

**HOUSE BILL NO. 13**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES GRUENBERG, Kito III

Introduced: 1/16/13

Referred: State Affairs, Judiciary

**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; requiring certain written notices to appear in election pamphlets  
6 and polling places; relating to declarations of candidacy and letters of intent; and  
7 amending the definition of 'political party.'"

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

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

10 (c) An election supervisor shall appoint one person selected by [NOMINEE  
11 OF] the political party or political group with the largest number of registered  
12 voters at the time of the preceding gubernatorial election [OF WHICH THE  
13 GOVERNOR IS A MEMBER] and one person selected by [NOMINEE OF] the

1 political party or political group with [THAT RECEIVED] the second largest  
 2 number of registered voters at the time of [VOTES STATEWIDE IN] the preceding  
 3 gubernatorial election. However, the election supervisor may appoint a qualified  
 4 person registered as a member of a third political party or political group or as a  
 5 nonpartisan or undeclared voter if [IF] a party district committee or state party  
 6 central committee of the party or group with the largest number of registered  
 7 voters [OF WHICH THE GOVERNOR IS A MEMBER] or the party or group with  
 8 [THAT RECEIVED] the second largest number of registered voters at the time of  
 9 [VOTES STATEWIDE IN] the preceding gubernatorial election fails to present the  
 10 names prescribed by (b) of this section by April 15 of a regular election year or at least  
 11 60 days before a special primary election [, THE ELECTION SUPERVISOR MAY  
 12 APPOINT ANY QUALIFIED INDIVIDUAL REGISTERED TO VOTE].

13 \* **Sec. 2.** AS 15.10.170 is amended to read:

14 **Sec. 15.10.170. Appointment and privileges of watchers.** The precinct party  
 15 committee, where an organized precinct committee exists, or the party district  
 16 committee where no organized precinct committee exists, or the state party  
 17 chairperson where neither a precinct nor a party district committee exists, may appoint  
 18 one or more persons as watchers in each precinct and counting center for any election.  
 19 Each candidate [NOT REPRESENTING A POLITICAL PARTY] may appoint one or  
 20 more watchers for each precinct or counting center in the candidate's respective  
 21 district or the state for any election. Any organization or organized group that sponsors  
 22 or opposes an initiative, referendum or recall may have one or more persons as  
 23 watchers at the polls and counting centers after first obtaining authorization from the  
 24 director. A state party chairperson, a precinct party committee, a party district  
 25 committee, or a candidate [NOT REPRESENTING A POLITICAL PARTY OR  
 26 ORGANIZATION OR ORGANIZED GROUP] may not have more than one watcher  
 27 on duty at a time in any precinct or counting center. The watcher may be present at a  
 28 position inside the place of voting or counting that affords a full view of all action of  
 29 the election officials taken from the time the polls are opened until the ballots are  
 30 finally counted and the results certified by the election board or the data processing  
 31 review board. The election board or the data processing review board may require

1 each watcher to present written proof showing appointment by the precinct party  
 2 committee, the party district committee, the organization or organized group, or the  
 3 candidate the watcher represents [THAT IS SIGNED BY THE CHAIRPERSON OF  
 4 THE PRECINCT PARTY COMMITTEE, THE PARTY DISTRICT COMMITTEE,  
 5 THE STATE PARTY CHAIRPERSON, THE ORGANIZATION OR ORGANIZED  
 6 GROUP, OR THE CANDIDATE REPRESENTING NO PARTY].

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

8 (b) The governor shall appoint two members of each of the two political  
 9 parties or political groups with the largest number of registered voters at the time  
 10 of [WHOSE CANDIDATE FOR GOVERNOR RECEIVED THE HIGHEST  
 11 NUMBER OF VOTES IN] the most recent preceding general election at which a  
 12 governor was elected. The two appointees from each of these two parties or groups  
 13 shall be chosen from a list of four names to be submitted by the central committee of  
 14 each party or group.

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

16 (d) Members of the commission serve staggered terms of five years, or until a  
 17 successor is appointed and qualifies. The terms of no two members who are members  
 18 of the same political party or political group may expire in consecutive years. A  
 19 member may not serve more than one term. However, a person appointed to fill the  
 20 unexpired term of a predecessor may be appointed to a successive full five-year term.

