

LEG. FINANCE - BILLS 1979 - 1980 1333
SB 312 cont., thru SB 313 1333

1 ballots in a separate envelope with the statements of challenge. The
2 envelope shall be labeled "rejected absentee ballots" and shall be
3 forwarded to the director with the election certificates and other
4 returns.

5 (e) If an absentee ballot is not rejected, the large envelope
6 shall be opened and the small envelope containing the ballot shall be
7 placed in a container and mixed with other small envelopes.

8 (f) The small envelopes shall be drawn from the container, opened,
9 and the ballots counted at the times specified in AS 15.20.201 and
10 according to the rules for determining properly marked ballots in
11 AS 15.15.360.

12 (g) Upon completion of the absentee ballot review, the election
13 supervisor shall prepare an election certificate for execution by the
14 district absentee ballot counting board and shall forward the original
15 certificate and other returns to the director no later than the eighth
16 day following the election.

17 Sec. 15.20.205. TIME OF DISTRICT QUESTIONED BALLOT COUNTING
18 REVIEW. (a) On the second day following the day of the election, the
19 election supervisor, in the presence and with the assistance of the
20 district questioned ballot counting board, shall review all voter
21 certificates of questioned ballots received by that date. The review of
22 questioned ballots shall continue at times designated by the election
23 supervisor until completed.

24 (b) Counting of questioned ballots which have been reviewed shall
25 begin on the third day following the day of the election and shall
26 continue at times designated by the election supervisor until all bal-
27 lots reviewed and eligible for counting have been counted. The counting
28 teams shall report the count to the district questioned ballot counting
29 board.

1 (c) The district questioned ballot counting board shall certify
2 the questioned ballot totals as soon as the count is completed but no
3 later than the eighth day following the election.

4 (d) Questioned ballots received after certification of the count
5 shall be forwarded immediately to the director by the most expeditious
6 mail service.

7 Sec. 15.20.207. PROCEDURE FOR DISTRICT QUESTIONED BALLOT REVIEW.

8 (a) The district questioned ballot counting board shall examine each
9 questioned ballot envelope and shall determine whether the questioned
10 voter is qualified to vote at the election and whether the ballot has
11 been properly cast.

12 (b) A questioned ballot may not be counted if

13 (1) the voter is not registered in the election district in
14 which the ballot is cast;

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

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

18 (4) the voter did not enclose the marked ballot inside the
19 small envelope.

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

29 (d) If a questioned ballot is rejected, the election supervisor

1 shall send a copy of the statement of the challenge to the questioned
2 voter. The election supervisor shall place all rejected questioned
3 ballots in a separate envelope with statements of challenge. The enve-
4 lope shall be labeled "rejected questioned ballots" and shall be for-
5 forwarded to the director with the election certificates and other returns.

6 (e) If a questioned ballot is not rejected, the large envelope
7 shall be opened and the small envelope containing the ballot shall be
8 placed in a container and mixed with other small envelopes containing
9 questioned ballots.

10 (f) The small envelopes shall be drawn from the container, opened,
11 and the ballots counted at the times specified in AS 15.20.205 and
12 according to the rules for determining properly marked ballots in
13 AS 15.15.360(a).

14 (g) Upon completion of the questioned ballot review, the election
15 supervisor shall prepare an election certificate for execution by the
16 district questioned ballot counting board, and shall forward the ori-
17 ginal certificate and returns to the director as soon as the count is
18 completed but no later than the eighth day following the election.

19 * Sec. 88. AS 15.20.220 is amended to read:

20 Sec. 15.20.220. PROCEDURE FOR STATE REVIEW [CANVASS]. (a) When
21 the director [LIEUTENANT GOVERNOR] and appointed party representatives
22 have completed the review [CANVASS] of [PAPER] ballots cast at the
23 voting precincts [AND THE CANVASS OF VOTING MACHINE BALLOTS], they shall
24 proceed to review [CANVASS] the absentee and questioned ballot votes
25 certified [COUNTED] by the district counting boards [CANVASSING BOARD].
26 The review [CANVASS] of the absentee and questioned ballot vote certi-
27 fied [COUNTED] by the district counting boards [CANVASSING BOARD] shall
28 be accomplished by reviewing the tallies of the recorded vote to check
29 for mathematical error and by comparing the totals with the election

1 certificate of results.

2 (b) The state review board shall review and count absentee and
3 questioned ballots not reviewed or counted by the district counting
4 boards and which have been forwarded to the director. Absentee and
5 questioned ballots not received in the office of the director by
6 4:00 p.m. on the 15th day following the election may not be counted in
7 the review.

8 * Sec. 89. AS 15.20.430 is amended to read:

9 Sec. 15.20.430. AUTHORIZATION OF RECOUNT APPLICATION. (a) A
10 defeated candidate or 10 qualified voters who believe there has been a
11 mistake made by an election official or by the counting [CANVASSING]
12 board in counting the votes in an election, may file an application
13 within five days after the completion of the state review [CANVASS] to
14 the director [LIEUTENANT GOVERNOR] for a recount of the votes from any
15 particular precinct or any election district and for any particular
16 office, proposition, or question. However, the application may be filed
17 only within three days after the completion of the state review [CAN-
18 VASS] after the general election for a recount of votes cast for the
19 office of governor and lieutenant governor. If there is a tie vote as
20 provided in AS 15.15.460, the director [LIEUTENANT GOVERNOR] shall
21 initiate the recount and give notice to the interested parties as pro-
22 vided in AS 15.20.470.

23 (b) The date on which the director [LIEUTENANT GOVERNOR] receives
24 an application rather than the date of mailing or transmission deter-
25 mines whether the application is filed within the time allowed under (a)
26 of this section. If the actual physical delivery by telegram of a copy
27 in substance of the statements made in the application for recount is
28 received in the office of the director [LIEUTENANT GOVERNOR] at or
29 before 5:00 p.m. Alaska Standard time, on the due date the application

1 will be accepted; providing the original signed application is post-
2 marked at or before 5:00 p.m. Alaska Standard time of the same day.

3 * Sec. 90. AS 15.20.440(b) is amended to read:

4 (b) Candidates, political parties, or organized groups having a
5 direct interest in a recount and who are seeking to protect their in-
6 terests during a recount may provide, at their own expense, [NOT MORE
7 THAN] two or more observers to witness the recount.

8 * Sec. 91. AS 15.20.450 is amended to read:

9 Sec. 15.20.450. REQUIREMENT OF DEPOSIT. The application shall
10 include a deposit in cash, by certified check, or by bond with a surety
11 approved by the director [LIEUTENANT GOVERNOR]. The amount of the
12 deposit is \$50 for each precinct, \$250 for each election district, and
13 \$2,000 for the entire state. However, if the recount includes an office
14 for which candidates received a tie vote, or the difference between the
15 number of votes cast was 10 or less or was less than .5 percent of the
16 total number of votes cast for the two candidates for the contested
17 office, or a question or proposition for which there was a tie vote on
18 the issue, or the difference between the number of votes cast in favor
19 of or opposed to the issue was 10 or less or was less than .5 percent of
20 the total votes cast in favor of or opposed to the issue, the applica-
21 tion need not include a deposit and the state shall bear the cost of the
22 recount. If, on the recount, a candidate other than the candidate who
23 received the original election certificate is declared elected, or if
24 the vote on recount is determined to be four percent or more in excess
25 of the vote reported by the state review [CANVASS] for the candidate
26 applying for the recount or in favor or opposed to the question or
27 proposition as stated in the application, the entire deposit shall be
28 refunded. If the entire deposit is not refunded, the director
29 [LIEUTENANT GOVERNOR] shall refund any money remaining after the cost of

1 the recount has been paid from the deposit.

2 * Sec. 92. AS 15.20.460 is amended to read:

3 Sec. 15.20.460. DETERMINATION OF DATE OF RECOUNT. If the director
4 [LIEUTENANT GOVERNOR] determines that the application is substantially
5 in the required form, he shall fix the date of the recount to be held
6 within three days after the receipt of an application requesting a
7 recount of the general election votes cast for the office of governor
8 and lieutenant governor and within five days after the receipt of an
9 application requesting a recount for any other office, question, or
10 proposition.

11 * Sec. 93. AS 15.20.470 is amended to read:

12 Sec. 15.20.470. REQUIREMENT OF NOTICE. The director [LIEUTENANT
13 GOVERNOR] shall give the candidate or designated chairman signing the
14 application, the two or more persons appointed to represent the appli-
15 cant during the recount, and other directly interested parties, notice
16 of the time and place of the recount by certified mail, by telegraph, or
17 by telephone.

18 * Sec. 94. AS 15.20.480 is amended to read:

19 Sec. 15.20.480. PROCEDURE FOR RECOUNT. In conducting the recount,
20 the director [LIEUTENANT GOVERNOR], or his appointed representative,
21 shall review all [PAPER, ABSENTEE, AND MACHINE] ballots whether [OR NOT]
22 the ballots were counted at the precinct or by computer or by the dis-
23 trict absentee counting board or the questioned ballot counting [CAN-
24 VASSING] board to determine which ballots, or parts of ballots, were
25 properly marked and which ballots are to be counted in the recount, and
26 shall [MAY] check the accuracy of the original count, the precinct
27 certificate and the review [CANVASS]. The director shall check the
28 number of ballots and questioned ballots cast in a precinct against the
29 registers and shall check absentee ballots voted against absentee bal-

1 lots distributed. For administrative purposes, the director [LIEUTENANT
2 GOVERNOR] may join and include two or more applications in a single
3 review and count of votes. The rules in AS 15.15.360(a) [RULE] govern-
4 ing the counting of hand-marked [MARKED] ballots and the rules in
5 AS 15.20.730 governing the counting of punch-card ballots [BY THE
6 ELECTION BOARD] shall be followed in the recount. The ballots and other
7 election material shall remain in the custody of the director
8 [LIEUTENANT GOVERNOR] during the recount and the highest degree of care
9 shall be exercised to protect the ballots against alteration or muti-
10 lation. The recount shall be completed within 10 [FIVE] days. The
11 director [LIEUTENANT GOVERNOR] may employ additional personnel necessary
12 to assist in the recount.

13 * Sec. 95. AS 15.20.490 is amended to read:

14 Sec. 15.20.490. CERTIFICATION OF RESULTS. If it is determined by
15 recount that the plurality of votes was cast for a candidate, the direc-
16 tor [LIEUTENANT GOVERNOR] shall issue a certificate of election or
17 nomination to the elected or nominated candidate as determined by the
18 recount. If it is determined by the recount that a proposition or
19 question should be certified as having received the required vote, the
20 director [LIEUTENANT GOVERNOR] shall so certify except that the lieu-
21 tenant governor shall so certify if the proposition or question involves
22 an initiative, referendum or constitutional amendment.

