

HOUSE BILL NO. 225

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE KAWASAKI

Introduced: 4/4/11

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act establishing a top two nonpartisan blanket primary election system for elective**
2 **state executive and state and national legislative offices; changing appointment**
3 **procedures relating to precinct watchers and members of precinct election boards,**
4 **election district absentee and questioned ballot counting boards, and the Alaska Public**
5 **Offices Commission; and amending the definition of 'political party.'"**

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

7 *** Section 1.** AS 15.10.120(c) is amended to read:

8 (c) An election supervisor shall appoint one **person selected by** [NOMINEE
9 OF] the political party **or political group that** [OF WHICH] the governor, **while a**
10 **candidate, indicated on the ballot in the preceding gubernatorial election to be**
11 **the governor's preference** [IS A MEMBER] and one **person selected by**
12 [NOMINEE OF] the political party **or political group that the candidate receiving**
13 [THAT RECEIVED] the second largest number of votes statewide **indicated on the**

1 ballot in the preceding gubernatorial election to be the candidate's preference.
 2 However, the election supervisor may appoint a qualified person registered as an
 3 independent or undeclared voter if

4 (1) [. IF] a party district committee or state party central committee of
 5 the party or group that [OF WHICH] the governor, while a candidate, indicated on
 6 the ballot in the preceding gubernatorial election to be the governor's preference
 7 [IS A MEMBER] or the party or group that the candidate receiving [THAT
 8 RECEIVED] the second largest number of votes statewide indicated on the ballot in
 9 the preceding gubernatorial election to be that candidate's preference fails to present
 10 the names prescribed by (b) of this section by April 15 of a regular election year or at
 11 least 60 days before a special primary election;

12 (2) the political party or political group that the governor, while a
 13 candidate, indicated on the ballot in the preceding gubernatorial election to be
 14 the governor's preference is the same party or group that the candidate receiving
 15 the second largest number of votes indicated on the ballot in that election to be
 16 that candidate's preference; or

17 (3) the governor, or candidate that received the second largest
 18 number of votes, was designated as independent or undeclared on the ballot in
 19 the preceding gubernatorial election [, THE ELECTION SUPERVISOR MAY
 20 APPOINT ANY QUALIFIED INDIVIDUAL REGISTERED TO VOTE].

21 * **Sec. 2.** AS 15.10.170 is amended to read:

22 **Sec. 15.10.170. Appointment and privileges of watchers.** The precinct party
 23 committee, where an organized precinct committee exists, or the party district
 24 committee where no organized precinct committee exists, or the state party
 25 chairperson where neither a precinct nor a party district committee exists, may appoint
 26 one or more persons as watchers in each precinct and counting center for any election.
 27 Each candidate [NOT REPRESENTING A POLITICAL PARTY] may appoint one or
 28 more watchers for each precinct or counting center in the candidate's respective
 29 district or the state for any election. Any organization or organized group that sponsors
 30 or opposes an initiative, referendum or recall may have one or more persons as
 31 watchers at the polls and counting centers after first obtaining authorization from the

1 director. A state party chairperson, a precinct party committee, a party district
 2 committee, or a candidate [NOT REPRESENTING A POLITICAL PARTY OR
 3 ORGANIZATION OR ORGANIZED GROUP] may not have more than one watcher
 4 on duty at a time in any precinct or counting center. The watcher may be present at a
 5 position inside the place of voting or counting that affords a full view of all action of
 6 the election officials taken from the time the polls are opened until the ballots are
 7 finally counted and the results certified by the election board or the data processing
 8 review board. The election board or the data processing review board may require
 9 each watcher to present written proof showing appointment by the precinct party
 10 committee, the party district committee, the organization or organized group, or the
 11 candidate the watcher represents [THAT IS SIGNED BY THE CHAIRPERSON OF
 12 THE PRECINCT PARTY COMMITTEE, THE PARTY DISTRICT COMMITTEE,
 13 THE STATE PARTY CHAIRPERSON, THE ORGANIZATION OR ORGANIZED
 14 GROUP, OR THE CANDIDATE REPRESENTING NO PARTY].

15 * **Sec. 3.** AS 15.13.020(b) is amended to read:

16 (b) The governor shall appoint two members of each of the two political
 17 parties or political groups that the two candidates receiving [WHOSE
 18 CANDIDATE FOR GOVERNOR RECEIVED] the highest number of votes for
 19 governor in the most recent gubernatorial [PRECEDING GENERAL] election
 20 indicated to be each candidate's preference on the ballot [AT WHICH A
 21 GOVERNOR WAS ELECTED]. The two appointees from each of these two parties
 22 or groups shall be chosen from a list of four names to be submitted by the central
 23 committee of each party or group. If the two candidates receiving the highest
 24 number of votes for governor both indicated the same political party or political
 25 group preference on the ballot in the most recent gubernatorial election, the
 26 governor shall appoint two persons from a list of four names submitted by that
 27 party or group and appoint two persons who are registered as independent or
 28 undeclared voters.

