

Offered: 5/8/86
Referred: Rules

Original sponsors: Boucher, Hurley
and Navarre

1 IN THE HOUSE BY THE STATE AFFAIRS COMMITTEE
2 SENATE CS FOR CS FOR HOUSE BILL NO. 284 (State Affairs)
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 FOURTEENTH LEGISLATURE - SECOND SESSION
5 A BILL
6 For an Act entitled: "An Act relating to elections; and providing for an
7 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15 WITHDRAWN UNDER THIS SECTION IS AUTOMATICALLY RESTORED UPON THE]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21 WITHDRAWN BY A CONVICTION].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 shall 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(a) is amended to read:

6 (a) Except as provided in AS 15.07.135, it [IT] is unlawful for
7 a registration official to refuse to register a person who is qual-
8 ified to vote under provisions of AS 15.05.010(1) - (4).

9 * Sec. 4. AS 15.07.160(b) is repealed and reenacted to read:

10 (b) It is unlawful for a person knowingly lacking the qualifica-
11 tions of a voter to register under AS 15.07.030 to vote.

12 * Sec. 5. AS 15.10.180 is amended to read:

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

29 * Sec. 6. AS 15.13.120(a) is amended to read:

1 (a) A person who violates a provision of this chapter is guilty
2 of a misdemeanor and, upon conviction, is punishable by imprisonment
3 for not more than one year or by a fine of not more than \$5,000. A
4 violation includes but is not limited to any of the following acts or
5 omissions:

6 (1) failing to make a statement or report required to be
7 made under this chapter, or failing to make a statement or report at
8 the time the statement or report is required to be made under this
9 chapter;

10 (2) making a campaign contribution or expenditure which
11 exceeds the limitations of AS 15.13.070 [AS 15.13.070(f)];

12 (3) making a false statement or report under this chapter;

13 (4) giving or furnishing money to another person or group
14 for the purpose of making a contribution or expenditure anonymously,
15 in a fictitious name, or in the name of another, or contributing in
16 violation of AS 15.13.090;

17 (5) making a communication to support or defeat a candidate
18 without identification of sponsorship, in violation of AS 15.13.090;
19 [.]

20 (6) knowingly accepting a contribution in violation of
21 AS 15.13.070. [;]

22 * Sec. 7. AS 15.15.070(c) is amended to read:

23 (c) Public notice shall also be given by posting notices in two
24 or more conspicuous places in each election precinct. The posted
25 notice shall specifically include but is not limited to the date of
26 election, [THE BOUNDARY OF THE PRECINCT,] the location of the polling
27 place, the hours between which the polling places will be open, the
28 offices to which candidates are to be nominated or elected, and the
29 subject of the propositions and questions which are to be voted on.

1 * Sec. 8. AS 15.15.198(a) is amended to read:

2 (a) If a voter's name does not appear on the official registra-
3 tion list in the precinct in which the voter [HE] seeks to vote, the
4 election judge shall affirmatively advise the voter that the voter may
5 cast a questioned ballot and the voter [HE] shall be allowed to vote a
6 questioned ballot.

7 * Sec. 9. AS 15.15.440 is amended to read:

8 Sec. 15.15.440. DATES FOR OPENING AND CLOSING STATE BALLOT
9 COUNTING REVIEW. The state ballot counting review shall begin no
10 later than 11 [EIGHT] days after the election and be continued daily
11 until completed. The director may designate the hours each day during
12 which the state ballot counting review board is to conduct its ballot
13 counting review. The director shall close the review when the direc-
14 tor [HE] is satisfied that no missing precinct certificate of election
15 would, if received, change the result of the election. If no election
16 certificate has been received from a precinct, the director may secure
17 from the election supervisors and may count a certified copy of the
18 duplicate election certificate of the precinct. If no election mate-
19 rials have been received, but election results have been received by
20 telephone, telegram or radio, the director shall count the election
21 results so received. If the director has reason to believe that a
22 missing precinct certificate, if received, would affect the result of
23 the election, the director shall await the receipt of the certificate
24 until the close of business on [FOUR O'CLOCK IN THE AFTERNOON OF] the
25 15th day after the date of election. A certificate not actually
26 delivered to the director by the close of business [FOUR O'CLOCK] on
27 the 15th day after the election may [SHALL] not be counted at the
28 state ballot counting review.

