

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672  
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1 information required by AS 15.45.600(8); and (6) other specifications prescribed by  
2 the director to ensure [ASSURE] proper handling and control. Petitions, for purposes  
3 of circulation, shall be prepared by the director in a number reasonably calculated to  
4 allow full circulation throughout the state or throughout the senate or house district of  
5 the official sought to be recalled and shall be sequentially numbered. Upon request  
6 of the recall committee, the lieutenant governor shall report to the recall  
7 committee the number of persons who voted in the preceding general election in  
8 the state or in the district of the official sought to be recalled. [THE DIRECTOR  
9 SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE  
10 PETITIONS DELIVERED TO EACH SPONSOR.]

11 \* **Sec. 41.** AS 15.45.570 is amended to read:

12 **Sec. 15.45.570. Statement of warning.** Each petition must [AND  
13 DUPLICATE COPY SHALL] include a statement of warning that a person who signs  
14 a name other than the person's own to the petition, or who knowingly signs more than  
15 once for the same proposition at one election, or who signs the petition while  
16 knowingly not a qualified voter, is guilty of a class B misdemeanor.

17 \* **Sec. 42.** AS 15.45 is amended by adding a new section to read:

18 **Sec. 15.45.575. Qualifications of circulator.** To circulate a petition booklet,  
19 a person shall be

- 20 (1) a citizen of the United States;  
21 (2) 18 years of age or older; and  
22 (3) a resident of the state as determined under AS 15.05.020.

23 \* **Sec. 43.** AS 15.45.580 is amended by adding new subsections to read:

24 (b) A circulator may not receive payment or agree to receive payment that is  
25 greater than \$1 a signature, and a person or an organization may not pay or agree to  
26 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
27 petition.

28 (c) A person or organization may not knowingly pay, offer to pay, or cause to  
29 be paid money or other valuable thing to a person to sign or refrain from signing a  
30 petition.

31 (d) A person or organization that violates (b) or (c) of this section is guilty of a

1 class B misdemeanor.

2 (e) In this section,

3 (1) "organization" has the meaning given in AS 11.81.900;

4 (2) "other valuable thing" has the meaning given in AS 15.56.030;

5 (3) "person" has the meaning given in AS 11.81.900.

6 \* Sec. 44. AS 15.45.590 is amended to read:

7 **Sec. 15.45.590. Manner of signing and withdrawing name from petition.**

8 Any qualified voter may subscribe to the petition by printing the voter's name, date  
9 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
10 who has signed the petition may withdraw the person's name only by giving written  
11 notice to the director before the date the petition is filed.

12 \* Sec. 45. AS 15.45.600 is repealed and reenacted to read:

13 **Sec. 15.45.600. Certification of circulator.** Before being filed, each petition  
14 shall be certified by an affidavit by the person who personally circulated the petition.  
15 In determining the sufficiency of the petition, the lieutenant governor may not count  
16 subscriptions on petitions not properly certified at the time of filing or corrected before  
17 the subscriptions are counted. The affidavit must state in substance that

18 (1) the person signing the affidavit meets the residency, age, and  
19 citizenship qualifications for circulating a petition under AS 15.45.575;

20 (2) the person is the only circulator of the petition;

21 (3) the signatures were made in the circulator's actual presence;

22 (4) to the best of the circulator's knowledge, the signatures are the  
23 signatures of persons whose names they purport to be;

24 (5) the signatures are of persons who were qualified voters on the date  
25 of signature;

26 (6) the circulator has not entered into an agreement with a person or  
27 organization in violation of AS 15.45.580(b);

28 (7) the circulator has not violated AS 15.45.580(c) with respect to that  
29 petition; and

30 (8) before circulation of the petition, the circulator prominently placed,  
31 in the space provided under AS 15.45.560(5), if the circulator has received payment or

1 agreed to receive payment for the collection of signatures on the petition, the name of  
2 each person or organization that has paid or agreed to pay the circulator for collection  
3 of signatures on the petition.

4 \* **Sec. 46.** AS 15.45.680 is amended to read:

5 **Sec. 15.45.680. Display of grounds [BASES] for and against recall.** The  
6 director shall provide each election board in the state or in the senate or house district  
7 of the person subject to recall with five [10] copies of the statement of the grounds for  
8 recall included in the application and five [10] copies of the statement of not more  
9 than 200 words made by the official subject to recall in justification of the official's  
10 conduct in office. The person subject to recall may provide the director with the  
11 statement within 10 days after the date the director gave notification that the petition  
12 was properly filed. The election board shall post at least one copy [THREE COPIES]  
13 of the statements for and against recall in a [THREE] conspicuous place [PLACES] in  
14 the polling place.

15 \* **Sec. 47.** AS 15.60 is amended by adding a new section to read:

16 **Sec. 15.60.003. Voters unaffiliated with political parties.** The director shall  
17 consider a voter to be a voter registered as

18 (1) "nonpartisan" and without a preference for a political party if the  
19 voter registers as nonpartisan on a voter registration form;

20 (2) "undeclared" if the voter

21 (A) registers as undeclared on a voter registration form;

22 (B) fails to declare an affiliation with a political group or  
23 political party on a voter registration form; or

24 (C) declares an affiliation with an entity other than a political  
25 party or political group on a voter registration form; or

26 (3) "other" if the voter declares on a voter registration form an  
27 affiliation with a political group.

28 \* **Sec. 48.** AS 15.60 is amended by adding a new section to read:

29 **Sec. 15.60.008. Recognized political party status.** (a) A political group that  
30 the director has not recognized as a political party may obtain recognized political  
31 party status if, on or before May 31 of the first election year for which the political

1 group seeks recognition, the political group

2 (1) files an application with the director;

3 (2) submits bylaws to the director and the United States Department of  
4 Justice as required of political parties in AS 15.25.014; and

5 (3) meets the definition of a political party in AS 15.60.010.

6 (b) The director shall verify that each political group seeking recognized  
7 political party status under (a) of this section and each recognized political party meets  
8 the definition of a political party in AS 15.60.010.

9 (c) The director shall perform a verification described in (b) of this section at  
10 least once a month after the date of certification of the preceding general election. For  
11 purposes of (b) of this section, the director shall verify that the voters who have  
12 submitted registration to the division of elections are qualified under AS 15.05.010  
13 and have declared affiliation with the political group or recognized political party for  
14 which the verification is performed.

15 (d) Within 10 days after a verification under (c) of this section, the director  
16 shall provide to a political group seeking recognized political party status under (a) of  
17 this section written notification when the political group has obtained recognized  
18 political party status.

19 (e) The director may not withdraw recognized political party status from a  
20 political group that no longer meets the definition of political party except following  
21 the verification immediately after a general election at which a governor was elected.  
22 The director shall provide written notification to the political party of the withdrawal  
23 of recognized political party status.

24 \* Sec. 49. AS 15.60.010(21) is amended to read:

25 (21) "political party" means an organized group of voters that  
26 represents a political program and that

27 (A) [EITHER] nominated a candidate for governor who  
28 received at least three percent of the total votes cast for governor at the  
29 preceding general election at which a governor was elected;

30 (B) nominated a candidate for United States senator who  
31 received at least three percent of the total votes cast for United States

1                   senator at the preceding general election or at the most recent general  
2                   election at which a governor was elected;

3                   (C) nominated a candidate for United States representative  
4                   who received at least three percent of the total votes cast for United States  
5                   representative at the preceding general election or at the most recent  
6                   general election at which a governor was elected; or

7                   (D) has registered voters in the state equal in number to at least  
8                   three percent of the total votes cast for governor at the preceding general  
9                   election at which a governor was elected;

10 \* **Sec. 50.** AS 15.60.010 is amended by adding new paragraphs to read:

11                   (38) "electronically generated ballot" means any ballot other than a  
12                   paper ballot that is physically marked by the voter using a writing instrument or a  
13                   mechanical device;

14                   (39) "optically scanned ballot" means a paper ballot designed to be  
15                   read by an optical scanning machine;

16                   (40) "reregistration" means the submission of a registration form by a  
17                   voter whose registration was inactivated on the master register maintained under  
18                   AS 15.07 and the director's reactivation of that registration in accordance with that  
19                   chapter; in this paragraph, "a voter whose registration was inactivated" does not  
20                   include a voter whose registration was inactivated under AS 15.07.130 and whose  
21                   ballot may be counted under AS 15.15.198;

22                   (41) "statewide office" means the office of governor, lieutenant  
23                   governor, United States senator, or United States representative.

24 \* **Sec. 51.** AS 29.05.110(b) is amended to read:

25                   (b) A qualified voter who is registered to vote [HAS BEEN A RESIDENT  
26                   OF THE AREA] within the proposed municipality at least [FOR] 30 days before the  
27                   date of the election order may vote.

28 \* **Sec. 52.** AS 29.05.110(c) is amended to read:

29                   (c) Areawide borough powers included in an incorporation petition are  
30                   considered to be part of the incorporation question. In an election for the incorporation  
31                   of a second class borough, each nonareawide power to be exercised is placed

1 separately on the ballot. Adoption of a nonareawide power requires a majority of the  
2 votes cast on the question, and the vote is limited to the qualified voters who are  
3 registered to vote [RESIDING] in the proposed borough but outside all cities in the  
4 proposed borough.

5 \* **Sec. 53.** AS 29.05.110 is amended by adding a new subsection to read:

6 (f) In this section, "qualified voter" has the meaning in AS 15.60.010.

7 \* **Sec. 54.** AS 15.10.020(b) and AS 15.20.048 are repealed.

