

Introduced: 1/25/85
Referred: State Affairs,
Judiciary and Finance

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 110

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act amending the election laws of the state; and
7 providing for an effective date."

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

9 * Section 1. AS 15.05.030 is amended to read:

10 Sec. 15.05.030. LOSS AND RESTORATION OF VOTING RIGHTS. (a) A
11 person convicted of a crime that constitutes a felony involving moral
12 turpitude under state law may not vote in a state or a municipal
13 election from the date of the conviction through the date of the
14 [RESTORATION OF VOTING RIGHTS UNDER THIS SECTION. THE RIGHT TO VOTE
15 WITHDRAWN UNDER THIS SECTION IS AUTOMATICALLY RESTORED UPON THE]
16 unconditional discharge of the person. Upon the unconditional dis-
17 charge, the person may register under AS 15.07.

18 (b) The commissioner of corrections shall establish procedures
19 by which a person unconditionally discharged is advised of the voter
20 registration requirements and procedures [RESTORATION OF VOTING RIGHTS
21 WITHDRAWN BY A CONVICTION].

22 * Sec. 2. AS 15.07.135 is amended to read:

23 Sec. 15.07.135. CANCELLATION [SUSPENSION] OF REGISTRATION OF
24 CONVICTED PERSONS. The director shall make reasonable efforts to ob-
25 tain the names of persons convicted of a felony involving moral turpi-
26 tude. [THE DIRECTOR SHALL ALSO MAKE REASONABLE EFFORTS TO OBTAIN THE
27 NAMES OF PERSONS UNCONDITIONALLY DISCHARGED FROM CUSTODY.] The direc-
28 tor shall cancel [SUSPEND] the registration of a person convicted of a
29 felony involving moral turpitude. Upon presenting proof that [UNTIL]

1 the person is unconditionally discharged from custody, the person may
2 register. The director must make reasonable efforts to verify the
3 unconditional discharge of persons applying for registration under
4 this section.

5 * Sec. 3. AS 15.07.160 is amended to read:

6 Sec. 15.07.160. UNLAWFUL ACTION. (a) Except as provided in
7 AS 15.07.135, it [IT] is unlawful for a registration official to re-
8 fuse to register a person who is qualified to vote under provisions of
9 AS 15.05.010(1) -- (4).

10 (b) It is unlawful for a person to register who knows he is not
11 qualified to vote under provisions of AS 15.05.010(1) -- (4) or 15.-
12 05.030.

13 (c) [Repealed by sec. 231, ch. 100, SLA 1980.]

14 * Sec. 4. AS 15.10.180 is amended to read:

15 Sec. 15.10.180. APPOINTMENT OF PARTY REPRESENTATIVE FOR STATE
16 BALLOT COUNTING REVIEW. The director shall appoint [TWO] persons from
17 each political party to serve on teams to participate in the state
18 ballot counting review. The director may determine the number of
19 teams to be appointed; however, each team must have members from at
20 least two political parties. Each person who is appointed and serves
21 is entitled to compensation as provided in AS 15.15.380. Each politi-
22 cal party may present to the director a list of three or more names
23 from which the director shall select the persons to represent the
24 party. The list of names may be submitted in writing at least 30 days
25 before the date of the election. The persons to represent the party
26 on the state ballot counting review board may be selected by the state
27 party central committee or in any other manner prescribed by the
28 bylaws of the party. The list of names must [SHALL] be certified by
29 the chairman of the state central committee of the party or by the

1 person authorized by the party bylaws to act in the absence of the
2 chairman.

3 * Sec. 5. AS 15.20.081(d) is amended to read:

4 (d) Upon receipt of an absentee ballot by mail, the voter, in
5 the presence of a notary public, commissioned officer of the armed
6 forces including the National Guard, district judge or magistrate,
7 United States postal official, registration official, or other person
8 qualified to administer oaths, may proceed to mark the ballot in
9 secret, to place the ballot in the small envelope, to place the small
10 envelope in the larger envelope, and to sign the voter's certificate
11 on the back of the larger envelope in the presence of an official
12 listed in this subsection who shall sign as attesting official and
13 shall date the signature. If none of the officials listed in this
14 subsection is reasonably accessible, an absentee voter shall have the
15 ballot witnessed by two persons over the age of 18 years and, in
16 addition, shall provide the certification prescribed in AS 09.63.020.

