

LEG. FINANCE - BILLS 1979 - 1980 1332

SB 312 cont.

1 nominated, the candidate shall be declared nominated. The vacancy may
2 be filled by party petition as provided in AS 15.25.110 - 15.25.130.

3 * Sec. 121. AS 15.25.060 is amended to read:

4 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The
5 primary election ballot shall be prepared and distributed by the
6 director [LIEUTENANT GOVERNOR] in the manner prescribed for general
7 election ballots except as specifically provided otherwise for the
8 primary election. The director [LIEUTENANT GOVERNOR] shall place the
9 names of all candidates who have properly filed in groups according to
10 offices filed for, without regard to party affiliation. The names for
11 each office shall be rotated as provided for the general election bal-
12 lot. No blank spaces shall be provided on the ballot for the writing or
13 pasting in of names.

14 * Sec. 122. AS 15.25.090 is amended to read:

15 Sec. 15.25.090. GENERAL PROCEDURE FOR CONDUCT OF PRIMARY ELECTION.
16 Unless specifically provided otherwise, all provisions regarding the
17 conduct of the general election shall govern the conduct of the primary
18 election, including, but not limited to, provisions concerning voter
19 qualification; provisions regarding the duties, powers, rights, and
20 obligations of the director [LIEUTENANT GOVERNOR], of other election
21 officials, and of cities and organized boroughs; provision for notifi-
22 cation of the election; provisions regarding payment of election ex-
23 penses; provisions regarding employees being allowed time from work to
24 vote; provisions for the counting, canvassing, and certification of
25 returns; provisions for the determination of tie votes and of recount,
26 contests and appeal; and provisions for absentee voting [AND THE USE OF
27 VOTING MACHINES].

28 * Sec. 123. AS 15.25.100 is amended to read:

29 Sec. 15.25.100. PLACEMENT OF NOMINEES ON GENERAL ELECTION BALLOT.

1 The director [LIEUTENANT GOVERNOR] shall place the name of the candidate
2 receiving the highest number of votes for an office by a political party
3 on the general election ballot.

4 * Sec. 124. AS 15.25.110 is amended to read:

5 Sec. 15.25.110. FILLING VACANCIES BY PARTY PETITION. If a candi-
6 date nominated at the primary election dies, withdraws, resigns, becomes
7 disqualified from holding office for which he is nominated, or is cer-
8 tified as being incapacitated in the manner prescribed by this section
9 after the primary election and 40 [10] days or more before the general
10 election, the vacancy may be filled by party petition. The central
11 committee of any political party or any party district committee may
12 certify as being incapacitated any candidate nominated by their re-
13 spective party by presenting to the director [LIEUTENANT GOVERNOR] a
14 sworn statement made by a panel of three licensed physicians, not more
15 than two of whom shall be of the same political party, that the candi-
16 date is physically or mentally incapacitated to an extent that would in
17 his judgment prevent the candidate from active service during the term
18 of office if elected. The director [LIEUTENANT GOVERNOR] shall place
19 the name of the person nominated by party petition on the general elec-
20 tion ballot [OR, IF THE GENERAL ELECTION BALLOT HAS BEEN PREPARED, THE
21 LIEUTENANT GOVERNOR OR THE ELECTION OFFICIALS DIRECTED BY THE LIEUTENANT
22 GOVERNOR SHALL PREPARE, PRINT, AND DISTRIBUTE A SUFFICIENT NUMBER OF
23 GUMMED LABELS OR STICKERS BEARING THE NAME OF THE CANDIDATE TO FILL THE
24 VACANCY TO EACH VOTING PRECINCT WITH INSTRUCTIONS THAT THE ELECTION
25 JUDGES SHALL PLACE ONE OF THE STICKERS OR LABELS ON THE APPROPRIATE
26 PLACE ON EACH BALLOT BEFORE THE BALLOT IS HANDED TO THE VOTER]. The
27 name of a candidate disqualified under this section shall not appear on
28 the general election ballot.

29 * Sec. 125. AS 15.25.120 is amended to read:

1 Sec. 15.25.120. REQUIREMENTS FOR PARTY PETITION. Party petitions
2 for the nomination of candidates shall state in substance that the
3 political party desires and intends to support the named candidate for
4 the named office and requests that the name of the proposed candidate be
5 placed on the general election ballot. The petition may be filed no
6 later than 40 [10] days before the date of the general election.

7 * Sec. 126. AS 15.25.150 is amended to read:

8 Sec. 15.25.150. DATE OF FILING PETITION. The petition is filed
9 with the director [LIEUTENANT GOVERNOR] by actual physical delivery in
10 person at or before 5:00 p.m., prevailing time, June 1 in the year in
11 which a general election is held for the office, or by actual physical
12 delivery to the director by registered [CERTIFIED] mail return receipt
13 requested which is postmarked at or before 5:00 p.m., prevailing time,
14 June 1 in the year in which a general election is held for the office,
15 and received not more than 15 days after that time. If the postmark is
16 illegible, a dated receipt from the post office where dispatched shall
17 be acceptable as evidence of mailing. If June 1 is a Sunday or holiday,
18 the deadlines for postmarking and receipt of the petition shall be
19 extended 24 hours in each instance.

20 * Sec. 127. AS 15.25.160 is amended to read:

21 Sec. 15.25.160. REQUIRED NUMBER OF SIGNATURES FOR STATE-WIDE
22 OFFICE. Petitions for the nomination of candidates for the office of
23 governor, lieutenant governor, United States senator and United States
24 representative shall be signed by qualified voters of the state equal
25 in number to at least two percent of the number of votes cast in the
26 preceding general election [NOT LESS THAN 1,000 QUALIFIED VOTERS].
27 Candidates for the office of governor and lieutenant governor shall file
28 jointly.

29 * Sec. 128. AS 15.25.170 is amended to read:

1 Sec. 15.25.170. REQUIRED NUMBER OF SIGNATURES FOR DISTRICT-WIDE
2 OFFICE. Petitions for the nomination of candidates for the office of
3 state senator or state representative shall be signed by qualified
4 voters of the election or senate district in which the proposed nominee
5 desires to be a candidate equal in number to at least two [FIVE] percent
6 of the number of votes cast in his respective election or senate dis-
7 trict in the preceding general election [, PROVIDED THAT NO NOMINATING
8 PETITION NEED CONTAIN MORE THAN 200 SIGNATURES NOR MAY IT CONTAIN LESS
9 THAN 50 SIGNATURES FOR ANY DISTRICT].

10 * Sec. 129. AS 15.25.180 is amended by adding a new paragraph to read:

11 (14) the name of the candidate as he wishes it to appear on
12 the ballot.

13 * Sec. 130. AS 15.25.190 is amended to read:

14 Sec. 15.25.190. PLACEMENT OF NAMES ON GENERAL ELECTION BALLOT.
15 The director [LIEUTENANT GOVERNOR] shall place the names and the poli-
16 tical group affiliation of persons who have been properly nominated by
17 petition on the general election ballot.

18 * Sec. 131. AS 15.25.200 is amended to read:

19 Sec. 15.25.200. WITHDRAWAL OF CANDIDATE'S NAME. If a candidate
20 nominated by petition dies or withdraws after the petition has been
21 filed and before September 1 of the election year, the director [LIEU-
22 TENANT GOVERNOR] shall not place the name of the candidate on the gen-
23 eral election ballot.

24 * Sec. 132. AS 15.30.020 is amended to read:

25 Sec. 15.30.020. NUMBER AND MANNER OF SELECTING CANDIDATES. Each
26 political party shall select a number of candidates for electors of
27 President and Vice President of the United States equal to the number of
28 senators and representatives to which the state is entitled in Congress.
29 The candidates for electors shall be selected by the state party conven-

1 tion or in any other manner prescribed by the bylaws of the party. The
2 chairman and secretary of the state convention or any other party offi-
3 cial designated by the party bylaws shall certify a list of the names of
4 candidates for electors to the director [LIEUTENANT GOVERNOR] on or
5 before September 1 in presidential election years.

6 * Sec. 133. AS 15.30.025 is amended to read:

7 Sec. 15.30.025. QUALIFICATIONS FOR LIMITED POLITICAL PARTIES. (a)
8 A limited political party may be organized for the purpose of selecting
9 candidates for electors of President and Vice President of the United
10 States by filing a petition with the director [LIEUTENANT GOVERNOR] at
11 least 90 days before a presidential election signed by qualified voters
12 of this state equaling in number at least three percent of Alaska's
13 total vote for President at the last presidential election. The peti-
14 tion shall state that the signers intend to organize a limited political
15 party, that they intend to select candidates for electors of President
16 and Vice President of the United States at the next succeeding presi-
17 dential election, and the name of the limited political party.

18 (b) A limited political party organized under this section may not
19 assume a name which is so similar to an existing political party as to
20 confuse or mislead the voters at an election. If the director [LIEU-
21 TENANT GOVERNOR] determines that the name of the limited political party
22 set out in a petition is confusing or misleading, he may refuse to
23 accept the petition for filing.

24 (c) A limited political party organized under this section shall
25 cease to be a limited political party whenever its presidential candi-
26 date fails to receive at least 10 percent of the total Alaskan vote cast
27 for the office of President at a presidential election.

28 * Sec. 134. AS 15.30.060 is amended to read:

29 Sec. 15.30.060. NOTIFICATION OF ELECTORS. When the results of the

1 election of presidential electors have been determined, the director
2 [LIEUTENANT GOVERNOR] shall send a certificate of election to each
3 elector and shall notify the electors of the time and place of their
4 meeting and of their duties as electors.

5 * Sec. 135. AS 15.30.070 is amended to read:

6 Sec. 15.30.070. PLACE AND TIME OF MEETING. The electors shall
7 meet at the office of the director [LIEUTENANT GOVERNOR] or other place
8 designated by him at 11:00 o'clock in the morning on the first Monday
9 after the second Wednesday in December following their election. If
10 Congress fixes a different day for the meeting, the electors shall meet
11 on the day designated by the Act of Congress.

12 * Sec. 136. AS 15.30.090 is amended to read:

13 Sec. 15.30.090. DUTIES OF ELECTORS. After any vacancies have been
14 filled, the electors shall proceed to cast their votes for the candi-
15 dates for the office of President and Vice President of the party which
16 selected them as candidates for electors and shall perform the duties of
17 electors as required by the constitution and laws of the United States.
18 The director [LIEUTENANT GOVERNOR] shall provide administrative services
19 and the Department of Law shall provide legal services necessary for the
20 electors to perform their duties.

21 * Sec. 137. AS 15.35.040 is amended to read:

22 Sec. 15.35.040. FILING DECLARATION BY SUPREME COURT JUSTICE. Each
23 justice seeking to succeed himself to office shall file with the direc-
24 tor [LIEUTENANT GOVERNOR] a declaration of candidacy not less than 90
25 days before the date of the general election at which approval or re-
26 jection is requisite.

27 * Sec. 138. AS 15.35.041 is amended to read:

28 Sec. 15.35.041. REQUIREMENT OF FILING FEE FOR SUPREME COURT CANDI-
29 DATE. At the time the declaration is filed, each candidate shall pay a

1 filing fee to the director [LIEUTENANT GOVERNOR]. The filing fee for a
2 candidate for the supreme court is \$100.

3 * Sec. 139. AS 15.35.050 is amended to read:

4 Sec. 15.35.050. PLACING NAME OF SUPREME COURT JUSTICE ON BALLOT.
5 The director [LIEUTENANT GOVERNOR] shall place the name of a supreme
6 court justice who has properly filed a declaration of candidacy on the
7 judicial ballot in each judicial district of the state for the general
8 election at which approval is sought.

9 * Sec. 140. AS 15.35.070 is amended to read:

10 Sec. 15.35.070. FILING DECLARATION BY SUPERIOR COURT JUDGE. Each
11 judge seeking to succeed himself to office shall file with the director
12 [LIEUTENANT GOVERNOR] a declaration of candidacy not less than 90 days
13 before the date fixed for the general election at which approval or
14 rejection is requisite.

15 * Sec. 141. AS 15.35.071 is amended to read:

16 Sec. 15.35.071. REQUIREMENT OF FILING FEE FOR SUPERIOR COURT
17 CANDIDATE. At the time the declaration is filed, each candidate shall
18 pay a filing fee to the director [LIEUTENANT GOVERNOR]. The filing fee
19 for a candidate for the superior court is \$30.

20 * Sec. 142. AS 15.35.090 is amended to read:

21 Sec. 15.35.090. PLACING NAME OF SUPERIOR COURT JUDGE ON BALLOT.
22 The director [LIEUTENANT GOVERNOR] shall place the name of a superior
23 court judge who has properly filed a declaration of candidacy on the
24 judicial ballot in the judicial district designated in his declaration
25 of candidacy for the general election at which approval is sought.

26 * Sec. 143. AS 15.35.110 is amended to read:

27 Sec. 15.35.110. FILING DECLARATION BY DISTRICT JUDGE. Each dis-
28 trict judge seeking to succeed himself to office shall file with the
29 director [LIEUTENANT GOVERNOR] a declaration of candidacy not less than

1 90 days before the date fixed for the general election at which approval
2 or rejection is requisite.

3 * Sec. 144. AS 15.35.120 is amended to read:

4 Sec. 15.35.120. REQUIREMENT OF FILING FEE FOR DISTRICT COURT
5 CANDIDATE. At the time the declaration is filed, each candidate for the
6 district court shall pay a filing fee of \$30 to the director [LIEUTENANT
7 GOVERNOR].

8 * Sec. 145. AS 15.35.130 is amended to read:

9 Sec. 15.35.130. PLACING NAME OF DISTRICT JUDGE ON BALLOT. The
10 director [LIEUTENANT GOVERNOR] shall place the name of a district judge
11 who has properly filed a declaration of candidacy on the judicial ballot
12 in the judicial district designated in his declaration of candidacy for
13 the general election at which approval is sought.

14 * Sec. 146. AS 15.40.040 is amended to read:

15 Sec. 15.40.040. CONDITIONS FOR PART-TERM APPOINTMENT AND SPECIAL
16 ELECTION. If the vacancy is for an unexpired term of more than two
17 years plus five full calendar months, the governor shall call a special
18 election by proclamation and the appointment shall expire on the date
19 the United States senate first meets, convenes, or reconvenes, following
20 the certification of the results of the special election by the director
21 [LIEUTENANT GOVERNOR].

22 * Sec. 147. AS 15.40.070 is amended to read:

23 Sec. 15.40.070. TERM OF ELECTED SENATOR. At the special election,
24 a United States senator shall be elected to fill the remainder of the
25 unexpired term. The person elected shall take office on the date the
26 United States senate first meets, convenes, or reconvenes following the
27 certification of the results of the special election by the director
28 [LIEUTENANT GOVERNOR].

29 * Sec. 148. AS 15.40.090 is amended to read:

1 Sec. 15.40.090. DESIGNATION OF NOMINEES BY PETITION. If the
2 vacancy occurs less than one calendar month before the filing date for
3 the primary election and more than three calendar months before the next
4 general election, candidates shall be nominated by petition transmitted
5 by actual delivery to the director [LIEUTENANT GOVERNOR] before
6 September 2 immediately preceding the special election.

7 * Sec. 149. AS 15.40.100 is amended to read:

8 Sec. 15.40.100. REQUIREMENTS OF PETITION FOR NO-PARTY CANDIDATES.
9 Petitions for the nomination of candidates not representing a political
10 party shall be signed by qualified voters of the state equal in number
11 to at least two percent of the number of votes cast in the preceding
12 general election [1,000 QUALIFIED VOTERS], and shall state in substance
13 that which is required in petitions for nomination for general elections
14 provided in AS 15.25.180.

15 * Sec. 150. AS 15.40.130 is amended to read:

16 Sec. 15.40.130. GENERAL PROVISION FOR CONDUCT OF SPECIAL ELECTION.
17 Unless specifically provided otherwise, all provisions regarding the
18 conduct of the general election shall govern the conduct of the special
19 election of United States senators, including, but not limited to,
20 provisions concerning voter qualifications; provisions regarding the
21 duties, powers, rights and obligations of the director [LIEUTENANT
22 GOVERNOR], of other election officials, and of cities and organized
23 boroughs; provision for notification of the election; provision for
24 payment of election expenses; provisions regarding employees being
25 allowed time from work to vote; provisions for the counting, canvassing,
26 and certification of returns; provisions for the determination of the
27 votes and of recounts, contests, and appeal; and provision for absentee
28 voting [AND THE USE OF VOTING MACHINES].

29 * Sec. 151. AS 15.40.170 is amended to read:

1
2 Sec. 15.40.170. TERM OF ELECTED REPRESENTATIVE. At the special
3 election, a United States representative shall be elected to fill the
4 remainder of the unexpired term. The person elected shall take office
5 on the date the United States house of representatives meets, convenes,
6 or reconvenes following the certification of the results of the special
7 election by the director [LIEUTENANT GOVERNOR].

8 * Sec. 152. AS 15.40.180 is amended to read:

9 Sec. 15.40.180. DATE OF NOMINATIONS. Candidates for the special
10 election shall be nominated by petition transmitted by (1) the actual
11 physical delivery of the petition in person; (2) by mail postmarked not
12 later than midnight of the filing date; or (3) by telegram of a copy in
13 substance of the statements made in the petition to the director [LIEU-
14 TENANT GOVERNOR] before the 21st day after the vacancy occurs.

15 * Sec. 153. AS 15.40.190 is amended to read:

16 Sec. 15.40.190. REQUIREMENTS OF PETITION OF NO-PARTY CANDIDATES.
17 Petitions for the nomination of candidates not representing a political
18 party shall be signed by qualified voters of the state equal in number
19 to at least two percent of the number of votes cast in the preceding
20 general election [1,000 QUALIFIED VOTERS] and shall state in substance
21 that which is required for nomination petitions by AS 15.25.180.

22 * Sec. 154. AS 15.40.270 is amended to read:

23 Sec. 15.40.270. DATE OF NOMINATIONS. Candidates for the special
24 election shall be nominated by petition transmitted by (1) actual phy-
25 sical delivery of the petition in person; (2) by mail postmarked not
26 later than midnight of the filing date; or (3) by telegram of a copy in
27 substance of the statements made in the petition to the director [LIEU-
28 TENANT GOVERNOR] before the 21st day after the vacancy occurs.