29 * **Sec. 4.** AS 15.13.020(d) is amended to read:

30 (d) Members of the commission serve staggered terms of five years, or until a
 31 successor is appointed and qualifies. The terms of no two members who are members

1 of the same political party **or political group** may expire in consecutive years. A
 2 member may not serve more than one term. However, a person appointed to fill the
 3 unexpired term of a predecessor may be appointed to a successive full five-year term.

4 * **Sec. 5.** AS 15.13.074(c) is amended to read:

5 (c) A person or group may not make a contribution

6 (1) to a candidate or an individual who files with the commission the
 7 document necessary to permit that individual to incur certain election-related expenses
 8 as authorized by AS 15.13.100 when the office is to be filled at a general election
 9 before the date that is 18 months before the general election;

10 (2) to a candidate or an individual who files with the commission the
 11 document necessary to permit that individual to incur certain election-related expenses
 12 as authorized by AS 15.13.100 for an office that is to be filled at a special election or
 13 municipal election before the date that is 18 months before the date of the regular
 14 municipal election or that is before the date of the proclamation of the special election
 15 at which the candidate or individual seeks election to public office; or

16 (3) to any candidate later than the 45th day

17 (A) after the date of the primary **or special primary** election if
 18 the candidate was not **chosen to appear on the general or special election**
 19 **ballot** [NOMINATED] at the primary **or special primary** election; or

20 (B) after the date of the general **or special** election, or after the
 21 date of a municipal or municipal runoff election.

22 * **Sec. 6.** AS 15.13.110(f) is amended to read:

23 (f) During the year in which the election is scheduled, each of the following
 24 shall file the campaign disclosure reports in the manner and at the times required by
 25 this section:

26 (1) a person who, under the regulations adopted by the commission to
 27 implement AS 15.13.100, indicates an intention to become a candidate for elective
 28 state executive or legislative office;

29 (2) [A PERSON WHO HAS FILED A NOMINATING PETITION
 30 UNDER AS 15.25.140 - 15.25.200 TO BECOME A CANDIDATE AT THE
 31 GENERAL ELECTION FOR ELECTIVE STATE EXECUTIVE OR LEGISLATIVE

1 OFFICE;

2 (3)] a person who campaigns as a write-in candidate for elective state
3 executive or legislative office at the general election; and

4 **(3)** [(4)] a group or nongroup entity that receives contributions or
5 makes expenditures on behalf of or in opposition to a person described in **(1) or (2)**
6 [(1) - (3)] of this subsection, except as provided for certain independent expenditures
7 by nongroup entities in AS 15.13.135(a).

8 * **Sec. 7.** AS 15.13.400(4) is amended to read:

9 (4) "contribution"

10 (A) means a purchase, payment, promise or obligation to pay,
11 loan or loan guarantee, deposit or gift of money, goods, or services for which
12 charge is ordinarily made, and includes the payment by a person other than a
13 candidate or political party, or compensation for the personal services of
14 another person, that is rendered to the candidate or political party, and that is
15 made for the purpose of

16 (i) influencing the nomination or election of a
17 candidate;

18 (ii) influencing a ballot proposition or question; or

19 (iii) supporting or opposing an initiative proposal
20 application filed with the lieutenant governor under AS 15.45.020;

21 (B) does not include

22 (i) services provided without compensation by
23 individuals volunteering a portion or all of their time on behalf of a
24 political party, candidate, or ballot proposition or question;

25 (ii) ordinary hospitality in a home;

26 (iii) two or fewer mass mailings before each election by
27 each political party describing **members of the party running as**
28 **candidates for public office in that election** [THE PARTY'S SLATE
29 OF CANDIDATES FOR ELECTION], which may include
30 photographs, biographies, and information about the [PARTY'S]
31 candidates;

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

4 (v) any communication in the form of a newsletter from
5 a legislator to the legislator's constituents, except a communication
6 expressly advocating the election or defeat of a candidate or a
7 newsletter or material in a newsletter that is clearly only for the private
8 benefit of a legislator or a legislative employee; or

9 (vi) a fundraising list provided without compensation
10 by one candidate or political party to a candidate or political party;

11 * **Sec. 8.** AS 15.15 is amended by adding a new section to read:

12 **Sec. 15.15.005. Top two nonpartisan blanket primary.** A voter qualified
13 under AS 15.05 may cast a vote for any candidate for each elective state executive and
14 state and national legislative office without limitations based on the political party or
15 political group preference or affiliation of either the voter or the candidate.