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

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

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

27 (2) to a candidate or an individual who files with the commission the  
 28 document necessary to permit that individual to incur certain election-related expenses  
 29 as authorized by AS 15.13.100 for an office that is to be filled at a special election or  
 30 municipal election before the date that is 18 months before the date of the regular  
 31 municipal election or that is before the date of the proclamation of the special election

1 at which the candidate or individual seeks election to public office; or

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

3 (A) after the date of the primary or special primary election if  
4 the candidate was not chosen to appear on the general or special election  
5 ballot [NOMINATED] at the primary or special primary election; or

6 (B) after the date of the general or special election, or after the  
7 date of a municipal or municipal runoff election.

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

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

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

15 (2) [A PERSON WHO HAS FILED A NOMINATING PETITION  
16 UNDER AS 15.25.140 - 15.25.200 TO BECOME A CANDIDATE AT THE  
17 GENERAL ELECTION FOR ELECTIVE STATE EXECUTIVE OR LEGISLATIVE  
18 OFFICE;

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

21 **(3)** [(4)] a group or nongroup entity that receives contributions or  
22 makes expenditures on behalf of or in opposition to a person described in **(1) or (2)**  
23 [(1) - (3)] of this subsection, except as provided for certain independent expenditures  
24 by nongroup entities in AS 15.13.135(a).

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

26 (4) "contribution"

27 (A) means a purchase, payment, promise or obligation to pay,  
28 loan or loan guarantee, deposit or gift of money, goods, or services for which  
29 charge is ordinarily made, and includes the payment by a person other than a  
30 candidate or political party, or compensation for the personal services of  
31 another person, that is rendered to the candidate or political party, and that is

1 made for the purpose of

2 (i) influencing the nomination or election of a  
3 candidate;

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

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

7 (B) does not include

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

11 (ii) ordinary hospitality in a home;

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

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

21 (v) any communication in the form of a newsletter from  
22 a legislator to the legislator's constituents, except a communication  
23 expressly advocating the election or defeat of a candidate or a  
24 newsletter or material in a newsletter that is clearly only for the private  
25 benefit of a legislator or a legislative employee;

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

28 (vii) an opportunity to participate in a candidate forum  
29 provided to a candidate without compensation to the candidate by  
30 another person and for which a candidate is not ordinarily charged;

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

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

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

6           (5) The names of the candidates [AND THEIR PARTY  
 7 DESIGNATIONS] shall be placed in separate sections on the state general election  
 8 ballot under the office designation to which they were nominated. **If a candidate has**  
 9 **indicated a political party or group preference, the preference** [THE PARTY  
 10 AFFILIATION, IF ANY,] shall be **placed** [DESIGNATED] after the name of the  
 11 candidate. **When placed on the ballot, a candidate's preference, if any, shall be**  
 12 **prefaced with the word "prefers." If a candidate has requested to be designated**  
 13 **as nonpartisan or undeclared, that designation shall be placed after the name of**  
 14 **the candidate. If a candidate has not indicated a party preference and has not**  
 15 **requested to be designated as nonpartisan or undeclared, the candidate shall be**  
 16 **designated as undeclared.** The lieutenant governor and the governor shall be  
 17 included under the same section. Provision shall be made for voting for write-in [AND  
 18 NO-PARTY] candidates within each section. Paper ballots for the state general  
 19 election shall be printed on white paper.

20 \* **Sec. 10.** AS 15.15.030 is amended by adding new paragraphs to read:

21           (14) The director shall include the following statement on the ballot:

22           Each candidate for state office, United States senator, or United  
 23 States representative may state a political party or group that the  
 24 candidate prefers. A candidate's preference does not imply that the  
 25 candidate is nominated or endorsed by the party or group or that the  
 26 party or group approves of or associates with that candidate.

27           (15) Instead of the statement provided by (14) of this section, when  
 28 candidates for President and Vice-President of the United States appear on a general  
 29 election ballot, the director shall include the following statement on the ballot:

30           Each candidate for state office, United States senator, or United  
 31 States representative may state a political party or group that the

1 candidate prefers. A candidate's preference does not imply that the  
2 candidate is nominated or endorsed by the party or group or that the  
3 party or group approves of or associates with that candidate. The  
4 election for President and Vice-President of the United States is  
5 different. Candidates for President and Vice-President are the official  
6 nominees of their political party.

7 **\* Sec. 11.** AS 15.15.060 is amended by adding a new subsection to read:

8 (e) In each polling place, the director shall require to be posted, in a location  
9 conspicuous to a person who will be voting, the following notice, written in bold:

10 Each candidate for state office, United States senator, or United  
11 States representative may state a political party or group that the  
12 candidate prefers. A candidate's stated preference does not imply that  
13 the candidate is nominated or endorsed by the party or group or that the  
14 party or group approves of or associates with that candidate.