29 * Sec. 155. AS 15.40.280 is amended to read:

 Sec. 15.40.280. REQUIREMENTS OF PETITION OF NO-PARTY CANDIDATES.

1 Petitions for the nomination of candidates not representing a political
2 party shall be signed by qualified voters of the state equal in number
3 to at least two percent of the number of votes cast in the preceding
4 general election [1,000 QUALIFIED VOTERS], shall include nominees for
5 the office of governor and lieutenant governor, and shall state in sub-
6 stance that which is required for nomination petitions by AS 15.25.180.

7 * Sec. 156. AS 15.40.330 is amended by adding a new subsection to read:

8 (b) A member of a political party is a person who supports the
9 political program of a party. The filing for office of a candidate as
10 an independent or no-party candidate does not preclude a candidate from
11 being a member of a political party. Recognition of an independent or
12 no-party candidate as a member of a party caucus of members of the
13 legislature at the legislative session following his election is recog-
14 nition of his party membership at the time filings were made by party
15 candidates for the preceding general election.

16 * Sec. 157. AS 15.40.380 is amended to read:

17 Sec. 15.40.380. CONDITIONS FOR PART-TERM SENATE APPOINTMENT AND
18 SPECIAL ELECTION. If the vacancy is for an unexpired senate term of
19 more than two years and five full calendar months, the governor shall
20 call a special election by proclamation and the appointment shall expire
21 on the date the state senate first convenes or reconvenes following the
22 certification of the results of the special election by the director
23 [LIEUTENANT GOVERNOR].

24 * Sec. 158. AS 15.40.430 is amended to read:

25 Sec. 15.40.430. DESIGNATION OF NOMINEES BY PETITION. If the
26 vacancy occurs less than one calendar month before the filing date and
27 more than three calendar months before the next general election, can-
28 didates shall be nominated by petition transmitted by (1) the actual
29 physical delivery of the petition in person; (2) by mail postmarked not

1 later than midnight of the filing date; or (3) by telegram of a copy in
2 substance of the statements made in the petition to the director [LIEU-
3 TENANT GOVERNOR] before September 2 just before the special election.

4 * Sec. 159. AS 15.40.440 is amended to read:

5 Sec. 15.40.440. REQUIREMENTS OF PETITION FOR NO-PARTY CANDIDATES.
6 Petitions for the nomination of candidates not representing a political
7 party shall be signed by qualified voters equal in number to at least
8 two [FIVE] percent of the number of votes cast in his respective elec-
9 tion or senate district in the preceding general election, provided that
10 no nominating petition [NEED CONTAIN MORE THAN 200 SIGNATURES NOR] may
11 [IT] contain less than 100 [50] signatures for any district, and shall
12 state in substance that which is required in petitions for nomination
13 for general elections provided in AS 15.25.180.

14 * Sec. 160. AS 15.45.100 is amended to read:

15 Sec. 15.45.100. STATEMENT OF WARNING. Each petition shall include
16 a statement of warning that a person who signs a name other than his own
17 on the petition, or who knowingly signs his name more than once for the
18 same proposition at one election, or who signs the petition knowing he
19 is not a qualified voter, upon conviction is punishable by a fine of not
20 more than \$5,000, [\$1,000] or by imprisonment for not more than one
21 year, or by both.

22 * Sec. 161. AS 15.45.190 is amended to read:

23 Sec. 15.45.190. PLACING PROPOSITION ON BALLOT. The lieutenant
24 governor shall direct the director to place the ballot title and propo-
25 sition on the election ballot of the first statewide general, special,
26 or primary election that is held after (1) the petition and any sup-
27 plementary petition have been filed, (2) a legislative session has
28 convened and adjourned, and (3) a period of 120 days has expired since
29 the adjournment of the legislative session.

1 * Sec. 162. AS 15.45.200 is amended to read:

2 Sec. 15.45.200. DISPLAY OF PROPOSED LAW. The director [LIEUTENANT
3 GOVERNOR] shall provide each election board with 10 copies of the pro-
4 posed law being initiated, and the election board shall display three
5 copies of the proposed law in a conspicuous place in the room where the
6 election is held.

7 * Sec. 163. AS 15.45.240 is amended to read:

8 Sec. 15.45.240. JUDICIAL REVIEW. Any person aggrieved by a deter-
9 mination made by the lieutenant governor under AS 15.45.010 -15.45.230
10 may bring an action in the superior court to have the determination
11 reviewed within 30 days of the date on which notice of the determination
12 was given [BY ANY APPROPRIATE REMEDY IN THE SUPERIOR COURT].

13 * Sec. 164. AS 15.45 is amended by adding a new section to article 1 to
14 read:

15 Sec. 15.45.245. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant
16 governor may delegate the duties imposed on him by AS 15.45.010 -
17 15.45.240 to the director.

18 * Sec. 165. AS 15.45.330 is amended to read:

19 Sec. 15.45.330. STATEMENT OF WARNING. Each petition shall include
20 a statement of warning that a person who signs a name other than his own
21 to the petition, or knowingly signs his name more than once for the same
22 proposition at one election, or who signs the petition knowing he is not
23 a qualified voter, upon conviction, is punishable by a fine of not more
24 than \$5,000, [\$1,000] or by imprisonment for not more than one year, or
25 by both.

26 * Sec. 166. AS 15.45.420 is amended to read:

27 Sec. 15.45.420. PLACING PROPOSITION ON BALLOT. The lieutenant
28 governor shall direct the director to place the ballot title and propo-
29 sition on the election ballot for the first statewide general, special,

1 or primary election held more than 180 days after adjournment of the
2 legislative session at which the act was passed.

3 * Sec. 167. AS 15.45.430 is amended to read:

4 Sec. 15.45.430. DISPLAY OF ACT BEING REFERRED. The director
5 [LIEUTENANT GOVERNOR] shall provide each election board with 10 copies
6 of the act being referred, and the election board shall display three
7 copies of the act in a conspicuous place in the room where the election
8 is held.

9 * Sec. 168. AS 15.45.460 is amended to read:

10 Sec. 15.45.460. JUDICIAL REVIEW. Any person aggrieved by any
11 determination made by the lieutenant governor under AS 15.45.250 -
12 15.45.450 may bring an action in the superior court to have the deter-
13 mination reviewed within 30 days of the date on which notice of the
14 determination was given [BY ANY APPROPRIATE REMEDY IN THE SUPERIOR
15 COURT].

16 * Sec. 169. AS 15.45 is amended by adding a new section to article 2 to
17 read:

18 Sec. 15.45.465. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant
19 governor may delegate the duties imposed upon him by AS 15.45.250 -
20 15.45.460 to the director.

21 * Sec. 170. AS 15.45.480 is amended to read:

22 Sec. 15.45.480. FILING APPLICATION. The recall of the governor,
23 lieutenant governor, or a member of the state legislature is proposed by
24 filing an application with the director [LIEUTENANT GOVERNOR. THE
25 RECALL OF THE LIEUTENANT GOVERNOR IS PROPOSED BY FILING AN APPLICATION
26 WITH THE ATTORNEY GENERAL, WHO SHALL PERFORM THE DUTIES IMPOSED ON THE
27 LIEUTENANT GOVERNOR IN THE RECALL OF OTHER ELECTED STATE OFFICIALS]. A
28 deposit of \$100 must accompany the application. This deposit will be
29 retained if a petition is not properly filed. If a petition is properly

1 filed the deposit shall be refunded.

2 * Sec. 171. AS 15.45.500 is amended to read:

3 Sec. 15.45.500. FORM OF APPLICATION. The application shall in-
4 clude (1) the name and office of the person to be recalled, (2) the
5 grounds for recall described in particular in not more than 200 words,
6 (3) a statement that the sponsors are qualified voters who signed the
7 application with the statement of grounds for recall attached, (4) the
8 designation of a recall committee of three sponsors who shall represent
9 all sponsors and subscribers in matters relating to the recall, (5) the
10 signatures [APPOINTMENT] of at least 100 qualified voters who subscribe
11 to the application as sponsors for purposes of circulation, and (6) the
12 signatures and addresses of qualified voters equal in number to 10
13 percent of those who voted in the preceding general election in the
14 state or in the senate or electoral district of the official sought to
15 be recalled.

16 * Sec. 172. AS 15.45.530 is amended to read:

17 Sec. 15.45.530. NOTICE OF THE NUMBER OF VOTERS. The director
18 [LIEUTENANT GOVERNOR], upon request, shall notify the recall committee
19 of the official number of persons who voted in the preceding general
20 election in the state or in the senate or election district of the
21 official to be recalled.

22 * Sec. 173. AS 15.45.540 is amended to read:

23 Sec. 15.45.540. REVIEW OF APPLICATION. The director [LIEUTENANT
24 GOVERNOR] shall review the application and shall either certify it or
25 notify the recall committee of the grounds of refusal.

26 * Sec. 174. AS 15.45.550 is amended to read:

27 Sec. 15.45.550. BASES OF DENIAL OF CERTIFICATION. The director
28 [LIEUTENANT GOVERNOR] shall deny certification if he determines that (1)
29 the application is not substantially in the required form, (2) the

1 application was filed during the first 120 days of the term of office of
2 the official subject to recall or within less than 180 days of the
3 termination of the term of office of any official subject to recall, (3)
4 the person named in the application is not subject to recall, or (4)
5 there is an insufficient number of qualified subscribers.

6 * Sec. 175. AS 15.45.560 is amended to read:

7 Sec. 15.45.560. PREPARATION OF PETITION. If the director [LIEU-
8 TENANT GOVERNOR] certifies the application, he shall prescribe the form
9 of, and prepare, a petition containing (1) the name and office of the
10 person to be recalled, (2) the statement of the grounds for recall
11 included in the application, (3) the statement of warning required in
12 AS 15.45.570, (4) sufficient space for signatures and addresses, and (5)
13 other specifications prescribed by the director [LIEUTENANT GOVERNOR] to
14 assure proper handling and control. Petitions, for purposes of circu-
15 lation, shall be prepared by the director [LIEUTENANT GOVERNOR] in a
16 number reasonably calculated to allow full circulation throughout the
17 state or throughout the senate or election district of the official
18 sought to be recalled. The director [LIEUTENANT GOVERNOR] shall number
19 each petition and shall keep a record of the petitions delivered to each
20 sponsor.

21 * Sec. 176. AS 15.45.570 is amended to read:

22 Sec. 15.45.570. STATEMENT OF WARNING. Each petition and duplicate
23 copy shall include a statement of warning that a person who signs a name
24 other than his own to the petition, or who knowingly signs his name more
25 than once for the same proposition at one election, or who signs the
26 petition knowing he is not a qualified voter, upon conviction is punish-
27 able by a fine of not more than \$5,000, [\$1,000] or by imprisonment for
28 not more than one year, or by both.

29 * Sec. 177. AS 15.45.590 is amended to read:

1 Sec. 15.45.590. MANNER OF SIGNING AND WITHDRAWING NAME FROM PETI-
2 TION. Any qualified voter may subscribe to the petition by signing his
3 name and address. A person who has signed the petition may withdraw his
4 name only by giving written notice to the director [LIEUTENANT GOVERNOR]
5 before the date the petition is filed.

6 * Sec. 178. AS 15.45.600 is amended to read:

7 Sec. 15.45.600. CERTIFICATION OF SPONSOR. Before being filed,
8 each petition shall be certified by an affidavit by the sponsor who
9 personally circulated the petition. The affidavit shall state in sub-
10 stance that (1) the person signing the affidavit is a sponsor, (2) the
11 person is the only circulator of that petition or copy, (3) the signa-
12 tures were made in his actual presence, and (4) to the best of his
13 knowledge, the signatures are those of the persons whose names they
14 purport to be. In determining the sufficiency of the petition, the
15 director [LIEUTENANT GOVERNOR] shall not count subscriptions or peti-
16 tions not properly certified.

17 * Sec. 179. AS 15.45.620 is amended to read:

18 Sec. 15.45.620. REVIEW OF PETITION. Within 30 days of the date of
19 filing, the director [LIEUTENANT GOVERNOR] shall review the petition and
20 shall notify the recall committee and the person subject to recall
21 whether the petition was properly or improperly filed.

22 * Sec. 180. AS 15.45.630 is amended to read:

23 Sec. 15.45.630. BASES FOR DETERMINING THE PETITION WAS IMPROPERLY
24 FILED. The director [LIEUTENANT GOVERNOR] shall notify the committee
25 that the petition was improperly filed if he determines that (1) there
26 is an insufficient number of qualified subscribers, or (2) the petition
27 was filed within less than 180 days of the termination of the term of
28 office of the official subject to recall.

29 * Sec. 181. AS 15.45.650 is amended to read:

1 Sec. 15.45.650. CALLING SPECIAL ELECTION. If the director [LIEU-
2 TENANT GOVERNOR] determines the petition is properly filed and if the
3 office is not vacant, he shall prepare the ballot and shall call a
4 special election to be held on a date not less than 60, nor more than
5 90, days after the date that notification is given that the petition was
6 properly filed. If a primary or general election is to be held not less
7 than 60, nor more than 90, days after the date that notification is
8 given that the petition was properly filed, the special election shall
9 be held on the date of the primary or general election.

10 * Sec. 182. AS 15.45.670 is amended to read:

11 Sec. 15.45.670. CONDUCT OF SPECIAL ELECTION. Unless specifically
12 provided otherwise, all provisions regarding the conduct of a general
13 election shall govern the conduct of a special election for the recall
14 of a state public official, including but not limited to, provisions
15 concerning voter qualification; provisions regarding duties, powers,
16 rights and obligations of the director [LIEUTENANT GOVERNOR], of other
17 election officials, and of cities and organized boroughs; provision for
18 notification of the election; provision for the payment of election
19 expenses; provisions regarding employees being allowed time from work to
20 vote; provisions for counting, canvassing, and certification of returns;
21 provision for the determination of votes and of recount contests and
22 court appeal; and provisions for absentee voting [AND THE USE OF VOTING
23 MACHINES].

24 * Sec. 183. AS 15.45.680 is amended to read:

25 Sec. 15.45.680. DISPLAY OF BASES FOR AND AGAINST RECALL. The
26 director [LIEUTENANT GOVERNOR] shall provide each election board in the
27 state or in the senate or election district of the person subject to
28 recall with 10 copies of the statement of the grounds for recall in-
29 cluded in the application and 10 copies of the statement of not more

1 than 200 words made by the official subject to recall in justification
2 of his conduct in office. The person subject to recall may provide the
3 director [LIEUTENANT GOVERNOR] with his statement within 10 days after
4 the date the director [LIEUTENANT GOVERNOR] gave notification that the
5 petition was properly filed. The election board shall post three copies
6 of the statements for and against recall in three conspicuous places in
7 the polling place.

8 * Sec. 184. AS 15.45.690 is amended to read:

9 Sec. 15.45.690. CERTIFICATION OF ELECTION RESULTS. If a majority
10 of the votes cast on the question of recall favor the removal of the
11 official, the director [LIEUTENANT GOVERNOR] shall so certify and the
12 office is vacant on the day after the date of certification.

13 * Sec. 185. AS 15.45.720 is amended to read:

14 Sec. 15.45.720. JUDICIAL REVIEW. Any person aggrieved by a deter-
15 mination made by the director under AS 15.45.470 -15.45.710 [LIEUTENANT
16 GOVERNOR] may bring an action in the superior court to have the deter-
17 mination reviewed within 30 days of the date on which notice of deter-
18 mination was given [BY ANY APPROPRIATE REMEDY IN THE SUPERIOR COURT].

19 * Sec. 186. AS 15.50.025 is amended to read:

20 Sec. 15.50.025. OBJECTION TO PROPOSED BALLOT TITLE AND PROPOSI-
21 TION. A qualified voter, or the Legislature of the State of Alaska
22 acting directly, or through the Legislative Council, who believes that
23 the proposed ballot title and proposition prepared by the lieutenant
24 governor under AS 15.50.010 does not provide a true and impartial sum-
25 mary of the amendment proposed may, within 15 days of the date of
26 mailing of the proposed ballot title and proposition to the members of
27 the legislature, submit to the lieutenant governor a statement of ob-
28 jection to the proposed ballot title and proposition, giving his reasons
29 for objection, and suggesting alternative language revising the wording

1 of the title or proposition. The lieutenant governor shall consider any
2 objection received before directing that the ballot containing the propo-
3 sition be prepared by the director [ORDERING PREPARATION AND PRINTING
4 OF THE BALLOTS]. Not more than 10 days after the deadline for receipt
5 of objections, he shall advise any person who submitted a statement of
6 objection to the proposed ballot title and proposition of his final
7 decision.

8 * Sec. 187. AS 15.50.030 is amended to read:

9 Sec. 15.50.030. PLACING PROPOSITION ON BALLOT. The lieutenant
10 governor shall direct the director to place the ballot title and propo-
11 sition on the ballot for the next statewide general, primary, or special
12 election held after the amendment proposed by the legislature or held
13 120 days after the amendment proposed by a constitutional convention.
14 If there is insufficient time to permit the proposition to be placed on
15 the regular ballot by the director [LIEUTENANT GOVERNOR], the lieutenant
16 governor shall direct the director [ELECTION OFFICIALS] to prepare
17 a separate [THE] ballot for the proposition.

18 * Sec. 188. AS 15.50.040 is amended to read:

19 Sec. 15.50.040. DISPLAY OF RESOLUTION. The director [LIEUTENANT
20 GOVERNOR] shall provide each election board with 10 copies of the reso-
21 lution proposing the constitutional amendment by the legislature or by
22 the convention, and the election board shall display three copies of the
23 resolution in a conspicuous place in the room where the election is
24 held.

25 * Sec. 189. AS 15.50.070 is amended to read:

26 Sec. 15.50.070. PLACING QUESTION OF CONSTITUTIONAL CONVENTION ON
27 BALLOT. If during any 10-year period a constitutional convention has
28 not yet been held, and the question of holding a constitutional con-
29 vention has not been placed before the voters, the lieutenant governor

1 shall direct the director to place the question on the ballot for the
2 next regular statewide general or primary election.

