

HB

28

COMMITTEE REPORT

HOUSE

FURTHER: JUDICIARY

1/24/79

Date: 2-26-79

Mr. Speaker:

The Committee on STATE AFFAIRS has had HB 28

"An Act providing for preferential presidential party primary elections; eff. date."

Under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CS HB 28 same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

W. H. Miller
Robinson
John G. Fuller
P. ...
Tony Martin

W. H. Miller

CHAIRMAN

H1328

Alaska, West could join for primary vote

By JOHN GREELY
Daily News reporter

JUNEAU — Alaska could band together with other Western states to stage a regional primary election for president in 1984, says Rep. Mike Miller, D-Juneau.

Miller posed the possibility after the Senate voted Wednesday to authorize a presidential party primary in Alaska four years from now.

The bill, passed 16 to 4, sets the date for the 1984 election as the third Tuesday in April. But,

the lieutenant governor would be free to call the election at any other time of that year.

That flexibility in calling the election, Miller told The Daily News, would allow Alaska to join other Western states in holding primaries on the same day.

"We might not be able to attract major candidates up here, if we hold the election by ourselves," said Miller, the chief sponsor of the bill.

In recent months, Alaska officials, particularly Lt. Gov.

Terry Miller, have traveled to several Western states to underscore what they view as common interests in dealings with the federal government on land ownership and other issues. Although Rep. Miller didn't say so, a regional primary could be used as another forum on those issues.

Under Miller's lobbying, the House passed the primary bill last year, in hopes that Alaska might host presidential contenders in this year's primaries. But, opposition from

Democratic and Republican party officials stalled the bill in the Senate.

On Wednesday, various senators indicated the bill wouldn't have emerged for a floor vote without a threat from the House to delay or stop passage of other bills sought by the Senate.

"Vote your head, not your heart," Senate President Clem Tillon jokingly told his colleagues from the podium.

With little debate, the Senate voted to remove from the bill language authorizing an advisory

vote of the people in 1984 on whether another primary election should be held in 1988. As it stands, the bill would not allow for any primary election beyond 1984.

Delegates to national party conventions now are picked by state conventions in Alaska, one of about 15 states to choose delegates by convention.

Under the bill, delegates pledged to candidates by primary returns would be bound through the second ballot at each national convention.

Miller predicted amendments to the bill by the Senate would win acceptance of House this week, sending the governor's desk for signature.

Rape center gets \$25,240 contract



**Your Trip Is Planned.
Your Ticket Is Bought.**

TIMES Mar 5 1979

State Presidential Primary Could Be Tool For Stevens

By SUSAN ANDREWS
Times Staff Writer

If the Legislature decides to hold a presidential primary in Alaska next year, U.S. Sen. Ted Stevens says he may run as a favorite son candidate to give Alaska some bargaining power at the Republican national convention.

The purpose would be to publicize Alaskans' position on the issue of federal land use in Alaska, the senator said here this morning.

"I am a serious candidate for majority leader of the Senate," not for president, he said.

Stevens said U.S. Rep. Don Young is using the same tactics by considering entry into the New Hampshire presidential primary.

A D2 bill once it passes Congress "is just the first round" of what Stevens says will be a long and continuing battle over the rights of Alaskans in regard to federal land in Alaska.

"The bill would assure the state its land under the Statehood Act and the natives their land under the settlement act," he said. "But it's going

to be one long war as far as the adversary role of the federal government is concerned."

He estimated that 30 million acres of state selections will be out of reach if Congress doesn't pass a D2 bill this year, including land in national monuments created by the president and land withdrawn under section 204B of the Bureau of Land Management's organic act. "That's why it was to our benefit to get a bill last year," he said.

The House Interior Committee's action to choose the Huckaby substitute D2 bill as its markup bill instead of the Udall bill was significant, Stevens said.

Also significant was the committee's decision not to amend the Huckaby bill — which is the Senate compromise bill worked out last fall. "It was a calculated decision that was the best they could do," Stevens said.

