

SENATE CS FOR CS FOR HOUSE BILL NO. 94(STA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 5/6/05

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, voter residence, precinct boundary and polling place designation and**
4 **modification, political parties, voters unaffiliated with a political party, early voting,**
5 **absentee voting, ballot design, ballot counting, voting by mail, voting machines, vote**
6 **tally systems, qualifications for elected office, initiative, referendum, recall, and**
7 **definitions in the Alaska Election Code; and relating to incorporation elections."**

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

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

10 **Sec. 13.26.332. Statutory form power of attorney.** A person who wishes to
11 designate another as attorney-in-fact or agent by a power of attorney may execute a
12 statutory power of attorney set out in substantially the following form:

13 **GENERAL POWER OF ATTORNEY**

1 THE POWERS GRANTED FROM THE PRINCIPAL TO THE
 2 AGENT OR AGENTS IN THE FOLLOWING DOCUMENT ARE
 3 VERY BROAD. THEY MAY INCLUDE THE POWER TO
 4 DISPOSE, SELL, CONVEY, AND ENCUMBER YOUR REAL AND
 5 PERSONAL PROPERTY, AND THE POWER TO MAKE YOUR
 6 HEALTH CARE DECISIONS. ACCORDINGLY, THE
 7 FOLLOWING DOCUMENT SHOULD ONLY BE USED AFTER
 8 CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS
 9 ABOUT THIS DOCUMENT, YOU SHOULD SEEK COMPETENT
 10 ADVICE.

11 YOU MAY REVOKE THIS POWER OF ATTORNEY AT
 12 ANY TIME.

13 Pursuant to AS 13.26.338 - 13.26.353, I, (Name of principal)
 14 , of (Address of principal), do hereby appoint (Name and
 15 address of agent or agents), my attorney(s)-in-fact to act as I have
 16 checked below in my name, place, and stead in any way which I myself
 17 could do, if I were personally present, with respect to the following
 18 matters, as each of them is defined in AS 13.26.344, to the full extent
 19 that I am permitted by law to act through an agent:

20 THE AGENT OR AGENTS YOU HAVE APPOINTED WILL
 21 HAVE ALL THE POWERS LISTED BELOW UNLESS YOU
 22 DRAW A LINE THROUGH A CATEGORY; AND
 23 INITIAL THE BOX OPPOSITE THAT CATEGORY

- 24 (A) real estate transactions ()
- 25 (B) transactions involving tangible personal
 26 property, chattels, and goods ()
- 27 (C) bonds, shares, and commodities transactions ()
- 28 (D) banking transactions ()
- 29 (E) business operating transactions ()
- 30 (F) insurance transactions ()
- 31 (G) estate transactions ()

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

12 IF YOU HAVE APPOINTED MORE THAN ONE AGENT,
13 CHECK ONE OF THE FOLLOWING:

- 14 () Each agent may exercise the powers conferred separately, without
15 the consent of any other agent.
- 16 () All agents shall exercise the powers conferred jointly, with the
17 consent of all other agents.

18 TO INDICATE WHEN THIS DOCUMENT SHALL
19 BECOME EFFECTIVE, CHECK ONE OF THE FOLLOWING:

- 20 () This document shall become effective upon the date of my
21 signature.
- 22 () This document shall become effective upon the date of my
23 disability and shall not otherwise be affected by my disability.

24 IF YOU HAVE INDICATED THAT THIS DOCUMENT
25 SHALL BECOME EFFECTIVE ON THE DATE OF YOUR
26 SIGNATURE, CHECK ONE OF THE FOLLOWING:

- 27 () This document shall not be affected by my subsequent disability.
- 28 () This document shall be revoked by my subsequent disability.

29 IF YOU HAVE INDICATED THAT THIS DOCUMENT
30 SHALL BECOME EFFECTIVE UPON THE DATE OF YOUR
31 SIGNATURE AND WANT TO LIMIT THE TERM OF THIS

DOCUMENT, COMPLETE THE FOLLOWING:

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

NOTICE OF REVOCATION OF THE POWERS GRANTED IN THIS DOCUMENT

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

NOTICE TO THIRD PARTIES

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

IN WITNESS WHEREOF, I have hereunto signed my name this ____ day of _____, ____.

Signature of Principal

Acknowledged before me at _____

1 _____ on _____.

2 Signature of Officer or Notary

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

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

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

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

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

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

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

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

31 (5) A person does not gain residence in any place to which the person

1 comes without the present intention to establish a permanent dwelling at that place.