17 * Sec. 6. AS 15.20.207(b) is amended to read:

18 (b) A questioned ballot may not be counted if

19 (1) the voter has failed to properly execute the certifi-
20 cate; or

21 (2) [AN OFFICIAL OR THE WITNESSES AUTHORIZED BY LAW TO
22 ATTEST THE VOTER'S CERTIFICATE FAIL TO EXECUTE THE CERTIFICATE; OR]

23 (3) the voter did not enclose the marked ballot inside the
24 small envelope.

25 * Sec. 7. AS 15.20.440(a) is amended to read:

26 (a) The application shall state in substance the basis of the
27 belief that a mistake has been made, the particular election precinct
28 or election district for which the recount is to be held, the particu-
29 lar office, proposition, or question for which the recount is to be

1 held, and that the person making the application is a candidate or
2 that the 10 persons making the application are qualified voters. The
3 candidate or persons making the application shall designate by full
4 name and mailing address two persons who shall represent the applicant
5 and be present and assist during the recount. Any person may be named
6 representative, including the candidate himself or any person signing
7 the application[, AND THE REPRESENTATIVES SHALL BE PAID IN THE SAME
8 AMOUNT AND MANNER AS ELECTION JUDGES]. Applications by 10 qualified
9 voters must [SHALL] also include the designation of one of the number
10 as chairman. The candidate or persons making the application shall
11 sign the application and shall print or type their full name and
12 mailing address.

13 * Sec. 8. AS 15.20 is amended by adding a new section to Article 5 to
14 read:

15 Sec. 15.20.580. SUPERVISION OF PUNCH-CARD VOTING. In accordance
16 with AS 15.15.010, the director shall supervise punch-card voting
17 procedures and the counting of punch-card ballots.

18 * Sec. 9. AS 15.25.050(a) is amended to read:

19 (a) At the time the declaration is filed, each candidate shall
20 pay a nonrefundable filing fee to the director. The filing fee for
21 candidates for office of governor, lieutenant governor, United States
22 senator, and United States representative is \$100. The filing fee for
23 candidates for office of state senator and state representative is
24 \$30. [SUBJECT TO LEGISLATIVE APPROPRIATION, THE DIRECTOR SHALL PAY
25 THE FILING FEE COLLECTED FROM A CANDIDATE UNDER THIS SECTION TO THE
26 CENTRAL COMMITTEE OF THE POLITICAL PARTY OF THAT CANDIDATE.]

27 * Sec. 10. AS 15.25.160 is amended to read:

28 Sec. 15.25.160. REQUIRED NUMBER OF SIGNATURES FOR STATEWIDE
29 OFFICE. Petitions for the nomination of candidates for the office of

1 governor, lieutenant governor, United States senator and United States
2 representative must [SHALL] be signed by qualified voters of the state
3 equal in number to at least one [THREE] percent of the number of
4 ballots [VOTES] cast in the preceding general election. Candidates
5 for the office of governor and lieutenant governor shall file jointly.

6 * Sec. 11. AS 15.25.170 is amended to read:

7 Sec. 15.25.170. REQUIRED NUMBER OF SIGNATURES FOR DISTRICT-WIDE
8 OFFICE. Petitions for the nomination of candidates for the office of
9 state senator or state representative must [SHALL] be signed by qual-
10 ified voters of the election or senate district in which the proposed
11 nominee desires to be a candidate equal in number to at least one
12 [THREE] percent of the number of ballots [VOTES] cast in the proposed
13 nominee's [HIS] respective election or senate district in the preced-
14 ing general election. However, [PROVIDED THAT] no nominating petition
15 [NEED CONTAIN MORE THAN 200 SIGNATURES NOR] may [IT] contain less than
16 50 signatures for any district.

17 * Sec. 12. AS 15.25.240(a) is amended to read:

18 (a) Supporters of a candidate for nomination for President of
19 the United States may file a petition to have the name of the candi-
20 date of their choice on the ballot. A petition under this section
21 must be filed by the last Tuesday in February of a presidential elec-
22 tion year and must contain the signatures of qualified voters residing
23 in no less than two-thirds of the election districts of the state
24 equal in number to three [FIVE] percent of the number of ballots
25 [VOTES] cast [FOR THE CANDIDATES FOR GOVERNOR] in the preceding elec-
26 tion for governor. A petition under this section must [SHALL] include
27 (1) the full name of the candidate; (2) the name of the political
28 group supporting the candidate; (3) the name of the political party in
29 which the candidate is registered; (4) a statement that the

1 subscribers are qualified voters of the state; and (5) a statement
2 that the subscribers request that the candidate's name be placed on
3 the ballot. The signature sheets must [SHALL] also contain the print-
4 ed name and residence address of each qualified voter whose signature
5 appears on the petition.