29 * Sec. 10. AS 15.20.071(c) is amended to read:

1 (c) The personal representative shall deliver the absentee
2 ballot to the voter as soon as practicable. Upon receipt of an absen-
3 tee ballot through a personal representative, the voter shall proceed
4 to mark the ballot in secret, to place the ballot in the small enve-
5 lope, to place the small envelope in the larger envelope, and to sign
6 the voter's certificate on [THE BACK OF] the envelope in the presence
7 of the personal representative who shall witness and date the signa-
8 ture of the voter. The voter must mark the ballot and sign the vot-
9 er's certification not later than election day [SIGN AS ATTESTING
10 WITNESS AND DATE HIS SIGNATURE]. The voter shall then return the
11 absentee ballot to the [HIS] personal representative who shall deliver
12 the ballot to the election official who provided the ballot. The
13 absentee ballot must be returned to the election official [WITHIN
14 THREE DAYS FROM THE DATE IT IS OBTAINED BUT] not later than 8:00 p.m.
15 on election day. [AN ABSENTEE BALLOT THAT IS NOT RETURNED TO THE
16 ELECTION OFFICIAL BY THE CLOSE OF BUSINESS ON THE THIRD DAY FROM THE
17 DAY IT IS OBTAINED MAY NOT BE COUNTED BUT THE VOTER MAY VOTE IN THE
18 ELECTION.]

19 * Sec. 11. AS 15.20.081(b) is amended to read:

20 (b) An application for an absentee ballot by mail must be
21 postmarked not [MORE THAN SIX MONTHS NOR] less than 14 [SEVEN] days
22 before the election for which the absentee ballot is sought. The
23 absentee ballot application shall permit the person to register to
24 vote under AS 15.07.070 and to request an absentee ballot for each
25 state election held within that calendar year for which the voter is
26 eligible to vote.

27 * Sec. 12. AS 15.20.081(e) is amended to read:

28 (e) An absentee ballot must be marked [AND ATTESTED] on or
29 before the date of the election. Except as provided in (h) of this

1 section, a [IF THE] voter who returns the ballot by mail [, HE] shall
2 use a mail service at least equal to first class [THE MOST EXPEDITIOUS
3 MAIL SERVICE] and mail the ballot not later than the day of the elec-
4 tion to the election supervisor for the [IN HIS] election district in
5 which the voter seeks to vote. The ballot may not be counted unless
6 it is received by the close of business on the 10th day after the
7 election. If the ballot is postmarked, it must be postmarked on or
8 before election day. After the day of the election, no ballots shall
9 be accepted unless received by mail.

10 * Sec. 13. AS 15.20.081 is amended by adding a new subsection to read:

11 (h) An absentee ballot returned by mail from outside the United
12 States or from a military APO or FPO address that has been marked and
13 mailed not later than election day may not be counted unless the
14 ballot is received by the election supervisor not later than the close
15 of business on the 10th day following the election.

16 * Sec. 14. AS 15.20 is amended by adding a new section to read:

17 Sec. 15.20.082. ABSENTEE VOTING BY MAIL FROM OUTSIDE THE UNITED
18 STATES. (a) The director shall prepare special absentee ballots
19 under this section for use in a state primary election, a state gener-
20 al election, and a state special election when the voter notifies the
21 director in writing that the voter expects to be living, working, or
22 traveling outside the United States at the time of the election. The
23 director shall prepare the ballot so that it may be sent to the absen-
24 tee voter 60 days before the date of the election. The director shall
25 list on the ballot the different races to be voted on at the particu-
26 lar election on a statewide basis and, if the director prepares the
27 ballot without the names of candidates printed on the ballot, the
28 director shall provide the voter with information described in (c) of
29 this section.

1 (b) A special state absentee ballot prepared for use under (a)
2 of this section shall contain each judicial retention election and
3 ballot proposition or question scheduled to appear on the particular
4 ballot.

