

*Section*

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BY *Donald J. Prid*

1 IN THE HOUSE

2 HOUSE BILL NO. 5

3 IN THE LEGISLATURE OR THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to Territorial elections;  
7 amending Sections 38-4-1, ~~38-4-3~~, 38-4-5,  
8 and ~~38-4-8~~ ACLA 1949; and repealing  
9 Sections 38-3-1 to 38-3-6, inclusive,  
10 ACLA 1949."

11 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

12 Section 1. Section 38-4-1 ACLA 1949 is amended to read as  
13 follows:

14 Sec. 38-4-1. DECLARATION OF CANDIDACY: FORM AND  
15 CONTENTS. All candidates for the office of Delegate to  
16 Congress from Alaska, and all candidates for any other  
17 elective Territorial or divisional office (,) now existing  
18 or hereafter created by Act of the Congress of the United  
19 States or the Legislature of the Territory of Alaska, shall  
20 be nominated in a primary election by direct vote of the  
21 people in the following manner (;) :

22 Any person who is a member of a political party and  
23 desires to become a candidate of that party for any  
24 elective office shall, (ON OR BEFORE THE FIRST DAY OF  
25 FEBRUARY BEFORE THE DATE OF THE PRIMARY ELECTION) <sup>between</sup> ~~after the~~  
26 ~~the first day of February and last day of~~ ~~fifteenth day of March and not later than the fifteenth day~~  
27 ~~of April next preceding each primary election,~~ ~~make (,)~~  
28 under oath (,) and file ~~directly~~ <sup>or</sup> by mail, ~~but not by~~  
29 ~~telegraph,~~ a declaration of candidacy, which shall contain.

*and also file a copy of the same with the  
making of the original declaration on which  
said declaration is an affidavit*

1 the name, address and (VOTING PRECINCT) length of residency  
2 of the candidate in his precinct, judicial division, and  
3 Alaska, and a statement that he is a qualified (ELECTOR)  
4 voter in (SUCH PRECINCT) the division; that he is a member  
5 of the political party from which he seeks the nomination;  
6 that (,AT EACH PRIMARY ELECTION AT WHICH HE HAS VOTED  
7 DURING THE PRECEDING FOUR YEARS, HE HAS VOTED A BALLOT OF  
8 SUCH PARTY OR DECLARED HIS AFFILIATION TO SUCH PARTY AND  
9 WILL DECLARE HIS AFFILIATION TO SUCH PARTY AT THE COMING  
10 PRIMARY ELECTION AND INTENDS TO VOTE FOR A MAJORITY OF ITS  
11 NOMINEES AT THE GENERAL ELECTION WHICH FOLLOWS) in the  
12 preceding primary election his name did not appear on the  
13 ballot as a candidate of a different party; and that (,) if  
14 nominated and elected he will support the principles of  
15 (SUCH) the party (AS SET FORTH IN ITS LAST NATIONAL  
16 PLATFORM, AND ITS PLATFORM FOR ALASKA ADOPTED DURING THE  
17 PRECEDING TWO YEARS) he seeks to represent.

18 (SUCH) The declaration shall be in substantially the  
19 following form:

20 DECLARATION OF CANDIDACY

21 I, ....., (DO HEREBY) declare that I reside  
22 at....., in the (PRECINCT) city of.....  
23 (street and number).....Judicial Division, Territory of  
24 Alaska, and (AM A QUALIFIED ELECTOR THEREIN) receive my  
25 mail at.....; that  
26 (resident address, P. O. Box, or rural route)  
27 I have been a resident of Alaska and the.....Division  
28 during the two years next preceding the date of this  
29 declaration; that I am a member of the.....Party  
and have been recognized as such for at least six months

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prior to the filing of this declaration; and that my name  
did not appear on the ballot at the last primary election  
as a candidate of a different party. (IN EACH PRIMARY  
ELECTION AT WHICH I HAVE VOTED DURING THE PRECEDING FOUR  
YEARS I HAVE VOTED A ..... BALLOT, OR DECLARED MY  
AFFILIATION TO THAT PARTY, AND WILL DECLARE MY AFFILIATION  
TO SUCH PARTY AT THE COMING PRIMARY ELECTION AND INTEND TO  
VOTE FOR A MAJORITY OF ITS NOMINEES AT GENERAL ELECTION  
WHICH FOLLOWS:)

I (HEREBY) declare myself a candidate for nomination  
to the office of.....to be (MADE) voted on at the  
primary election to be held on the.....day of.....  
(IN THE YEAR) 19...., and (HEREBY) request that my name be  
printed upon the official primary ballot (, AS PROVIDED BY  
LAW,) as a candidate of the.....Party.

