

1 IN THE SENATE

BY MILLER

2 SENATE BILL NO. 308

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Alaska Public Offices Commission;
7 prescribing its organization, powers and duties; and
8 providing for an effective date."

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

10 * Section 1. AS 15.13.020 is amended to read:

11 Sec. 15.13.020. ALASKA PUBLIC OFFICES [ELECTION CAMPAIGN] COMMIS-
12 SION. (a) There is created in the office of the lieutenant governor the
13 Alaska Public Offices [ELECTION CAMPAIGN] Commission.

14 (b) The commission consists of the lieutenant governor, who shall
15 be chairman, and four members who shall be appointed as follows: each
16 political party whose nominee for governor at the most recent general
17 election at which a governor was elected received at least 10 per cent of
18 the total vote cast for that office shall appoint two members of the com-
19 mission who are subject to confirmation by the legislature in joint
20 session. [THE GOVERNOR SHALL APPOINT TWO MEMBERS OF EACH OF THE TWO
21 POLITICAL PARTIES WHOSE CANDIDATE FOR GOVERNOR RECEIVED THE HIGHEST
22 NUMBER OF VOTES IN THE MOST RECENT PRECEDING GENERAL ELECTION AT WHICH A
23 GOVERNOR WAS ELECTED. THE TWO APPOINTEES FROM EACH OF THESE TWO PARTIES
24 SHALL BE CHOSEN FROM A LIST OF FOUR NAMES TO BE SUBMITTED BY THE CENTRAL
25 COMMITTEE OF EACH PARTY.

26 (c) THE FOUR MEMBERS SELECTED UNDER (b) OF THIS SECTION SHALL, BY
27 A MAJORITY VOTE, APPOINT THE REMAINING MEMBER OF THE COMMISSION.]

28 (d) The term of each member appointed under (b) of this section
29 shall be four years, and no appointed [. NO] member of the commission

1 may serve more than one term.

2 (e) Except for the lieutenant governor, no [NO] member of the
3 commission, during tenure, may

4 (1) hold or campaign for elective office;

5 (2) be an officer of a political party or political committee;

6 (3) permit his name to be used, or make any contributions, in
7 support of or in apposition to a candidate;

8 (4) participate in any way in an election campaign; or

9 (5) lobby, employ or assist a lobbyist.

10 (f) Appointed members [MEMBERS] of the commission shall receive
11 compensation of \$100 a day while attending commission meetings and all
12 commission members are [SHALL BE] entitled to necessary travel expenses
13 and per diem as may be authorized by law for boards and commissions.

14 (g) [THE MEMBERS SHALL ELECT A CHAIRMAN.] Three members of the
15 commission constitutes a quorum. A vacancy does not impair the powers of
16 the remaining members to exercise all of the powers of the commission.

17 (h) Vacancy among the appointed members of [ON] the commission
18 shall be filled by the [APPROPRIATE] appointing authority [OFFICER] with-
19 in 30 days of the occurrence of the vacancy. The appointee shall serve
20 for the remaining term of his predecessor.

21 (i) The commission may employ an executive director and other
22 employees it considers necessary. However, the director of elections
23 appointed by the commission under AS 15.15.010(b) may serve as executive
24 director, exofficio, if the commission so prescribes. Neither the
25 executive director nor an employee may have a vote.

26 (j) the commission may [SHALL] establish in each senate district in
27 the state an office to receive reports and statements required to be
28 filed with it; however, where one municipality contains more than one
29 election district, only one commission office shall be established in

1 that municipality. The commission shall make every effort to insure
2 that all reports are forwarded to its [THE CENTRAL] office promptly.

3 * Sec. 2. AS 15.13.030(10) is amended to read:

4 (10) adopt regulations necessary to implement [EFFECTUATE] and
5 clarify the provisions of this chapter, subject to the provisions of the
6 Administrative Procedure Act (AS 44.62); [.]

7 * Sec. 3. AS 15.13.030 is amended by adding a new paragraph to read:

8 (11) prescribe its own rules of procedure; however,

9 (A) a quorum is a majority of the members of the commis-
10 sion;

11 (B) the votes of the commission members shall be re-
12 corded, and effective action requires the affirmative vote of a
13 majority of the commission members present; and

14 (C) no commission member may, with respect to a matter
15 before the commission, vote for or on behalf of, or in any way
16 exercise the vote of, another member of the commission.

17 * Sec. 4. AS 15.05.020(10) is amended to read:

18 (10) The address of a voter as it appears on his official voter
19 registration card is presumptive evidence of the person's voting resi-
20 dence. If the person has changed his voting residence, this presumption
21 is negated only by the voter executing an affidavit on a form prepared by
22 the director of elections [LIEUTENANT GOVERNOR] setting out his new
23 voting residence.

24 * Sec. 5. AS 15.07.070 is amended to read:

25 Sec. 15.07.070. PROCEDURE FOR REGISTRATION. (a) The Alaska
26 Public Offices Commission [LIEUTENANT GOVERNOR] shall promulgate [RULES
27 AND] regulations consistent with the provisions of this section to enable
28 voters to register.

29 (b) To register by mail the director of elections [LIEUTENANT

1 GOVERNOR] or the area election supervisor shall furnish, upon request,
2 and at no cost to the voter, forms prepared by the director [LIEUTENANT
3 GOVERNOR] on which the registration information required under sec. 60
4 of this chapter shall be inserted by the voter, or by a person on behalf
5 of the voter if he is physically incapacitated. The forms shall be
6 executed before two Alaska residents if the person registering is in the
7 state. If the person is outside the state, the forms shall be executed
8 before a person qualified to administer oaths. Upon receipt and approval
9 of the completed registration forms the director of elections [LIEUTENANT
10 GOVERNOR] or the election supervisor shall forward to the voter an
11 acknowledgment in the form of a registraton card, and his name shall im-
12 mediately be placed on the master register located in the office of the
13 director of elections [LIEUTENANT GOVERNOR] and on the district register
14 located in the office of the district election supervisor. If the
15 registration is denied, the voter shall immediately be informed in
16 writing by certified or registered letter that registration was denied
17 and the reason for denial.

18 (c) All applications for registration by mail shall be postmarked
19 at least 30 days before the next ensuing primary or general election. An
20 application to register which was not postmarked before the 30-day re-
21 quirement shall not be considered to be invalid, but shall be considered
22 by the director of elections [LIEUTENANT GOVERNOR] as an application by
23 the voter to be registered to vote in the next subsequent primary or
24 general election and to remain on the master register thereafter.

25 (d) Qualified voters may register in person before a registration
26 official at any time throughout the year [AFTER DECEMBER 21, 1968],
27 except that no registration may be made within 14 days preceding an
28 election. Upon receipt and approval of the registration forms the
29 director of elections [LIEUTENANT GOVERNOR] or the election supervisor

1 shall forward to the voter an acknowledgment in the form of a registra-
2 tion card and his name shall immediately be placed on the master register
3 located in the office of the director of elections [LIEUTENANT GOVERNOR]
4 and on the district register located in the office of the district
5 election supervisor.

6 * Sec. 6. AS 15.07.090(c) is amended to read:

7 (c) The director of elections [LIEUTENANT GOVERNOR] shall transfer
8 the registration of a voter from one precinct to another within an
9 election district, or from one election district to another, when re-
10 quested by the voter. The request shall be made 30 days or more [DAYS]
11 before the election day. [THE LIEUTENANT GOVERNOR SHALL TRANSFER THE
12 REGISTRATION OF A VOTER FROM ONE ELECTION DISTRICT TO ANOTHER WHEN RE-
13 QUESTED BY THE VOTER.] The voter must reside in his new election dis-
14 trict for at least 30 days in order to vote. However, a voter who has
15 failed to obtain a transfer from one precinct to another or from one
16 election district to another may vote a "questioned ballot" in the pre-
17 inct in the election district where he resides on the election day.

18 * Sec. 7. AS 15.07.090(d) is amended to read:

19 (d) A person who claims he is a registered voter, but for whom no
20 evidence of registration in the precinct can be found, shall be granted
21 the right to vote in the same manner as that of a questioned voter and
22 his ballot shall be treated in the same manner. The ballot shall be con-
23 sidered to be a "questioned ballot" and shall be so designated. The
24 director of elections [LIEUTENANT GOVERNOR] or his representative shall
25 determine whether the voter is registered in the state [ELECTION DIS-
26 TRICT] before counting the ballot. [A VOTER WHO HAS FAILED TO OBTAIN A
27 TRANSFER AS PROVIDED IN (c) OF THIS SECTION MAY VOTE IN THE PRECINCT
28 WHERE REGISTERED OR HE MAY VOTE A "QUESTIONED BALLOT" IN HIS PRECINCT OF
29 RESIDENCE.]

1 * Sec. 8. AS 15.07.100 is amended to read:

2 Sec. 15. 07.100. REGISTRATION OFFICIALS. The director of elections
3 [LIEUTENANT GOVERNOR] shall appoint one or more registration officials in
4 each precinct. When more than one registration official is appointed to
5 serve in a precinct, each major political party shall be represented.
6 However, any precinct containing more than 250 voters must have at least
7 two registration officials, one from each major political party.

8 * Sec. 9. AS 15.07.120 is amended to read:

9 Sec. 15.07.120. CUSTODY OF REGISTERS. A master register shall at
10 all times remain in the custody of the Alaska Public Offices Commission
11 and the director of elections [LIEUTENANT GOVERNOR]. The area election
12 supervisor shall likewise maintain a register of all voters within the
13 precincts of the area election district he supervises.

14 * Sec. 10. AS 15.07.130(b) is amended to read:

15 (b) When a registered voter has not voted in either a primary or
16 general election at least once in two [FOUR] consecutive calendar years,
17 the voter shall be advised by mail sent to his last known address that
18 his registration will be cancelled unless he indicates within 90 days on
19 forms furnished by the director of elections [LIEUTENANT GOVERNOR] his
20 desire to remain registered. If an election board in a precinct does not
21 receive the required election materials under AS 15.15.050 to enable the
22 board to conduct the election and the registered voters in that precinct
23 to cast their ballots either in person or by absentee ballot, that pri-
24 mary or general election may not be counted as one in which a registered
25 voter has failed to vote.