8 \* **Sec. 55.** The uncodified law of the State of Alaska is amended by adding a new section to  
9 read:

10 VOTING BY MAIL AND ELECTRONICALLY. Not later than March 1, 2005, the  
11 director of the division of elections shall provide a report to the legislature on the feasibility,  
12 costs, and benefits of authorizing a system of voting by mail and electronically.

13 \* **Sec. 56.** The uncodified law of the State of Alaska is amended by adding a new section to  
14 read:

15 APPLICABILITY. (a) The changes made by secs. 23 - 46 of this Act apply to an  
16 application for an initiative, referendum, or recall filed with the lieutenant governor on or  
17 after the effective date of this Act.

18 (b) Under AS 15.15.032(c), added by sec. 9 of this Act, for ballots cast in elections in  
19 2004 and 2005, the director of elections shall provide for a paper record only to the extent  
20 technologically feasible, and only to the extent that federal matching funds are available for  
21 equipment needed to provide a paper record.

22 (c) To the extent permitted, the director of elections shall expend federal funds  
23 available to implement the provisions of this Act to obtain the equipment necessary to provide  
24 a paper record of ballots electronically generated by equipment the state owns on the effective  
25 date of this Act, before additional machines that produce electronically generated ballots are  
26 purchased.

27 \* **Sec. 57.** The uncodified law of the State of Alaska is amended by adding a new section to  
28 read:

29 TRANSITION. An initiative, referendum, or recall for which an application was filed  
30 with the lieutenant governor before the effective date of this Act is subject to the provisions of  
31 AS 15.45 as they existed on the day before the effective date of this Act.

1       \* **Sec. 58.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3               **REVISOR'S INSTRUCTION.** The revisor of statutes is instructed to change the  
4 heading of art. 5 of AS 15.20 from "Article 5. Optically Scanned Voting" to "Article 5.  
5 Optically Scanned Voting; Voting Machine or Tally System Standards."

6       \* **Sec. 59.** This Act takes effect immediately under AS 01.10.070(c).

23-GH2021\W

Kurtz

4/22/04

**CS FOR HOUSE BILL NO. 523(STA)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered:  
Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to qualifications of voters, requirements and procedures regarding  
2 independent candidates for President and Vice-President of the United States, voter  
3 registration and voter registration records, voter residence, precinct boundary and  
4 polling place designation and modification, recognized political parties, voters  
5 unaffiliated with political parties, early voting, absentee voting, ballot counting, optically  
6 scanned and electronically generated ballots, voting electronically, voting by mail, voting  
7 machines, vote tally systems, initiative, referendum, recall, and definitions in the Alaska  
8 Election Code; relating to incorporation elections; and providing for an effective date."

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

10 \* **Section 1.** AS 15.05.020 is amended to read:

11 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose  
12 of determining residence for voting, the place of residence is governed by the

1 following rules:

2 (1) A person may not be considered to have gained a residence solely  
3 by reason of presence nor may a person lose it solely by reason of absence while in the  
4 civil or military service of this state or of the United States or of absence because of  
5 marriage to a person engaged in the civil or military service of this state or the United  
6 States, while a student at an institution of learning, while in an institution or asylum at  
7 public expense, while confined in public prison, while engaged in the navigation of  
8 waters of this state [,] or the United States or of the high seas, while residing upon an  
9 Indian or military reservation, or while residing in the Alaska Pioneers' Home.

10 (2) The residence of a person is that place in which the person's  
11 habitation is fixed, and to which, whenever absent, the person has the intention to  
12 return. If a person resides in one place, but does business in another, the former is the  
13 person's place of residence. Temporary work sites [CONSTRUCTION CAMPS] do  
14 not constitute a dwelling place.

15 (3) A change of residence is made only by the act of removal joined  
16 with the intent to remain in another place. There can only be one residence.

17 (4) A person does not lose residence if the person leaves home and  
18 goes to another country, state, or place in this state for temporary purposes only and  
19 with the intent of returning.

20 (5) A person does not gain residence in any place to which the person  
21 comes without the present intention to establish a permanent dwelling at that place.

22 (6) A person loses residence in this state if the person votes in another  
23 state's election, either in person or by absentee ballot, and will not be eligible to vote  
24 in this state until again qualifying under AS 15.05.010.

25 (7) [REPEALED

26 (8)] The term of residence is computed by including the day on which  
27 the person's residence begins and excluding the day of election.

28 ~~(8)~~ [(9) REPEALED

29 (10)] The address of a voter as it appears on the [AN] official voter  
30 registration record [CARD] is presumptive evidence of the person's voting residence.

31 This presumption is negated only if [BY] the voter notifies [NOTIFYING] the

1 director in writing of a change of voting residence.

2 \* Sec. 2. AS 15.07.060(a) is amended to read:

3 (a) Each applicant who requests registration or reregistration shall supply the  
4 following information:

5 (1) the applicant's name and sex;

6 (2) if issued, the applicant's State of Alaska driver's license number or  
7 State of Alaska identification card number, or the last four digits of the applicant's  
8 social security number;

9 (3) the applicant's date of birth;

10 (4) the applicant's Alaska residence address, as specified in  
11 regulations adopted by the director [AND OTHER NECESSARY INFORMATION  
12 ESTABLISHING RESIDENCE, INCLUDING THE TERM OF RESIDENCE IN  
13 THE STATE AND IN THE DISTRICT, IF REQUESTED];

14 (5) a statement of whether the applicant has previously been  
15 registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of  
16 the previous registration;

17 (6) a declaration that the applicant [REGISTRANT] will be 18 years  
18 of age or older within 90 days after [OF] the date of registration;

19 (7) a declaration that the applicant [REGISTRANT] is a citizen of the  
20 United States;

21 (8) the date of application;

22 (9) the applicant's signature or mark;

23 (10) any former name under which the applicant was registered to vote  
24 in the state;

25 (11) an oath [ATTESTATION] that the information provided by the  
26 applicant in (1) - (10) of this subsection is true; and

27 (12) a certification that the applicant understands that a false statement  
28 on the application may make the applicant subject to prosecution for a misdemeanor  
29 under this title or AS 11.

30 \* Sec. 3. AS 15.07 is amended by adding a new section to read:

31 Sec. 15.07.195. Certain information in voter registration records

1 confidential. The following information set out in state voter registration records is  
2 confidential and is not open to public inspection:

- 3 (1) the voter's date of birth;
- 4 (2) the voter's social security number, or any part of that number;
- 5 (3) the voter's driver's license number;
- 6 (4) the voter's telephone number, if shown in those records;
- 7 (5) the voter's voter identification number;
- 8 (6) the voter's place of birth;
- 9 (7) the voter's signature.

10 \* Sec. 4. AS 15.10.090 is repealed and reenacted to read:

11 **Sec. 15.10.090. Notice of precinct boundary or polling place designation**  
12 **and modification.** The director shall give full public notice if a precinct is established  
13 or abolished or if the boundaries of a precinct are designated, abolished, or modified,  
14 or if the location of a polling place is changed. Public notice must include

15 (1) whenever possible, sending written notice of the change to each  
16 affected registered voter in the precinct;

17 (2) providing notice of the change

18 (A) by publication three times in a newspaper of general  
19 circulation; if possible, the newspaper shall be one that circulates generally in  
20 the precinct; or

21 (B) if there is not a newspaper described in (A) of this  
22 paragraph, by posting written notice in three conspicuous places as close to the  
23 precinct as possible; at least one posting location must be in the precinct;

24 (3) posting notice of the change on the Internet site of the division of  
25 elections; and

26 (4) providing notification of the change to the appropriate municipal  
27 clerks, community councils, tribal groups, presiding officers, Native villages, and  
28 village regional corporations established under 43 U.S.C. 1606 (Alaska Native Claims  
29 Settlement Act).

30 \* Sec. 5. AS 15.15.030(7) is amended to read:

31 (7) The general election ballot shall be designed with the names of

1 candidates of each political party, and of any independent candidates qualified  
2 under AS 15.30.026, for the office of President and Vice-President of the United  
3 States placed in the same section on the ballot rather than the names of electors of  
4 President and Vice-President.

5 \* Sec. 6. AS 15.15.030(13) is amended to read:

6 (13) The [NOTWITHSTANDING ANY OTHER PROVISION OF  
7 THIS TITLE, THE] director may provide for the optical scanning of ballots  
8 [VOTING BY USE OF ELECTRONIC BALLOTING EQUIPMENT OR  
9 OPTICALLY SCANNED BALLOTS] where the requisite equipment is available. [IF  
10 THE DIRECTOR PROVIDES FOR VOTING BY USE OF ELECTRONIC  
11 BALLOTING EQUIPMENT, THE DIRECTOR SHALL PROVIDE ELECTRONIC  
12 BALLOTING EQUIPMENT THAT WOULD ALLOW VOTERS WITH  
13 DISABILITIES, INCLUDING THOSE WHO ARE BLIND OR VISUALLY  
14 IMPAIRED, TO CAST PRIVATE, INDEPENDENT, AND VERIFIABLE  
15 BALLOTS.]

16 \* Sec. 7. AS 15.15.030 is amended by adding a new paragraph to read:

17 (14) The director may provide for voting by use of electronically  
18 generated ballots by a voter who requests to use a machine that produces electronically  
19 generated ballots.

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

21 **Sec. 15.15.032. Use of electronically generated ballots.** (a) If the director  
22 provides for voting by use of electronically generated ballots, the director shall  
23 provide balloting equipment that would allow voters with disabilities, including those  
24 who are blind or visually impaired, to cast private, independent, and verifiable ballots.  
25 The director may not provide for more than one machine that produces electronically  
26 generated ballots in a precinct or in a regional supervisor's office, except where the  
27 director determines that additional machines are needed to accommodate the needs of  
28 individuals with disabilities, including individuals with physical limitations or visual  
29 impairments.