Members of the House Merchant Marine and Fisheries Committee, which are to visit Alaska next week, may be allowed to offer amendments to the bill. Stevens said they are "new people with fresh approaches." Committee chairman Rep. John Breaux, D-La., "is not against Alaskans' concerns," the senator noted. "He has seen oil and gas developed in a compatible way. He's also interested in fisheries."

If the Huckaby bill survives on the House floor, "we have a good chance of maintaining it in the Senate," Stevens said. "But if the Udall bill (HR 39) is adopted as a substitute, we will be hard pressed to amend it." He expects Senate action to come by August or September.

"There's a good chance there will be no bill," Stevens cautioned. "The extreme environmentalists are urging that there be no bill. If that happens, we're in tough straits."

- ① Last Tues./ JAN : Lt Gov. announces list
- ② Last Tues./ FEB : Candidate may withdraw from election.
- ③ By Last Tues./ FEB : Supporters can file petition
- ④ First Tues./ MARCH : Petition candidate may withdraw from election
- ⑤ Third Tues / APRIL : PRESIDENTIAL PRIMARY

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR HOUSE BILL NO. 28

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

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

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

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

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

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

15 ARTICLE 3. PRESIDENTIAL PARTY PRIMARY ELECTIONS.

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

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

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

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

Using the same criteria in 15.25.230 ca;
the Lt. Gov. may add to the
list candidates ~~at~~ at any time
until the First Tuesday in
March, provided:

- (1) the candidate ~~the~~ does
not file a statement
that he is not now
and does not intend
to become a
candidate for the
office of Pres. of
the U.S.

OR

- (1) ~~the~~ the candidate
agrees to have his
name added.

The Lt. Gov. may, with the consent of the candidates, add the names of additional candidates to the list of persons who will appear on the ballot.

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.

SUPER
SUNSET

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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I. REQUEST

Bill/Resolution No. House Bill No. 28

Title "An Act providing for preferential presidential party primary election; and

Requested by providing for an effective date." Date 2/23/79
Miller

II. FISCAL DETAIL

Agency Affected Office of the Governor-Division of Elections

Program Category Affected _____

BRU, Program, or Subprogram(s) Affected _____

(Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES		17.0				
200 TRAVEL		7.0				
300 CONTRACTUAL		250.0				
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		274.0				

FUNDING (Thousands of Dollars)

GENERAL FUND		274.0				
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME		0				
PART TIME		0				
TEMPORARY		1				

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

Personal Services: Some additional help will be required in each of 4 regional election supervisors' offices and the Director's office. By budgeting for one temporary, help can be hired for approximately 2 months in each office. In addition, overtime for election supervisors and their staff is necessary.

(12.2 for a Clerk III and \$4.8 for overtime)

Travel: These funds are for the election supervisors to travel to train election board members.

Contractual: This area includes payments to election boards, counters, absentee canvass boards, state canvass boards, printing (ballots, tally books, registers, absentee affidavit envelopes, etc.), postage, advertising, communications, etc.

IV. DATE 2/23/79

PREPARED BY P. Ann Polley, Director

AGENCY Division of Elections

Original: Legislative Finance

PHONE 586-6121

cc: Budget and Management

Prime Sponsor (First Legislator Named)

PROJECTED DATES FOR 1980 PRIMARIES

TUESDAYS

February 26 * * * * *	New Hampshire
March 4	Massachusetts Vermont
March 11	Georgia Florida
March 18	Illinois
March 25 * * * * *	North Carolina
April 1	New York Wisconsin
April 8	
April 15	
April 22	Pennsylvania
April 29 * * * * *	
May 3 (Saturday)	Texas
May 6	Indiana Tennessee Washington D.C.
May 13	Nebraska West Virginia
May 20	Maryland Michigan
May 27 * * * * *	Arkansas Oregon Idaho Nevada Kentucky
June 3	Montana California Rhode Island South Dakota Ohio New Jersey New Mexico

Alabama, Georgia - not determined.

2-26-79

I spoke with Elaine Karmack at the Democratic National Committee, Washington D.C. (202-797-5900) regarding the exact dates of presidential primaries in 1980.

