanned documents,**
8 **ballot design, ballot counting, voting by mail, voting machines, vote tally systems,**
9 **qualifications for elected office, initiative, referendum, recall, and definitions in the**
10 **Alaska Election Code; relating to incorporation elections."**

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

12 * **Section 1.** AS 13.26.332 is amended to read:

- 1 (D) banking transactions ()
- 2 (E) business operating transactions ()
- 3 (F) insurance transactions ()
- 4 (G) estate transactions ()
- 5 (H) gift transactions ()
- 6 (I) claims and litigation ()
- 7 (J) personal relationships and affairs ()
- 8 (K) benefits from government programs and military service ()
- 9 (L) records, reports, and statements ()
- 10 (M) delegation ()
- 11 (N) **voter registration and absentee ballot requests** ()
- 12 **(O)** all other matters, including those specified as follows: ()
- 13 _____
- 14 _____
- 15 _____

16 IF YOU HAVE APPOINTED MORE THAN ONE AGENT,
17 CHECK ONE OF THE FOLLOWING:

- 18 () Each agent may exercise the powers conferred separately, without
19 the consent of any other agent.
- 20 () All agents shall exercise the powers conferred jointly, with the
21 consent of all other agents.

22 TO INDICATE WHEN THIS DOCUMENT SHALL
23 BECOME EFFECTIVE, CHECK ONE OF THE FOLLOWING:

- 24 () This document shall become effective upon the date of my
25 signature.
- 26 () This document shall become effective upon the date of my
27 disability and shall not otherwise be affected by my disability.

28 IF YOU HAVE INDICATED THAT THIS DOCUMENT
29 SHALL BECOME EFFECTIVE ON THE DATE OF YOUR
30 SIGNATURE, CHECK ONE OF THE FOLLOWING:

- 31 () This document shall not be affected by my subsequent disability.

1 () This document shall be revoked by my subsequent disability.

2 IF YOU HAVE INDICATED THAT THIS DOCUMENT
3 SHALL BECOME EFFECTIVE UPON THE DATE OF YOUR
4 SIGNATURE AND WANT TO LIMIT THE TERM OF THIS
5 DOCUMENT, COMPLETE THE FOLLOWING:

6 This document shall only continue in effect for _____ ()
7 years from the date of my signature.

8 NOTICE OF REVOCATION OF THE POWERS

9 GRANTED IN THIS DOCUMENT

10 You may revoke one or more of the powers granted in this
11 document. Unless otherwise provided in this document, you may
12 revoke a specific power granted in this power of attorney by
13 completing a special power of attorney that includes the specific power
14 in this document that you want to revoke. Unless otherwise provided in
15 this document, you may revoke all the powers granted in this power of
16 attorney by completing a subsequent power of attorney.

17 NOTICE TO THIRD PARTIES

18 A third party who relies on the reasonable representations of an
19 attorney-in-fact as to a matter relating to a power granted by a properly
20 executed statutory power of attorney does not incur any liability to the
21 principal or to the principal's heirs, assigns, or estate as a result of
22 permitting the attorney-in-fact to exercise the authority granted by the
23 power of attorney. A third party who fails to honor a properly executed
24 statutory form power of attorney may be liable to the principal, the
25 attorney-in-fact, the principal's heirs, assigns, or estate for a civil
26 penalty, plus damages, costs, and fees associated with the failure to
27 comply with the statutory form power of attorney. If the power of
28 attorney is one which becomes effective upon the disability of the
29 principal, the disability of the principal is established by an affidavit, as
30 required by law.

31 IN WITNESS WHEREOF, I have hereunto signed my name

1 this ____ day of _____, ____.

2 _____
3 Signature of Principal

4 Acknowledged before me at _____

5 _____ on _____.

6 Signature of Officer or Notary

7 * **Sec. 2.** AS 13.26.344 is amended by adding a new subsection to read:

8 (p) In a statutory form power of attorney, the language conferring general
9 authority with regard to voter registration and absentee ballot requests shall be
10 construed to mean that the principal authorizes the agent to register the principal to
11 vote or request an absentee ballot for the principal.

12 * **Sec. 3.** AS 15.05.020 is amended to read:

13 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose
14 of determining residence for voting, the place of residence is governed by the
15 following rules:

16 (1) A person may not be considered to have gained a residence solely
17 by reason of presence nor may a person lose it solely by reason of absence while in the
18 civil or military service of this state or of the United States or of absence because of
19 marriage to a person engaged in the civil or military service of this state or the United
20 States, while a student at an institution of learning, while in an institution or asylum at
21 public expense, while confined in public prison, while engaged in the navigation of
22 waters of this state or the United States or of the high seas, while residing upon an
23 Indian or military reservation, or while residing in the Alaska Pioneers' Home or the
24 Alaska Veterans' Home.

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

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

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

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

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

9 (7) The term of residence is computed by including the day on which
 10 the person's residence begins and excluding the day of election.

11 (8) The address of a voter as it appears on **the** [AN] official voter
 12 registration **record** [CARD] is presumptive evidence of the person's voting residence.
 13 This presumption is negated only if the voter notifies the director in writing of a
 14 change of voting residence.