26 * Sec. 11. AS 15.07.130(c) is amended to read:

27 (c) The director of elections [LIEUTENANT GOVERNOR] shall obtain
28 from the office of vital statistics death certificates and presumptive
29 death certificates for all residents over 18 years of age who have died

1 or who have been presumptively declared dead. The director of elections
2 [LIEUTENANT GOVERNOR] shall cancel the registration of all deceased
3 voters.

4 * Sec. 12. AS 15.07.140 is amended to read:

5 Sec. 15.07.140. GENERAL ADMINISTRATIVE SUPERVISION BY DIRECTOR OF
6 ELECTIONS [LIEUTENANT GOVERNOR]. The director of elections under the
7 direction of the Alaska Public Offices Commission created under AS 15.-
8 13.020 [LIEUTENANT GOVERNOR] shall provide general administrative super-
9 vision over the registration and re-registration of voters. The Commis-
10 sion shall promulgate [AND MAY ISSUE] regulations under the Administra-
11 tive Procedure Act (AS 44.62) necessary to protect the interest of the
12 voter and assure administrative efficiency; however, the commission
13 [LIEUTENANT GOVERNOR] may not issue or promulgate administrative regula-
14 tions which are inconsistent with the provisions of this chapter. The
15 director of elections [LIEUTENANT- GOVERNOR] shall, no later than 40 days
16 before any primary or general election, arrange to have the list of
17 registered voters of the precinct publicly displayed in the precinct.
18 The director of elections [LIEUTENANT GOVERNOR] shall instruct registra-
19 tion officials to post the list of registered voters in a number of loca-
20 tions calculated to obtain maximum recognition. Upon request by the
21 mayor or city manager of a municipality or a borough chairman the
22 director of elections [LIEUTENANT GOVERNOR] shall furnish registration
23 information for all precincts all or part of which are within the bound-
24 aries of the local governmental unit.

25 * Sec. 13. AS 15.07.200 is amended to read:

26 Sec. 15.07.200. REGISTRATION SUPERVISION. The registration pro-
27 gram is under the supervision of the director of elections [LIEUTENANT
28 GOVERNOR] in accordance with AS 15.10.110.

29 * Sec. 14. AS 15.10.020 is amended to read:

1 Sec. 15.10.020. PRECINCT BOUNDARIES AND POLLING PLACES MODIFIED
2 BY COMMISSION [LIEUTENANT GOVERNOR]. The Alaska Public Offices Commis-
3 sion [LIEUTENANT GOVERNOR] shall have the exclusive power to modify the
4 boundary of a precinct and to establish or abolish a precinct and polling
5 place in the state by rules adopted under the Administrative Procedure
6 Act (AS 44.62).

7 * Sec. 15. AS 15.10.030 is amended to read:

8 Sec. 15.10.030. UNIFORM PRECINCT BOUNDARIES REQUIRED FOR STATE AND
9 LOCAL ELECTIONS. The precinct boundaries established by the Alaska
10 Public Offices Commission [LIEUTENANT GOVERNOR] shall be the boundaries
11 for both state and local elections. The commission [LIEUTENANT GOVERNOR]
12 by regulation in accordance with [PURSUANT TO] the provisions of the
13 Administrative Procedure Act (AS 44.62) may authorize the combining,
14 consolidation, or altering of precinct boundaries for local elections.

15 * Sec. 16. AS 15.10.110 is amended to read:

16 Sec. 15.10.110. APPOINTMENT OF ELECTION SUPERVISORS. The director
17 of elections [LIEUTENANT GOVERNOR] shall appoint election supervisors
18 subject to the approval of the commission, including one in each of the
19 municipalities of Juneau, Anchorage, Fairbanks and Nome, to assist in the
20 administration of elections in the election districts designated by the
21 Alaska Public Offices Commission [LIEUTENANT GOVERNOR]. The director
22 [LIEUTENANT GOVERNOR] may appoint as an election supervisor a person who
23 is a qualified voter in the area over which he has jurisdiction and who
24 does not hold an office in a political party. An election supervisor is
25 entitled to receive compensation in an amount that is comparable to that
26 received for similar state employment as determined by the commission
27 [LIEUTENANT GOVERNOR].

28 * Sec. 17. AS 15.10.170 is amended to read:

29 Sec. 15.10.170. APPOINTMENT AND PRIVILEGES OF WATCHERS. The pre-

1 cinct party committee, where an organized precinct committee exists, or
2 the district party committee where no organized precinct committee
3 exists, may appoint one or more persons as watchers in each precinct for
4 any election. Each candidate not representing a political party may
5 appoint one or more watchers for each precinct in his respective district
6 of the state for any election. Any organization or organized group that
7 sponsors or opposes an initiative, referendum or recall may have one or
8 more persons as watchers at the polls after first obtaining authorization
9 from the lieutenant governor. No precinct party committee, no district
10 party committee or candidate not representing a political party or organ-
11 ization or organized group may have more than one watcher on duty at a
12 time in any precinct. The watcher may be present at a position inside
13 the place of voting which affords a full view of all action of the elec-
14 tion board taken from the time the polls are open until the ballots are
15 finally counted and the result certified by the election board. The
16 election board may require each watcher to present a certificate showing
17 that he is the watcher appointed by the precinct party committee, the
18 district party committee, the organization or organized group or the
19 candidate he represents and signed by the chairman of the precinct party
20 committee, the district party committee, the organization or organized
21 group or the candidate representing no party. The Public Offices Commis-
22 sion [LIEUTENANT GOVERNOR] may prescribe regulations governing the con-
23 duct of watchers to assure the privileges of the watchers and the proper
24 conduct of the election.

25 * Sec. 18. AS 15.10.180 is amended to read:

26 Sec. 18. AS 15.10.180 is amended to read:

27 Sec. 15.10.180. APPOINTMENT OF PARTY REPRESENTATIVES FOR STATE
28 CANVASS. The Alaska Public Offices Commission [LIEUTENANT GOVERNOR]
29 shall appoint two persons from each political party to participate in the

1 canvassing of the vote. Each person who is appointed and serves is
2 entitled to the same rate of compensation paid election judges. Each
3 political party may present to the Alaska Public Offices Commission
4 [LIEUTENANT GOVERNOR] a list of three or more names from which it [HE]
5 shall select the persons to represent the party. The list of names may
6 be submitted in writing at least 30 days before the date of the election.
7 The persons to represent the party on the canvassing board may be
8 selected by the state party central committee or in any other manner
9 prescribed by the bylaws of the party. The list of names shall be cer-
10 tified by the chairman of the state central committee of the party or by
11 the person authorized by the party bylaws to act in the absence of the
12 chairman.

13 * Sec. 19. AS 15.15.010 is repealed and re-enacted to read:

14 Sec. 15.15.010. GENERAL ADMINISTRATIVE SUPERVISION OF ELECTIONS.

15 (a) The Alaska Public Offices Commission created under AS 15.13.020
16 shall administer state elections and shall adopt those regulations which
17 may be necessary to protect the interest of the voter and to assure
18 administrative efficiency. The regulations shall be promulgated under
19 the Administrative Procedure Act (AS 44.62).

20 (b) The commission shall appoint a director of elections who shall
21 provide general administrative supervision in accordance with regulations
22 promulgated by the commission. When the director is administering a
23 borough, city, special or other election, he may, with the approval of
24 the commission, promulgate regulations under AS 44.62 changing the time
25 required for notices of election, appointment of election officials,
26 absentee voting, canvassing the vote and election recounts.

27 (c) It is essential that the nonpartisan nature, integrity,
28 credibility and impartiality of the administration of elections be main-
29 tained. The director of elections and the full-time members of his staff

1 may not join, support or otherwise participate in a partisan political
2 organization, faction or activity, including but not limited to the
3 making of political contributions. The director of elections and the
4 full-time members of his staff may not hold or campaign for elective
5 office, be an officer of a political party or member or officer of a
6 political committee, permit their name to be used, or make any contribu-
7 tions, in support of or in opposition to a candidate or a ballot proposi-
8 tion or question, participate in any way in a national, state or local
9 election campaign or lobby, employ or assist a lobbyist. However, this
10 subsection does not restrict the director of elections or the full-time
11 members of his staff from expressing private opinion, registering as to
12 party, or voting.

13 * Sec. 20. AS 15.15.130 (1) - (4), (11) and (13) are amended to read:

14 Sec. 15.15.030. PREPARATION OF OFFICIAL BALLOT. The director of
15 elections [LIEUTENANT GOVERNOR] shall prepare all official ballots to
16 facilitate fairness, simplicity, and clarity in the voting procedure, to
17 reflect most accurately the intent of the voter, and to expedite the
18 administration of elections. The following directives shall be followed
19 when applicable.

20 (1) The director of elections [LIEUTENANT GOVERNOR] shall
21 determine the size of the ballot, the type of print, necessary additional
22 instruction notes to voters, and other similar matters of form not pro-
23 vided by law.

24 (2) the director of elections [LIEUTENANT GOVERNOR] shall
25 number ballots in series to assure simplicity and secrecy and to prevent
26 fraud.

27 (3) the director of elections [LIEUTENANT GOVERNOR] may con-
28 tract for the preparation of the ballots on a regional basis if necessary
29 and may contract for the preparation of ballots without obtaining com-

1 petitive bids.

2 (4) The director of elections [LIEUTENANT GOVERNOR] may not
3 include on the ballot as a part of a candidate's name, any honorary or
4 assumed title or prefix but may include in the candidate's name any
5 nickname or familiar form of a proper name of the candidate.