6 * Sec. 13. AS 15.30.025(a) is amended to read:

7 (a) A limited political party may be organized for the purpose
8 of selecting candidates for electors of President and Vice President
9 of the United States by filing [A PETITION] with the director at least
10 90 days before a presidential general election a petition signed by
11 qualified voters of this state equaling in number at least one [THREE]
12 percent of Alaska's total vote for President at the last presidential
13 election. The petition must [SHALL] state that the signers intend to
14 organize a limited political party, that they intend to select candi-
15 dates for electors of President and Vice President of the United
16 States at the next succeeding presidential election, and the name of
17 the limited political party.

18 * Sec. 14. AS 15.30.025(c) is amended to read:

19 (c) A limited political party organized under this section
20 ceases [SHALL CEASE] to be a limited political party if [WHENEVER] its
21 presidential candidate fails to receive at least three [10] percent of
22 the total Alaskan vote cast for the office of President at a presiden-
23 tial election.

24 * Sec. 15. AS 15.40.100 is amended to read:

25 Sec. 15.40.100. REQUIREMENTS OF PETITION FOR NO-PARTY CANDI-
26 DATES. Petitions for the nomination of candidates not representing a
27 political party must [SHALL] be signed by qualified voters of the
28 state equal in number to at least one [THREE] percent of the number
29 [NUMBERS] of ballots [VOTES] cast in the preceding general election,

1 and must [SHALL] state in substance that which is required in peti-
2 tions for nomination for general elections provided in AS 15.25.180.

3 * Sec. 16. AS 15.40.190 is amended to read:

4 Sec. 15.40.190. REQUIREMENTS OF PETITION FOR [OF] NO-PARTY
5 CANDIDATES. Petitions for the nomination of candidates not represent-
6 ing a political party must [SHALL] be signed by qualified voters of
7 the state equal in number to at least one [THREE] percent of the
8 number of ballots [VOTES] cast in the preceding general election and
9 must [SHALL] state in substance that which is required for nomination
10 petitions by AS 15.25.180.

11 * Sec. 17. AS 15.40.280 is amended to read:

12 Sec. 15.40.280. REQUIREMENTS OF PETITION FOR [OF] NO-PARTY
13 CANDIDATES. Petitions for the nomination of candidates not represent-
14 ing a political party must [SHALL] be signed by qualified voters of
15 the state equal in number to at least one [THREE] percent of the
16 number of ballots [VOTES] cast in the preceding general election, must
17 [SHALL] include nominees for the office of governor and lieutenant
18 governor, and must [SHALL] state in substance that which is required
19 for nomination petitions by AS 15.25.180.

20 * Sec. 18. AS 15.40.440 is amended to read:

21 Sec. 15.40.440. REQUIREMENTS OF PETITION FOR NO-PARTY CANDI-
22 DATES. Petitions for the nomination of candidates not representing a
23 political party must [SHALL] be signed by qualified voters equal in
24 number to at least one [THREE] percent of the number of ballots
25 [VOTES] cast in the proposed nominee's [HIS] respective election or
26 senate district in the preceding general election. However, [PROVIDED
27 THAT] no nominating petition [MAY CONTAIN MORE THAN 200 SIGNATURES
28 OR] may [IT] contain less than 30 signatures for any district, and
29 must [SHALL] state in substance that which is required in petitions

1 for nomination for general elections provided in AS 15.25.180.

2 * Sec. 19. AS 15.60.010(20) is amended to read:

3 (20) "political party" means an organized [A] group of
4 [ORGANIZED] voters that [WHICH] represents a political program and
5 that [WHICH] nominated a candidate for governor who received at least
6 three [10] percent of the total ballots [VOTE] cast at the preceding
7 general election for governor;

8 * Sec. 20. AS 15.25.180(10) is repealed.

9 * Sec. 21. This Act takes effect immediately in accordance with AS 01.-
10 10.070(c).