16 * **Sec. 9.** AS 15.15.030(5) is amended to read:

17 (5) The names of the candidates [AND THEIR PARTY
18 DESIGNATIONS] shall be placed in separate sections on the state general election
19 ballot under the office designation to which they were nominated. **If a candidate has**
20 **indicated a political party or group preference, or requested to be designated as**
21 **independent or undeclared, the preference or designation** [THE PARTY
22 AFFILIATION, IF ANY,] shall be **placed** [DESIGNATED] after the name of the
23 candidate. The lieutenant governor and the governor shall be included under the same
24 section. Provision shall be made for voting for write-in [AND NO-PARTY]
25 candidates within each section. Paper ballots for the state general election shall be
26 printed on white paper.

27 * **Sec. 10.** AS 15.15.030 is amended by adding a new paragraph to read:

28 (15) The director shall include the following statement on the ballot:
29 "A political party or group preference indicated for a candidate reflects only the
30 designation requested by the candidate and not an official endorsement by a political
31 party or group."

1 * **Sec. 11.** AS 15.20.081(a) is amended to read:

2 (a) A qualified voter may apply in person, by mail, or by facsimile, scanning,
3 or other electronic transmission to the director for an absentee ballot under this
4 section. Another individual may apply for an absentee ballot on behalf of a qualified
5 voter if that individual is designated to act on behalf of the voter in a written general
6 power of attorney or a written special power of attorney that authorizes the other
7 individual to apply for an absentee ballot on behalf of the voter. The application must
8 include the address or, if the application requests delivery of an absentee ballot by
9 electronic transmission, the telephone electronic transmission number, to which the
10 absentee ballot is to be returned, the applicant's full Alaska residence address, and the
11 applicant's signature. However, a person residing outside the United States and
12 applying to vote absentee in federal elections in accordance with AS 15.05.011 need
13 not include an Alaska residence address in the application. [A PERSON MAY
14 SUPPLY TO A VOTER AN ABSENTEE BALLOT APPLICATION FORM WITH
15 A POLITICAL PARTY OR GROUP AFFILIATION INDICATED ONLY IF THE
16 VOTER IS ALREADY REGISTERED AS AFFILIATED WITH THE POLITICAL
17 PARTY OR GROUP INDICATED. ONLY THE VOTER OR THE INDIVIDUAL
18 DESIGNATED BY THE VOTER IN A WRITTEN POWER OF ATTORNEY
19 UNDER THIS SUBSECTION MAY MARK THE VOTER'S CHOICE OF
20 PRIMARY BALLOT ON AN APPLICATION. A PERSON SUPPLYING AN
21 ABSENTEE BALLOT APPLICATION FORM MAY NOT DESIGN OR MARK
22 THE APPLICATION IN A MANNER THAT SUGGESTS CHOICE OF ONE
23 BALLOT OVER ANOTHER, EXCEPT THAT BALLOT CHOICES MAY BE
24 LISTED ON AN APPLICATION AS AUTHORIZED BY THE DIVISION.] The
25 application must be made on a form prescribed or approved by the director. The voter
26 or registration official shall submit the application directly to the division of elections.
27 For purposes of this subsection, "directly to the division of elections" means that an
28 application may not be submitted to any intermediary that could control or delay the
29 submission of the application to the division or gather data on the applicant from the
30 application form. However, nothing in this subsection is intended to prohibit a voter
31 from giving a completed absentee ballot application to a friend, relative, or associate

1 for transfer to the United States Postal Service or a private commercial delivery
2 service for delivery to the division.

3 * **Sec. 12.** AS 15.20.082(c) is repealed and reenacted to read:

4 (c) A special state absentee ballot prepared for the state general election must,
5 if the names of candidates to appear on the general election ballot are not yet certified,
6 include the name of each candidate appearing on the primary election ballot. The
7 ballot shall permit the voter to vote in the general election by indicating the voter's
8 order of preference for each candidate for each office. To indicate order of preference
9 for each candidate for each office to be voted on in the election, the voter shall put the
10 number one next to the name of the candidate who is the voter's first choice, the
11 number two for the voter's second choice, and so forth, so that, in consecutive
12 numerical order, a number indicating the voter's preference is written by the voter next
13 to each candidate's name on the ballot. For each office, the director shall count the
14 vote as being for the highest ranked candidate whose name appears on the general
15 election ballot. If the voter writes in a name for an office, the vote shall be counted as
16 a write-in vote for that office.