6 (11) When the legislature by law authorizes a state debt for
7 capital improvements, the director of elections [LIEUTENANT GOVERNOR]
8 shall place the question of whether the specific authorization shall be
9 ratified by placing the ballot title and question on the next general
10 election ballot, or on the special election ballot if a special election
11 is held for the purpose of ratifying the state debt for capital improve-
12 ments before the time of the next general election. Unless specifically
13 provided otherwise in the act authorizing the debt, the ballot title
14 shall, by the use of a few words in a succinct manner, indicate the
15 general subject of the act. The question shall, by the use of a few
16 sentences in a succinct manner, give a true and impartial summary of the
17 Act authorizing the state debt. Provision shall be made for marking the
18 question substantially as follows: "Bonds Yes" or
19 "Bonds No," followed by an appropriate square.

20 (13) The Alaska Public Offices Commission [LIEUTENANT GOVERNOR]
21 may provide for the use of punched card ballots in state elections.

22 * Sec. 21. AS 15.15.035 is amended to read:

23 Sec. 15.15.035. PRINTING OF BALLOTS AND OTHER MATERIAL. Neither
24 the commission, the [THE] lieutenant governor nor the director of elec-
25 tions may [NOT] be required to do business with a printing company while
26 the company is involved in a labor dispute.

27 * Sec. 22. AS 15.15.040 is amended to read:

28 Sec. 15.15.040. PREPARATION OF OTHER ELECTION MATERIALS. (a) The
29 Alaska Public Offices Commission [LIEUTENANT GOVERNOR] shall prescribe

1 the form of, and the director of elections shall prepare, tinted sample
2 ballots, the original and duplicate registers, oaths of office of judges,
3 challenge oaths, tally sheets, instructions to voters, warning notices
4 and other forms and supplies required for the election.

5 (b) The director of elections [LIEUTENANT GOVERNOR] shall prepare
6 and issue, or make available, with each sample ballot a statement, sub-
7 stantially like that provided for in AS 24.30.037, of the scope of each
8 major project included in a proposed general obligation bond issue
9 creating a state debt for capital improvements that is submitted to the
10 electorate for ratification, under AS 15.15.030(11). The statement of
11 the scope of each major project shall be the same statement included in
12 the authorization bill.

13 * Sec. 23. AS 15.15.050 is amended to read:

14 Sec. 15.15.050. DISTRIBUTION OF ELECTION MATERIALS. The director
15 of elections [LIEUTENANT GOVERNOR] shall distribute an adequate supply of
16 sample and official ballots, original registers, duplicate registers,
17 oaths, and other forms and supplies required for the election to the
18 election supervisors for distribution to chairmen of election boards in
19 precincts not less than 25 days before the date for election.

20 * Sec. 24. AS 15.15.060 is amended to read:

21 Sec. 15.15.060. PROCUREMENT OF POLLING PLACES AND OTHER SUPPLIES.
22 Immediately following the appointment of the election board, the election
23 supervisor in conjunction with the election board chairman shall secure
24 polling places for holding the election, including alternate emergency
25 locations, suitable ballot boxes which will assure security and an
26 adequate number of voting booths or screens, national flags, pens, and
27 pencils. Not less than one voting booth or screen shall be furnished for
28 each 100 votes or fractional part of 100 votes cast in the previous
29 election. The commission shall promulgate regulations [LIEUTENANT

1 GOVERNOR MAY ISSUE RULES] prescribing the type of polling place for
2 holding the election and the requirements regarding ballot boxes, voting
3 booths, screens, national flags, and other supplies to assure adminis-
4 trative economy and to protect the secrecy of the ballot. The state,
5 through the office of lieutenant governor, shall pay the cost of
6 necessary election expenses incurred in securing a place for holding the
7 election, a suitable ballot box, and an adequate number of voting booths,
8 screens, national flags, and other supplies. The national flag shall
9 be displayed over or near the entrance of each polling place.

10 * Sec. 25. AS 15.15.070(a) is amended to read:

11 (a) The director of elections [LIEUTENANT GOVERNOR] shall give and
12 is authorized to contract to give full public notice of the election.
13 He may select a manner reasonably calculated to give actual knowledge of
14 the election to the voters.

15 * Sec. 26. AS 15.15.070(e) is amended to read:

16 (e) The director of elections [LIEUTENANT GOVERNOR] may have a
17 precinct map of a densely populated precinct published in a newspaper of
18 general circulation if need for the map is established.

19 * Sec. 27. AS 15.15.070(f) is amended to read:

20 (f) Additional notice shall be given of all bond issues, initia-
21 tives, referendums, [AND] propositions and questions by use of news-
22 papers, television, radio, printed posters, maps, and similar means of
23 communication considered necessary. The director of elections [LIEUTEN-
24 ANT GOVERNOR] may not be required to post or publish notices except
25 those provided for in this section.

26 * Sec. 28. AS 15.15.140 is amended to read:

27 Sec. 15.15.140. PERMITTED USE OF UNOFFICIAL BALLOTS. If no
28 official ballots or election supplies are received, or if an insufficient
29 number of either are received, or if either have been destroyed or lost,

1 the election board shall provide, and the voters may use, unmarked sub-
2 stitute ballots and other election materials to indicate the intent of
3 the voter. The election board shall certify to the facts which prevented
4 the use of the official ballots and materials and shall include the
5 certificate in the election returns to the director of elections [LIEU-
6 TENANT GOVERNOR]. The initial failure to certify to the facts, or in-
7 clude the certificate as required, does not invalidate any ballots. Upon
8 disclosure that unofficial ballots have been used without a certification
9 as required, the director of elections [LIEUTENANT GOVERNOR] shall
10 notify the chairman of the election board by telephone or telegraph of
11 his failure to properly certify the ballots. The director of elections
12 [LIEUTENANT GOVERNOR] may accept the required certificate made by tele-
13 graph and count the ballots if the certificate is proper and actually
14 delivered to the director of elections [LIEUTENANT GOVERNOR] within 10
15 days of the date that the chairman of the election board was notified.

16 * Sec. 29. AS 15.15.170 is amended to read:

17 Sec. 15.15.170. PROHIBITION OF POLITICAL PERSUASION NEAR ELECTION
18 POLLS. During the hours the polls are open, no person who is in the
19 polling place or within 100 feet of any entrance to the polling place,
20 may attempt to persuade a person to vote for or against a candidate, pro-
21 position or question. The election judges shall post warning notices at
22 the required distance in the form and manner prescribed by the commission
23 [LIEUTANANT GOVERNOR].

24 * Sec. 30. AS 15.15.210 is amended to read:

25 Sec. 15.15.210. CHALLENGING OF VOTERS OF SUSPECT QUALIFICATION.
26 Every election judge and election clerk shall challenge, and every
27 watcher and other person qualified to vote in the precinct may challenge
28 a person attempting to vote if the challenger has good reason to suspect
29 that the challenged person is not qualified to vote. All challenges

1 shall be made in writing setting out the reason for the challenge. A
2 challenged person before voting shall subscribe to an oath and affidavit
3 provided by the director of elections [LIEUTENANT GOVERNOR] attesting to
4 the fact that in each particular the person meets all the qualifications
5 of a voter, that he is not disqualified, and that he has not voted at
6 the same election. He shall also state the place from which he came im-
7 mediately before living in the precinct in which he now offers to vote
8 and the length of time of his residence in the former place. After the
9 challenged person has taken the oath and signed the affidavit, the person
10 may vote. If the challenged person refuses to take the oath or sign the
11 affidavit, the person may not vote.

12 * Sec. 31. AS 15.15.350 is amended to read:

13 Sec. 15.15.350. GENERAL PROCEDURE FOR CANVASS. The Alaska Public
14 Offices Commission [LIEUTENANT GOVERNOR] shall promulgate regulations
15 [ISSUE RULES] prescribing the manner in which the precinct canvass is
16 accomplished so as to assure accuracy in the count and to expedite the
17 process. The election board or counting board shall canvass the ballots
18 in a manner that allows watchers to see the ballots when opened and read.
19 No person handling the ballot after it has been taken from the ballot box
20 and before it is placed in the envelope for mailing may remove a ballot
21 from the immediate vicinity of the polls or have a marking device in
22 hand.

23 * Sec. 32. AS 15.15.370 is amended to read:

24 Sec. 15.15.370. COMPLETION OF CANVASS. When the canvass is com-
25 pleted, and in no event later than the day after the election, the
26 election board or counters shall make a certificate in duplicate of the
27 results. The certificate includes the number of votes cast for each
28 candidate, for and against each proposition, yes or no on each question,
29 and any additional information prescribed by the Alaska Public Offices

1 Commission [LIEUTENANT GOVERNOR]. The election board shall, immediately
2 upon completion of the certificate or as soon thereafter as the local
3 mail service permits, send in one sealed package to the director of
4 elections [LIEUTENANT GOVERNOR] one copy of the certificate, the original
5 register, all ballots unlawfully exhibited, properly identified, the
6 record of ballots destroyed under sec. 250 of this chapter, and all oaths
7 and affidavits. In addition, all ballots properly cast shall be mailed
8 to the director of elections [LIEUTENANT GOVERNOR] in a separate, sealed
9 package. Both packages, in addition to an address on the outside, shall
10 clearly indicate the precinct from which they come. Each board shall,
11 immediately upon completion of the certification and as soon thereafter
12 as the local mail service permits, send the duplicate certificate and
13 the duplicate register to its respective election supervisor. The com-
14 mission [LIEUTENANT GOVERNOR] may authorize election boards in precincts
15 in those areas of the state where distance and weather make mail commu-
16 nication unreliable to forward their election certificates by telegram
17 or radio. The commission [LIEUTENANT GOVERNOR] may authorize the un-
18 official canvass of votes on a regional basis by election supervisors,
19 tallying the votes as indicated on duplicate certificates. To assure
20 adequate protection the commission [LIEUTENANT GOVERNOR] shall prescribe
21 the manner in which the ballots, registers, and all other election
22 records and materials are thereafter preserved, transferred, and
23 destroyed.