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

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

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

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

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

13 (1) in person before a registration official or through a voter
14 registration agency;

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

18 (3) by mail; or

19 (4) [(3)] by facsimile transmission, **scanning**, or another method of
20 electronic transmission that the director approves.

21 * **Sec. 5.** AS 15.07.050 is amended by adding new subsections to read:

22 (b) Except as provided in (c) of this section, only the voter or the individual
23 authorized by the voter in a written power of attorney under (a) of this section may
24 mark the voter's choice of party affiliation on the voter registration application form.

25 (c) A person may supply a voter registration application form with a
26 political party or group affiliation indicated to a voter only if the voter is
27 already registered as affiliated with the political party or group indicated.

28 * **Sec. 6.** AS 15.07.060(a) is amended to read:

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

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

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

4 (3) **the applicant's** date of birth;

5 (4) **the applicant's Alaska residence** address [AND OTHER
 6 NECESSARY INFORMATION ESTABLISHING RESIDENCE, INCLUDING THE
 7 TERM OF RESIDENCE IN THE STATE AND IN THE DISTRICT, IF
 8 REQUESTED];

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

12 (6) a declaration that the **applicant** [REGISTRANT] will be 18 years
 13 of age or older within 90 days **after** [OF] the date of registration;

14 (7) a declaration that the **applicant** [REGISTRANT] is a citizen of the
 15 United States;

16 (8) **the** date of application;

17 (9) **the applicant's** signature or mark;

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

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

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

25 * **Sec. 7.** AS 15.07.070(b) is amended to read:

26 (b) To register by mail or by facsimile, **scanning**, or other electronic
 27 transmission approved by the director under AS 15.07.050, the director, the area
 28 election supervisor, or a voter registration agency shall furnish, at no cost to the voter,
 29 forms prepared by the director on which the registration information required under
 30 AS 15.07.060 shall be inserted by the voter, **by a person on behalf of the voter if**
 31 **that person is designated to act on behalf of the voter in a power of attorney,** or

1 by a person on behalf of the voter if the voter is physically incapacitated. The director
 2 may require proof of identification of the applicant as required by regulations adopted
 3 by the director under AS 44.62 (Administrative Procedure Act). Upon receipt and
 4 approval of the completed registration forms, the director or the election supervisor
 5 shall forward to the voter an acknowledgment, and the voter's name shall immediately
 6 be placed on the master register. If the registration is denied, the voter shall
 7 immediately be informed in writing that registration was denied and the reason for
 8 denial. When identifying information has been provided by the voter as required by
 9 this chapter, the election supervisor shall forward to the voter a registration card.

10 * **Sec. 8.** AS 15.07 is amended by adding a new section to read:

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

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

15 (2) "undeclared" if the voter

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

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

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

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

23 * **Sec. 9.** AS 15.07.127 is amended to read:

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

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

31 * **Sec. 10.** AS 15.10.090 is repealed and reenacted to read:

1 **Sec. 15.10.090. Notice of precinct boundary or polling place designation**
 2 **and modification.** The director shall give full public notice if a precinct is established
 3 or abolished, if the boundaries of a precinct are designated, abolished, or modified, or
 4 if the location of a polling place is changed. Public notice must include

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

7 (2) providing notice of the change

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

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

13 (3) posting notice of the change on the Internet website of the division
 14 of elections;

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

19 (5) inclusion in the official election pamphlet.

20 * **Sec. 11.** AS 15.13.400(4) is amended to read:

21 (4) "contribution"

22 (A) means a purchase, payment, promise or obligation to pay,
 23 loan or loan guarantee, deposit or gift of money, goods, or services for which
 24 charge is ordinarily made and that is made for the purpose of influencing the
 25 nomination or election of a candidate, and in AS 15.13.010(b) for the purpose
 26 of influencing a ballot proposition or question, including the payment by a
 27 person other than a candidate or political party, or compensation for the
 28 personal services of another person, that are rendered to the candidate or
 29 political party;

30 (B) does not include

31 (i) services provided without compensation by

1 individuals volunteering a portion or all of their time on behalf of a
2 political party, candidate, or ballot proposition or question;

3 (ii) ordinary hospitality in a home;

4 (iii) two or fewer mass mailings before each election by
5 each political party describing the party's slate of candidates for
6 election, which may include photographs, biographies, and information
7 about the party's candidates;