17 * **Sec. 13.** AS 15.20.190(a) is amended to read:

18 (a) Thirty days before the date of an election, the election supervisors shall
19 appoint, in the same manner provided for the appointment of election officials
20 prescribed in AS 15.10, district absentee ballot counting boards and district questioned
21 ballot counting boards, each composed of at least four members. At least one member
22 of each board must be a member of the same political party **or political group that**
23 **[OF WHICH] the governor, while a candidate, indicated on the ballot in the**
24 **preceding gubernatorial election to be the governor's preference** [IS A
25 MEMBER], and at least one member of each board must be a member of the political
26 party **or political group that the candidate receiving** [WHOSE CANDIDATE FOR
27 GOVERNOR RECEIVED] the second largest number of votes **indicated on the**
28 **ballot** in the preceding gubernatorial election **to be that candidate's preference**. The
29 district boards shall assist the election supervisors in counting the absentee and
30 questioned ballots and shall receive the same compensation paid election officials
31 under AS 15.15.380. **If the governor, or the candidate for governor who received**

1 **the second largest number of votes, was designated as independent or undeclared**
 2 **on the ballot in the preceding gubernatorial election, the election supervisor may**
 3 **instead appoint a person registered as an independent or undeclared voter.**

4 * **Sec. 14.** AS 15.25.010 is amended to read:

5 **Sec. 15.25.010. Provision for primary election.** Candidates for the elective
 6 state executive and state and national legislative offices shall be **chosen to appear on**
 7 **the general election ballot** [NOMINATED] in a primary election by direct vote of the
 8 people in the manner prescribed by this chapter. [THE DIRECTOR SHALL
 9 PREPARE AND PROVIDE A PRIMARY ELECTION BALLOT FOR EACH
 10 POLITICAL PARTY. A VOTER REGISTERED AS AFFILIATED WITH A
 11 POLITICAL PARTY MAY VOTE THAT PARTY'S BALLOT. A VOTER
 12 REGISTERED AS NONPARTISAN OR UNDECLARED RATHER THAN AS
 13 AFFILIATED WITH A PARTICULAR POLITICAL PARTY MAY VOTE THE
 14 POLITICAL PARTY BALLOT OF THE VOTER'S CHOICE UNLESS
 15 PROHIBITED FROM DOING SO UNDER AS 15.25.014. A VOTER REGISTERED
 16 AS AFFILIATED WITH A POLITICAL PARTY MAY NOT VOTE THE BALLOT
 17 OF A DIFFERENT POLITICAL PARTY UNLESS PERMITTED TO DO SO
 18 UNDER AS 15.25.014.]

19 * **Sec. 15.** AS 15.25.030(a) is amended to read:

20 (a) A **person** [MEMBER OF A POLITICAL PARTY] who seeks to become a
 21 candidate [OF THE PARTY] in the primary election **or a special primary election**
 22 shall execute and file a declaration of candidacy. The declaration shall be executed
 23 under oath before an officer authorized to take acknowledgments and must state in
 24 substance

25 (1) the full name of the candidate;

26 (2) the full mailing address of the candidate;

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

29 (4) the office for which the candidate seeks nomination;

30 (5) the [NAME OF THE] political party **or political group**
 31 **preference, or independent or undeclared designation, the candidate would like**

1 **placed after the candidate's name on the ballot, if any** [OF WHICH THE PERSON
2 IS A CANDIDATE FOR NOMINATION];

3 (6) the full residence address of the candidate, and the date on which
4 residency at that address began;

5 (7) the date of the primary election **or special primary election** at
6 which the candidate seeks nomination;

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

9 (9) that the candidate will meet the specific citizenship requirements of
10 the office for which the person is a candidate;

11 (10) that the candidate is a qualified voter as required by law;

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

24 (12) that the candidate requests that the candidate's name be placed on
25 the primary **or special primary** election ballot;

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

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

30 (15) the manner in which the candidate wishes the candidate's name to
31 appear on the ballot [; AND

1 (16) THAT THE CANDIDATE IS REGISTERED TO VOTE AS A
2 MEMBER OF THE POLITICAL PARTY WHOSE NOMINATION IS BEING
3 SOUGHT].

4 * **Sec. 16.** AS 15.25.040(a) is amended to read:

5 (a) The declaration is filed by either

6 (1) the actual physical delivery of the declaration in person or by mail
7 at or before 5:00 p.m., prevailing time, June 1 of the year in which a general election is
8 held for the office; or

9 (2) reliable electronic transmission of a copy in substance of the
10 statements made in paragraphs (1) - (5) of the declaration as required by
11 AS 15.25.030(a) at or before 5:00 p.m., prevailing time, June 1 of the year in which a
12 general election is held for the office and also the actual physical delivery of the
13 declaration containing paragraphs (1) - **(15)** [(16)] as required by AS 15.25.030(a) by
14 mail that is received not more than 15 days after that time.