3 * Sec. 190. AS 15.50 is amended by adding a new section to read:

4 ARTICLE 3. DELEGATION BY LIEUTENANT GOVERNOR.

5 Sec. 15.50.110. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant
6 governor may delegate the duties imposed on him by AS 15.50.010 - 15.50.-
7 100 to the director.

8 * Sec. 191. AS 15 is amended by adding a new chapter to read:

9 CHAPTER 56. ELECTION OFFENSES, CORRUPT
10 PRACTICES, AND PENALTIES.

11 Sec. 15.56.011. CAMPAIGN MISCONDUCT IN THE FIRST DEGREE. (a) A
12 person commits the crime of campaign misconduct in the first degree if
13 he

14 (1) knowingly prints or circulates, or has written, printed
15 or circulated, a letter, circular, bill, placard, poster or other pub-
16 lication relating to an election or to a candidate at an election or to
17 an election proposition or question, without the name and address of the
18 author, printer and publisher appearing on its face; or

19 (2) knowingly writes or prints and circulates, or has writ-
20 ten, printed and circulated, a letter, circular, bill, placard, poster
21 or advertisement in a newspaper, on radio or television

22 (A) containing false factual information relating to a
23 candidate for an election;

24 (B) which he knows to be false; and

25 (C) which would provoke a reasonable person under the
26 circumstances to a breach of the peace or damages the candidate's
27 reputation for honesty, integrity, or his qualifications to serve
28 if elected to office.

29 (b) Violation of this section is a corrupt practice.

1 (c) Campaign misconduct in the first degree is a class A mis-
2 demeanor.

3 Sec. 15.56.021. CAMPAIGN MISCONDUCT IN THE SECOND DEGREE. (a) A
4 person commits the crime of campaign misconduct in the second degree if,
5 during the hours the polls are open, he intentionally is within 200 feet
6 of an entrance to a polling place, and

7 (1) attempts to persuade a person to vote for or against a
8 candidate, proposition, or question; or

9 (2) circulates cards, handbills, or marked ballots, or posts
10 political signs or posters relating to a candidate at an election or
11 election proposition or question.

12 (b) Election judges shall post warning notices at the required
13 distance in the form and manner prescribed by the director or the chief
14 municipal elections official in a local election.

15 (c) Campaign misconduct in the second degree is a class B mis-
16 demeanor.

17 Sec. 15.56.031. UNLAWFUL INTERFERENCE WITH VOTING IN THE FIRST
18 DEGREE. (a) A person commits the crime of unlawful interference with
19 voting in the first degree if he

20 (1) uses, threatens to use, or causes to be used force,
21 coercion, violence, or restraint; or if he inflicts, threatens to in-
22 flict, or causes to be inflicted damage, harm or loss upon or against a
23 person to induce or compel the person to vote or refrain from voting for
24 a candidate in an election or for any election proposition or question;

25 (2) gives, promises to give, offers, or causes to be given or
26 offered money or other valuable thing to a person with the intent to
27 induce the person to vote for or refrain from voting for a candidate at
28 an election or for an election proposition or question; or

29 (3) solicits, accepts, or agrees to accept money or other

1 valuable thing with the intent to vote for or refrain from voting for a
2 candidate at an election or for an election proposition or question.

3 (b) Violation of this section is a corrupt practice.

4 (c) Unlawful interference with voting in the first degree is a
5 class C felony.

6 Sec. 15.56.036. UNLAWFUL INTERFERENCE WITH VOTING IN THE SECOND
7 DEGREE. (a) A person commits the crime of unlawful interference with
8 voting in the second degree if he

9 (1) has an official ballot in his possession outside of the
10 voting room unless he is an election official or other person authorized
11 by law or local ordinance, or by the director or chief municipal elec-
12 tions official in a local election;

13 (2) makes, or knowingly has in his possession, a counterfeit
14 of an official election ballot;

15 (3) knowingly solicits or encourages, directly or indirectly,
16 a registered voter who is no longer qualified to vote under AS 15.05.-
17 010, to vote in an election; or

18 (4) as a registration official

19 (A) knowingly refuses to register a person who is en-
20 titled to register under AS 15.07.030; or

21 (B) accepts a fee from an applicant applying for regis-
22 tration.

23 (b) Violation of (a)(3) of this section is a corrupt practice.

24 (c) Unlawful interference with voting in the second degree is a
25 class A misdemeanor.

26 Sec. 15.56.041. VOTER MISCONDUCT IN THE FIRST DEGREE. (a) A
27 person commits the crime of voter misconduct in the first degree if he

28 (1) votes or attempts to vote in the name of another person
29 or in a name other than his own;

1 (2) votes or attempts to vote more than once at the same
2 election with the intent that his vote be counted more than once;

3 (3) intentionally makes a false affidavit, swears falsely or
4 falsely affirms under an oath required by the Alaska Election Code
5 (AS 15.05 - 15.60).

6 (4) knowingly votes or solicits a person to vote after the
7 polls are closed with the intent that his vote be counted.

8 (b) Voter misconduct in the first degree is a class C felony.

9 Sec. 15.56.051. VOTER MISCONDUCT IN THE SECOND DEGREE. (a) A
10 person commits the crime of voter misconduct in the second degree if he

11 (1) registers to vote when he is not entitled to register
12 under AS 15.07.030;

13 (2) knowingly makes a material false statement while applying
14 for voter registration or re-registration; or

15 (3) votes or attempts to vote in an election after being
16 disqualified under AS 15.05.030.

17 (b) Voter misconduct in the second degree is a class A misde-
18 meanor.

19 Sec. 15.56.061. UNLAWFUL INTERFERENCE WITH AN ELECTION. (a) A
20 person commits the crime of unlawful interference with an election if he

21 (1) induces or attempts to induce an election official to
22 fail in his duty by force, threat, intimidation or offers of reward;

23 (2) intentionally changes, attempts to change, or causes to
24 be changed an official election document including ballots, tallies and
25 returns;

26 (3) intentionally delays, attempts to delay, or causes to be
27 delayed the sending of the certificate, register, ballots, or other
28 materials whether original or duplicate, required to be sent by AS 15.-
29 15.370; or

1 (4) is contracted or employed by the state to print or re-
2 produce in any manner an official ballot, and he knowingly

3 (A) appropriates to himself, or gives or delivers to, or
4 permits to be taken by anyone other than a person authorized by the
5 director, official ballots; or

6 (B) prints or reproduces or has printed or reproduced
7 official ballots in a form or with a content other than that pre-
8 scribed by law or as directed by the director.

9 (b) Unlawful interference with an election is a class C felony.
10 Sec. 15.56.071. ELECTION OFFICIAL MISCONDUCT IN THE FIRST DEGREE.

11 (a) A person commits the crime of election official misconduct in the
12 first degree if he is an election official, and he

13 (1) intentionally fails to perform an election duty or know-
14 ingly does an unauthorized act with the intent to affect an election or
15 its results;

16 (2) knowingly permits or makes or attempts to make a false
17 count of election returns; or

18 (3) intentionally conceals, withholds, destroys, or attempts
19 to conceal, withhold or destroy election returns.

20 (b) Election official misconduct in the first degree is a class C
21 felony.

22 Sec. 15.56.081. ELECTION OFFICIAL MISCONDUCT IN THE SECOND DEGREE.

23 (a) A person commits the crime of election official misconduct in the
24 second degree if he is an election official, and while the polls are
25 open, he

26 (1) opens a ballot received from a voter at an election,
27 unless permitted by ordinance in a local election;

28 (2) marks a ballot by folding or otherwise so as to be able
29 to recognize it;

1 (3) otherwise attempts to learn how a voter marked his bal-
2 lot; or

3 (4) allows a person to do one of the acts prescribed by (1),
4 (2), or (3) of this subsection.

5 (b) Election official misconduct in the second degree is a class A
6 misdemeanor.

7 Sec. 15.56.091. IMPROPER SUBSCRIPTION TO PETITION. (a) A person
8 commits the crime of improper subscription to petition if he

9 (1) signs a name other than his own to a petition proposing
10 an initiative, referendum, recall, or nomination of a candidate for
11 state or local office;

12 (2) knowingly signs his name more than once for the same
13 proposition, question, or candidate at one election; or

14 (3) signs a petition proposing an initiative, referendum,
15 recall, or nomination of a candidate for state or local office, knowing
16 he is not a qualified voter.

17 (b) Improper subscription to petition is a class A misdemeanor.

18 Sec. 15.56.101. REFUSAL TO ALLOW EMPLOYEES TIME OFF. (a) An
19 employer commits the offense of refusal to allow employees time off if
20 he refuses to allow an employee time off for the purpose of voting, or
21 if he, after allowing the time off, deducts the time from the wages of
22 the employee, except as provided in (b) of this section.

23 (b) An employee who has two consecutive hours in which to vote,
24 either between the opening of the polls and the beginning of his regular
25 working shift, or between the end of his regular working shift and the
26 close of the polls, is considered to have sufficient time outside of his
27 working hours within which to vote.

28 (c) Refusal to allow employees time off to vote is a violation.

29 Sec. 15.56.111. EFFECT OF CERTAIN CONVICTIONS. The conviction of

1 a person who has been nominated or elected to a state or local office
2 for a felony or misdemeanor described in this chapter as a corrupt
3 practice creates a vacancy in the nomination or office.

4 Sec. 15.56.121. ELECTION DEFINED. For purposes of this chapter,
5 "election" includes a local election as defined in AS 15.60.010(13) in
6 addition to a state election.

7 * Sec. 192. AS 15 is amended by adding a new chapter to read:

8 CHAPTER 58. ELECTION PAMPHLET.

9 Sec. 15.58.010. ELECTION PAMPHLET. Before each state general
10 election, the lieutenant governor shall prepare, publish and mail an
11 election pamphlet to every registered voter. The pamphlets shall be
12 prepared on a regional basis as determined by the lieutenant governor.

13 Sec. 15.58.020. CONTENTS OF PAMPHLET. Each election pamphlet
14 shall contain

15 (1) photographs and campaign statements submitted by eligible
16 candidates for elective office in the region;

17 (2) information and recommendations filed under AS 15.58.050
18 on judicial officers subject to a retention election in the region;

19 (3) a map of the election district or districts of the re-
20 gion;

21 (4) sample ballots for election districts of the region;

22 (5) an absentee ballot application;

23 (6) for each ballot proposition submitted to the voters by
24 initiative or referendum petition or by the legislature;

25 (A) the full text of the proposition specifying consti-
26 tutional or statutory provisions proposed to be affected;

27 (B) an impartial summary of the proposition prepared by
28 the director;

29 (C) statements submitted which advocate voter approval

1 or rejection of the proposition not to exceed 500 words;

2 (7) for each bond question, a statement of the scope of each
3 project as it appears in the bond authorization Act;

4 (8) a maximum of two pages of material submitted by each
5 political party;

6 (9) additional information on voting procedures that the
7 lieutenant governor considers necessary.

8 Sec. 15.58.030. MATERIAL TO BE FILED BY CANDIDATE. (a) No later
9 than 75 days before the state general election, candidates for the
10 offices of the United States President and Vice President may file with
11 the lieutenant governor photographs and statements advocating their
12 candidacy.

13 (b) No later than 75 days before the state general election, a
14 candidate for the office of United States senator, United States repre-
15 sentative, governor, lieutenant governor, justice or judge, state sena-
16 tor, or state representative may file with the lieutenant governor a
17 photograph and a statement advocating his candidacy.

18 (c) Each candidate for an office designated under (a) or (b) of
19 this section is allowed one page of space in the pamphlet for a photo-
20 graph and statement.

21 (d) Pages on which candidates' photographs or statements appear
22 must be clearly identified with the words "paid for by the candidate."

23 (e) A candidate's statement must be typewritten and is limited to
24 a position statement of 250 words or less and a biographical statement
25 of 150 words or less.

26 (f) A candidate's photograph must be a 5" x 7" black and white
27 glossy print taken within the past five years. The photograph must be
28 limited to the head, neck and shoulders of the candidate.

29 Sec. 15.58.040. MATERIAL TO BE FILED BY POLITICAL PARTIES. (a)

1 No later than 75 days before the state general election, a political
2 party may file with the lieutenant governor a maximum of two pages of
3 material.

4 (b) Each page purchased must be clearly identified with the words
5 "paid for by" followed by the name of the political party, the name of
6 the state chairman of the party, and the name of the party treasurer.

7 Sec. 15.58.050. INFORMATION AND RECOMMENDATIONS ON JUDICIAL OFFI-
8 CERS. No later than 75 days before the state general election, the
9 judicial council shall file with the lieutenant governor a statement
10 including information about each supreme court justice, superior court
11 judge, and district court judge who will be subject to a retention
12 election. The statement shall reflect the evaluation of each justice or
13 judge conducted by the judicial council according to law. A statement
14 may not exceed 600 words.

15 Sec. 15.58.060. CHARGES FOR SPACE IN PAMPHLET. (a) Each general
16 election candidate shall pay to the lieutenant governor at the time of
17 filing material under this chapter the following:

18 (1) President or Vice President of the United States, United
19 States senator, United States representative, governor, lieutenant
20 governor, supreme court justice, \$150 each;

21 (2) superior court judge, district court judge, \$75 each;

22 (3) state senator, and state representative, \$50 each.

23 (b) The state chairman or executive committee of a political party
24 shall pay to the lieutenant governor at the time of filing material
25 under this chapter \$300 for each page purchased.

26 (c) There is no charge for statements and recommendations sub-
27 mitted by the judicial council or for statements advocating approval or
28 rejection of a proposition submitted to the voters for approval.

29 Sec. 15.58.070. ORGANIZATION OF MATERIAL. Material in the elec-

1 tion pamphlet shall be organized to the extent possible in the same
2 manner and form in which it will appear on the ballot. The decision of
3 the lieutenant governor on the form of material is final.

4 Sec. 15.58.080. DISTRIBUTION. (a) Not less than 30 days before
5 the general election, the lieutenant governor shall mail to every
6 registered voter one copy of the pamphlet prepared for the region in
7 which the voter resides. Additional pamphlets may be obtained from the
8 director, the office of the lieutenant governor, and area election
9 offices.

10 (b) The state library shall make a recording of the appropriate
11 regional pamphlet available to a blind voter without cost. The lieu-
12 tenant governor shall assist with the preparation of recording each
13 regional pamphlet.

14 Sec. 15.58.090. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant
15 governor may delegate the duties imposed on him by this chapter to the
16 director.

17 * Sec. 193. AS 15.60.010 is repealed and re-enacted to read:

18 Sec. 15.60.010. DEFINITIONS. In this title, unless the context
19 otherwise requires,

20 (1) "absentee voting official" means a person appointed to
21 serve as an absentee voting official in accordance with AS 15.20.045;

22 (2) "ballot" means a hand-mark ballot and a punch-card bal-
23 lot;

24 (3) "director" means the director of elections who is the
25 chief elections officer of the state appointed in accordance with AS 15.-
26 10.105(a);

27 (4) "election" includes a general or special election;

28 (5) "election board" means the local precinct board composed
29 of the three election judges;

1 (6) "election district" means one of the districts described
2 in art. XIV, sec. 3, of the state constitution, as may be modified under
3 art. VI of the state constitution;

4 (7) "election official" means election judges, clerks,
5 counters, members of canvass boards, employees of the division of elec-
6 tions and absentee voting officials;

7 (8) "federal election" means a general, special, or primary
8 election held solely or in part for the purpose of selecting, nominating
9 or electing a candidate for the office of President, Vice-President,
10 Presidential elector, United States senator or United States represen-
11 tative;

12 (9) "general election" means the election held on the Tuesday
13 after the first Monday in November of even-numbered years;

14 (10) "hand-mark ballot" means a ballot designated to be marked
15 by hand with a pen or pencil;

16 (11) "lieutenant governor" includes an appointed lieutenant
17 governor, governor, or acting governor if a vacancy has occurred in the
18 office of lieutenant governor or governor;

19 (12) "limited political party" means a political group which
20 organizes for the purpose of selecting candidates for electors for
21 president and vice-president;

22 (13) "local election" means a regular or special election held
23 by a borough, city, school district, or regional educational attendance
24 area;

25 (14) "master register" means the list of all registered voters
26 in the state which is maintained by the director of elections;

27 (15) "member of a political party" means a person who supports
28 the political program of a party;

29 (16) "oath" includes affirmation; "sworn" includes affirmed;

1 (17) "official registration list" means the list of all voters
2 qualified to vote at a particular election compiled in accordance with
3 AS 15.07.125;

4 (18) "party district committee" means the political party
5 committee that performs the executive function for a region representing
6 an area larger than a precinct and smaller than the state;

7 (19) "political group" means a group of organized voters which
8 represents a political program and which does not qualify as a political
9 party;

10 (20) "political party" means a group of organized voters which
11 represents a political program and which nominated a candidate for
12 governor who received at least 10 percent of the total vote cast at the
13 preceding general election for governor;

14 (21) "precinct" means the territory within which resident
15 voters may cast votes at one polling place;

16 (22) "presidential election year" means a year in which the
17 presidential electors are elected;

18 (23) "proposition" means an initiative, referendum, or con-
19 stitutional amendment submitted at an election to the public for vote;

20 (24) "punch-card ballot" means a ballot designed to be punched
21 by a machine and counted by automatic data processing equipment;

22 (25) "qualified voter" means a person who has the qualifi-
23 cation of a voter and is not disqualified as provided by art. V, sec. 2,
24 of the state constitution and AS 15.05.030;

25 (26) "question" means an issue placed on the ballot to deter-
26 mine whether a judge or justice shall be accepted or rejected, whether a
27 constitutional convention shall be called, whether a state debt shall be
28 contracted, or whether a state official shall be recalled;

29 (27) "registration official" includes an employee of the

1 division of elections when performing the task of voter registration and
2 a person appointed to serve as a registration official in accordance
3 with AS 15.07.081 or 15.07.100;

4 (28) "senate district" means the territory included in the
5 election districts as designated in art. XIV, sec. 2, of the state
6 constitution, as may be modified under art. VI of the state constitu-
7 tion;

8 (29) "signature" or "subscription" includes a mark intended as
9 a signature or subscription;

10 (30) "special election" means an election held at a time other
11 than when the general or party primary election is held and an election
12 called to be held with, and at the time of, the general or party primary
13 election;

14 (31) "state chairman" means the party official elected as the
15 highest ranking statewide party executive;

16 (32) "vacancy" exists in an office when the person elected or
17 appointed to the office resigns, retires, dies, is recalled, is rejected
18 by majority vote on the question at an election, is convicted of a
19 corrupt practice, is removed by impeachment, or is expelled;

20 (33) "voter" means a person who presents himself for the
21 purpose of voting either in person or by absentee ballot.