30 (b) Software for voting by use of electronically generated ballots shall be  
31 tested and certified under AS 15.20.900.

1 (c) The director shall provide for a paper record of each electronically  
2 generated ballot that can be

3 (1) reviewed and corrected by the voter at the time the vote is cast; and

4 (2) used for a recount of the votes cast at an election in which  
5 electronically generated ballots were used."

6 \* **Sec. 9.** AS 15.15.350(a) is amended to read:

7 (a) The director may adopt regulations prescribing the manner in which the  
8 precinct ballot count is accomplished so as to ensure [ASSURE] accuracy in the count  
9 and to expedite the process. The election board shall account for all ballots by  
10 completing a ballot statement containing (1) the number of official ballots received;  
11 (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4)  
12 the number of official ballots unused and either destroyed or returned for  
13 destruction to the elections supervisor or the election supervisor's designee. The  
14 board shall count the number of questioned ballots and [SHALL] compare that  
15 number to the number of questioned voters in the register. Discrepancies shall be  
16 noted and the numbers included in the certificate prescribed by AS 15.15.370. The  
17 election board, in hand-count precincts, shall count the ballots in a manner that allows  
18 watchers to see the ballots when opened and read. A person handling the ballot after it  
19 has been taken from the ballot box and before it is placed in the envelope for mailing  
20 may not have a marking device in hand or remove a ballot from the immediate vicinity  
21 of the polls.

22 \* **Sec. 10.** AS 15.20.045(b) is amended to read:

23 (b) The director may designate by regulation adopted under AS 44.62  
24 (Administrative Procedure Act) locations at which absentee voting stations will be  
25 operated for 15 days [ON OR AFTER THE 15TH DAY] before an election and on  
26 election day [UP TO AND INCLUDING THE DATE OF THE ELECTION]. The  
27 director shall supply absentee voting stations with ballots for all house districts in the  
28 state and shall designate absentee voting officials to serve at absentee voting stations.

29 \* **Sec. 11.** AS 15.20.064(a) is amended to read:

30 (a) For 15 days before an election and on election day, a [A] qualified voter  
31 who meets the requirements set out in this section may vote in locations designated

1 by the director [EARLY IN THE OFFICE OF AN ELECTION SUPERVISOR ON  
2 OR AFTER THE 15TH DAY BEFORE AN ELECTION UP TO AND INCLUDING  
3 ELECTION DAY].

4 \* Sec. 12. AS 15.20.064(b) is amended to read:

5 (b) The election supervisor or other election official shall issue a ballot to the  
6 voter upon

7 (1) exhibition of proof of identification as required in AS 15.15.225;

8 (2) verification that the voter's residence address appearing on the  
9 official registration list is current [AND WITHIN THE ELECTION SUPERVISOR'S  
10 JURISDICTION]; and

11 (3) the voter's signing the early voting register.

12 \* Sec. 13. AS 15.20.066(b) is amended to read:

13 (b) An absentee ballot that is completed and returned by the voter by  
14 electronic transmission must

15 (1) contain the following statement: "I understand that, by using  
16 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
17 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
18 that my vote will be held as confidential as possible, [.]" followed by the voter's  
19 signature and date of signature; and

20 (2) be accompanied by a statement executed under oath as to the  
21 voter's identity; the statement under oath must be witnessed by

22 (A) a commissioned or noncommissioned officer of the armed  
23 forces of the United States;

24 (B) an official authorized by federal law or the law of the state  
25 in which the absentee ballot is cast to administer an oath; or

26 (C) a [TWO] United States citizen [CITIZENS] who is [ARE]  
27 18 years of age or older.

28 \* Sec. 14. AS 15.20.081(d) is amended to read:

29 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a  
30 notary public, commissioned officer of the armed forces including the National Guard,  
31 district judge or magistrate, United States postal official, registration official, or other

1 person qualified to administer oaths, may proceed to mark the ballot in secret, to place  
2 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,  
3 and to sign the voter's certificate on the envelope in the presence of an official listed in  
4 this subsection who shall sign as attesting official and shall date the signature. If none  
5 of the officials listed in this subsection is reasonably accessible, an absentee voter  
6 shall sign the voter's certificate in the presence of one person who is a United States  
7 citizen and is [TWO PERSONS OVER THE AGE OF] 18 years of age or older, who  
8 shall sign as a witness [WITNESSES] and attest to the date on which the voter signed  
9 the certificate in the person's [THEIR] presence, and, in addition, the voter shall  
10 provide the certification prescribed in AS 09.63.020.

11 \* Sec. 15. AS 15.20.081(h) is amended to read:

12 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail  
13 from outside the United States or from an overseas voter qualifying under  
14 AS 15.05.011 [A MILITARY APO OR FPO ADDRESS] that has been marked and  
15 mailed not later than election day may not be counted unless the ballot is received by  
16 the election supervisor not later than the close of business on the 15th day following  
17 the election.

18 \* Sec. 16. AS 15.20.800(b) is amended to read.

19 (b) If the director conducts an election under (a) of this section by mail, the  
20 director shall send a ballot for each election described in (a) of this section to each  
21 person whose name appears on the official registration list prepared under  
22 AS 15.07.125 for that election. The director shall send ballots by first class,  
23 nonforwardable mail. The ballot shall be sent to the address stated on the official  
24 registration list unless the

25 (1) voter has notified the director or an election supervisor of a  
26 different address to which the ballot should be sent; or

27 (2) address on the official registration list has been identified as  
28 being an undeliverable address [THE DIRECTOR SHALL SEND BALLOTS BY  
29 FIRST CLASS, NONFORWARDABLE MAIL].

30 \* Sec. 17. AS 15.20 is amended by adding a new section to article 5 to read:

31 **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The

1 director may approve a voting machine or vote tally system for use in an election in  
 2 the state upon consideration of factors relevant to the administration of state elections,  
 3 including whether the Federal Election Commission has certified the voting machine  
 4 or vote tally system to be in compliance with the voting system standards approved by  
 5 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America  
 6 Vote Act of 2002).

7 \* **Sec. 18.** AS 15.30 is amended by adding a new section to read:

8 **Sec. 15.30.026. Qualifications for independent candidates for President of**  
 9 **the United States; selection of candidate for Vice-President; selection of electors.**

10 (a) A person who desires to be an independent candidate for President of the United  
 11 States must file with the director not earlier than January 1 of a presidential election  
 12 year and not later than the 90th day before a presidential general election a petition  
 13 signed by qualified voters of the state equal in number to at least one percent of the  
 14 number of voters who cast ballots in an election under this chapter for President of the  
 15 United States at the last presidential general election. The petition must state that the  
 16 signers desire the named candidate for President of the United States to appear on the  
 17 ballot as an independent candidate for president at the next succeeding presidential  
 18 general election.

19 (b) In order to appear on the ballot, a candidate who has qualified for ballot  
 20 status under (a) of this section shall certify the following information to the director on  
 21 or before September 1 of the year of the presidential general election:

22 (1) the names of the electors for the independent candidate for  
 23 President of the United States, equal to the number of senators and representatives to  
 24 which the state is entitled in Congress;

25 (2) the name of a candidate for Vice-President, selected by the  
 26 independent candidate; and

27 (3) the name, Alaska mailing address, and signature of the candidate's  
 28 state campaign chair, who must be an Alaska resident.

29 \* **Sec. 19.** AS 15.30.050 is amended to read:

30 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**  
 31 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote

1 marked for the candidates for President and Vice-President [VICE PRESIDENT] is  
2 considered and counted as a vote for the presidential electors of the party or for the  
3 presidential electors named under AS 15.30.026, as appropriate.

4 \* Sec. 20. AS 15.30.090 is amended to read:

5 Sec. 15.30.090. Duties of electors. After any vacancies have been filled, the  
6 electors shall proceed to cast their votes for the candidates for the office of President  
7 and Vice-President [VICE PRESIDENT] of the party that [WHICH] selected them as  
8 candidates for electors, or for the candidates for the office of President and Vice-  
9 President under AS 15.30.026 if the electors were named under AS 15.30.026, and  
10 shall perform the duties of electors as required by the constitution and laws of the  
11 United States. The director shall provide administrative services and the Department  
12 of Law shall provide legal services necessary for the electors to perform their duties.

13 \* Sec. 21. AS 15.45.030 is amended to read:

14 Sec. 15.45.030. Form of application. The application must [SHALL]  
15 include the

16 (1) [THE] proposed bill; [TO BE INITIATED,]

17 (2) printed name, signature, address, and date of birth of not less  
18 than 100 qualified voters who will serve as sponsors; each signature page must  
19 include a statement that the sponsors are qualified voters who signed the application  
20 with the proposed bill attached; and [,]

21 (3) [THE] designation of an initiative committee consisting of three of  
22 the sponsors who subscribed to the application and [SHALL] represent all sponsors  
23 and subscribers in matters relating to the initiative; the designation must include the  
24 name, mailing address, and signature of each committee member [, AND

25 (4) THE SIGNATURES AND ADDRESSES OF NOT LESS THAN  
26 100 QUALIFIED VOTERS].

27 \* Sec. 22. AS 15.45.060 is amended to read:

28 Sec. 15.45.060. Designation of sponsors. The qualified voters who subscribe  
29 to the application in support of the proposed bill are designated as sponsors. The  
30 initiative committee may designate additional sponsors by giving written notice to the  
31 lieutenant governor of the names and addresses of those so designated.