15 * **Sec. 17.** AS 15.25.060 is repealed and reenacted to read:

16 **Sec. 15.25.060. Preparation and distribution of ballots.** The primary
17 election ballots shall be prepared and distributed by the director in the manner
18 prescribed for general election ballots except as specifically provided otherwise for the
19 primary election. The director shall prepare and provide a primary election ballot that
20 contains all of the candidates for elective state executive and state and national
21 legislative offices and all of the ballot titles and propositions required to appear on the
22 ballot at the primary election. The director shall print the ballots on white paper and
23 place the names of all candidates who have properly filed in groups according to
24 offices. The order of the placement of the names for each office shall be as provided
25 for the general election ballot. Blank spaces may not be provided on the ballot for the
26 writing or pasting in of names.

27 * **Sec. 18.** AS 15.25.100 is repealed and reenacted to read:

28 **Sec. 15.25.100. Placement of candidates on general election ballot.** (a) Of
29 the names of candidates that appear on the primary election ballot under
30 AS 15.25.010, the director shall place on the general election ballot only the names of
31 the candidates receiving the greatest number of votes and the second greatest number

1 of votes for an office, except as provided in (b) and (c) of this section.

2 (b) If two candidates tie

3 (1) in having the greatest number of votes for an office in the primary
4 election, the director shall place only the names of those two candidates for that office
5 on the general election ballot;

6 (2) in having the second greatest number of votes for an office in the
7 primary election, the director shall place on the general election ballot the name of
8 only one of the candidates who tied for that office, to be determined by lot under
9 AS 15.20.530.

10 (c) For the office of lieutenant governor, the director shall place on the general
11 election ballot, together with the name of the candidate for governor who received

12 (1) the greatest number of votes in the primary election, the name of
13 either the candidate for lieutenant governor receiving the greatest number of votes or
14 the candidate for lieutenant governor receiving the second greatest number of votes,
15 whichever the candidate for governor chooses to run with jointly; and

16 (2) the second greatest number of votes in the primary election, the
17 name of either the candidate for lieutenant governor receiving the greatest number of
18 votes or the candidate for lieutenant governor receiving the second greatest number of
19 votes, whichever was not chosen to run jointly with the candidate for governor who
20 received the greatest number of votes.

21 * **Sec. 19.** AS 15.25.105(a) is amended to read:

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

27 (1) the full name of the candidate;

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

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

31 (4) [THE NAME OF THE POLITICAL PARTY OR POLITICAL

1 GROUP OF WHICH THE CANDIDATE IS A MEMBER, IF ANY;

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

4 (5) [(6)] the office that the candidate seeks;

5 (6) [(7)] the date of the election at which the candidate seeks election;

6 (7) [(8)] the length of residency in the state and in the house district of
7 the candidate;

8 (8) [(9)] the name of the candidate as the candidate wishes it to be
9 written on the ballot by the voter;

10 (9) [(10)] that the candidate meets the specific citizenship requirements
11 of the office for which the person is a candidate;

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

24 (11) [(12)] that the candidate is a qualified voter as required by law;
25 and

26 (12) [(13)] that the candidate is not a candidate for any other office to
27 be voted on at the general election and that the candidate is not a candidate for this
28 office under any other nominating petition or declaration of candidacy.

29 * **Sec. 20.** AS 15.25.105(b) is amended to read:

30 (b) If a write-in candidate is running for the office of governor, the candidate
31 must file a joint letter of intent together with a candidate for lieutenant governor.

1 [BOTH CANDIDATES MUST BE OF THE SAME POLITICAL PARTY OR
2 GROUP.]

3 * **Sec. 21.** AS 15.40.140 is amended to read:

4 **Sec. 15.40.140. Condition and time of calling special election.** When a
5 vacancy occurs in the office of United States senator or United States representative,
6 the governor shall, by proclamation, call a special **primary** election to be held on a
7 date not less than 60, nor more than 90, days after the date the vacancy occurs, **to be**
8 **followed by a special election on the first Tuesday that is not a state holiday**
9 **occurring not less than 60 days after the special primary election.** However, if the
10 vacancy occurs on a date that is **not** less than 60, **nor more than 90** days before [OR
11 IS ON OR AFTER] the date, **in an election year in which a candidate for that**
12 **office is not regularly elected,** of

13 (1) the primary election [IN THE GENERAL ELECTION YEAR
14 DURING WHICH A CANDIDATE TO FILL THE OFFICE IS REGULARLY
15 ELECTED], the [GOVERNOR MAY NOT CALL A] special **primary** election **shall**
16 **be held on the date of the primary election with the subsequent special election to**
17 **be held on the date of the general election; or**

18 (2) **the general election, the special primary election shall be held**
19 **on the date of the general election with the subsequent special election to be held**
20 **on the first Tuesday that is not a state holiday occurring not less than 60 days**
21 **after the special primary and general election.**

22 * **Sec. 22.** AS 15.40.160 is amended to read:

23 **Sec. 15.40.160. Proclamation.** The governor shall issue the proclamation
24 **calling the special primary election and special election** at least 50 days before the
25 **special primary** election.