15 **\* Sec. 12.** AS 15.20.081(a) is amended to read:

16 (a) A qualified voter may apply in person, by mail, or by facsimile, scanning,  
17 or other electronic transmission to the director for an absentee ballot under this  
18 section. Another individual may apply for an absentee ballot on behalf of a qualified  
19 voter if that individual is designated to act on behalf of the voter in a written general  
20 power of attorney or a written special power of attorney that authorizes the other  
21 individual to apply for an absentee ballot on behalf of the voter. The application must  
22 include the address or, if the application requests delivery of an absentee ballot by  
23 electronic transmission, the telephone electronic transmission number, to which the  
24 absentee ballot is to be returned, the applicant's full Alaska residence address, and the  
25 applicant's signature. However, a person residing outside the United States and  
26 applying to vote absentee in federal elections in accordance with AS 15.05.011 need  
27 not include an Alaska residence address in the application. [A PERSON MAY  
28 SUPPLY TO A VOTER AN ABSENTEE BALLOT APPLICATION FORM WITH  
29 A POLITICAL PARTY OR GROUP AFFILIATION INDICATED ONLY IF THE  
30 VOTER IS ALREADY REGISTERED AS AFFILIATED WITH THE POLITICAL  
31 PARTY OR GROUP INDICATED. ONLY THE VOTER OR THE INDIVIDUAL

1 DESIGNATED BY THE VOTER IN A WRITTEN POWER OF ATTORNEY  
 2 UNDER THIS SUBSECTION MAY MARK THE VOTER'S CHOICE OF  
 3 PRIMARY BALLOT ON AN APPLICATION. A PERSON SUPPLYING AN  
 4 ABSENTEE BALLOT APPLICATION FORM MAY NOT DESIGN OR MARK  
 5 THE APPLICATION IN A MANNER THAT SUGGESTS CHOICE OF ONE  
 6 BALLOT OVER ANOTHER, EXCEPT THAT BALLOT CHOICES MAY BE  
 7 LISTED ON AN APPLICATION AS AUTHORIZED BY THE DIVISION.] The  
 8 application must be made on a form prescribed or approved by the director. The voter  
 9 or registration official shall submit the application directly to the division of elections.  
 10 For purposes of this subsection, "directly to the division of elections" means that an  
 11 application may not be submitted to any intermediary that could control or delay the  
 12 submission of the application to the division or gather data on the applicant from the  
 13 application form. However, nothing in this subsection is intended to prohibit a voter  
 14 from giving a completed absentee ballot application to a friend, relative, or associate  
 15 for transfer to the United States Postal Service or a private commercial delivery  
 16 service for delivery to the division.

17 \* **Sec. 13.** AS 15.20.082(c) is repealed and reenacted to read:

18 (c) If the names of candidates to appear on the general election ballot have not  
 19 yet been certified, a special state absentee ballot prepared for the state general election  
 20 must include the name of each candidate appearing on the primary election ballot. The  
 21 ballot shall permit the voter to vote in the general election by indicating the voter's  
 22 order of preference for each candidate for each office. To indicate the order of  
 23 preference for each candidate for each office to be voted on in the election, the voter  
 24 shall put the number one next to the name of the candidate who is the voter's first  
 25 choice, the number two for the voter's second choice, and so forth, so that, in  
 26 consecutive numerical order, a number indicating the voter's preference is written by  
 27 the voter next to each candidate's name on the ballot. For each office, the director shall  
 28 count the vote as being for the highest ranked candidate whose name appears on the  
 29 general election ballot. If the voter writes in a name for an office, the vote shall be  
 30 counted as a write-in vote for that office.

31 \* **Sec. 14.** AS 15.20.190(a) is amended to read:

1 (a) Thirty days before the date of an election, the election supervisors shall  
 2 appoint, in the same manner provided for the appointment of election officials  
 3 prescribed in AS 15.10, district absentee ballot counting boards and district questioned  
 4 ballot counting boards, each composed of at least four members. At least one member  
 5 of each board must be a member of the same political party **or group with the largest**  
 6 **number of registered voters at the time of the preceding gubernatorial election**  
 7 [OF WHICH THE GOVERNOR IS A MEMBER], and at least one member of each  
 8 board must be a member of the political party **or group with the second largest**  
 9 **number of registered voters at the time of** [WHOSE CANDIDATE FOR  
 10 GOVERNOR RECEIVED THE SECOND LARGEST NUMBER OF VOTES IN] the  
 11 preceding gubernatorial election. The district boards shall assist the election  
 12 supervisors in counting the absentee and questioned ballots and shall receive the same  
 13 compensation paid election officials under AS 15.15.380.