---AT THIS TIME THOSE DATES ARE NOT AVAILABLE, ALL STATE LEGISLATURES ARE CURRENTLY IN SESSION AND WILL NOT HAVE ANY CHANGES FINALIZED UNTIL APRIL 15.

----THE FOLLOWING STATES ARE CONSIDERING CHANGING THEIR PRIMARY DATES, BUT AS OF THIS TIME HAVE MADE NO FINAL DECISION:

Washington
New Hampshire
Maine
New York
Puerto Rico

----ALL PRIMARIES MUST BE HELD BETWEEN THE 2nd TUESDAY IN MARCH AND THE 2nd TUESDAY IN JUNE. A STATE THAT HELD IT'S PRIMARY IN 76 OUTSIDE OF THAT TIME FRAME MAY ASK FOR A WAIVER TO CONTINUE TO HOLD IT OUTSIDE OF THAT TIME FRAME. STATES THAT HELD THEIR PRIMARY WITHIN THAT TIME FRAME IN 76 MAY NOT CHANGE OUTSIDE THOSE DATES.

----THE EXACT DATES WILL NOT BE KNOWN UNTIL APRIL 15, 1979, THAT IS THE DATE THEY MUST BE SUBMITTED TO DEMOCRATIC NATIONAL HEADQUARTERS.

DS

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. House Bill No. 19 "An Act providing for preferential presidential
 Title primary elections, and providing for an effective date.
 Requested by Representative Mike Miller Date 1-26-77

II. FISCAL DETAIL
 Agency Affected Office of the Lieutenant Governor, Division of Elections
 Program Category Affected _____
 Budget Request Unit(s) Affected _____

EXPENDITURES (Thousands of Dollars)

	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
100 PERSONAL SERVICES				17.0		
200 TRAVEL				7.0		
300 CONTRACTUAL				250.0		
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL				274.0		

FUNDING (Thousands of Dollars)

GENERAL FUND				274.0		
FEDERAL FUNDS						
OTHER (Specify)						

POSITIONS

FULL TIME				0		
PART TIME				0		
TEMPORARY				1		

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IV. DATE 1-26-77 PREPARED BY *Polly* Director
 AGENCY Division of Elections
 PHONE 586-6181

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Original sponsors: Miller, Duncan
and Rogers

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14 the manner prescribed by AS 15.25.010 - 15.25.200 [THIS CHAPTER].

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

16 ARTICLE 3. ~~PREFERENTIAL~~ PRESIDENTIAL PARTY
17 PRIMARY ELECTIONS.

18 Sec. 15.25.220. ~~PREFERENTIAL~~ PRESIDENTIAL PARTY PRIMARY ELECTION.

19 (a) The lieutenant governor shall call a ~~preferential~~ presidential
20 party primary election on the ~~second~~ ^{third} Tuesday in April of a presidential
21 election year.

22 (b) The ballot shall be prepared and distributed by the lieutenant
23 governor in the manner prescribed by AS 15.25.060 ~~except that space for~~
24 ~~the writing in or pasting in of names shall be provided for on the~~
25 ~~ballot.~~

26 Sec. 15.25.230. PLACING RECOGNIZED NAMES ON THE BALLOT. (a) The
27 lieutenant governor shall place ^{on the ballot} the name of ~~a~~ ^{all} candidate ~~on the ballot~~
28 ~~when he determines in his discretion that the candidate is~~ generally
29 recognized throughout the United States as a candidate for nomination

1 for President of the United States.

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

7 (c) The lieutenant governor shall notify the candidate that he may
 8 withdraw the name from the ballot by filing with the lieutenant governor
 9 no later than the last Tuesday in February of that year a statement that
 10 he is not now a candidate for the office of President of the United
 11 States and requesting the removal of his name. The name of a candidate
 12 withdrawing under this section may not appear on the ballot.

