

Original sponsors: Miller, Malone and
Gardiner

Offered: 3/2/77
Referred: Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 19

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for preferential presidential primary
7 elections; and providing for an effective date."

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

9 * Section 1. AS 15.25.010 is amended to read:

10 Sec. 15.25.010. PROVISION FOR PRIMARY ELECTION. Candidates for
11 the elective state executive and state and national legislative offices
12 shall be nominated in a primary election by direct vote of the people in
13 the manner prescribed by secs. 10 - 200 of this chapter.

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

15 ARTICLE 3. PREFERENTIAL PRESIDENTIAL PRIMARY ELECTIONS.

16 Sec. 15.25.220. ELECTION OF PREFERENTIAL PRESIDENTIAL CANDIDATES.

17 (a) The lieutenant governor shall call a preferential presidential
18 primary election the second Tuesday in April of a presidential election
19 year.

20 (b) The preferential presidential primary election ballot shall be
21 prepared and distributed by the lieutenant governor in the manner pre-
22 scribed for general election ballots. The lieutenant governor shall
23 place the names of all candidates on the same ballot.

24 Sec. 15.25.230. PLACING NAMES ON BALLOT. (a) The name of a
25 candidate for a political party nomination for the President of the
26 United States shall be printed on the ballots only

27 (1) by direction of the lieutenant governor who shall place
28 the name of a candidate upon the ballot when he determines in his sole
29 discretion that the candidate's candidacy is generally advocated or

1 recognized in national news media throughout the United States; or

2 (2) upon the petition for nomination presented to the lieu-
3 tenant governor by members of the political party of the candidate in
4 the form provided by sec. 240 of this chapter.

5 (b) The lieutenant governor may not place a candidate's name on
6 the ballot nor may a petition be presented to the lieutenant governor
7 after the first Tuesday in March before the presidential election.

8 Sec. 15.25.240. PETITION FOR PRESIDENTIAL CANDIDATE. (a) A
9 petition for nomination of a candidate under sec. 230(a)(2) of this
10 chapter shall meet the requirements of sec. 180 of this chapter and have
11 attached to it a sheet or sheets containing the signatures of at least
12 1,000 qualified voters of the candidate's political party.

13 (b) The signature sheets shall also contain the residence address
14 and name of each qualified voter whose signature appears on the peti-
15 tion. The signature shall be certified.

16 Sec. 15.25.250. WITHDRAWAL OF CANDIDACY BY CANDIDATE. A person
17 who has been selected by the lieutenant governor or nominated as a
18 candidate by petition as provided in sec. 230 of this chapter may have
19 his name withdrawn not later than the second Tuesday in March before the
20 presidential primary election if he executes and files with the lieu-
21 tenant governor an affidavit stating his desire not to have his name
22 printed on the presidential primary ballot.

23 Sec. 15.25.260. DELEGATES TO NATIONAL CONVENTIONS. (a) In the
24 years when a President of the United States is to be nominated and
25 elected, the political parties in the state shall elect delegates to
26 their national conventions in a manner the party may determine. Poli-
27 tical party conventions held for the purpose of electing delegates to
28 the national conventions shall be held after the preferential presi-
29 dential primary election on a date that the party may determine.

1 (b) Each candidate shall receive, from the total number of dele-
2 gate votes, a number of delegate votes which amounts to the same pro-
3 portion of the total number of delegate votes as the number of votes he
4 received bears to the number of votes cast for all candidates of his
5 party receiving more than 15 per cent of the votes cast for that party.
6 These proportions of delegate votes shall be expressed as fractional
7 votes or the nearest whole number of delegate votes as the rules of the
8 particular national party or convention may provide. A delegate so
9 pledged must use his best efforts to secure his party's nomination for
10 that candidate until that candidate for President of the United States
11 is nominated by the convention, receives less than 35 per cent of the
12 votes for nomination by the convention, or releases the delegate from
13 the pledge, or until two convention nominating ballots have been taken.

14 Sec. 15.25.270. PROCEDURES FOR PREFERENTIAL PRESIDENTIAL PRIMARY
15 ELECTIONS. The provisions of this title regarding the conduct of a
16 general election shall govern the conduct of a preferential presidential
17 primary election, including provisions for write-ins, except to the
18 extent that the provisions of secs. 220 - 260 of this chapter are incon-
19 sistent with those provisions.

20 * Sec. 3. The purpose of this section of the Act is to illustrate how the
21 provisions of AS 15.25.260(b) in sec. 1 of this Act might operate in practice.
22 A presidential primary is held, and 200,000 votes are cast: 100,000 for the
23 candidates of one party and 100,000 for the candidates of another party. The
24 four candidates for the nomination of the former party receive 20 per cent,
25 15 per cent, 10 per cent, and 5 per cent of the total vote respectively,
26 which means that they receive 40 per cent, 30 per cent, 20 per cent and 10
27 per cent of the vote cast for candidates of that party. In accordance with
28 AS 15.25.260(b) the 16 delegate votes of that party are allocated only among
29 the candidates receiving more than 15 per cent of the vote cast for that

1 party. Therefore in allocating delegate votes among the three remaining
2 candidates, the votes cast for the candidate receiving 10 per cent are dis-
3 regarded. A quotient is established by dividing the remainder of the votes
4 into the number received by each of the three candidates. This quotient is
5 the proportion applied to the total number of delegate votes to determine the
6 number of delegates that candidate shall receive. For example, the candidate
7 receiving 40 per cent of the vote would receive 44 per cent of all votes cast
8 for candidates receiving more than 15 per cent of the vote. This percentage
9 applied to the total number of delegate votes would equal 7.04 delegate
10 votes, which would be rounded to 7 votes or 7 and 1/25 delegate votes, depen-
11 ding on the rules of the national party convention.

12 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
13 070(c).

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