14 \* **Sec. 15.** AS 15.25.010 is amended to read:

15 **Sec. 15.25.010. Provision for primary election.** Candidates for the elective  
 16 state executive and state and national legislative offices shall be **chosen to appear on**  
 17 **the general election ballot** [NOMINATED] in a primary election by direct vote of the  
 18 people in the manner prescribed by this chapter. **The primary election does not serve**  
 19 **to determine the nominee of a political party or group but serves only to narrow**  
 20 **the number of candidates whose names will appear on the ballot at the general**  
 21 **election to the two candidates who receive the greatest number of votes and the**  
 22 **second greatest number of votes for any office** [THE DIRECTOR SHALL  
 23 PREPARE AND PROVIDE A PRIMARY ELECTION BALLOT FOR EACH  
 24 POLITICAL PARTY. A VOTER REGISTERED AS AFFILIATED WITH A  
 25 POLITICAL PARTY MAY VOTE THAT PARTY'S BALLOT. A VOTER  
 26 REGISTERED AS NONPARTISAN OR UNDECLARED RATHER THAN AS  
 27 AFFILIATED WITH A PARTICULAR POLITICAL PARTY MAY VOTE THE  
 28 POLITICAL PARTY BALLOT OF THE VOTER'S CHOICE UNLESS  
 29 PROHIBITED FROM DOING SO UNDER AS 15.25.014. A VOTER REGISTERED  
 30 AS AFFILIATED WITH A POLITICAL PARTY MAY NOT VOTE THE BALLOT  
 31 OF A DIFFERENT POLITICAL PARTY UNLESS PERMITTED TO DO SO

1 UNDER AS 15.25.014].

2 \* **Sec. 16.** AS 15.25.030(a) is amended to read:

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

8 (1) the full name of the candidate;

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

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

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

13 (5) the [NAME OF THE] political party **or political group**  
14 **preference, or nonpartisan or undeclared designation, if any, that the candidate**  
15 **would like placed after the candidate's name on the ballot** [OF WHICH THE  
16 PERSON IS A CANDIDATE FOR NOMINATION];

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

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

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

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

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

26 (11) that the candidate will meet the specific age requirements of the  
27 office for which the person is a candidate; if the candidacy is for the office of state  
28 representative, that the candidate will be at least 21 years of age on the first scheduled  
29 day of the first regular session of the legislature convened after the election; if the  
30 candidacy is for the office of state senator, that the candidate will be at least 25 years  
31 of age on the first scheduled day of the first regular session of the legislature convened

1 after the election; if the candidacy is for the office of governor or lieutenant governor,  
 2 that the candidate will be at least 30 years of age on the first Monday in December  
 3 following election or, if the office is to be filled by special election under  
 4 AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on the  
 5 date of certification of the results of the special election; or, for any other office, by  
 6 the time that the candidate, if elected, is sworn into office;

7 (12) that the candidate requests that the candidate's name be placed on  
 8 the primary or special primary election ballot;

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

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

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

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

18 \* **Sec. 17.** AS 15.25.040(a) is amended to read:

19 (a) The declaration is filed by either

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

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

29 \* **Sec. 18.** AS 15.25.060 is repealed and reenacted to read:

30 **Sec. 15.25.060. Preparation and distribution of ballots.** The primary  
 31 election ballots shall be prepared and distributed by the director in the manner

1 prescribed for general election ballots except as specifically provided otherwise for the  
2 primary election. The director shall prepare and provide a primary election ballot that  
3 contains all of the candidates for elective state executive and state and national  
4 legislative offices and all of the ballot titles and propositions required to appear on the  
5 ballot at the primary election. The director shall print the ballots on white paper and  
6 place the names of all candidates who have properly filed in groups according to  
7 offices. The order of the placement of the names for each office shall be as provided  
8 for the general election ballot. Blank spaces may not be provided on the ballot for the  
9 writing or pasting in of names.

10 \* **Sec. 19.** AS 15.25.100 is repealed and reenacted to read:

11 **Sec. 15.25.100. Placement of candidates on general election ballot.** (a) Of  
12 the names of candidates that appear on the primary election ballot under  
13 AS 15.25.010, the director shall place on the general election ballot only the names of  
14 the candidates receiving the greatest number of votes and the second greatest number  
15 of votes for an office, except as provided in (b) and (c) of this section.