8 (iv) the results of a poll limited to issues and not
9 mentioning any candidate, unless the poll was requested by or designed
10 primarily to benefit the candidate; or

11 (v) any communication in the form of a newsletter from
12 a legislator to the legislator's constituents, except a communication
13 expressly advocating the election or defeat of a candidate or a
14 newsletter or material in a newsletter that is clearly only for the private
15 benefit of a legislator or a legislative employee;

16 **(vi) a purchase, payment, promise or obligation to**
17 **pay, loan or loan guarantee, deposit or gift of money, goods, or**
18 **services for which charge is ordinarily made and that is made for**
19 **the purpose of party building;**

20 * **Sec. 12.** AS 15.13.400(6) is amended to read:

21 (6) "expenditure"

22 (A) means a purchase or a transfer of money or anything of
23 value, or promise or agreement to purchase or transfer money or anything of
24 value, incurred or made for the purpose of

25 (i) influencing the nomination or election of a candidate
26 or of any individual who files for nomination at a later date and
27 becomes a candidate;

28 (ii) use by a political party;

29 (iii) the payment by a person other than a candidate or
30 political party of compensation for the personal services of another
31 person that are rendered to a candidate or political party; or

1 (iv) influencing the outcome of a ballot proposition or
2 question;

3 (B) does not include a candidate's filing fee; **a purchase or a**
4 **transfer of money or anything of value, a promise or agreement to**
5 **purchase or transfer money or anything of value, incurred or made for**
6 **the purpose of party building;** or the cost of preparing reports and statements
7 required by this chapter;

8 (C) includes an express communication and an electioneering
9 communication, but does not include an issues communication;

10 * **Sec. 13.** AS 15.13.400 is amended by adding a new paragraph to read:

11 (17) "party building" means the activities of a political party to register
12 voters, organize precincts, districts, and regions, and otherwise engage in activities
13 that build, maintain, or strengthen a political party in this state, but does not include an
14 express communication or electioneering communication.

15 * **Sec. 14.** AS 15.15.030(6) is repealed and reenacted to read:

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

22 * **Sec. 15.** AS 15.15.030(7) is amended to read:

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

28 * **Sec. 16.** AS 15.15.350(a) is amended to read:

29 (a) The director may adopt regulations prescribing the manner in which the
30 precinct ballot count is accomplished so as to **ensure** [ASSURE] accuracy in the count
31 and to expedite the process. The election board shall account for all ballots by

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

13 * **Sec. 17.** AS 15.15.430 is amended to read:

14 **Sec. 15.15.430. Scope of the review of ballot counting.** (a) The review of
 15 ballot counting by the director shall include only [A REVIEW OF]

16 (1) a review of the precinct registers, tallies, and ballots cast; [AND]

17 (2) a review of absentee and questioned ballots as prescribed by law;

18 and

19 (3) unless the ballot for the election district contains nothing but
 20 uncontested offices, a hand count of ballots from one randomly selected precinct
 21 in each election district that accounts for at least five percent of the ballots cast in
 22 that district.

23 (b) If, following the ballot review set out in (a) of this section, the director
 24 finds there is a discrepancy of more than one percent between the results of the
 25 hand count under (a)(3) of this section and the count certified by the election
 26 board, the director shall conduct a hand count of the ballots from that district
 27 [AN UNEXPLAINED DISCREPANCY IN THE BALLOT COUNT IN ANY
 28 PRECINCT, THE DIRECTOR MAY COUNT THE BALLOTS FROM THAT
 29 PRECINCT].

30 (c) If the director finds an unexplained discrepancy in the ballot count in
 31 any precinct, the director may count the ballots from that precinct.

1 **(d)** The director shall certify in writing to the state ballot counting review
 2 board **and publish on the division's Internet website** any changes resulting from a
 3 [THE] count **performed under (b) or (c) of this section.**

4 * **Sec. 18.** AS 15.20.030 is amended to read:

5 **Sec. 15.20.030. Preparation of ballots, envelopes, and other material.** The
 6 director shall provide ballots for use as absentee ballots in all districts. The director
 7 shall provide a secrecy sleeve in which the voter shall initially place the marked ballot,
 8 and shall provide an envelope with the prescribed voter's certificate on it, in which the
 9 secrecy sleeve with ballot enclosed shall be placed. The director shall prescribe the
 10 form of and prepare the voter's certificate, envelopes, and other material used in
 11 absentee voting. The voter's certificate shall include a declaration, for use when
 12 required, that the voter is a qualified voter in all respects, a blank for the voter's
 13 signature, a certification that the affiant properly executed the marking of the ballot
 14 and gave the voter's identity, blanks for the attesting official or **witness**
 15 [WITNESSES], and a place for recording the date the envelope was sealed and
 16 witnessed. **The envelope with the voter's certificate must include a notice that**
 17 **false statements made by the voter or by the attesting official or witness on the**
 18 **certificate are punishable by law.**

19 * **Sec. 19.** AS 15.20.064 is amended by adding a new subsection to read:

20 (d) The director shall designate locations for early voting by June 1 of an
 21 election year.