5 (c) A special state absentee ballot prepared for the state
6 general election or for a state special election shall, if the names
7 of candidates are not yet certified, permit a voter to cast a ballot
8 for all the candidates of a particular political party that expects to
9 have candidates appear on the ballot; for this purpose, the director
10 shall prepare the ballot with party boxes and a blank line for each
11 office to be voted on in that election. The voter may vote for a
12 candidate for that office by writing in the name of a person and
13 marking the box to the right of that name or the voter may mark one of
14 the party boxes. If the voter puts a mark in a party box for that
15 office, the director shall count the mark as a vote cast for the
16 candidate for that office nominated by that party. If the voter
17 writes in a name for an office, the vote shall be counted as a write-
18 in vote for that office. The director shall count the ballots under
19 AS 15.15.360. The director shall provide the voter with the names of
20 each candidate appearing on the primary election ballot and the names
21 of any candidates who have qualified by petition to appear on the
22 general election ballot.

23 (d) The director shall prepare the regular absentee ballots as
24 soon as is reasonably possible and shall send the regular absentee
25 ballot to each person receiving a special absentee ballot under this
26 section. The director shall, if the regular absentee ballot is re-
27 ceived within the time required by law, count the regular absentee
28 ballot in preference to the special absentee ballot.

29 * Sec. 15. AS 15.20.201(a) is amended to read:

1 (a) No less than seven days [ON THE SEVENTH DAY] preceding the
2 day of election, the election supervisor [OR HIS DESIGNEE], in the
3 presence and with the assistance of the district absentee ballot
4 counting board, shall review all voter certificates of absentee bal-
5 lots received by that date. The review of absentee ballots shall
6 continue at times designated by the election supervisor until complet-
7 ed [AND SHALL INCLUDE ALL ABSENTEE BALLOTS RECEIVED IN THE OFFICE OF
8 THE ELECTION SUPERVISOR BY 4:00 P.M. ON THE SEVENTH DAY FOLLOWING THE
9 DAY OF THE ELECTION].

10 * Sec. 16. AS 15.20.201(c) is amended to read:

11 (c) On the 10th [EIGHTH] day following the day of the election,
12 the district absentee ballot counting board shall certify the absentee
13 ballot review.

14 * Sec. 17. AS 15.20.203(b) is amended to read:

15 (b) An absentee ballot may not be counted if

16 (1) the voter has failed to properly execute the certifi-
17 cate;

18 (2) an official or the witnesses authorized by law to
19 attest the voter's certificate fail to execute the certificate;

20 (3) [THE VOTER FAILS TO ENCLOSE THE MARKED BALLOT INSIDE
21 THE SMALL ENVELOPE;

22 (4)] the ballot is not attested on or before the date of
23 the election; [OR]

24 (4) [(5)] the ballot, if postmarked, is not postmarked on
25 or before the date of the election; or [.]

26 (5) after the day of election, the ballot was delivered by
27 a means other than mail.

28 * Sec. 18. AS 15.20.203(g) is amended to read:

29 (g) Upon completion of the absentee ballot review, the election

1 supervisor shall prepare an election certificate for execution by the
2 district absentee ballot counting board and shall forward the original
3 certificate and other returns to the director no later than the 11th
4 [NINTH] day following the election.

5 * Sec. 19. AS 15.20.205(c) is amended to read:

6 (c) The district questioned ballot counting board shall certify
7 the questioned ballot totals as soon as the count is completed but no
8 later than the 10th [EIGHTH] day following the election.

9 * Sec. 20. AS 15.20.207(b) is amended to read:

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

11 (1) the voter has failed to properly execute the certifi-
12 cate; or

13 (2) an official or the witnesses authorized by law to
14 attest the voter's certificate fail to execute the certificate [; OR

15 (3) THE VOTER DID NOT ENCLOSE THE MARKED BALLOT INSIDE THE
16 SMALL ENVELOPE].

17 * Sec. 21. AS 15.20.440(a) is amended to read:

18 (a) The application shall state in substance the basis of the
19 belief that a mistake has been made, the particular election precinct
20 or election district for which the recount is to be held, the particu-
21 lar office, proposition, or question for which the recount is to be
22 held, and that the person making the application is a candidate or
23 that the 10 persons making the application are qualified voters. The
24 candidate or persons making the application shall designate by full
25 name and mailing address two persons who shall represent the applicant
26 and be present and assist during the recount. Any person may be named
27 representative, including the candidate [HIMSELF] or any person sign-
28 ing the application [, AND THE REPRESENTATIVES SHALL BE PAID IN THE
29 SAME AMOUNT AND MANNER AS ELECTION JUDGES]. Applications by 10

1 qualified voters shall also include the designation of one of the
2 number as chair [CHAIRMAN]. The candidate or persons making the
3 application shall sign the application and shall print or type their
4 full name and mailing address.