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 14 porters of a candidate for nomination for President of the United States
 15 may file a petition to have the name of the candidate of their choice on
 16 the ballot. Petitions under this section shall be filed no later than
 17 the next to last Tuesday in February of a presidential election year,
 18 shall contain the signatures of qualified voters residing in no less
 19 than two-thirds of the election districts of the state equal in number
 20 to five per cent of the number of votes cast for the candidate for
 21 governor in the preceding gubernatorial election, and shall state (1)
 22 the full name of the candidate; (2) the name of the political group
 23 supporting the candidate; (3) the name of the party in which the candidate is registered
 24 of this state; and (4) that the subscribers are qualified voters
 25 of this state; and (5) that the subscribers request that the candidate's
 26 name be placed on the ballot. The signature sheets shall also contain
 27 the printed name and residence address of each qualified voter whose
 28 signature appears on the petition.

29 (b) The lieutenant governor shall notify a candidate of the filing
 of the petition under this section and advise that he may withdraw his

1 name from the ballot by filing with the lieutenant governor no later
 2 than the ~~last Tuesday in February~~ ^{1st Tues. in March} of that year a statement that he is
 3 ~~not now a candidate for the office of President of the United States and~~
 4 ~~requesting the removal of his name.~~ ^{now does he intend to become} The name of a candidate withdrawing
 5 under this section may not appear on the ballot.

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 7 President of the United States is to be nominated and elected, political
 8 parties in the state shall select delegates to their national conven-
 9 tions according to the party's plan of organization. The procedures for
 10 the selection of delegates shall be held after the preferential presi-
 11 dential party primary election.

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

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 22 AS 15.25.250 must ~~use his best efforts~~ ^{cast his votes} to secure the nomination for the
 23 candidate to whom he is pledged until that candidate is nominated by the
 24 convention, receives less than 30 per cent of the delegate votes for
 25 nomination by the convention, releases the delegates from the pledge, or
 26 until two convention nominating ballots have been taken.

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 28 sions of AS 15 regarding the conduct of a general election govern the
 29 conduct of a preferential presidential party primary election, ~~including~~
~~excluding~~

1 provisions for write-ins, except to the extent that the provisions of
2 AS 15.25.220 - 15.25.270 are inconsistent with those provisions.

3 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
4 070(c).

5 ~~add supervised sunset~~

16 APOC?

SB 160 - one time only
does not amend
AS 15 - go for 1980
if success continue

Introduced: 1/24/79
Referred: State Affairs and
Judiciary

1 IN THE HOUSE

BY MILLER DUNCAN AND ROGERS

2 HOUSE BILL NO. 28

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20 party primary election on the second Tuesday in April of a presidential
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[third]
SB160

22 (b) The ballot shall be prepared and distributed by the lieutenant
23 governor in the manner prescribed by AS 15.25.060 except that space for
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25 ballot.

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27 lieutenant governor shall place the name of a candidate on the ballot
28 when he determines in his discretion that the candidate is generally
29 recognized throughout the United States or Alaska as a candidate for

1 nomination for President of the United States.

2 (b) No later than the last Tuesday in January of a presidential
3 election year the lieutenant governor shall announce a list of candi-
4 dates who will appear on the ballot. The lieutenant governor shall also
5 notify the candidate that the candidate's name will appear on the ballot
6 in this state.

7 (c) The lieutenant governor shall notify the candidate that he may
8 withdraw the name from the ballot by filing with the lieutenant governor
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15 may file a petition to have the name of the candidate of their choice on
16 the ballot. Petitions under this section shall be filed no later than
17 the last Tuesday in January of a presidential election year, shall
18 contain the signatures of at least 1,000 qualified voters, and shall
19 state (1) the full name of the candidate; (2) the name of the political
20 group supporting the candidate; (3) that the subscribers are qualified
21 voters of this state; (4) that the subscribers intend to vote for the
22 candidate at the general election if the candidate is nominated; and (5)
23 that the subscribers request that the candidate's name be placed on the
24 ballot. The signature sheets shall also contain the printed name and
25 residence address of each qualified voter whose signature appears on the
26 petition.

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2 * Sec. 3. This Act takes effect immediately in accordance with AS 01.10.-
3 070(c).