16 (b) If two candidates tie

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

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

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

26 (1) the greatest number of votes in the primary election, the name of  
27 either the candidate for lieutenant governor receiving the greatest number of votes or  
28 the candidate for lieutenant governor receiving the second greatest number of votes,  
29 whichever the candidate for governor chooses to run with jointly; and

30 (2) the second greatest number of votes in the primary election, the  
31 name of either the candidate for lieutenant governor receiving the greatest number of

1 votes or the candidate for lieutenant governor receiving the second greatest number of  
 2 votes, whichever was not chosen to run jointly with the candidate for governor who  
 3 received the greatest number of votes.

4 \* **Sec. 20.** AS 15.25.105(a) is amended to read:

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

10 (1) the full name of the candidate;

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

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

14 (4) the [NAME OF THE] political party or political group, **or**  
 15 **nonpartisan or undeclared designation, if any, that the candidate prefers** [OF  
 16 WHICH THE CANDIDATE IS A MEMBER, IF ANY];

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

19 (6) the office that the candidate seeks;

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

21 (8) the length of residency in the state and in the [HOUSE] district of  
 22 the candidate;

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

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

27 (11) that the candidate will meet the specific age requirements of the  
 28 office for which the person is a candidate; if the candidacy is for the office of state  
 29 representative, that the candidate will be at least 21 years of age on the first scheduled  
 30 day of the first regular session of the legislature convened after the election; if the  
 31 candidacy is for the office of state senator, that the candidate will be at least 25 years

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

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

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

12 \* **Sec. 21.** AS 15.25.105(b) is amended to read:

13 (b) If a write-in candidate is running for the office of governor, the candidate  
 14 must file a joint letter of intent together with a candidate for lieutenant governor.  
 15 [BOTH CANDIDATES MUST BE OF THE SAME POLITICAL PARTY OR  
 16 GROUP.]

17 \* **Sec. 22.** AS 15.40.140 is amended to read:

18 **Sec. 15.40.140. Condition and time of calling special election.** When a  
 19 vacancy occurs in the office of United States senator or United States representative,  
 20 the governor shall, by proclamation, call a special **primary** election to be held on a  
 21 date not less than 60, nor more than 90, days after the date the vacancy occurs, **to be**  
 22 **followed by a special election on the first Tuesday that is not a state holiday**  
 23 **occurring not less than 60 days after the special primary election.** However, if the  
 24 vacancy occurs on a date that is **not** less than 60, **nor more than 90** days before [OR  
 25 IS ON OR AFTER] the date, **in an election year in which a candidate for that**  
 26 **office is not regularly elected,** of

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

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

5 \* **Sec. 23.** AS 15.40.160 is amended to read:

6                   **Sec. 15.40.160. Proclamation.** The governor shall issue the proclamation  
 7                   **calling the special primary election and special election** at least 50 days before the  
 8                   **special primary** election.

9 \* **Sec. 24.** AS 15.40.190 is amended to read:

10                   **Sec. 15.40.190. Requirements of petition for [NO-PARTY] candidates.**  
 11                   Petitions for the nomination of candidates **must be executed under oath and** [NOT  
 12                   REPRESENTING A POLITICAL PARTY SHALL BE SIGNED BY QUALIFIED  
 13                   VOTERS OF THE STATE EQUAL IN NUMBER TO AT LEAST ONE PERCENT  
 14                   OF THE NUMBER OF VOTERS WHO CAST BALLOTS IN THE PRECEDING  
 15                   GENERAL ELECTION AND SHALL] state in substance that which is required for **a**  
 16                   **declaration of candidacy under AS 15.25.030** [NOMINATION PETITIONS BY  
 17                   AS 15.25.180].

18 \* **Sec. 25.** AS 15.40.220 is amended to read:

19                   **Sec. 15.40.220. General provisions for conduct of the special primary**  
 20                   **election and special election.** Unless specifically provided otherwise, all provisions  
 21                   regarding the conduct of the **primary election and** general election shall govern the  
 22                   conduct of the special **primary election and special** election of the United States  
 23                   senator or United States representative, including provisions concerning voter  
 24                   qualifications; provisions regarding the duties, powers, rights, and obligations of the  
 25                   director, of other election officials, and of municipalities; provision for notification of  
 26                   the election; provision for payment of election expenses; provisions regarding  
 27                   employees being allowed time from work to vote; provisions for the counting,  
 28                   reviewing, and certification of returns; provisions for the determination of the votes  
 29                   and of recounts, contests, and appeal; and provision for absentee voting.