5 * Sec. 22. AS 15.20.450 is amended to read:

6 Sec. 15.20.450. REQUIREMENT OF DEPOSIT. The application shall
7 include a deposit in cash, by certified check, or by bond with a
8 surety approved by the director. The amount of the deposit is \$300
9 [\$50] for each precinct, \$750 [\$250] for each election district, and
10 \$10,000 [\$2,000] for the entire state. If [HOWEVER, IF] the recount
11 includes an office for which candidates received a tie vote, or the
12 difference between the number of votes cast was 20 [10] or less or was
13 less than .5 percent of the total number of votes cast for the two
14 candidates for the contested office, or a question or proposition for
15 which there was a tie vote on the issue, or the difference between the
16 number of votes cast in favor of or opposed to the issue was 20 [10]
17 or less or was less than .5 percent of the total votes cast in favor
18 of or opposed to the issue, the application need not include a deposit
19 and the state shall bear the cost of the recount. If, on the recount,
20 a candidate other than the candidate who received the original elec-
21 tion certificate is declared elected, or if the vote on recount is
22 determined to be four percent or more in excess of the vote reported
23 by the state review for the candidate applying for the recount or in
24 favor or opposed to the question or proposition as stated in the
25 application, the entire deposit shall be refunded. If the entire
26 deposit is not refunded, the director shall refund any money remaining
27 after the cost of the recount has been paid from the deposit.

28 * Sec. 23. AS 15.20.480 is amended to read:

29 Sec. 15.20.480. PROCEDURE FOR RECOUNT. In conducting the

1 recount, the director [OR HIS APPOINTED REPRESENTATIVE] shall review
2 all ballots whether the ballots were counted at the precinct or by
3 computer or by the district absentee counting board or the questioned
4 ballot counting board to determine which ballots, or part of ballots,
5 were properly marked and which ballots are to be counted in the re-
6 count, and shall check the accuracy of the original count, the pre-
7 cinct certificate and the review. The director shall check the number
8 of ballots and questioned ballots cast in a precinct against the
9 registers and shall check absentee ballots voted against absentee
10 ballots distributed. [THE DIRECTOR SHALL COUNT ABSENTEE BALLOTS
11 RECEIVED AFTER 4:00 P.M. ON THE 15TH DAY FOLLOWING THE ELECTION AND
12 BEFORE THE COMPLETION OF THE RECOUNT.] For administrative purposes,
13 the director may join and include two or more applications in a single
14 review and count of votes. The rules in AS 15.15.360 governing the
15 counting of hand-marked ballots and the rules in AS 15.20.730 govern-
16 ing the counting of punch-card ballots shall be followed in the re-
17 count. The ballots and other election material shall remain in the
18 custody of the director during the recount and the highest degree of
19 care shall be exercised to protect the ballots against alteration or
20 mutilation. The recount shall be completed within 10 days. The
21 director may employ additional personnel necessary to assist in the
22 recount.

23 * Sec. 24. AS 15.20 is amended by adding a new section to article 5 to
24 read:

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

28 * Sec. 25. AS 15.20.620(d) is repealed and reenacted to read:

29 (d) During the tabulation by computer at main computer counting

1 sites, a manual count shall be made of a statistical sample of ballots
2 for all races in at least one precinct picked at random for each
3 election district counted at the site, under regulations adopted by
4 the director. The director shall check the results of the manual
5 count against those of the system.

6 * Sec. 26. AS 15.20 is amended by adding a new section to read:

7 ARTICLE 6. VOTING BY MAIL.

8 Sec. 15.20.750. VOTING BY MAIL. (a) The director may conduct
9 an election by mail if it is held at a time other than when the gen-
10 eral, party primary, or municipal election is held.

