

HB

430

House Bills 430, 459, 460 - Repeal of March 13 Presidential Primary Election.

A timely repeal of this primary could save considerable monies. The dates and activities noted in each block are deadlines for the fraction of monies committed. By February 12, approximately 1/2 of the funds to be expended will be committed. Any bill to repeal must have an immediate effective date incorporated. February 20th, when ballots have been shipped by certified mail and final notices are committed to advertising seems to be a date, admittedly arbitrary, when the election should proceed.

JANUARY 9
1/8 funds

Travel/Training
election board wkrs
(ongoing)

initial ordering of:
-special forms
-posters, other
materials
-voter ID cards
-voter registration forms

program costs for
party affiliation
& precinct registration changes

temporary staff
hired

JANUARY 24
1/4 funds

Travel/Training
election board wkrs

order all ballots

sign program
contract

initial advertising
(print & video
contracted)

purchase supplies &
postage to all
precincts

40 day notices sent
out
mass mailings

FEBRUARY 12
1/2 funds

Travel/Training
election board wkrs

airmail all
remaining material

contract for communications
(election returns
cable hoodups, sites)

ballots separated
& shipped from
printer

FEBRUARY 20
3/4 funds

Travel/Training
election board wkrs

10 day notices sent
out

secondary advertising
contracted
(print, radio,
video)

certify-mail all
ballots to
precincts

MARCH 13
Total funds

payment of all
election workers,
including:
tally teams
counting teams
canvass boards

rents for halls

transportation of
ballots, troopers

polling place set-
ups by contractors

MEMORANDUM
January 16, 1984

TO: Rep. Miller
FROM: Denise Zachary *dz*
SUBJECT: Dates/ Presidential Primaries - Republican and Democrat

	Presidential Primary	Candidate Filing Deadline
Alabama	March 13	January 14, 1984
Arkansas	March 13	December 28, 1983
Alaska	March 13	December 28, 1983
California	June 5	March 23, 1984
Connecticut	March 27	February 20, 1984
Florida	March 13	January 16, 1984
Georgia	March 13	February 20, 1984
Idaho	May 22	April 23, 1984
Illinois	March 20	December 30, 1983
Indiana	May 8	March 9, 1984
Louisiana	April 7	March 2, 1984
Maryland	May 8	February 27, 1984
Massachusetts	March 13	January 6, 1984
Montana	June 5	March 17, 1984
Nebraska	May 15	March 16, 1984
New Hampshire	February 28	January 3, 1984
New Jersey	June 5	April 26, 1984
New Mexico	June 5	March 16, 1984
New York	April 3	February 16, 1984
North Carolina	May 8	February 7, 1984
North Dakota	June 12	April 18, 1984
Ohio	May 8	February 23
Oregon	May 15	March 6, 1984
Pennsylvania	April 10	January 31, 1984
Rhode Island	March 13	January 6, 1984
South Dakota	June 5	April 3, 1984
Tennessee	May 1	March 6, 1984
Texas	May 5	February 6, 1984
Vermont	March 6	January 16, 1984
West Virginia	June 5	March 31, 1984
Wisconsin	April 3	March 1, 1984
Washington D.C.	May 1	March 2, 1984
Puerto Rico	March 18	February 9, 1984

This information from NCSL this date.

MSG 3230

1/13/84

MARY/MATSU

TO: REP. HAYES, ABOOD, WARD, COWDERY, SHULTZ, M.M. MILLER, LARSON
LACHER

FR: ERNEST E. LINE, DISTRICT CHAIRMAN
DISTRICT 16 REPUBLICANS
SR BOX 5014
WASILLA 99687 PHONE: 376-6709

*ALASKA PRESIDENTIAL PREFERENCE PRIMARY HAS NO PRACTICAL WORTH. PLEASE
RESCIND THE PRESIDENTIAL PRIMARY LEGISLATION. SUPPORT AND PASS HB 460.*
THIS ACTION TAKEN BY THE DISTRICT COMMITTEE, DISTRICT 16 REPUBLICANS.

EOM

MSG 3259 MARTIE/MATSU 1/13/84

TO: REP. ABOOD, REP. WARD, REP. COWDERY, REP. SHULTZ, REP. M.M. MILLER,
REP. LARSON, REP. LACHER

FROM: MR. AND MRS. GUS SCHEELE
PO BOX 870330
WASILLA* 99687
892 6338

WE ARE OPPOSED TO THE PRESIDENTIAL PRIMARY.