23 * Sec. 96. AS 15.20.510 is amended to read:

24 Sec. 15.20.510. PROVISION FOR APPEAL TO COURTS. A candidate or
25 any person who requested a recount who has reason to believe an error
26 has been made in the recount (1) involving any question or proposition
27 or the validity of any ballot may appeal to the superior court in ac-
28 cordance with applicable court rules governing appeals in civil matters,
29 and (2) involving candidates for the legislature or Congress or the,

1 office of governor and lieutenant governor may appeal to the supreme
2 court in accordance with rules as may be promulgated by the court.
3 Appeal shall be filed within five days of the completion of the recount.
4 Upon order of the court, the director [LIEUTENANT GOVERNOR] shall fur-
5 nish the record of the recount taken including all ballots, registers,
6 and other election material and papers pertaining to the election con-
7 test. The appeal shall be heard by the court sitting without a jury.
8 The inquiry in the appeal shall extend to the questions whether or not
9 the director [LIEUTENANT GOVERNOR] has properly determined what ballots,
10 parts of ballots, or marks for candidates on ballots are valid, and to
11 which candidate or division on the question or proposition the vote
12 should be attributed. The court shall enter judgment either setting
13 aside, modifying, or affirming the action of the director [LIEUTENANT
14 GOVERNOR] on recount.

15 * Sec. 97. AS 15.20.520 is amended to read:

16 Sec. 15.20.520. PROVISION FOR APPEAL TO LEGISLATURE OR CONGRESS.

17 A candidate or persons who requested a recount, who have reason to
18 believe an error has been made in the recount involving a candidate for
19 the general election for the state legislature or Congress, may appeal
20 to the chamber in which the candidate seeks membership in accordance
21 with applicable rules of the legislature or Congress. Upon request of
22 the legislature or Congress, the director [LIEUTENANT GOVERNOR] shall
23 furnish the record of the recount taken including all ballots, regis-
24 ters, and other election material and papers pertaining to the election
25 contest.

26 * Sec. 98. AS 15.20.530 is amended to read:

27 Sec. 15.20.530. DETERMINATION OF TIE VOTES. If after a recount
28 and appeal two or more candidates tie in having the highest number of
29 votes for the same office, the director [LIEUTENANT GOVERNOR] shall

1 notify the candidates who are tied. The director [LIEUTENANT GOVERNOR]
2 shall notify the candidates of a reasonably suitable time and place to
3 determine the successful candidate by lot. After the determination has
4 been made by lot, the director [LIEUTENANT GOVERNOR] shall so certify.

5 * Sec. 99. AS 15.20.550 is amended to read:

6 Sec. 15.20.550. JURISDICTION AND TIME FOR CONTEST. The action may
7 be brought in the superior court within 10 days after the completion of
8 the state review [CANVASS].

9 * Sec. 100. AS 15.20.560 is amended to read:

10 Sec. 15.20.560. JUDGMENT OF COURT. The judge shall pronounce
11 judgment on which candidate was elected or nominated and whether the
12 question or proposition was accepted or rejected. The director [LIEU-
13 TENANT GOVERNOR] shall issue a new election certificate to correctly
14 reflect the judgment of the court. If the court decides that the elec-
15 tion resulted in a tie vote, the director [LIEUTENANT GOVERNOR] shall
16 immediately proceed to determine the election by lot as is provided by
17 law. If the court decides that no candidate was duly elected or nomi-
18 nated, the judgment shall be that the contested election be set aside.
19 The provisions of this section and AS 15.20.540 and 15.20.550 are not
20 intended to limit or interfere with the power of the legislature to
21 judge the election and qualifications of its members.

22 * Sec. 101. AS 15.20.590(a) is amended to read:

23 (a) For every area of the state designated by him for punch-card
24 voting, the director [LIEUTENANT GOVERNOR] shall appoint a Data Proces-
25 sing Review Board which is responsible to him for the evaluation of all
26 computer phases of the election. The board shall consist of at least
27 three members. At least one member shall be a member of the political
28 party whose candidate for governor received the largest number of state-
29 wide votes at the preceding general election, one shall be a member of

1 the party whose candidate received the second largest number of votes,
2 and one shall be registered to vote either as an "independent" or "non-
3 partisan" or shall have declined to state his party affiliation when
4 registering to vote. At least one of the members must be familiar with
5 the election process, and at least two must have some expertise in
6 computer programming and processing. The election supervisor shall name
7 one of the members who has sufficient familiarity with computer pro-
8 gramming and operations as presiding officer of the board.

9 * Sec. 102. AS 15.20.600 is amended to read:

10 Sec. 15.20.600. PARTY REPRESENTATION. In AS 15.20.590 - 15.20.-
11 730, wherever there is a provision for a person to represent a political
12 party, he shall be chosen by the appointing official subject to the
13 approval of the district committee of that party. If the party district
14 committee fails to respond, the appointing official shall seek approval
15 from the state chairman of the party. If the committee or state chair-
16 man makes a reasonable objection, another person shall be appointed.

17 * Sec. 103. AS 15.20 is amended by adding a new section to read:

18 Sec. 15.20.609. USE OF COMPUTERS. The director shall designate the
19 computers to be used in the counting of ballots. The director may
20 designate more than one computer for use in computer counting centers in
21 addition to alternate computers specified under AS 15.20.610.

22 * Sec. 104. AS 15.20.610 is amended to read:

23 Sec. 15.20.610. ALTERNATE SITE. For each computer counting cen-
24 ter, the director [LIEUTENANT GOVERNOR] shall designate an alternate
25 site, if available, to be used in the event of equipment failure at the
26 main location. If the computer fails and no alternate site is avail-
27 able, the election supervisor shall designate emergency counting teams
28 to handcount punch-card ballots in the manner prescribed by AS 15.20.730
29 [FOR PAPER BALLOTS].

1 * Sec. 105. AS 15.20.620(b)(4) is amended to read:

2 (4) approximate], one hour before the processing of the
3 questioned and absentee [AND CHALLENGED] ballots; and

4 * Sec. 106. AS 15.20.620(b)(5) is amended to read:

5 (5) immediately after the final vote tabulation of ques-
6 tioned and absentee [AND CHALLENGED] ballots is complete.

7 * Sec. 107. AS 15.20.620(c) is amended to read:

8 (c) As a security precaution, after the computer has been tested
9 as prescribed in (b)(2) and (4) of this section,

10 (1) the vote-counting task shall remain isolated from non-
11 related processing tasks;

12 (2) processing not concerned with vote counting shall be
13 limited to tasks which are critical to the computer center and shall be
14 agreed upon in advance by the manager of the computer center and the
15 director;

16 (3) reasonable computer security controls shall be in effect
17 to assure the integrity of the vote-counting process; and

18 (4) access to the computer counting area shall be controlled
19 by the Data Processing Review Board until the vote-counting process is
20 terminated [THE COMPUTER SYSTEM SHALL REMAIN IDLE AND THE AREA SECURED
21 UNTIL TABULATION OF PUNCH-CARD BALLOTS BEGINS].

22 * Sec. 108. AS 15.20.620 is amended by adding a new subsection to read:

23 (f) At any time during the count, party representatives or members
24 of the Data Processing Review Board may request a listing of the program
25 source codes which comprise the instructions to be executed by the
26 computer.

27 * Sec. 109. AS 15.20.640(b) is amended to read:

28 (b) The ballot cards shall be inspected individually[,] and any
29 ballots which are damaged so that they cannot be read by the computer[,]

1 OR ARE MARKED SO THAT THE VOTER CAN BE IDENTIFIED,] shall be withdrawn
2 and set aside for hand counting [PLACED IN THE FACSIMILE BALLOT EN-
3 VELOPE].

4 * Sec. 110. AS 15.20.640(c) is amended to read:

5 (c) The ballots containing write-in votes shall be banded together
6 and placed behind the other undamaged ballot cards which have been
7 voted. The [FACSIMILE BALLOT ENVELOPE AND THE] envelope containing
8 questioned [AND CHALLENGED] ballots shall be banded to the computer-
9 ready ballots, and the bundle placed in a special container and sealed,
10 with the seal signed by the election board members.

11 * Sec. 111. AS 15.20.650 is amended to read:

12 Sec. 15.20.650. DELIVERY OF BALLOTS TO COMPUTER COUNTING CENTER.
13 The delivery of ballots from the precinct polling place to the desig-
14 nated computer counting center shall be made by a delivery team con-
15 sisting of two members of the election board, one from each of the two
16 major political parties or by a licensed security officer accompanied by
17 at least one person designated by the election board. The delivery team
18 shall accompany the ballots from the precinct polling place to the
19 receiving board at the computer counting center.

20 * Sec. 112. AS 15.20.670(4) is amended to read:

21 (4) give the envelope containing questioned [AND CHALLENGED]
22 ballots to the election supervisor [DATA PROCESSING REVIEW BOARD].

23 * Sec. 113. AS 15.20.680 is repealed and re-enacted to read:

24 Sec. 15.20.680. COUNTING OF BALLOTS BY COMPUTER. (a) All vote-
25 counting processing in the computer room shall be under the supervision
26 of the presiding officer of the Data Processing Review Board. The
27 presiding officer shall resolve any problems which arise in the vote
28 counting by consulting with other members of the board.

29 (b) The Data Processing Review Board shall initiate the processing

1 of ballots from each precinct by

2 (1) comparing the precinct identification on the header card
3 against that of the envelope to ensure that they are the same;

4 (2) ensuring that any write-in ballots are separate and placed
5 at the rear of other ballots; and

6 (3) giving the ballots to the computer operator.

7 (c) The computer operator shall process the ballots by

8 (1) picking up the ballots of one precinct; removing any
9 ballots which cannot be processed and returning them to the Data Pro-
10 cessing Review Board for hand counting;

11 (2) placing the ballots in the computer card reader and acti-
12 vating it;

13 (3) returning the counted ballots with write-in ballots
14 separated to the Data Processing Review Board.

15 * Sec. 114. AS 15.20 is amended by adding a new section to read:

16 Sec. 15.20.685. HAND COUNTING OF PUNCH-CARD BALLOTS. (a) The
17 election supervisor shall appoint a counting team or teams to assist in
18 the counting of punch-card ballots at the computer counting center on
19 election night. There shall be four counters on each counting team, no
20 more than two of whom may be members of the same political party.

21 (b) A counting team or teams shall count all punch-card ballots
22 which cannot be processed through the computer and all write-in votes on
23 ballots which have been processed through the computer. Each counting
24 team shall make a certificate in duplicate of the results of the count.

25 * Sec. 115. AS 15.20.690 is amended to read:

26 Sec. 15.20.690. ALTERNATE COMPUTER [SITE] COUNTING. (a) A com-
27 puter service technician shall be on standby duty during the entire vote
28 counting process. If equipment failure occurs and the Data Processing
29 Review Board determines that repairs cannot be made within a reasonable

1 time and an alternate computer is not available at the same site, the
2 computer room process shall be moved to the alternate site if one is
3 available. If an alternate computer is available at the same site, the
4 Data Processing Review Board shall make a test run to ensure that the
5 alternate computer is functioning properly, and ballot counting shall
6 be continued beginning with the precinct determined appropriate by the
7 Data Processing Review Board [IF AN ALTERNATE SITE IS NOT AVAILABLE,
8 ALL BALLOTS, INCLUDING THOSE PREVIOUSLY COUNTED, SHALL BE COUNTED
9 MANUALLY IN THE COMPUTER COUNTING CENTER].