Alaska State Legislature

REPRESENTATIVE
FRED F. ZHAROFF
P.O. Box 405
KODIAK, ALASKA 99515
(907) 406-3234



WHILE IN JUNEAU
POUCH V
JUNEAU, ALASKA
99811
(907) 485-4988
46C-4861

House of Representatives

February 8, 1979

DISTRICT 14:

BELLSFLATS
CHINIAK
KODIAK
OUZINKIE

Rep. Bill Parker, Chairman
Special Sub-Committee on Elections
Pouch V
Juneau, Alaska 99811

Dear Bill:

I support Representative Nels Anderson's position on Election Reform, APOC, and the Presidential Primary.

I have deep concern with fishermen and the policy on absentee voting. With a fishing period opening just prior to the General Election in Kodiak, only 32% of Kodiak's registered voters voted last fall. You might take this into consideration when working with special election problems.

I too am a supporter of a presidential primary for Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Fred F. Zharoff".

Fred F. Zharoff
District 14 Representative

FFZ:lms

cc: Lt. Governor Terry Miller
Bush Delegation



Alaska State Legislature

House of Representatives

Office of the Majority Leader

Pouch V
State Capitol
Juneau, Alaska 99811

Official Business

February 2, 1979

MEMORANDUM

TO: Representative Parker, Chairman
Special Sub-Committee on Elections

FROM: Representative Nels *NAB* Anderson, Jr.

SUBJECT: Election Reform, APOC, Presidential Primary

1. The election reform issue is an interesting challenge. I hope that you will be able to move ahead expeditiously to remove many of the problem areas that have arisen in the past. As you know, I had a difficult time after being removed from office because of election problems.

I do not intend to embarrass any of my constituents who have not followed the letter of the law as election officials for the state of Alaska. I honestly believe that those infractions of the law that led to my removal came as a result of the Lt. Governor's office failure to properly train its personnel in the field.

I would suggest that your committee look at the case file that was before the court regarding "irregularities" in my case. The case file shows that a person wrote in my name on the ballot and others placed a sticker over where my name was written in. The question that comes to mind is why didn't the election judge know that this was not proper?

Additionally, stickers were found within the voting areas and within 100 yards of the voting areas. Again, I would ask why election officials were not told that this was not proper.

Bill, I hope that you will look at this problem with sympathy toward the election official who act without proper guidance from the Lt. Governor's office.

A suggestion that has been considered by many is to provide intense training for election officials in Rural Alaska. It is obvious that the last governor's election uncovered substantial irregularities that are not necessarily rural in nature. However I do wish to convey to you my sincere wish that you expedite action.

As you know, the problem of proper training and election reform needs to be handled quickly because of recall moves, school board elections in REAA's etc.. The problems of elections is not a 1980 problem but a problem for us to solve post-haste.

2. APOC has not been my favorite agency by any means. You already know that I co-sponsored a bill that does away with APOC entirely. I realize that the office of APOC will probably continue in some form.

I have thought that APOC has been going overboard in its reporting requirements. For rural legislators, the 7 day, 24 hour reporting gets to be a real headache since telegrams or working phones are hard to find in many of our villages.

The question I have is this - would you object to the following proposal?

- A. One reporting requirement prior to and after the primary.
 - 1. A report seven days before the election.
 - 2. A report 30 days after the primary with a 15 day grace period after which fines would be imposed.
- B. One reporting requirement prior to and after the general.
 - 1. A report seven days before the general election.
 - 2. A report 30 days after the general with a 15 day grace period after which fines would be imposed.

3. The presidential primary idea is an idea worth pushing for one major reason. The people of Alaska are having a difficult time in getting our views across to the president. If future candidates were to run a primary in Alaska people of various political persuasion could express their wants, needs and desires directly to presidential aspirants.

The D2 issue is a case in point that dramatizes how much we are at the mercy of federal officials who work for the president. I have given the idea some thought and I may be submitting a bill that parallels bills that have been submitted in past legislatures.

You have my support on any efforts to establish a presidential primary for Alaska.