MSNG NO 3259 MARTIE/MATSU 1/13/84

TO: REP. ABOOD, REP. WARD, REP. COWDERY, REP. SHULTZ, REP. M.M. MILLER,
REP. LARSON, REP. LACHER

FROM: NEIL A. JR. AND JANE BROWNE
BOX 870350
WASILLA 99687
376 5577

WE ARE OPPOSED TO THE PRESIDENTIAL PRIMARY.

STATE OF ALASKA 1984 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HB 430, 459-60
 Title: repeal of Presidential
Party Primary statutes
 Sponsor: Gov., Lacher, Ward
 Requestor: (H) State Affairs
 Date of Request: 1/10/84

FISCAL DETAIL

Agency Affected: Division of Elections
 Program Category Affected: _____
 BRU, Program or Subprogram(s) Affected: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
OPERATING						
100 PERSONAL SERVICES	(222.0)					
200 TRAVEL	(15.3)					
300 CONTRACTUAL	(562.7)					
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING	(800.0)					
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND	1,000.0					
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

SOURCE OF FUNDS TO OFFSET FISCAL IMPACT OF BILL: By January 24, 1984 \$200.0 of the \$1,000.0 special fund established by Ch. 20, SLA 1983 will be expended, reflecting a savings of \$800.0 by the repeal of AS 15.25.220 - AS 15.25 280.

ANALYSIS: Attach a separate page for analysis

Prepared By: T.P. Thoma Phone: _____
 Division: Division of Elections Date: 1/16/84
 Approved by Commissioner: [Signature] Date: 1/16/84
 Agency: _____

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

12/1/83

1. HB 430 is the first presidential primary election repeal bill received by the State Affairs Committee in the closing days of last session. This will be the first public hearing for the bill which was sponsored by request of the governor.
2. The Lt. Governor is scheduled to testify along with the Division of Elections (if they are needed). Since Mc Alpine technically heads the Division, they may choose to defer to him.

**** Difference between HB 430 and the two other primary repeal bills****

HB 430 is a technically clean bill. The other bills have an unnecessary section in them (section 2). Dick Bradley, the attorney who drafted the bill will be on hand to explain the section. I've also asked that he supply the committee with a written explanation.

Prepared by the Division of Elections.

PRESIDENTIAL PARTY PRIMARY ELECTION
March 13, 1984

Background

In the 1980 legislative session, members of the state House and Senate were successful in getting statutory authority for Alaska's first Presidential party primary. AS 15.25.220-280 authorizes this primary for 1984. The primary was approved chiefly because of the argument that candidates would come to Alaska, campaign, and learn more about the state. This primary election was to be binding on the delegate selection process by the terms of the statute.

In May 1983, the U.S. Supreme Court issued its opinion in LaFollette vs. U.S., concluding that in order for a presidential primary election to be binding on political parties in the delegate selection process, the conduct of the election must comply with party rules. Both Democratic and Republican party rules require a CLOSED primary election before the results can bind the delegate selection process. In order to comply, the Division of Elections had hoped that a voter's party preference could be declared without physically changing his or her registration. This plan was rejected by both of the parties because it failed to comply with national party rules.

The Division of Elections then adopted what is known as the Massachusetts plan for presidential primaries. This requires registered party members to vote their party's ballot while non-partisans may choose which party to join on election day. As a result, only those voters who declare a party preference and are willing to have their voter registration changed will be allowed to vote on March 13 in Alaska.

Since 58% (151,500) of Alaska's voters are non-partisan or registered "other", a procedure was adopted to accommodate all voters; by allowing this 58% and the 1,017 registered Libertarians (who chose not to appear on the ballot) to declare a party affiliation up to and including election day, while requiring any Democrats or Republicans that wish to change their party affiliation to do so no less than 30 days prior to March 13.

Reasons for Repeal

1) Approximately \$.8 million would be saved by repeal of AS 15.25.220-280.

2) The method of voting is both objectionable and confusing to voters. Every letter and communication received on this issue has been vehemently opposed to the method of conducting the primary. Alaskans seem satisfied with the present, "blanket," open primary system of voting; they pride themselves on their status as informed independents.

3) The primary is an undue administrative burden on the many citizens that serve Alaska's polling places. In addition to the many hours of new training necessary to explain the primary to these workers, the sharp change in the regular rules of voting will focus undeserved criticism on the poll workers for a one-time method of primary election. Confusion over voter eligibility will also tend to discourage voters from casting a primary ballot. This problem is exacerbated in the absentee-by-mail voting process.