22 * **Sec. 20.** AS 15.20.066(b) is amended to read:

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

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

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

1 (A) a commissioned or noncommissioned officer of the armed
2 forces of the United States;

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

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

7 * **Sec. 21.** AS 15.20.081(a) is amended to read:

8 (a) A qualified voter may apply by mail or by **facsimile, scanning, or other**
9 **electronic transmission to the director for an absentee ballot. Another individual**
10 **may apply for an absentee ballot on behalf of a qualified voter if that individual**
11 **is designated to act on behalf of the voter in a written general power of attorney**
12 **or a written special power of attorney that authorizes the other individual to**
13 **apply for an absentee ballot on behalf of the voter.** The application must include
14 the address or, if the application requests delivery of an absentee ballot by electronic
15 transmission, the telephone electronic transmission number, to which the absentee
16 ballot is to be returned, the applicant's full Alaska residence address, and the
17 applicant's signature. However, a person residing outside the United States and
18 applying to vote absentee in federal elections in accordance with AS 15.05.011 need
19 not include an Alaska residence address in the application. **A person may supply to a**
20 **voter an absentee ballot application form with a political party or group**
21 **affiliation indicated only if the voter is already registered as affiliated with the**
22 **political party or group indicated. Only the voter or the individual designated by**
23 **the voter in a written power of attorney under this subsection may mark the**
24 **voter's choice of primary ballot on an application. A person supplying an**
25 **absentee ballot application form may not design or mark the application in a**
26 **manner that suggests choice of one ballot over another, except that ballot choices**
27 **may be listed on an application as authorized by the division.**

28 * **Sec. 22.** AS 15.20.081(d) is amended to read:

29 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a
30 notary public, commissioned officer of the armed forces including the National Guard,
31 district judge or magistrate, United States postal official, registration official, or other

1 person qualified to administer oaths, may proceed to mark the ballot in secret, to place
 2 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,
 3 and to sign the voter's certificate on the envelope in the presence of an official listed in
 4 this subsection who shall sign as attesting official and shall date the signature. If none
 5 of the officials listed in this subsection is reasonably accessible, an absentee voter
 6 shall sign the voter's certificate in the presence of **an individual who is** [TWO
 7 PERSONS OVER THE AGE OF] 18 years **of age or older**, who shall sign as **a**
 8 **witness** [WITNESSES] and attest to the date on which the voter signed the certificate
 9 in **the individual's** [THEIR] presence, and, in addition, the voter shall **certify, as**
 10 **prescribed in AS 09.63.020, under penalty of perjury, that the statements in the**
 11 **voter's certification are true** [PROVIDE THE CERTIFICATION PRESCRIBED IN
 12 AS 09.63.020].

13 * **Sec. 23.** AS 15.20.081(h) is amended to read:

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

20 * **Sec. 24.** AS 15.20.450 is amended to read:

21 **Sec. 15.20.450. Requirement of deposit.** The application must include a
 22 deposit in cash, by certified check, or by bond with a surety approved by the director.
 23 The amount of the deposit is **\$1,000** [\$300] for each precinct, **\$2,000** [\$750] for each
 24 house district, and **\$15,000** [\$10,000] for the entire state. If the recount includes an
 25 office for which candidates received a tie vote, or the difference between the number
 26 of votes cast was 20 or less or was less than .5 percent of the total number of votes
 27 cast for the two candidates for the contested office, or a question or proposition for
 28 which there was a tie vote on the issue, or the difference between the number of votes
 29 cast in favor of or opposed to the issue was 20 or less or was less than .5 percent of the
 30 total votes cast in favor of or opposed to the issue, the application need not include a
 31 deposit, and the state shall bear the cost of the recount. If, on the recount, a candidate

1 other than the candidate who received the original election certificate is declared
 2 elected, or if the vote on recount is determined to be four percent or more in excess of
 3 the vote reported by the state review for the candidate applying for the recount or in
 4 favor of or opposed to the question or proposition as stated in the application, the
 5 entire deposit shall be refunded. If the entire deposit is not refunded, the director shall
 6 refund any money remaining after the cost of the recount has been paid from the
 7 deposit.