11 (b) If the director conducts an election under (a) of this
12 section by mail, the director shall send a ballot for each election
13 described in (a) of this section to each person whose name appears on
14 the official registration list prepared under AS 15.07.125 for that
15 election. The ballot shall be sent to the address stated on the
16 official registration list unless the voter has notified the director
17 or an election supervisor of a different address to which the ballot
18 should be sent. The director shall send ballots by first class,
19 nonforwardable mail.

20 (c) If the director conducts an election under (a) of this
21 section by mail, the director shall mail ballots under this section on
22 on or before the 22nd day before the election.

23 (d) The voter may cast the ballot under AS 15.20.081(d) - (e).

24 (e) The director shall review ballots voted under this section
25 under procedures established for the review of absentee ballots under
26 AS 15.20.201 and 15.20.203.

27 * Sec. 27. AS 15.25 is amended by adding new sections to read:

28 Sec. 15.25.042. ELIGIBILITY OF A CANDIDATE. (a) If the direc-
29 tor receives a complaint regarding the eligibility of a candidate for

1 a particular office, the director shall determine eligibility under
2 regulations adopted by the director. The director shall determine the
3 eligibility of the candidate within 30 days of the receipt of the
4 complaint.

5 (b) Except as provided in (c) of this section, the director
6 shall determine the eligibility of the candidate by a preponderance of
7 the evidence.

8 (c) If a candidate for the legislature has been registered to
9 vote at any time during the 12 months preceding the filing of the
10 declaration of candidacy in a district other than the district in
11 which the declaration of candidacy has been filed, the director may
12 not determine that a candidate is eligible except under a standard of
13 clear and convincing evidence.

14 (d) A person may not be a resident of two districts at the same
15 time.

16 Sec. 15.25.043. DETERMINATION OF RESIDENCY OF A CANDIDATE. In
17 determining the residence within an election district of a qualified
18 voter for the purposes of compliance with art. II, sec. 2 of the
19 Alaska Constitution, the director shall apply the rules established in
20 AS 15.05.020 together with the following rules:

21 (1) a person establishes residence within an election
22 district

23 (A) by actual physical presence at a specific location
24 within the district; and

25 (B) by maintaining a habitation at the specific loca-
26 tion;

27 (2) a person may maintain a place of residence at a specif-
28 ic location within a district while away from the location for pur-
29 poses of employment, education, military service, or vacation if the

1 person does not establish residency at another location; and

2 (3) a qualified voter loses residence by voting in another
3 election district or in another state's elections.

4 * Sec. 28. AS 15.25.050(a) is amended to read:

5 (a) At the time the declaration is filed, each candidate shall
6 pay a nonrefundable filing fee to the director. The filing fee for
7 candidates for office of governor, lieutenant governor, United States
8 senator, and United States representative is \$100. The filing fee for
9 candidates for office of state senator and state representative is
10 \$30. [SUBJECT TO LEGISLATIVE APPROPRIATION, THE DIRECTOR SHALL PAY
11 THE FILING FEE COLLECTED FROM A CANDIDATE UNDER THIS SECTION TO THE
12 CENTRAL COMMITTEE OF THE POLITICAL PARTY OF THAT CANDIDATE.]

13 * Sec. 29. AS 15.25.160 is amended to read:

14 Sec. 15.25.160. REQUIRED NUMBER OF SIGNATURES FOR STATEWIDE
15 OFFICE. Petitions for the nomination of candidates for the office of
16 governor, lieutenant governor, United States senator and United States
17 representative shall be signed by qualified voters of the state equal
18 in number to at least one [THREE] percent of the number of voters who
19 cast ballots [VOTES CAST] in the preceding general election. Candi-
20 dates for the office of governor and lieutenant governor shall file
21 jointly.

22 * Sec. 30. AS 15.25.170 is amended to read:

23 Sec. 15.25.170. REQUIRED NUMBER OF SIGNATURES FOR DISTRICT-WIDE
24 OFFICE. Petitions for the nomination of candidates for the office of
25 state senator or state representative shall be signed by qualified
26 voters of the election or senate district in which the proposed nomi-
27 nee desires to be a candidate equal in number to at least one [THREE]
28 percent of the number of votes cast in the proposed nominee's [HIS]
29 respective election or senate district in the preceding general

1 election. A [, PROVIDED THAT NO] nominating petition [NEED CONTAIN
2 MORE THAN 200 SIGNATURES NOR] may not [IT] contain less than 50 signa-
3 tures for any district.