10 (b) If an alternate site is available, all ballots including those
11 previously counted shall be boxed, and a receipt prepared. The ballot
12 programs shall also be sealed. The sealed material shall then be trans-
13 ported to the alternate location accompanied by a state trooper, the
14 election supervisor, [THE COMPUTER OPERATOR,] and the Data Processing
15 Review Board. On arrival at the alternate site, the board shall ini-
16 tiate a test run to ensure that the computer is functioning properly.
17 After checking the seals on all containers, the supervisor and presiding
18 officer shall sign the receipt and open all of the materials. Ballot
19 counting shall be continued, beginning with the precinct determined
20 appropriate by the Data Processing Review Board [ALL OF THE BALLOTS
21 SHALL BE COUNTED AT THE ALTERNATE SITE, INCLUDING THOSE ALREADY COUNTED
22 AT THE MAIN LOCATION].

23 (c) After processing is completed, the write-in ballots [, THE
24 FACSIMILE ENVELOPE,] and the envelope containing the [CHALLENGED AND]
25 questioned ballots shall be given to the election supervisor, and the
26 remaining ballots shall again be sealed and transported to a designated
27 place of security. [ALL COMPUTER TAPES RESULTING FROM THE ABORTED
28 COUNTING OPERATION SHALL BE ERASED AND THE SUMMARY CARDS DESTROYED.]

29 * Sec. 116. AS 15.20.700 is amended to read:

1 Sec. 15.20.700. DISPOSITION OF BALLOTS. (a) The ballots which
2 have been counted in the computer room shall be sealed by the Data
3 Processing Review Board. The sealed ballots shall then be transported
4 to a designated place of security. The [FACSIMILE ENVELOPES,] ques-
5 tioned [AND CHALLENGED] ballots shall be sealed and given to the elec-
6 tion supervisor for tallying. [ANY BALLOTS CONTAINING WRITE-IN VOTES
7 SHALL BE SEALED AND GIVEN TO THE ELECTION SUPERVISOR FOR TALLYING BY THE
8 DISTRICT ABSENTEE BALLOT CANVASSING BOARD.]

9 (b) [A REPRESENTATIVE OF THE LIEUTENANT GOVERNOR'S OFFICE AND A
10 STATE TROOPER SHALL MEET ANY AIRCRAFT CARRYING COMPUTER BALLOTS TO THE
11 CAPITAL, AND ACCOMPANY THEM TO THE SECURITY AREA THERE.]

12 (c) The ballot image magnetic tape which contains an [A] exact
13 image of each counted ballot shall be retained in a secure manner by the
14 election supervisor until the director [LIEUTENANT GOVERNOR] determines
15 that it is no longer needed.

16 * Sec. 117. AS 15.20.710 is amended to read:

17 Sec. 15.20.710. REPORT OF PARTIAL RESULTS. The presiding officer
18 of the Data Processing Review Board may authorize activation of the
19 print program to provide partial results, if time permits. This print-
20 out shall be released to the presiding officer of the Data Processing
21 Review Board who shall file the original with the control board and
22 provide copies for posting and distribution to news media representa-
23 tives. In addition, the director may authorize the computerized broad-
24 cast of results while vote counting is in progress. This broadcast may
25 be accomplished through on-line terminals and may begin when the vote
26 counting begins.

27 * Sec. 118. AS 15.20.720 is amended to read:

28 Sec. 15.20.720. PUBLIC OBSERVATION. The punch-card counting
29 process shall be available for public viewing by closed circuit tele-

1 vision, or by direct observation to the extent that the presiding offi-
2 cer of the Data Processing Review Board determines that election offi-
3 cials and computer personnel will not be hindered in the performance of
4 their duties.

5 * Sec. 119. AS 15.20.730 is amended by adding a new subsection to read:

6 (c) Hand counting of punch card ballots shall be done in accord-
7 ance with the requirements of this section. The requirements of this
8 section are mandatory and there are no exceptions to them.

9 * Sec. 120. AS 15.20 is amended by adding a new section to read:

10 Sec. 15.20.740. QUESTIONED PUNCH-CARD BALLOTS. The procedure for
11 reviewing and counting questioned punch-card ballots is the same pro-
12 cedure established in AS 15.20.205 and 15.20.207 for hand-marked ballots
13 except that questioned punch-card ballots may be processed by the com-
14 puter only on the third and eighth days following the election. The
15 Data Processing Review Board shall supervise the count and shall follow
16 the procedure established in AS 15.20.680 and 15.20.685.

17 * Sec. 121. AS 15.25.030 is amended to read:

18 Sec. 15.25.030. DECLARATION OF CANDIDACY. (a) A member of a
19 political party who seeks to become a candidate of the party in the
20 primary election shall execute and file a declaration of candidacy. The
21 declaration shall be executed under oath before an officer authorized to
22 take acknowledgments and shall state in substance:

- 23 (1) the full name of the candidate;
24 (2) the full mailing address of the candidate;
25 (3) if the candidacy is for the office of state senator or
26 state representative, the election or senate district of which the
27 candidate is a resident;
28 (4) the office for which the candidate seeks nomination;
29 (5) the name of the political party of which he is a candi-

1 date for nomination;

2 (6) the full resident address of the candidate;

3 (7) the date of the primary election at which the candidate
4 declares himself to be a candidate;

5 (8) that the candidate will meet the specific residency
6 requirements of the office for which he is a candidate;

7 (9) that the candidate will meet the specific citizenship
8 requirements of the office for which he is a candidate;

9 (10) that the candidate is a qualified voter as required by
10 law;

11 (11) that the candidate will meet the specific age require-
12 ments of the office for which he is a candidate;

13 (12) that the candidate requests that his name be placed on
14 the primary election ballot;

15 (13) that the required fee accompanies the declaration;

16 (14) that he is not a candidate for any other office, ex-
17 cluding a congressional office, to be voted on at the primary election
18 and that he has not filed another declaration of candidacy for the
19 office for which this declaration is filed; [AND]

20 (15) the manner in which he wishes his name to appear on the
21 ballot; and

22 (16) that the candidate is registered to vote as a member
23 of the political party whose nomination he seeks.

24 (b) A person filing a declaration of candidacy under this section
25 shall simultaneously file a statement of income sources and business
26 interests which complies with the requirements of AS 39.50.

27 * Sec. 122. AS 15.25.040(c) is amended to read:

28 (c) A candidate for a statewide office or a [SHALL FILE WITH THE
29 LIEUTENANT GOVERNOR. A] candidate for a district-wide office shall file

1 either with the director [LIEUTENANT GOVERNOR] or an election super-
2 visor. If the candidate files his declaration with an election super-
3 visor, the election supervisor shall immediately forward the declaration
4 to the director [LIEUTENANT GOVERNOR].

5 * Sec. 123. AS 15.25.050 is amended to read:

6 Sec. 15.25.050. REQUIREMENT OF FILING FEE. (a) At the time the
7 declaration is filed, each candidate shall pay a filing fee to the
8 director [LIEUTENANT GOVERNOR]. The filing fee for candidates for
9 office of governor, lieutenant governor, United States senator, and
10 United States representative is \$100. The filing fee for candidates for
11 office of state senator and state representative is \$30. The director
12 shall pay the filing fee collected from a candidate under this section
13 to the central committee of the political party of that candidate.

14 (b) An indigent person as defined by regulations adopted under the
15 Administrative Procedure Act (AS 44.62) may file a statement of in-
16 digency in the form prescribed by regulation in place of the filing fee
17 required by this section.

18 * Sec. 124. AS 15.25.055 is amended to read:

19 Sec. 15.25.055. REMOVAL OF NAME FROM PRIMARY BALLOT. A candi-
20 date's name will appear on the primary election ballot unless notice of
21 his withdrawal from the primary is received by the director [LIEUTENANT
22 GOVERNOR] at least 40 days before the date of the primary election.

23 * Sec. 125. AS 15.25.056(a) is amended to read:

24 (a) If an incumbent candidate for renomination dies, becomes
25 disqualified from holding the office he is seeking, or is certified as
26 being incapacitated between June 1 of the election year and that date
27 which is 45 [15] days before the date of the primary election, his place
28 on the ballot may be filled by party petition. The petition shall state
29 that the political party requests the name of the proposed candidate

1 replace that of the incumbent on the primary election ballot and shall
2 be accompanied by a declaration of candidacy from the person named in
3 the petition. The petition must be received by the director [LIEUTENANT
4 GOVERNOR] no later than 14 days after the death, disqualification or
5 certification of incapacity of the incumbent or 40 [10] days before the
6 primary election date, whichever time is earlier.

7 * Sec. 126. AS 15.25.056(c) is amended to read:

8 (c) The death, disqualification or certification of incapacity of
9 the incumbent within 40 [10] days before or on the primary election date
10 does not affect the counting and review [CANVASS] of the ballots. If
11 the result of the counting and review [CANVASS] discloses that the
12 candidate, if he had lived, would have been nominated, the candidate
13 shall be declared nominated. The vacancy may be filled by party peti-
14 tion as provided in AS 15.25.110 - 15.25.130.

15 * Sec. 127. AS 15.25.060 is amended to read:

16 Sec. 15.25.060. PREPARATION AND DISTRIBUTION OF BALLOTS. The
17 primary election ballot shall be prepared and distributed by the
18 director [LIEUTENANT GOVERNOR] in the manner prescribed for general
19 election ballots except as specifically provided otherwise for the
20 primary election. The director [LIEUTENANT GOVERNOR] shall place the
21 names of all candidates who have properly filed in groups according to
22 offices filed for, without regard to party affiliation. The names for
23 each office shall be rotated as provided for the general election bal-
24 lot. No blank spaces shall be provided on the ballot for the writing or
25 pasting in of names.

26 * Sec. 128. AS 15.25.090 is amended to read:

27 Sec. 15.25.090. GENERAL PROCEDURE FOR CONDUCT OF PRIMARY ELECTION.
28 Unless specifically provided otherwise, all provisions regarding the
29 conduct of the general election shall govern the conduct of the primary

1 election, including, but not limited to, provisions concerning voter
2 qualification; provisions regarding the duties, powers, rights, and
3 obligations of the director [LIEUTENANT GOVERNOR], of other election
4 officials, and of cities and organized boroughs; provision for notifi-
5 cation of the election; provisions regarding payment of election ex-
6 penses; provisions regarding employees being allowed time from work to
7 vote; provisions for the counting, review [CANVASSING], and certifica-
8 tion of returns; provisions for the determination of tie votes and of
9 recount, contests and appeal; and provisions for absentee voting [AND
10 THE USE OF VOTING MACHINES].

11 * Sec. 129. AS 15.25.100 is amended to read:

12 Sec. 15.25.100. PLACEMENT OF NOMINEES ON GENERAL ELECTION BALLOT.
13 The director [LIEUTENANT GOVERNOR] shall place the name of the candidate
14 receiving the highest number of votes for an office by a political party
15 on the general election ballot.