8 * **Sec. 25.** AS 15.20.800(b) is amended to read.

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

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

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

20 * **Sec. 26.** AS 15.20 is amended by adding a new section to article 5 to read:

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

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

30 (a) A member of a political party who seeks to become a candidate of the
 31 party in the primary election shall execute and file a declaration of candidacy. The

1 declaration shall be executed under oath before an officer authorized to take
2 acknowledgments and must state in substance

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

1 (12) that the candidate requests that the candidate's name be placed on
2 the primary election ballot;

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

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

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

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

11 * **Sec. 28.** AS 15.25.060 is amended by adding a new subsection to read:

12 (c) If a voter is not voting in person and has requested an absentee ballot or
13 special needs ballot but has not indicated a choice of ballot, the director shall provide
14 the voter with the ballot listing the candidates of the political party or group with
15 which the voter is affiliated, as determined under (b) of this section.

16 * **Sec. 29.** AS 15.25.105(a) is amended to read:

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

22 (1) the full name of the candidate;

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

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

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

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

30 (6) the office that the candidate seeks;

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

1 (8) the length of residency in the state and in the house district of the
2 candidate;

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

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

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

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

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

24 * **Sec. 30.** AS 15.25.180(a) is amended to read:

25 (a) The petition must state in substance

26 (1) the full name of the candidate;

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

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

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

31 (5) if the candidacy is for the office of state senator or state

1 representative, the house or senate district of which the candidate is a resident;

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

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

4 (8) the length of residency in the state and in the district of the
5 candidate;

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

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

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

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

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

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

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

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

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

4 * **Sec. 31.** AS 15.30 is amended by adding a new section to read:

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

7 (a) A person who desires to be an independent candidate for President of the United
8 States must file with the director not earlier than January 1 of a presidential election
9 year and not later than the 90th day before a presidential general election a petition
10 signed by qualified voters of the state equal in number to at least one percent of the
11 number of voters who cast ballots in an election under this chapter for President of the
12 United States at the last presidential general election. The petition must state that the
13 signers desire the named candidate for President of the United States to appear on the
14 ballot as an independent candidate for president at the next succeeding presidential
15 general election.

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

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

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

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

26 * **Sec. 32.** AS 15.30.050 is amended to read:

27 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**
28 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote
29 marked for the candidates for President and **Vice-President** [VICE PRESIDENT] is
30 considered and counted as a vote for the presidential electors of the party **or for the**
31 **presidential electors named under AS 15.30.026, as appropriate.**

1 * **Sec. 33.** AS 15.30.090 is amended to read:

2 **Sec. 15.30.090. Duties of electors.** After any vacancies have been filled, the
 3 electors shall proceed to cast their votes for the candidates for the office of President
 4 and **Vice-President** [VICE PRESIDENT] of the party **that** [WHICH] selected them as
 5 candidates for electors, **or for the candidates for the office of President and Vice-**
 6 **President under AS 15.30.026 if the electors were named under AS 15.30.026,** and
 7 shall perform the duties of electors as required by the constitution and laws of the
 8 United States. The director shall provide administrative services and the Department
 9 of Law shall provide legal services necessary for the electors to perform their duties.

10 * **Sec. 34.** AS 15.45.030 is amended to read:

11 **Sec. 15.45.030. Form of application.** The application **must** [SHALL]
 12 include **the**

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

14 (2) **printed name, the signature, the address, and a numerical**
 15 **identifier of not fewer than 100 qualified voters who will serve as sponsors; each**
 16 **signature page must include** a statement that the sponsors are qualified voters who
 17 signed the application with the proposed bill attached; **and** [,]

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

24 * **Sec. 35.** AS 15.45.060 is amended to read:

25 **Sec. 15.45.060. Designation of sponsors.** The qualified voters who subscribe
 26 to the application **in support of the proposed bill** are designated as sponsors. The
 27 initiative committee may designate additional sponsors by giving written notice to the
 28 lieutenant governor of the names, [AND] addresses, **and numerical identifiers** of
 29 those so designated.