4 * Sec. 31. AS 15.30.025(a) is amended to read:

5 (a) A limited political party may be organized for the purpose
6 of selecting candidates for electors of President and Vice President
7 of the United States by filing [A PETITION] with the director at least
8 90 days before a presidential general election a petition signed by
9 qualified voters of the [THIS] state equaling in number at least one
10 [THREE] percent of the number of votes cast [ALASKA'S TOTAL VOTE] for
11 President at the last presidential election. The petition shall state
12 that the signers intend to organize a limited political party, that
13 they intend to select candidates for electors of President and
14 Vice-President of the United States at the next succeeding presiden-
15 tial election, and the name of the limited political party.

16 * Sec. 32. AS 15.30.025(c) is amended to read:

17 (c) A limited political party organized under this section
18 ceases [SHALL CEASE] to be a limited political party if [WHENEVER] its
19 presidential candidate fails to receive at least three [10] percent of
20 the number of votes cast [TOTAL ALASKAN VOTE CAST] for the office of
21 President at a presidential election.

22 * Sec. 33. AS 15.35.040 is amended to read:

23 Sec. 15.35.040. FILING DECLARATION BY SUPREME COURT JUSTICE.
24 Each justice seeking retention in office shall file with the director
25 a declaration of candidacy for retention no later than August 1 before
26 [NOT LESS THAN 90 DAYS BEFORE THE DATE OF] the general election at
27 which approval or rejection is requisite.

28 * Sec. 34. AS 15.35.055 is amended to read:

29 Sec. 15.35.055. FILING DECLARATION BY JUDGE OF THE COURT OF

1 APPEALS. Each judge of the court of appeals seeking retention in
2 office shall file with the director a declaration of candidacy for
3 retention no later than August 1 before [NOT LESS THAN 90 DAYS BEFORE
4 THE DATE OF] the general election at which approval or rejection is
5 requisite.

6 * Sec. 35. AS 15.35.070 is amended to read:

7 Sec. 15.35.070. FILING DECLARATION BY SUPERIOR COURT JUDGE.
8 Each judge seeking retention in office shall file with the director a
9 declaration of candidacy for retention no later than August 1 before
10 [NOT LESS THAN 90 DAYS BEFORE THE DATE FIXED FOR] the general election
11 at which approval or rejection is requisite.

12 * Sec. 36. AS 15.35.110 is amended to read:

13 Sec. 15.35.110. FILING DECLARATION BY DISTRICT JUDGE. Each
14 district judge seeking retention in office shall file with the direc-
15 tor a declaration of candidacy for retention no later than August 1
16 before [NOT LESS THAN 90 DAYS BEFORE THE DATE FIXED FOR] the general
17 election at which approval or rejection is requisite.

18 * Sec. 37. AS 15.40.100 is amended to read:

19 Sec. 15.40.100. REQUIREMENTS OF PETITION FOR NO-PARTY CANDI-
20 DATES. Petitions for the nomination of candidates not representing a
21 political party shall be signed by qualified voters of the state equal
22 in number to at least one [THREE] percent of the number [NUMBERS] of
23 votes cast in the preceding general election, and shall state in
24 substance that which is required in petitions for nomination for
25 general elections provided in AS 15.25.180.

26 * Sec. 38. AS 15.40.190 is amended to read:

27 Sec. 15.40.190. REQUIREMENTS OF PETITION FOR [OF] NO-PARTY
28 CANDIDATES. Petitions for the nomination of candidates not represent-
29 ing a political party shall be signed by qualified voters of the state

1 equal in number to at least one [THREE] percent of the number of votes
2 cast in the preceding general election and shall state in substance
3 that which is required for nomination petitions by AS 15.25.180.

4 * Sec. 39. AS 15.40.280 is amended to read:

5 Sec. 15.40.280. REQUIREMENTS OF PETITION FOR [OF] NO-PARTY
6 CANDIDATES. Petitions for the nomination of candidates not represent-
7 ing a political party shall be signed by qualified voters of the state
8 equal in number to at least one [THREE] percent of the number of votes
9 cast in the preceding general election, shall include nominees for the
10 office of governor and lieutenant governor, and shall state in sub-
11 stance that which is required for nomination petitions by AS 15.25.-
12 180.