4) Only one of the nine major Presidential candidates have traveled to Alaska to campaign. It appears that the chief argument for the primary has not occurred. (Nine other states are also having primaries on this date.)

5) Alaska's delegate strength to the two major party conventions is so small, .4 of 1% of delegate votes, that spending up to \$1 million on such an election could easily be viewed as a waste of money by the majority of the electorate.

6) Since only one candidate will appear on each the Republican and Alaska Independence Party ballots, the secrecy of the vote is compromised.

7) If the primary is repealed, the political parties will return to the traditional methods of apportioning delegates by caucus and convention.

ndment, effective May 28.
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§ 15.13.011

chapter. The question of exemption from the requirements of this chapter may be submitted by the city council or borough assembly by ordinance or by initiative ordinance. Nothing in this chapter prohibits a municipality from regulating by ordinance campaign contributions and expenditures.

(b) Except as otherwise provided, this chapter applies to contributions, expenditures and communications made by a candidate, group, municipality or individual for the purpose of influencing the outcome of a ballot proposition or question as well as those made to influence the nomination or election of a candidate. (§ 1 ch 76 SLA 1974; am §§ 1, 2 ch 189 SLA 1975)

NOTES TO DECISIONS

7

Constitutionality. — In the case of *First Nat'l Bank v. Bellotti*, 435 U.S. 765, 98 S. Ct. 1407, 55 L. Ed. 2d 707, rehearing denied, 438 U.S. 907, 98 S. Ct. 3126, 57 L. Ed. 2d 1150 (1978), the supreme court of the United States has indicated in unmistakable terms that state disclosure laws pertaining to ballot issues are constitutional. *Messerli v. State*, Sup. Ct. Op. No. 2236 (File No. 4326), 626 P.2d 81 (1980).

When there is no showing that an individual must remain anonymous with respect to advertising as to ballot propositions because of the possibility of being subject to reprisals, economic or otherwise, the state campaign disclosure laws are not unconstitutional as applied to a contributor hoping to influence the outcome of a ballot issue because the objective of an informed electorate is sufficiently compelling to overcome an interest in anonymous political expression.

Messerli v. State, Sup. Ct. Op. No. 2236 (File No. 4326), 626 P.2d 81 (1980).

Initiative substantially similar to ch. 76, SLA 1974, correctly withheld from ballot. — Substantial similarity existed between ch. 76, SLA 1974, which enacted this chapter, relating to election campaigns, and an initiative relating to campaign contributions and expenditures, which was filed with the lieutenant governor prior to the regular 1974 session of the legislature. The act effectively displaced the initiative, and the lieutenant governor was correct in withholding the initiative from the ballot. *Warren v. Boucher*, Sup. Ct. Op. No. 1205 (File No. 2315), 543 P.2d 731 (1975).

For comparison of ch. 76, SLA 1974, and the initiative, see *Warren v. Boucher*, Sup. Ct. Op. No. 1205 (File No. 2315), 543 P.2d 731 (1975).

Sec. 15.13.011. Inapplicability to presidential primary. The provisions of this chapter do not apply to a presidential primary election conducted under AS 15.25.220 — 15.25.280. (§ 3 ch 20 SLA 1980)

Sec. 15.13.020. Alaska Public Offices Commission. (a) There is created in the Department of Administration the Alaska Public Offices Commission consisting of five members.

(b) The governor shall appoint two members of each of the two political parties whose candidate for governor received the highest number of votes in the most recent preceding general election at which a governor was elected. The two appointees from each of these two parties shall be chosen from a list of four names to be submitted by the central committee of each party.

(c) The four members selected under (b) of this section shall, by a majority vote, appoint the remaining fifth member of the commission.

Effect of amendments. — The 1980 amendment substituted "director" for "lieutenant governor" where it appears at the beginning of the first sentence and near the beginning of the third sentence. deleted "the same rate of" preceding "compensation" near the middle of the second sentence, and substituted "as provided in AS 15.15.380" for "paid elections judges" at the end of the second sentence.

The 1982 amendment, effective May 28, 1982, substituted "state ballot counting review" for "canvassing of the vote" in the first sentence and for "canvassing" in the fifth sentence

Editor's notes. — This section was redrafted by the revisor of statutes to remove personal pronouns in conformity with AS 01.05.031(c) and § 4, Chapter 58, SLA 1982.