1 \* **Sec. 23.** AS 15.45.090 is amended to read:

2           **Sec. 15.45.090. Preparation of petition.** If the application is certified, the  
3 lieutenant governor shall prescribe the form of and prepare petitions containing (1) a  
4 copy of the proposed bill if the number of words included in both the formal and  
5 substantive provisions of the bill is 500 or less; [,] (2) an impartial summary of the  
6 subject matter of the bill; [,] (3) the warning prescribed in AS 15.45.100; [,] (4)  
7 sufficient space for the printed name, date of birth, signature, and address of each  
8 person signing the petition; [,] (5) sufficient space at the bottom of each signature  
9 page for the information required by AS 15.45.130(8); [,] and (6) other specifications  
10 prescribed by the lieutenant governor to ensure [ASSURE] proper handling and  
11 control. Petitions, for purposes of circulation, shall be prepared by the lieutenant  
12 governor in a number reasonably calculated to allow full circulation throughout the  
13 state and shall be sequentially numbered [. THE LIEUTENANT GOVERNOR  
14 SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE  
15 PETITION DELIVERED TO EACH SPONSOR]. Upon request of the initiative  
16 committee, the lieutenant governor shall report to the initiative committee the  
17 number of persons who voted in the preceding general election.

18 \* **Sec. 24.** AS 15.45 is amended by adding a new section to read:

19           **Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet,  
20 a person shall be

- 21                   (1) a citizen of the United States;  
22                   (2) 18 years of age or older; and  
23                   (3) a resident of the state as determined under AS 15.05.020.

24 \* **Sec. 25.** AS 15.45.120 is amended to read:

25           **Sec. 15.45.120. Manner of signing and withdrawing name from petition.**  
26 Any qualified voter may subscribe to the petition by printing the voter's name, date  
27 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
28 who has signed the initiative petition may withdraw the person's name only by giving  
29 written notice to the lieutenant governor before the date the petition is filed.

30 \* **Sec. 26.** AS 15.45.130 is amended to read:

31           **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition

1 shall be certified by an affidavit by the person who personally circulated the petition.  
2 The affidavit must state in substance that (1) the person signing the affidavit meets the  
3 residency, age, and citizenship qualifications for circulating a petition under  
4 AS 15.45.105; [OF AS 15.05.010,] (2) the person is the only circulator of that  
5 petition; [,] (3) the signatures were made in the circulator's actual presence; [,] (4) to  
6 the best of the circulator's knowledge, the signatures are those of the persons whose  
7 names they purport to be; [,] (5) the signatures are of persons who were qualified  
8 voters on the date of signature; [,] (6) the circulator [PERSON] has not entered into  
9 an agreement with a person or organization in violation of AS 15.45.110(c); [,] (7) the  
10 circulator [PERSON] has not violated AS 15.45.110(d) with respect to that petition;  
11 [,] and (8) before circulation of the petition, the circulator prominently placed, in the  
12 space provided under AS 15.45.090(5) [BEFORE CIRCULATION OF THE  
13 PETITION, IN BOLD CAPITAL LETTERS, THE CIRCULATOR'S NAME AND],  
14 if the circulator has received payment or agreed to receive payment for the collection  
15 of signatures on the petition, the name of each person or organization that has paid or  
16 agreed to pay the circulator for collection of signatures on the petition. In determining  
17 the sufficiency of the petition, the lieutenant governor may not count subscriptions on  
18 petitions not properly certified.

19 \* Sec. 27. AS 15.45.200 is amended to read:

20 **Sec. 15.45.200. Display of proposed law.** The director shall provide each  
21 election board with five [10] copies of the proposed law being initiated, and the  
22 election board shall display at least one copy [THREE COPIES] of the proposed law  
23 in a conspicuous place in the room where the election is held.

24 \* Sec. 28. AS 15.45.270 is amended to read:

25 **Sec. 15.45.270. Form of application.** The application must [SHALL]  
26 include

27 (1) the act to be referred;

28 (2) a statement of approval or rejection;

29 (3) the printed signature, address, and date of birth of not less  
30 than 100 qualified voters who will serve as sponsors; each signature page must  
31 include a statement that the sponsors are qualified voters who signed the application

1 with the act to be referred and the statement of approval or rejection  
2 [PROPOSED BILL] attached; and

3 (4) [(3)] the designation of a referendum committee consisting of three  
4 of the sponsors who subscribed to the application and [SHALL] represent all  
5 sponsors and subscribers in matters relating to the referendum; the designation must  
6 include the name, address, and signature of each committee member [AND

7 (4) THE SIGNATURES AND ADDRESSES OF NOT FEWER  
8 THAN 100 QUALIFIED VOTERS].

9 \* Sec. 29. AS 15.45.290 is amended to read:

10 Sec. 15.45.290. Designation of sponsors. The qualified voters who subscribe  
11 to the application in support of the referendum are designated as sponsors. The  
12 referendum committee may designate additional sponsors by giving notice to the  
13 lieutenant governor of the names and addresses of those so designated.

14 \* Sec. 30. AS 15.45.320 is amended to read:

15 Sec. 15.45.320. Preparation of petition. If the application is certified, the  
16 lieutenant governor shall, within seven calendar days after the date of certification,  
17 prescribe the form of, and prepare, a petition containing (1) a copy of the act to be  
18 referred, if the number of words included in both the formal and substantive  
19 provisions of the bill is 500 or less; [,] (2) the statement of approval or rejection;  
20 (3) an impartial summary of the subject matter of the act; (4) [, (3)] the warning  
21 prescribed in AS 15.45.330; (5) [, (4)] sufficient space for the printed name, date of  
22 birth, signature, and address of each person signing the petition; (6) sufficient  
23 space at the bottom of each page for the information required by  
24 AS 15.45.360(8); [SIGNATURES AND ADDRESSES,] and (7) [(5)] other  
25 specifications prescribed by the lieutenant governor to ensure [ASSURE] proper  
26 handling and control. Petitions, for purposes of circulation, shall be prepared by the  
27 lieutenant governor in a number reasonably calculated to allow full circulation  
28 throughout the state and shall be sequentially numbered [. THE LIEUTENANT  
29 GOVERNOR SHALL NUMBER EACH PETITION AND SHALL KEEP A  
30 RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR]. Upon request  
31 of the referendum committee, the lieutenant governor shall report to the referendum

1        committee [SPECIFY] the number of persons who voted in the preceding general  
2        election.

3        \* **Sec. 31.** AS 15.45 is amended by adding a new section to read:

4                **Sec. 15.45.335. Qualifications of circulator.** To circulate a petition booklet,  
5        a person shall be

- 6                    (1) a citizen of the United States;  
7                    (2) 18 years of age or older; and  
8                    (3) a resident of the state as determined under AS 15.05.020.

9        \* **Sec. 32.** AS 15.45.340 is amended by adding new subsections to read:

10                (b) A circulator may not receive payment or agree to receive payment that is  
11        greater than \$1 a signature, and a person or an organization may not pay or agree to  
12        pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
13        petition.

14                (c) A person or organization may not knowingly pay, offer to pay, or cause to  
15        be paid money or other valuable thing to a person to sign or refrain from signing a  
16        petition.

17                (d) A person or organization that violates (b) or (c) of this section is guilty of a  
18        class B misdemeanor.

19                (e) In this section,

- 20                    (1) "organization" has the meaning given in AS 11.81.900;  
21                    (2) "other valuable thing" has the meaning given in AS 15.56.030;  
22                    (3) "person" has the meaning given in AS 11.81.900.

23        \* **Sec. 33.** AS 15.45.350 is amended to read:

24                **Sec. 15.45.350. Manner of signing and withdrawing name from petition.**

25        Any qualified voter may subscribe to the petition by printing the voter's name, date  
26        of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
27        who has signed the referendum petition may withdraw the person's name only by  
28        giving written notice to the lieutenant governor before the date the petition is filed.

29        \* **Sec. 34.** AS 15.45.360 is amended to read:

30                **Sec. 15.45.360. Certification of circulator.** Before being filed, each petition  
31        shall be certified by an affidavit by the person who circulated the petition. The

1 affidavit must [SHALL] state in substance that (1) the person signing the affidavit  
2 meets the residency, age, and citizenship qualifications for circulating a petition  
3 under AS 15.45.335; [OF AS 15.05.010,] (2) the person is the only circulator of the  
4 petition; [,] (3) the signatures were made in the circulator's actual presence; [, AND]  
5 (4) to the best of the circulator's knowledge, the signatures are the signatures of  
6 persons whose names they purport to be; (5) the signatures are of persons who were  
7 qualified voters on the date of signature; (6) the circulator has not entered into an  
8 agreement with a person or organization in violation of AS 15.45.340(b); (7) the  
9 circulator has not violated AS 15.45.340(c) with respect to that petition; and (8)  
10 before circulation of the petition, the circulator prominently placed, in the space  
11 provided under AS 15.45.320(6), if the circulator has received payment or agreed  
12 to receive payment for the collection of signatures on the petition, the name of  
13 each person or organization that has paid or agreed to pay the circulator for  
14 collection of signatures on the petition. In determining the sufficiency of the  
15 petition, the lieutenant governor may not count subscriptions on petitions not properly  
16 certified.

17 \* Sec. 35. AS 15.45.430 is amended to read:

18 Sec. 15.45.430. **Display of act being referred.** The director shall provide  
19 each election board with five [10] copies of the act being referred, and the election  
20 board shall display at least one copy [THREE COPIES] of the act in a conspicuous  
21 place in the room where the election is held.