13 * Sec. 40. AS 15.40.440 is amended to read:

14 Sec. 15.40.440. REQUIREMENTS OF PETITION FOR NO-PARTY CANDI-
15 DATES. Petitions for the nomination of candidates not representing a
16 political party shall be signed by qualified voters equal in number to
17 at least one [THREE] percent of the number of votes cast in the pro-
18 posed nominee's [HIS] respective election or senate district in the
19 preceding general election. A [, PROVIDED THAT NO] nominating peti-
20 tion [NEED CONTAIN MORE THAN 200 SIGNATURES NOR] may not [IT] contain
21 less than 50 signatures for any district, and shall state in substance
22 that which is required in petitions for nomination for general elec-
23 tions provided in AS 15.25.180.

24 * Sec. 41. AS 15.58.010 is amended to read:

25 Sec. 15.58.010. ELECTION PAMPHLET. Before each state general
26 election, the lieutenant governor shall prepare, publish and mail at
27 least one [AN] election pamphlet to each household identified from the
28 official registration list [EVERY REGISTERED VOTER]. The pamphlet
29 shall be prepared on a regional basis as determined by the lieutenant

1 governor.

2 * Sec. 42. AS 15.58.030(a) is amended to read:

3 (a) No later than July 15 of a presidential election year [75
4 DAYS BEFORE THE STATE GENERAL ELECTION], candidates for the offices of
5 the United States President and Vice-President may file with the
6 lieutenant governor photographs and statements advocating their candi-
7 dacy.

8 * Sec. 43. AS 15.58.030(b) is amended to read:

9 (b) No later than July 15 of a year in which a [75 DAYS BEFORE
10 THE] state general election will be held, a candidate for the office
11 of United States senator, United States representative, governor,
12 lieutenant governor, [JUSTICE OR JUDGE,] state senator, or state rep-
13 resentative may file with the lieutenant governor a photograph and a
14 statement advocating the [HIS] candidacy.

15 * Sec. 44. AS 15.58.030 is amended by adding a new subsection to read:

16 (g) No later than August 7 of the year in which the state gener-
17 al election will be held, a person seeking retention in office as a
18 justice or judge may file with the lieutenant governor a photograph
19 and a statement advocating the candidacy.

20 * Sec. 45. AS 15.58.040(a) is amended to read:

21 (a) No later than July 15 of a year in which a [75 DAYS BEFORE
22 THE] state general election will be held, a political party may file
23 with the lieutenant governor a maximum of two pages of material.

24 * Sec. 46. AS 15.58.050 is amended to read:

25 Sec. 15.58.050. INFORMATION AND RECOMMENDATIONS ON JUDICIAL
26 OFFICERS. No later than August 7 of the year in which [75 DAYS BE-
27 FORE] the state general election will be held, the judicial council
28 shall file with the lieutenant governor a statement including informa-
29 tion about each supreme court justice, court of appeals judge,

1 superior court judge, and district court judge who will be subject to
2 a retention election. The statement shall reflect the evaluation of
3 each justice or judge conducted by the judicial council according to
4 law. A statement may not exceed 600 words.

5 * Sec. 47. AS 15.60.010(20) is amended to read:

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

11 * Sec. 48. AS 43.23.015 is amended by adding a new subsection to read:

12 (i) The commissioner shall design the application form prepared
13 in conformity with (b) of this section so that an individual applying
14 for a permanent fund dividend may register to vote, update an existing
15 voter registration, and request the cancellation of a voter registra-
16 tion in another state. The commissioner shall promptly provide the
17 director of elections with the information obtained under this sub-
18 section. The commissioner may not use information obtained under this
19 subsection for any purpose except to assist a resident of the state to
20 complete or update voter registration.

21 * Sec. 49. AS 15.13.070(f) and (g); AS 15.20.201(d), 15.20.220(b); and
22 AS 15.25.180(10) are repealed.

23 * Sec. 50. Sections 1 - 25, 27 - 32, 37 - 43, 45 and 47 - 49 of this
24 Act take effect immediately in accordance with AS 01.10.070(c).

25 * Sec. 51. Sections 26, 33 - 36, 44 and 46 of this Act take effect
26 January 1, 1987.