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CS FOR SENATE BILL NO. 63(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/27/13

Referred: Finance

Sponsor(s): SENATOR FAIRCLOUGH

REPRESENTATIVES Millett, Johnson

A BILL

FOR AN ACT ENTITLED

1 **"An Act making contracts for the preparation of election ballots subject to the**
2 **provisions of the state procurement code."**

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

4 *** Section 1.** AS 15.15.030 is amended to read:

5 **Sec. 15.15.030. Preparation of official ballot.** The director shall prepare all
6 official ballots to facilitate fairness, simplicity, and clarity in the voting procedure, to
7 reflect most accurately the intent of the voter, and to expedite the administration of
8 elections. The following directives shall be followed when applicable:

9 (1) The director shall determine the size of the ballot, the type of print,
10 necessary additional instruction notes to voters, and other similar matters of form not
11 provided by law.

12 (2) The director shall number ballots in series to **ensure** [ASSURE]
13 simplicity and secrecy and to prevent fraud.

14 (3) The director **shall** [MAY CONTRACT FOR THE

1 PREPARATION OF THE BALLOTS ON A REGIONAL BASIS IF NECESSARY
2 AND MAY] contract for the preparation of ballots under AS 36.30 (State
3 Procurement Code) [WITHOUT OBTAINING COMPETITIVE BIDS] .

4 (4) The director may not include on the ballot as a part of a candidate's
5 name, any honorary or assumed title or prefix but may include in the candidate's name
6 any nickname or familiar form of a proper name of the candidate.

7 (5) The names of the candidates and their party designations shall be
8 placed in separate sections on the state general election ballot under the office
9 designation to which they were nominated. The party affiliation, if any, shall be
10 designated after the name of the candidate. The lieutenant governor and the governor
11 shall be included under the same section. Provision shall be made for voting for write-
12 in and no-party candidates within each section. Paper ballots for the state general
13 election shall be printed on white paper.

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

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

25 (8) The general or special election ballot shall be designed with the
26 title and proposition for any initiative, referendum, or constitutional amendment
27 formulated as prescribed by law and placed on the ballot in the manner prescribed by
28 the director. When placed on the ballot, a state ballot proposition or ballot question
29 shall carry the number that was assigned to the petition for the proposition or question.
30 Provision shall be made for marking the proposition "Yes" or "No."

31 (9) The general or special election ballot shall be designed with the

1 question of whether a constitutional convention shall be called placed on the ballot in
 2 the following manner: "Shall there be a constitutional convention?" Provision shall be
 3 made for marking the question "Yes" or "No."

4 (10) A nonpartisan ballot shall be designed for each judicial district in
 5 which a justice or judge is seeking retention in office. The ballot shall be divided into
 6 four parts. **Each** [AND EACH] part must bear a heading indicating the court to which
 7 the candidate is seeking approval, **and provision shall be made for marking each**
 8 **question "Yes" or "No."** [.] Within each part, the question of whether the justice or
 9 judge shall be approved or rejected shall be set out in substantially the following
 10 manner:

11 (A) "Shall be retained as justice of the supreme court
 12 for 10 years?";

13 (B) "Shall be retained as judge of the court of
 14 appeals for eight years?";

15 (C) "Shall be retained as judge of the superior court
 16 for six years?"; or

17 (D) "Shall be retained as judge of the district court for
 18 four years?" [PROVISION SHALL BE MADE FOR MARKING EACH
 19 QUESTION "YES" OR "NO."]

20 (11) When the legislature by law authorizes a state debt for capital
 21 improvements, the director shall place the question of whether the specific
 22 authorization shall be ratified by placing the ballot title and question on the next
 23 general election ballot, or on the special election ballot if a special election is held for
 24 the purpose of ratifying the state debt for capital improvements before the time of the
 25 next general election. Unless specifically provided otherwise in the Act authorizing
 26 the debt, the ballot title shall, by the use of a few words in a succinct manner, indicate
 27 the general subject of the Act. The question shall, by the use of a few sentences in a
 28 succinct manner, give a true and impartial summary of the Act authorizing the state
 29 debt. The question of whether state debt shall be contracted shall be assigned a letter
 30 of the alphabet on the ballot. Provision shall be made for marking the question
 31 substantially as follows:

1 "Bonds Yes" or "Bonds No,"
2 followed by an appropriate oval.

3 (12) The director may provide for the optical scanning of ballots where
4 the requisite equipment is available.

5 (13) The director may provide for voting by use of electronically
6 generated ballots by a voter who requests to use a machine that produces electronically
7 generated ballots.

8 * **Sec. 2.** AS 36.30.850(b)(7) is amended to read:

9 (7) contracts for the [PREPARATION AND] transportation of ballots
10 under AS 15;

11 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 **APPLICABILITY.** This Act applies to contracts for the preparation of ballots for
14 elections conducted on or after January 1, 2014.