22 * Sec. 194. AS 15 is amended by adding a new chapter to read:

23 CHAPTER 03. ADMINISTRATION OF ELECTIONS.

24 ARTICLE 1. STATE ELECTION BOARD.

25 Sec. 15.03.010. STATE ELECTION BOARD. There is created at the
26 head of the division of elections the State Election Board consisting of
27 the lieutenant governor who is the chairman of the board and four mem-
28 bers appointed by the governor.

29 Sec. 15.03.020. APPOINTMENT OF MEMBERS. The governor shall appoint

1 one member of the State Election Board from each political party. The
2 appointee from each political party shall be chosen from a list of four
3 names submitted to the governor by the central committee of the politi-
4 cal party. The governor shall appoint the remaining members of the
5 board without regard to political affiliation. Each member appointed by
6 the governor must be confirmed by a majority of the members of the
7 legislature in joint session.

8 Sec. 15.03.030. TERM OF OFFICE. The term of an appointed member
9 of the State Election Board is four years. The term of a member begins
10 on March 1 of the year of appointment.

11 Sec. 15.03.040. VACANCIES. A vacancy on the State Election Board
12 is filled in the same manner as the original appointment. A member
13 appointed to fill a vacancy serves for the unexpired term.

14 Sec. 15.03.050. MEETINGS. Meetings of the State Election Board
15 shall be held at the call of the chairman or two members. Three members
16 constitute a quorum. The affirmative vote of three members is necessary
17 for any action to be taken by the board. Minutes shall be kept of all
18 meetings of the board and a record kept of the vote of each member on
19 all questions coming before the board.

20 Sec. 15.03.060. DUTIES OF THE STATE ELECTION BOARD. The State
21 Election Board shall

22 (1) appoint, subject to the approval of the governor, and
23 remove, in its sole discretion, the director of elections;

24 (2) periodically review the procedures and practices of the
25 division of elections;

26 (3) adopt regulations under the Administrative Procedure Act
27 (AS 44.62) necessary for the administration of elections;

28 (4) investigate the administration of election laws and
29 frauds or irregularities in elections;

1 (5) report apparent violations of election laws to the appro-
2 priate agencies for further investigation and prosecution;

3 (6) make recommendations to the legislature for changes in
4 election laws;

5 (7) approve the budget of the division of elections for
6 submission to the governor;

7 (8) perform other duties assigned to it by law.

8 Sec. 15.03.070. COMPENSATION AND STAFF. The members of the State
9 Election Board serve without compensation but are entitled to travel
10 expenses and per diem prescribed for other state boards and commissions.
11 The board may use the staff of the lieutenant governor as necessary to
12 carry out its duties.

13 ARTICLE 2. DIRECTOR OF ELECTIONS.

14 Sec. 15.03.080. DIRECTOR OF ELECTIONS. (a) The director of
15 elections is the principal executive officer of the division of elec-
16 tions.

17 (b) The director shall

18 (1) prepare an annual budget for the division of elections,
19 subject to the approval of the State Election Board;

20 (2) prepare reports concerning procedures and practices of
21 the division of elections as requested by the State Election Board.

22 * Sec. 195. AS 15.07.070(a) is amended to read:

23 (a) The State Election Board [DIRECTOR] may adopt regulations
24 under the Administrative Procedure Act (AS 44.62) consistent with the
25 provisions of this section to enable voters to register.

26 * Sec. 196. AS 15.07.070(b) is amended to read:

27 (b) To register by mail the director or the area election super-
28 visor shall furnish, upon request, and at no cost to the voter, forms
29 prepared by the director on which the registration information required

1 under AS 15.07.060 shall be inserted by the voter, or by a person on
2 behalf of the voter if he is physically incapacitated. The forms shall
3 be executed before an election judge, a notary public, a commissioned
4 officer of the armed forces including the National Guard, a district
5 judge or magistrate, a United States postal official, or other person
6 qualified to administer oaths. The director may require proof of
7 identification of the applicant as required by regulations adopted by
8 the State Election Board [DIRECTOR] under the Administrative Procedure
9 Act (AS 44.62). Upon receipt and approval of the completed registration
10 forms the director or the election supervisor shall forward to the voter
11 an acknowledgment in the form of a registration card, and his name shall
12 immediately be placed on the master register located in the office of
13 the director and on the district register located in the office of the
14 election supervisor. If the registration is denied, the voter shall
15 immediately be informed in writing by certified or registered letter
16 that registration was denied and the reason for denial.

17 * Sec. 197. AS 15.10.020 is amended to read:

18 Sec. 15.10.020. PRECINCT BOUNDARIES AND POLLING PLACES MODIFIED BY
19 STATE ELECTION BOARD [DIRECTOR]. The State Election Board [DIRECTOR]
20 shall have the exclusive power to modify the boundary of a precinct and
21 to establish or abolish a precinct and polling place in the state by
22 regulations adopted under the Administrative Procedure Act (AS 44.62).

23 * Sec. 198. AS 15.10.030 is amended to read:

24 Sc. 15.10.030. UNIFORM PRECINCT BOUNDARIES REQUIRED FOR STATE AND
25 LOCAL ELECTIONS. The precinct boundaries established by the State Elec-
26 tion Board [DIRECTOR] shall be the boundaries for both state and local
27 elections. The State Election Board [DIRECTOR] by regulation pursuant
28 to the provisions of the Administrative Procedure Act (AS 44.62) may
29 authorize the combining, consolidation, or altering of precinct boun-

1 daries for local elections.

2 * Sec. 199. AS 15.10.050 is amended to read:

3 Sec. 15.10.050. GENERAL DUTY AND STANDARD FOR PRECINCT BOUNDARY
4 MODIFICATION. The State Election Board [DIRECTOR] shall modify the
5 boundary of a precinct, and shall establish or abolish a precinct if the
6 action serves the convenience of the voters and assures the efficient
7 administration of election laws.

8 * Sec. 200. AS 15.10.080 is amended to read:

9 Sec. 15.10.080. DATES FOR DESIGNATING PRECINCT BOUNDARY. The
10 State Election Board [DIRECTOR] shall designate boundaries of an elec-
11 tion precinct which has been established or modified, not later than 40
12 days before an election.

13 * Sec. 201. AS 15.10.090 is amended to read:

14 Sec. 15.10.090. NOTICE OF PRECINCT BOUNDARY DESIGNATION AND MODI-
15 FICATION. The State Election Board [DIRECTOR] shall give full public
16 notice when precinct boundaries are designated and when the boundaries
17 of a precinct are modified or when a precinct is established or
18 abolished. Public notice shall include, but is not limited to, the
19 publication on three different days in a daily newspaper of general
20 circulation, if such a newspaper is published in the election district
21 where the precinct is located, by posting written notice in three con-
22 spicuous places in the designated precinct, and by notification to
23 appropriate municipal clerks.

24 * Sec. 202. AS 15.10.100 is amended to read:

25 Sec. 15.10.100. JUDICIAL REVIEW OF PRECINCT BOUNDARY. Any person
26 aggrieved by a determination of precinct boundaries by the State Elec-
27 tion Board [DIRECTOR] may bring a civil action to have the determination
28 reviewed in the superior court. If the action receives final deter-
29 mination within 15 days before the election, the State Election Board

1 [DIRECTOR] shall not make the required modification in precinct boun-
2 daries until immediately after the election.

3 * Sec. 203. AS 15.10.105(a) is amended to read:

4 (a) [THE LIEUTENANT GOVERNOR SHALL CONTROL AND SUPERVISE THE DIVI-
5 SION OF ELECTIONS. THE LIEUTENANT GOVERNOR SHALL APPOINT A DIRECTOR OF
6 ELECTIONS.] The director shall supervise the [ACT FOR HIM IN THE SUPER-
7 VISION OF] central and regional election offices, the employment and
8 training of election personnel, and the administration of all state
9 elections as well as those municipal elections which the state is re-
10 quired to conduct The director serves at the pleasure of the State
11 Election Board [LIEUTENANT GOVERNOR].

12 * Sec. 204. AS 15.10.170 is amended to read:

13 Sec. 15.10.170. APPOINTMENT AND PRIVILEGES OF WATCHERS. The
14 precinct party committee, where an organized precinct committee exists,
15 or the district party committee where no organized precinct committee
16 exists, or the state party chairman where neither precinct nor district
17 committee exists, may appoint one or more persons as watchers in each
18 precinct and counting center for any election. Each candidate not
19 representing a political party may appoint one or more watchers for each
20 precinct or counting center in his respective district or the state for
21 any election. Any organization or organized group that sponsors or
22 opposes an initiative, referendum or recall may have one or more persons
23 as watchers at the polls and counting centers after first obtaining
24 authorization from the director. No state party chairman, no precinct
25 party committee, no district committee or candidate not representing a
26 political party or organization or organized group may have more than
27 one watcher on duty at a time in any precinct or counting center. The
28 watcher may be present at a position inside the place of voting or
29 counting which affords a full view of all action of the election board

1 and other counters taken from the time the polls are opened until the
2 ballots are finally counted and the results certified by the election
3 board or the Data Processing Review Board. The election board or the
4 Data Processing Review Board may require each watcher to present written
5 proof showing that he is the watcher appointed by the precinct party
6 committee, the district party committee, the organization or organized
7 group or the candidate he represents which is signed by the chairman of
8 the precinct party committee, the district party committee, the state
9 party chairman, the organization or organized group or the candidate
10 representing no party. The State Election Board [DIRECTOR] may pre-
11 scribe regulations under the Administrative Procedure Act (AS 44.62),
12 governing the conduct of watchers to assure the privileges of the
13 watchers and the proper conduct of the election.

14 * Sec. 205. AS 15.15.361 is amended to read:

15 Sec. 15.15.361. STICKERS. The State Election Board [DIRECTOR] may
16 adopt regulations under the Administrative Procedure Act (AS 44.62),
17 governing the size, thickness, color and other characteristics of
18 stickers and their use in elections.

19 * Sec. 206. AS 15.15.480 is amended to read:

20 Sec. 15.15.480. SECURITY OF BALLOTS. All official ballots in the
21 possession of election officials, whether marked or unmarked, shall be
22 kept in a secure manner until destroyed in accordance with law. The
23 State Election Board [DIRECTOR] shall adopt regulations which provide
24 for the security of ballots during transportation and storage.

25 * Sec. 207. AS 15.20.045(b) is amended to read:

26 (b) The State Election Board [DIRECTOR] may designate by regu-
27 lation adopted under the Administrative Procedure Act (AS 44.62) loca-
28 tions at which absentee voting stations will be operated on election day
29 and on other dates and at times to be designated by the director. The

1 director shall supply absentee voting stations with ballots for all
2 election districts in the state and shall designate absentee voting
3 officials to serve at absentee voting stations.

4 * Sec. 208. AS 15.20.081(f) is amended to read:

5 (f) The director may require a voter casting an absentee ballot by
6 mail to provide proof of identification or other information to aid in
7 the establishment of his identity as prescribed by regulations of the
8 State Election Board adopted under the Administrative Procedure Act
9 (AS 44.62).

10 * Sec. 209. AS 15.25.050(b) is amended to read:

11 (b) An indigent person as defined by regulations adopted by the
12 State Election Board under the Administrative Procedure Act (AS 44.62)
13 may file a statement of indigency in the form prescribed by regulation
14 in place of the filing fee required by this section.

15 * Sec. 210. AS 15.60.010(3) is amended to read:

16 (3) "director" means the director of elections who is the
17 chief elections officer of the state appointed in accordance with
18 AS 15.03.060 [AS 15.10.105(a)];

19 * Sec. 211. AS 15.60.010 is amended by adding a new paragraph to read:

20 (34) "State Election Board" means the board created by AS 15.-
21 03.010 which oversees state elections;

22 * Sec. 212. The following laws are repealed: AS 15.07.020, 15.07.065,
23 15.07.090(d), 15.07.160(c); AS 15.15.190, 15.15.210, 15.15.215(b); AS 15.20.-
24 060, 15.20.062, 15.20.065, 15.20.070 - 15.20.150, 15.20.210, 15.20.220, 15.-
25 20.230 - 15.20.420; AS 15.25.080; AS 15.55; AS 15.57; and AS 15.65.

26 * Sec. 213. AS 44.19.030(1) is repealed.

27 * Sec. 214. The terms of the initial members of the State Election Board
28 appointed under AS 15.03.020 shall be one, two, three, and four years, re-
29 spectively. The governor shall specify the term of office for each member in

1 accordance with this section.

2 * Sec. 215. Sections 1 - 193, 212, and 215 of this Act take effect im-
3 mediately in accordance with AS 01.10.070(c). Sections 194 - 211 and 213 -
4 214 of this Act take effect on the effective date of an amendment to the
5 state constitution providing for the establishment of a board at the head of
6 a division of state government.

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Original Sponsor: Special Committee on
Electoral Reform

Offered: 2/13/80
Referred: Finance

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2

CS FOR SENATE BILL NO. 312

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to elections and revising the Alaska

7

Election Code; and providing for an effective date."

8

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

9

* Section 1. AS 15.05.010 is amended to read:

10

Sec. 15.05.010. VOTER QUALIFICATION. A person may vote at any

11

election who

12

(1) is a citizen of the United States;

13

(2) is 18 years of age or older [HAS PASSED HIS 18TH BIRTH-

14

DAY];

15

(3) (repealed)

16

(4) has been a resident of the state and of the election

17

district in which he seeks to vote for at least 30 days just before the

18

election; and

19

(5) (repealed)

20

(6) has registered before the election as required under

21

AS 15.07 and is not registered to vote in another jurisdiction.

22

* Sec. 2. AS 15.05 is amended by adding a new section to read:

23

Sec. 15.05.011. QUALIFICATIONS OF OVERSEAS VOTERS. (a) A person

24

residing outside the United States may register and vote absentee by

25

qualifying under this section.

26

(b) Before registering a person under this section, the director

27

shall determine that the person

28

(1) was domiciled in the state immediately before leaving the

29

United States;

1 (2) meets the qualifications established in AS 15.05.010(1)
2 and (2);

3 (3) has not established a domicile in another state, terri-
4 tory, or possession of the United States since leaving this state;

5 (4) is not registered to vote and has not voted in another
6 state, territory, or possession of the United States since leaving this
7 state;

8 (5) has a valid passport, card of identity and registration,
9 or other identification issued under the authority of the United States
10 Secretary of State, and identification complying with the requirements
11 of this title.

12 (c) Lack of a place of abode in the state or lack of intent to
13 return to the state does not disqualify a person who qualifies under (b)
14 of this section.

15 (d) A person registered under this section may vote in a federal
16 election in this state.

17 * Sec. 3. AS 15.05.020(10) is amended to read:

18 (10) the address of a voter as it appears on his official
19 voter registration card is presumptive evidence of the person's voting
20 residence. If the person has changed his voting residence, this pre-
21 sumption is negated only by the voter executing an affidavit on a form
22 prepared by the director [LIEUTENANT GOVERNOR] setting out his new
23 voting residence.

24 * Sec. 4. AS 15.05.030 is repealed and re-enacted to read:

25 Sec. 15.05.030. LOSS AND RESTORATION OF VOTING RIGHTS. (a) A
26 person convicted of a crime that constitutes a felony involving moral
27 turpitude under state law may not vote in a state or a municipal elec-
28 tion from the date of the conviction through the date of the restoration
29 of voting rights under this section. The right to vote withdrawn under

1 this section is automatically restored upon the unconditional discharge
2 of the person.

3 (b) The commissioner of health and social services shall establish
4 procedures by which a person unconditionally discharged is advised of
5 the restoration of voting rights withdrawn by a conviction.

6 * Sec. 5. AS 15.07.010 is amended to read:

7 Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct election
8 judges at any election shall allow a person to vote whose name is on
9 the official registration list for that precinct [REGISTERED] and who is
10 qualified under AS 15.05.010 - 15.05.040 [IN THE PRECINCT IN WHICH HE
11 INTENDS TO VOTE]. A person whose name is not on the official registra-
12 tion list shall be allowed to vote a questioned ballot.

13 * Sec. 6. AS 15.07.030 is amended by adding a new subsection to read:

14 (b) A person qualified under AS 15.05.011 to vote by absentee
15 ballot in a federal election is entitled to be registered as a voter in
16 the election district in which he resided immediately before departure
17 from the United States.

18 * Sec. 7. AS 15.07.040 is amended to read:

19 Sec. 15.07.040. TIME FOR REGISTRATION. A person who is qualified
20 under AS 15.05.010(1) - (4) is entitled to register at any time through-
21 out the year except that a person under 18 years of age may register at
22 any time within 90 days immediately preceding his 18th birthday [NO
23 REGISTRATION WILL BE MADE FOR A PERIOD OF 30 DAYS PRECEDING THE ELEC-
24 TION].

25 * Sec. 8. AS 15.07.060 is amended to read:

26 Sec. 15.07.060. REQUIRED REGISTRATION INFORMATION. (a) Each
27 applicant who requests registration or re-registration shall supply the
28 following information under oath:

29 (1) name and sex;

1 (2) address and other necessary information establishing
2 residence if requested;

3 (3) [ELECTION DISTRICT AND PRECINCT AS OF THE DATE OF REGIS-
4 TRATION;]

5 (4) term of residence in state and in election district; and
6 whether the applicant has previously been registered to vote in another
7 jurisdiction, and, if so, the jurisdiction and the address of the pre-
8 vious registration [WHERE];

9 (5) a declaration that the registrant will be 18 years of age
10 or older within 90 days of the date of registration [ON OR BEFORE THE
11 DATE OF THE NEXT STATEWIDE ELECTION];

12 (6) a declaration that the registrant is a citizen of the
13 United States;

14 (7) date of application;

15 (8) signature or mark.