15 * **Sec. 4.** AS 15.07.050 is amended to read:

16 **Sec. 15.07.050. Manner of registration.** Registration may be made

17 (1) in person before a registration official or through a voter
 18 registration agency;

19 (2) **by another individual on behalf of the voter if the voter has**
 20 **executed a written general power of attorney or a written special power of**
 21 **attorney authorizing that other individual to register the voter;**

22 (3) by mail; or

23 (4) [(3)] by facsimile transmission, **scanning**, or another method of
 24 electronic transmission that the director approves.

25 * **Sec. 5.** AS 15.07.060(a) is amended to read:

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

28 (1) **the applicant's** name and sex;

29 (2) if issued, the applicant's State of Alaska driver's license number or
 30 State of Alaska identification card number, or the last four digits of the applicant's
 31 social security number;

- 1 (3) **the applicant's** date of birth;
- 2 (4) **the applicant's Alaska residence** address [AND OTHER
3 NECESSARY INFORMATION ESTABLISHING RESIDENCE, INCLUDING THE
4 TERM OF RESIDENCE IN THE STATE AND IN THE DISTRICT, IF
5 REQUESTED];
- 6 (5) **a statement of** whether the applicant has previously been
7 registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of
8 the previous registration;
- 9 (6) a declaration that the **applicant** [REGISTRANT] will be 18 years
10 of age or older within 90 days **after** [OF] the date of registration;
- 11 (7) a declaration that the **applicant** [REGISTRANT] is a citizen of the
12 United States;
- 13 (8) **the** date of application;
- 14 (9) **the applicant's** signature or mark;
- 15 (10) any former name under which the applicant was registered to vote
16 in the state;
- 17 (11) an **oath** [ATTESTATION] that the information provided by the
18 applicant in (1) - (10) of this subsection is true; and
- 19 (12) a certification that the applicant understands that a false statement
20 on the application may make the applicant subject to prosecution for a misdemeanor
21 under this title or AS 11.

22 * **Sec. 6.** AS 15.07.070(b) is amended to read:

23 (b) To register by mail or by facsimile, **scanning**, or other electronic
24 transmission approved by the director under AS 15.07.050, the director, the area
25 election supervisor, or a voter registration agency shall furnish, at no cost to the voter,
26 forms prepared by the director on which the registration information required under
27 AS 15.07.060 shall be inserted by the voter, **by a person on behalf of the voter if**
28 **that person is designated to act on behalf of the voter in a power of attorney**, or
29 by a person on behalf of the voter if the voter is physically incapacitated. The director
30 may require proof of identification of the applicant as required by regulations adopted
31 by the director under AS 44.62 (Administrative Procedure Act). Upon receipt and

1 approval of the completed registration forms, the director or the election supervisor
 2 shall forward to the voter an acknowledgment, and the voter's name shall immediately
 3 be placed on the master register. If the registration is denied, the voter shall
 4 immediately be informed in writing that registration was denied and the reason for
 5 denial. When identifying information has been provided by the voter as required by
 6 this chapter, the election supervisor shall forward to the voter a registration card.

7 * **Sec. 7.** AS 15.07 is amended by adding a new section to read:

8 **Sec. 15.07.075. Voters unaffiliated with a political party.** The director shall
 9 consider a voter to be a voter registered as

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

12 (2) "undeclared" if the voter

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

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

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

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

20 * **Sec. 8.** AS 15.07.127 is amended to read:

21 **Sec. 15.07.127. Preparation of master register.** The director shall prepare
 22 both a statewide list and a list by precinct of the names and addresses of all persons
 23 whose names appear on the master register and their political party affiliation.

24 **Subject to the limitations of 15.07.195, any** [ANY] person may obtain a copy of the
 25 list, or a part of the list, or an electronic format containing both residence and mailing
 26 addresses of voters, by applying to the director and paying to the state treasury a fee as
 27 determined by the director.

28 * **Sec. 9.** AS 15.10.090 is repealed and reenacted to read:

29 **Sec. 15.10.090. Notice of precinct boundary or polling place designation**
 30 **and modification.** The director shall give full public notice if a precinct is established
 31 or abolished, if the boundaries of a precinct are designated, abolished, or modified, or

1 if the location of a polling place is changed. Public notice must include

2 (1) whenever possible, sending written notice of the change to each
3 affected registered voter in the precinct;

4 (2) providing notice of the change

5 (A) by publication once in a local newspaper of general
6 circulation in the precinct; or

7 (B) if there is not a local newspaper of general circulation in
8 the precinct, by posting written notice in three conspicuous places as close to
9 the precinct as possible; at least one posting location must be in the precinct;

10 (3) posting notice of the change on the Internet website of the division
11 of elections;

12 (4) providing notification of the change to the appropriate municipal
13 clerks, community councils, tribal groups, Native villages, and village regional
14 corporations established under 43 U.S.C. 1606 (Alaska Native Claims Settlement
15 Act); and

16 (5) inclusion in the official election pamphlet.