NOTES TO DECISIONS

Applied in *Silides v. Thomas*, Sup. Ct. Op. No. 1362 (File Nos. 3019, 3020, 3021), 559 P.2d 80 (1977).

Chapter 13. State Election Campaigns.

Section

- 10. Applicability
- 11. Inapplicability to presidential primary
- 20. Alaska Public Offices Commission
- 30. Duties of the commission
- 40. Contributions, expenditures and supplying of services to be reported
- 45. Investigations, hearings
- 50. Groups
- 60. Campaign treasurers
- 70. Contributions and expenditures; amount and form of payment

Section

- 80. Statement by contributor
- 90. Identification of communication
- 100. Expenditures before filing
- 110. Filing of reports
- 120. Penalty; limitations on actions
- 122. Legal counsel
- 125. Civil penalty; late filing of required reports
- 130. Definitions

Collateral references. — 25 Am. Jur. 2d, Elections, §§ 4-7, 10, 280-290.

29 C.J.S., Elections, §§ 2-4, 6, 118(7), 216(1)-216(15).

Sec. 15.13.010. Applicability. (a) This chapter applies in every election for governor, lieutenant governor, a member of the state legislature, a delegate to a constitutional convention, or judge seeking electoral confirmation. It also applies to every candidate for election to a municipal office in a city or borough with a population of more than 1,000 inhabitants according to the latest United States census figures or estimates of population certified as correct for administrative purposes by the Department of Community and Regional Affairs. A municipality may exempt its elected municipal officers from the requirements of this chapter if a majority of the voters voting on the question at any regular election, as defined by AS 29.78.010(14), or a special municipality-wide election called for that purpose, vote to exempt its elected municipal officers from the requirements of this

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(9) that the subscribers are qualified voters of the state or election or senate district in which the candidate resides,

(10) that the subscribers intend to vote for the candidate at the general election,

(11) that the subscribers request that the candidate's name be placed on the ballot,

(12) that the proposed candidate accepts the nomination and will serve if elected, with the statement signed by the proposed candidate,

(13) if the candidacy is for the office of the governor, the name of the candidate for lieutenant governor running jointly with him,

(14) the name of the candidate as he wishes it to appear on the ballot, and

(15) that the candidate is not a candidate for any other office to be voted on at the primary or general election and that he has not filed another nominating petition or declaration of candidacy for the office for which this petition is filed. (§ 5.55 ch 83 SLA 1960; am § 22 ch 80 SLA 1963; am § 140 ch 100 SLA 1980)

Effect of amendments. — The 1980 amendment added paragraphs (14) and (15).

Sec. 15.25.190. Placement of names on general election ballot. The director shall place the names and the political group affiliation of persons who have been properly nominated by petition on the general election ballot. (§ 5.56 ch 83 SLA 1960; am § 141 ch 100 SLA 1980)

Effect of amendments. — The 1980 amendment substituted "director" for "lieutenant governor" at the beginning of the section.

Sec. 15.25.200. Withdrawal of candidate's name. If a candidate nominated by petition dies or withdraws after the petition has been filed and before September 1 of the election year, the director shall not place the name of the candidate on the general election ballot. (§ 5.57 ch 83 SLA 1960; am § 142 ch 100 SLA 1980)

Effect of amendments. — The 1980 amendment substituted "director" for "lieutenant governor" near the middle of the section.

Article 3. Presidential Party Primary Election.

Section	Section
220. Presidential party primary election	250. Selection of delegates
230. Placing recognized names on the ballot	260. Delegates pledged
240. Petition for presidential candidate	270. No other elections on the same date
	280. Procedures for conduct of election

Article repealed effective July 1, 1985. — Section 4, ch. 20, SLA 1980, provides that this article is repealed on July 1, 1985.

Collateral references. — 25 Am. Jur. 29 C.J.S. Elections. §§ 89-105. 111(1)-148. 2d, Elections, §§ 128-143, 152, 179.

Sec. 15.25.220. Presidential party primary election. (a) The lieutenant governor shall call a presidential party primary election on the third Tuesday in April of a presidential election year.

(b) The lieutenant governor may conduct the presidential party primary election on a date different from the date set in (a) of this section if he sets the different date in a proclamation issued by September 1 of the year preceding the presidential election.

(c) The ballot shall be prepared and distributed by the lieutenant governor in the manner prescribed by AS 15.25.060. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.230. Placing recognized names on the ballot. (a) The lieutenant governor shall place on the ballot the name of each candidate generally recognized throughout the United States as a candidate for nomination for President of the United States.

