

Introduced: 1/24/79
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY MILLER DUNCAN AND ROGERS

2 HOUSE BILL NO. 28

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

11 Sec. 15.25.010. PROVISION FOR PRIMARY ELECTION. Candidates for
12 the elective state executive and state and national legislative offices
13 shall be nominated in a primary election by direct vote of the people in
14 the manner prescribed by AS 15.25.010 - 15.25.200 [THIS CHAPTER].

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

16 ARTICLE 3. PREFERENTIAL PRESIDENTIAL PARTY

17 PRIMARY ELECTIONS.

18 Sec. 15.25.220. PREFERENTIAL PRESIDENTIAL PARTY PRIMARY ELECTION.

19 (a) The lieutenant governor shall call a preferential presidential
20 party primary election on the second Tuesday in April of a presidential
21 election year.

22 (b) The ballot shall be prepared and distributed by the lieutenant
23 governor in the manner prescribed by AS 15.25.060 except that space for
24 the writing in or pasting in of names shall be provided for on the
25 ballot.

26 Sec. 15.25.230. PLACING RECOGNIZED NAMES ON THE BALLOT. (a) The
27 lieutenant governor shall place the name of a candidate on the ballot
28 when he determines in his discretion that the candidate is generally
29 recognized throughout the United States or Alaska as a candidate for

1 nomination for President of the United States.

2 (b) No later than the last Tuesday in January of a presidential
3 election year the lieutenant governor shall announce a list of candi-
4 dates who will appear on the ballot. The lieutenant governor shall also
5 notify the candidate that the candidate's name will appear on the ballot
6 in this state.

7 (c) The lieutenant governor shall notify the candidate that he may
8 withdraw the name from the ballot by filing with the lieutenant governor
9 no later than the last Tuesday in February of that year a statement that
10 he is not now a candidate for the office of President of the United
11 States and requesting the removal of his name. The name of a candidate
12 withdrawing under this section may not appear on the ballot.

13 Sec. 15.25.240. PETITION FOR PRESIDENTIAL CANDIDATE. (a) Sup-
14 porters of a candidate for nomination for President of the United States
15 may file a petition to have the name of the candidate of their choice on
16 the ballot. Petitions under this section shall be filed no later than
17 the last Tuesday in January of a presidential election year, shall
18 contain the signatures of at least 1,000 qualified voters, and shall
19 state (1) the full name of the candidate; (2) the name of the political
20 group supporting the candidate; (3) that the subscribers are qualified
21 voters of this state; (4) that the subscribers intend to vote for the
22 candidate at the general election if the candidate is nominated; and (5)
23 that the subscribers request that the candidate's name be placed on the
24 ballot. The signature sheets shall also contain the printed name and
25 residence address of each qualified voter whose signature appears on the
26 petition.

27 (b) The lieutenant governor shall notify a candidate of the filing
28 of the petition under this section and advise that he may withdraw his
29 name from the ballot by filing with the lieutenant governor no later

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than the last Tuesday in February of that year a statement that he is not now a candidate for the office of President of the United States and requesting the removal of his name. The name of a candidate withdrawing under this section may not appear on the ballot.

Sec. 15.25.250. SELECTION OF DELEGATES. (a) In the years when a President of the United States is to be nominated and elected, political parties in the state shall select delegates to their national conventions according to the party's plan of organization. The procedures for the selection of delegates shall be held after the preferential presidential party primary election.

(b) Each candidate receiving more than 15 per cent of the ballot votes cast in that party's primary shall be entitled to receive a proportionate number of delegate votes equal to the proportionate number of ballot votes the candidate received after excluding the number of ballot votes cast for candidates of his party who each received less than 15 per cent of the ballot votes in that party's primary. The proportions of delegate votes shall be expressed as fractional delegate votes or the nearest whole number of delegate votes as the rules of the particular national party or convention may provide.

Sec. 15.25.260. DELEGATES PLEDGED. A delegate selected under AS 15.25.250 must use his best efforts to secure the nomination for the candidate to whom he is pledged until that candidate is nominated by the convention, receives less than 35 per cent of the delegate votes for nomination by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken.

Sec. 15.25.270. PROCEDURES FOR CONDUCT OF ELECTION. The provisions of AS 15 regarding the conduct of a general election govern the conduct of a preferential presidential party primary election, including provisions for write-ins, except to the extent that the provisions of

1 AS 15.25.220 - 15.25.270 are inconsistent with those provisions.

2 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
3 070(c).

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