17 * **Sec. 10.** AS 15.15.030(6) is repealed and reenacted to read:

18 (6) The names of the candidates for each office shall be set out in the
19 same order on ballots printed for use in each house district. The director shall
20 randomly determine the order of the names of the candidates for state representative
21 for each house district. The director shall rotate the order of placement of the names
22 of candidates for governor, lieutenant governor, United States senator, United States
23 representative, and state senator on the ballot for each house district.

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

25 (7) The general election ballot shall be designed with the names of
26 candidates of each political party, **and of any independent candidates qualified**
27 **under AS 15.30.026,** for the office of President and Vice-President of the United
28 States placed in the same section on the ballot rather than the names of electors of
29 President and Vice-President.

30 * **Sec. 12.** AS 15.15.350(a) is amended to read:

31 (a) The director may adopt regulations prescribing the manner in which the

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

15 * **Sec. 13.** AS 15.20.064 is amended by adding a new subsection to read:

16 (d) The director shall designate locations for early voting by January 1 of an
 17 election year.

18 * **Sec. 14.** AS 15.20.066(b) is amended to read:

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

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

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

28 (A) a commissioned or noncommissioned officer of the armed
 29 forces of the United States;

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

1 (C) **an individual** [TWO UNITED STATES CITIZENS] who
 2 **is** [ARE] 18 years of age or older.

3 * **Sec. 15.** AS 15.20.081(a) is amended to read:

4 (a) A qualified voter may apply by mail or by **facsimile, scanning, or other**
 5 electronic transmission to the director for an absentee ballot. **Another individual**
 6 **may apply for an absentee ballot on behalf of a qualified voter if that individual**
 7 **is designated to act on behalf of the voter in a written general power of attorney**
 8 **or a written special power of attorney that authorizes the other individual to**
 9 **apply for an absentee ballot on behalf of the voter.** The application must include
 10 the address or, if the application requests delivery of an absentee ballot by electronic
 11 transmission, the telephone electronic transmission number, to which the absentee
 12 ballot is to be returned, the applicant's full Alaska residence address, and the
 13 applicant's signature. However, a person residing outside the United States and
 14 applying to vote absentee in federal elections in accordance with AS 15.05.011 need
 15 not include an Alaska residence address in the application.

16 * **Sec. 16.** AS 15.20.081(d) is amended to read:

17 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a
 18 notary public, commissioned officer of the armed forces including the National Guard,
 19 district judge or magistrate, United States postal official, registration official, or other
 20 person qualified to administer oaths, may proceed to mark the ballot in secret, to place
 21 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,
 22 and to sign the voter's certificate on the envelope in the presence of an official listed in
 23 this subsection who shall sign as attesting official and shall date the signature. If none
 24 of the officials listed in this subsection is reasonably accessible, an absentee voter
 25 shall sign the voter's certificate in the presence of **an individual who is** [TWO
 26 PERSONS OVER THE AGE OF] 18 years **of age or older**, who shall sign as **a**
 27 **witness** [WITNESSES] and attest to the date on which the voter signed the certificate
 28 in **the individual's** [THEIR] presence, and, in addition, the voter shall provide the
 29 certification prescribed in AS 09.63.020.

30 * **Sec. 17.** AS 15.20.081(h) is amended to read:

31 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail

1 from outside the United States or from an overseas voter qualifying under
 2 AS 15.05.011 [A MILITARY APO OR FPO ADDRESS] that has been marked and
 3 mailed not later than election day may not be counted unless the ballot is received by
 4 the election supervisor not later than the close of business on the 15th day following
 5 the election.

6 * **Sec. 18.** AS 15.20.800(b) is amended to read.

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

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

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

18 * **Sec. 19.** AS 15.20 is amended by adding a new section to article 5 to read:

19 **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The
 20 director may approve a voting machine or vote tally system for use in an election in
 21 the state upon consideration of factors relevant to the administration of state elections,
 22 including whether the Federal Election Commission has certified the voting machine
 23 or vote tally system to be in compliance with the voting system standards approved by
 24 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America
 25 Vote Act of 2002). The director may only approve a voting machine or vote tally
 26 system if the machine or system satisfies the requirements of AS 15.15.032(c).

27 * **Sec. 20.** AS 15.25.030(a) is amended to read:

28 (a) A member of a political party who seeks to become a candidate of the
 29 party in the primary election shall execute and file a declaration of candidacy. The
 30 declaration shall be executed under oath before an officer authorized to take
 31 acknowledgments and must state in substance