16 (b) If the applicant has been previously registered to vote in
17 another jurisdiction, he shall surrender to the registration official
18 any voter registration or identification card or credentials from that
19 jurisdiction the applicant may possess. The director [LIEUTENANT GOVER-
20 NOR] shall notify the chief elections officer in that jurisdiction that
21 the applicant has registered to vote in Alaska, request that juris-
22 diction to cancel the applicant's voter registration there, and return
23 the applicant's voter registration or identification card or creden-
24 tials, if any, to that jurisdiction.

25 (c) If application for registration is made in person before a
26 registration official, the applicant shall exhibit one form of identi-
27 fication to the official, including but not limited to a driver's li-
28 cence, birth certificate, passport, hunting or fishing license. A
29 registration official who knows the identity of the applicant may waive

1 the identification requirement.

2 * Sec. 9. AS 15.07.070 is amended to read:

3 Sec. 15.07.070. PROCEDURE FOR REGISTRATION. (a) The director
4 may adopt [LIEUTENANT GOVERNOR SHALL PROMULGATE RULES AND] regulations
5 under the Administrative Procedure Act (AS 44.62) relating to the regis-
6 tration of voters consistent with the requirements [PROVISIONS] of this
7 section [TO ENABLE VOTERS TO REGISTER].

8 (b) To register by mail the director [LIEUTENANT GOVERNOR] or the
9 area election supervisor shall furnish, upon request, and at no cost to
10 the voter, forms prepared by the director [LIEUTENANT GOVERNOR] on which
11 the registration information required under AS 15.07.060 shall be in-
12 serted by the voter, or by a person on behalf of the voter if he is
13 physically incapacitated. The forms shall be executed before an elec-
14 tion judge, a notary public, a commissioned officer of the armed forces
15 including the National Guard, a district judge or magistrate, a United
16 States postal official, or other person qualified to administer oaths.
17 If none of the officials listed in this subsection is reasonably
18 accessible the person shall have the forms witnessed by two persons
19 over the age of 18 years, and, in addition, shall provide the certifi-
20 cation required by AS 09.65.012 [TWO ALASKA RESIDENTS IF THE PERSON
21 REGISTERING IS IN THE STATE. IF THE PERSON IS OUTSIDE THE STATE, THE
22 FORMS SHALL BE EXECUTED BEFORE A PERSON QUALIFIED TO ADMINISTER OATHS].
23 The director may require proof of identification of the applicant as
24 required by regulations adopted by the director under the Administra-
25 tive Procedure Act (AS 44.62). Upon receipt and approval of the
26 completed registration forms the director [LIEUTENANT GOVERNOR] or the
27 election supervisor shall forward to the voter an acknowledgment in the
28 form of a registration card, and his name shall immediately be placed on
29 the master register located in the office of the director [LIEUTENANT

1 GOVERNOR] and on the district register located in the office of the
2 election supervisor. If the registration is denied, the voter shall
3 immediately be informed in writing by certified or registered letter
4 that registration was denied and the reason for denial.

5 (c) The names of persons submitting completed registration forms
6 [ALL APPLICATIONS FOR REGISTRATION] by mail which are [SHALL BE] post-
7 marked at least 30 days before the next [ENSUING PRIMARY OR GENERAL]
8 election shall be placed on the official registration list for that
9 election. The name of a person submitting a completed registration
10 form by mail [AN APPLICATION TO REGISTER] which was not postmarked
11 before the 30-day requirement shall not be placed on the official regis-
12 tration list for the next election but shall be placed on the master
13 register after that election [CONSIDERED TO BE INVALID, BUT SHALL BE
14 CONSIDERED BY THE LIEUTENANT GOVERNOR AS AN APPLICATION BY THE VOTER TO
15 BE REGISTERED TO VOTE IN THE NEXT SUBSEQUENT PRIMARY OR GENERAL ELECTION
16 AND TO REMAIN ON THE MASTER REGISTER THEREAFTER].

17 (d) Qualified voters may register in person before a registration
18 official at any time throughout the year, except that no person regis-
19 tering [REGISTRATION MAY BE MADE] within 30 days preceding an election
20 may vote at that election. Upon receipt and approval of the registra-
21 tion forms the director [LIEUTENANT GOVERNOR] or the election supervisor
22 shall forward to the voter an acknowledgment in the form of a registra-
23 tion card and his name shall immediately be placed on the master regis-
24 ter located in the office of the director [LIEUTENANT GOVERNOR] and on
25 the district register located in the office of the election supervisor.
26 Names of persons registering at least 30 days before an election shall
27 be placed on the official registration list for that election.

28 (e) (repealed)

29 (f) Incomplete or inaccurate registration forms may not be ac-

1 cepted and shall be re-executed. The date of registration shall be the
2 date of re-execution before a registration official or the postmark date
3 if the application for registration is by mail.

4 * Sec. 10. AS 15.07.081 is amended to read:

5 Sec. 15.07.081. REGISTRATION OFFICIALS. The director [LIEUTENANT
6 GOVERNOR] shall appoint one or more registration officials to serve in
7 each precinct polling place in all [MUNICIPAL, PRIMARY, AND GENERAL]
8 elections during the hours the polling places are open. [REGISTRATION
9 OFFICIALS SERVE WITHOUT COMPENSATION.] An election clerk or election
10 judge, appointed under AS 15.10, may also serve as a registration offi-
11 cial. If more than one registration official is appointed to serve in a
12 polling place, each [THE MAJOR] political party [PARTIES] shall be
13 represented.

14 * Sec. 11. AS 15.07.090 (a) is amended to read:

15 (a) A voter whose name is changed by marriage or court order may
16 vote under the previous name, but if the voter desires to use the new
17 name, he or she shall notify the director [LIEUTENANT GOVERNOR] not
18 later than 30 days preceding an election so that the registration may be
19 amended to reflect the change.

20 * Sec. 12. AS 15.07.090(c) is amended to read:

21 (c) The director [LIEUTENANT GOVERNOR] shall transfer the regis-
22 tration of a voter from one precinct to another within an election
23 district when requested by the voter. The request shall be made 30 or
24 more days before the election day. The director [LIEUTENANT GOVERNOR]
25 shall transfer the registration of a voter from one election district to
26 another when requested by the voter. The voter must reside in his new
27 election district for at least 30 days in order to vote.

28 * Sec. 13. AS 15.07.100 is amended to read:

29 Sec. 15.07.100. REGISTRATION OFFICIALS. (a) The director [LIEU-

1 TENANT GOVERNOR] shall appoint one or more registration officials in
2 each precinct. When more than one registration official is appointed to
3 serve in a precinct, each [MAJOR] political party shall be represented.
4 However, any precinct containing more than 250 voters must have at least
5 two registration officials, one from each [MAJOR] political party.
6 The registration official shall be a qualified state voter and shall
7 take an oath to honestly, faithfully and promptly perform the duties of
8 his office.

9 (b) Training for registration officials shall be provided by the
10 director. On the completion of training, the director may require
11 that officials demonstrate their competence by a test or other method.

12 (c) A registration official serves at the pleasure of the
13 director. Each registration official shall be periodically evaluated
14 by the director based on the completeness of the registration forms,
15 timely filing of registration forms, and the voter registration activity
16 attributed to the registration official.

17 * Sec. 14. AS 15.07.110 is amended to read:

18 Sec. 15.07.110. EXPENSE OF REGISTRATION. Each registration offi-
19 cial serving between elections shall be paid by the director [LIEUTENANT
20 GOVERNOR] a sum to be determined by him which may not exceed \$1 for each
21 registration or change of registration personally made by the registra-
22 tion official.

23 * Sec. 15. AS 15.07.120 is amended to read:

24 Sec. 15.07.120. CUSTODY OF REGISTERS. A master register shall at
25 all times remain in the custody of the director [LIEUTENANT GOVERNOR].
26 The area election supervisor shall likewise maintain a register of all
27 voters within the precincts of the area election district he supervises.

28 * Sec. 16. AS 15.07 is amended by adding a new section to read:

29 Sec. 15.07.125. OFFICIAL REGISTRATION LIST. The director shall

1 prepare an official registration list for each election consisting of
2 all names appearing on the master register 30 days before the election.
3 A list of persons eligible to vote in each precinct at that election
4 shall be prepared from the official registration list.

5 * Sec. 17. AS 15.07.130(b) is amended to read:

6 (b) When a registered voter has not re-registered or has not
7 indicated in writing a desire to remain registered as provided in this
8 subsection within the preceding two years or has not voted in [EITHER] a
9 local, regional school board, primary, special or general election at
10 least once in two [FOUR] consecutive calendar years, the voter shall be
11 advised by mail sent to his last known address that his registration
12 will be cancelled unless he indicates within 90 days on forms furnished
13 by the director [LIEUTENANT GOVERNOR] his desire to remain registered.

14 * Sec. 18. AS 15.07.130(c) is amended to read:

15 (c) The director [LIEUTENANT GOVERNOR] shall obtain from the
16 office of vital statistics a certified list of [DEATH CERTIFICATES AND
17 PRESUMPTIVE DEATH CERTIFICATES FOR] all residents over 18 years of age
18 who have died or who have been presumptively declared dead. The
19 director [LIEUTENANT GOVERNOR] shall cancel the registration of all
20 deceased voters.

21 * Sec. 19. AS 15.07.130 is amended by adding new subsections to read:

22 (d) The director shall make reasonable efforts to obtain the names
23 of persons convicted of a felony involving moral turpitude. The direc-
24 tor shall also make reasonable efforts to obtain the names of persons
25 unconditionally discharged from custody. The director shall suspend the
26 registration of a person convicted of a felony involving moral turpitude
27 until the person is unconditionally discharged from custody.

28 (e) Within 60 days after each election held in a municipality, the
29 municipal clerk shall certify and send to the director the official

1 registration list containing the names, residence addresses, and voter
2 state numbers of all persons voting in each precinct in that election.
3 The names of the persons who voted in the municipal election shall be
4 indicated on the official registration list sent to the director by the
5 municipal clerk.

6 * Sec. 20. AS 15.07.140 is amended to read:

7 Sec. 15.07.140. GENERAL ADMINISTRATIVE SUPERVISION BY DIRECTOR
8 [LIEUTENANT GOVERNOR]. The director [LIEUTENANT GOVERNOR] shall provide
9 general administrative supervision over the registration and re-
10 registration of voters [AND MAY ISSUE REGULATIONS UNDER THE ADMINISTRA-
11 TIVE PROCEDURE ACT (AS 44.62) NECESSARY TO PROTECT THE INTEREST OF THE
12 VOTER AND ASSURE ADMINISTRATIVE EFFICIENCY; HOWEVER, THE LIEUTENANT
13 GOVERNOR MAY NOT ISSUE OR PROMULGATE ADMINISTRATIVE REGULATIONS WHICH
14 ARE INCONSISTENT WITH THE PROVISIONS OF THIS CHAPTER]. The director
15 [LIEUTENANT GOVERNOR] shall, no later than 40 days before any [PRIMARY
16 OR GENERAL] election, arrange to have the list of registered voters of
17 the precinct publicly displayed [IN THE PRECINCT]. The director [LIEU-
18 TENANT GOVERNOR] shall instruct registration officials to post the list
19 of registered voters in a number of locations calculated to obtain
20 maximum recognition. Upon request by the mayor or [CITY] manager of a
21 municipality [OR A BOROUGH CHAIRMAN] the director [LIEUTENANT GOVERNOR]
22 shall furnish registration information for all precincts all or part of
23 which are within the boundaries of the local government unit.

24 * Sec. 21. AS 15.07.200 is amended to read:

25 Sec. 15.07.200. REGISTRATION SUPERVISION. The registration pro-
26 gram is under the supervision of the director [LIEUTENANT GOVERNOR] in
27 accordance with AS 15.10.110.

28 * Sec. 22. AS 15.10.020 is amended to read:

29 Sec. 15.10.020. PRECINCT BOUNDARIES AND POLLING PLACES MODIFIED BY

1 DIRECTOR [LIEUTENANT GOVERNOR]. The director [LIEUTENANT GOVERNOR]
2 shall have the exclusive power to modify the boundary of a precinct and
3 to establish or abolish a precinct and polling place in the state by
4 regulations [RULES] adopted under the Administrative Procedure Act
5 (AS 44.62).

6 * Sec. 23. AS 15.10.030 is amended to read:

7 Sec. 15.10.030. UNIFORM PRECINCT BOUNDARIES REQUIRED FOR STATE AND
8 LOCAL ELECTIONS. The precinct boundaries established by the director
9 [LIEUTENANT GOVERNOR] shall be the boundaries for both state and local
10 elections. The director [LIEUTENANT GOVERNOR] by regulation pursuant to
11 the provisions of the Administrative Procedure Act (AS 44.62) may autho-
12 rize the combining, consolidation, or altering of precinct boundaries
13 for local elections.

14 * Sec. 24. AS 15.10.050 is amended to read:

15 Sec. 15.10.050. GENERAL DUTY AND STANDARD FOR PRECINCT BOUNDARY
16 DIFICATION. The director [LIEUTENANT GOVERNOR] shall modify the
17 boundary of a precinct, and shall establish or abolish a precinct if the
18 action serves the convenience of the voters and assures the efficient
19 administration of election laws.

20 * Sec. 25. AS 15.10.080 is amended to read:

21 Sec. 15.10.080. DATES FOR DESIGNATING PRECINCT BOUNDARY. The
22 director [LIEUTENANT GOVERNOR] shall designate boundaries of an election
23 precinct which has been established or modified, not later than 40 days
24 before an election.

25 * Sec. 26. AS 15.10.090 is amended to read:

26 Sec. 15.10.090. NOTICE OF PRECINCT BOUNDARY DESIGNATION AND MODI-
27 FICATION. The director [LIEUTENANT GOVERNOR] shall give full public
28 notice when precinct boundaries are designated and when the boundaries
29 of a precinct are modified or when a precinct is established or abol-

1 ished. Public notice shall include, but is not limited to, the publica-
2 tion on three different days in a daily newspaper of general circula-
3 tion, if such a newspaper is published in the election district where
4 the precinct is located, [AND] by posting written notice in three con-
5 spicuous places in the designated precinct, and by notification to
6 appropriate municipal clerks.

7 * Sec. 27. AS 15.10.100 is amended to read:

8 Sec. 15.10.100. JUDICIAL REVIEW OF PRECINCT BOUNDARY. Any person
9 aggrieved by a determination of precinct boundaries by the director
10 [LIEUTENANT GOVERNOR] may bring a civil action to have the determination
11 reviewed in the superior court. If the action receives final determina-
12 tion within 15 days before the election, the director [LIEUTENANT GOVER-
13 NOR] shall not make the required modification in precinct boundaries
14 until immediately after the election.

15 * Sec. 28. AS 15.10.105(a) is amended to read:

16 Sec. 15.10.105. ADMINISTRATION [APPOINTMENT OF DIRECTOR] OF ELEC-
17 TIONS. (a) The lieutenant governor shall control and supervise the
18 division of elections. The lieutenant governor shall appoint a director
19 of elections. The director shall [TO] act for him in the supervision of
20 central and regional election offices, the employment and training of
21 election personnel, and the administration of all state elections as
22 well as those municipal elections which the state is required to con-
23 duct. The director serves at the pleasure of the lieutenant governor
24 [OF ELECTIONS SHALL ALSO ASSIST THE LIEUTENANT GOVERNOR IN THE ADMINIS-
25 TRATION OF THE VOTER REGISTRATION PROGRAM AND THE MODIFICATION OF PRE-
26 CINCT BOUNDARIES].

27 * Sec. 29. AS 15.10.107 is amended to read:

28 Sec. 15.10.107. STAFF TRAINING. The director [LIEUTENANT GOVER-
29 NOR] shall, [AT LEAST ANNUALLY. AND IN ANY EVENT NOT LATER THAN 30 DAYS]

1 before each primary [AND GENERAL] election in even-numbered years,
2 provide for a comprehensive training program for election officials,
3 both the full-time members of the staff of the division of elections and
4 those who are appointed as election board judges, clerks and counters
5 under AS 15.10.120 - 15.10.150 and other temporary election employees.

6 * Sec. 30. AS 15.10.110 is amended to read:

7 Sec. 15.10.110. APPOINTMENT OF ELECTION SUPERVISORS. The director
8 [LIEUTENANT GOVERNOR] shall appoint election supervisors, including one
9 in each of the municipalities of Juneau, Anchorage, Fairbanks and Nome,
10 to assist in the administration of elections in the election districts
11 designated by the director [LIEUTENANT GOVERNOR]. The director [LIEU-
12 TENANT GOVERNOR] may appoint as an election supervisor a person who is a
13 qualified voter in the area over which he has jurisdiction and who does
14 not hold an office in a political party. An election supervisor is
15 entitled to receive compensation in an amount that is comparable to that
16 received for similar state employment as determined by the director
17 [LIEUTENANT GOVERNOR].

18 * Sec. 31. AS 15.10.120 is amended to read:

19 Sec. 15.10.120. APPOINTMENT OF ELECTION BOARD. The election
20 supervisors shall appoint within their district an election board,
21 composed of three judges, for each precinct from among the qualified
22 voters of each of the precincts for which they are appointed. One judge
23 shall be designated chairman and be primarily responsible for the ad-
24 ministration of the election in the precinct. If no clerks are ap-
25 pointed for the precinct, the other two judges shall perform the duties
26 of clerks of the election. No more than two judges may be of the same
27 political party. When appointments to the election board have been
28 accepted, the election supervisor shall notify the director [LIEUTENANT
29 GOVERNOR] of the name and full local mailing address of the designated

1 chairman and other judges of the election board in each precinct.
2 Election boards in local government unit elections shall be appointed by
3 the appropriate local government unit for all local elections.

4 * Sec. 32. AS 15.10.140 is amended to read:

5 Sec. 15.10.140. APPOINTMENT OF COUNTERS. The chairman of the
6 election board may appoint a team of counters to assist with the count-
7 ing of the ballots in each precinct where the election supervisor con-
8 siders it necessary. The appointments may be made from among the quali-
9 fied voters in the precincts in which they reside, and may be made at
10 any time before the completion of the precinct count [CLOSE OF THE
11 PRECINCT CANVASS]. There shall be four counters on each counting team,
12 no more than two of whom may be of the same political party.