30 \* **Sec. 26.** AS 15.40.230 is amended to read:

31                   **Sec. 15.40.230. Condition and time of calling special election.** When a

1 person appointed to succeed to the office of lieutenant governor succeeds to the office  
 2 of acting governor, the acting governor shall, by proclamation, call a special **primary**  
 3 election to be held on a date not less than 60, nor more than 90, days after the date the  
 4 vacancy in the office of the governor occurred **and a subsequent special election to**  
 5 **be held on the first Tuesday that is not a state holiday occurring not less than 60**  
 6 **days after the special primary election.** However, if the vacancy occurs on a date  
 7 that is less than 60 days before or is on or after the date of the primary election in  
 8 years in which a governor is regularly elected, the acting governor shall serve the  
 9 remainder of the unexpired term and may not call a special election.

10 \* **Sec. 27.** AS 15.40.240 is amended to read:

11 **Sec. 15.40.240. Conditions for holding special primary election and special**  
 12 **election with primary or general election.** If the vacancy occurs on a date not less  
 13 than 60, nor more than 90, days before the date of the primary election **in an election**  
 14 **year in which a governor is not regularly elected, the acting governor shall, by**  
 15 **proclamation, call the special primary election to be held on the date of the**  
 16 **primary election and the special election to be held on the date of the general**  
 17 **election,** [IN YEARS IN WHICH A GOVERNOR IS REGULARLY ELECTED] or,  
 18 if the vacancy occurs on a date not less than 60, nor more than 90, days before the date  
 19 of the [PRIMARY ELECTION OR] general election in election years in which a  
 20 governor is not regularly elected, the acting governor shall, by proclamation, call the  
 21 special **primary** election to be held on the date of the [PRIMARY ELECTION OR]  
 22 general election **with the subsequent special election to be held on the first**  
 23 **Tuesday that is not a state holiday occurring not less than 60 days after the**  
 24 **special primary and general election.**

25 \* **Sec. 28.** AS 15.40.250 is amended to read:

26 **Sec. 15.40.250. Proclamation of special election.** The acting governor shall  
 27 issue the proclamation **calling the special primary election and special election** at  
 28 least 50 days before the **special primary** election.

29 \* **Sec. 29.** AS 15.40.280 is amended to read:

30 **Sec. 15.40.280. Requirements of petition for [NO-PARTY] candidates.**  
 31 Petitions for the nomination of candidates **must** [NOT REPRESENTING A

1 POLITICAL PARTY SHALL BE SIGNED BY QUALIFIED VOTERS OF THE  
 2 STATE EQUAL IN NUMBER TO AT LEAST ONE PERCENT OF THE NUMBER  
 3 OF VOTERS WHO CAST BALLOTS IN THE PRECEDING GENERAL  
 4 ELECTION, SHALL INCLUDE NOMINEES FOR THE OFFICE OF GOVERNOR  
 5 AND LIEUTENANT GOVERNOR, AND SHALL] state in substance that which is  
 6 required for **a declaration of candidacy under AS 15.25.030** [NOMINATION  
 7 PETITIONS BY AS 15.25.180].

8 \* **Sec. 30.** AS 15.40.310 is amended to read:

9 **Sec. 15.40.310. General provisions for conduct of the special primary**  
 10 **election and special election.** Unless specifically provided otherwise, all provisions  
 11 regarding the conduct of the **primary and** general election shall govern the conduct of  
 12 the special **primary election and special** election of the governor and lieutenant  
 13 governor, including provisions concerning voter qualifications; provisions regarding  
 14 the duties, powers, rights, and obligations of the director, of other election officials,  
 15 and of municipalities; provision for notification of the election; provision for payment  
 16 of election expenses; provisions regarding employees being allowed time from work  
 17 to vote; provisions for the counting, reviewing, and certification of returns; provisions  
 18 for the determination of the votes and of recounts, contests, and appeal; and provision  
 19 for absentee voting.

20 \* **Sec. 31.** AS 15.40.330 is amended to read:

21 **Sec. 15.40.330. Qualification and confirmation of appointee.** (a) The  
 22 appointee shall meet the qualifications of a member of the legislature as prescribed in  
 23 sec. 2, art. II, of the state constitution, **and, if the predecessor in office was a**  
 24 **member of a political party or group at the time of the vacancy, (1)** shall be a  
 25 member of the same political party **or group** as [THAT WHICH NOMINATED] the  
 26 predecessor in office; [,] and **(2)** shall be subject to confirmation by a majority of the  
 27 members of the legislature who are members of the same political party **or group as**  
 28 [WHICH NOMINATED] the predecessor in office and of the same house as was the  
 29 predecessor in office. If the predecessor in office was not **a member of**  
 30 [NOMINATED BY] a political party or **group at the time of the vacancy or,** if no  
 31 other member of the predecessor's political party **or group** is a member of the

1 predecessor's house of the legislature, the governor may appoint any qualified person.  
 2 If the appointee is not a member of a political party **or group, as defined in (b) of this**  
 3 **section**, the appointment is not subject to confirmation. If the appointee is a member  
 4 of a political party **or group**, the appointment is subject to confirmation as provided  
 5 by **(b) of** this section for the confirmation of political party **or group** appointees.