16 * Sec. 130. AS 15.25.110 is amended to read:

17 Sec. 15.25.110. FILLING VACANCIES BY PARTY PETITION. If a candi-
18 date nominated at the primary election dies, withdraws, resigns, becomes
19 disqualified from holding office for which he is nominated, or is cer-
20 tified as being incapacitated in the manner prescribed by this section
21 after the primary election and 40 [10] days or more before the general
22 election, the vacancy may be filled by party petition. The central
23 committee of any political party or any party district committee may
24 certify as being incapacitated any candidate nominated by their re-
25 spective party by presenting to the director [LIEUTENANT GOVERNOR] a
26 sworn statement made by a panel of three licensed physicians, not more
27 than two of whom shall be of the same political party, that the candi-
28 date is physically or mentally incapacitated to an extent that would in
29 his judgment prevent the candidate from active service during the term

1 of office if elected. The director [LIEUTENANT GOVERNOR] shall place
2 the name of the person nominated by party petition on the general elec-
3 tion ballot [OR, IF THE GENERAL ELECTION BALLOT HAS BEEN PREPARED, THE
4 LIEUTENANT GOVERNOR OR THE ELECTION OFFICIALS DIRECTED BY THE LIEUTENANT
5 GOVERNOR SHALL PREPARE, PRINT, AND DISTRIBUTE A SUFFICIENT NUMBER OF
6 GUMMED LABELS OR STICKERS BEARING THE NAME OF THE CANDIDATE TO FILL THE
7 VACANCY TO EACH VOTING PRECINCT WITH INSTRUCTIONS THAT THE ELECTION
8 JUDGES SHALL PLACE ONE OF THE STICKERS OR LABELS ON THE APPROPRIATE
9 PLACE ON EACH BALLOT BEFORE THE BALLOT IS HANDED TO THE VOTER]. The
10 name of a candidate disqualified under this section shall not appear on
11 the general election ballot.

12 * Sec. 131. AS 15.25.120 is amended to read:

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

19 * Sec. 132. AS 15.25.150 is amended to read:

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

1 the deadlines for postmarking and receipt of the petition shall be
2 extended 24 hours in each instance.

3 * Sec. 133. AS 15.25.160 is amended to read:

4 Sec. 15.25.160. REQUIRED NUMBER OF SIGNATURES FOR STATE-WIDE
5 OFFICE. Petitions for the nomination of candidates for the office of
6 governor, lieutenant governor, United States senator and United States
7 representative shall be signed by qualified voters of the state equal
8 in number to at least two percent of the number of votes cast in the
9 preceding general election [NOT LESS THAN 1,000 QUALIFIED VOTERS].

10 Candidates for the office of governor and lieutenant governor shall file
11 jointly.

12 * Sec. 134. AS 15.25.170 is amended to read:

13 Sec. 15.25.170. REQUIRED NUMBER OF SIGNATURES FOR DISTRICT-WIDE
14 OFFICE. Petitions for the nomination of candidates for the office of
15 state senator or state representative shall be signed by qualified
16 voters of the election or senate district in which the proposed nominee
17 desires to be a candidate equal in number to at least two [FIVE] percent
18 of the number of votes cast in his respective election or senate dis-
19 trict in the preceding general election, provided that no nominating
20 petition need contain more than 200 signatures nor may it contain less
21 than 50 signatures for any district.

22 * Sec. 135. AS 15.25.180 is amended by adding a new paragraph to read:

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

25 * Sec. 136. AS 15.25.190 is amended to read:

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

1 * Sec. 137. AS 15.25.200 is amended to read:

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

7 * Sec. 138. AS 15.30.020 is amended to read:

8 Sec. 15.30.020. NUMBER AND MANNER OF SELECTING CANDIDATES. Each
9 political party shall select a number of candidates for electors of
10 President and Vice President of the United States equal to the number of
11 senators and representatives to which the state is entitled in Congress.
12 The candidates for electors shall be selected by the state party conven-
13 tion or in any other manner prescribed by the bylaws of the party. The
14 chairman and secretary of the state convention or any other party offi-
15 cial designated by the party bylaws shall certify a list of the names of
16 candidates for electors to the director [LIEUTENANT GOVERNOR] on or
17 before September 1 in presidential election years.

18 * Sec. 139. AS 15.30.025 is amended to read:

19 Sec. 15.30.025. QUALIFICATIONS FOR LIMITED POLITICAL PARTIES. (a)
20 A limited political party may be organized for the purpose of selecting
21 candidates for electors of President and Vice President of the United
22 States by filing a petition with the director [LIEUTENANT GOVERNOR] at
23 least 90 days before a presidential election signed by qualified voters
24 of this state equaling in number at least three percent of Alaska's
25 total vote for President at the last presidential election. The peti-
26 tion shall state that the signers intend to organize a limited political
27 party, that they intend to select candidates for electors of President
28 and Vice President of the United States at the next succeeding presi-
29 dential election, and the name of the limited political party.

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

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

11 * Sec. 140. AS 15.30.060 is amended to read:

12 Sec. 15.30.060. NOTIFICATION OF ELECTORS. When the results of the
13 election of presidential electors have been determined, the director
14 [LIEUTENANT GOVERNOR] shall send a certificate of election to each
15 elector and shall notify the electors of the time and place of their
16 meeting and of their duties as electors.

17 * Sec. 141. AS 15.30.070 is amended to read:

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

24 * Sec. 142. AS 15.30.090 is amended to read:

25 Sec. 15.30.090. DUTIES OF ELECTORS. After any vacancies have been
26 filled, the electors shall proceed to cast their votes for the candi-
27 dates for the office of President and Vice President of the party which
28 selected them as candidates for electors and shall perform the duties of
29 electors as required by the constitution and laws of the United States.

1 The director [LIEUTENANT GOVERNOR] shall provide administrative services
2 and the Department of Law shall provide legal services necessary for the
3 electors to perform their duties.

4 * Sec. 143. AS 15.35.040 is amended to read:

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

10 * Sec. 144. AS 15.35.041 is amended to read:

11 Sec. 15.35.041. REQUIREMENT OF FILING FEE FOR SUPREME COURT CANDI-
12 DATE. At the time the declaration is filed, each candidate shall pay a
13 filing fee to the director [LIEUTENANT GOVERNOR]. The filing fee for a
14 candidate for the supreme court is \$100.

15 * Sec. 145. AS 15.35.050 is amended to read:

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

21 * Sec. 146. AS 15.35.070 is amended to read:

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

27 * Sec. 147. AS 15.35.071 is amended to read:

28 Sec. 15.35.071. REQUIREMENT OF FILING FEE FOR SUPERIOR COURT
29 CANDIDATE. At the time the declaration is filed, each candidate shall

1 pay a filing fee to the director [LIEUTENANT GOVERNOR]. The filing fee
2 for a candidate for the superior court is \$30.

3 * Sec. 148. AS 15.35.090 is amended to read:

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

9 * Sec. 149. AS 15.35.110 is amended to read:

10 Sec. 15.35.110. FILING DECLARATION BY DISTRICT JUDGE. Each dis-
11 trict judge seeking to succeed himself to office shall file with the
12 director [LIEUTENANT GOVERNOR] a declaration of candidacy not less than
13 90 days before the date fixed for the general election at which approval
14 or rejection is requisite.

15 * Sec. 150. AS 15.35.120 is amended to read:

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

20 * Sec. 151. AS 15.35.130 is amended to read:

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

26 * Sec. 152. AS 15.40.040 is amended to read:

27 Sec. 15.40.040. CONDITIONS FOR PART-TERM APPOINTMENT AND SPECIAL
28 ELECTION. If the vacancy is for an unexpired term of more than two
29 years plus five full calendar months, the governor shall call a special

1 election by proclamation and the appointment shall expire on the date
2 the United States senate first meets, convenes, or reconvenes, following
3 the certification of the results of the special election by the director
4 [LIEUTENANT GOVERNOR].

5 * Sec. 153. AS 15.40.070 is amended to read:

6 Sec. 15.40.070. TERM OF ELECTED SENATOR. At the special election,
7 a United States senator shall be elected to fill the remainder of the
8 unexpired term. The person elected shall take office on the date the
9 United States senate first meets, convenes, or reconvenes following the
10 certification of the results of the special election by the director
11 [LIEUTENANT GOVERNOR].

12 * Sec. 154. AS 15.40.090 is amended to read:

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

19 * Sec. 155. AS 15.40.100 is amended to read:

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

27 * Sec. 156. AS 15.40.130 is amended to read:

28 Sec. 15.40.130. GENERAL PROVISION FOR CONDUCT OF SPECIAL ELECTION.
29 Unless specifically provided otherwise, all provisions regarding the

1 conduct of the general election shall govern the conduct of the special
2 election of United States senators, including, but not limited to,
3 provisions concerning voter qualifications; provisions regarding the
4 duties, powers, rights and obligations of the director [LIEUTENANT
5 GOVERNOR], of other election officials, and of cities and organized
6 boroughs; provision for notification of the election; provision for
7 payment of election expenses; provisions regarding employees being
8 allowed time from work to vote; provisions for the counting, canvassing,
9 and certification of returns; provisions for the determination of the
10 votes and of recounts, contests, and appeal; and provision for absentee
11 voting [AND THE USE OF VOTING MACHINES].

12 * Sec. 157. AS 15.40.170 is amended to read:

13 Sec. 15.40.170. TERM OF ELECTED REPRESENTATIVE. At the special
14 election, a United States representative shall be elected to fill the
15 remainder of the unexpired term. The person elected shall take office
16 on the date the United States house of representatives meets, convenes,
17 or reconvenes following the certification of the results of the special
18 election by the director [LIEUTENANT GOVERNOR].

19 * Sec. 158. AS 15.40.180 is amended to read:

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

26 * Sec. 159. AS 15.40.190 is amended to read:

27 Sec. 15.40.190. REQUIREMENTS OF PETITION OF NO-PARTY CANDIDATES.
28 Petitions for the nomination of candidates not representing a political
29 party shall be signed by qualified voters of the state equal in number

1 to at least two percent of the number of votes cast in the preceding
2 general election [1,000 QUALIFIED VOTERS] and shall state in substance
3 that which is required for nomination petitions by AS 15.25.180.

4 * Sec. 160. AS 15.40.270 is amended to read:

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

11 * Sec. 161. AS 15.40.280 is amended to read:

12 Sec. 15.40.280. REQUIREMENTS OF PETITION OF NO-PARTY CANDIDATES.
13 Petitions for the nomination of candidates not representing a political
14 party shall be signed by qualified voters of the state equal in number
15 to at least two percent of the number of votes cast in the preceding
16 general election [1,000 QUALIFIED VOTERS], shall include nominees for
17 the office of governor and lieutenant governor, and shall state in sub-
18 stance that which is required for nomination petitions by AS 15.25.180.

19 * Sec. 162. AS 15.40.330 is amended by adding a new subsection to read:

20 (b) A member of a political party is a person who supports the
21 political program of a party. The filing for office of a candidate as
22 an independent or no-party candidate does not preclude a candidate from
23 being a member of a political party. Recognition of an independent or
24 no-party candidate as a member of a party caucus of members of the
25 legislature at the legislative session following his election is recog-
26 nition of his party membership at the time filings were made by party
27 candidates for the preceding general election.