13 * Sec. 33. AS 15.10.170 is amended to read:

14 Sec. 15.10.170. APPOINTMENT AND PRIVILEGES OF WATCHERS. The
15 precinct party committee, where an organized precinct committee exists,
16 or the district party committee where no organized precinct committee
17 exists, or the state party chairman where neither precinct nor district
18 committee exists, may appoint one or more persons as watchers in each
19 precinct and counting center for any election. Each candidate not
20 representing a political party may appoint one or more watchers for each
21 precinct or counting center in his respective district or the state for
22 any election. Any organization or organized group that sponsors or
23 opposes an initiative, referendum or recall may have one or more persons
24 as watchers at the polls and counting centers after first obtaining
25 authorization from the director [LIEUTENANT GOVERNOR]. No state party
26 chairman, no precinct party committee, no district committee or candi-
27 date not representing a political party or organization or organized
28 group may have more than one watcher on duty at a time in any precinct
29 or counting center. The watcher may be present at a position inside the

1 place of voting or counting which affords a full view of all action of
2 the election board and other counters taken from the time the polls are
3 opened until the ballots are finally counted and the results certified
4 by the election board or the Data Processing Review Board. The election
5 board or the Data Processing Review Board may require each watcher to
6 present written proof showing that he is the watcher appointed by the
7 precinct party committee, the district party committee, the organization
8 or organized group or the candidate he represents which is signed by the
9 chairman of the precinct party committee, the district party committee,
10 the state party chairman, the organization or organized group or the
11 candidate representing no party. [THE LIEUTENANT GOVERNOR MAY PRESCRIBE
12 REGULATIONS GOVERNING THE CONDUCT OF WATCHERS TO ASSURE THE PRIVILEGES
13 OF THE WATCHERS AND THE PROPER CONDUCT OF THE ELECTION.]

14 * Sec. 34. AS 15.10.180 is amended to read:

15 Sec. 15.10.180. APPOINTMENT OF PARTY REPRESENTATIVES FOR STATE
16 CANVASS. The director [LIEUTENANT GOVERNOR] shall appoint two persons
17 from each political party to participate in the canvassing of the vote.
18 Each person who is appointed and serves is entitled to [THE SAME RATE
19 OF] compensation as provided in AS 15.15.380 [PAID ELECTION JUDGES].
20 Each political party may present to the director [LIEUTENANT GOVERNOR] a
21 list of three or more names from which he shall select the persons to
22 represent the party. The list of names may be submitted in writing at
23 least 30 days before the date of the election. The persons to represent
24 the party on the canvassing board may be selected by the state party
25 central committee or in any other manner prescribed by the bylaws of the
26 party. The list of names shall be certified by the chairman of the
27 state central committee of the party or by the person authorized by the
28 party bylaws to act in the absence of the chairman.

29 * Sec. 35. AS 15.15.010 is amended to read:

1 Sec. 15.15.010. GENERAL ADMINISTRATIVE SUPERVISION BY DIRECTOR
2 [LIEUTENANT GOVERNOR]. The director [LIEUTENANT GOVERNOR] shall provide
3 general administrative supervision over the conduct of state elections,
4 and may issue [ANY] regulations under the Administrative Procedure Act
5 (AS 44.62) necessary for the administration of state elections [TO
6 PROTECT THE INTEREST OF THE VOTER AND ASSURE ADMINISTRATIVE EFFICIENCY.
7 WHEN THE LIEUTENANT GOVERNOR IS ADMINISTERING A BOROUGH OR SPECIAL
8 ELECTION, HE MAY ISSUE REGULATIONS UNDER AS 44.62 CHANGING THE TIME
9 REQUIRED FOR NOTICES OF ELECTION, APPOINTMENT OF ELECTION OFFICIALS,
10 ABSENTEE VOTING, CANVASS OF THE VOTE, AND ELECTION RECOUNTS].

11 * Sec. 36. AS 15.15.030 is amended to read:

12 Sec. 15.15.030. PREPARATION OF OFFICIAL BALLOT. The director
13 [LIEUTENANT GOVERNOR] shall prepare all official ballots to facilitate
14 fairness, simplicity, and clarity in the voting procedure, to reflect
15 most accurately the intent of the voter, and to expedite the administra-
16 tion of elections. The following directives shall be followed when
17 applicable.

18 (1) The director [LIEUTENANT GOVERNOR] shall determine the
19 size of the ballot, the type of print, necessary additional instruction
20 notes to voters, and other similar matters of form not provided by law.

21 (2) The director [LIEUTENANT GOVERNOR] shall number ballots
22 in series to assure simplicity and secrecy and to prevent fraud.

23 (3) The director [LIEUTENANT GOVERNOR] may contract for the
24 preparation of the ballots on a regional basis if necessary and may
25 contract for the preparation of ballots without obtaining competitive
26 bids.

27 (4) The director [LIEUTENANT GOVERNOR] may not include on the
28 ballot as a part of a candidate's name, any honorary or assumed title or
29 prefix but may include in the candidate's name any nickname or familiar

1 form of a proper name of the candidate.

2 (5) The state general election ballot shall be printed on
3 white paper with the names of the candidates and their party designa-
4 tions placed in separate sections under the office designation to which
5 they were nominated. The party affiliation, if any, shall be designated
6 after the name of the candidate. The lieutenant governor and the gover-
7 nor shall be included under the same section. Provision shall be made
8 for voting for write-in and no-party candidates within each section.
9 The squares appearing on the ballots shall measure 1/4 inch on each
10 side.

11 (6) The general election ballot shall be designed with the
12 position of names of the candidates changed in each section as many
13 times as there are candidates in the section in which there are the most
14 names. As nearly as possible, an equal number of ballots shall be
15 printed after each change. In making the changes of position, the name
16 of the candidate at the head of each section shall be taken and placed
17 at the bottom of the section and the column moved up so that the name
18 that before was second is first after the change. After the ballots are
19 printed, they shall be placed in separate stacks, one stack for each
20 change of position. The ballots shall then be gathered by taking one
21 from each stack, the intention being that every other ballot in the
22 accumulated stack of ballots shall have the names of the candidates in a
23 different position.

24 (7) The general election ballot shall be designed with the
25 names of candidates of each political party for the office of President
26 and Vice-President of the United States placed in the same section on
27 the ballot rather than the names of electors of President and Vice-
28 President.

29 (8) The general or special election ballot shall be designed

1 with the title and proposition for any initiative, referendum, or con-
2 stitutional amendment formulated as prescribed by law and placed on the
3 ballot in the manner prescribed by the director [LIEUTENANT GOVERNOR].
4 When placed on the ballot, a state ballot proposition or ballot question
5 shall carry the number which was assigned to the petition for the propo-
6 sition or question. Provision shall be made for marking the proposition
7 "For" or "Against."

8 (9) The general or special election ballot shall be designed
9 with the question of whether a constitutional convention shall be called
10 placed on the ballot in the following manner. "Shall there be a consti-
11 tutional convention?" Provision shall be made for marking the question
12 "Yes" or "No."

13 (10) A separate nonpartisan judicial ballot shall be designed
14 for each judicial district in which a justice or judge is seeking to
15 succeed himself. The ballot shall be divided into three parts and each
16 part shall bear a heading indicating the court to which the candidate is
17 seeking approval. Within each part the question of whether the justice
18 or judge shall be approved or rejected shall be set out in substantially
19 the following manner: (A) "Shall be retained as justice of the
20 supreme court for 10 years?"; (B) "Shall be retained as judge
21 of the superior court for six years?"; or (C) "Shall be re-
22 tained as judge of the district court for four years?" Provision shall
23 be made for marking each question "Yes" or "No."

24 (11) When the legislature by law authorizes a state debt for
25 capital improvements, the director [LIEUTENANT GOVERNOR] shall place the
26 question of whether the specific authorization shall be ratified by
27 placing the ballot title and question on the next general election
28 ballot, or on the special election ballot if a special election is held
29 for the purpose of ratifying the state debt for capital improvements

1 before the time of the next general election. Unless specifically
2 provided otherwise in the Act authorizing the debt, the ballot title
3 shall, by the use of a few words in a succinct manner, indicate the
4 general subject of the act. The question shall, by the use of a few
5 sentences in a succinct manner, give a true and impartial summary of the
6 Act authorizing the state debt. The question of whether state debt
7 shall be contracted shall be assigned a letter of the alphabet on the
8 ballot. Provision shall be made for marking the question substantially
9 as follows: "Bonds Yes" or "Bonds No," followed by an
10 appropriate square.

11 (12) (repealed)

12 (13) The director [LIEUTENANT GOVERNOR] may provide for the
13 use of punch-card voting in state elections in any area where data
14 processing equipment is available.

15 * Sec. 37. AS 15.15.035 is amended to read:

16 Sec. 15.15.035. PRINTING OF BALLOTS AND OTHER MATERIAL. The
17 director [LIEUTENANT GOVERNOR] may not be required to do business with a
18 printing company while the company is involved in a labor dispute.

19 * Sec. 38. AS 15.15.040 is amended to read:

20 Sec. 15.15.040. PREPARATION OF OTHER ELECTION MATERIALS. (a) The
21 director [LIEUTENANT GOVERNOR] shall prescribe the form of and prepare
22 tinted sample ballots [, THE ORIGINAL AND DUPLICATE REGISTERS, OATHS OF
23 OFFICE OF JUDGES, CHALLENGE OATHS, TALLY SHEETS, INSTRUCTIONS TO VOTERS,
24 WARNING NOTICES] and all other materials, forms and supplies required
25 for the election.

26 (b) The director [LIEUTENANT GOVERNOR] shall prepare and issue or
27 make available with each sample ballot for a special election the state-
28 ment provided for in AS 24.30.037 of the scope of each project included
29 in a proposed general obligation bond issue creating a state debt for

1 capital improvements that is submitted to the electorate for ratifica-
2 tion under AS 15.15.030(11). The statement of scope for each project
3 shall be the same statement included in the authorization bill. When a
4 ballot proposition is submitted to the voters at a primary or a special
5 election, a statement the same as that provided for in the election
6 pamphlet under AS 15.58.020(6) [15.57.010(2)] shall be made available
7 with each sample ballot.

8 * Sec. 39. AS 15.15.050 is amended to read:

9 Sec. 15.15.050. DISTRIBUTION OF ELECTION MATERIALS. The director
10 [LIEUTENANT GOVERNOR] shall distribute an adequate supply of sample and
11 official ballots [, ORIGINAL REGISTERS, DUPLICATE REGISTERS, OATHS,] and
12 all other materials, forms and supplies required for the election to the
13 election supervisors for distribution to chairmen of election boards in
14 precincts not less than 25 days before the date for the election.

15 * Sec. 40. AS 15.15.060 is amended to read:

16 Sec. 15.15.060. PROCUREMENT OF POLLING PLACES AND OTHER SUPPLIES.
17 (a) Immediately following the appointment of the election board, the
18 election supervisor in conjunction with the election board chairman
19 shall secure polling places for holding the election, [INCLUDING AL-
20 TERNATE EMERGENCY LOCATIONS,] suitable ballot boxes which will assure
21 security and an adequate number of voting booths or screens, national
22 flags, pens, and pencils. Not less than one voting booth or screen
23 shall be furnished for each 100 votes or fractional part of 100 votes
24 cast in the previous election.

25 (b) The director [LIEUTENANT GOVERNOR] may issue rules prescribing
26 the type of polling place for holding the election and the requirements
27 regarding ballot boxes, voting booths, screens, national flags, and
28 other supplies to assure administrative economy and to protect the
29 secrecy of the ballot.

1 (c) The director [STATE, THROUGH THE OFFICE OF LIEUTENANT GOVER-
2 NOR,] shall pay the cost of necessary election expenses incurred in
3 securing a place for holding the election, a suitable ballot box, and an
4 adequate number of voting booths, screens, national flags, and other
5 supplies. The national flag shall be displayed over or near the en-
6 trance of each polling place.

7 (d) When the director determines that there is an area in the
8 state where a voter may be confused as to his correct precinct polling
9 place, the director shall provide each polling place in that area with
10 maps and materials which indicate election district boundaries, precinct
11 boundaries, and polling places.

12 * Sec. 41. AS 15.15.070(a) is amended to read:

13 (a) The director [LIEUTENANT GOVERNOR] shall give and is autho-
14 rized to contract to give full public notice of the election. He may
15 select a manner reasonably calculated to give actual knowledge of the
16 election to the voters.

17 * Sec. 42. AS 15.15.070(e) is amended to read:

18 (e) The director [LIEUTENANT GOVERNOR] may have a precinct map of
19 a densely populated precinct published in a newspaper of general circu-
20 lation if need for the map is established.

21 * Sec. 43. AS 15.15.070(f) is amended to read:

22 (f) Additional notice shall be given of all bond issues, initia-
23 tives, referendums and propositions by use of newspapers, television,
24 radio, printed posters, maps, and similar means of communication con-
25 sidered necessary. The director [LIEUTENANT GOVERNOR] may not be re-
26 quired to post or publish notices except those provided for in this
27 section.

28 * Sec. 44. AS 15.15.070(g) is amended to read:

29 (g) The director [STATE, THROUGH THE OFFICE OF THE LIEUTENANT

1 GOVERNOR,] shall pay the cost of election expenses incurred in giving
2 notice of an election.

3 * Sec. 45. AS 15.15.090 is amended to read:

4 Sec. 15.15.090. DESIGNATION OF PRECINCT POLLING PLACE. The polling
5 place shall be located within the precinct unless the election super-
6 visor and the election board chairman determine that a building located
7 in an adjoining precinct is more suitable or convenient to the voters.

8 * Sec. 46. AS 15.15.120 is amended to read:

9 Sec. 15.15.120. FILLING VACANCIES IN ELECTION BOARD. If an
10 appointed judge or clerk fails to appear and subscribe to the oath on
11 election day or becomes incapacitated during the time of the election or
12 the counting of the ballots [CANVASS], the election board members
13 present shall elect, by a majority voice vote, a qualified voter to fill
14 the vacancy. The qualified voter elected to fill the vacancy shall be
15 of the same political party as the person for whom the substitution is
16 made.

17 * Sec. 47. AS 15.15.140 is amended to read:

18 Sec. 15.15.140. PERMITTED USE OF UNOFFICIAL BALLOTS. If no offi-
19 cial ballots or election supplies are received, or if an insufficient
20 number of either are received, or if either have been destroyed or lost,
21 the election board shall provide, and the voters may use, unmarked
22 substitute ballots and other election materials to indicate the intent
23 of the voter. The election board shall certify to the facts which
24 prevented the use of the official ballots and materials and shall in-
25 clude the certificate in the election returns to the director [LIEU-
26 TENANT GOVERNOR]. The initial failure to certify to the facts, or
27 include the certificate as required, does not invalidate any ballots.
28 Upon disclosure that unofficial ballots have been used without a certi-
29 fication as required, the director [LIEUTENANT GOVERNOR] shall notify

1 the chairman of the election board by telephone or telegraph of his
2 failure to properly certify the ballots. The director [LIEUTENANT
3 GOVERNOR] may accept the required certificate made by telegraph and
4 count the ballots if the certificate is proper and actually delivered to
5 the director [LIEUTENANT GOVERNOR] within 10 days of the date that the
6 chairman of the election board was notified.

7 * Sec. 48. AS 15.15.170 is amended to read:

8 Sec. 15.15.170. PROHIBITION OF POLITICAL PERSUASION NEAR ELECTION
9 POLLS. During the hours the polls are open, no person who is in the
10 polling place or within 100 feet of any entrance to the polling place,
11 may attempt to persuade a person to vote for or against a candidate,
12 proposition or question. The election judges shall post warning notices
13 at the required distance in the form and manner prescribed by the
14 director [LIEUTENANT GOVERNOR].

15 * Sec. 49. AS 15.15.180 is amended to read:

16 Sec. 15.15.180. KEEPING OF [ORIGINAL] REGISTER. The judges shall
17 keep a [AN ORIGINAL] register or registers in which each voter before
18 receiving his ballot shall sign his name and give both his resident and
19 mailing address. A record shall be kept in the registration book in
20 space provided of the name of persons who offer to vote but who actually
21 do not vote, and a brief statement of explanation. The signing of the
22 register constitutes a declaration by the voter that he is qualified to
23 vote.

24 * Sec. 50. AS 15.15 is amended by adding new sections to read:

25 Sec. 15.15.195. VOTERS ON OFFICIAL REGISTRATION LIST. An election
26 judge in a precinct shall allow a voter on the official registration
27 list to vote in the precinct unless the voter is questioned in accord-
28 ance with AS 15.15.213.

29 Sec. 15.15.198. VOTERS NOT ON OFFICIAL REGISTRATION LIST. (a) If

1 a voter's name does not appear on the official registration list in the
2 precinct in which he seeks to vote, he shall be allowed to vote a
3 questioned ballot.

4 (b) A person whose registration has been cancelled under AS 15 -
5 07.130(b) and who votes a questioned ballot shall have the ballot
6 counted if he has voted in a local, regional school board, primary or
7 general election within four years of the casting of the questioned bal-
8 lot, if he signs under oath a statement to that effect and if the
9 earlier vote is verified by the director.

10 * Sec. 51. AS 15.15.213 is amended to read:

11 Sec. 15.15.213. QUESTIONING A VOTER'S BALLOT. If his qualifica-
12 tions are [POLLING PLACE IS] in question a voter shall be allowed to
13 vote [, AND ANY ELECTION OFFICIAL SHALL CONSIDER THE BALLOT AS] a ques-
14 tioned ballot.