- 1 (1) the full name of the candidate;
- 2 (2) the full mailing address of the candidate;
- 3 (3) if the candidacy is for the office of state senator or state
4 representative, the house or senate district of which the candidate is a resident;
- 5 (4) the office for which the candidate seeks nomination;
- 6 (5) the name of the political party of which the person is a candidate
7 for nomination;
- 8 (6) the full residence address of the candidate, and the date on which
9 residency at that address began;
- 10 (7) the date of the primary election at which the candidate seeks
11 nomination;
- 12 (8) the length of residency in the state and in the district of the
13 candidate;
- 14 (9) that the candidate will meet the specific citizenship requirements of
15 the office for which the person is a candidate;
- 16 (10) that the candidate is a qualified voter as required by law;
- 17 (11) that the candidate will meet the specific age requirements of the
18 office for which the person is a candidate; **if the candidacy is for the office of state**
19 **representative, that the candidate will be at least 21 years of age on the first**
20 **scheduled day of the first regular session of the legislature convened after the**
21 **election; if the candidacy is for the office of state senator, that the candidate will**
22 **be at least 25 years of age on the first scheduled day of the first regular session of**
23 **the legislature convened after the election; if the candidacy is for the office of**
24 **governor or lieutenant governor, that the candidate will be at least 30 years of**
25 **age on the first Monday in December following election or, if the office is to be**
26 **filled by special election under AS 15.40.230 - 15.40.310, that the candidate will**
27 **be at least 30 years of age on the date of certification of the results of the special**
28 **election; or, for any other office, by the time that the candidate, if elected, is**
29 **sworn into office;**
- 30 (12) that the candidate requests that the candidate's name be placed on
31 the primary election ballot;

1 (13) that the required fee accompanies the declaration;

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

5 (15) the manner in which the candidate wishes the candidate's name to
6 appear on the ballot; and

7 (16) that the candidate is registered to vote as a member of the political
8 party whose nomination is being sought.

9 * **Sec. 21.** AS 15.25.105(a) is amended to read:

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

15 (1) the full name of the candidate;

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

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

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

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

23 (6) the office that the candidate seeks;

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

25 (8) the length of residency in the state and in the house district of the
26 candidate;

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

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

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

1 office for which the person is a candidate; if the candidacy is for the office of state
 2 representative, that the candidate will be at least 21 years of age on the first
 3 scheduled day of the first regular session of the legislature convened after the
 4 election; if the candidacy is for the office of state senator, that the candidate will
 5 be at least 25 years of age on the first scheduled day of the first regular session of
 6 the legislature convened after the election; if the candidacy is for the office of
 7 governor or lieutenant governor, that the candidate will be at least 30 years of
 8 age on the first Monday in December following election or, if the office is to be
 9 filled by special election under AS 15.40.230 - 15.40.310, that the candidate will
 10 be at least 30 years of age on the date of certification of the results of the special
 11 election; or, for any other office, by the time that the candidate, if elected, is sworn
 12 into office;

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

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

17 * **Sec. 22.** AS 15.25.180(a) is amended to read:

18 (a) The petition must state in substance

19 (1) the full name of the candidate;

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

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

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

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

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

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

28 (8) the length of residency in the state and in the district of the
 29 candidate;

30 (9) that the subscribers are qualified voters of the state or house or
 31 senate district in which the candidate resides;

1 (10) that the subscribers request that the candidate's name be placed on
2 the general election ballot;

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

5 (12) the name of the candidate as the candidate wishes it to appear on
6 the ballot;

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

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

12 (15) that the candidate will meet the specific age requirements of the
13 office for which the person is a candidate; **if the candidacy is for the office of state**
14 **representative, that the candidate will be at least 21 years of age on the first**
15 **scheduled day of the first regular session of the legislature convened after the**
16 **election; if the candidacy is for the office of state senator, that the candidate will**
17 **be at least 25 years of age on the first scheduled day of the first regular session of**
18 **the legislature convened after the election; and if the candidacy is for the office of**
19 **governor or lieutenant governor, that the candidate will be at least 30 years of**
20 **age on the first Monday in December following election or, if the office is to be**
21 **filled by special election under AS 15.40.230 - 15.40.310, that the candidate will**
22 **be at least 30 years of age on the date of certification of the results of the special**
23 **election; or, for any other office,** by the time that the candidate, if elected, is sworn
24 into office;

25 (16) that the candidate is a qualified voter; and

26 (17) if the candidacy is for the office of the governor, the name of the
27 candidate for lieutenant governor running jointly with the candidate for governor.

28 * **Sec. 23.** AS 15.30 is amended by adding a new section to read:

29 **Sec. 15.30.026. Qualifications for independent candidates for President of**
30 **the United States; selection of candidate for Vice-President; selection of electors.**

31 (a) A person who desires to be an independent candidate for President of the United

1 States must file with the director not earlier than January 1 of a presidential election
 2 year and not later than the 90th day before a presidential general election a petition
 3 signed by qualified voters of the state equal in number to at least one percent of the
 4 number of voters who cast ballots in an election under this chapter for President of the
 5 United States at the last presidential general election. The petition must state that the
 6 signers desire the named candidate for President of the United States to appear on the
 7 ballot as an independent candidate for president at the next succeeding presidential
 8 general election.

9 (b) In order to appear on the ballot, a candidate who has qualified for ballot
 10 status under (a) of this section shall certify the following information to the director on
 11 or before September 1 of the year of the presidential general election:

12 (1) the names of the electors for the independent candidate for
 13 President of the United States, equal to the number of senators and representatives to
 14 which the state is entitled in Congress;

15 (2) the name of a candidate for Vice-President, selected by the
 16 independent candidate; and

17 (3) the name, Alaska mailing address, and signature of the candidate's
 18 state campaign chair, who must be an Alaska resident.

