

1 IN THE SENATE

BY ZIEGLER

2 SENATE BILL NO. 1

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act giving voters the right to vote for candi-  
7 dates without regard to party affiliation in primary  
8 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 AS 15.25.010 is repealed and re-enacted to read: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. Candidates for  
12 the elective state executive and state and national legislative  
13 offices shall be nominated in a primary election by direct vote of the  
14 people in the manner prescribed by this chapter.

15 \* Sec. 2. AS 15.25.020 is amended to read:

16 Sec. 15.25.020. DATE OF PRIMARY. The [PARTY] primary election  
17 [NOMINATION] is held on the fourth Tuesday in August of every even  
18 numbered year.

19 \* Sec. 3. AS 15.25.030 is amended to read:

20 Sec. 15.25.030. [REQUIREMENTS OF] DECLARATION OF [PARTY]  
21 CANDIDACY. A member of a political party who seeks to become a candi-  
22 date of the party in the primary election [NOMINATION] shall execute  
23 and file a declaration of candidacy. The declaration shall be executed  
24 under oath before an officer authorized to take acknowledgments and  
25 shall state in substance: (1) the full name of the candidate and the  
26 manner in which he wishes his name to appear on the ballot; (2) the  
27 full resident address of the candidate; (3) the full mailing address  
28 of the candidate; (4) if the candidacy is for the office of state  
29 senator or state representative, the election or senate district of

1 which the candidate is a resident; (5) the office for which the  
2 candidate seeks nomination; (6) the name of the political party of  
3 which he is a candidate for nomination; (7) the date of the primary  
4 election [NOMINATION] at which the candidate declares himself to be a  
5 candidate; (8) that the candidate meets the specific residency re-  
6 quirements of the office for which he is a candidate; (9) that the  
7 candidate will meet the specific citizenship requirements of the  
8 office for which he is a candidate; (10) that the candidate is a  
9 qualified voter as required by law; (11) that the candidate will  
10 meet the specific age requirements of the office for which he is a  
11 candidate; (12) that the candidate if nominated and elected will  
12 support the principles of the party he seeks to represent; (13) that  
13 the candidate requests that his name be placed on the [PARTY] primary  
14 election [NOMINATION] ballot; (14) that the required fee accompanies  
15 the declaration; and (15) that he is not a candidate for any other  
16 office to be voted upon at the primary election [NOMINATION].

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

18       Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The  
19 primary election ballot shall be prepared and distributed by the  
20 secretary of state in the manner prescribed for general election bal-  
21 lots except as specifically provided otherwise for the primary  
22 election. The secretary of state shall place the names of all candi-  
23 dates who have properly filed in groups according to offices filed for,  
24 without regard to party affiliation. The names for each office shall  
25 be rotated as provided for the general election ballot. No blank  
26 spaces shall be provided on the ballot for the writing or pasting in  
27 of names.

28 \* Sec. 5. AS 15.25.070 is repealed and re-enacted to read:

29       Sec. 15.25.070. SPECIAL PROVISIONS ON COUNTING BALLOTS. No

1 voter may vote for a person whose name is not on the ballot. Votes  
2 cast for a person whose name is not on the ballot shall not be counted,  
3 but writing in a candidate's name does not invalidate the entire  
4 ballot.

5 \* Sec. 6. AS 15.25.080 is repealed.

6 \* Sec. 7. AS 15.25.090 is amended to read:

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

20 \* Sec. 8. AS 15.25.110 is amended to read:

21       Sec. 15.25.110. FILLING VACANCIES BY PARTY PETITION. If a  
22 candidate nominated at the [PARTY] primary election [NOMINATION] dies,  
23 withdraws, resigns, becomes disqualified from holding office for which  
24 he is nominated, or is certified as being incapacitated in the manner  
25 prescribed by this section after the primary election [NOMINATION] and  
26 10 days or more before the general election, the vacancy may be filled  
27 by party petition. The central committee of any political party or  
28 any party district committee may certify as being incapacitated any  
29 candidate nominated by their respective party by presenting to the

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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.