24 * Sec. 33. AS 15.15.390 is amended to read:

25 Sec. 15.15.390. CERTIFYING ELECTION EXPENSES. The commission
26 [LIEUTENANT GOVERNOR] shall prescribe the manner of certifying, auditing,
27 and paying election expenses, including the cost of giving notice,
28 renting polling places, paying judges, clerks, and counters, securing a
29 ballot box, postage, and stationery, and obtaining similar election

1 necessities.

2 * Sec. 34. AS 15.15.400 is amended to read:

3 Sec. 15.15.400. PREPARATION OF VOTER LIST. The director of
4 elections [LIEUTENANT GOVERNOR] shall prepare both a statewide list and
5 a list by precinct of the names and addresses of all persons who voted
6 in the election and their political party affiliation if the party
7 affiliation was specifically declared by the voter. Any person may
8 obtain a copy of the list, or a part of the list, by applying to the
9 director of elections [LIEUTENANT GOVERNOR] and paying to the state
10 treasury a fee as determined by the commission [LIEUTENANT GOVERNOR].

11 * Sec. 35. AS 15.15.410 is amended to read:

12 Sec. 15.15.410. PLURAL VOTING. Upon a determination that a person
13 has cast more than one general ballot, the commission, the lieutenant
14 governor or the director of elections shall notify the attorney general
15 to proceed to prosecute.

16 * Sec. 36. AS 15.15.420 is amended to read:

17 Sec. 15.15.420. DUTY TO CANVASS VOTE. The Alaska Public Offices
18 Commission [LIEUTENANT GOVERNOR] shall canvass the vote with the assis-
19 tance of and in the presence of the appointed representatives from the
20 political parties.

21 * Sec. 37. AS 15.15.430 is amended to read:

22 Sec. 15.15.430. SCOPE OF CANVASS. (a) The canvass by the commis-
23 sion [LIEUTENANT GOVERNOR] shall include only

24 (1) a review and comparison of the tallies of paper ballots in
25 the election poll books with the precinct election certificates to cor-
26 rect any mathematical error in the count of paper ballots,

27 (2) a review of the tallies of write-in ballots and a compari-
28 son of election certificates as provided by law from precincts using
29 voting machines,

1 (3) the canvass of absentee ballots as prescribed by law.

2 (b) If the commission [LIEUTENANT GOVERNOR] finds an unexplained
3 error in the tally of the paper ballots in any precinct election poll
4 book, it [HE] may count the ballots from the precinct. If the commission
5 [LIEUTENANT GOVERNOR] finds the precinct counters have not entered
6 tallies in the precinct tally books but have certificated a candidate
7 as having received a fixed number of votes, the commission [LIEUTENANT
8 GOVERNOR] may recount the ballots from that precinct. The commission
9 [LIEUTENANT GOVERNOR] shall certify in writing to the state canvass
10 board any changes resulting from the count.

11 * Sec. 38. AS 15.15.440 is amended to read:

12 Sec. 15.15.440. DATES FOR OPENING AND CLOSING STATE CANVASS. The
13 state canvass shall begin eight days after the election and be continued
14 daily until completed. The commission [LIEUTENANT GOVERNOR] may desig-
15 nate the hours a day the state canvass board is to conduct its canvass.
16 The commission [LIEUTENANT GOVERNOR] shall close the canvass when it [HE]
17 is satisfied that no missing precinct certificate of election would, if
18 received, change the result of the election. If no election certificate
19 has been received from a precinct, the commission [LIEUTENANT GOVERNOR]
20 may secure from the election supervisors and may count a certified copy
21 of the duplicate election certificate of the precinct. If no election
22 poll books have been received, but an authorized election certificate
23 has been received by telegram or radio, the commission [LIEUTENANT
24 GOVERNOR] shall count the election certificate so received. If the
25 commission [LIEUTENANT GOVERNOR] has reason to believe that a missing
26 precinct certificate, if received, would affect the result of the
27 election, the commission [LIEUTENANT GOVERNOR] shall await the receipt
28 of the certificate until four o'clock in the afternoon of the 15th day
29 after the date of election. A certificate not actually delivered to the

1 commission [LIEUTENANT GOVERNOR] by four o'clock on the 15th day after
2 the election shall not be counted at the canvass.

3 * Sec. 39. AS 15.15.450 is amended to read:

4 Sec. 15.15.450. CERTIFICATION OF STATE CANVASS. Upon completion
5 of the canvass, the director of elections at the direction of the commis-
6 sion [LIEUTENANT GOVERNOR] shall certify the person receiving the largest
7 number of votes for the office for which he was a candidate as elected
8 to that office and shall certify the approval of a justice or judge not
9 rejected by a majority of the voters voting on the question. The
10 director of elections [LIEUTENANT GOVERNOR] shall issue to the elected
11 candidates and approved justices and judges, a certificate of their
12 election or approval. The director of elections [LIEUTENANT GOVERNOR]
13 shall also certify the results of a proposition and other question.

14 * Sec. 40. AS 15.15.460 is amended to read:

15 Sec. 15.15.460. TIE VOTES. If two or more candidates tie in having
16 the highest number of votes for the same office for which there is to be
17 elected only one candidate the director of elections [LIEUTENANT
18 GOVERNOR] shall so notify the candidates who are tied. The commission
19 [LIEUTENANT GOVERNOR] shall immediately proceed with the recount of
20 votes in the manner provided by AS 15.20.430 - 15.20.530.

21 * Sec. 41. AS 15.15.470 is amended to read:

22 Sec. 15.15.470. PRESERVATION OF ELECTION BALLOTS, PAPERS, AND
23 MATERIALS. The director of elections [LIEUTENANT GOVERNOR] shall pre-
24 serve all precinct election certificates, tallies, and registers for
25 four years after the election. All ballots and stubs may be destroyed
26 30 days after the certification of state canvass unless an application
27 for recount has been filed and not completed, or unless their destruction
28 is stayed by an order of the court. The director of elections [LIEUTEN-
29 ANT GOVERNOR] may permit the inspection of election materials upon call

1 by Congress, the state legislature, or a court of competent jurisdiction.

2 * Sec. 42. AS 15.20.020 is amended to read:

3 Sec. 15.20.020. PROVISION FOR GENERAL ADMINISTRATIVE SUPERVISION.

4 The director of elections under the direction of the Alaska Public
5 Offices Commission created under AS 15.13.020 [LIEUTENANT GOVERNOR] shall
6 provide general administrative supervision over the conduct of absentee
7 voting and shall promulgate regulations [MAY ISSUE RULES] necessary to
8 the administration of absentee voting to assure efficiency and encourage
9 voter participation. The director of elections [LIEUTENANT GOVERNOR]
10 shall issue instructions to absentee voters regarding the procedure for
11 absentee voting. One set of instructions shall accompany each absentee
12 ballot.

13 * Sec. 43. AS 15.20.030 is amended to read:

14 Sec. 15.20.030. PREPARATION OF BALLOTS, ENVELOPES, AND OTHER MA-
15 TERIAL. The director of elections [LIEUTENANT GOVERNOR] shall provide
16 the paper ballots prepared for use at the polls as the absentee ballots.
17 The director of elections [LIEUTENANT GOVERNOR] shall provide a small
18 blank envelope in which the voter shall initially place the marked
19 ballot, and shall provide a larger envelope, with the prescribed voter's
20 certificate on the back, in which the small envelope with ballot enclosed
21 shall be placed. The director of elections [LIEUTENANT GOVERNOR] shall
22 prescribe the form of and prepare the voter's certificate, envelopes, and
23 other material used in absentee voting. The voter's certificate shall
24 include an oath, for use when required, that the voter is a qualified
25 voter in all respects, a blank for the voter's signature, a certification
26 that the affiant properly executed the marking of the ballot and identi-
27 fied himself, blanks for the attesting witnesses, and a place for record-
28 ing the date and time the envelope was sealed and delivered.

29 * Sec. 44. AS 15.20.040 is amended to read:

1 Sec. 15.20.040. DISTRIBUTION OF BALLOTS, ENVELOPES, AND OTHER MA-
2 TERIALS. The director of elections [LIEUTENANT GOVERNOR] shall distri-
3 bute the absentee ballots, envelopes, and other absentee voting material
4 to the election supervisors for redistribution to the proper election
5 officials before the date upon which a person may first apply for an
6 absentee ballot in person.

7 * Sec. 45. AS 15.20.050 is amended to read:

8 AS 15.20.050. REQUIREMENT OF FULL PUBLIC NOTICE. The director of
9 elections [LIEUTENANT GOVERNOR] shall give full public notice of the
10 dates and manner of voting absentee and may select any means of communi-
11 cation permitted to be used in giving notice of the date and time of the
12 general election.

13 * Sec. 46. AS 15.20.065 is amended to read:

14 Sec. 15.20.065. APPLICATION TO ELECTION SUPERVISOR IN PERSON OR BY
15 REPRESENTATIVE. A qualified voter may apply in person or by a personal
16 representative for an absentee ballot for state elections for his dis-
17 trict at the office of an election supervisor or other cities designated
18 by the director of elections [LIEUTENANT GOVERNOR] if time does not
19 permit him to obtain an absentee ballot under sec. 60 or 70 of this
20 chapter. Absentee ballots permitted by this section may be obtained
21 from the office of the election supervisor any time during regular office
22 hours including election day.

23 * Sec. 47. AS 15.20.070 is amended to read:

24 Sec. 15.20.070. APPLICATION TO DIRECTOR OF ELECTIONS [LIEUTENANT
25 GOVERNOR] BY MAIL. A qualified voter may apply by mail for an absentee
26 ballot to the director of elections [LIEUTENANT GOVERNOR]. The applica-
27 tion shall include the address to which the absentee ballot shall be
28 returned and the applicant's full Alaska resident address and signature.

29 * Sec. 48. AS 15.20.080 is amended to read:

1 Sec. 15.20.080. DATE FOR APPLICATION IN PERSON. A qualified voter
2 may apply for an absentee ballot in person on any day after the ballots
3 are prepared and available, but not on election day. Absentee ballots
4 shall be prepared and available at least 15 days before the day of any
5 election. Application may be made on election day only in the office of
6 the election supervisor or other cities designated by the director of
7 elections [LIEUTENANT GOVERNOR] as provided in sec. 65 of this chapter.

