

1 IN THE SENATE

BY PETER AND BEGICH

2 SENATE BILL NO. 238

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the naming of candidates
7 for primary nomination by party petition;
8 and providing for an effective date."

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

10 * Section 1. AS 15.25.040(a) is amended to read:

11 (a) Except as provided in sec. 56 of this chapter, the
12 [THE] declaration is filed by either

13 (1) the actual physical delivery of the declara-
14 tion by mail or in person at or before 5:00 p.m., Alaska
15 Standard time, May 1 of the year in which a general election
16 is held for the office, or

17 (2) the actual physical delivery by telegram of a
18 copy in substance of the statements made in the declaration
19 at or before 5:00 p.m., Alaska Standard time, May 1 of the
20 year in which a general election is held for the office, and
21 also the actual physical delivery of the original declaration
22 postmarked at or before 5:00 p.m., Alaska Standard time, May
23 1 of the year in which a general election is held for the
24 office.

25 * Sec. 2. AS 15.25 is amended by adding a new section to read:

26 Sec. 15.25.056. CANDIDACY FOR PRIMARY NOMINATION BY
27 PARTY PETITION. (a) If an incumbent candidate for renomina-
28 tion dies, becomes disqualified from holding the office he is
29 seeking, or is certified as being incapacitated between

1 May 1 of the election year and that date which is 15 days
2 before the date of the party primary nomination, his place on
3 the ballot may be filled by party petition. The petition
4 shall state that the political party requests the name of the
5 proposed candidate replace that of the incumbent on the
6 primary nomination ballot and shall be accompanied by a
7 declaration of candidacy from the person named in the peti-
8 tion. The petition must be received by the secretary of
9 state no later than 14 days after the death, disqualification
10 or certification of incapacity of the incumbent or 10 days
11 before the party primary nomination date, whichever time is
12 earlier.

13 (b) The method for certifying an incumbent candidate
14 for nomination as being incapacitated, the method for select-
15 ing the person who is to be named in the party petition, and
16 the method for placing the name of the person selected on
17 the primary nomination ballot are the same as those
18 prescribed in secs. 110 and 130 of this chapter relating to
19 filling vacancies of party nominees in a general election.

20 * Sec. 3. This Act takes effect on the day after its passage
21 and approval or on the day it becomes law without such approval.

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