19 * **Sec. 24.** AS 15.30.050 is amended to read:

20 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**
 21 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote
 22 marked for the candidates for President and **Vice-President** [VICE PRESIDENT] is
 23 considered and counted as a vote for the presidential electors of the party **or for the**
 24 **presidential electors named under AS 15.30.026, as appropriate.**

25 * **Sec. 25.** AS 15.30.090 is amended to read:

26 **Sec. 15.30.090. Duties of electors.** After any vacancies have been filled, the
 27 electors shall proceed to cast their votes for the candidates for the office of President
 28 and **Vice-President** [VICE PRESIDENT] of the party **that** [WHICH] selected them as
 29 candidates for electors, **or for the candidates for the office of President and Vice-**
 30 **President under AS 15.30.026 if the electors were named under AS 15.30.026,** and
 31 shall perform the duties of electors as required by the constitution and laws of the

1 United States. The director shall provide administrative services and the Department
2 of Law shall provide legal services necessary for the electors to perform their duties.

3 * **Sec. 26.** AS 15.45.030 is amended to read:

4 **Sec. 15.45.030. Form of application.** The application **must** [SHALL]
5 include **the**

6 (1) [THE] proposed bill, [TO BE INITIATED,]

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

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

17 * **Sec. 27.** AS 15.45.060 is amended to read:

18 **Sec. 15.45.060. Designation of sponsors.** The qualified voters who subscribe
19 to the application **in support of the proposed bill** are designated as sponsors. The
20 initiative committee may designate additional sponsors by giving written notice to the
21 lieutenant governor of the names, [AND] addresses, **and dates of birth** of those so
22 designated.

23 * **Sec. 28.** AS 15.45.090 is repealed and reenacted to read:

24 **Sec. 15.45.090. Preparation of petition.** (a) The lieutenant governor shall
25 prepare a sufficient number of sequentially numbered petitions to allow full circulation
26 throughout the state. Each petition must contain

27 (1) a copy of the proposed bill if the number of words included in both
28 the formal and substantive provisions of the bill is 500 or less;

29 (2) an impartial summary of the subject matter of the bill;

30 (3) the statement of warning prescribed in AS 15.45.100;

31 (4) sufficient space for the printed name, date of birth, signature, and

1 address of each person signing the petition;

2 (5) sufficient space at the bottom of each signature page for the
3 information required by AS 15.45.130(8); and

4 (6) other specifications prescribed by the lieutenant governor to ensure
5 proper handling and control.

6 (b) Upon request of the initiative committee, the lieutenant governor shall
7 report to the committee the number of persons who voted in the preceding general
8 election.

9 * **Sec. 29.** AS 15.45 is amended by adding a new section to read:

10 **Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet,
11 a person shall be

12 (1) a citizen of the United States;

13 (2) 18 years of age or older; and

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

15 * **Sec. 30.** AS 15.45.120 is amended to read:

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

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

21 * **Sec. 31.** AS 15.45.130 is repealed and reenacted to read:

22 **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition
23 shall be certified by an affidavit by the person who personally circulated the petition.
24 In determining the sufficiency of the petition, the lieutenant governor may not count
25 subscriptions on petitions not properly certified at the time of filing or corrected before
26 the subscriptions are counted. The affidavit must state in substance that

27 (1) the person signing the affidavit meets the residency, age, and
28 citizenship qualifications for circulating a petition under AS 15.45.105;

29 (2) the person is the only circulator of that petition;

30 (3) the signatures were made in the circulator's actual presence;

31 (4) to the best of the circulator's knowledge, the signatures are the

1 signatures of the persons whose names they purport to be;

2 (5) the signatures are of persons who were qualified voters on the date
3 of signature;

4 (6) the circulator has not entered into an agreement with a person or
5 organization in violation of AS 15.45.110(c);

6 (7) the circulator has not violated AS 15.45.110(d) with respect to that
7 petition; and

8 (8) if the circulator has received payment or agreed to receive payment
9 for the collection of signatures on the petition, the circulator, before circulating the
10 petition, prominently placed in the space provided under AS 15.45.090(a)(5) the name
11 of each person or organization that has paid or agreed to pay the circulator for
12 collection of signatures on the petition.

13 * **Sec. 32.** AS 15.45.200 is amended to read:

14 **Sec. 15.45.200. Display of proposed law.** The director shall provide each
15 election board with **at least five** [10] copies of the proposed law being initiated, and
16 the election board shall display **at least one copy** [THREE COPIES] of the proposed
17 law in a conspicuous place in the room where the election is held.

18 * **Sec. 33.** AS 15.45.270 is amended to read:

19 **Sec. 15.45.270. Form of application.** The application **must** [SHALL]
20 include

21 (1) the act to be referred;

22 (2) **a statement of approval or rejection;**

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

28 **(4)** [(3)] the designation of a referendum committee **consisting** of three
29 **of the** sponsors who **subscribed to the application and** [SHALL] represent all
30 sponsors and subscribers in matters relating to the referendum; **the designation must**
31 **include the name, mailing address, and signature of each committee member**

1 [AND

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

4 * **Sec. 34.** AS 15.45.290 is amended to read:

5 **Sec. 15.45.290. Designation of sponsors.** The qualified voters who subscribe
6 to the application **in support of the referendum** are designated as sponsors. The
7 referendum committee may designate additional sponsors by giving notice to the
8 lieutenant governor of the names, [AND] addresses, **and dates of birth** of those so
9 designated.