8 * Sec. 49. AS 15.20.130 is amended to read:

9 Sec. 15.20.130. PROCEDURE ON APPLICATION BY MAIL. After receipt of
10 an application by mail for an absentee ballot, the director of elections
11 [LIEUTENANT GOVERNOR], or the district judge or magistrate, shall airmail
12 to the applicant the ballot and other absentee voting material when they
13 are ready for distribution, if the application includes the name and both
14 the present address and the full local resident address of the applicant.
15 The larger envelope to be used for returning the absentee ballot to the
16 election officials shall be addressed to the election supervisor in the
17 district in which the voter is a resident.

18 * Sec. 50. AS 15.20.170 is amended to read:

19 Sec. 15.20.170. DISPOSITION OF BALLOTS. Each district judge and
20 magistrate who has been designated by the director of elections [LIEU-
21 TENANT GOVERNOR] to issue absentee ballots shall stamp on the envelope
22 containing the oath the date on which the ballot is received in his
23 office. All ballots received shall be immediately transmitted by the
24 most expeditious mail service to the election supervisor for his dis-
25 trict.

26 * Sec. 51. AS 15.20.210(a) is amended to read:

27 (a) On the second day following the date of election, the election
28 supervisor, in the presence and with the assistance of the district
29 absentee ballot canvassing board shall meet and examine all voter certi-

1 ficates on hand. No ballot shall be counted if the voter has failed to
2 properly execute the certificate, if the witnesses or the officer or
3 other person authorized by law to administer the oath fails to affix his
4 signature, or if the voter fails to enclose his marked ballot inside the
5 small envelope provided. The election supervisor or a member of the
6 district absentee ballot canvassing board may challenge the name of an
7 absentee voter when read from the voter's certificate on the back of the
8 large envelope, if he has good reason to suspect that the challenged
9 voter is not qualified to vote, is disqualified, or has voted at the
10 same election. The person making the challenge shall specify the basis
11 of the challenge in writing. The district board by majority vote may
12 refuse to accept and count the absentee ballot of a person properly
13 challenged. If the absentee ballot is refused, the district supervisor
14 shall return a copy of the statement of the challenge to the absentee
15 voter, and shall enclose all rejected ballots in a separate envelope with
16 statements of challenge. The envelope shall be labeled "rejected ballots"
17 and shall be forwarded to the director of elections [LIEUTENANT GOVERNOR]
18 with the election certificates and other returns. If the absentee ballot
19 is not refused, the large envelope shall be opened, the smaller, inner
20 blank envelope shall be placed in a container and mixed with other blank
21 absentee ballot envelopes. The mixed smaller blank envelopes shall be
22 drawn from the container, opened, and the ballots counted according to
23 the rules of determining properly marked ballots as are provided for
24 counting by the election board. Upon completion of the canvass, the
25 election supervisor shall prepare an election certificate of results in
26 the manner provided for the preparation of election certificates by pre-
27 cinct election boards, and shall forward the original certificates and
28 returns to the director of elections [LIEUTENANT GOVERNOR] no later than
29 the day the district canvass is completed.

1 * Sec. 52. AS 15.20.220 is amended to read:

2 Sec. 15.20.220. PROCEDURE FOR STATE CANVASS. When the commission,
3 director of elections [LIEUTENANT GOVERNOR] and appointed party represen-
4 tatives have completed the canvass of paper ballots cast at the voting
5 precincts and the canvass of voting machine ballots, they shall proceed
6 to canvass the absentee ballot votes counted by the district canvassing
7 board. The canvass of the absentee ballot vote counted by the district
8 canvassing board shall be accomplished by reviewing the tallies of the
9 recorded vote to check for mathematical error and by comparing the totals
10 with the election certificate of results.

11 * Sec. 53 AS 15.20.240 is amended to read:

12 Sec. 15.20.240. AUTHORIZATION OF PURCHASE WITH LOCAL FUNDS. A city
13 council, borough assembly, or the state may purchase or rent any voting
14 machine that meets the minimum requirements prescribed by the commission
15 [LIEUTENANT GOVERNOR] for use in any precinct inside the city or organ-
16 ized borough.

17 * Sec. 54. AS 15.20.250 is amended to read:

18 Sec. 15.20.250. PRESCRIBING MINIMUM REQUIREMENTS. The commission
19 [LIEUTENANT GOVERNOR] shall prescribe the minimum requirements of voting
20 machines and [WITH THE ASSISTANCE OF THE DEPARTMENT OF ADMINISTRATION,]
21 shall conduct tests necessary to determine the adequacy of any particular
22 type or make of machine. Any person, company or corporation may apply to
23 the commission [LIEUTENANT GOVERNOR] to examine their voting machine and
24 to certify the machine as meeting the minimum requirements prescribed by
25 law. The minimum requirements shall be prescribed to insure secrecy to
26 the voter, to permit voting both for candidates and on propositions and
27 questions, to prevent improper voting in primary elections, to minimize
28 error in marking ballots, and to assure accuracy in counting returns.
29 Uncertified machines may not be used for any election.

1 * Sec. 55. AS 15.20.260 is amended to read:

2 Sec. 15.20.260. PREPARATION OF MACHINE BALLOTS. Upon request of
3 the director of elections [LIEUTENANT GOVERNOR] the clerk of each city
4 and organized borough shall report the serial number of voting machines
5 which will be used in each precinct at the next election. The director
6 [LIEUTENANT GOVERNOR] shall prepare and distribute the required number
7 of machine ballots or ballot labels for each candidate and for each
8 proposition or question. The director [LIEUTENANT GOVERNOR] shall pre-
9 scribe (1) the sequence of offices, questions, and propositions as will
10 most nearly conform to the sequence on paper ballots, and (2) the order
11 of the names of candidates for the machine ballots in each precinct to
12 assure that every second precinct has a different sequence of names of
13 candidates so far as practicable by changing the order of names for each
14 office so that each name appears substantially an equal number of times
15 at the top, at the bottom, and at each intermediate place.

16 * Sec. 56. AS 15.20.280 is amended to read:

17 Sec. 15.20.280. GENERAL DUTIES OF BOROUGH AND CITY CLERKS. Upon
18 receipt of the ballot labels, the clerk of the borough or city shall
19 place them in the ballot frames upon the machines in a manner as directed
20 by the director of elections [LIEUTENANT GOVERNOR]. The clerk shall set
21 the counters at zero and lock the operating device. He shall keep a
22 record of which machine was used in each precinct.

23 * Sec. 57. AS 15.20.290 is amended to read:

24 Sec. 15.20.290. PREPARATION OF VOTER INSTRUCTIONS. The director
25 of elections [LIEUTENANT GOVERNOR] shall prescribe special instructions
26 to assure the proper use and operation of the voting machines which the
27 clerk of the city or borough shall give to the election boards and which
28 election boards shall give to voters in precincts using voting machines.

29 * Sec. 58. AS 15.20.330 is amended to read:

1 Sec. 15.20.330. PROVISION FOR WRITE-IN BALLOTS. Ballots cast for
2 a person whose name does not appear on the machine may be referred to as
3 write-in ballots. Write-in ballots may be cast [ONLY] in a primary,
4 general or special election and may be deposited, written or affixed in
5 or upon the device provided on the machine for that purpose.

6 * Sec. 59. AS 15.20.390 is amended to read:

7 Sec. 15.20.390. PROCEDURE UPON COMPLETING COUNT. When the count
8 is completed, the election board shall make a certificate of results in
9 duplicate. The certificate shall include the number of votes cast for
10 each candidate, for and against each proposition and yes or no on each
11 question and any further information in the manner prescribed by the
12 director of elections [LIEUTENANT GOVERNOR]. The board shall then send
13 one copy of the certificate, all write-in ballots, the original register,
14 all oaths and affidavits made in one envelope to the director of
15 elections [LIEUTENANT GOVERNOR].

16 * Sec. 60. AS 15.20.400 is amended to read:

17 Sec. 15.20.400. DISPOSITION OF VOTING MACHINE AND SUPPLIES. The
18 election board shall return the locked voting machine and send the dup-
19 licate certificate and register to the city or borough clerk. The
20 director of elections [LIEUTENANT GOVERNOR] shall prescribe the manner
21 in which the registers and other election materials are preserved, trans-
22 ferred, and destroyed. The voting machine shall remain locked against
23 use for a period of at least 30 days and as much longer as may be neces-
24 sary or advisable because of any existing or threatened election contest,
25 except that a voting machine may be opened and all data and figures in
26 it examined upon order of a judge of a court having jurisdiction.

27 * Sec. 61. AS 15.20.430 is amended to read:

28 Sec. 15.20.430. AUTHORIZATION OF RECOUNT APPLICATION. (a) A de-
29 feated candidate or 10 qualified voters who believe there has been a

1 mistake made by an election official or by the canvassing board in
2 counting the votes in an election, may file an application within five
3 days after the completion of the state canvass with [TO] the commission
4 [LIEUTENANT GOVERNOR] for a recount of the votes from any particular
5 precinct or any election district and for any particular office, propo-
6 sition, or question. However, the application may be filed only within
7 three days after the completion of the state canvass after the general
8 election for a recount of votes cast for the office of governor and
9 lieutenant governor. If there is a tie vote as provided in AS 15.15.460,
10 the commission [LIEUTENANT GOVERNOR] shall initiate the recount and give
11 notice to the interested parties as provided in sec. 470 of this chapter.

12 (b) The date on which the commission [LIEUTENANT GOVERNOR] receives
13 an application rather than the date of mailing or transmission determines
14 whether the application is filed within the time allowed under (a) of
15 this section. If the actual physical delivery by telegram of a copy in
16 substance of the statements made in the application for recount is re-
17 ceived in the office of the commission [LIEUTENANT GOVERNOR] at or before
18 5:00 p.m. Alaska Standard time, on the due date the application will be
19 accepted; providing the original signed application is postmarked at or
20 before 5:00 p.m. Alaska Standard time of the same day.