30 * **Sec. 36.** AS 15.45.090 is repealed and reenacted to read:

31 **Sec. 15.45.090. Preparation of petition.** (a) If the application is certified,

1 the lieutenant governor shall prepare a sufficient number of sequentially numbered
2 petitions to allow full circulation throughout the state. Each petition must contain

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

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

6 (3) a statement of minimum costs to the state associated with
7 certification of the initiative application and review of the initiative petition, excluding
8 legal costs to the state and the costs to the state of any challenge to the validity of the
9 petition;

10 (4) an estimate of the cost to the state of implementing the proposed
11 law;

12 (5) the statement of warning prescribed in AS 15.45.100;

13 (6) sufficient space for the printed name, a numerical identifier, the
14 signature, the date of signature, and the address of each person signing the petition;
15 and

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

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

21 * **Sec. 37.** AS 15.45 is amended by adding a new section to read:

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

24 (1) a citizen of the United States;

25 (2) 18 years of age or older; and

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

27 * **Sec. 38.** AS 15.45.120 is amended to read:

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

29 Any qualified voter may subscribe to the petition by **printing the voter's name, a**
30 **numerical identifier, and an address, by** signing the voter's name, **and by dating**
31 **the signature** [AND ADDRESS]. A person who has signed the initiative petition

1 may withdraw the person's name only by giving written notice to the lieutenant
2 governor before the date the petition is filed.

3 * **Sec. 39.** AS 15.45.130 is repealed and reenacted to read:

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

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

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

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

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

15 (5) that, to the best of the circulator's knowledge, the signatures are of
16 persons who were qualified voters on the date of signature;

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

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

21 (8) whether the circulator has received payment or agreed to receive
22 payment for the collection of signatures on the petition, and, if so, the name of each
23 person or organization that has paid or agreed to pay the circulator for collection of
24 signatures on the petition.

25 * **Sec. 40.** AS 15.45.200 is amended to read:

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

30 * **Sec. 41.** AS 15.45.270 is amended to read:

31 **Sec. 15.45.270. Form of application.** The application must [SHALL]

1 include

2 (1) the act to be referred;

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

4 **(3) the printed name, the signature, the address, and a numerical**
 5 **identifier of not fewer than 100 qualified voters who will serve as sponsors; each**
 6 **signature page must include** a statement that the sponsors are qualified voters who
 7 signed the application with the **act to be referred and the statement of approval or**
 8 **rejection** [PROPOSED BILL] attached; **and**

9 **(4) [(3)]** the designation of a referendum committee **consisting** of three
 10 **of the** sponsors who **subscribed to the application and** [SHALL] represent all
 11 sponsors and subscribers in matters relating to the referendum; **the designation must**
 12 **include the name, mailing address, and signature of each committee member**
 13 [AND

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

16 * **Sec. 42.** AS 15.45.290 is amended to read:

17 **Sec. 15.45.290. Designation of sponsors.** The qualified voters who subscribe
 18 to the application **in support of the referendum** are designated as sponsors. The
 19 referendum committee may designate additional sponsors by giving notice to the
 20 lieutenant governor of the names, [AND] addresses, **and numerical identifiers** of
 21 those so designated.

22 * **Sec. 43.** AS 15.45.320 is repealed and reenacted to read:

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

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

28 (2) the statement of approval or rejection;

29 (3) a statement of minimum costs to the state associated with
 30 certification of the referendum application and review of the referendum petition,
 31 excluding legal costs to the state and the costs to the state of any challenge to the

1 validity of the petition;

2 (4) an estimate of the cost to the state of voter approval or rejection of
3 the act;

4 (5) an impartial summary of the subject matter of the act;

5 (6) the statement of warning prescribed in AS 15.45.330;

6 (7) sufficient space for the printed name, a numerical identifier, the
7 signature, the date of signature, and the address of each person signing the petition;
8 and

9 (8) other specifications prescribed by the lieutenant governor to ensure
10 proper handling and control.

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

14 * **Sec. 44.** AS 15.45 is amended by adding a new section to read:

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

17 (1) a citizen of the United States;

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

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

20 * **Sec. 45.** AS 15.45.340 is amended by adding new subsections to read:

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

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

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

30 (e) In this section,

31 (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;

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

3 * **Sec. 46.** 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, a
 6 numerical identifier, and an address, by signing the voter's name, and by dating
 7 the signature [AND ADDRESS]. A person who has signed the referendum petition
 8 may withdraw the person's name only by giving written notice to the lieutenant
 9 governor before the date the petition is filed.

