

Offered: 2/28/79  
Referred: Judiciary

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

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CS FOR HOUSE BILL NO. 28

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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

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

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

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

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ARTICLE 3. PRESIDENTIAL PARTY PRIMARY ELECTIONS.

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Sec. 15.25.220. PRESIDENTIAL PARTY PRIMARY ELECTION. (a) The  
lieutenant governor shall call a presidential party primary election on  
the third Tuesday in April of a presidential election year.

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(b) The ballot shall be prepared and distributed by the lieutenant  
governor in the manner prescribed by AS 15.25.060.

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Sec. 15.25.230. PLACING RECOGNIZED NAMES ON THE BALLOT. (a) The  
lieutenant governor shall place on the ballot the name of each candidate  
generally recognized throughout the United States as a candidate for  
nomination for President of the United States.

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(b) The lieutenant governor shall announce on the last Tuesday in  
January of a presidential election year a list of candidates who will  
appear on the ballot. The lieutenant governor shall also notify each  
candidate that the candidate's name will appear on the ballot in this  
state.

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1 (c) The lieutenant governor shall notify each candidate that he  
2 may withdraw his name from the ballot by filing with the lieutenant  
3 governor no later than the last Tuesday in February of a presidential  
4 election year a statement that he is not now and does not intend to  
5 become a candidate for the office of President of the United States at  
6 that presidential election and requesting the removal of his name. The  
7 name of a candidate withdrawing under this section may not appear on the  
8 ballot.

9 Sec. 15.25.240. PETITION FOR PRESIDENTIAL CANDIDATE. (a) Sup-  
10 porters of a candidate for nomination for President of the United States  
11 may file a petition to have the name of the candidate of their choice on  
12 the ballot. A petition under this section must be filed by the last  
13 Tuesday in February of a presidential election year and must contain the  
14 signatures of qualified voters residing in no less than two-thirds of  
15 the election districts of the state equal in number to five per cent of  
16 the number of votes cast for the candidates for governor in the  
17 preceding election for governor. A petition under this section shall  
18 include (1) the full name of the candidate; (2) the name of the politi-  
19 cal group supporting the candidate; (3) the name of the political party  
20 in which the candidate is registered; (4) a statement that the sub-  
21 scribers are qualified voters of this state; and (5) a statement that  
22 the subscribers request that the candidate's name be placed on the  
23 ballot. The signature sheets shall also contain the printed name and  
24 residence address of each qualified voter whose signature appears on the  
25 petition.

26 (b) The lieutenant governor shall notify a candidate of the filing  
27 of a petition under this section and advise that he may withdraw his  
28 name from the ballot by filing with the lieutenant governor no later  
29 than the first Tuesday in March of a presidential election year a state-

1 ment that he is not now nor does he intend to become a candidate for the  
2 office of President of the United States at that presidential election  
3 and requesting the removal of his name. The name of a candidate with-  
4 drawing under this subsection may not appear on the ballot.

5 Sec. 15.25.250. SELECTION OF DELEGATES. (a) The political  
6 parties in the state shall select delegates to their national conven-  
7 tions according to the party's plan of organization. The final  
8 selection of delegates shall be held after the presidential party  
9 primary election.

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

19 Sec. 15.25.260. DELEGATES PLEDGED. A delegate selected under  
20 AS 15.25.250 must cast his vote to secure the nomination for the candi-  
21 date to whom he is pledged until that candidate is nominated by the  
22 convention, receives less than 30 per cent of the delegate votes for  
23 nomination by the convention, releases the delegates from the pledge, or  
24 until two convention nominating ballots have been taken.

25 Sec. 15.25.270. PROCEDURES FOR CONDUCT OF ELECTION. The provi-  
26 sions of AS 15 regarding the conduct of a general election govern the  
27 conduct of the presidential party primary election, except to the extent  
28 that the provisions of AS 15.25.220 - 15.25.270 are inconsistent with  
29 those provisions.

1 \* Sec. 3. AS 15.25.220 - 15.25.270 are repealed on July 1, 1981.  
2 \* Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-  
3 070(c).

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