10 * **Sec. 35.** AS 15.45.320 is repealed and reenacted to read:

11 **Sec. 15.45.320. Preparation of petition.** (a) The lieutenant governor shall
12 prepare a sufficient number of sequentially numbered petitions to allow full circulation
13 throughout the state. Each petition must contain

14 (1) a copy of the act to be referred if the number of words included in
15 both the formal and substantive provisions of the act is 500 or less;

16 (2) the statement of approval or rejection;

17 (3) an impartial summary of the subject matter of the act;

18 (4) the statement of warning prescribed in AS 15.45.330;

19 (5) sufficient space for the printed name, date of birth, signature, and
20 address of each person signing the petition;

21 (6) sufficient space at the bottom of each signature page for the
22 information required by AS 15.45.360(8); and

23 (7) other specifications prescribed by the lieutenant governor to ensure
24 proper handling and control.

25 (b) Upon request of the referendum committee, the lieutenant governor shall
26 report to the committee the number of persons who voted in the preceding general
27 election.

28 * **Sec. 36.** AS 15.45 is amended by adding a new section to read:

29 **Sec. 15.45.335. Qualifications of circulator.** To circulate a petition booklet,
30 a person shall be

31 (1) a citizen of the United States;

1 (2) 18 years of age or older; and

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

3 * **Sec. 37.** AS 15.45.340 is amended by adding new subsections to read:

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

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

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

13 (e) In this section,

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

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

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

17 * **Sec. 38.** AS 15.45.350 is amended to read:

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

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

23 * **Sec. 39.** AS 15.45.360 is repealed and reenacted to read:

24 **Sec. 15.45.360. Certification of circulator.** Before being filed, each petition
25 shall be certified by an affidavit by the person who personally circulated the petition.
26 In determining the sufficiency of the petition, the lieutenant governor may not count
27 subscriptions on petitions not properly certified at the time of filing or corrected before
28 the subscriptions are counted. The affidavit must state in substance that

29 (1) the person signing the affidavit meets the residency, age, and
30 citizenship qualifications for circulating a petition under AS 15.45.335;

31 (2) the person is the only circulator of that petition;

- 1 (3) the signatures were made in the circulator's actual presence;
- 2 (4) to the best of the circulator's knowledge, the signatures are the
- 3 signatures of the persons whose names they purport to be;
- 4 (5) the signatures are of persons who were qualified voters on the date
- 5 of signature;
- 6 (6) the circulator has not entered into an agreement with a person or
- 7 organization in violation of AS 15.45.340(b);
- 8 (7) the circulator has not violated AS 15.45.340(c) with respect to that
- 9 petition; and
- 10 (8) if the circulator has received payment or agreed to receive payment
- 11 for the collection of signatures on the petition, the circulator, before circulating of the
- 12 petition, prominently placed in the space provided under AS 15.45.320(a)(6) the name
- 13 of each person or organization that has paid or agreed to pay the circulator for
- 14 collection of signatures on the petition.

15 * **Sec. 40.** AS 15.45.430 is amended to read:

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

17 each election board with **at least five** [10] copies of the act being referred, and the

18 election board shall display **at least one copy** [THREE COPIES] of the act in a

19 conspicuous place in the room where the election is held.

20 * **Sec. 41.** AS 15.45.500 is amended to read:

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

- 22 (1) the name and office of the person to be recalled;
- 23 (2) the grounds for recall described in particular in not more than 200
- 24 words;
- 25 (3) **the printed name, signature, address, and date of birth of**
- 26 **qualified voters equal in number to 10 percent of those who voted in the**
- 27 **preceding general election in the state or in the senate or house district of the**
- 28 **official sought to be recalled; each signature page must include** a statement that the
- 29 [SPONSORS ARE] qualified voters
- 30 **(A) will serve as sponsors; and**
- 31 **(B)** [WHO] signed the application with **the name and office of**

1 the person to be recalled and the statement of grounds for recall attached;
2 and

3 (4) the designation of a recall committee consisting of three of the
4 qualified voters [SPONSORS] who subscribed to the application and shall
5 represent all sponsors and subscribers in matters relating to the recall; the designation
6 must include the name, mailing address, and signature of each committee
7 member

8 [(5) THE SIGNATURES OF AT LEAST 100 QUALIFIED VOTERS
9 WHO SUBSCRIBE TO THE APPLICATION AS SPONSORS FOR PURPOSES OF
10 CIRCULATION; AND

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

15 * **Sec. 42.** AS 15.45 is amended by adding a new section to read:

16 **Sec. 15.45.515. Designation of sponsors.** The qualified voters who subscribe
17 to the application in support of the recall are designated as sponsors. The recall
18 committee may designate additional sponsors by giving notice to the lieutenant
19 governor of the names, addresses, and dates of birth of those so designated.