26 * **Sec. 23.** AS 15.40.190 is amended to read:

27 **Sec. 15.40.190. Requirements of petition for [NO-PARTY] candidates.**
28 Petitions for the nomination of candidates **must be executed under oath and** [NOT
29 REPRESENTING A POLITICAL PARTY SHALL BE SIGNED BY QUALIFIED
30 VOTERS OF THE STATE EQUAL IN NUMBER TO AT LEAST ONE PERCENT
31 OF THE NUMBER OF VOTERS WHO CAST BALLOTS IN THE PRECEDING

1 GENERAL ELECTION AND SHALL] state in substance that which is required for **a**
 2 **declaration of candidacy under AS 15.25.030** [NOMINATION PETITIONS BY
 3 AS 15.25.180].

4 * **Sec. 24.** AS 15.40.220 is amended to read:

5 **Sec. 15.40.220. General provisions for conduct of the special primary**
 6 **election and special election.** Unless specifically provided otherwise, all provisions
 7 regarding the conduct of the **primary election and** general election shall govern the
 8 conduct of the special **primary election and special** election of the United States
 9 senator or United States representative, including provisions concerning voter
 10 qualifications; provisions regarding the duties, powers, rights, and obligations of the
 11 director, of other election officials, and of municipalities; provision for notification of
 12 the election; provision for payment of election expenses; provisions regarding
 13 employees being allowed time from work to vote; provisions for the counting,
 14 reviewing, and certification of returns; provisions for the determination of the votes
 15 and of recounts, contests, and appeal; and provision for absentee voting.

16 * **Sec. 25.** AS 15.40.230 is amended to read:

17 **Sec. 15.40.230. Condition and time of calling special election.** When a
 18 person appointed to succeed to the office of lieutenant governor succeeds to the office
 19 of acting governor, the acting governor shall, by proclamation, call a special **primary**
 20 election to be held on a date not less than 60, nor more than 90, days after the date the
 21 vacancy in the office of the governor occurred **and a subsequent special election to**
 22 **be held on the first Tuesday that is not a state holiday occurring not less than 60**
 23 **days after the special primary election.** However, if the vacancy occurs on a date
 24 that is less than 60 days before or is on or after the date of the primary election in
 25 years in which a governor is regularly elected, the acting governor shall serve the
 26 remainder of the unexpired term and may not call a special election.

27 * **Sec. 26.** AS 15.40.240 is amended to read:

28 **Sec. 15.40.240. Conditions for holding special primary election and special**
 29 **election with primary or general election.** If the vacancy occurs on a date not less
 30 than 60, nor more than 90, days before the date of the primary election **in an election**
 31 **year in which a governor is not regularly elected, the acting governor shall, by**

1 **proclamation, call the special primary election to be held on the date of the**
 2 **primary election and the special election to be held on the date of the general**
 3 **election.** [IN YEARS IN WHICH A GOVERNOR IS REGULARLY ELECTED] or,
 4 if the vacancy occurs on a date not less than 60, nor more than 90, days before the date
 5 of the [PRIMARY ELECTION OR] general election in election years in which a
 6 governor is not regularly elected, the acting governor shall, by proclamation, call the
 7 special **primary** election to be held on the date of the [PRIMARY ELECTION OR]
 8 general election **with the subsequent special election to be held on the first**
 9 **Tuesday that is not a state holiday occurring not less than 60 days after the**
 10 **special primary and general election.**

11 * **Sec. 27.** AS 15.40.250 is amended to read:

12 **Sec. 15.40.250. Proclamation of special election.** The acting governor shall
 13 issue the proclamation **calling the special primary election and special election** at
 14 least 50 days before the **special primary** election.

15 * **Sec. 28.** AS 15.40.280 is amended to read:

16 **Sec. 15.40.280. Requirements of petition for [NO-PARTY] candidates.**
 17 Petitions for the nomination of candidates **must** [NOT REPRESENTING A
 18 POLITICAL PARTY SHALL BE SIGNED BY QUALIFIED VOTERS OF THE
 19 STATE EQUAL IN NUMBER TO AT LEAST ONE PERCENT OF THE NUMBER
 20 OF VOTERS WHO CAST BALLOTS IN THE PRECEDING GENERAL
 21 ELECTION, SHALL INCLUDE NOMINEES FOR THE OFFICE OF GOVERNOR
 22 AND LIEUTENANT GOVERNOR, AND SHALL] state in substance that which is
 23 required for **a declaration of candidacy under AS 15.25.030** [NOMINATION
 24 PETITIONS BY AS 15.25.180].