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

(c) The lieutenant governor shall notify each candidate that he may withdraw his name from the ballot by filing with the lieutenant governor no later than the last Tuesday in February of a presidential election year a statement that he is not now and does not intend to become a candidate for the office of President of the United States at that presidential election and requesting the removal of his name. The name of a candidate withdrawing under this section may not appear on the ballot.

(d) If the lieutenant governor calls the presidential party primary election for a date different from the date set under AS 15.25.220(a),

(1) the announcement required by (b) of this section shall be made no later than the Tuesday that is 11 weeks before the date of the election; and

(2) the statement required by (c) of this section shall be filed no later than the Tuesday that is seven weeks before the election. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.240. Petition for presidential candidate. (a) Supporters of a candidate for nomination for President of the United States may file a petition to have the name of the candidate of their choice on the ballot. A petition under this section must be filed by the last Tuesday in February of a presidential election year and must contain the signatures of qualified voters residing in no less than two-thirds of the election districts of the state equal in number to five percent of the number of votes cast for the candidates for governor in the preceding election for governor. A petition under this section shall include (1) the full name of the candidate; (2) the name of the political group supporting the candidate; (3) the name of the political party in which the candidate is registered; (4) a statement that the subscribers are qualified voters of the state; and (5) a statement that the subscribers request that the candidate's name be placed on the ballot. The signature sheets shall also contain the printed name and residence address of each qualified voter whose signature appears on the petition.

(b) The lieutenant governor shall notify a candidate of the filing of a petition under this section and advise that he may withdraw his name from the ballot by filing with the lieutenant governor no later than the first Tuesday in March of a presidential election year a statement that he is not now nor does he intend to become a candidate for the office of President of the United States at that presidential election and requesting the removal of his name. The name of a candidate withdrawing under this subsection may not appear on the ballot.

(c) If the lieutenant governor calls the presidential party primary election for a date different from the date set under AS 15.25.220(a),

(1) the petition required by (a) of this section shall be filed no later than the Tuesday that is seven weeks before the date of the election; and

(2) the statement required by (b) of this section shall be filed no later than the Tuesday that is six weeks before the election. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.250. Selection of delegates. (a) The political parties in the state shall select delegates to their national conventions according to the party's plan of organization. The final selection of delegates shall be held after the presidential party primary election.

no later
2 ch 20

(b) Each candidate who receives more than 15 percent of the votes cast in that party's primary is entitled to receive a proportionate number of delegate votes equal to the proportionate number of votes the candidate received in the primary after excluding the number of votes cast for candidates of his party who each received less than 15 percent of the votes in that party's primary. The proportions of delegate votes shall be expressed as fractional delegate votes or the nearest whole number of delegate votes as the rules of the particular national party or convention may provide. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.260. Delegates pledged. A delegate selected under AS 15.25.250 must cast his vote to secure the nomination for the candidate to whom he is pledged until that candidate is nominated by the convention, receives less than 30 percent of the delegate votes for nomination by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.270. No other elections on the same date. The lieutenant governor may not schedule another state election on the date scheduled for the presidential party primary election. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Sec. 15.25.280. Procedures for conduct of election. The provisions of this title regarding the conduct of a general election govern the conduct of the presidential party primary election, except to the extent that the provisions of AS 15.25.220 — 15.25.280 are inconsistent with those provisions. (§ 2 ch 20 SLA 1980)

Editor's notes. — For repeal of this section, see note following article analysis.

Chapter 30. National Elections.

Article

1. President (§§ 15.30.010—15.30.100)
2. United States Congress (§§ 15.30.110—15.30.120)

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LAWS OF ALASKA

1980

Source

Chapter No.

2d SCS CSHB 28 am S

20

AN ACT

Providing for presidential party primary elections; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

UNDERLINED MATERIAL INDICATES TEXT THAT IS BEING ADDED TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

Approved by the Governor: April 10, 1980
Actual Effective Date: January 1, 1981

Chapter 19

out charge

AN ACT

Providing for presidential party primary elections;
and providing for an effective date.

* Section 1. AS 15.25.010 is amended to read:

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

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

ARTICLE 3. PRESIDENTIAL PARTY PRIMARY ELECTIONS.

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

(b) The lieutenant governor may conduct the presidential party primary election on a date different from the date set forth in (a) of this section if he sets the different date in a proclamation issued by September 1 of the year preceding the presidential election.