21 * Sec. 62. AS 15.20.450 is amended to read:

22 Sec. 15.20.450. REQUIREMENT OF DEPOSIT. The application shall
23 include a deposit in cash, by certified check, or by bond with a surety
24 approved by the commission [LIEUTENANT GOVERNOR]. The amount of the
25 deposit is \$50 for each precinct, \$250 for each election district, and
26 \$2,000 for the entire state. However, if the recount includes an office
27 for which candidates received a tie vote, or the difference between the
28 number of votes cast was 10 or less or was less than .5 per cent of the
29 total number of votes cast for the two candidates for the contested

1 office, or a question or proposition for which there was a tie vote on
2 the issue, the application need not include a deposit. If, on the re-
3 count, a candidate other than the candidate who received the original
4 election certificate is declared elected, or if the vote on recount is
5 determined to be four per cent or more in excess of the vote reported by
6 the state canvass for the candidate applying for the recount or in favor
7 or opposed to the question or proposition as stated in the application,
8 the entire deposit shall be refunded. If the entire deposit is not
9 refunded, the commission [LIEUTENANT GOVERNOR] shall refund any money
10 remaining after the cost of the recount has been paid from the deposit.

11 * Sec. 63. AS 15.20.460 is amended to read:

12 Sec. 15.20.460. Determination of date of recount. If the commis-
13 sion [LIEUTENANT GOVERNOR] determines that the application is substanti-
14 ally in the required form, it [HE] shall fix the date of the recount to
15 be held within three days after the receipt of an application requesting
16 a recount of the general election votes cast for the office of governor
17 and lieutenant governor and within five days after the receipt of an
18 application requesting a recount for any other office, question, or pro-
19 position.

20 * Sec. 64. AS 15.20.470 is amended to read:

21 Sec. 15.20.470. REQUIREMENT OF NOTICE. The commission [LIEUTENANT
22 GOVERNOR] shall give the candidate or designated chairman signing the
23 application, the two persons appointed to represent the applicant during
24 the recount, and other directly interested parties, notice of the time
25 and place of the recount by certified mail, by telegraph, or by tele-
26 phone.

27 * Sec. 65. AS 15.20.480 is amended to read:

28 Sec. 15.20.480. PROCEDURE FOR RECOUNT. In conducting the recount,
29 the commission [LIEUTENANT GOVERNOR], or its [HIS] appointed representa-

1 tive, shall review all paper, absentee, and machine ballots whether or
2 not the ballots were counted at the precinct or by the district absentee
3 canvassing board to determine which ballots, or parts of ballots, were
4 properly marked and which ballots are to be counted in the recount, and
5 may check the accuracy of the original count, the precinct certificate
6 and the canvass. For administrative purposes, the commission [LIEUTENANT
7 GOVERNOR] may join and include two or more applications in a single
8 review and count of votes. The rule governing the counting of marked
9 ballots by the election board shall be followed in the recount. The
10 ballots and other election material shall remain in the custody of the
11 commission [LIEUTENANT GOVERNOR] during the recount and the highest
12 degree of care shall be exercised to protect the ballots against altera-
13 tion or mutilation. The recount shall be completed within five days.
14 The commission [LIEUTENANT GOVERNOR] may employ additional personnel
15 necessary to assist in the recount.

16 * Sec. 66. AS 15.20.490 is amended to read:

17 Sec. 15.20.490. CERTIFICATION OF RESULTS. If it is determined by
18 recount that the plurality of votes was cast for a candidate, the com-
19 mission [LIEUTENANT GOVERNOR] shall direct the director of elections to
20 issue a certificate of election or nomination to the elected or nominated
21 candidate as determined by the recount. If it is determined by the re-
22 count that a proposition or question should be certified as having
23 received the required vote, the director of elections [LIEUTENANT
24 GOVERNOR] shall so certify.

25 * Sec. 67. AS 15.20.510 is amended to read:

26 Sec. 15.20.510. PROVISION FOR APPEAL TO COURTS. A candidate or any
27 person who requested a recount who has reason to believe an error has
28 been made in the recount (1) involving any question or proposition or the
29 validity of any ballot may appeal to the superior court in accordance

1 with applicable court rules governing appeals in civil matters, and (2)
2 involving candidates for the legislature or Congress or the office of
3 governor and lieutenant governor may appeal to the supreme court in
4 accordance with rules as may be promulgated by the court. Appeal shall
5 be filed within five days of the completion of the recount. Upon order
6 of the court, the commission [LIEUTENANT GOVERNOR] shall furnish the
7 record of the recount taken including all ballots, registers, and other
8 election material and papers pertaining to the election contest. The
9 appeal shall be heard by the court sitting without a jury. The inquiry
10 in the appeal shall extend to the questions whether or not the commission
11 or the director of elections have [LIEUTENANT GOVERNOR HAS] properly
12 determined what ballots, parts of ballots, or marks for candidates on
13 ballots are valid, and to which candidate or division on the question or
14 proposition the vote should be attributed. The court shall enter judg-
15 ment either setting aside, modifying, or affirming the action of the
16 commission [LIEUTENANT GOVERNOR] on recount.

17 * Sec. 68. AS 15.20.520 is amended to read:

18 Sec. 15.20.520. PROVISION FOR APPEAL TO LEGISLATURE OR CONGRESS. A
19 candidate or persons who requested a recount, who have reason to believe
20 an error has been made in the recount involving a candidate for the
21 general election for the state legislature or Congress, may appeal to the
22 chamber in which the candidate seeks membership in accordance with ap-
23 plicable rules of the legislature or Congress. Upon request of the leg-
24 islature or Congress, the commission [LIEUTENANT GOVERNOR] shall furnish
25 the record of the recount taken including all ballots, registers, and
26 other election material and papers pertaining to the election contest.

27 * Sec. 69. AS 15.20.530 is amended to read:

28 Sec. 15.20.530. DETERMINATION OF TIE VOTES. If after a recount and
29 appeal two or more candidates tie in having the highest number of votes

1 for the same office, the commission [LIEUTENANT GOVERNOR] shall notify
2 the candidates who are tied. The commission [LIEUTENANT GOVERNOR] shall
3 notify the candidates of a reasonably suitable time and place to deter-
4 mine the successful candidate by lot. After the determination has been
5 made by lot, the director of elections [LIEUTENANT GOVERNOR] shall so
6 certify.

7 * Sec. 70. AS 15.20.560 is amended to read:

8 Sec. 15.20.560. JUDGMENT OF COURT. The judge shall pronounce judg-
9 ment on which candidate was elected or nominated and whether the question
10 or proposition was accepted or rejected. The director of elections
11 [LIEUTENANT GOVERNOR] shall issue a new election certificate to correctly
12 reflect the judgment of the court. If the court decides that the elec-
13 tion resulted in a tie vote, the commission [LIEUTENANT GOVERNOR] shall
14 immediately proceed to determine the election by lot as is provided by
15 law. If the court decides that no candidate was duly elected or nom-
16 inated, the judgment shall be that the contested election be set aside.
17 The provisions of this section and secs. 540 and 550 of this chapter are
18 not intended to limit or interfere with the power of the legislature to
19 judge the election and qualifications of its members.

20 * Sec. 71. AS 15.25.040(c) is amended to read:

21 (c) A candidate for a statewide office shall file with the director
22 of elections [LIEUTENANT GOVERNOR]. A candidate for a district-wide
23 office shall file either with a clerk of the superior court or the
24 director [LIEUTENANT GOVERNOR]. If the candidate files his declaration
25 with a clerk of the superior court, the clerk shall immediately forward
26 the declaration to the director of elections [LIEUTENANT GOVERNOR].
27

28 * Sec. 72. AS 15.25.050 is amended to read:

29 Sec. 15.25.050. REQUIREMENT OF FILING FEE. At the time the decla-
ration is filed, each candidate shall pay a filing fee to the director

1 of elections [LIEUTENANT GOVERNOR]. The filing fee for candidates for
2 office of governor, lieutenant governor, United States senator, and
3 United States representative is \$100. The filing fee for candidates for
4 office of state senator and state representative is \$30.

5 * Sec. 73. AS 15.25.055 is amended to read:

6 Sec. 15.25.055. REMOVAL OF NAME FROM PRIMARY BALLOT. A candidate's
7 name will appear on the primary election ballot unless notice of his
8 withdrawal from the primary is received by the director of elections
9 [LIEUTENANT GOVERNOR] at least 40 days before the date of the primary
10 election.

11 * Sec. 74. AS 15.25.056(a) is amended to read:

12 (a) If an incumbent candidate for renomination dies, becomes dis-
13 qualified from holding the office he is seeking, or is certified as
14 being incapacitated between June 1 of the election year and that date
15 which is 15 days before the date of the primary election, his place on
16 the ballot may be filled by party petition. The petition shall state
17 that the political party requests the name of the proposed candidate
18 replace that of the incumbent on the primary election ballot and shall be
19 accompanied by a declaration of candidacy from the person named in the
20 petition. The petition must be received by the director of elections
21 [LIEUTENANT GOVERNOR] no later than 14 days after the death, disqualifi-
22 cation or certification of incapacity of the incumbent or 10 days before
23 the primary election date, whichever time is earlier.

24 * Sec. 75. AS 15.25.060 is amended to read:

25 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The pri-
26 mary election ballot shall be prepared and distributed by the director
27 of elections [LIEUTENANT GOVERNOR] in the manner prescribed for general
28 election ballots except as specifically provided otherwise for the pri-
29 mary election. The director [LIEUTENANT GOVERNOR] shall place the names

1 of all candidates who have properly filed in groups according to offices
2 filed for, without regard to party affiliation. The names for each
3 office shall be rotated as provided for the general election ballot.
4 Blank [NO BLANK spaces shall be provided on the ballot for the writing
5 or pasting in of names.

6 * Sec. 76. AS 15.25.070 is repealed.