15 * Sec. 52. AS 15.15.215 is amended to read:

16 Sec. 15.15.215. DISPOSITION OF [CHALLENGED AND] QUESTIONED VOTES.
17 [(a)] A [CHALLENGED] voter [OR ONE] who casts a questioned ballot shall
18 vote his ballot in the same manner as prescribed for other voters [EX-
19 CEPT THAT HE SHALL USE A PAPER BALLOT]. After the election judge re-
20 moves the numbered stub [IDENTIFICATION NUMBER] from the ballot, the
21 [CHALLENGED] voter shall insert the ballot into a small [BLANK] enve-
22 lope, seal it and put the sealed small envelope into a larger envelope
23 on which the statement [OATH AND AFFIDAVIT] he previously signed is
24 located. [AFTER THE ELECTION JUDGE REMOVES THE IDENTIFICATION NUMBER
25 FROM THE BALLOT, THE VOTER WHO CASTS A QUESTIONED BALLOT SHALL INSERT
26 THE BALLOT INTO A SMALL BLANK ENVELOPE, SEAL IT, AND PUT THE ENVELOPE
27 INTO A LARGER ENVELOPE ON WHICH THE INFORMATION CONCERNING THAT VOTER'S
28 RESIDENCE IS LOCATED.] These larger envelopes shall be sealed and
29 deposited in the ballot box [ALONG WITH THEIR RESPECTIVE ATTACHED STATE-

1 MENTS OF ASSERTED INVALIDITY]. [ALL ENVELOPES SHALL BE COUNTED AND
2 COMPARED TO THE VOTING LIST BEFORE LEAVING THE PLACE OF POLLING AND UPON
3 RECEIPT BY THE OFFICIAL OR BODY SUPERVISING THE ELECTION.] When the
4 ballot box is opened, these envelopes shall be segregated, counted,
5 compared to the voting list, and delivered to the official or body
6 supervising the election. The merits of the [CHALLENGE OR] question
7 shall be determined by this official or body in accordance with the
8 procedure prescribed for questioned [CHALLENGED ABSENTEE] votes in
9 AS 15.20.207 [15.20.210].

10 [(b) A PERSON WHO FRIVOLOUSLY, MALICIOUSLY OR IN BAD FAITH CHAL-
11 LENGES A VOTER OR QUESTIONS HIS BALLOT IS GUILTY OF A MISDEMEANOR AND
12 UPON CONVICTION SHALL BE IMPRISONED FOR NOT MORE THAN 30 DAYS OR FINED
13 NOT MORE THAN \$100, OR BOTH.]

14 * Sec. 53. AS 15.15.220 is amended to read:

15 Sec. 15.15.220. ADMINISTRATION OF OATHS. Any election judge may
16 administer to a voter any oath that is necessary in the administration
17 of the election.

18 * Sec. 54. AS 15.15 is amended by adding a new section to read:

19 Sec. 15.15.225. VOTER IDENTIFICATION AT POLLS. (a) Before being
20 allowed to vote, each voter shall exhibit to an election judge one form
21 of identification, including but not limited to an official voter regis-
22 tration card, driver's license, birth certificate, passport, or hunting
23 or fishing license.

24 (b) An election judge may waive the identification requirement if
25 he knows the identity of the voter.

26 (c) A voter who cannot exhibit a required form of identification
27 shall be allowed to vote a questioned ballot.

28 * Sec. 55. AS 15.15.230 is amended to read:

29 Sec. 15.15.230. PROVIDING BALLOT TO VOTER. When the voter has

1 qualified to vote, the election judge shall give him an official ballot.
2 The voter shall retire to a booth or private place [SCREEN] to mark the
3 ballot [FOR THE CANDIDATES OF HIS CHOICE].

4 * Sec. 56. AS 15.15.240 is amended to read:

5 Sec. 15.15.240. ASSISTING VOTER BY JUDGE. A qualified voter who
6 cannot read, mark the ballot, or sign his name may request an election
7 [A] judge, a person, or not more than two persons of his choice to
8 assist him. If the election judge is requested, he shall assist the
9 voter. If any other person is requested, the person shall state upon
10 oath before the election judge that he will not divulge the vote cast by
11 the person whom he assists.

12 * Sec. 57. AS 15.15.260 is amended to read:

13 Sec. 15.15.260. PLACING BALLOT IN BALLOT BOX BY VOTER. When the
14 voter has marked his ballot, he shall inform the election judge. The
15 director [LIEUTENANT GOVERNOR] may require that the voter return the
16 ballot to the election judge temporarily so that any stub which may be
17 part of the ballot may be removed by the election judge. Any such
18 requirement shall protect the secrecy of the ballot. In all cases the
19 ballot shall be deposited in the ballot box by the voter himself in the
20 presence of the election judge unless the voter requests the election
21 judge to deposit the ballot on his behalf. Separate ballot boxes may be
22 used for separate ballots.

23 * Sec. 58. AS 15.15.300 is amended to read:

24 Sec. 15.15.300. PROHIBITING THE COUNT OF EXHIBITED BALLOTS. No
25 election official may allow a ballot to be placed [PLACE] in the ballot
26 box which he knows [A BALLOT KNOWN] to have been unlawfully exhibited by
27 the voter. A ballot unlawfully exhibited shall be destroyed [RETAINED
28 AND PLACED WITH THE IMPROPERLY MARKED OR DAMAGED BALLOTS].

29 * Sec. 59. AS 15.15.330 is amended to read:

1 Sec. 15.15.330. COMMENCEMENT OF BALLOT COUNT [CANVASS]. [COUNTING
2 OF PAPER BALLOTS MAY BEGIN BEFORE THE POLLS ARE CLOSED IN PRECINCTS
3 HAVING 300 OR MORE VOTERS AND DESIGNATED BY THE LIEUTENANT GOVERNOR;
4 HOWEVER, COUNTING SHALL NOT IN ANY EVENT BEGIN BEFORE 2:00 P.M. PREVAIL-
5 ING TIME AND UNLESS AT LEAST 100 VOTES HAVE BEEN CAST.] When [IN ALL
6 OTHER PRECINCTS, WHEN] the polls are closed and the last vote has been
7 cast, the election board and clerks or counters shall immediately
8 proceed to open the ballot box and to count [AND CANVASS] the votes
9 cast. In all cases the election board shall cause the count [CANVASS]
10 to be continued without adjournment until the count [CANVASS] is
11 complete.

12 * Sec. 60. AS 15.15.340 is amended to read:

13 Sec. 15.15.340. REPORT, OATH AND VACANCIES OF COUNTERS. Counters
14 shall report to the election board at the polls at the time designated
15 by the election supervisor to assume their duties to assist the election
16 board in counting [AND CANVASSING] the vote. Before undertaking the
17 duties of office, each counter shall subscribe to an oath to honestly,
18 faithfully, impartially, and promptly carry out the duties of his
19 position. An election judge may administer the oath. If an appointed
20 counter fails to appear and subscribe to the oath at the time designated
21 by the election supervisor, the election board shall appoint any quali-
22 fied voter to fill the vacancy.

23 * Sec. 61. AS 15.15.350 is amended to read:

24 Sec. 15.15.350. GENERAL PROCEDURE FOR BALLOT COUNT [CANVASS]. (a)
25 The director may [LIEUTENANT GOVERNOR SHALL] issue rules prescribing the
26 manner in which the precinct ballot count [CANVASS] is accomplished so
27 as to assure accuracy in the count and to expedite the process. The
28 election board shall count the number of ballots in the ballot box and
29 shall compare that number to the number of signatures in the register.

1 The board shall count the number of questioned ballots and shall compare
2 that number to the number of signatures of questioned voters in the
3 register. Discrepancies shall be noted and the numbers included in the
4 certificate prescribed by AS 15.15.370. The certificate prescribed by
5 AS 15.15.370 shall also include the number of official ballots received
6 by the election board, and the number of unused and spoiled ballots.

7 The election board [OR COUNTING BOARD] shall count [CANVASS] the ballots
8 in a manner that allows watchers to see the ballots when opened and
9 read. No person handling the ballot after it has been taken from the
10 ballot box and before it is placed in the envelope for mailing may have
11 a marking device in hand or remove a ballot from the immediate vicinity
12 of the polls [EXCEPT AS PROVIDED BY AS 15.15.330 FOR THE EARLY COUNTING
13 OF BALLOTS, AND BY AS 15.20.680 FOR THE COUNTING OF PUNCH-CARD BALLOTS].
14 The election board shall maintain a record of all destroyed and spoiled
15 ballots.

16 (b) Ballots may not be counted before the day of the election.

17 * Sec. 62. AS 15.15.360 is amended to read:

18 Sec. 15.15.360. RULES FOR COUNTING HAND-MARKED [DETERMINING MARK
19 ON] BALLOTS. (a) The election board shall [CANVASS AND] count hand-
20 marked ballots [THE VOTES] according to the following rules.

21 (1) A voter may mark his ballot only by the use of cross-
22 marks, "X" marks, diagonal, horizontal or vertical marks, solid marks,
23 stars, circles, asterisks, checks, or plus signs that are clearly spaced
24 in the square opposite the name of the candidate the voter desires to
25 designate.

26 (2) A failure to properly mark a ballot as to one or more
27 candidates does not itself invalidate the entire ballot.

28 (3) If a voter marks fewer names than there are persons to be
29 elected to the office, a vote shall be counted for each candidate prop-

1 erly marked.

2 (4) If a voter marks more names than there are persons to be
3 elected to the office, the votes for candidates for that office shall
4 not be counted.

5 (5) The mark specified in (1) of this subsection shall be
6 counted only if it is substantially inside the square provided, or
7 touching the square so as to indicate clearly that the voter intended
8 the particular square to be designated.

9 (6) Improper marks on the ballot shall not be counted and
10 shall not invalidate marks for candidates properly made.

11 (7) An erasure or correction invalidates only that section of
12 the ballot in which it appears.

13 (8) A vote marked for the candidate for President or Vice
14 President of the United States is considered and counted as a vote for
15 the election of the presidential electors.

16 (9) Write-in votes are not invalidated by writing in the name
17 of a candidate whose name is printed on the ballot unless the election
18 board determines, on the basis of other evidence that the ballot was so
19 marked for the purpose of identifying the ballot.

20 (10) Stickers bearing a candidate's name may be affixed to the
21 ballot in place of writing in a candidate's name if write-in votes or
22 ballots are otherwise permitted. Stickers shall not be issued by mem-
23 bers of the election board while serving at the polls. Stickers shall
24 not be offered to voters within 200 [100] feet of the polling place.

25 (11) In order to vote for a write-in candidate, the voter
26 must write in the candidate's name in the space provided or place a
27 sticker in the space and, in addition, mark the square opposite the
28 candidate's name in accordance with (1) of this subsection.

29 (b) The rules set out in this section are mandatory and there

1 shall be no exceptions to them. A ballot may not be counted unless
2 marked in compliance with these rules.

3 * Sec. 63. AS 15.15 is amended by adding a new section to read:

4 Sec. 15.15.361. STICKERS. The director may adopt regulations
5 under the Administrative Procedure Act (AS 44.62), governing the size,
6 thickness, color and other characteristics of stickers and their use in
7 elections.

8 * Sec. 64. AS 15.15.370 is amended to read:

9 Sec. 15.15.370. COMPLETION OF BALLOT COUNT [CANVASS]. When the
10 count of ballots [CANVASS] is completed, and in no event later than the
11 day after the election, the election board [OR COUNTERS] shall make a
12 certificate in duplicate of the results. The certificate includes the
13 number of votes cast for each candidate, for and against each proposi-
14 tion, yes or no on each question, and any additional information pre-
15 scribed by the director [LIEUTENANT GOVERNOR]. The election board
16 shall, immediately upon completion of the certificate or as soon there-
17 after as the local mail service permits, send in one sealed package to
18 the director [LIEUTENANT GOVERNOR] one copy of the certificate and [,]
19 the original register [, ALL BALLOTS UNLAWFULLY EXHIBITED, PROPERLY
20 IDENTIFIED, THE RECORD OF BALLOTS DESTROYED UNDER SEC. 250 OF THIS
21 CHAPTER, AND ALL OATHS AND AFFIDAVITS]. In addition, all ballots
22 properly cast shall be mailed to the director [LIEUTENANT GOVERNOR] in a
23 separate, sealed package. Both packages, in addition to an address on
24 the outside, shall clearly indicate the precinct from which they come.
25 Each board shall, immediately upon completion of the certification and
26 as soon thereafter as the local mail service permits, send the duplicate
27 certificate and the duplicate register to its respective election
28 supervisor. The director [LIEUTENANT GOVERNOR] may authorize election
29 boards in precincts in those areas of the state where distance and

1 weather make mail communication unreliable to forward their election
2 certificates by telephone telegram or radio. The director [LIEUTENANT
3 GOVERNOR] may authorize the unofficial totaling [CANVASS] of votes on a
4 regional basis by election supervisors, tallying the votes as indicated
5 on duplicate certificates. To assure adequate protection the director
6 [LIEUTENANT GOVERNOR] shall prescribe the manner in which the ballots,
7 registers, and all other election records and materials are thereafter
8 preserved, transferred, and destroyed.

9 * Sec. 65. AS 15.15.380 is amended to read:

10 Sec. 15.15.380. PAYMENT OF ELECTION BOARD MEMBERS. The director
11 [STATE, THROUGH THE OFFICE OF LIEUTENANT GOVERNOR,] shall pay each
12 election board member [\$5 PER HOUR] for time spent at his election
13 duties, including the receiving of instructions. Election board chair-
14 men and the chairman and members of the absentee ballot, questioned
15 ballot and state ballot counting review boards [CANVASS BOARD] shall be
16 paid [\$5.50 AN HOUR] for time spent at their election duties. The
17 director shall set the compensation to be paid under this section by
18 regulation.

19 * Sec. 66. AS 15.15.390 is amended to read:

20 Sec. 15.15.390. CERTIFYING ELECTION EXPENSES. The director [LIEU-
21 TENANT GOVERNOR] shall prescribe the manner of certifying, auditing, and
22 paying election expenses, including the cost of giving notice, renting
23 polling places, paying election judges, clerks, and counters, securing a
24 ballot box, postage, and stationery, and obtaining similar election
25 necessities.

26 * Sec. 67. AS 15.15.400 is amended to read:

27 Sec. 15.15.400. PREPARATION OF VOTER LIST. The director [LIEU-
28 TENANT GOVERNOR] shall prepare both a statewide list and a list by
29 precinct of the names and addresses of all persons who voted in the

1 election and their political party affiliation [IF THE PARTY AFFILIATION
2 WAS SPECIFICALLY DECLARED BY THE VOTER]. Any person may obtain a copy
3 of the list, or a part of the list, or a computer tape containing both
4 residence and mailing addresses of voters, by applying to the director
5 [LIEUTENANT GOVERNOR] and paying to the state treasury a fee as deter-
6 mined by the director [LIEUTENANT GOVERNOR].

7 * Sec. 68. AS 15.15.410 is amended to read:

8 Sec. 15.15.410. PLURAL VOTING. Upon a determination that a person
9 has cast more than one general ballot, the director [LIEUTENANT GOVER-
10 NOR] shall notify the attorney general to proceed to prosecute.

11 * Sec. 69. AS 15.15.420 is amended to read:

12 Sec. 15.15.420. DUTY TO REVIEW THE BALLOT COUNTING [CANVASS VOTE].
13 The director [LIEUTENANT GOVERNOR] shall review the counting of the
14 ballots [CANVASS THE VOTE] with the assistance of and in the presence of
15 the appointed representatives from the political parties.

16 * Sec. 70. AS 15.15.430 is amended to read:

17 Sec. 15.15.430. SCOPE OF THE REVIEW OF BALLOT COUNTING [CANVASS].

18 (a) The review of ballot counting [CANVASS] by the director [LIEUTENANT
19 GOVERNOR] shall include only

20 (1) a review and comparison of the tallies of hand-marked
21 [PAPER] ballots in the election poll books with the precinct election
22 certificates to correct any mathematical error in the count of hand-
23 marked [PAPER] ballots,

24 (2) a review of the tallies of write-in ballots and a review
25 [COMPARISON] of election certificates as provided by law from precincts
26 using punch-card ballots [VOTING MACHINES],

27 (3) a review [THE CANVASS] of absentee and questioned ballots
28 as prescribed by law.

29 (b) If the director [LIEUTENANT GOVERNOR] finds an unexplained

1 error in the tally of hand-marked [PAPER] ballots in any precinct
2 election poll book, he may count the ballots from the precinct according
3 to the rules set out in AS 15.15.360(a). If the director [LIEUTENANT
4 GOVERNOR] finds the precinct counters have not entered tallies in the
5 precinct tally books but have certified a candidate as having received a
6 fixed number of votes, the director [LIEUTENANT GOVERNOR] may recount
7 the ballots from that precinct according to the rules set out in
8 AS 15.15.360(a). The director [LIEUTENANT GOVERNOR] shall certify in
9 writing to the state ballot counting review [CANVASS] board any changes
10 resulting from the count.

11 * Sec. 71. AS 15.15.440 is amended to read:

12 Sec. 15.15.440. DATES FOR OPENING AND CLOSING STATE BALLOT COUNT-
13 ING REVIEW [CANVASS]. The state ballot counting review [CANVASS] shall
14 begin eight days after the election and be continued daily until
15 completed. The director [LIEUTENANT GOVERNOR] may designate the hours
16 each [A] day during which the state ballot counting review [CANVASS]
17 board is to conduct its ballot counting review [CANVASS]. The director
18 [LIEUTENANT GOVERNOR] shall close the review [CANVASS] when he is satis-
19 fied that no missing precinct certificate of election would, if
20 received, change the result of the election. If no election certificate
21 has been received from a precinct, the director [LIEUTENANT GOVERNOR]
22 may secure from the election supervisors and may count a certified copy
23 of the duplicate election certificate of the precinct. If no election
24 poll books have been received, but an authorized election certificate
25 has been received by telegram or radio, the director [LIEUTENANT
26 GOVERNOR] shall count the election certificate so received. If the
27 director [LIEUTENANT GOVERNOR] has reason to believe that a missing
28 precinct certificate, if received, would affect the result of the
29 election, the director [LIEUTENANT GOVERNOR] shall await the receipt of

1 the certificate until four o'clock in the afternoon of the 15th day
2 after the date of election. A certificate not actually delivered to the
3 director [LIEUTENANT GOVERNOR] by four o'clock on the 15th day after the
4 election shall not be counted at the state ballot counting review
5 [CANVASS].