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

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

(b) The lieutenant governor shall announce on the last Tuesday in

Chapter 20

January of a presidential election year a list of candidates who will appear on the ballot. The lieutenant governor shall also notify each candidate that the candidate's name will appear on the ballot in this state.

(c) The lieutenant governor shall notify each candidate that he may withdraw his name from the ballot by filing with the lieutenant governor no later than the last Tuesday in February of a presidential election year a statement that he is now and does not intend to become a candidate for the office of President of the United States at that presidential election and requesting the removal of his name. The name of a candidate withdrawing under this section may not appear on the ballot.

(d) If the lieutenant governor calls the presidential party primary election for a date different from the date set under AS 15.25.-220(a),

(1) the announcement required by (b) of this section shall be made no later than the Tuesday that is 11 weeks before the date of the election; and

(2) the statement required by (c) of this section shall be filed no later than the Tuesday that is seven weeks before the election.

Sec. 15.25.240. PETITION FOR PRESIDENTIAL CANDIDATE. (a) Supporters of a candidate for nomination for President of the United States may file a petition to have the name of the candidate of their choice on the ballot. A petition under this section must be filed by the last Tuesday in February of a presidential election year and must contain the signatures of qualified voters residing in no less than two-thirds of the election districts of the state equal in number to five percent of the number of votes cast for the candidate for governor in the preceding election for governor. A petition under this section shall include

Chapter 20

(1) the full name of the candidate; (2) the name of the political group supporting the candidate; (3) the name of the political party in which the candidate is registered; (4) a statement that the subscribers are qualified voters of the state; and (5) a statement that the subscribers request that the candidate's name be placed on the ballot. The signature sheets shall also contain the printed name and residence address of each qualified voter whose signature appears on the petition.

(b) The lieutenant governor shall notify a candidate of the filing of a petition under this section and advise that he may withdraw his name from the ballot by filing with the lieutenant governor no later than the first Tuesday in March of a presidential election year a statement that he is not now nor does he intend to become a candidate for the office of President of the United States at that presidential election and requesting the removal of his name. The name of a candidate withdrawing under this subsection may not appear on the ballot.

(c) If the lieutenant governor calls the presidential party primary election for a date different from the date set under AS 15.25.-220(a),

(1) the petition required by (a) of this section shall be filed no later than the Tuesday that is seven weeks before the date of the election; and

(2) the statement required by (b) of this section shall be filed no later than the Tuesday that is six weeks before the election.

Sec. 15.25.250. SELECTION OF DELEGATES. (a) The political parties in the state shall select delegates to their national conventions according to the party's plan of organization. The final selection of delegates shall be held after the presidential party primary election.

(b) Each candidate who receives more than 15 percent of the votes



LAWS OF ALASKA

1980

Source

FCCSSB 122

Chapter No.

21

AN ACT

Providing for the payment of Alaska permanent fund income to state residents, and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1, LINE 10

Approved by the Governor: April 15, 1980
Actual Effective Date: April 16, 1980 with Sections 1 and 2
retroactive to January 1, 1979.

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cast in that party's primary is entitled to receive a proportionate number of delegate votes equal to the proportionate number of votes the candidate received in the primary after excluding the number of votes cast for candidates of his party who each received less than 15 percent of the votes in that party's primary. The proportions of delegate votes shall be expressed as fractional delegate votes or the nearest whole number of delegate votes as the rules of the particular national party or convention may provide.

Sec. 15.25.260. DELEGATES PLEDGED. A delegate selected under AS 15.25.250 must cast his vote to secure the nomination for the candidate to whom he is pledged until that candidate is nominated by the convention, receives less than 30 percent of the delegate votes for nomination by the convention, releases the delegates from the pledge, or until two convention nominating ballots have been taken.

Sec. 15.25.270. NO OTHER ELECTIONS ON THE SAME DATE. The lieutenant governor may not schedule another state election on the date scheduled for the presidential party primary election.

Sec. 15.25.280. PROCEDURES FOR CONDUCT OF ELECTION. The provisions of this title regarding the conduct of a general election govern the conduct of the presidential party primary election, except to the extent that the provisions of AS 15.25.220 - 15.25.280 are inconsistent with those provisions.

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

Sec. 15.13.011. INAPPLICABILITY TO PRESIDENTIAL PRIMARY. The provisions of this chapter do not apply to a presidential primary election conducted under AS 15.25.220 - 15.25.280.

* Sec. 4. AS 15.25.220 - 15.25.280 are repealed on July 1, 1985.

* Sec. 5. This Act takes effect January 1, 1981.