7 * Sec. 77. AS 15.25.080 is amended to read:

8 Sec. 15.25.080. DECLARATION OF PARTY PREFERENCE. The director of
9 elections [LIEUTENANT GOVERNOR] shall provide a space upon the official
10 voter registration book wherein a voter may, if he desires, record his
11 party preference.

12 * Sec. 78. AS 15.25.090 is amended to read:

13 Sec. 15.25.090. GENERAL PROCEDURE FOR CONDUCT OF PRIMARY ELECTION.
14 Unless specifically provided otherwise, all provisions regarding the
15 conduct of the general election shall govern the conduct of the primary
16 election, including, but not limited to, provisions concerning voter
17 qualification; provisions regarding the duties, powers, rights and obli-
18 gations of the Alaska Public Offices Commission, the lieutenant governor,
19 director of elections, of other election officials, and of cities and
20 organized boroughs; provision for notification of the election; pro-
21 visions regarding payment of election expenses; provisions regarding
22 employees being allowed time from work to vote; provisions for the
23 counting, canvassing, and certification of returns; provisions for the
24 determination of tie votes and of recount, contests and appeal; and pro-
25 visions for absentee voting and the use of voting machines.

26 * Sec. 79. AS 15.25.100 is amended to read:

27 Sec. 15.25.100. PLACEMENT OF NOMINEES ON GENERAL ELECTION BALLOT.
28 The director of elections [LIEUTENANT GOVERNOR] shall place the name of
29 the candidate receiving the highest number of votes for an office by a

1 political party on the general election ballot.

2 * Sec. 80. AS 15.25.110 is amended to read:

3 Sec. 15.25.110. FILLING VACANCIES BY PARTY PETITION. If a candi-
4 date nominated at the primary election dies, withdraws, resigns, becomes
5 disqualified from holding office for which he is nominated, or is certi-
6 fied as being incapacitated in the manner prescribed by this section
7 after the primary election and 10 days or more before the general elec-
8 tion, the vacancy may be filled by party petition. The central committee
9 of any political party or any party district committee may certify as
10 being incapacitated any candidate nominated by their respective party by
11 presenting to the director of elections [LIEUTENANT GOVERNOR] a sworn
12 statement made by a panel of three licensed physicians, not more than two
13 of whom shall be of the same political party, that the candidate is
14 physically or mentally incapacitated to an extent that would in his
15 judgment prevent the candidate from active service during the term of
16 office if elected. The director [LIEUTENANT GOVERNOR] shall place the
17 name of the person nominated by party petition on the general election
18 ballot or, if the general election ballot has been prepared, the director
19 [LIEUTENANT GOVERNOR] or the election officials directed by the director
20 of elections [LIEUTENANT GOVERNOR] shall prepare, print, and distribute
21 a sufficient number of gummed labels or stickers bearing the name of the
22 candidate to fill the vacancy to each voting precinct with instructions
23 that the election judges shall place one of the stickers or labels on the
24 appropriate place on each ballot before the ballot is handed to the
25 voter. The name of a candidate disqualified under this section shall
26 not appear on the general election ballot.

27 * Sec. 81. AS 15.25.150 is amended to read:

28 Sec. 15.25.150. DATE OF FILING PETITION. The petition is filed
29 with the director of elections [LIEUTENANT GOVERNOR] by actual physical

1 delivery in person or by mail before June 1 in the year in which a
2 general election is held for the office.

3 * Sec. 82. AS 15.25.190 is amended to read:

4 Sec. 15.25.190. PLACEMENT OF NAMES ON GENERAL ELECTION BALLOT. The
5 director of elections [LIEUTENANT GOVERNOR] shall place the names and the
6 political group affiliation of persons who have been properly nominated
7 by petition on the general election ballot.

8 * Sec. 83. AS 15.25.200 is amended to read:

9 Sec. 15.25.200. WITHDRAWAL OF CANDIDATE'S NAME. If a candidate
10 nominated by petition dies or withdraws after the petition has been filed
11 and before September 1 of the election year, the director of elections
12 [LIEUTENANT GOVERNOR] shall not place the name of the candidate on the
13 general election ballot.

14 * Sec. 84. AS 15.30.020 is amended to read:

15 Sec. 15.30.020. NUMBER AND MANNER OF SELECTING CANDIDATES. Each
16 political party shall select a number of candidates for electors of
17 President and Vice President of the United States equal to the number of
18 senators and representatives to which the state is entitled in Congress.
19 The candidates for electors shall be selected by the state party conven-
20 tion or in any other manner prescribed by the bylaws of the party. The
21 chairman and secretary of the state convention or any other party
22 official designated by the party bylaws shall certify a list of the names
23 of candidates for electors to the director of elections [LIEUTENANT
24 GOVERNOR] on or before September 1 in presidential election years.

25 * Sec. 85. AS 15.30.025(b) is amended to read:

26 (b) A political party organized under this section may not assume
27 a name which is so similar to an existing political party as to confuse
28 or mislead the voters at an election. If the commission [LIEUTENANT
29 GOVERNOR] determines that the name of the political party set out in a

1 petition is confusing or misleading, he may refuse to accept the petition
2 for filing.

3 * Sec. 86. AS 15.30.060 is amended to read:

4 Sec. 15.30.060. NOTIFICATION OF ELECTORS. When the results of the
5 election of presidential electors have been determined, the director of
6 elections [LIEUTENANT GOVERNOR] shall send a certificate of election to
7 each elector and shall notify the electors of the time and place of their
8 meeting and of their duties as electors.

9 * Sec. 87. AS 15.30.090 is amended to read:

10 Sec. 15.30.090. DUTIES OF ELECTORS. After any vacancies have been
11 filled, the electors shall proceed to cast their votes for the candidates
12 for the office of President and Vice President of the party which
13 selected them as candidates for electors and shall perform the duties of
14 electors as required by the constitution and laws of the United States.
15 The director of elections [LIEUTENANT GOVERNOR] shall provide adminis-
16 trative services and the Department of Law shall provide legal services
17 necessary for the electors to perform their duties.

18 * Sec. 88. AS 15.35.040 is amended to read:

19 Sec. 15.35.040. FILING DECLARATION BY SUPREME COURT JUSTICE. Each
20 justice seeking to succeed himself to office shall file with the director
21 of elections [LIEUTENANT GOVERNOR] a declaration of candidacy not less
22 than 90 days before the date of the general election at which approval
23 or rejection is requisite.

24 * Sec. 89. AS 15.35.041 is amended to read:

25 Sec. 15.35.041. REQUIREMENT OF FILING FEE FOR SUPREME COURT CANDI-
26 DATE. At the time the declaration is filed, each candidate shall pay a
27 filing fee to the director of elections [LIEUTENANT GOVERNOR]. The
28 filing fee for a candidate for the supreme court is \$100.

29 * Sec. 90. AS 15.35.050 is amended to read:

1 Sec. 15.35.050. PLACING NAME OF SUPREME COURT JUSTICE ON BALLOT.

2 The director of elections [LIEUTENANT GOVERNOR] shall place the name of
3 a supreme court justice who has properly filed a declaration of candi-
4 dacy on the judicial ballot in each judicial district of the state for
5 the general election at which approval is sought.

6 * Sec. 91. AS 15.35.070 is amended to read:

7 Sec. 15.35.070. FILING DECLARATION BY SUPERIOR COURT JUDGE. Each
8 judge seeking to succeed himself to office shall file with the director
9 of elections [LIEUTENANT GOVERNOR] a declaration of candidacy not less
10 than 90 days before the date fixed for the general election at which
11 approval or rejection is requisite.

12 * Sec. 92. AS 15.35.071 is amended to read:

13 Sec. 15.35.071. REQUIREMENT OF FILING FEE FOR SUPERIOR COURT CAN-
14 DIDATE. At the time the declaration is filed, each candidate shall pay
15 a filing fee to the director of elections [LIEUTENANT GOVERNOR]. The
16 filing fee for a candidate for the superior court is \$30.

17 * Sec. 93. AS 15.35.090 is amended to read:

18 Sec. 15.35.090. PLACING NAME OF SUPERIOR COURT JUDGE ON BALLOT.
19 The director of elections [LIEUTENANT GOVERNOR] shall place the name of
20 a superior court judge who has properly filed a declaration of candidacy
21 on the judicial ballot in the judicial district designated in his decla-
22 ration of candidacy for the general election at which approval is sought.

23 * Sec. 94. AS 15.35.110 is amended to read:

24 Sec. 15.35.110. FILING DECLARATION BY DISTRICT JUDGE. Each dis-
25 trict judge seeking to succeed himself to office shall file with the
26 director of elections [LIEUTENANT GOVERNOR] a declaration of candidacy
27 not less than 90 days before the date fixed for the general election at
28 which approval or rejection is requisite.

29 * Sec. 95. AS 15.35.120 is amended to read:

1 Sec. 15.35.120. REQUIREMENT OF FILING FEE FOR DISTRICT COURT CAN-
2 DIDATE. At the time the declaration is filed, each candidate for the
3 district court shall pay a filing fee of \$30 to the director of elections
4 [LIEUTENANT GOVERNOR].

5 * Sec. 96. AS 15.35.130 is amended to read:

6 Sec. 15.35.130. PLACING NAME OF DISTRICT JUDGE ON BALLOT. The
7 director of elections [LIEUTENANT GOVERNOR] shall place the name of a
8 district judge who has properly filed a declaration of candidacy on the
9 judicial ballot in the judicial district designated in his declaration
10 of candidacy for the general election at which approval is sought.

11 * Sec. 97. AS 15.40.040 is amended to read:

12 Sec. 15.40.040. CONDITIONS FOR PART-TERM APPOINTMENT AND SPECIAL
13 ELECTION. If the vacancy is for an unexpired term of more than two years
14 plus five full calendar months, the governor shall call a special elec-
15 tion by proclamation and the appointment shall expire on the date the
16 United States senate first meets, convenes, or reconvenes, following the
17 certification of the results of the special election by the director of
18 elections [LIEUTENANT GOVERNOR].