25 * **Sec. 29.** AS 15.40.310 is amended to read:

26 **Sec. 15.40.310. General provisions for conduct of the special primary**
 27 **election and special election.** Unless specifically provided otherwise, all provisions
 28 regarding the conduct of the **primary and** general election shall govern the conduct of
 29 the special **primary election and special** election of the governor and lieutenant
 30 governor, including provisions concerning voter qualifications; provisions regarding
 31 the duties, powers, rights, and obligations of the director, of other election officials,

1 and of municipalities; provision for notification of the election; provision for payment
 2 of election expenses; provisions regarding employees being allowed time from work
 3 to vote; provisions for the counting, reviewing, and certification of returns; provisions
 4 for the determination of the votes and of recounts, contests, and appeal; and provision
 5 for absentee voting.

6 * **Sec. 30.** AS 15.40.330 is amended to read:

7 **Sec. 15.40.330. Qualification and confirmation of appointee.** (a) The
 8 appointee shall meet the qualifications of a member of the legislature as prescribed in
 9 Sec. 2, art. II, of the state constitution, and, if the predecessor in office was a
 10 member of a political party or group at the time of the vacancy, (1) shall be a
 11 member of the same political party or group as [THAT WHICH NOMINATED] the
 12 predecessor in office; [,] and (2) shall be subject to confirmation by a majority of the
 13 members of the legislature who are members of the same political party or group as
 14 [WHICH NOMINATED] the predecessor in office and of the same house as was the
 15 predecessor in office. If the predecessor in office was not a member of
 16 [NOMINATED BY] a political party or group at the time of the vacancy, or [IF] no
 17 other member of the predecessor's political party or group is a member of the
 18 predecessor's house of the legislature, the governor may appoint any qualified person.
 19 If the appointee is not a member of a political party or group, as defined in (b) of this
 20 section, the appointment is not subject to confirmation. If the appointee is a member
 21 of a political party or group, the appointment is subject to confirmation as provided
 22 by (b) of this section for the confirmation of political party or group appointees.

23 (b) A member of a political party or group is a person who supports the
 24 political program of a political party or group. The placement of an independent or
 25 undeclared designation after the name [FILING FOR OFFICE] of a candidate on
 26 the primary election ballot [AS AN INDEPENDENT OR NO-PARTY
 27 CANDIDATE] does not preclude a candidate from being a member of a political party
 28 or group. Recognition of a [AN INDEPENDENT OR NO-PARTY] candidate as a
 29 member of a political party or group caucus of members of the legislature at the
 30 legislative session following the election of the [INDEPENDENT OR NO-PARTY]
 31 candidate is recognition of that person's political party or group membership for the

1 **purposes of confirmation under this section** [AT THE TIME FILINGS WERE
2 MADE BY PARTY CANDIDATES FOR THE PRECEDING GENERAL
3 ELECTION].

4 * **Sec. 31.** AS 15.40.380 is amended to read:

5 **Sec. 15.40.380. Conditions for part-term senate appointment and special**
6 **election.** If the vacancy is for an unexpired senate term of more than two years and
7 five full calendar months, the governor shall call a special **primary election and a**
8 **special** election by proclamation, and the appointment shall expire on the date the
9 state senate first convenes or reconvenes following the certification of the results of
10 the special election by the director.

11 * **Sec. 32.** AS 15.40.390 is amended to read:

12 **Sec. 15.40.390. Date of special primary election and special election.** The
13 special **primary** election to fill a vacancy in the state senate shall be held on the date
14 of the first **primary** [GENERAL] election held more than **60 days** [THREE FULL
15 CALENDAR MONTHS] after the senate vacancy occurs, **and the special election**
16 **shall be held on the date of the first general election thereafter.**

17 * **Sec. 33.** AS 15.40.400 is amended to read:

18 **Sec. 15.40.400. Proclamation of special election.** The governor shall issue the
19 proclamation calling the **special primary election and** special election at least 50
20 days before the **special primary** election.

21 * **Sec. 34.** AS 15.40.440 is amended to read:

22 **Sec. 15.40.440. Requirements of petition for [NO-PARTY] candidates.**
23 Petitions for the nomination of candidates [NOT REPRESENTING A POLITICAL
24 PARTY SHALL BE SIGNED BY QUALIFIED VOTERS EQUAL IN NUMBER TO
25 AT LEAST ONE PERCENT OF THE NUMBER OF VOTERS WHO CAST
26 BALLOTS IN THE PROPOSED NOMINEE'S RESPECTIVE HOUSE OR SENATE
27 DISTRICT IN THE PRECEDING GENERAL ELECTION. A NOMINATING
28 PETITION MAY NOT CONTAIN LESS THAN 50 SIGNATURES FOR ANY
29 DISTRICT,] and must state in substance that which is required in **a declaration of**
30 **candidacy under AS 15.25.030** [PETITIONS FOR NOMINATION BY
31 AS 15.25.180].

