

HOUSE BILL NO. 298
IN THE LEGISLATURE OF THE STATE OF ALASKA
SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES ULMER, Brown, Parnell, G.Phillips

Introduced: 4/24/91

Referred: State Affairs, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing a presidential primary election; and providing for an effective date."

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

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

4 Sec. 15.13.012. INAPPLICABILITY TO PRESIDENTIAL PRIMARY. The provisions
5 of this chapter do not apply to a presidential primary election under AS 15.25.221 - 15.25.261.

6 * Sec. 2. AS 15.25.010 is amended to read:

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

11 * Sec. 3. AS 15.25 is amended by adding new sections to read:

12 ARTICLE 2. PRESIDENTIAL PRIMARY ELECTION.

13 Sec. 15.25.221. PRESIDENTIAL PRIMARY ELECTION. (a) The lieutenant governor
14 shall call a presidential primary election on the third Tuesday in April of a year in which the

1 President of the United States is elected.

2 (b) The lieutenant governor may conduct the presidential primary election on a date other
3 than the date set in (a) of this section if the lieutenant governor sets the different date in a
4 proclamation issued by September 1 of the year preceding the presidential election.

5 (c) The lieutenant governor shall prepare and distribute the ballot for the presidential
6 primary election in the manner prescribed by AS 15.25.060.

7 Sec. 15.25.231. PLACEMENT OF NAMES ON THE PRESIDENTIAL PRIMARY
8 ELECTION BALLOT. The lieutenant governor shall place on the presidential primary election
9 ballot the name of each candidate for President of the United States who, as of the date five
10 weeks before the election, has been certified by the Federal Election Commission under 26
11 U.S.C. 9036(a), and has not withdrawn the candidate's candidacy.

12 Sec. 15.25.241. ACCESS TO THE PRESIDENTIAL PRIMARY ELECTION BALLOT
13 BY PETITION. (a) The name of a person who does not qualify for placement on the ballot
14 under AS 15.25.231 may be placed on the ballot if a petition is filed on the person's behalf that
15 contains the signatures of a number of registered voters equal to one percent of the votes cast for
16 governor in the most recent gubernatorial election. A petition under this subsection shall be filed
17 with the lieutenant governor no later than seven weeks before the date of the election and must

18 (1) contain the person's full name, the name of the political party, if any, to which
19 the person belongs, a statement that the subscribers to the petition are qualified voters, and a
20 statement that the subscribers request that the person's name be placed on the presidential
21 primary election ballot; and

22 (2) contain the printed name and the residence address of each subscriber to the
23 petition next to the subscriber's signature.

24 (b) The lieutenant governor shall immediately notify a person on whose behalf a valid
25 petition under this section has been filed of the filing, and shall advise the person that the person
26 may withdraw the person's name from the presidential primary ballot no later than five weeks
27 before the date of the election. A request to withdraw under this subsection must be in writing,
28 and may be transmitted to the lieutenant governor by facsimile transmission.

29 Sec. 15.25.251. PRESIDENTIAL PRIMARY ELECTION NONBINDING. The results
30 of the presidential primary election are not binding on the delegates selected by a political party
31 to the national convention of that party.

1 Sec. 15.25.261. PROCEDURES FOR CONDUCT OF ELECTION. The provisions of
2 this title regarding the conduct of a general election govern the conduct of the presidential
3 primary election, except to the extent that the provisions of AS 15.25.221 - 15.25.261 are
4 inconsistent with those provisions.
5 * Sec. 4. This Act takes effect July 1, 1991.