{If you have any questions please call or trip me in the hall!}

cc: Lt. Governor Terry Miller
Bush Delegation

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

December 14, 1978

SUBJECT: Preferential Presidential Party
Primary Election (Work Order #5888)

TO: Representative Mike Miller

FROM: Richard A. Bradley
Legislative Counsel 

Your request to me was for a duplication of the last version of House Bill 19 of the 1977 session. My review of our files indicates that Committee Substitute for House Bill 19 by the State Affairs Committee was the last version typed. Accordingly, I have used it in my preparation of the attached bill. However, I encountered what I thought were substantial conceptual problems with House Bill 19 and accordingly I have departed measurably from at least the language of CS for HB 19. In this memorandum I will seek to identify for you the extent of those deviations and perhaps indicate reasons for them.

(1) House Bill 19 indicated that the preferential presidential primary election ballot would be prepared and distributed by the lieutenant governor in the manner prescribed for the general election ballot and it indicated that the lieutenant governor shall place the names of all candidates on the same ballot. I gather that I am not altogether letting the cat out of the bag when I observe that there will be an effort in this legislature to go back to party columns on election ballots. And accordingly, rather than leaving this reference in existing framework, I tied the instruction to the lieutenant governor to the specific section involved, that is, AS 15.25.060. This section must inevitably be amended if party column voting is re-established, and accordingly, the preferential primary ballot will be prepared either in a single column if the law is unchanged or by party columns if the law is changed.

(2) Both the provisions of HB 19 [at sec. 15.25.270] and my redraft of [at recognized that write-in votes are a

Representative Mike Miller
Page 2
December 14, 1978

possibility. This is, you will recall, unlike the primary system in Alaska for statewide and district candidates where write-in votes are disregarded. Note that the present format of my draft would allow those votes to be counted. In preparing this bill I reviewed California's very comprehensive presidential preferential party primary laws and in California write-in votes are not counted unless a candidate who anticipates receiving write-in votes notifies the lieutenant governor a specified period before the election that he is a candidate for the office of president; failing that statement, write-in votes in California are not counted.

(3) House Bill 19 would have allowed the lieutenant governor only one week from the time that he published his determination as to the identity of the presidential candidates who would appear on the ballot for the candidate to remove his name from the ballot. This seems an unreasonably short period for national candidates otherwise involved in presidential party politics to make a determination as to whether they wished their name removed from the ballot. Accordingly, I have expanded this period to one month and provided that the lieutenant governor makes his determination no later than the last Tuesday in January. A candidate would have until the last Tuesday in February to remove his name from the ballot.

(4) I have made one other change in this area. Section 250 of HB 19 would have allowed a candidate to withdraw his name by filing an affidavit stating his desire not to have his name printed on the presidential primary ballot. My change, which appears in secs. 230 and 240, allows a candidate to withdraw only by a declaration that he is not now a candidate for the office of president. I note that this is a substantive change. I wonder whether the earlier language was not the result of imprecision of thought. Obviously, should you wish to go back to the earlier language and allow an individual who remains a candidate to take himself off the presidential ballot because he doesn't wish to participate in the Alaska primary, the language can be amended easily.

(5) The language in sec. 240 in HB 19 provides that a petition for the nomination of the candidate shall meet the requirement of AS 15.25.180. That section is very largely inappropriate to a presidential party primary petition and, accordingly, I have rewritten 240 to specify those aspects of sec. 180 which are applicable. Otherwise, I do not believe there are any changes of substance from former sec. 240 to my present sec. 240.

Representative Mike Miller
Page 3
December 14, 1978

(6) ^{Sec. 260 (in HB 19)} ~~This paragraph~~ deals with the procedures utilized in Alaska for the selection of delegates to the national convention and would provide, by inference, that only political party conventions held after the presidential party primary would be used to select delegates. I don't believe I have changed things substantially by providing that the delegates will be selected according to the "party's plan of organization."

(7) Section 260(b) provides for the allocation of delegate votes relative to ballot votes cast in the primary and also provides for a delegate being pledged based on certain conditions. The concept in that section appeared in secs. 250 and 260 of my redraft. I believe the formula that I use in sec. 250 is consistent with the language of 260(b). I do depart from it measurably and hopefully I simplify it.

Similarly, I believe that my sec. 260 regarding the pledging of delegates is quite consistent with the earlier draft.

(8) Similarly, there are no differences in the requirement or party delegate being pledged under sec. 260(b) in HB 19 and in sec. 260 of my draft.