6 * Sec. 72. AS 15.15.450 is amended to read:

7 Sec. 15.15.450. CERTIFICATION OF STATE BALLOT COUNTING REVIEW
8 [CANVASS]. Upon completion of the state ballot counting review
9 [CANVASS] the director [LIEUTENANT GOVERNOR] shall certify the person
10 receiving the largest number of votes for the office for which he was a
11 candidate as elected to that office and shall certify the approval of a
12 justice or judge not rejected by a majority of the voters voting on the
13 question. The director [LIEUTENANT GOVERNOR] shall issue to the elected
14 candidates and approved justices and judges, a certificate of their
15 election or approval. The director [LIEUTENANT GOVERNOR] shall also
16 certify the results of a proposition and other question except that
17 the lieutenant governor shall certify the results of an initiative,
18 referendum or constitutional amendment.

19 * Sec. 73. AS 15.15.460 is amended to read:

20 Sec. 15.15.460. TIE VOTES. If two or more candidates tie in
21 having the highest number of votes for the same office for which there
22 is to be elected only one candidate, the director [LIEUTENANT GOVERNOR]
23 shall so notify the candidates who are tied. The director [LIEUTENANT
24 GOVERNOR] shall immediately proceed with the recount of votes in the
25 manner provided by AS 15.20.430 - 15.20.530.

26 * Sec. 74. AS 15.15.470 is amended to read:

27 Sec. 15.15.470. PRESERVATION OF ELECTION BALLOTS, PAPERS, AND
28 MATERIALS. The director [LIEUTENANT GOVERNOR] shall preserve all pre-
29 cinct election certificates, tallies, and registers for four years after

1 the election. All ballots and stubs may be destroyed 30 days after the
2 certification of the state ballot counting review [CANVASS] unless an
3 application for recount has been filed and not completed, or unless
4 their destruction is stayed by an order of the court. The director
5 [LIEUTENANT GOVERNOR] may permit the inspection of election materials
6 upon call by Congress, the state legislature, or a court of competent
7 jurisdiction.

8 * Sec. 75. AS 15.15 is amended by adding a new section to read:

9 Sec. 15.15.480. SECURITY OF BALLOTS. All official ballots in the
10 possession of election officials, whether marked or unmarked, shall be
11 kept in a secure manner until destroyed in accordance with law. The
12 director shall provide for the security of ballots during transportation
13 and storage under regulations adopted under the Administrative Procedure
14 Act (AS 44.62).

15 * Sec. 76. AS 15.20.010 is amended to read:

16 Sec. 15.20.010. PERSONS WHO MAY VOTE ABSENTEE. At any election a
17 [A] qualified voter may vote an absentee ballot [AT ANY ELECTION] for
18 the district in which he resides and is registered,

19 (1) if he believes that he will be unavoidably absent from
20 his voting precinct on election day, whether inside the state or not, or

21 (2) if he will be unable to be present at the polls because
22 of physical disability. [, OR]

23 (3) [IF HE BELIEVES HE WILL BE UNABLE TO BE PRESENT AT THE
24 POLLS BECAUSE OF THE PHYSICAL INACCESSIBILITY OF THE POLLING PLACE
25 CAUSING UNDUE TRAVEL EXPENSE, HARDSHIP, OR HAZARD TO THE VOTER.]

26 * Sec. 77. AS 15.20.020 is amended to read:

27 Sec. 15.20.020. PROVISION FOR GENERAL ADMINISTRATIVE SUPERVISION.
28 The director [LIEUTENANT GOVERNOR] shall provide general administrative
29 supervision over the conduct of absentee voting [AND MAY ISSUE RULES

1 NECESSARY TO THE ADMINISTRATION OF ABSENTEE VOTING TO ASSURE EFFICIENCY
2 AND ENCOURAGE VOTER PARTICIPATION]. The director [LIEUTENANT GOVERNOR]
3 shall make available [ISSUE] instructions to absentee voters regarding
4 the procedure for absentee voting. One set of instructions shall
5 accompany each absentee ballot.

6 * Sec. 78. AS 15.20.030 is amended to read:

7 Sec. 15.20.030. PREPARATION OF BALLOTS, ENVELOPES, AND OTHER
8 MATERIAL. The director [LIEUTENANT GOVERNOR] shall provide hand-marked
9 [THE PAPER] ballots [PREPARED] for use [AT THE POLLS] as [THE] absentee
10 ballots in those districts which do not use punch-card ballots. The
11 director [LIEUTENANT GOVERNOR] shall provide a small [BLANK] envelope in
12 which the voter shall initially place the marked ballot, and shall
13 provide a larger envelope, with the prescribed voter's certificate on
14 the back, in which the small envelope with ballot enclosed shall be
15 placed. The director [LIEUTENANT GOVERNOR] shall prescribe the form of
16 and prepare the voter's certificate, envelopes, and other material used
17 in absentee voting. The voter's certificate shall include an oath, for
18 use when required, that the voter is a qualified voter in all respects,
19 a blank for the voter's signature, a certification that the affiant
20 properly executed the marking of the ballot and identified himself,
21 blanks for the attesting official [WITNESSES], and a place for recording
22 the date [AND TIME] the envelope was sealed and witnessed [DELIVERED].

23 * Sec. 79. AS 15.20.040 is amended to read:

24 Sec. 15.20.040. DISTRIBUTION OF BALLOTS, ENVELOPES, AND OTHER
25 MATERIAL. The director [LIEUTENANT GOVERNOR] shall distribute the
26 absentee ballots, envelopes, and other absentee voting material to the
27 election supervisors for redistribution to absentee voting [THE PROPER
28 ELECTION] officials and absentee ballot stations established under
29 as 15.20.045(b) before the date upon which a person may first apply for

1 an absentee ballot in person.

2 * Sec. 80. AS 15.20.045 is amended to read:

3 Sec. 15.20.045. DESIGNATION OF MAGISTRATES AND OTHERS AS ELECTION
4 OFFICIALS. (a) The director [LIEUTENANT GOVERNOR] or election super-
5 visor may designate persons to act as absentee voting [ELECTION] offi-
6 cials under AS 15.20.010 - 15.20.220 in areas where election supervisors
7 do not have offices. Magistrates may, with the approval of the admini-
8 strative director of the Alaska Court System, be designated under this
9 section. At least 15 days before the election the director shall supply
10 each absentee voting official with appropriate ballots.

11 (b) The director may designate by regulation adopted under the
12 Administrative Procedure Act (AS 44.62) locations at which absentee
13 voting stations will be operated on election day and on other dates and
14 at times to be designated by the director. The director shall supply
15 absentee voting stations with ballots for all election districts in the
16 state and shall designate absentee voting officials to serve at absentee
17 voting stations.

18 * Sec. 81. AS 15.20 is amended by adding a new section to read:

19 Sec. 15.20.048. ABSENTEE VOTING IN OFFICES OF ELECTION SUPER-
20 VISORS. At least 15 days before an election the director shall supply
21 each election supervisor with ballots for all districts in the state to
22 be used for absentee voting in that election. Absentee voting shall be
23 conducted by election supervisors during regular office hours on the
24 dates specified in AS 15.20.061 and in the offices of the election
25 supervisors from 8:00 a.m. through 4:30 p.m. on the last two Saturdays
26 before the election.

27 * Sec. 82. AS 15.20.050 is amended to read:

28 Sec. 15.20.050. REQUIREMENT OF FULL PUBLIC NOTICE. The director
29 [LIEUTENANT GOVERNOR] shall give full public notice of the dates and

1 manner of voting absentee and may select any means of communication
2 permitted to be used in giving notice of the date and time of the gener-
3 al election.

4 * Sec. 83. AS 15.20 is amended by adding a new section to read:

5 Sec. 15.20.061. ABSENTEE VOTING IN PERSON. (a) A qualified voter
6 may apply in person for an absentee ballot to the following election
7 officials at the times specified:

8 (1) to an absentee voting official in the election district
9 in which the voter resides on or after the 15th day before an election
10 up to and including the day before the date of the election;

11 (2) to an election supervisor on or after the 15th day before
12 an election up to and including the date of the election;

13 (3) to an absentee voting official at an absentee voting
14 station designated under AS 15.20.045(b) at any time when the absentee
15 voting station is operating.

16 (b) On receipt of an application in person for an absentee ballot
17 and exhibition of proof of identification as required in AS 15.15.225,
18 the absentee voting official or election supervisor shall issue the
19 ballot to the applicant.

20 (c) On receipt of an absentee ballot in person, the voter shall
21 proceed to mark the ballot in secret, to place the ballot in the small
22 envelope, to place the small envelope in the larger envelope, and to
23 sign the voter's certificate on the back of the larger envelope in the
24 presence of the absentee voting official who shall sign as attesting
25 official and date his signature. The absentee voting official shall
26 then accept the ballot.

27 (d) The absentee voting official may not accept a marked ballot
28 that has been exhibited by an absentee voter with intent to influence
29 other voters. If the absentee voter improperly marks or otherwise

1 damages a ballot, the voter may request and the absentee voting official
2 shall provide him with another ballot up to a maximum of three. Im-
3 properly marked or damaged ballots shall be destroyed. The numbers of
4 all ballots destroyed shall be noted on the registration lists.

5 (e) Each absentee voting official shall keep a register containing
6 the names and signatures of voters who cast absentee ballots before him
7 and the dates on which the ballots were cast.

8 * Sec. 84. AS 15.20 is amended by adding new sections to read:

9 Sec. 15.20.071. ABSENTEE VOTING BY PERSONAL REPRESENTATIVE. (a) A
10 qualified voter who is physically disabled may apply for an absentee
11 ballot through a personal representative to the following election
12 officials at the times specified:

13 (1) to an absentee voting official in the election district
14 in which the voter resides on or after the 15th day before an election
15 up to and including the day of the election;

16 (2) to an election supervisor on or after the 15th day before
17 an election up to and including the date of the election;

18 (3) to an absentee voting official at an absentee voting
19 station designated under AS 15.20.045(b) at a time when the absentee
20 voting station is operating;

21 (4) to the election board chairman or his designee on elec-
22 tion day in the precinct in which the voter is entitled to vote except
23 that the voter may not apply to the election board chairman in an area
24 in which absentee voting officials have been designated.

25 (b) Upon receipt of a written application by personal representa-
26 tive, the election official authorized to issue the absentee ballot
27 shall provide the ballot and other absentee voting material to the
28 personal representative if the written application is signed by the
29 applicant and is accompanied by a letter from a licensed physician or a

1 statement signed by two qualified voters stating that the applicant will
2 be unable to go to the polling place because of physical disability.

3 (c) The personal representative shall deliver the absentee ballot
4 to the voter as soon as practicable. Upon receipt of an absentee ballot
5 through a personal representative, the voter shall proceed to mark the
6 ballot in secret, to place the ballot in the small envelope, to place
7 the small envelope in the larger envelope, and to sign the voter's
8 certificate on the back of the envelope in the presence of the personal
9 representative who shall sign as attesting witness and date his signa-
10 ture. The voter shall then return the ballot to his personal represent-
11 ative who shall deliver the ballot to the election official who provided
12 the ballot. The ballot must be returned to the election official within
13 three days from the date it is obtained but not later than 8:00 p.m.
14 on election day.

15 (d) Each absentee voting official shall keep a register containing
16 the name and signature of each personal representative requesting an
17 absentee ballot and the name of the person on whose behalf the ballot is
18 requested. The official shall record the date and time the ballot is
19 provided and the time the ballot is returned.

20 (e) A candidate for office at that election may not act as a
21 personal representative.

22 Sec. 15.20.081. ABSENTEE VOTING BY MAIL. (a) A qualified voter
23 may apply by mail to the director for an absentee ballot. The applica-
24 tion shall include the address to which the absentee ballot is to be
25 returned, the applicant's full Alaska residence address, and the appli-
26 cant's signature. Persons residing outside the United States and ap-
27 plying to vote absentee in federal elections in accordance with AS 15.-
28 05.011 need not include an Alaska residence address in the application.

29 (b) An application for an absentee ballot by mail must be post-

1 marked not more than six months nor less than seven days before the
2 election for which the absentee ballot is sought.

3 (c) After receipt of an application by mail, the director shall
4 send the absentee ballot and other absentee voting material to the
5 applicant by the most expeditious mail service. The materials shall be
6 sent as soon as they are ready for distribution. The return envelope
7 sent with the materials shall be addressed to the election supervisor in
8 the district in which the voter is a resident.

9 (d) Upon receipt of an absentee ballot by mail, the voter, in the
10 presence of an election judge, notary public, commissioned officer of
11 the armed forces including the National Guard, district judge or magis-
12 trate, United States postal official, or other person qualified to
13 administer oaths, may proceed to mark the ballot in secret, to place the
14 ballot in the small envelope, to place the small envelope in the larger
15 envelope, and to sign the voter's certificate on the back of the larger
16 envelope in the presence of an official listed in this subsection who
17 shall sign as attesting official and shall date his signature. If none
18 of the officials listed in this subsection are reasonably accessible, an
19 absentee voter shall have the ballot witnessed by two persons over the
20 age of 18 years and, in addition, shall provide the certification pre-
21 scribed in AS 09.65.012.

22 (e) An absentee ballot must be marked and attested on or before
23 the date of the election. If the voter returns the ballot by mail, he
24 shall use the most expeditious mail service and mail the ballot not
25 later than the day of the election to the election supervisor in his
26 election district. If the ballot is postmarked, it must be postmarked
27 on or before election day.

28 (f) The director may require a voter casting an absentee ballot by
29 mail to provide proof of identification or other information to aid in

1 the establishment of his identity as prescribed by regulations adopted
2 under the Administrative Procedure Act (AS 44.62).

3 (g) The director shall maintain a register containing the name of
4 each voter to whom an absentee ballot is sent by mail. The register
5 must list the date on which the ballot is mailed and the date on which
6 the ballot is received by the election supervisor and the dates on which
7 the ballot was executed and postmarked.

8 * Sec. 85. AS 15.20.170 is amended to read:

9 Sec. 15.20.170. DISPOSITION OF BALLOTS. Each absentee voting
10 [ELECTION] official [WHO HAS BEEN DESIGNATED BY AN ELECTION SUPERVISOR
11 OR THE LIEUTENANT GOVERNOR TO ISSUE ABSENTEE BALLOTS] shall transmit
12 the stamped and dated envelopes containing the marked ballots [STAMP ON
13 THE ENVELOPE CONTAINING THE OATH THE DATE ON WHICH THE BALLOT IS RE-
14 CEIVED IN HIS OFFICE. ALL BALLOTS RECEIVED SHALL BE IMMEDIATELY TRANS-
15 MITTED] by the most expeditious mail service to the election supervisor
16 for his district. Upon receipt of the absentee ballots the election
17 supervisor shall stamp on the envelope the date on which the ballot is
18 received.

19 * Sec. 86. AS 15.20.190 is amended to read:

20 Sec. 15.20.190. APPOINTMENT, DUTIES, AND COMPENSATION OF DISTRICT
21 COUNTING BOARDS [CANVASSING BOARD]. (a) Thirty days prior to the date
22 of an election, the election supervisors shall appoint, in the same
23 manner provided for the appointment of election judges prescribed in
24 AS 15.10.150, district absentee ballot counting [CANVASSING] boards
25 and district questioned ballot counting boards, each composed of four
26 members, two from each [MAJOR] political party. The district boards
27 [BOARD] shall assist the election supervisors in counting [AND CANVASS-
28 ING] the absentee and questioned ballots and shall receive the same
29 compensation paid election judges under AS 15.15.380.

1 (b) The election supervisor shall appoint a counting team or
2 teams to aid the district absentee ballot counting board in counting
3 absentee ballots and the district questioned ballot counting board in
4 counting questioned ballots. There shall be four counters on each
5 counting team, no more than two of whom may be members of the same
6 political party.

7 * Sec. 87. AS 15.20 is amended by adding new sections to read:

8 Sec. 15.20.201. TIME OF DISTRICT ABSENTEE BALLOT COUNTING REVIEW.

9 (a) On the seventh day preceding the day of election, the election
10 supervisor, in the presence and with the assistance of the district
11 absentee ballot counting board, shall review all voter certificates of
12 absentee ballots received by that date. The review of absentee ballots
13 shall continue at times designated by the election supervisor until
14 completed and shall include all absentee ballots received in the office
15 of the election supervisor by 4:00 p.m. on the seventh day following the
16 day of the election.

17 (b) Counting of absentee ballots which have been reviewed shall
18 begin at 8:00 p.m. local time on the day of the election at places
19 designated by each election supervisor and shall continue until all
20 ballots reviewed and eligible for counting have been counted. The
21 counting teams shall report the count of absentee ballots to the dis-
22 trict absentee ballot counting board.

23 (c) On the eighth day following the day of the election, the
24 district absentee ballot counting board shall certify the absentee
25 ballot review.

26 (d) Absentee ballots received in the office of an election super-
27 visor after the seventh day following the day of the election shall be
28 forwarded immediately to the director by the most expeditious mail
29 service.

1 Sec. 15.20.203. PROCEDURE FOR DISTRICT ABSENTEE BALLOT COUNTING
2 REVIEW. (a) The district absentee ballot counting board shall
3 examine each absentee ballot envelope and shall determine whether the
4 absentee voter is qualified to vote at the election and whether the
5 ballot has been properly cast.

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

7 (1) the voter is not registered in the election district for
8 which the ballot is cast;

9 (2) the voter has failed to properly execute the certificate;

10 (3) an official or the witnesses authorized by law to attest
11 the voter's certificate fail to execute the certificate;

12 (4) the voter fails to enclose the marked ballot inside the
13 small envelope;

14 (5) the ballot is not attested on or before the date of the
15 election; or

16 (6) the ballot, if postmarked, is not postmarked on or before
17 the date of the election.

18 (c) Any person present at the district absentee ballot counting
19 review may challenge the name of an absentee voter when read from the
20 voter's certificate on the back of the large envelope if he has good
21 reason to suspect that the challenged voter is not qualified to vote, is
22 disqualified, or has voted at the same election. The person making the
23 challenge shall specify the basis of the challenge in writing. The
24 district absentee ballot counting board by majority vote may refuse to
25 accept and count the absentee ballot of a person properly challenged on
26 grounds listed in (b) of this section.

27 (d) If an absentee ballot is rejected, the election supervisor
28 shall send a copy of the statement of the challenge to the absentee
29 voter. The election supervisor shall place all rejected absentee