(I FURTHER DECLARE THAT, IF NOMINATED AND ELECTED, I  
WILL QUALIFY AS.....AND THAT I WILL SUPPORT AND  
ABIDE BY THE PRINCIPLES ENUMERATED BY THE.....PARTY  
IN ITS LAST NATIONAL AND TERRITORIAL PLATFORM/IN THIS  
TERRITORY ADOPTED DURING THE PRECEDING TWO YEARS.)

(I ACCOMPANY HERewith) Accompanying this declaration  
is the sum of \$....., the fee required by law of me  
for becoming (SUCH) a candidate.

(SIGNED THIS.....DAY OF.....19.....)

.....  
Signature of Candidate

Subscribed and sworn to before me this (, THE).....  
day of....., 19.....

Notary Public

(NOTHING CONTAINED HEREIN SHALL PREVENT ONE WHO HAS NOT VOTED AT ANY PRIMARY ELECTION DURING THE PRECEDING FOUR YEARS FROM BECOMING A CANDIDATE IN ANY PRIMARY ELECTION.)

Section 2. Section ~~38-4-3~~ ACILA 1949 is amended to read as follows:

~~Sec. 38-4-3. DATE ON WHICH ELECTION TO BE HELD. (THE FIRST PRIMARY ELECTION PROVIDED FOR IN THIS ACT SHALL BE HELD ON THE LAST TUESDAY IN APRIL IN THE YEAR 1920 AND SIMILARLY IN EVERY SECOND YEAR THEREAFTER.)~~ *delete*  
Nominating *entire*  
primary elections shall be held in each precinct on the *amendment*  
fourth Thursday of June in each even-numbered year  
beginning with 1954.

Section 3. Section 38-4-5 ACILA 1949 is amended to read as follows:

Sec. 38-4-5. APPLICATION OF LAWS GOVERNING GENERAL ELECTIONS: PAYMENT OF EXPENSES: CHARGES AND FEES: COMPENSATION OF JUDGES AND CLERKS. All the provisions of the laws of United States and the Territory of Alaska relating to the qualifications of voters and the notice and conduct of general elections, the counting of the ballots, and the preparation, transmission and canvassing of the returns, now in force or which may be hereafter enacted, shall govern the conduct of primary elections where applicable, except as hereinafter provided. It shall be the duty of all Clerks of the Court, United States Commissioners, City Councils, election judges, and other officials, to perform the same duties with reference to

1 primary elections as are now or hereafter may be imposed  
2 upon them with reference to general elections, except as  
3 otherwise provided by this Act. All expenses of the  
4 primary election shall be paid by the Territorial Treasurer  
5 upon vouchers approved by the Clerk of the Court of the  
6 Division in which the service is rendered, except as  
7 otherwise provided by this Act, and all charges and fees  
8 shall be the same as prescribed by law for the same  
9 expenses in general elections.

10 (PROVIDED; HOWEVER, THAT) In all precincts in the  
11 Territory of Alaska, the Judges and Clerks of Election  
12 shall receive a compensation of (FIFTEEN DOLLARS (\$15.00)  
13 PER DAY) \$1.25 per hour for time spent at their official  
14 duties, including the receiving of instructions.

15 Section 38-4-8 ACLA 1949 is amended to read as  
16 follows:

17 Sec. 38-4-8. CONDUCT OF VOTING: CHALLENGES. Every  
18 elector who offers to vote shall (GIVE) write in the  
19 registration or poll book in his own handwriting, unless  
20 prevented by physical disability, in which case he shall  
21 give to the judges of election orally, his name, place of  
22 residence and party (AFFILIATION) preference; (TO THE  
23 JUDGES OF ELECTION,) one of (WHOM) the judges shall then  
24 in an audible tone of voice announce the same, whereupon  
25 a challenge may be interposed in the manner provided by  
26 law. If no challenge be interposed or if the challenge  
27 oath be taken, one of the judges of election shall give  
28 him a ballot, at the same time calling to the other judges  
29 of election the number of (SUCH) the ballot.

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It shall be the duty of the clerks of election to transcribe the name of the voter and his party (AFFILIATION) preference in the duplicate registers. (AFTER MARKING THE BALLOT,) The voter shall mark and fold the ballot and hand it to one of the judges of election, who shall receive it (, AND IT SHALL BE BY HIM DEPOSITED) and deposit it in the (BOX FOR THE PROPER POLITICAL PARTY) proper ballot box. Section ~~5~~ Sections 38-3-1, 38-3-2, 38-3-3, 38-3-4, 38-3-5, and 38-3-6 ACLA 1949, are repealed.