28 * Sec. 163. AS 15.40.380 is amended to read:

29 Sec. 15.40.380. CONDITIONS FOR PART-TERM SENATE APPOINTMENT AND

1 SPECIAL ELECTION. If the vacancy is for an unexpired senate term of
2 more than two years and five full calendar months, the governor shall
3 call a special election by proclamation and the appointment shall expire
4 on the date the state senate first convenes or reconvenes following the
5 certification of the results of the special election by the director
6 [LIEUTENANT GOVERNOR].

7 * Sec. 164. AS 15.40.410 is amended to read:

8 Sec. 15.40.410. TERM OF ELECTED SENATOR. At the special election
9 a state senator shall be elected to fill the remainder of the unexpired
10 term and shall take office on the date the state senate first convenes
11 or reconvenes following the certification of the results of the special
12 election by the director [LIEUTENANT GOVERNOR].

13 * Sec. 165. AS 15.40.430 is amended to read:

14 Sec. 15.40.430. DESIGNATION OF NOMINEES BY PETITION. If the
15 vacancy occurs less than one calendar month before the filing date and
16 more than three calendar months before the next general election, can-
17 didates shall be nominated by petition transmitted by (1) the actual
18 physical delivery of the petition in person, (2) by mail postmarked not
19 later than midnight of the filing date; or (3) by telegram of a copy in
20 substance of the statements made in the petition to the director [LIEU-
21 TENANT GOVERNOR] before September 2 just before the special election.

22 * Sec. 166. AS 15.40.440 is amended to read:

23 Sec. 15.40.440. REQUIREMENTS OF PETITION FOR NO-PARTY CANDIDATES.
24 Petitions for the nomination of candidates not representing a political
25 party shall be signed by qualified voters equal in number to at least
26 two [FIVE] percent of the number of votes cast in his respective elec-
27 tion or senate district in the preceding general election, provided that
28 no nominating petition need contain more than 200 signatures nor may it
29 contain less than 50 signatures for any district, and shall state in

1 substance that which is required in petitions for nomination for general
2 elections provided in AS 15.25.180.

3 * Sec. 167. AS 15.45.100 is amended to read:

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

11 * Sec. 168. AS 15.45.190 is amended to read:

12 Sec. 15.45.190. PLACING PROPOSITION ON BALLOT. The lieutenant
13 governor shall direct the director to place the ballot title and propo-
14 sition on the election ballot of the first statewide general, special,
15 or primary election that is held after (1) the petition and any sup-
16plementary petition have been filed, (2) a legislative session has
17 convened and adjourned, and (3) a period of 120 days has expired since
18 the adjournment of the legislative session.

19 * Sec. 169. AS 15.45.200 is amended to read:

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

25 * Sec. 170. AS 15.45.240 is amended to read:

26 Sec. 15.45.240. JUDICIAL REVIEW. Any person aggrieved by a deter-
27 mination made by the lieutenant governor under AS 15.45.010 -15.45.230
28 may bring an action in the superior court to have the determination
29 reviewed within 30 days of the date on which notice of the determination

1 was given [BY ANY APPROPRIATE REMEDY IN THE SUPERIOR COURT].

2 * Sec. 171. AS 15.45 is amended by adding a new section to article 1 to
3 read:

4 Sec. 15.45.245. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant
5 governor may delegate the duties imposed on him by AS 15.45.010 -
6 15.45.240 to the director.

7 * Sec. 172. AS 15.45.300 is amended to read:

8 Sec. 15.45.300. TIME OF REVIEW OF APPLICATION FOR CERTIFICATION.
9 Within seven calendar days after the date the application is received,
10 the lieutenant governor shall review [CANVASS] the application and shall
11 either certify it or notify the referendum committee of the grounds for
12 denial.

13 * Sec. 173. AS 15.45.330 is amended to read:

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

21 * Sec. 174. AS 15.45.420 is amended to read:

22 Sec. 15.45.420. PLACING PROPOSITION ON BALLOT. The lieutenant
23 governor shall direct the director to place the ballot title and propo-
24 sition on the election ballot for the first statewide general, special,
25 or primary election held more than 180 days after adjournment of the
26 legislative session at which the act was passed.

27 * Sec. 175. AS 15.45.430 is amended to read:

28 Sec. 15.45.430. DISPLAY OF ACT BEING REFERRED. The director
29 [LIEUTENANT GOVERNOR] shall provide each election board with 10 copies

1 of the act being referred, and the election board shall display three
2 copies of the act in a conspicuous place in the room where the election
3 is held.

4 * Sec. 176. AS 15.45.460 is amended to read:

5 Sec. 15.45.460. JUDICIAL REVIEW. Any person aggrieved by any
6 determination made by the lieutenant governor under AS 15.45.250 -
7 15.45.450 may bring an action in the superior court to have the deter-
8 mination reviewed within 30 days of the date on which notice of the
9 determination was given [BY ANY APPROPRIATE REMEDY IN THE SUPERIOR
10 COURT].

11 * Sec. 177. AS 15.45 is amended by adding a new section to article 2 to
12 read:

13 Sec. 15.45.465. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant
14 governor may delegate the duties imposed upon him by AS 15.45.250
15 -15.45.460 to the director.

16 * Sec. 178. AS 15.45.480 is amended to read:

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

26 * Sec. 179. AS 15.45.500 is amended to read:

27 Sec. 15.45.500. FORM OF APPLICATION. The application shall in-
28 clude (1) the name and office of the person to be recalled, (2) the
29 grounds for recall described in particular in not more than 200 words,

1 (3) a statement that the sponsors are qualified voters who signed the
2 application with the statement of grounds for recall attached, (4) the
3 designation of a recall committee of three sponsors who shall represent
4 all sponsors and subscribers in matters relating to the recall, (5) the
5 signatures [APPOINTMENT] of at least 100 qualified voters who subscribe
6 to the application as sponsors for purposes of circulation, and (6) the
7 signatures and addresses of qualified voters equal in number to 10
8 percent of those who voted in the preceding general election in the
9 state or in the senate or electoral district of the official sought to
10 be recalled.

11 * Sec. 180. AS 15.45.530 is amended to read:

12 Sec. 15.45.530. NOTICE OF THE NUMBER OF VOTERS. The director
13 [LIEUTENANT GOVERNOR], upon request, shall notify the recall committee
14 of the official number of persons who voted in the preceding general
15 election in the state or in the senate or election district of the
16 official to be recalled.

17 * Sec. 181. AS 15.45.540 is amended to read:

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

21 * Sec. 182. AS 15.45.550 is amended to read:

22 Sec. 15.45.550. BASES OF DENIAL OF CERTIFICATION. The director
23 [LIEUTENANT GOVERNOR] shall deny certification if he determines that (1)
24 the application is not substantially in the required form, (2) the
25 application was filed during the first 120 days of the term of office of
26 the official subject to recall or within less than 180 days of the
27 termination of the term of office of any official subject to recall, (3)
28 the person named in the application is not subject to recall, or (4)
29 there is an insufficient number of qualified subscribers.

1 * Sec. 183. AS 15.45.560 is amended to read:

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

16 * Sec. 184. AS 15.45.570 is amended to read:

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

24 * Sec. 185. AS 15.45.590 is amended to read:

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

1 * Sec. 186. AS 15.45.600 is amended to read:

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

12 * Sec. 187. AS 15.45.620 is amended to read:

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

17 * Sec. 188. AS 15.45.630 is amended to read:

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

24 * Sec. 189. AS 15.45.650 is amended to read:

25 Sec. 15.45.650. CALLING SPECIAL ELECTION. If the director [LIEU-
26 TENANT GOVERNOR] determines the petition is properly filed and if the
27 office is not vacant, he shall prepare the ballot and shall call a
28 special election to be held on a date not less than 60, nor more than
29 90, days after the date that notification is given that the petition was

1 properly filed. If a primary or general election is to be held not less
2 than 60, nor more than 90, days after the date that notification is
3 given that the petition was properly filed, the special election shall
4 be held on the date of the primary or general election.

5 * Sec. 190. AS 15.45.670 is amended to read:

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

19 * Sec. 191. AS 15.45.680 is amended to read:

20 Sec. 15.45.680. DISPLAY OF BASES FOR AND AGAINST RECALL. The
21 director [LIEUTENANT GOVERNOR] shall provide each election board in the
22 state or in the senate or election district of the person subject to
23 recall with 10 copies of the statement of the grounds for recall in-
24 cluded in the application and 10 copies of the statement of not more
25 than 200 words made by the official subject to recall in justification
26 of his conduct in office. The person subject to recall may provide the
27 director [LIEUTENANT GOVERNOR] with his statement within 10 days after
28 the date the director [LIEUTENANT GOVERNOR] gave notification that the
29 petition was properly filed. The election board shall post three copies

1 of the statements for and against recall in three conspicuous places in
2 the polling place.

3 * Sec. 192. AS 15.45.690 is amended to read:

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

8 * Sec. 193. AS 15.45.720 is amended to read:

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

14 * Sec. 194. AS 15.50.025 is amended to read:

15 Sec. 15.50.025. OBJECTION TO PROPOSED BALLOT TITLE AND PROPOSI-
16 TION. A qualified voter, or the Legislature of the State of Alaska
17 acting directly, or through the Legislative Council, who believes that
18 the proposed ballot title and proposition prepared by the lieutenant
19 governor under AS 15.50.010 does not provide a true and impartial sum-
20 mary of the amendment proposed may, within 15 days of the date of
21 mailing of the proposed ballot title and proposition to the members of
22 the legislature, submit to the lieutenant governor a statement of ob-
23 jection to the proposed ballot title and proposition, giving his reasons
24 for objection, and suggesting alternative language revising the wording
25 of the title or proposition. The lieutenant governor shall consider any
26 objection received before directing that the ballot containing the
27 proposition be prepared by the director [ORDERING PREPARATION AND PRINT-
28 ING OF THE BALLOTS]. Not more than 10 days after the deadline for
29 receipt of objections, he shall advise any person who submitted a state-

1 ment of objection to the proposed ballot title and proposition of his
2 final decision.

3 * Sec. 195. AS 15.50.030 is amended to read:

4 Sec. 15.50.030. PLACING PROPOSITION ON BALLOT. The lieutenant
5 governor shall direct the director to place the ballot title and propo-
6 sition on the ballot for the next statewide general, primary, or special
7 election held after the amendment proposed by the legislature or held
8 120 days after the amendment proposed by a constitutional convention.
9 If there is insufficient time to permit the proposition to be placed on
10 the regular ballot by the director [LIEUTENANT GOVERNOR], the lieutenant
11 governor shall direct the director [ELECTION OFFICIALS] to prepare
12 a separate [THE] ballot for the proposition.

13 * Sec. 196. AS 15.50.040 is amended to read:

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

20 * Sec. 197. AS 15.50.070 is amended to read:

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

27 * Sec. 198. AS 15.50 is amended by adding a new section to read:

28 ARTICLE 3. DELEGATION BY LIEUTENANT GOVERNOR.

29 Sec. 15.50.110. DELEGATION BY LIEUTENANT GOVERNOR. The lieutenant

1 governor may delegate the duties imposed on him by AS 15.50.010 -
2 15.50.100 to the director.