19 * Sec. 98. AS 15.40.070 is amended to read:

20 Sec. 15.40.070. TERM OF ELECTED SENATOR. At the special election,
21 a United States senator shall be elected to fill the remainder of the
22 unexpired term. The person elected shall take office on the date the
23 United States senate first meets, convenes, or reconvenes following the
24 certification of the results of the special election by the director of
25 elections [LIEUTENANT GOVERNOR].

26 * Sec. 99. AS 15.40.090 is amended to read:

27 Sec. 15.40.090. DESIGNATION OF NOMINEES BY PETITION. If the va-
28 cancy occurs less than one calendar month before the filing date for the
29 primary election and more than three calendar months before the next

1 general election, candidates shall be nominated by petition transmitted
2 by actual delivery to the director of elections [LIEUTENANT GOVERNOR]
3 before September 2 immediately preceding the special election.

4 * Sec. 100. AS 15.40.130 is amended to read:

5 Sec. 15.40.130. GENERAL PROVISION FOR CONDUCT OF SPECIAL ELECTION.
6 Unless specifically provided otherwise, all provisions regarding the con-
7 duct of the general election shall govern the conduct of the special
8 election of United States senators, including, but not limited to, pro-
9 visions concerning voter qualifications; provisions regarding the duties,
10 powers, rights and obligations of the Alaska Public Offices Commission,
11 lieutenant governor, director of elections, of other election officials,
12 and of cities and organized boroughs; provision for notification of the
13 election; provision for payment of election expenses; provisions regard-
14 ing employees being allowed time from work to vote; provisions for the
15 counting, canvassing, and certification of returns; provisions for the
16 determination of the votes and of recounts, contests, and appeal; and
17 provision for absentee voting and the use of voting machines.

18 * Sec. 101. AS 15.40.170 is amended to read:

19 Sec. 15.40.170. TERM OF ELECTED REPRESENTATIVE. At the special
20 election, a United States representative shall be elected to fill the
21 remainder of the unexpired term. The person elected shall take office on
22 the date the United States house of representatives meets, convenes, or
23 reconvenes following the certification of the results of the special
24 election by the director of elections [LIEUTENANT GOVERNOR].

25 * Sec. 102. AS 15.40.180 is amended to read:

26 Sec. 15.40.180. DATE OF NOMINATIONS. Candidates for the special
27 election shall be nominated by petition transmitted by (1) the actual
28 physical delivery of the petition in person; (2) by mail postmarked not
29 later than midnight of the filing date; or (3) by telegram of a copy in

1 substance of the statements made in the petition to the director of
2 elections [LIEUTENANT GOVERNOR] before the 21st day after the vacancy
3 occurs.

4 * Sec. 103. AS 15.40.270 is amended to read:

5 Sec. 15.40.270. DATE OF NOMINATIONS. Candidates for the special
6 election shall be nominated by petition transmitted by (1) actual
7 physical delivery of the petition in person; (2) by mail postmarked not
8 later than midnight of the filing date; or (3) by telegram of a copy in
9 substance of the statements made in the petition to the director of
10 elections [LIEUTENANT GOVERNOR] before the 21st day after the vacancy
11 occurs.

12 * Sec. 104. AS 15.40.380 is amended to read:

13 Sec. 15.40.380. CONDITIONS FOR PART-TERM SENATE APPOINTMENT AND
14 SPECIAL ELECTION. If the vacancy is for an unexpired senate term of more
15 than two years and five full calendar months, the governor shall call a
16 special election by proclamation and the appointment shall expire on the
17 date the state senate first convenes or reconvenes following the certi-
18 fication of the results of the special election by the director of
19 elections [LIEUTENANT GOVERNOR].

20 * Sec. 105. AS 15.40.410 is amended to read:

21 Sec. 15.40.410. TERM OF ELECTED SENATOR. At the special election a
22 state senator shall be elected to fill the remainder of the unexpired
23 term and shall take office on the date the state senate first convenes
24 or reconvenes following the certification of the results of the special
25 election by the director of elections [LIEUTENANT GOVERNOR].

26 * Sec. 106. AS 15.40.430 is amended to read:

27 Sec. 15.40.430. DESIGNATION OF NOMINEES BY PETITION. If the va-
28 cancy occurs less than one calendar month before the filing date and
29 more than three calendar months before the next general election, candi-

1 dates shall be nominated by petition transmitted by (1) the actual
2 physical delivery of the petition in person; (2) by mail postmarked not
3 later than midnight of the filing date; or (3) by telegram of a copy in
4 substance of the statements made in the petition to the director of
5 elections [LIEUTENANT GOVERNOR] before September 2 just before the
6 special election.

7 * Sec. 107. AS 15.55.050 is amended to read:

8 Sec. 15.55.050. IMPROPER POSSESSION OF BALLOT. A person, other
9 than an election official, or other person authorized by law or by the
10 commission, lieutenant governor or the director of elections, who has
11 an official ballot in his possession outside of the voting room, is
12 guilty of a misdemeanor.

13 * Sec. 108. AS 15.55.160 is amended to read:

14 Sec. 15.55.160. IMPROPER DISTRIBUTION AND PRINTING OF BALLOTS. A
15 person contracted or employed by the state to print or reproduce in any
16 manner an official ballot, who wilfully appropriates to himself, or
17 gives or delivers to, or knowingly permits to be taken by anyone other
18 than a person authorized by the commission, lieutenant governor, or
19 director of elections, any official ballots, or who knowingly prints or
20 reproduces or has printed or reproduced any official ballots in any
21 other form or with any other content than that prescribed by law or as
22 directed by the commission, lieutenant governor, or director of elections
23 is guilty of a felony.

24 * Sec. 109. AS 15.57.010 is amended to read:

25 Sec. 15.57.010. CONTENTS OF PAMPHLET. The director of elections
26 [LIEUTENANT GOVERNOR] shall mail to all voters of the state before each
27 state general election a candidate pamphlet containing photographs and
28 campaign statements of eligible nominees who desire to participate in the
29 pamphlet. The pamphlet shall also contain, for each ballot proposition,

1 (1) a neutral summary of the proposition prepared by the Legislative
2 Affairs Agency, and (2) a statement by persons or organizations support-
3 ing the proposition, and (3) a statement by persons or organizations
4 opposing the proposition.

5 * Sec. 110. AS 15.57.020 is amended to read:

6 Sec. 15.57.020. STATEMENT AND PHOTOGRAPH TO BE FILED BY NOMINEE.
7 No later than 60 days before the applicable state election, each nominee
8 for the office of United States senator, United States representative,
9 governor, lieutenant governor, judicial officer, state senator and state
10 representative may file with the director of elections [LIEUTENANT
11 GOVERNOR] a typewritten statement advocating his candidacy. The state-
12 ment may not exceed 150 words of biographical information and 200 words
13 of information regarding issues and may be accompanied by a photograph
14 not more than five years old and suitable for reproduction.

15 * Sec. 111. AS 15.57.030 is amended to read:

16 Sec. 15.57.030. PUBLICATION. The statements and photographs of
17 nominees, as set out in secs. 10 and 20 of this chapter, shall be pub-
18 lished by the director of elections [LIEUTENANT GOVERNOR] as a candidate
19 pamphlet.

20 * Sec. 112. AS 15.57.040(b) is amended to read:

21 (b) All payments shall be made to the director of elections [LIEU-
22 TENANT GOVERNOR] when the statement is offered to him for filing and
23 shall be deposited in the general fund.

24 * Sec. 113. AS 15.57.050 is amended to read:

25 Sec. 15.57.050. DISTRIBUTION. (a) Not less than 30 days before
26 the election the director of elections [LIEUTENANT GOVERNOR] shall
27 transmit by mail, to every voter in the state whose address he can with
28 reasonable diligence ascertain, one copy of the pamphlet. When practi-
29 cal, the director of elections [LIEUTENANT GOVERNOR] shall have the

1 pamphlets printed so that no candidate's picture or statement is included
2 in the copy of the pamphlet going to a district where the candidate's
3 election is not to be voted upon.

4 (b) Additional copies of the pamphlet may be obtained from the
5 office of the director of elections [LIEUTENANT GOVERNOR] at cost.

6 * Sec. 114. AS 15.60.010 is amended by adding new paragraphs to read:

7 (25) "commission" means Alaska Public Offices Commission;

8 (26) "director" means director of elections.

9 * Sec. 115. AS 39.50.020(b) is repealed and re-enacted to read:

10 (b) The governor, lieutenant governor, members of the legislature,
11 and candidates for those offices, judicial officers, and each person
12 required to report under this chapter, shall file the statement with the
13 commission. All statements required to be filed under this chapter are
14 public records.

15 * Sec. 116. AS 39.50.050(a) is amended to read:

16 (a) The Alaska Public Offices Commission shall administer the pro-
17 visions of this chapter. The commission [LIEUTENANT GOVERNOR] shall
18 prepare and keep available for distribution, standardized forms on which
19 the reports required by this chapter shall be filed.

20 * Sec. 117. AS 39.50.050(b) is amended to read:

21 (b) The commission shall [LIEUTENANT GOVERNOR MAY] promulgate
22 regulations to implement and interpret the provisions of this chapter;
23 regulations or interpretation shall be within the intents and purposes of
24 this chapter and are subject to judicial review in accordance with the
25 provisions of the Administrative Procedure Act (AS 44.62).

26 * Sec. 118. AS 39.50.200 is amended by adding a new paragraph to read:

27 (3) "commission" means the Alaska Public Offices Commission
28 established under AS 15.13.020(a).

29 * Sec. 119. AS 44.62.330(a)(39) is amended to read:

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(39) Alaska Public Offices [ELECTION CAMPAIGN] Commission.

* Sec. 120. Statements filed with the lieutenant governor, administrator of courts or the Alaska Legislative Council under AS 39.50.020(b) before the effective date of this Act shall be transferred to the Alaska Public Offices Commission for filing under AS 39.50.050, as amended by this Act.

* Sec. 121. This Act takes effect July 1, 1975.

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