(9) And there are no changes in the two sec. 270's.

(10) One other change should be noted. The timeframes in HB 19 were described by Patty Ann Polley as "too tight for reasonable operation of the election." Rather, she asked that the election office have at least 45 days to prepare and distribute the ballots. I have adjusted the timeframes in the bill accordingly. The election remains on the second Tuesday in April; the candidates have until the last Tuesday in February of that year to remove their name from the ballot by filing the statement that they are not a candidate for president and the lieutenant governor's determination as to the names he proposes to put on the ballot and the last day that he can accept petitions occur on the last Tuesday in January.

I believe these changes are an improvement on HB 19. I will be happy to discuss with you any of the changes I propose in this redraft of that bill.

RAB:jdm

Attachment

LA21 0524 09.55 JA03 0009 09.55 02/26/79

CLAUDIA FROM TRUDY

FOLLOWING IS THE NAME OF WITNESS WHO TESTIFIED AT THE
SPECIAL SUBCOMMITTEE ON ELECTION REFORM ON SATURDAY,
FEBRUARY 24. PLEASE SEE THAT THE COMMITTEE RECEIVES A
COPY OF THIS FOR THEIR OFFICIAL RECORDS.

1. ARLAYNE KLEIN, SELF, S.R. BOX 20059, FBX 99701 - 479-6376.

PLEASE ACKNOWLEDGE RECEIPT OF MESSAGE. /TC/ EOM

State Presidential Primary Could Be Tool For Stevens

By SUSAN ANDREWS
Times Staff Writer

If the Legislature decides to hold a presidential primary in Alaska next year, U.S. Sen. Ted Stevens says he may run as a favorite son candidate to give Alaska some bargaining power at the Republican national convention.

The purpose would be to publicize Alaskans' position on the issue of federal land use in Alaska, the senator said here this morning.

"I am a serious candidate for majority leader of the Senate," not for president, he said.

Stevens said U.S. Rep. Don Young is using the same tactics by considering entry into the New Hampshire presidential primary.

A D2 bill once it passes Congress "is just the first round" of what Stevens says will be a long and continuing battle over the rights of Alaskans in regard to federal land in Alaska.

"The bill would assure the state its land under the Statehood Act and the natives their land under the settlement act," he said. "But it's going

to be one long war as far as the adversary role of the federal government is concerned."

He estimated that 30 million acres of state selections will be out of reach if Congress doesn't pass a D2 bill this year, including land in national monuments created by the president and land withdrawn under section 204B of the Bureau of Land Management's organic act. "That's why it was to our benefit to get a bill last year," he said.

The House Interior Committee's action to choose the Huckaby substitute bill as its markup bill instead of the Udall bill was significant, Stevens said.

Also significant was the committee's decision not to amend the Huckaby bill — which is the Senate compromise bill worked out last fall. "It was a calculated decision that was the best they could do," Stevens said.

Members of the House Merchant Marine and Fisheries Committee, which are to visit Alaska next week, may be allowed to offer amendments to the bill. Stevens said they are "new people with fresh approaches." Committee chairman Rep. John Breaux, D-La., "is not against Alaskans' concerns," the senator noted. "He has seen oil and gas developed in a compatible way. He's also interested in fisheries."

If the Huckaby bill survives on the House floor, "we have a good chance of maintaining it in the Senate," Stevens said. "But if the Udall bill (HR 39) is adopted as a substitute, we will be hard pressed to amend it." He expects Senate action to come by August or September.

"There's a good chance there will be no bill," Stevens cautioned. "The extreme environmentalists are urging that there be no bill. If that happens, we're in tough straits."

Blumenthal Asks Japan For Imports

By R. GREGORY NOKES

ANCHORAGE, Alaska (AP) — Treasury Secretary W. Michael Blumenthal said today that Japan must restructure its economy to allow more imports of manufactured goods or run the risk that Congress will raise barriers against that nation's exports.

Blumenthal said after meetings in Tokyo today with Japanese leaders, including Prime Minister Masayoshi Ohira, that the Japanese fear Congress may order a surcharge.