3 * Sec. 199. AS 15 is amended by adding a new chapter to read:

4 CHAPTER 56. ELECTION OFFENSES, CORRUPT
5 PRACTICES, AND PENALTIES.

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

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

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

17 (A) containing false factual information relating to a
18 candidate for an election;

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

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

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

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

27 Sec. 15.56.021. CAMPAIGN MISCOND'CT IN THE SECOND DEGREE. (a) A
28 person commits the crime of campaign misconduct in the second degree if,
29 during the hours the polls are open, he intentionally is within 200 feet

1 of an entrance to a polling place, and

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

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

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

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

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

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

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

24 (3) solicits, accepts, or agrees to accept money or other
25 valuable thing with the intent to vote for or refrain from voting for a
26 candidate at an election or for an election proposition or question.

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

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

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

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

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

10 (3) knowingly solicits or encourages, directly or indirectly,
11 a registered voter who is no longer qualified to vote under AS 15.05.-
12 010, to vote in an election; or

13 (4) as a registration official

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

16 (B) accepts a fee from an applicant applying for regis-
17 tration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (2) intentionally changes, attempts to change, or causes to
19 be changed an official election document including ballots, tallies and
20 returns;

21 (3) intentionally delays, attempts to delay, or causes to be
22 delayed the sending of the certificate, register, ballots, or other
23 materials whether original or duplicate, required to be sent by AS 15.-
24 15.370; or

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

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

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

4 (b) Unlawful interference with an election is a class C felony.

5 Sec. 15.56.071. ELECTION OFFICIAL MISCONDUCT IN THE FIRST DEGREE.

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

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

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

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

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

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

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

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

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

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

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

29 (b) Election official misconduct in the second degree is a class A

1 misdemeanor.

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

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

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

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

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

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

18 (b) An employee who has two consecutive hours in which to vote,
19 either between the opening of the polls and the beginning of his regular
20 working shift, or between the end of his regular working shift and the
21 close of the polls, is considered to have sufficient time outside of his
22 working hours within which to vote.

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

24 Sec. 15.56.111. EFFECT OF CERTAIN CONVICTIONS. The conviction of
25 a person who has been nominated or elected to a state or local office
26 for a felony or misdemeanor described in this chapter as a corrupt
27 practice creates a vacancy in the nomination or office.

28 Sec. 15.56.121. ELECTION DEFINED. For purposes of this chapter,
29 "election" includes a local election as defined in AS 15.60.010(13) in

1 addition to a state election.

2 Sec. 15.56.131. TIME LIMITATION. A prosecution for an offense
3 described in the Alaska Election Code (AS 15.05 - 15.60) may not be
4 maintained unless it is begun within one year after the date of the
5 election in connection with which the offense is alleged to have been
6 committed.

7 * Sec. 200. 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) the ballot title and the summary of the proposi-
28 tion prepared by the director or by the lieutenant governor;

29 (C) a neutral summary of the proposition prepared by the

1 Legislative Affairs Agency;

2 (D) statements submitted which advocate voter approval
3 or rejection of the proposition not to exceed 500 words;

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

6 (8) a maximum of two pages of material submitted by each
7 political party;

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

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

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

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

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

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

28 (f) A candidate's photograph must be a 5" x 7" black and white
29 glossy print taken within the past five years. The photograph must be

1 limited to the head, neck and shoulders of the candidate.

2 Sec. 15.58.040. MATERIAL TO BE FILED BY POLITICAL PARTIES. (a)
3 No later than 75 days before the state general election, a political
4 party may file with the lieutenant governor a maximum of two pages of
5 material.

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

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

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

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

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

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

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

28 (c) There is no charge for statements and recommendations sub-
29 mitted by the judicial council or for statements advocating approval or

1 rejection of a proposition submitted to the voters for approval.

2 Sec. 15.58.070. ORGANIZATION OF MATERIAL. Material in the elec-
3 tion pamphlet shall be organized to the extent possible in the same
4 manner and form in which it will appear on the ballot. The decision of
5 the lieutenant governor on the form of material is final.

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

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

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

19 * Sec. 201. AS 15.60.010 is repealed and re-enacted to read:

20 Sec. 15.60.010. DEFINITIONS. In this title, unless the context
21 otherwise requires,

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

24 (2) "ballot" means a hand-marked ballot and a punch-card bal-
25 lot;

26 (3) "director" means the director of elections who is the
27 chief elections officer of the state appointed in accordance with
28 AS 15.10.105(a);

29 (4) "election board" means the local precinct board composed

1 of the three election judges;

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

5 (6) "election official" means election judges, clerks,
6 counters, members of counting or review boards, employees of the
7 division of elections and absentee voting officials;

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

13 (8) "felony involving moral turpitude" includes those crimes
14 which are immoral or wrong in themselves such as murder, sexual assault,
15 robbery, kidnapping, incest, arson, burglary, theft, and forgery;

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

18 (10) "hand-marked ballot" means a ballot designated to be
19 marked by hand with a pen or pencil;

20 (11) "lieutenant governor" includes an appointed lieutenant
21 governor, governor, or acting governor if a vacancy has occurred in the
22 office of lieutenant governor or governor;

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

26 (13) "local election" means a regular or special election held
27 by a borough, city, school district, or regional educational attendance
28 area;

29 (14) "master register" means the list of all registered voters

1 in the state which is maintained by the director of elections;

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

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

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

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

11 (19) "political group" means a group of organized voters which
12 represents a political program and which does not qualify as a political
13 party;

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

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

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

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

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

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

29 (26) "question" means an issue placed on the ballot to deter-

1 mine whether a judge or justice shall be accepted or rejected, whether a
2 constitutional convention shall be called, whether a state debt shall be
3 contracted, or whether a state official shall be recalled;

4 (27) "registration official" includes an employee of the
5 division of elections when performing the task of voter registration and
6 a person appointed to serve as a registration official in accordance
7 with AS 15.07.081 or 15.07.100;

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

12 (29) "signature" or "subscription" includes a mark intended as
13 a signature or subscription;

14 (30) "special election" means an election held at a time other
15 than when the general or party primary election is held and an election
16 called to be held with, and at the time of, the general or party primary
17 election;

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

20 (32) "unconditional discharge" means that a person is released
21 from all disability arising under a conviction and sentence, including
22 probation and parole;

23 (33) "vacancy" exists in an office when the person elected or
24 appointed to the office resigns, retires, dies, is recalled, is rejected
25 by majority vote on the question at an election, is convicted of a
26 corrupt practice, is removed by impeachment, or is expelled;

27 (34) "voter" means a person who presents himself for the
28 purpose of voting either in person or by absentee ballot.

29 * Sec. 202. AS 15 is amended by adding a new chapter to read:

1 CHAPTER 03. ADMINISTRATION OF ELECTIONS.

2 ARTICLE 1. STATE ELECTION BOARD.

3 Sec. 15.03.010. STATE ELECTION BOARD. There is created at the
4 head of the division of elections the State Election Board consisting of
5 the lieutenant governor who is the chairman of the board and four mem-
6 bers appointed by the governor.

7 Sec. 15.03.020. APPOINTMENT OF MEMBERS. The governor shall
8 appoint one member of the State Election Board from each political
9 party. The appointee from each political party shall be chosen from a
10 list of four names submitted to the governor by the central committee of
11 the political party. The governor shall appoint the remaining members
12 of the board without regard to political affiliation. Each member
13 appointed by the governor must be confirmed by a majority of the members
14 of the legislature in joint session.

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

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

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

27 Sec. 15.03.060. DUTIES OF THE STATE ELECTION BOARD. The State
28 Election Board shall

29 (1) appoint, subject to the approval of the governor, and

1 remove, in its sole discretion, the director of elections;

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

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

6 (4) investigate the administration of election laws and
7 charges of frauds or irregularities in elections;

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

10 (6) make recommendations to the legislature for changes in
11 election laws;

12 (7) approve the budget of the division of elections for
13 submission to the governor;

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

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

20 ARTICLE 2. DIRECTOR OF ELECTIONS.

21 Sec. 15.03.080. DIRECTOR OF ELECTIONS. (a) The director of
22 elections is the principal executive officer of the division of elec-
23 tions.

24 (b) The director shall

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

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

29 * Sec. 203. AS 15.07.070(a) is amended to read:

1 (a) The State Election Board [DIRECTOR] may adopt regulations
2 under the Administrative Procedure Act (AS 44.62) relating to the regis-
3 tration of voters consistent with the requirements of this section.

4 * Sec. 204. AS 15.07.070(b) is amended to read:

5 (b) To register by mail the director or the area election super-
6 visor shall furnish, upon request, and at no cost to the voter, forms
7 prepared by the director on which the registration information required
8 under AS 15.07.060 shall be inserted by the voter, or by a person on
9 behalf of the voter if he is physically incapacitated. The forms shall
10 be executed before an election judge, a notary public, a commissioned
11 officer of the armed forces including the National Guard, a district
12 judge or magistrate, a United States postal official, or other person
13 qualified to administer oaths. If none of the officials listed in this
14 subsection is reasonably accessible, the person shall have the forms
15 witnessed by two persons over the age of 18 years, and in addition shall
16 provide the certification required by AS 09.65.012. The director may
17 require proof of identification of the applicant as required by regula-
18 tions adopted by the State Election Board [DIRECTOR] under the Adminis-
19 trative Procedure Act (AS 44.62). Upon receipt and approval of the
20 completed registration forms the director or the election supervisor
21 shall forward to the voter an acknowledgment in the form of a registra-
22 tion card, and his name shall immediately be placed on the master
23 register located in the office of the director and on the district
24 register located in the office of the election supervisor. If the
25 registration is denied, the voter shall immediately be informed in
26 writing by certified or registered letter that registration was denied
27 and the reason for denial.

28 * Sec. 205. AS 15.10.020 is amended to read:

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

1 STATE ELECTION BOARD [DIRECTOR]. The State Election Board [DIRECTOR]
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 adopted under the Administrative Procedure Act (AS 44.62).

5 * Sec. 206. AS 15.10.030 is amended to read:

6 Sec. 15.10.030. UNIFORM PRECINCT BOUNDARIES REQUIRED FOR STATE AND
7 LOCAL ELECTIONS. The precinct boundaries established by the State Election
8 Board [DIRECTOR] shall be the boundaries for both state and local
9 elections. The State Election Board [DIRECTOR] by regulation pursuant
10 to the provisions of the Administrative Procedure Act (AS 44.62) may
11 authorize the combining, consolidation, or altering of precinct bound-
12 aries for local elections.

13 * Sec. 207. AS 15.10.050 is amended to read:

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

19 * Sec. 208. AS 15.10.080 is amended to read:

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

24 * Sec. 209. AS 15.10.090 is amended to read:

25 Sec. 15.10.090. NOTICE OF PRECINCT BOUNDARY DESIGNATION AND MODI-
26 FICATION. The State Election Board [DIRECTOR] shall give full public
27 notice when precinct boundaries are designated and when the boundaries
28 of a precinct are modified or when a precinct is established or abol-
29 ished. Public notice shall include, but is not limited to, the publica-

1 tion on three different days in a daily newspaper of general circula-
2 tion, if such a newspaper is published in the election district where
3 the precinct is located, by posting written notice in three conspicuous
4 places in the designated precinct, and by notification to appropriate
5 municipal clerks.