22 \* Sec. 36. AS 15.45.500 is amended to read:

23 Sec. 15.45.500. **Form of application.** The application must include

24 (1) the name and office of the person to be recalled;

25 (2) the grounds for recall described in particular in not more than 200  
26 words;

27 (3) the printed name, signature, address, and date of birth of  
28 qualified voters equal in number to 10 percent of those who voted in the  
29 preceding general election in the state or in the senate or house district of the  
30 official sought to be recalled; each signature page must include a statement that the  
31 [SPONSORS ARE] qualified voters [WHO]

1                                    (A) will serve as sponsors; and  
 2                                    (B) signed the application with  
 3                                    (i) the name and office of the person to be recalled;  
 4                                    and  
 5                                    (ii) the statement of grounds for recall attached; and  
 6                                    (4) the designation of a recall committee consisting of three of the  
 7                                    qualified voters [SPONSORS] who subscribed to the application and shall  
 8                                    represent all sponsors and subscribers in matters relating to the recall; the designation  
 9                                    must include the name, mailing address, and signature of each committee  
 10                                    member

11                                    [(5) THE SIGNATURES OF AT LEAST 100 QUALIFIED VOTERS  
 12                                    WHO SUBSCRIBE TO THE APPLICATION AS SPONSORS FOR PURPOSES OF  
 13                                    CIRCULATION; AND

14                                    (6) THE SIGNATURES AND ADDRESSES OF QUALIFIED  
 15                                    VOTERS EQUAL IN NUMBER TO 10 PERCENT OF THOSE WHO VOTED IN  
 16                                    THE PRECEDING GENERAL ELECTION IN THE STATE OR IN THE SENATE  
 17                                    OR HOUSE DISTRICT OF THE OFFICIAL SOUGHT TO BE RECALLED].

18 \* Sec. 37. AS 15.45 is amended by adding a new section to read:

19                                    **Sec. 15.45.515. Designation of sponsors.** The qualified voters who subscribe  
 20                                    to the application in support of the recall are designated as sponsors. The recall  
 21                                    committee may designate additional sponsors by giving notice to the lieutenant  
 22                                    governor of the names, addresses, and dates of birth of those so designated.

23 \* Sec. 38. AS 15.45.560 is amended to read:

24                                    **Sec. 15.45.560. Preparation of petition.** If [UPON CERTIFYING] the  
 25                                    application is certified, the director shall prescribe the form of, and prepare, a petition  
 26                                    containing (1) the name and office of the person to be recalled; [,] (2) the statement of  
 27                                    the grounds for recall included in the application; [,] (3) the statement of warning  
 28                                    required in AS 15.45.570; [,] (4) sufficient space for the printed name, date of birth,  
 29                                    signature, and address of each person signing the petition; [SIGNATURES AND  
 30                                    ADDRESSES, AND] (5) sufficient space at the bottom of each page for the  
 31                                    information required by AS 15.45.600(8); and (6) other specifications prescribed by

1 the director to ensure [ASSURE] proper handling and control. Petitions, for purposes  
2 of circulation, shall be prepared by the director in a number reasonably calculated to  
3 allow full circulation throughout the state or throughout the senate or house district of  
4 the official sought to be recalled and shall be sequentially numbered. Upon request  
5 of the recall committee, the lieutenant governor shall report to the recall  
6 committee the number of persons who voted in the preceding general election in  
7 the state or in the district of the official sought to be recalled. [THE DIRECTOR  
8 SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE  
9 PETITIONS DELIVERED TO EACH SPONSOR.]

10 \* **Sec. 39.** AS 15.45 is amended by adding a new section to read:

11 **Sec. 15.45.575. Qualifications of circulator.** To circulate a petition booklet,  
12 a person shall be

- 13 (1) a citizen of the United States;
- 14 (2) 18 years of age or older; and
- 15 (3) a resident of the state as determined under AS 15.05.020.

16 \* **Sec. 40.** AS 15.45.580 is amended by adding new subsections to read:

17 (b) A circulator may not receive payment or agree to receive payment that is  
18 greater than \$1 a signature, and a person or an organization may not pay or agree to  
19 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
20 petition.

21 (c) A person or organization may not knowingly pay, offer to pay, or cause to  
22 be paid money or other valuable thing to a person to sign or refrain from signing a  
23 petition.

24 (d) A person or organization that violates (b) or (c) of this section is guilty of a  
25 class B misdemeanor.

26 (e) In this section,

- 27 (1) "organization" has the meaning given in AS 11.81.900;
- 28 (2) "other valuable thing" has the meaning given in AS 15.56.030;
- 29 (3) "person" has the meaning given in AS 11.81.900.

30 \* **Sec. 41.** AS 15.45.590 is amended to read:

31 **Sec. 15.45.590. Manner of signing and withdrawing name from petition.**

1 Any qualified voter may subscribe to the petition by printing the voter's name, date  
2 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
3 who has signed the petition may withdraw the person's name only by giving written  
4 notice to the director before the date the petition is filed.

5 \* Sec. 42. AS 15.45.600 is amended to read:

6 Sec. 15.45.600. **Certification of circulator.** Before being filed, each petition  
7 shall be certified by an affidavit by the person who personally circulated the petition.  
8 The affidavit must [SHALL] state in substance that (1) the person signing the affidavit  
9 meets the residency, age, and citizenship qualifications of AS 15.45.575;  
10 [AS 15.05.010,] (2) the person is the only circulator of that petition or copy; [,] (3) the  
11 signatures were made in the circulator's actual presence; [, AND] (4) to the best of the  
12 circulator's knowledge, the signatures are those of the persons whose names they  
13 purport to be; (5) the signatures are of persons who were qualified voters on the  
14 date of signature; (6) the circulator has not entered into an agreement with a  
15 person or organization in violation of AS 15.45.580(b); (7) the circulator has not  
16 violated AS 15.45.580(c) with respect to that petition; and (8) before circulation  
17 of the petition, the circulator prominently placed, in the space provided under  
18 AS 15.45.560(5), if the circulator has received payment or agreed to receive  
19 payment for the collection of signatures on the petition, the name of each person  
20 or organization that has paid or agreed to pay the circulator for collection of  
21 signatures on the petition. In determining the sufficiency of the petition, the director  
22 may not count subscriptions on petitions not properly certified.

23 \* Sec. 43. AS 15.45.680 is amended to read:

24 Sec. 15.45.680. **Display of grounds [BASES] for and against recall.** The  
25 director shall provide each election board in the state or in the senate or house district  
26 of the person subject to recall with five [10] copies of the statement of the grounds for  
27 recall included in the application and five [10] copies of the statement of not more  
28 than 200 words made by the official subject to recall in justification of the official's  
29 conduct in office. The person subject to recall may provide the director with the  
30 statement within 10 days after the date the director gave notification that the petition  
31 was properly filed. The election board shall post at least one copy [THREE COPIES]

1 of the statements for and against recall in a [THREE] conspicuous place [PLACES] in  
2 the polling place.

3 \* **Sec. 44.** AS 15.60 is amended by adding a new section to read:

4 **Sec. 15.60.003. Voters unaffiliated with political parties.** The director shall  
5 consider a voter to be a voter registered as

6 (1) "nonpartisan" and without a preference for a political party if the  
7 voter registers as nonpartisan on a voter registration form;

8 (2) "undeclared" if the voter

9 (A) registers as undeclared on a voter registration form;

10 (B) fails to declare an affiliation with a political group or  
11 political party on a voter registration form; or

12 (C) declares an affiliation with an entity other than a political  
13 party or political group on a voter registration form; or

14 (3) "other" if the voter declares on a voter registration form an  
15 affiliation with a political group.

16 \* **Sec. 45.** AS 15.60 is amended by adding a new section to read:

17 **Sec. 15.60.008. Recognized political party status.** (a) A political group that  
18 the director has not recognized as a political party may obtain recognized political  
19 party status if, on or before May 31 of the first election year for which the political  
20 group seeks recognition, the political group

21 (1) files an application with the director;

22 (2) submits bylaws to the director and the United States Department of  
23 Justice as required of political parties in AS 15.25.014; and

24 (3) meets the definition of a political party in AS 15.60.010.

25 (b) The director shall verify that each political group seeking recognized  
26 political party status under (a) of this section and each recognized political party meets  
27 the definition of a political party in AS 15.60.010.

28 (c) The director shall perform a verification described in (b) of this section at  
29 least once a month after the date of certification of the preceding general election. For  
30 purposes of (b) of this section, the director shall verify that the voters who have  
31 submitted registration to the division of elections are qualified under AS 15.05.010

1 and have declared affiliation with the political group or recognized political party for  
2 which the verification is performed.

3 (d) Within 10 days after a verification under (c) of this section, the director  
4 shall provide to a political group seeking recognized political party status under (a) of  
5 this section written notification when the political group has obtained recognized  
6 political party status.

7 (e) The director may not withdraw recognized political party status from a  
8 political group that no longer meets the definition of political party except following  
9 the verification immediately after a general election at which a governor was elected.  
10 The director shall provide written notification to the political party of the withdrawal  
11 of recognized political party status.