6 (b) A member of a political party **or group** is a person who supports the  
 7 political program of a **political** party **or group**. The **absence of a stated political**  
 8 **party or group preference after a candidate's name on an election ballot** [FILING  
 9 FOR OFFICE OF A CANDIDATE AS AN INDEPENDENT OR NO-PARTY  
 10 CANDIDATE] does not preclude a candidate from being a member of a political party  
 11 **or group**. Recognition of **a** [AN INDEPENDENT OR NO-PARTY] candidate as a  
 12 member of a **political** party **or group** caucus of members of the legislature at the  
 13 legislative session following the election of the [INDEPENDENT OR NO-PARTY]  
 14 candidate is recognition of that person's **political** party **or group** membership **for the**  
 15 **purposes of confirmation under this section** [AT THE TIME FILINGS WERE  
 16 MADE BY PARTY CANDIDATES FOR THE PRECEDING GENERAL  
 17 ELECTION].

18 \* **Sec. 32.** AS 15.40.380 is amended to read:

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

25 \* **Sec. 33.** AS 15.40.390 is amended to read:

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

31 \* **Sec. 34.** AS 15.40.400 is amended to read:

1           **Sec. 15.40.400. Proclamation of special election.** The governor shall issue the  
 2           proclamation calling the **special primary election and** special election at least 50  
 3           days before the **special primary** election.

4           \* **Sec. 35.** AS 15.40.440 is amended to read:

5           **Sec. 15.40.440. Requirements of petition for [NO-PARTY] candidates.**

6           Petitions for the nomination of candidates [NOT REPRESENTING A POLITICAL  
 7           PARTY SHALL BE SIGNED BY QUALIFIED VOTERS EQUAL IN NUMBER TO  
 8           AT LEAST ONE PERCENT OF THE NUMBER OF VOTERS WHO CAST  
 9           BALLOTS IN THE PROPOSED NOMINEE'S RESPECTIVE HOUSE OR SENATE  
 10          DISTRICT IN THE PRECEDING GENERAL ELECTION. A NOMINATING  
 11          PETITION MAY NOT CONTAIN LESS THAN 50 SIGNATURES FOR ANY  
 12          DISTRICT,] and must state in substance that which is required in **a declaration of**  
 13          **candidacy under AS 15.25.030** [PETITIONS FOR NOMINATION BY  
 14          AS 15.25.180].

15          \* **Sec. 36.** AS 15.40.470 is amended to read:

16          **Sec. 15.40.470. General provision for conduct of the special primary**  
 17          **election and special election.** Unless specifically provided otherwise, all provisions  
 18          regarding the conduct of the **primary election and** general election shall govern the  
 19          conduct of the special **primary election and special** election of state senators,  
 20          including provisions concerning voter qualifications; provisions regarding the duties,  
 21          powers, rights, and obligations of the director, of other election officials, and of  
 22          municipalities; provision for notification of the election; provision for payment of  
 23          election expenses; provisions regarding employees being allowed time from work to  
 24          vote; provisions for the counting, reviewing, and certification of returns; provisions for  
 25          the determination of the votes and of recounts, contests, and appeal; and provision for  
 26          absentee voting.

27          \* **Sec. 37.** AS 15.58.020(a) is amended by adding a new paragraph to read:

28                         (13) the following statement written in bold in a conspicuous location:

29                         In each race, you may vote for any candidate listed. If a primary  
 30                         election was held for a state office, United States senator, or United  
 31                         States representative, the two candidates who received the most votes

1 for the office in the primary advanced to the general election.

2 Each candidate may state a political party or group that the  
3 candidate prefers. A candidate's stated preference for a political party  
4 or group on a ballot does not imply that the candidate is nominated or  
5 endorsed by the party or group or that the party or group approves of or  
6 associates with that candidate.

