

Introduced: 1/27/65
Referred: State Affairs
and Judiciary

1 IN THE HOUSE

BY MESSRS. STEVENS,
BOARDMAN AND HAUGEN

2 HOUSE BILL NO. 8

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act giving voters the right to vote for
7 candidates without regard to party affilia-
8 tion in primary elections."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 15.25.010 is repealed and re-enacted to read:

11 Sec. 15.25.010. PROVISION FOR PRIMARY ELECTION. Candi-
12 dates for the elective state executive and state and national
13 legislative offices shall be nominated in a primary election
14 by direct vote of the people in the manner prescribed by this
15 chapter.

16 * Sec. 2. AS 15.25.020 is amended to read:

17 Sec. 15.25.020. DATE OF PRIMARY. The [PARTY] primary
18 election [NOMINATION] is held on the Tuesday after the second
19 Monday in August in every even numbered year.

20 * Sec. 3. AS 15.25.030 is amended to read:

21 Sec. 15.25.030. [REQUIREMENTS OF] DECLARATION OF [PARTY]
22 CANDIDACY. A member of a political party who seeks to become
23 a candidate of the party in the primary election [NOMINATION]
24 shall execute and file a declaration of candidacy. The
25 declaration shall be executed under oath before an officer
26 authorized to take acknowledgments and shall state in sub-
27 stance: (1) the full name of the candidate and the manner
28 in which he wishes his name to appear on the ballot; (2) the
29 full resident address of the candidate; (3) the full mailing

1 address of the candidate; (4) if the candidacy is for the
2 office of state senator or state representative, the election
3 or senate district of which the candidate is a resident; (5)
4 the office for which the candidate seeks nomination; (6) the
5 name of the political party of which he is a candidate for
6 nomination; (7) the date of the primary election [NOMINA-
7 TION] at which the candidate declares himself to be a candi-
8 date; (8) that the candidate meets the specific residency
9 requirements of the office for which he is a candidate; (9)
10 that the candidate will meet the specific citizenship re-
11 quirements of the office for which he is a candidate; (10)
12 that the candidate is a qualified voter as required by law;
13 (11) that the candidate will meet the specific age require-
14 ments of the office for which he is a candidate; (12) that
15 the candidate if nominated and elected will support the
16 principles of the party he seeks to represent; (13) that the
17 candidate requests that his name be placed on the [PARTY]
18 primary election [NOMINATION] ballot; and (14) that the
19 required fee accompanies the declaration.

20 * Sec. 4. AS 15.25.060 is repealed and re-enacted to read:

21 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS.
22 The primary election ballot shall be prepared and distributed
23 by the secretary of state in the manner prescribed for general
24 election ballots except as specifically provided otherwise
25 for the primary election. The secretary of state shall place
26 the names of all candidates who have properly filed in groups
27 according to offices filed for, without regard to party af-
28 filiation. The names for each office shall be rotated as
29 provided for the general election ballot. No blank spaces

1 shall be provided on the ballot for the writing or pasting in
2 of names.

3 * Sec. 5. AS 15.25.070[✓] is repealed and re-enacted to read:

4 Sec. 15.25.070. SPECIAL PROVISIONS ON COUNTING BALLOTS.

5 No voter may vote for a person whose name is not on the
6 ballot. Votes cast for a person whose name is not on the
7 ballot shall not be counted, but writing in a candidate's
8 name does not invalidate the entire ballot.

9 * Sec. 6. AS 15.25.080[✓] is repealed.

10 * Sec. 7. AS 15.25.090[✓] is amended to read:

11 Sec. 15.25.090. GENERAL PROCEDURE FOR CONDUCT OF
12 PRIMARY ELECTION [NOMINATION]. Unless specifically provided
13 otherwise, all provisions regarding the conduct of the general
14 election shall govern the conduct of the [PARTY] primary
15 election [NOMINATION], including, but not limited to, pro-
16 visions concerning voter qualification; provisions regarding
17 the duties, powers, rights, and obligations of the secretary
18 of state, of other election officials, and of cities and
19 organized boroughs; provision for notification of the elec-
20 tion; provisions regarding payment of election expenses; pro-
21 visions regarding employees being allowed time from work to
22 vote; provisions for the counting, canvassing, and certifica-
23 tion of returns; provisions for the determination of tie votes
24 and of recount, contests and appeal; and provisions for ab-
25 sentee voting and the use of voting machines.

26 * Sec. 8. AS 15.25.110 is amended to read:

27 Sec. 15.25.110[✓]. FILLING VACANCIES BY PARTY PETITION.

28 If a candidate nominated at the [PARTY] primary election
29 [NOMINATION] dies, withdraws, resigns, becomes disqualified

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from holding office for which he is nominated, or is certified as being incapacitated in the manner prescribed by this section after the primary election [NOMINATION] and 10 days or more before the general election, the vacancy may be filled by party petition. The central committee of any political party or any party district committee may certify as being incapacitated any candidate nominated by their respective party by presenting to the secretary of state a sworn statement made by a panel of three licensed physicians, not more than two of whom shall be of the same political party, that the candidate is physically or mentally incapacitated to an extent that would in his judgment prevent the candidate from active service during the term of office if elected. The secretary of state shall place the name of the person nominated by party petition on the general election ballot or, if the general election ballot has been prepared, the secretary of state or the election officials directed by the secretary of state shall prepare, print, and distribute a sufficient number of gummed labels or stickers bearing the name of the candidate to fill the vacancy to each voting precinct with instructions that the election judges shall place one of the stickers or labels on the appropriate place on each ballot before the ballot is handed to the voter. The name of a candidate disqualified under this section shall not appear on the general election ballot.