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Referred: State Affairs,
Judiciary and Finance

1 IN THE HOUSE

BY MARROU

2

HOUSE BILL NO. 344

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to elections."

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

8 * Section 1. AS 15.13 is amended by adding a new section to read:

9 Sec. 15.13.095. CAMPAIGN COMMUNICATIONS. (a) An advertisement,
10 billboard, handbill, paid-for television and radio announcement or
11 other communication intended to influence the election of a candidate
12 for national or state office may not be made by a candidate, or by a
13 person or group with the knowledge of a candidate, before the Septem-
14 ber 1 immediately preceding a general election.

15 (b) The provisions of this chapter do not apply to a candidate
16 for president or vice-president of the United States or to a candidate
17 for elector of those offices.

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

19 Sec. 15.25.011. NOMINATION BY PARTY. A candidate for the elec-
20 tive state executive and state and national legislative offices shall
21 be nominated by party petition if the candidate is the nominee of a
22 political party.

23 Sec. 15.25.021. REQUIREMENTS FOR PARTY PETITION. Party peti-
24 tions for the nomination of candidates shall state in substance that
25 the political party desires and intends to support the named candidate
26 for the named office and requests that the name of the proposed candi-
27 date be placed on the general election ballot. The petition may be
28 filed no later than the September 1 immediately preceding the general
29 election.

1 Sec. 15.25.031. SELECTION OF NOMINEES FOR PARTY PETITION. The
2 nominees of political parties by party petition may be selected for
3 statewide offices by the party central committee or in any other
4 manner prescribed by the party bylaws. A petition for statewide
5 office shall be signed by the chairman of the central committee or in
6 the chairman's absence by any two members of the committee. The
7 nominees of political parties by party petition may be selected for
8 district-wide offices by the respective party district committee or in
9 any other manner prescribed by the party bylaws. A petition for
10 district-wide office shall be signed by the chairman of the party
11 district committee, or in the chairman's absence by any two members of
12 the party committee, or in any other manner prescribed by the party
13 bylaws. The petition may be delivered in person, by mail or by tele-
14 graph.

15 * Sec. 3. AS 15.25.150 is amended to read:

16 Sec. 15.25.150. DATE OF FILING PETITION. The petition is filed
17 with the director by actual physical delivery in person at or before
18 5:00 p.m., prevailing time, September [JUNE] 1 in the year in which a
19 general election is held for the office, or by actual physical de-
20 livery to the director by registered or certified mail return receipt
21 requested which is postmarked at or before 5:00 p.m., prevailing time,
22 September [JUNE] 1 in the year in which a general election is held for
23 the office, and received not more than 15 days after that time. If
24 the postmark is illegible, a dated receipt from the post office where
25 dispatched shall be acceptable as evidence of mailing. If September
26 [JUNE] 1 is a Sunday or holiday, the deadlines for postmarking and
27 receipt of the petition shall be extended 24 hours in each instance.

28 * Sec. 4. AS 15.13.070(f) is amended to read:

29 (f) The total amount of expenditures made by a candidate and by

1 all groups operating under the candidate's [HIS] control may not
2 exceed (1) 40 cents times the total population of the state according
3 to the latest United States census figures, or estimates of population
4 certified as correct for administrative purposes by the Department of
5 Community and Regional Affairs, if the candidacy is for governor or
6 lieutenant governor [, OF WHICH AMOUNT NO MORE THAN 50 PER CENT MAY BE
7 SPENT IN A PRIMARY ELECTION CAMPAIGN AND NO MORE THAN 50 PER CENT IN
8 THE GENERAL ELECTION CAMPAIGN]; (2) \$1 times the total population of
9 the geographical area of the constituency according to the latest
10 United States census figures, or estimates of population certified as
11 correct for administrative purposes by the Department of Community and
12 Regional Affairs, divided by the number of seats in the senate dis-
13 trict if the candidacy is for the state senate; (3) \$1 times the total
14 population of the geographical area of the constituency according to
15 the latest United States census figures, or estimates of population
16 certified as correct for administrative purposes by the Department of
17 Community and Regional Affairs, divided by the number of seats in the
18 house district if the candidacy is for the state house of representa-
19 tives. The expenditure limitations in this section include expendi-
20 tures for [BOTH A PRIMARY AND] a general election campaign, or for a
21 special election.