2-26-79

I spoke with Elaine Karmack at the Democratic National Committee, Washington D.C. (202-797-5900) regarding the exact dates of presidential primaries in 1980.

---AT THIS TIME THOSE DATES ARE NOT AVAILABLE, ALL STATE LEGISLATURES ARE CURRENTLY IN SESSION AND WILL NOT HAVE ANY CHANGES FINALIZED UNTIL APRIL 15.

----THE FOLLOWING STATES ARE CONSIDERING CHANGING THEIR PRIMARY DATES, BUT AS OF THIS TIME HAVE MADE NO FINAL DECISION:

Washington
New Hampshire
Maine
New York
Puerto Rico

----ALL PRIMARIES MUST BE HELD BETWEEN THE 2nd TUESDAY IN MARCH AND THE 2nd TUESDAY IN JUNE. A STATE THAT HELD IT'S PRIMARY IN 76 OUTSIDE OF THAT TIME FRAME MAY ASK FOR A WAIVER TO CONTINUE TO HOLD IT OUTSIDE OF THAT TIME FRAME. STATES THAT HELD THEIR PRIMARY WITHIN THAT TIME FRAME IN 76 MAY NOT CHANGE OUTSIDE THOSE DATES.

----THE EXACT DATES WILL NOT BE KNOWN UNTIL APRIL 15, 1979, THAT IS THE DATE THEY MUST BE SUBMITTED TO DEMOCRATIC NATIONAL HEADQUARTERS.

DS

The Anchorage Times

ROBERT B. ATWOOD
Editor and Publisher

WILLIAM J. TOBIN
Associate Editor
And General Manager

CLINTON T. ANDREWS JR.
Managing Editor

Page 6

Thursday, February 22, 1979

Presidential Primary

THE PROSPECT of a presidential primary vote in Alaska is one of the few new ideas before the Legislature that is refreshing.

The proposal itself is not new, for it has been considered in the past. Indeed, such a primary law was passed last year, but was vetoed by Gov. Jay Hammond to save the state the expense, estimated at about \$25,000.

If the Legislature will pass the measure again this year, there is reason to expect that the governor will sign it, regardless of his continuing austerity budget.

ALASKA WOULD GAIN more than the cost by having candidates for president come here to seek the support of this state's delegates to their national conventions.

Candidates have been known to show great sensitivity to the wants of those whose support they seek. Some of them have, from time to time, found it possible to take public stands in favor of what those supporters want. There have been instances when candidates have made promises.

Never has a candidate for nomination to the presidency had occasion to give Alaska more than a casual thought during the primary campaigns. They have been busy with the presidential primary elections in the Lower 48 and, because there has been no vote here, they have rarely visited Alaska.

A presidential primary would provide the occasion and the platform for candidates to take public stands on issues important to Alaska. A candidate could, if he chose, promise to protect Alaska from unreasonable encroachment on this state by special interests who would set aside huge blocks of land for their own

special purposes.

The reason candidates might be interested in making themselves attractive to Alaskans is that this state has votes in the national party nominating conventions. The delegation has a dozen or more votes, depending on party rules. Sometimes only a handful of votes selects the winner.

ECONOMIC BENEFITS that would result from a presidential primary vote have been cited often, but recent events have enlarged the list and broadened the categories of benefits.

Entertaining the candidate's entourage would involve expenditures that would help the state's economy.

The financial benefit could be of minor importance compared to the national exposure Alaska would get as the candidates are on television, in the magazines and newspapers as they discuss this area's problems.

The state is spending more than \$2 million to foster a better understanding of the land problems, with much of it allocated to media information. The cost of a primary election would be a bargain price to pay for the national exposure that would result.

It would be false economy if the primary were to be dropped because of the cost. State officials are surrounded by opportunities for economy that will not harm the state. One consultant contract dropped could save more than the cost and the only loss would be a mimeographed report destined for the dusty shelves of a backroom closet.

It is to be hoped that the Legislature will enact the new primary proposal and give Gov. Hammond a chance to sign it in 1979.

To Rep. Bill Parker
Attn: Dwight Olsen