20 * **Sec. 43.** AS 15.45.560 is repealed and reenacted to read:

21 **Sec. 15.45.560. Preparation of petition.** (a) The director shall prepare a
22 sufficient number of sequentially numbered petitions to allow full circulation
23 throughout the state. Each petition must contain

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

25 (2) the statement of the grounds for recall included in the application;

26 (3) the statement of warning required in AS 15.45.570;

27 (4) sufficient space for the printed name, date of birth, signature, and
28 address of each person signing the petition;

29 (5) sufficient space at the bottom of each signature page for the
30 information required by AS 15.45.600(8); and

31 (6) other specifications prescribed by the director to ensure proper

1 handling and control.

2 (b) Upon request of the recall committee, the lieutenant governor shall report
3 to the committee the number of persons who voted in the preceding general election,
4 in the state or in the district of the official sought to be recalled by the recall
5 committee.

6 * **Sec. 44.** AS 15.45.570 is amended to read:

7 **Sec. 15.45.570. Statement of warning.** Each petition **must** [AND
8 DUPLICATE COPY SHALL] include a statement of warning that a person who signs
9 a name other than the person's own to the petition, or who knowingly signs more than
10 once for the same proposition at one election, or who signs the petition while
11 knowingly not a qualified voter, is guilty of a class B misdemeanor.

12 * **Sec. 45.** AS 15.45 is amended by adding a new section to read:

13 **Sec. 15.45.575. Qualifications of circulator.** To circulate a petition booklet,
14 a person shall be

15 (1) a citizen of the United States;

16 (2) 18 years of age or older; and

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

18 * **Sec. 46.** AS 15.45.580 is amended by adding new subsections to read:

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

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

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

28 (e) In this section,

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

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

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

1 * **Sec. 47.** AS 15.45.590 is amended to read:

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

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

7 * **Sec. 48.** AS 15.45.600 is repealed and reenacted to read:

8 **Sec. 15.45.600. Certification of circulator.** Before being filed, each petition
 9 shall be certified by an affidavit by the person who personally circulated the petition.
 10 In determining the sufficiency of the petition, the lieutenant governor may not count
 11 subscriptions on petitions not properly certified at the time of filing or corrected before
 12 the subscriptions are counted. The affidavit must state in substance that

13 (1) the person signing the affidavit meets the residency, age, and
 14 citizenship qualifications for circulating a petition under AS 15.45.575;

15 (2) the person is the only circulator of that petition;

16 (3) the signatures were made in the circulator's actual presence;

17 (4) to the best of the circulator's knowledge, the signatures are the
 18 signatures of the persons whose names they purport to be;

19 (5) the signatures are of persons who were qualified voters on the date
 20 of signature;

21 (6) the circulator has not entered into an agreement with a person or
 22 organization in violation of AS 15.45.580(b);

23 (7) the circulator has not violated AS 15.45.580(c) with respect to that
 24 petition; and

25 (8) if the circulator has received payment or agreed to receive payment
 26 for the collection of signatures on the petition, the circulator, before circulating of the
 27 petition, prominently placed in the space provided under AS 15.45.560(a)(5) the name
 28 of each person or organization that has paid or agreed to pay the circulator for
 29 collection of signatures on the petition.

30 * **Sec. 49.** AS 15.45.680 is amended to read:

31 **Sec. 15.45.680. Display of grounds [BASES] for and against recall.** The

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

10 * **Sec. 50.** AS 15.58.020 is amended to read:

11 **Sec. 15.58.020. Contents of pamphlet.** Each election pamphlet must contain

- 12 (1) photographs and campaign statements submitted by eligible
 13 candidates for elective office in the region;
- 14 (2) information and recommendations filed under AS 15.58.050 on
 15 judicial officers subject to a retention election in the region;
- 16 (3) a map of the house district or districts of the region;
- 17 (4) sample ballots for house districts of the region;
- 18 (5) an absentee ballot application;
- 19 (6) for each ballot proposition submitted to the voters by initiative or
 20 referendum petition or by the legislature,
- 21 (A) the full text of the proposition specifying constitutional or
 22 statutory provisions proposed to be affected;
- 23 (B) the ballot title and the summary of the proposition prepared
 24 by the director or by the lieutenant governor;
- 25 (C) a neutral summary of the proposition prepared by the
 26 Legislative Affairs Agency;
- 27 (D) statements submitted that advocate voter approval or
 28 rejection of the proposition not to exceed 500 words;
- 29 (7) for each bond question, a statement of the scope of each project as
 30 it appears in the bond authorization;
- 31 (8) a maximum of two pages of material submitted by each political

1 party;

2 (9) additional information on voting procedures that the lieutenant
3 governor considers necessary;

4 (10) for the question whether a constitutional convention shall be
5 called,

6 (A) a full statement of the question placed on the ballot;

7 (B) statements not to exceed 500 words that advocate voter
8 approval or rejection of the question;

9 (11) under AS 37.13.170, the Alaska permanent fund annual income
10 statement and balance sheet for the two fiscal years preceding the publication of the
11 election pamphlet;

12 **(12) under AS 15.10.090, notice of**

13 **(A) the establishment or abolition of a precinct;**

14 **(B) the designation, abolition, or modification of precinct**

15 **boundaries; and**

16 **(C) a change in the location of a polling place.**

17 * **Sec. 51.** AS 15.60 is amended by adding a new section to read:

18 **Sec. 15.60.008. Recognized political party status.** (a) A political group that
19 the director has not recognized as a political party may obtain recognized political
20 party status if, on or before May 31 of the election year for which the political group
21 seeks recognition, the political group

22 (1) files an application with the director;

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

25 (3) meets the definition of a political party in AS 15.60.010.