10 * **Sec. 47.** AS 15.45.360 is repealed and reenacted to read:

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

12 shall be certified by an affidavit by the person who personally circulated the petition.
 13 In determining the sufficiency of the petition, the lieutenant governor may not count
 14 subscriptions on petitions not properly certified at the time of filing or corrected before
 15 the subscriptions are counted. The affidavit must state in substance

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

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

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

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

22 (5) that, to the best of the circulators knowledge, the signatures are of
 23 persons who were qualified voters on the date of signature;

24 (6) that the circulator has not entered into an agreement with a person
 25 or organization in violation of AS 15.45.340(b);

26 (7) that the circulator has not violated AS 15.45.340(c) with respect to
 27 that petition; and

28 (8) whether the circulator has received payment or agreed to receive
 29 payment for the collection of signatures on the petition, and, if so, the name of each
 30 person or organization that has paid or agreed to pay the circulator for collection of
 31 signatures on the petition.

1 * **Sec. 48.** AS 15.45.430 is amended to read:

2 **Sec. 15.45.430. Display of act being referred.** The director shall provide
3 each election board with **at least five** [10] copies of the act being referred, and the
4 election board shall display **at least one copy** [THREE COPIES] of the act in a
5 conspicuous place in the room where the election is held.

6 * **Sec. 49.** AS 15.45.500 is amended to read:

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

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

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

11 (3) **the printed name, the signature, the address, and a numerical**
12 **identifier of qualified voters equal in number to 10 percent of those who voted in**
13 **the preceding general election in the state or in the senate or house district of the**
14 **official sought to be recalled, 100 of whom will serve as sponsors; each signature**
15 **page must include** a statement that the [SPONSORS ARE] qualified voters [WHO]
16 signed the application with **the name and office of the person to be recalled and** the
17 statement of grounds for recall attached; **and**

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

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

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

30 * **Sec. 50.** AS 15.45 is amended by adding a new section to read:

31 **Sec. 15.45.515. Designation of sponsors.** The qualified voters who subscribe

1 to the application in support of the recall are designated as sponsors. The recall
 2 committee may designate additional sponsors by giving notice to the lieutenant
 3 governor of the names, addresses, and numerical identifiers of those so designated.

4 * **Sec. 51.** AS 15.45.560 is repealed and reenacted to read:

5 **Sec. 15.45.560. Preparation of petition.** (a) The director shall prepare a
 6 sufficient number of sequentially numbered petitions to allow full circulation
 7 throughout the state or throughout the senate or house district of the official sought to
 8 be recalled. Each petition must contain

- 9 (1) the name and office of the person to be recalled;
- 10 (2) the statement of the grounds for recall included in the application;
- 11 (3) a statement of minimum costs to the state associated with
 12 certification of the recall application, review of the recall petition, and conduct of a
 13 special election, excluding legal costs to the state and the costs to the state of any
 14 challenge to the validity of the petition;
- 15 (4) an estimate of the cost to the state of recalling the official;
- 16 (5) the statement of warning required in AS 15.45.570;
- 17 (6) sufficient space for the printed name, a numerical identifier, the
 18 signature, the date of signature, and the address of each person signing the petition;
 19 and
- 20 (7) other specifications prescribed by the director to ensure proper
 21 handling and control.

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

26 * **Sec. 52.** AS 15.45.570 is amended to read:

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

1 * **Sec. 53.** AS 15.45 is amended by adding a new section to read:

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

4 (1) a citizen of the United States;

5 (2) 18 years of age or older; and

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

7 * **Sec. 54.** AS 15.45.580 is amended by adding new subsections to read:

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

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

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

17 (e) In this section,

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

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

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

21 * **Sec. 55.** AS 15.45.590 is amended to read:

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

23 Any qualified voter may subscribe to the petition by printing the voter's name, a
24 numerical identifier, and an address, by signing the voter's name, and by dating
25 the signature [AND ADDRESS]. A person who has signed the petition may
26 withdraw the person's name only by giving written notice to the director before the
27 date the petition is filed.

28 * **Sec. 56.** AS 15.45.600 is repealed and reenacted to read:

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

30 shall be certified by an affidavit by the person who personally circulated the petition.

31 In determining the sufficiency of the petition, the lieutenant governor may not count

1 subscriptions on petitions not properly certified at the time of filing or corrected before
2 the subscriptions are counted. The affidavit must state in substance

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

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

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

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

9 (5) that, to the best of the circulator's knowledge, the signatures are of
10 persons who were qualified voters on the date of signature;

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

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

15 (8) whether the circulator has received payment or agreed to receive
16 payment for the collection of signatures on the petition, and, if so, the name of each
17 person or organization that has paid or agreed to pay the circulator for collection of
18 signatures on the petition.