6 * Sec. 210. AS 15.10.100 is amended to read:

7 Sec. 15.10.100. JUDICIAL REVIEW OF PRECINCT BOUNDARY. Any person
8 aggrieved by a determination of precinct boundaries by the State Elec-
9 tion Board [DIRECTOR] may bring a civil action to have the determination
10 reviewed in the superior court. If the acti receives final deter-
11 mination within 15 days before the election, the State Election Board
12 [DIRECTOR] shall not make the required modification in precinct boun-
13 daries until immediately after the election.

14 * Sec. 211. AS 15.10.105(a) is amended to read:

15 (a) [THE LIEUTENANT GOVERNOR SHALL CONTROL AND SUPERVISE THE DIVI-
16 SION OF ELECTIONS. THE LIEUTENANT GOVERNOR SHALL APPOINT A DIRECTOR OF
17 ELECTIONS.] The director shall supervise the [ACT FOR HIM IN THE SUPER-
18 VISION OF] central and regional election offices, the employment and
19 training of election personnel, and the administration of all state
20 elections as well as those municipal elections which the state is re-
21 quired to conduct. The director serves at the pleasure of the State
22 Election Board [LIEUTENANT GOVERNOR].

23 * Sec. 212. AS 15.15.361 is amended to read:

24 Sec. 15.15.361. STICKERS. The State Election Board [DIRECTOR] may
25 adopt regulations under the Administrative Procedure Act (.S 44.62),
26 governing the size, thickness, color and other characteristics of
27 stickers and their use in elections.

28 * Sec. 213. AS 15.15.480 is amended to read:

29 Sec. 15.15.480. SECURITY OF BALLOTS. All official ballots in the

1 possession of election officials, whether marked or unmarked, shall be
2 kept in a secure manner until destroyed in accordance with law. The
3 State Election Board [DIRECTOR] shall provide for the security of bal-
4 lots during transportation and storage under regulations adopted under
5 the Administrative Procedure Act (AS.44.62).

6 * Sec. 214. AS 15.20.045(b) is amended to read:

7 (b) The State Election Board [DIRECTOR] may designate by regu-
8 lation adopted under the Administrative Procedure Act (AS 44.62) loca-
9 tions at which absentee voting stations will be operated on election day
10 and on other dates and at times to be designated by the director. The
11 director shall supply absentee voting stations with ballots for all
12 election districts in the state and shall designate absentee voting
13 officials to serve at absentee voting stations.

14 * Sec. 215. AS 15.20.081(f) is amended to read:

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

20 * Sec. 216. AS 15.25.050(b) is amended to read:

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

25 * Sec. 217. AS 15.60.010(3) is amended to read:

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

29 * Sec. 218. AS 15.60.010 is amended by adding a new paragraph to read:

1 (34) "State Election Board" means the board created by AS 15.-
2 03.010 which oversees state elections;

3 * Sec. 219. The following laws are repealed: AS 15.07.020, 15.07.065,
4 15.07.090(d), 15.07.160(c); AS 15.15.190, 15.15.210, 15.15.215(b); AS 15.20.-
5 060, 15.20.062, 15.20.065, 15.20.070 - 15.20.150, 15.20.200 - 15.20.210,
6 15.20.220, 15.20.230 - 15.20.420; AS 15.25.080; AS 15.55; AS 15.57; and
7 AS 15.65.

8 * Sec. 220. AS 44.19.030(1) is repealed.

9 * Sec. 221. The terms of the initial members of the State Election Board
10 appointed under AS 15.03.020 shall be one, two, three, and four years, re-
11 spectively. The governor shall specify the term of office for each member in
12 accordance with this section.

13 * Sec. 222. Sections 1 - 201, 219, and 222 of this Act take effect im-
14 mediately in accordance with AS 01.10.070(c). Sections 202 - 218 and 220 -
15 221 of this Act take effect 30 days after the lieutenant governor certifies
16 that an amendment to the state constitution providing for the establishment
17 of a board at the head of a division of state government has been adopted by
18 the voters.

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THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST.

Bill/Resolution No. Senate Bill 312
 Title "An act relating to elections and revising the Alaska Election Code; Requested by and providing for an effective date. Date 01/18/80
 Requested by Senate Finance.

II. FISCAL DETAIL

Agency Affected Division of Elections
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES			44.0			
200 TRAVEL			9.0	5.		
300 CONTRACTUAL		10.	153.0	500.		
400 COMMODITIES						
500 EQUIPMENT		6.				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		16.	206.0	505.		

FUNDING (Thousands of Dollars)

GENERAL FUND		16.	206.0	505.		
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

FY 80 - The contractual request is for the preparation and printing of various forms that must be revised including the absentee affidavit envelopes, questioned ballot envelopes, instructions to absentee voters, etc. The equipment request is for the absentee voting stations including the purchase of microfiche readers, polling booths, and various other pieces of small equipment.

FY 81 - Five temporary positions for six months are requested as follows: three to serve as absentee voting officials at places such as airports, Prudhoe Bay, pipeline camps, etc., and two for additional recording duties such as for absentee ballots, both personal representative ballots and receipt of ballots in the election offices. The travel increase is for the state election board assuming the constitu-

IV. DATE 1-18-80 PREPARED BY Patricia A. Polley
 AGENCY Division of Elections
 PHONE 586-6181

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

tional amendment is approved by the voters in 1980. The contractual request includes funds for revising the voter registration system for the 1982 elections. The Arthur Young report and the election bill require revisions to the automated voter registration system including voter history and purge notification. Absentee canvas boards, question ballot boards and the state canvas board will be working for longer periods of time.

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill 312
 Title "An act relating to elections and revising the Alaska Election Code; REQUESTED BY and providing for an effective date. Date 01/18/80
 Requested by Senate Finance.

II. FISCAL DETAIL

Agency Affected Division of Elections
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 79	FY 80	FY 81	FY 82	FY 83	FY 84
100 PERSONAL SERVICES			44.0			
200 TRAVEL			9.0	5.		
300 CONTRACTUAL		10.	153.0	500.		
400 COMMODITIES						
500 EQUIPMENT		6.				
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL		16.	206.0	505.		

FUNDING (Thousands of Dollars)

GENERAL FUND		16.	206.0	505.		
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME						
PART TIME						
TEMPORARY						

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

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IV. DATE 1-18-80 PREPARED BY Patly A. Polley
 AGENCY Division of Elections
 PHONE 586-6181
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

LEGISLATIVE AND ELECTIVE OPERATIONS

The Division of Elections operates under the supervision of the Lieutenant Governor and is responsible for voter registration and the conduct of State Primary, General and Special Elections, and incorporation elections for cities and boroughs. The primary goal of the Division of Elections is to provide efficient, well run elections for the State. This is accomplished through the registration of eligible voters, constant up-dating of registration lists, continued effort to make precinct and polling places more convenient to voters, better trained elections boards, and increased promulgation of information concerning elections. The budget for this DRU fluctuates on a two-year cycle with the volume of election activity, however, the addition of coastal management and school board elections has caused a less dramatic cyclical fluctuation in FY 80.

COMPONENT DESCRIPTION	79 AUTH	79 FINAL	79 ACT	80 AUTH	80 SUPL	80 RP	GOVERNOR
ELECTIONS	1507.9	1545.2	1432.1	889.3			1979.7
** TOTAL	1507.9	1545.2	1432.1	889.3			1979.7
** CHANGE VERSUS 80 AUTH							122.6%
OBJECT DESCRIPTION							
PERS. SERV.	558.4	585.5	542.9	413.9			561.6
TRAVEL	40.0	40.0	31.5	30.3			35.0
CONTRACTUAL	856.3	866.2	809.5	391.5			1263.6
COMMODITIES	12.0	12.3	14.6	5.9			17.9
EQUIPMENT	22.6	22.6	15.1	28.9			71.3
LANDS/BLDGS	18.6	18.6	18.5	18.8			30.3
FUNDING SOURCE							
GENERAL FUND	1507.9	1545.2	1432.1	889.3			1979.7
** GENERAL FUND CHANGE VS. 80 AUTH							122.6%
POSITIONS							
FULL-TIME	10.0	10.0	10.0	10.0			11.1
PART-TIME	7.0	7.0	7.0	7.0			9.0
TEMPORARY	15.0	15.0	15.0				12.0
STAFF MONTHS	250.0	250.0	250.0	173.0			271.0

tional amendment is approved by the voter in 1980. The contractual request includes funds for revising the voter registration system for the 1982 elections. The Arthur Young report and the election bill require revisions to the automated voter registration system including voter history and purge notification. Absentee canvas boards, question ballot boards and the state canvas board will be working for longer periods of time.



RECORDS CERTIFICATION



I, the undersigned, an employee of the State of Alaska, do hereby certify that the microfilm images on this microform are accurate reproductions of the original records of the State of Alaska as accumulated during the regular course of business, and that it is the established policy and practice of this State to microfilm its records and to dispose of the original records after microfilm reproductions have been made.

James O. Smith
Signature of Camera Operator

3/23/90
Date

A M E N D M E N T

OFFERED IN THE SENATE:

By: Sackett

To: _____ SENATE BILL No. 312

HOUSE BILL No. _____

PAGE: 2

LINE: 3

Insert "vehicular" between "or" and "property"

PAGE: 2 LINE: 3

Insert "or leased" between "owned" and "by"

Introduced: 1/14/80
Referred: Finance

1 IN THE SENATE

BY SACKETT

2 SENATE BILL NO. 313

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act exempting property of air and motor freight
7 carriers regulated by the Alaska Transportation
8 Commission from the oil and gas exploration, production
9 and pipeline transportation property tax; and providing
10 for an effective date."

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

12 * Section 1. AS 43.56.210(6) is amended to read:

13 (6) "taxable property"

14 (A) means real and tangible personal property used or
15 committed by contract or other agreement for use within this state
16 primarily in the exploration for, production of, or pipeline trans-
17 portation of gas or unrefined oil (except for property used solely
18 for the retail distribution or liquefaction of natural gas), or in
19 the operation or maintenance of facilities used in the exploration
20 for, production of, or pipeline transportation of gas or unrefined
21 oil, including machinery, appliances, supplies, equipment, drilling
22 rigs, wells (whether producing or not), gathering lines and trans-
23 mission lines, pumping stations, compressor stations, power plants,
24 topping plants, processing units, roads, tank farms, tanker
25 terminals, docks and other port facilities, air strips and communi-
26 cation equipment and facilities, maintenance equipment and facili-
27 ties, and maintenance camps and other related facilities;

28 (B) ["TAXABLE PROPERTY"] does not include permanent
29 residences, office buildings requiring substantial local government

services, [OR] oil and gas pipeline systems owned and operated by a
certificated public utility regulated by the Alaska Public Utili-
ties Commission, or property owned by air carriers and motor
freight carriers regulated by the Alaska Transportation Commission;

* Sec. 2. This Act takes effect January 1, 1981.