12 \* Sec. 46. AS 15.60.010(21) is amended to read:

13 (21) "political party" means an organized group of voters that  
14 represents a political program and that

15 (A) [EITHER] nominated a candidate for governor who  
16 received at least three percent of the total votes cast for governor at the  
17 preceding general election at which a governor was elected;

18 (B) nominated a candidate for United States senator who  
19 received at least three percent of the total votes cast for United States  
20 senator at the preceding general election or at the most recent general  
21 election at which a governor was elected;

22 (C) nominated a candidate for United States representative  
23 who received at least three percent of the total votes cast for United States  
24 representative at the preceding general election or at the most recent  
25 general election at which a governor was elected; or

26 (D) has registered voters in the state equal in number to at least  
27 three percent of the total votes cast for governor at the preceding general  
28 election at which a governor was elected;

29 \* Sec. 47. AS 15.60.010 is amended by adding new paragraphs to read:

30 (38) "electronically generated ballot" means any ballot other than a  
31 paper ballot that is physically marked by the voter using a writing instrument or a

1 mechanical device;

2 (39) "optically scanned ballot" means a paper ballot designed to be  
3 read by an optical scanning machine;

4 (40) "reregistration" means the submission of a registration form by a  
5 voter whose registration was inactivated on the master register maintained under  
6 AS 15.07 and the director's reactivation of that registration in accordance with that  
7 chapter; in this paragraph, "a voter whose registration was inactivated" does not  
8 include a voter whose registration was inactivated under AS 15.07.130 and whose  
9 ballot may be counted under AS 15.15.198;

10 (41) "statewide office" means the office of governor, lieutenant  
11 governor, United States senator, or United States representative.

12 \* Sec. 48. AS 29.05.110(b) is amended to read:

13 (b) A qualified voter who is registered to vote [HAS BEEN A RESIDENT  
14 OF THE AREA] within the proposed municipality at least [FOR] 30 days before the  
15 date of the election order may vote.

16 \* Sec. 49. AS 29.05.110(c) is amended to read:

17 (c) Areawide borough powers included in an incorporation petition are  
18 considered to be part of the incorporation question. In an election for the incorporation  
19 of a second class borough, each nonareawide power to be exercised is placed  
20 separately on the ballot. Adoption of a nonareawide power requires a majority of the  
21 votes cast on the question, and the vote is limited to the qualified voters who are  
22 registered to vote [RESIDING] in the proposed borough but outside all cities in the  
23 proposed borough.

24 \* Sec. 50. AS 29.05.110 is amended by adding a new subsection to read:

25 (f) In this section, "qualified voter" has the meaning in AS 15.60.010.

26 \* Sec. 51. AS 15.10.020(b) and AS 15.20.048 are repealed.

27 \* Sec. 52. The uncodified law of the State of Alaska is amended by adding a new section to  
28 read:

29 VOTING BY MAIL AND ELECTRONICALLY. Not later than March 1, 2005, the  
30 director of the division of elections shall provide a report to the legislature on the feasibility,  
31 costs, and benefits of authorizing a system of voting by mail and electronically.

1 \* **Sec. 53.** The uncodified law of the State of Alaska is amended by adding a new section to  
2 read:

3 **APPLICABILITY.** (a) The changes made by secs. 21 - 43 of this Act apply to an  
4 application for an initiative, referendum, or recall filed with the lieutenant governor on or  
5 after the effective date of this Act.

6 (b) Under AS 15.15.032(c), added by sec. 8 of this Act, for ballots cast in elections in  
7 2004 and 2005, the director of elections shall provide for a paper record only to the extent  
8 technologically feasible, and only to the extent that federal matching funds are available for  
9 equipment needed to provide a paper record.

10 (c) To the extent permitted, the director of elections shall expend federal funds  
11 available to implement the provisions of this Act to obtain the equipment necessary to provide  
12 a paper record of ballots electronically generated by equipment the state owns on the effective  
13 date of this Act, before additional machines that produce electronically generated ballots are  
14 purchased.

15 \* **Sec. 54.** The uncodified law of the State of Alaska is amended by adding a new section to  
16 read:

17 **TRANSITION.** An initiative, referendum, or recall for which an application was filed  
18 with the lieutenant governor before the effective date of this Act is subject to the provisions of  
19 AS 15.45 as they existed on the day before the effective date of this Act.

20 \* **Sec. 55.** The uncodified law of the State of Alaska is amended by adding a new section to  
21 read:

22 **REVISOR'S INSTRUCTION.** The revisor of statutes is instructed to change the  
23 heading of art. 5 of AS 15 20 from "Article 5. Optically Scanned Voting" to "Article 5.  
24 Optically Scanned Voting; Voting Machine or Tally System Standards."

25 \* **Sec. 56.** This Act takes effect immediately under AS 01.10.070(c).

23-GH2021\V  
Kurtz  
4/21/04

**CS FOR HOUSE BILL NO. 523(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to qualifications of voters, requirements and procedures regarding  
2 independent candidates for President and Vice-President of the United States, voter  
3 registration and voter registration records, voter residence, precinct boundary and  
4 polling place designation and modification, recognized political parties, voters  
5 unaffiliated with political parties, early voting, absentee voting, ballot counting, voting  
6 electronically, voting by mail, voting machines, vote tally systems, initiative, referendum,  
7 recall, and definitions in the Alaska Election Code; relating to incorporation elections;  
8 and providing for an effective date."

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

10 \* **Section 1.** AS 15.05.020 is amended to read:

11 **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose  
12 of determining residence for voting, the place of residence is governed by the

1 following rules:

2 (1) A person may not be considered to have gained a residence solely  
3 by reason of presence nor may a person lose it solely by reason of absence while in the  
4 civil or military service of this state or of the United States or of absence because of  
5 marriage to a person engaged in the civil or military service of this state or the United  
6 States, while a student at an institution of learning, while in an institution or asylum at  
7 public expense, while confined in public prison, while engaged in the navigation of  
8 waters of this state [,] or the United States or of the high seas, while residing upon an  
9 Indian or military reservation, or while residing in the Alaska Pioneers' Home.

10 (2) The residence of a person is that place in which the person's  
11 habitation is fixed, and to which, whenever absent, the person has the intention to  
12 return. If a person resides in one place, but does business in another, the former is the  
13 person's place of residence. Temporary work sites [CONSTRUCTION CAMPS] do  
14 not constitute a dwelling place.

15 (3) A change of residence is made only by the act of removal joined  
16 with the intent to remain in another place. There can only be one residence.

17 (4) A person does not lose residence if the person leaves home and  
18 goes to another country, state, or place in this state for temporary purposes only and  
19 with the intent of returning.

20 (5) A person does not gain residence in any place to which the person  
21 comes without the present intention to establish a permanent dwelling at that place.

22 (6) A person loses residence in this state if the person votes in another  
23 state's election, either in person or by absentee ballot, and will not be eligible to vote  
24 in this state until again qualifying under AS 15.05.010.

25 (7) [REPEALED]

26 (8)] The term of residence is computed by including the day on which  
27 the person's residence begins and excluding the day of election.

28 ~~(8)~~ [(9) REPEALED

29 (10)] The address of a voter as it appears on the [AN] official voter  
30 registration record [CARD] is presumptive evidence of the person's voting residence.  
31 This presumption is negated only if [BY] the voter notifies [NOTIFYING] the

1 director in writing of a change of voting residence.

2 \* **Sec. 2.** AS 15.07.060(a) is amended to read:

3 (a) Each applicant who requests registration or reregistration shall supply the  
4 following information:

5 (1) the applicant's name and sex;

6 (2) if issued, the applicant's State of Alaska driver's license number or  
7 State of Alaska identification card number, or the last four digits of the applicant's  
8 social security number;

9 (3) the applicant's date of birth;

10 (4) the applicant's Alaska residence address, as specified in  
11 regulations adopted by the director [AND OTHER NECESSARY INFORMATION  
12 ESTABLISHING RESIDENCE, INCLUDING THE TERM OF RESIDENCE IN  
13 THE STATE AND IN THE DISTRICT, IF REQUESTED];

14 (5) a statement of whether the applicant has previously been  
15 registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of  
16 the previous registration;

17 (6) a declaration that the applicant [REGISTRANT] will be 18 years  
18 of age or older within 90 days after [OF] the date of registration;

19 (7) a declaration that the applicant [REGISTRANT] is a citizen of the  
20 United States;

21 (8) the date of application;

22 (9) the applicant's signature or mark;

23 (10) any former name under which the applicant was registered to vote  
24 in the state;

25 (11) an oath [ATTESTATION] that the information provided by the  
26 applicant in (1) - (10) of this subsection is true; and

27 (12) a certification that the applicant understands that a false statement  
28 on the application may make the applicant subject to prosecution for a misdemeanor  
29 under this title or AS 11.

30 \* **Sec. 3.** AS 15.07 is amended by adding a new section to read:

31 **Sec. 15.07.195. Certain information in voter registration records**

1 **confidential.** The following information set out in state voter registration records is  
2 confidential and is not open to public inspection:

- 3 (1) the voter's date of birth;  
4 (2) the voter's social security number, or any part of that number;  
5 (3) the voter's driver's license number;  
6 (4) the voter's telephone number, if shown in those records;  
7 (5) the voter's voter identification number;  
8 (6) the voter's place of birth;  
9 (7) the voter's signature.

10 \* **Sec. 4.** AS 15.10.090 is repealed and reenacted to read:

11 **Sec. 15.10.090. Notice of precinct boundary or polling place designation**  
12 **and modification.** The director shall give full public notice if a precinct is established  
13 or abolished or if the boundaries of a precinct are designated, abolished, or modified,  
14 or if the location of a polling place is changed. Public notice must include

15 (1) whenever possible, sending written notice of the change to each  
16 affected registered voter in the precinct;

17 (2) providing notice of the change

18 (A) by publication three times in a newspaper of general  
19 circulation; if possible, the newspaper shall be one that circulates generally in  
20 the precinct; or

21 (B) if there is not a newspaper described in (A) of this  
22 paragraph, by posting written notice in three conspicuous places as close to the  
23 precinct as possible; at least one posting location must be in the precinct;

24 (3) posting notice of the change on the Internet site of the division of  
25 elections; and

26 (4) providing notification of the change to the appropriate municipal  
27 clerks, community councils, tribal groups, presiding officers, Native villages, and  
28 village regional corporations established under 43 U.S.C. 1606 (Alaska Native Claims  
29 Settlement Act).