7 \* **Sec. 38.** AS 15.58.020 is amended by adding a new subsection to read:

8 (c) Notwithstanding (a) of this section, instead of the statement provided by  
9 (a)(13) of this section,

10 (1) a primary election pamphlet, if prepared and published under  
11 AS 15.58.010, must contain the following statement written in bold in a conspicuous  
12 location:

13 In each race, you may vote for any candidate listed. The two  
14 candidates who receive the most votes for a state office, United States  
15 senator, or United States representative will advance to the general  
16 election.

17 Each candidate may state a political party or group that the  
18 candidate prefers. A candidate's stated preference for a political party  
19 or group on a ballot does not imply that the candidate is nominated or  
20 endorsed by the party or group or that the party or group approves of or  
21 associates with that candidate;

22 (2) a special primary election pamphlet, if prepared and published  
23 under AS 15.58.010, must contain the following statement written in bold in a  
24 conspicuous location:

25 In each race, you may vote for any candidate listed. The two  
26 candidates who receive the most votes for a state office or United  
27 States senator will advance to the special election.

28 Each candidate may state a political party or group that the  
29 candidate prefers. A candidate's stated preference for a political party  
30 or group on a ballot does not imply that the candidate is nominated or  
31 endorsed by the party or group or that the party or group approves of or

1 associates with that candidate.

2 \* **Sec. 39.** AS 15.58.030(b) is amended to read:

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

14 \* **Sec. 40.** AS 15.80.008(a) is amended to read:

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

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

19 (2) [SUBMITS BYLAWS TO THE DIRECTOR AND THE UNITED  
 20 STATES DEPARTMENT OF JUSTICE AS REQUIRED OF POLITICAL PARTIES  
 21 IN AS 15.25.014; AND

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

23 \* **Sec. 41.** AS 15.80.010(25) is amended to read:

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

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

31 (B) if the office of governor was not on the ballot at the

1 preceding general election but the office of United States senator was on that  
 2 ballot, that [NOMINATED A CANDIDATE FOR UNITED STATES  
 3 SENATOR WHO RECEIVED AT LEAST THREE PERCENT OF THE  
 4 TOTAL VOTES CAST FOR UNITED STATES SENATOR AT THAT  
 5 GENERAL ELECTION OR] has registered voters in the state equal in number  
 6 to at least three percent of the total votes cast for United States senator at that  
 7 general election; or

8 (C) if neither the office of governor nor the office of United  
 9 States senator was on the ballot at the preceding general election, that  
 10 [NOMINATED A CANDIDATE FOR UNITED STATES  
 11 REPRESENTATIVE WHO RECEIVED AT LEAST THREE PERCENT OF  
 12 THE TOTAL VOTES CAST FOR UNITED STATES REPRESENTATIVE  
 13 AT THAT GENERAL ELECTION OR] has registered voters in the state equal  
 14 in number to at least three percent of the total votes cast for United States  
 15 representative at that general election;

16 \* **Sec. 42.** AS 39.50.020(b) is amended to read:

17 (b) A public official or former public official other than an elected or  
 18 appointed municipal officer shall file the statement with the Alaska Public Offices  
 19 Commission. Candidates for the office of governor and lieutenant governor and, if the  
 20 candidate is not subject to AS 24.60, the legislature shall file the statement under  
 21 AS 15.25.030 [OR 15.25.180]. Municipal officers, former municipal officers, and  
 22 candidates for elective municipal office, shall file with the municipal clerk or other  
 23 municipal official designated to receive their filing for office. All statements required  
 24 to be filed under this chapter are public records.

25 \* **Sec. 43.** AS 15.25.014, 15.25.056, 15.25.110, 15.25.120, 15.25.130, 15.25.140, 15.25.150,  
 26 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,  
 27 15.40.200, 15.40.210, 15.40.290, 15.40.300, 15.40.450, 15.40.460; AS 15.56.030(a)(4),  
 28 15.56.030(a)(5), and 15.56.035(a)(5) are repealed.

29 \* **Sec. 44.** The uncodified law of the State of Alaska is amended by adding a new section to  
 30 read:

31 TRANSITION; VOTER EDUCATION AS TO CHANGES MADE TO STATE

1 ELECTION SYSTEMS THROUGH ADOPTION OF A TOP TWO NONPARTISAN  
2 BLANKET PRIMARY. (a) For a period of not less than one full election cycle immediately  
3 following the effective date of this Act, the director of elections shall, in a manner reasonably  
4 calculated to educate the public, inform voters of the changes made to the state's election  
5 systems in this Act.

6 (b) In this section, "election cycle" means the 24-month period commencing on  
7 January 1 of odd-numbered years and ending on December 31 of even-numbered years.