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THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. SB 313
 Title Exempting prop. of air & motor freight carriers from oil and gas
 Requested by transportation tax Date 1/14/80

II. FISCAL DETAIL

Agency Affected _____
 Program Category Affected _____
 BRU, Program, or Subprogram(s) Affected _____

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

EXPENDITURES (Thousands of Dollars)

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

FUNDING (Thousands of Dollars)

GENERAL FUND			0	0	0	0
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

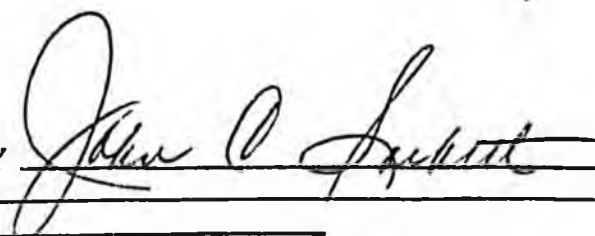
FULL TIME						
PART TIME						
TEMPORARY						

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

This bill clarifies which property is subject to the oil and gas exploration, production and pipeline transportation property tax. No fiscal impact is expected.

IV. DATE January 15, 1980

PREPARED BY _____
 AGENCY _____
 PHONE _____



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

AGO 787311

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCSSB 313

Title Exempting Certain Vehicular Property from AS 43.56

Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Revenue

Program Category Affected General Government

BRU, Program, or Subprogram(s) Affected Petroleum Revenue

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

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	0
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	0	0
700 GRANTS, CLAIMS, ETC.	1,054	-0-	-0-	-0-	-0-	-0-

TOTAL

FUNDING (Thousands of Dollars)

	[479]	[330]	[360]	[390]	[420]	[450]
GENERAL FUND						
FEDERAL FUNDS						
OTHER (Specify Fund Source)						

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III) The prospective effect of this bill would be a reduction in AS 43.56 tax receipts to the State from \$330,000 in 1981 to \$450,000 in 1985 (trended from the 1980 assessment roll) assuming that the State nets about 60% of the 20 mill tax levied on the covered property. The remainder (40%) would ordinarily pass to a municipality but it is very uncertain that the municipalities would in fact be able to assess and tax movable property of the type primarily addressed by this bill. Consequently the municipalities might also lose tax revenue.

In addition, the State would have to refund at least \$1,054,043 in gross taxes for the amounts assessed for years 1974 through 1979. Assuming the bill is enacted and implemented prior to June 1980 collection of tax, an additional \$478,768 in 1980 state revenues (including prior year adjustment) will be foregone. See Table A Revised. The refund to taxpayers would include approximately \$400,000 credited by the State to taxpayers for taxes paid to municipalities.

IV. DATE 3/27/80

PREPARED BY Robert M. Johnson

AGENCY Petroleum Revenue

Original: Legislative Finance

PHONE 276-1363

cc: Budget and Management

Prime Sponsor (First Legislator Named)

AGO 787312

TABLE A REVISED
(ASSUMES ENACTMENT BEFORE PAYMENT OF 1980 TAXES)

	1979	1978	1977	1976	1975	1974
Number of Taxpayers	10	9	9	9	2	
Total Actual Rebate	293,986	278,100	274,330	160,095	42,514	5,018
Estimated Audit Assessment Pertaining to Tax Period	140,000 (E)	140,000 (E)	Ø	Ø	Ø	Ø
Total Cost	433,986	418,100	274,330	160,095	42,514	5,018

<u>ESTIMATED ADJUSTMENTS</u>	1978	140,000
	1979	140,000
	1980	<u>140,000</u>
		420,000
STATE SHARE OF AUDIT ADJUSTMENTS (60%)		<u>.6</u>
		252,000

TOTAL ACTUAL REBATE	1,054,043
STATE SHARE OF ESTIMATED ADJUSTMENTS	252,000
STATE SHARE OF 1980 PROBABLE COLLECTIONS	<u>226,768</u>
TOTAL COST TO THE STATE	\$1,532,811

<u>REVENUE FOREGONE 1980</u>	
Number of Probable Taxpayers	9
Amount of Probable Collections	377,279
State Share (60%)	<u>.6</u>
	\$226,768

AGO 787313

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. HCSSB 313
 Title Exempting Certain Vehicular Property from AS 43.56
 Requested by _____ Date _____

II. FISCAL DETAIL

Agency Affected Revenue
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Petroleum Revenue
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)


GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

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

There would be no impact on the budget or operation of the Department.

IV. DATE 3/21/80 PREPARED BY 
 AGENCY Department of Revenue
 PHONE 276-1363
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)

Original sponsor: Sackett

Offered: 3/31/80
Referred: Rules

1 IN THE SENATE

BY THE FINANCE COMMITTEE

2

HOUSE CS FOR SENATE BILL NO. 313

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act exempting certain aircraft and motor vehicles
7 from the oil and gas exploration, production and pipe-
8 line transportation property tax, and providing for the
9 return of taxes collected on aircraft and motor vehicles
10 exempted by this Act; and providing for an effective
11 date."

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

13 * Section 1. AS 43.56.210(6) is amended to read:

14

(6) "taxable property"

15

(A) means real and tangible personal property used or
16 committed by contract or other agreement for use within this state
17 primarily in the exploration for, production of, or pipeline trans-
18 portation of gas or unrefined oil (except for property used solely
19 for the retail distribution or liquefaction of natural gas), or in
20 the operation or maintenance of facilities used in the exploration
21 for, production of, or pipeline transportation of gas or unrefined
22 oil; "taxable property" includes [, INCLUDING]

23

(i) machinery, appliances, supplies, and equipment;

24

[,]

25

(ii) drilling rigs, wells (whether producing or
26 not), gathering lines and transmission lines, pumping stations,
27 compressor stations, power plants, topping plants, and pro-
28 cessing units; [,]

29

(iii) roads, tank farms, tanker terminals, docks and

1 other port facilities, air strips and communication equipment
2 and facilities; [,]

3 (iv) aircraft and motor vehicles owned by a person
4 whose principal business in the state is the exploration for,
5 production of, or pipeline transportation of gas or unrefined
6 oil and whose operation of the aircraft or motor vehicle
7 directly relates to the conduct of that business; and

8 (v) maintenance equipment and facilities, and
9 maintenance camps and other related facilities;

10 (B) ["TAXABLE PROPERTY"] does not include

11 (i) permanent residences; [,]

12 (ii) office buildings requiring substantial local
13 government services; [, OR]

14 (iii) oil and gas pipeline systems owned and operated
15 by a certificated public utility regulated by the Alaska
16 Public Utilities Commission; and

17 (iv) aircraft and motor vehicles, except aircraft
18 and motor vehicles taxable under (A)(iv) of this paragraph;

19 * Sec. 2. (a) The commissioner of revenue shall provide the commissioner
20 of administration the names of taxpayers who paid to the state after
21 December 31, 1973, a tax levied on aircraft or motor vehicles which are
22 exempt from taxation under AS 43.56.210(6), as amended by sec. 1 of this Act,
23 and the amount of the taxes paid on the aircraft or motor vehicle.

24 (b) The commissioner of administration shall promptly pay each taxpayer
25 the amount determined by the commissioner of revenue under (a) of this sec-
26 tion.

27 * Sec. 3. Section 1 of this Act is retroactive to January 1, 1974.

28 * Sec. 4. This Act takes effect immediately in accordance with AS 01.10.-
29 070(c).

Introduced: 1/14/80
Referred: Finance

1 IN THE SENATE

BY SACKETT

2 SENATE BILL NO. 313

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act exempting property of air and motor freight
7 carriers regulated by the Alaska Transportation
8 Commission from the oil and gas exploration, production
9 and pipeline transportation property tax; and providing
10 for an effective date."

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

12 * Section 1. AS 43.56.210(6) is amended to read:

13 (6) "taxable property"

14 (A) means real and tangible personal property used or
15 committed by contract or other agreement for use within this state
16 primarily in the exploration for, production of, or pipeline trans-
17 portation of gas or unrefined oil (except for property used solely
18 for the retail distribution or liquefaction of natural gas), or in
19 the operation or maintenance of facilities used in the exploration
20 for, production of, or pipeline transportation of gas or unrefined
21 oil, including machinery, appliances, supplies, equipment, drilling
22 rigs, wells (whether producing or not), gathering lines and trans-
23 mission lines, pumping stations, compressor stations, power plants,
24 topping plants, processing units, roads, tank farms, tanker
25 terminals, docks and other port facilities, air strips and communi-
26 cation equipment and facilities, maintenance equipment and facili-
27 ties, and maintenance camps and other related facilities;

28 (B) ["TAXABLE PROPERTY"] does not include permanent
29 residences, office buildings requiring substantial local government

1 services, [OR] oil and gas pipeline systems owned and operated by a
2 certificated public utility regulated by the Alaska Public Utili-
3 ties Commission, or property owned by air carriers and motor
4 freight carriers regulated by the Alaska Transportation Commission;

5 * Sec. 2. This Act takes effect January 1, 1981.
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March 26, 1980

SB 313

Senate Finance Committee Meeting 1/16/80

Joseph Donohue, Deputy Commissioner of Revenue - Taxation

Amount Bill Will

Decrease Revenue

Coming Into The State: \$190,000

Previous Years: No mention of revenue loss

Fiscal Note From Revenue Attached.

Quoting Mr. Donohue -

We would note that there would be a loss of revenue to the state that is being estimated now by the Petroleum Revenue Division. It would possibly amount to some \$190,000. There would be a similar loss of revenues to the municipalities. We would speculate that the net loss to the municipalities would be greater than that to the state because of the elusive nature of the transportation property.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Senate Bill 313 am
 Title Exempting Property of Air and Motor Freight Carriers Regulated by Alaska
 Requested by Transportation Commission Date _____
From the Oil & Gas Property Tax

II. FISCAL DETAIL
 Agency Affected Department of Revenue
 Program Category Affected General Government
 BRU, Program, or Subprogram(s) Affected Petroleum Revenue
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
200 TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
300 CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

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

SB 313, as amended, will reduce the types of taxable property subject to AS 43.56. The fiscal impact would be a certain reduction in state revenues derived from the property tax and a probable reduction in revenue derived from property taxes by municipalities. The reduction in receipts would arise because property with an assessed value of between \$9,076,000 and at least \$16,076,000 would be exempted. Three factors produce the wide range in estimated values. First, it is unclear whether all vehicular property of an affected taxpayer is intended to be exempted by the bill or whether only that property which is in fact ATC-regulated (trucks and airplanes) is intended to be exempted. Second, it is unknown how much "leased" property would fall into the exemption, and whether or not the owner of that leased property would in turn be taxed. Third, a
 (continued on page 2)

IV. DATE 1/18/80 PREPARED BY Robert M. Johnson
 AGENCY Department of Revenue
 PHONE 276-1363
 Original: Legislative Finance
 cc: Budget and Management
Prime Sponsor (First Legislator Named)

lawsuit is pending on the question of including certain property in the category to be exempted by this bill. The actual tax from the assessed property would therefore range from \$181,520 to \$321,520 (2 percent of assessed value). The state would lose net taxes of between \$100,000 and \$190,000. The remainder would ordinarily pass to a municipality but it is very uncertain that the municipalities would in fact be able to assess and tax movable property of the type primarily addressed by this bill. Consequently, the municipalities too would lose tax revenue.

There would be no fiscal impact on the operation of the Department of Revenue.