26 (b) The director shall verify that each political group seeking recognized
27 political party status under (a) of this section and each recognized political party meets
28 the definition of a political party in AS 15.60.010.

29 (c) The director shall perform a verification described in (b) of this section at
30 least once a month after the date of certification of the preceding general election,
31 except that the director may suspend the monthly verifications on and after June 1 and

1 before November 30 of a general election year. For purposes of (b) of this section, the
 2 director shall verify that the voters who have submitted registration forms to the
 3 division of elections are qualified under AS 15.05.010 and have declared affiliation
 4 with the political group or recognized political party for which the verification is
 5 performed.

6 (d) Within 10 days after a verification under (c) of this section, the director
 7 shall provide to a political group seeking recognized political party status under (a) of
 8 this section written notification when the political group has obtained recognized
 9 political party status.

10 (e) The director may not withdraw recognized political party status from a
 11 political group that no longer meets the definition of political party except following
 12 the verification immediately after a general election at which a governor was elected.
 13 The director shall notify the political group in writing of the withdrawal of
 14 recognition.

15 * **Sec. 52.** AS 15.60.010(23) is amended to read:

16 (23) "political party" means an organized group of voters that
 17 represents a political program and **that**

18 (A) [THAT] nominated a candidate for governor who received
 19 at least three percent of the total votes cast for governor at the preceding
 20 general election **at which a governor was elected** [OR HAS REGISTERED
 21 VOTERS IN THE STATE EQUAL IN NUMBER TO AT LEAST THREE
 22 PERCENT OF THE TOTAL VOTES CAST FOR GOVERNOR AT THE
 23 PRECEDING GENERAL ELECTION];

24 (B) [IF THE OFFICE OF GOVERNOR WAS NOT ON THE
 25 BALLOT AT THE PRECEDING GENERAL ELECTION BUT THE OFFICE
 26 OF UNITED STATES SENATOR WAS ON THAT BALLOT, THAT]
 27 nominated a candidate for United States senator who received at least three
 28 percent of the total votes cast for United States senator at **the preceding**
 29 **general election or at the most recent general election at which a governor**
 30 **was elected;** [THAT GENERAL ELECTION OR HAS REGISTERED
 31 VOTERS IN THE STATE EQUAL IN NUMBER TO AT LEAST THREE

1 PERCENT OF THE TOTAL VOTES CAST FOR UNITED STATES
2 SENATOR AT THAT GENERAL ELECTION; OR]

3 (C) [IF NEITHER THE OFFICE OF GOVERNOR NOR THE
4 OFFICE OF UNITED STATES SENATOR WAS ON THE BALLOT AT
5 THE PRECEDING GENERAL ELECTION, THAT] nominated a candidate
6 for United States representative who received at least three percent of the total
7 votes cast for United States representative at **the preceding general election**
8 **or at the most recent general election at which a governor was elected;**
9 [THAT GENERAL ELECTION] or

10 (D) has registered voters in the state equal in number to at least
11 **two** [THREE] percent of the total **number of voters registered in the state on**
12 **March 31 of the most recent election year** [VOTES CAST FOR UNITED
13 STATES REPRESENTATIVE AT THAT GENERAL ELECTION];

14 * **Sec. 53.** AS 15.60.010 is amended by adding a new paragraph to read:

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

21 * **Sec. 54.** AS 29.05.110(b) is amended to read:

22 (b) A **qualified** voter who **is registered to vote** [HAS BEEN A RESIDENT
23 OF THE AREA] within the proposed municipality **at least** [FOR] 30 days before the
24 date of the election order may vote.

25 * **Sec. 55.** AS 29.05.110(c) is amended to read:

26 (c) Areawide borough powers included in an incorporation petition are
27 considered to be part of the incorporation question. In an election for the
28 incorporation of a second class borough, each nonareawide power to be exercised is
29 placed separately on the ballot. Adoption of a nonareawide power requires a majority
30 of the votes cast on the question, and the vote is limited to the **qualified** voters **who**
31 **are registered to vote** [RESIDING] in the proposed borough but outside all cities in

1 the proposed borough.

2 * **Sec. 56.** AS 29.05.110 is amended by adding a new subsection to read:

3 (f) In this section, "qualified voter" has the meaning given in AS 15.60.010.

4 * **Sec. 57.** AS 15.10.020(b) and AS 15.20.048 are repealed.

5 * **Sec. 58.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

7 **APPLICABILITY.** The changes made by secs. 26 - 49 of this Act apply to an
8 application for an initiative, referendum, or recall filed with the lieutenant governor on or
9 after the effective date of this Act.

10 * **Sec. 59.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

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