

Introduced: 3/4/67
Referred: State Affairs
and Finance

1 IN THE HOUSE

BY STEVENS AND KERTTULA

2 SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 136

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for a presidential primary nomina-
7 tion."

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

9 * Section 1. AS 15.25.020 is repealed and re-enacted to read:

10 Sec. 15.25.020. DATE OF PRIMARY. The primary election is held
11 on the second Tuesday in May in each even-numbered year.

12 * Sec. 2. AS 15.25 is amended by adding new sections to read:

13 ARTICLE 3. PRESIDENTIAL PRIMARY NOMINATIONS.

14 Sec. 15.25.220. PRESIDENTIAL PRIMARY NOMINATION. On the date of
15 the primary election, each political party shall express a preference
16 for a presidential candidate and shall select delegates to attend the
17 party's national convention.

18 Sec. 15.25.230. ELECTION OF DELEGATES TO NATIONAL CONVENTIONS.

19 As soon as possible after the national committees of the major political
20 parties issue their official calls for national nominating conventions,
21 the secretary of state shall ascertain from the proper officials of
22 the committees the number of delegates allotted to the State of Alaska.
23 In addition to the automatic delegates provided for in sec. 240 of
24 this chapter, one of the allotted delegates shall be elected from each
25 senatorial district or combinations thereof as established by the
26 secretary of state in accord with the apportionment of the house of
27 representatives, and the remainder, after deducting from the total
28 number the automatic delegates and those to be elected from the
29 senatorial districts, shall be elected from the state at large. In

1 the arrangement of the official ballots for the primary election, the
2 secretary of state shall provide for the election of one delegate from
3 each senatorial district or combinations thereof as he has established
4 and the remainder from the state at large.

5 **Sec. 15.25.240. PERSONS AUTOMATICALLY DESIGNATED AS DELEGATES.**
6 The secretary of state shall designate as delegates to the convention
7 of the party to which each represents to each political convention the
8 governor, secretary of state, the United States senators and the
9 congressman from Alaska unless the individual incumbent notifies the
10 secretary of state in writing that he does not choose to act as a
11 delegate to his party's convention not later than 90 days before the
12 primary nomination.

13 **Sec. 15.25.250. VOTERS EXPRESS PREFERENCE FOR DELEGATES.** Every
14 registered elector of a major political party may vote his preference
15 on the official nominating ballot for one delegate from the senatorial
16 district or combination thereof as established by the secretary of
17 state in which he resides and for as many delegates as are to be
18 elected at large. A plurality vote shall be sufficient to elect a
19 delegate to any national convention, and the allotted number of
20 candidates receiving the highest number of votes shall be chosen in
21 each senatorial district or combinations thereof as established by
22 the secretary of state and in the state at large.

23 **Sec. 15.25.260. PREPARATION OF BALLOT.** The secretary of state
24 shall prepare separate ballots for each political party. The ballot
25 for a party shall be headed with the name of the party and shall have
26 as many columns as there are presidential candidates named in the
27 declarations for delegate for that party. Each column shall be headed
28 with the name of a presidential candidate, in block letters, followed
29 by the names, in upper and lower case, of all candidates for delegate

1 who state in properly filed declarations that if selected they will
2 support that presidential candidate at the national convention.

3 **Sec. 15.25.270. ALTERNATE DELEGATES.** (a) A delegate elected as
4 provided in secs. 240 - 260 of this chapter shall, not later than 35
5 days following his election, file with the secretary of state the name
6 and address of an alternate delegate to the national convention to
7 serve in his absence.

8 (b) Alternate delegates appointed, as provided in subsection (a)
9 of this section, shall be bound to the same pledge as subscribed to by
10 the delegate in sec. 290(b) of this chapter.

11 (c) Alternate delegates to national conventions shall be appointed
12 as provided in sec. 280 of this chapter.

13 **Sec. 15.25.280. VACANCY IN OFFICE OF DELEGATE OR ALTERNATE.**
14 Should a vacancy occur in the office of delegate or alternate delegate,
15 the remaining delegates shall fill the vacancy.

16 **Sec. 15.25.290. REQUIREMENTS OF DECLARATION OF CANDIDACY.** (a) A
17 member of a political party who seeks to become a delegate of the party
18 to the party's national convention shall execute and file a declaration
19 of candidacy. The declaration shall be executed under oath before an
20 officer authorized to take acknowledgments and shall state in substance

21 (1) the full name of the candidate and the manner in which
22 he wishes his name to appear on the ballot;

23 (2) the full residence address of the candidate;

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

25 (4) the name of the political party for which the candidate
26 seeks to be a delegate;

27 (5) the name of the presidential candidate the candidate
28 intends to support for the presidential nomination at the national
29 convention if he is selected;

1 (6) that the candidate voted as a member of the political
2 party for which he seeks to be a delegate at the preceding party primary
3 nomination;

4 (7) that the candidate requests that his name be placed on
5 the presidential primary nomination ballot;

6 (8) that the required fee accompanies the declaration.

7 (b) The declaration of a candidate for election as delegate to
8 a national party convention shall include a pledge that the candidate,
9 if elected, will use his best efforts at the convention for the
10 candidate of his party for office of President of the United States who
11 receives the highest number of votes at the primary election until the
12 candidate for President of the United States is nominated by the
13 convention, receives less than 35 per cent of the votes for nomination
14 by the convention or releases the delegation from his pledge or until
15 two convention nominating ballots have been taken.

16 Sec. 15.25.300. MANNER AND DATE OF FILING DECLARATION. (a) To
17 be effective, the declaration must be filed by either

18 (1) the actual physical delivery of the declaration by mail
19 or in person at or before 5:00 p.m., February 15 of the year in which
20 the presidential primary nomination is held; or

21 (2) the actual physical delivery by telegram of a copy in
22 substance of the statements made in the declaration at or before 5:00
23 p.m., February 15 of the year in which the presidential primary nomina-
24 tion is held and also the actual physical delivery of the original
25 declaration postmarked at or before 5:00 p.m., February 15 of the year
26 in which the presidential primary nomination is held.

27 (b) If February 15 is a Sunday or holiday, the declaration may
28 be filed at or before 5:00 p.m. of the following day.

29 Sec. 15.25.310. PROCEDURES FOR PRESIDENTIAL PRIMARY NOMINATION.

1 The provisions of the Election Code (AS 15) for a general election
2 apply to a presidential primary nomination, except to the extent to
3 which the provisions of secs. 220 - 320 of this chapter vary those
4 provisions.

5 Sec. 15.25.320. DEFINITIONS. In this chapter

- 6 (1) "delegate" includes half-delegate;
7 (2) "alternate delegate" includes alternate half-delegate;
8 (3) "major political party" means an affiliation of electors
9 representing a political party or organization which polled for its
10 candidates for presidential electors, at the last general election, at
11 least 20 per cent of the entire vote cast for that office.
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