22 * Sec. 5. AS 15.15.080(b) is amended to read:

23 (b) On the day of any election that is not a general election,
24 [A PRIMARY ELECTION,] a special election, or a federal election held
25 under this title, the director shall require each election board to
26 open the polls for voting at eight o'clock in the morning, shall close
27 the polls for voting at eight o'clock in the evening, and shall keep
28 the polls open during the time between these hours. The election
29 board members shall report to the polling place one-half hour before

1 the polls are to open on election day.

2 * Sec. 6. AS 15.40.140 is amended to read:

3 Sec. 15.40.140. CONDITION AND TIME OF CALLING SPECIAL ELECTION.
4 When a vacancy occurs in the office of United States representative,
5 the governor shall, by proclamation, call a special election to be
6 held on a date not less than 60, nor more than 90, days after the date
7 the vacancy occurs. However, if the vacancy occurs on a date after
8 June 30 [THAT IS LESS THAN 60 DAYS BEFORE OR IS ON OR AFTER THE DATE
9 OF THE PRIMARY ELECTION] in general election years, the governor shall
10 not call a special election.

11 * Sec. 7. AS 15.40.230 is amended to read:

12 Sec. 15.40.230. CONDITION AND TIME OF CALLING SPECIAL ELECTION.
13 When a person appointed to succeed to the office of lieutenant gover-
14 nor succeeds to the office of acting governor, the acting governor
15 shall, by proclamation, call a special election to be held on a date
16 not less than 60, nor more than 90, days after the date the vacancy in
17 the office of the governor occurred. However, if the vacancy occurs
18 on a date after June 30 [THAT IS LESS THAN 60 DAYS BEFORE OR IS ON OR
19 AFTER THE DATE OF THE PRIMARY ELECTION] in years in which a governor
20 is regularly elected, the acting governor shall serve the remainder of
21 the unexpired term and shall not call a special election.

22 * Sec. 8. AS 15.40.240 is amended to read:

23 Sec. 15.40.240. CONDITIONS FOR HOLDING SPECIAL ELECTION WITH
24 [PRIMARY OR] GENERAL ELECTION. If the vacancy occurs on a date after
25 June 30 [NOT LESS THAN 60, NOR MORE THAN 90, DAYS BEFORE THE DATE OF
26 THE PRIMARY ELECTION] in years in which a governor is regularly elect-
27 ed or if the vacancy occurs on a date after June 30 [NOT LESS THAN 60,
28 NOR MORE THAN 90, DAYS BEFORE THE DATE OF THE PRIMARY ELECTION OR
29 GENERAL ELECTION] in election years in which a governor is not

1 regularly elected, the acting governor shall, by proclamation, call
2 the special election to be held on the date of the [PRIMARY ELECTION
3 OR] general election.

4 * Sec. 9. AS 15.45.190 is amended to read:

5 Sec. 15.45.190. PLACING PROPOSITION ON BALLOT. The lieutenant
6 governor shall direct the director to place the ballot title and
7 proposition on the election ballot of the first statewide general or
8 [,] special [, OR PRIMARY] election that is held after

9 (1) the petition and any supplementary petition have been
10 filed,

11 (2) a legislative session has convened and adjourned, and

12 (3) a period of 120 days has expired since the adjournment
13 of the legislative session.

14 * Sec. 10. AS 15.45.420 is amended to read:

15 Sec. 15.45.420. PLACING PROPOSITION ON BALLOT. The lieutenant
16 governor shall direct the director to place the ballot title and
17 proposition on the election ballot for the first statewide general or
18 [,] special [, OR PRIMARY] election held more than 180 days after
19 adjournment of the legislative session at which the act was passed.

20 * Sec. 11. AS 15.50.070 is amended to read:

21 Sec. 15.50.070. PLACING QUESTION OF CONSTITUTIONAL CONVENTION ON
22 BALLOT. If during any 10-year period a constitutional convention has
23 not yet been held, and the question of holding a constitutional con-
24 vention has not been placed before the voters, the lieutenant governor
25 shall direct the director to place the question on the ballot for the
26 next regular statewide general [OR PRIMARY] election.

27 * Sec. 12. The following laws are repealed: AS 15.10.107; AS 15.25.-
28 010, 15.25.020, 15.25.030, 15.25.040, 15.25.045, 15.25.050, 15.25.055,
29 15.25.056, 15.25.060, 15.25.070, 15.25.090, 15.25.100, 15.25.110,

1 15.25.120, 15.25.130; AS 15.40.080, 15.40.090, 15.40.150, 15.40.230, and
2 15.40.420.