1 * **Sec. 35.** AS 15.40.470 is amended to read:

2 **Sec. 15.40.470. General provision for conduct of the special primary**
 3 **election and special election.** Unless specifically provided otherwise, all provisions
 4 regarding the conduct of the **primary election and** general election shall govern the
 5 conduct of the special **primary election and special** election of state senators,
 6 including provisions concerning voter qualifications; provisions regarding the duties,
 7 powers, rights, and obligations of the director, of other election officials, and of
 8 municipalities; provision for notification of the election; provision for payment of
 9 election expenses; provisions regarding employees being allowed time from work to
 10 vote; provisions for the counting, reviewing, and certification of returns; provisions for
 11 the determination of the votes and of recounts, contests, and appeal; and provision for
 12 absentee voting.

13 * **Sec. 36.** AS 15.58.030(b) is amended to read:

14 (b) **Not** [NO] later than July 22 of a year in which a state general election will
 15 be held, an individual who becomes a candidate for the office of United States senator,
 16 United States representative, governor, lieutenant governor, state senator, or state
 17 representative under AS 15.25.030 [OR 15.25.180] may file with the lieutenant
 18 governor a photograph and a statement advocating the candidacy. [AN INDIVIDUAL
 19 WHO BECOMES A CANDIDATE FOR THE OFFICE OF UNITED STATES
 20 SENATOR, UNITED STATES REPRESENTATIVE, GOVERNOR, LIEUTENANT
 21 GOVERNOR, STATE SENATOR, OR STATE REPRESENTATIVE BY PARTY
 22 PETITION FILED UNDER AS 15.25.110 MAY FILE WITH THE LIEUTENANT
 23 GOVERNOR A PHOTOGRAPH AND A STATEMENT ADVOCATING THE
 24 CANDIDACY WITHIN 10 DAYS OF BECOMING A CANDIDATE.]

25 * **Sec. 37.** AS 15.80.008(a) is amended to read:

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

29 (1) files an application with the director; **and**

30 (2) [SUBMITS BYLAWS TO THE DIRECTOR AND THE UNITED
 31 STATES DEPARTMENT OF JUSTICE AS REQUIRED OF POLITICAL PARTIES

1 IN AS 15.25.014; AND

2 (3)] meets the definition of a political party in AS 15.80.010.

3 * **Sec. 38.** AS 15.80.010(25) is amended to read:

4 (25) "political party" means an organized group of voters that
5 represents a political program and

6 (A) that [NOMINATED A CANDIDATE FOR GOVERNOR
7 WHO RECEIVED AT LEAST THREE PERCENT OF THE TOTAL VOTES
8 CAST FOR GOVERNOR AT THE PRECEDING GENERAL ELECTION
9 OR] has registered voters in the state equal in number to at least three percent
10 of the total votes cast for governor at the preceding general election;

11 (B) if the office of governor was not on the ballot at the
12 preceding general election but the office of United States senator was on that
13 ballot, that [NOMINATED A CANDIDATE FOR UNITED STATES
14 SENATOR WHO RECEIVED AT LEAST THREE PERCENT OF THE
15 TOTAL VOTES CAST FOR UNITED STATES SENATOR AT THAT
16 GENERAL ELECTION OR] has registered voters in the state equal in number
17 to at least three percent of the total votes cast for United States senator at that
18 general election; or

19 (C) if neither the office of governor nor the office of United
20 States senator was on the ballot at the preceding general election, that
21 [NOMINATED A CANDIDATE FOR UNITED STATES
22 REPRESENTATIVE WHO RECEIVED AT LEAST THREE PERCENT OF
23 THE TOTAL VOTES CAST FOR UNITED STATES REPRESENTATIVE
24 AT THAT GENERAL ELECTION OR] has registered voters in the state equal
25 in number to at least three percent of the total votes cast for United States
26 representative at that general election;

27 * **Sec. 39.** AS 39.50.020(b) is amended to read:

28 (b) A public official or former public official other than an elected or
29 appointed municipal officer shall file the statement with the Alaska Public Offices
30 Commission. Candidates for the office of governor and lieutenant governor and, if the
31 candidate is not subject to AS 24.60, the legislature shall file the statement under

1 AS 15.25.030 [OR 15.25.180]. Municipal officers, former municipal officers, and
2 candidates for elective municipal office, shall file with the municipal clerk or other
3 municipal official designated to receive their filing for office. All statements required
4 to be filed under this chapter are public records.

5 * **Sec. 40.** AS 15.25.014, 15.25.056, 15.25.110, 15.25.120, 15.25.130, 15.25.140, 15.25.150,
6 15.25.160, 15.25.170, 15.25.180, 15.25.185, 15.25.190, 15.25.200; AS 15.40.145, 15.40.150,
7 15.40.200, 15.40.210, 15.40.290, 15.40.300, 15.40.450, 15.40.460; AS 15.56.030(a)(4),
8 15.56.030(a)(5), and 15.56.035(a)(5) are repealed.