30 \* **Sec. 5.** AS 15.15.030(7) is amended to read:

31 (7) The general election ballot shall be designed with the names of

1 candidates of each political party, and of any independent candidates qualified  
2 under AS 15.30.026, for the office of President and Vice-President of the United  
3 States placed in the same section on the ballot rather than the names of electors of  
4 President and Vice-President.

5 \* Sec. 6. AS 15.15.350(a) is amended to read:

6 (a) The director may adopt regulations prescribing the manner in which the  
7 precinct ballot count is accomplished so as to ensure [ASSURE] accuracy in the count  
8 and to expedite the process. The election board shall account for all ballots by  
9 completing a ballot statement containing (1) the number of official ballots received;  
10 (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4)  
11 the number of official ballots unused and either destroyed or returned for  
12 destruction to the elections supervisor or the election supervisor's designee. The  
13 board shall count the number of questioned ballots and [SHALL] compare that  
14 number to the number of questioned voters in the register. Discrepancies shall be  
15 noted and the numbers included in the certificate prescribed by AS 15.15.370. The  
16 election board, in hand-count precincts, shall count the ballots in a manner that allows  
17 watchers to see the ballots when opened and read. A person handling the ballot after it  
18 has been taken from the ballot box and before it is placed in the envelope for mailing  
19 may not have a marking device in hand or remove a ballot from the immediate vicinity  
20 of the polls.

21 \* Sec. 7. AS 15.20.045(b) is amended to read:

22 (b) The director may designate by regulation adopted under AS 44.62  
23 (Administrative Procedure Act) locations at which absentee voting stations will be  
24 operated for 15 days [ON OR AFTER THE 15TH DAY] before an election and on  
25 election day [UP TO AND INCLUDING THE DATE OF THE ELECTION]. The  
26 director shall supply absentee voting stations with ballots for all house districts in the  
27 state and shall designate absentee voting officials to serve at absentee voting stations.

28 \* Sec. 8. AS 15.20.064(a) is amended to read:

29 (a) For 15 days before an election and on election day, a [A] qualified voter  
30 who meets the requirements set out in this section may vote in locations designated  
31 by the director [EARLY IN THE OFFICE OF AN ELECTION SUPERVISOR ON

1 OR AFTER THE 15TH DAY BEFORE AN ELECTION UP TO AND INCLUDING  
2 ELECTION DAY].

3 \* Sec. 9. AS 15.20.064(b) is amended to read:

4 (b) The election supervisor or other election official shall issue a ballot to the  
5 voter upon

6 (1) exhibition of proof of identification as required in AS 15.15.225;

7 (2) verification that the voter's residence address appearing on the  
8 official registration list is current [AND WITHIN THE ELECTION SUPERVISOR'S  
9 JURISDICTION]; and

10 (3) the voter's signing the early voting register.

11 \* Sec. 10. AS 15.20.066(b) is amended to read:

12 (b) An absentee ballot that is completed and returned by the voter by  
13 electronic transmission must

14 (1) contain the following statement: "I understand that, by using  
15 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
16 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
17 that my vote will be held as confidential as possible, [.]" followed by the voter's  
18 signature and date of signature; and

19 (2) be accompanied by a statement executed under oath as to the  
20 voter's identity; the statement under oath must be witnessed by

21 (A) a commissioned or noncommissioned officer of the armed  
22 forces of the United States;

23 (B) an official authorized by federal law or the law of the state  
24 in which the absentee ballot is cast to administer an oath; or

25 (C) a [TWO] United States citizen [CITIZENS] who is [ARE]  
26 18 years of age or older.

27 \* Sec. 11. AS 15.20.081(d) is amended to read:

28 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a  
29 notary public, commissioned officer of the armed forces including the National Guard,  
30 district judge or magistrate, United States postal official, registration official, or other  
31 person qualified to administer oaths, may proceed to mark the ballot in secret, to place

1 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,  
2 and to sign the voter's certificate on the envelope in the presence of an official listed in  
3 this subsection who shall sign as attesting official and shall date the signature. If none  
4 of the officials listed in this subsection is reasonably accessible, an absentee voter  
5 shall sign the voter's certificate in the presence of one person who is a United States  
6 citizen and is [TWO PERSONS OVER THE AGE OF] 18 years of age or older, who  
7 shall sign as a witness [WITNESSES] and attest to the date on which the voter signed  
8 the certificate in the person's [THEIR] presence, and, in addition, the voter shall  
9 provide the certification prescribed in AS 09.63.020.

10 \* **Sec. 12.** AS 15.20.081(h) is amended to read:

11 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail  
12 from outside the United States or from an overseas voter qualifying under  
13 AS 15.05.011 [A MILITARY APO OR FPO ADDRESS] that has been marked and  
14 mailed not later than election day may not be counted unless the ballot is received by  
15 the election supervisor not later than the close of business on the 15th day following  
16 the election.

17 \* **Sec. 13.** AS 15.20.800(b) is amended to read.

18 (b) If the director conducts an election under (a) of this section by mail, the  
19 director shall send a ballot for each election described in (a) of this section to each  
20 person whose name appears on the official registration list prepared under  
21 AS 15.07.125 for that election. The director shall send ballots by first class,  
22 nonforwardable mail. The ballot shall be sent to the address stated on the official  
23 registration list unless the

24 (1) voter has notified the director or an election supervisor of a  
25 different address to which the ballot should be sent; or

26 (2) address on the official registration list has been identified as  
27 being an undeliverable address [THE DIRECTOR SHALL SEND BALLOTS BY  
28 FIRST CLASS, NONFORWARDABLE MAIL].

29 \* **Sec. 14.** AS 15.20 is amended by adding a new section to article 5 to read:

30 **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The  
31 director may approve a voting machine or vote tally system for use in an election in

1 the state upon consideration of factors relevant to the administration of state elections,  
2 including whether the Federal Election Commission has certified the voting machine  
3 or vote tally system to be in compliance with the voting system standards approved by  
4 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America  
5 Vote Act of 2002).

6 \* **Sec. 15.** AS 15.30 is amended by adding a new section to read:

7 **Sec. 15.30.026. Qualifications for independent candidates for President of**  
8 **the United States; selection of candidate for Vice-President; selection of electors.**

9 (a) A person who desires to be an independent candidate for President of the United  
10 States must file with the director not earlier than January 1 of a presidential election  
11 year and not later than the 90th day before a presidential general election a petition  
12 signed by qualified voters of the state equal in number to at least one percent of the  
13 number of voters who cast ballots in an election under this chapter for President of the  
14 United States at the last presidential general election. The petition must state that the  
15 signers desire the named candidate for President of the United States to appear on the  
16 ballot as an independent candidate for president at the next succeeding presidential  
17 general election.

18 (b) In order to appear on the ballot, a candidate who has qualified for ballot  
19 status under (a) of this section shall certify the following information to the director on  
20 or before September 1 of the year of the presidential general election:

21 (1) the names of the electors for the independent candidate for  
22 President of the United States, equal to the number of senators and representatives to  
23 which the state is entitled in Congress;

24 (2) the name of a candidate for Vice-President, selected by the  
25 independent candidate; and

26 (3) the name, Alaska mailing address, and signature of the candidate's  
27 state campaign chair, who must be an Alaska resident.

28 \* **Sec. 16.** AS 15.30.050 is amended to read:

29 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**  
30 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote  
31 marked for the candidates for President and Vice-President [VICE PRESIDENT] is

1 considered and counted as a vote for the presidential electors of the party or for the  
2 presidential electors named under AS 15.30.026, as appropriate.

3 \* Sec. 17. AS 15.30.090 is amended to read:

4 Sec. 15.30.090. Duties of electors. After any vacancies have been filled, the  
5 electors shall proceed to cast their votes for the candidates for the office of President  
6 and Vice-President [VICE PRESIDENT] of the party that [WHICH] selected them as  
7 candidates for electors, or for the candidates for the office of President and Vice-  
8 President under AS 15.30.026 if the electors were named under AS 15.30.026, and  
9 shall perform the duties of electors as required by the constitution and laws of the  
10 United States. The director shall provide administrative services and the Department  
11 of Law shall provide legal services necessary for the electors to perform their duties.

12 \* Sec. 18. AS 15.45.030 is amended to read:

13 Sec. 15.45.030. Form of application. The application must [SHALL]  
14 include the

15 (1) [THE] proposed bill; [TO BE INITIATED,]

16 (2) printed name, signature, address, and date of birth of not less  
17 than 100 qualified voters who will serve as sponsors; each signature page must  
18 include a statement that the sponsors are qualified voters who signed the application  
19 with the proposed bill attached; and [,]

20 (3) [THE] designation of an initiative committee consisting of three of  
21 the sponsors who subscribed to the application and [SHALL] represent all sponsors  
22 and subscribers in matters relating to the initiative; the designation must include the  
23 name, mailing address, and signature of each committee member [, AND

24 (4) THE SIGNATURES AND ADDRESSES OF NOT LESS THAN  
25 100 QUALIFIED VOTERS].