19 * **Sec. 57.** AS 15.45.680 is amended to read:

20 **Sec. 15.45.680. Display of grounds [BASES] for and against recall.** The
21 director shall provide each election board in the state or in the senate or house district
22 of the person subject to recall with **at least five** [10] copies of the statement of the
23 grounds for recall included in the application and **at least five** [10] copies of the
24 statement of not more than 200 words made by the official subject to recall in
25 justification of the official's conduct in office. The person subject to recall may
26 provide the director with the statement within 10 days after the date the director gave
27 notification that the petition was properly filed. The election board shall post **at least**
28 **one copy** [THREE COPIES] of the statements for and against recall in **a** [THREE]
29 conspicuous **place** [PLACES] in the polling place.

30 * **Sec. 58.** AS 15.58.020 is amended to read:

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

1 (1) photographs and campaign statements submitted by eligible
2 candidates for elective office in the region;

3 (2) information and recommendations filed under AS 15.58.050 on
4 judicial officers subject to a retention election in the region;

5 (3) a map of the house district or districts of the region;

6 (4) sample ballots for house districts of the region;

7 (5) an absentee ballot application;

8 (6) for each ballot proposition submitted to the voters by initiative or
9 referendum petition or by the legislature,

10 (A) the full text of the proposition specifying constitutional or
11 statutory provisions proposed to be affected;

12 (B) the ballot title and the summary of the proposition prepared
13 by the director or by the lieutenant governor;

14 (C) a statement of the costs to the state of implementing the law
15 proposed in an initiative, or of voter approval or rejection of the act that is the
16 subject of a referendum;

17 (D) a neutral summary of the proposition prepared by the
18 Legislative Affairs Agency;

19 (E) statements submitted that advocate voter approval or
20 rejection of the proposition not to exceed 500 words;

21 (7) for each bond question, a statement of the scope of each project as
22 it appears in the bond authorization;

23 (8) a maximum of two pages of material submitted by each political
24 party;

25 (9) additional information on voting procedures that the lieutenant
26 governor considers necessary;

27 (10) for the question whether a constitutional convention shall be
28 called,

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

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

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

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

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

6 **(B) the designation, abolition, or modification of precinct**
 7 **boundaries; and**

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

9 * **Sec. 59.** AS 15.60 is amended by adding a new section to read:

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

14 (1) files an application with the director;

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

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

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

21 (c) The director shall perform a verification described in (b) of this section at
 22 least once a month after the date of certification of the preceding general election,
 23 except that the director may suspend the monthly verifications on and after June 1 and
 24 before November 30 of a general election year. For purposes of (b) of this section, the
 25 director shall verify that the voters who have submitted registration forms to the
 26 division of elections are qualified under AS 15.05.010 and have declared affiliation
 27 with the political group or recognized political party for which the verification is
 28 performed.

29 (d) Within 10 days after a verification under (c) of this section, the director
 30 shall provide to a political group seeking recognized political party status under (a) of
 31 this section written notification when the political group has obtained recognized

1 political party status.

2 (e) The director may not withdraw recognized political party status from a
3 political group that no longer qualifies as a political party until after the first
4 verification after a general election at which a governor was elected. The director
5 shall notify the political group in writing of the withdrawal of recognition.

6 * **Sec. 60.** AS 15.60.010 is amended by adding new paragraphs to read:

7 (40) "numerical identifier" means a voter's date of birth, the last four
8 digits of a voter's social security number, a voter's Alaska driver's license number, or a
9 voter's Alaska identification card number or voter identification number;

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

16 * **Sec. 61.** AS 29.05.110(b) is amended to read:

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

20 * **Sec. 62.** AS 29.05.110(c) is amended to read:

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

28 * **Sec. 63.** AS 29.05.110 is amended by adding a new subsection to read:

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

30 * **Sec. 64.** AS 15.10.020(b) and AS 15.20.048 are repealed.

31 * **Sec. 65.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 APPLICABILITY. The changes made by secs. 34 - 57 of this Act apply to an
3 application for an initiative, referendum, or recall filed with the lieutenant governor on or
4 after the effective date of this Act.

5 * **Sec. 66.** The uncodified law of the State of Alaska is amended by adding a new section to
6 read:

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