26 \* Sec. 19. AS 15.45.060 is amended to read:

27 Sec. 15.45.060. Designation of sponsors. The qualified voters who subscribe  
28 to the application in support of the proposed bill are designated as sponsors. The  
29 initiative committee may designate additional sponsors by giving written notice to the  
30 lieutenant governor of the names and addresses of those so designated.

31 \* Sec. 20. AS 15.45.090 is amended to read:

1           **Sec. 15.45.090. Preparation of petition.** If the application is certified, the  
 2 lieutenant governor shall prescribe the form of and prepare petitions containing (1) a  
 3 copy of the proposed bill if the number of words included in both the formal and  
 4 substantive provisions of the bill is 500 or less; [,] (2) an impartial summary of the  
 5 subject matter of the bill; [,] (3) the warning prescribed in AS 15.45.100; [,] (4)  
 6 sufficient space for the printed name, date of birth, signature, and address of each  
 7 person signing the petition; [,] (5) sufficient space at the bottom of each signature  
 8 page for the information required by AS 15.45.130(8); [,] and (6) other specifications  
 9 prescribed by the lieutenant governor to ensure [ASSURE] proper handling and  
 10 control. Petitions, for purposes of circulation, shall be prepared by the lieutenant  
 11 governor in a number reasonably calculated to allow full circulation throughout the  
 12 state and shall be sequentially numbered [ THE LIEUTENANT GOVERNOR  
 13 SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE  
 14 PETITION DELIVERED TO EACH SPONSOR]. Upon request of the initiative  
 15 committee, the lieutenant governor shall report to the initiative committee the  
 16 number of persons who voted in the preceding general election.

17 \* **Sec. 21.** AS 15.45 is amended by adding a new section to read:

18           **Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet,  
 19 a person shall be

- 20                   (1) a citizen of the United States;  
 21                   (2) 18 years of age or older; and  
 22                   (3) a resident of the state as determined under AS 15.05.020.

23 \* **Sec. 22.** AS 15.45.120 is amended to read:

24           **Sec. 15.45.120. Manner of signing and withdrawing name from petition.**  
 25 Any qualified voter may subscribe to the petition by printing the voter's name, date  
 26 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
 27 who has signed the initiative petition may withdraw the person's name only by giving  
 28 written notice to the lieutenant governor before the date the petition is filed.

29 \* **Sec. 23.** AS 15.45.130 is amended to read:

30           **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition  
 31 shall be certified by an affidavit by the person who personally circulated the petition.

1 The affidavit must state in substance that (1) the person signing the affidavit meets the  
2 residency, age, and citizenship qualifications for circulating a petition under  
3 AS 15.45.105; [OF AS 15.05.010,] (2) the person is the only circulator of that  
4 petition; [,] (3) the signatures were made in the circulator's actual presence; [,] (4) to  
5 the best of the circulator's knowledge, the signatures are those of the persons whose  
6 names they purport to be; [,] (5) the signatures are of persons who were qualified  
7 voters on the date of signature; [,] (6) the circulator [PERSON] has not entered into  
8 an agreement with a person or organization in violation of AS 15.45.110(c); [,] (7) the  
9 circulator [PERSON] has not violated AS 15.45.110(d) with respect to that petition;  
10 [,] and (8) before circulation of the petition, the circulator prominently placed, in the  
11 space provided under AS 15.45.090(5) [BEFORE CIRCULATION OF THE  
12 PETITION, IN BOLD CAPITAL LETTERS, THE CIRCULATOR'S NAME AND],  
13 if the circulator has received payment or agreed to receive payment for the collection  
14 of signatures on the petition, the name of each person or organization that has paid or  
15 agreed to pay the circulator for collection of signatures on the petition. In determining  
16 the sufficiency of the petition, the lieutenant governor may not count subscriptions on  
17 petitions not properly certified.

18 \* Sec. 24. AS 15.45.200 is amended to read:

19 **Sec. 15.45.200. Display of proposed law.** The director shall provide each  
20 election board with five [10] copies of the proposed law being initiated, and the  
21 election board shall display at least one copy [THREE COPIES] of the proposed law  
22 in a conspicuous place in the room where the election is held.

23 \* Sec. 25. AS 15.45.270 is amended to read:

24 **Sec. 15.45.270. Form of application.** The application must [SHALL]  
25 include

- 26 (1) the act to be referred;
- 27 (2) a statement of approval or rejection;
- 28 (3) the printed signature, address, and date of birth of not less  
29 than 100 qualified voters who will serve as sponsors; each signature page must  
30 include a statement that the sponsors are qualified voters who signed the application  
31 with the act to be referred and the statement of approval or rejection

1 [PROPOSED BILL] attached; and

2 (4) [(3)] the designation of a referendum committee consisting of three  
3 of the sponsors who subscribed to the application and [SHALL] represent all  
4 sponsors and subscribers in matters relating to the referendum; the designation must  
5 include the name, address, and signature of each committee member [AND

6 (4) THE SIGNATURES AND ADDRESSES OF NOT FEWER  
7 THAN 100 QUALIFIED VOTERS].

8 \* Sec. 26. AS 15.45.290 is amended to read:

9 Sec. 15.45.290. Designation of sponsors. The qualified voters who subscribe  
10 to the application in support of the referendum are designated as sponsors. The  
11 referendum committee may designate additional sponsors by giving notice to the  
12 lieutenant governor of the names and addresses of those so designated.

13 \* Sec. 27. AS 15.45.320 is amended to read:

14 Sec. 15.45.320. Preparation of petition. If the application is certified, the  
15 lieutenant governor shall, within seven calendar days after the date of certification,  
16 prescribe the form of, and prepare, a petition containing (1) a copy of the act to be  
17 referred, if the number of words included in both the formal and substantive  
18 provisions of the bill is 500 or less; [,] (2) the statement of approval or rejection;  
19 (3) an impartial summary of the subject matter of the act; (4) [, (3)] the warning  
20 prescribed in AS 15.45.330; (5) [, (4)] sufficient space for the printed name, date of  
21 birth, signature, and address of each person signing the petition; (6) sufficient  
22 space at the bottom of each page for the information required by  
23 AS 15.45.360(8); [SIGNATURES AND ADDRESSES,] and (7) [(5)] other  
24 specifications prescribed by the lieutenant governor to ensure [ASSURE] proper  
25 handling and control. Petitions, for purposes of circulation, shall be prepared by the  
26 lieutenant governor in a number reasonably calculated to allow full circulation  
27 throughout the state and shall be sequentially numbered [. THE LIEUTENANT  
28 GOVERNOR SHALL NUMBER EACH PETITION AND SHALL KEEP A  
29 RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR]. Upon request  
30 of the referendum committee, the lieutenant governor shall report to the referendum  
31 committee [SPECIFY] the number of persons who voted in the preceding general

1 election.

2 \* **Sec. 28.** AS 15.45 is amended by adding a new section to read:

3 **Sec. 15.45.335. Qualifications of circulator.** To circulate a petition booklet,  
4 a person shall be

5 (1) a citizen of the United States;

6 (2) 18 years of age or older; and

7 (3) a resident of the state as determined under AS 15.05.020.

8 \* **Sec. 29.** AS 15.45.340 is amended by adding new subsections to read:

9 (b) A circulator may not receive payment or agree to receive payment that is  
10 greater than \$1 a signature, and a person or an organization may not pay or agree to  
11 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
12 petition.

13 (c) A person or organization may not knowingly pay, offer to pay, or cause to  
14 be paid money or other valuable thing to a person to sign or refrain from signing a  
15 petition.

16 (d) A person or organization that violates (b) or (c) of this section is guilty of a  
17 class B misdemeanor.

18 (e) In this section,

19 (1) "organization" has the meaning given in AS 11.81.900;

20 (2) "other valuable thing" has the meaning given in AS 15.56.030;

21 (3) "person" has the meaning given in AS 11.81.900.

22 \* **Sec. 30.** AS 15.45.350 is amended to read:

23 **Sec. 15.45.350. Manner of signing and withdrawing name from petition.**

24 Any qualified voter may subscribe to the petition by printing the voter's name, date  
25 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
26 who has signed the referendum petition may withdraw the person's name only by  
27 giving written notice to the lieutenant governor before the date the petition is filed.

28 \* **Sec. 31.** AS 15.45.360 is amended to read:

29 **Sec. 15.45.360. Certification of circulator.** Before being filed, each petition  
30 shall be certified by an affidavit by the person who circulated the petition. The  
31 affidavit must [SHALL] state in substance that (1) the person signing the affidavit

1 meets the residency, age, and citizenship qualifications for circulating a petition  
2 under AS 15.45.335; [OF AS 15.05.010,] (2) the person is the only circulator of the  
3 petition; [,] (3) the signatures were made in the circulator's actual presence; [, AND]  
4 (4) to the best of the circulator's knowledge, the signatures are the signatures of  
5 persons whose names they purport to be; (5) the signatures are of persons who were  
6 qualified voters on the date of signature; (6) the circulator has not entered into an  
7 agreement with a person or organization in violation of AS 15.45.340(b); (7) the  
8 circulator has not violated AS 15.45.340(c) with respect to that petition; and (8)  
9 before circulation of the petition, the circulator prominently placed, in the space  
10 provided under AS 15.45.320(6), if the circulator has received payment or agreed  
11 to receive payment for the collection of signatures on the petition, the name of  
12 each person or organization that has paid or agreed to pay the circulator for  
13 collection of signatures on the petition. In determining the sufficiency of the  
14 petition, the lieutenant governor may not count subscriptions on petitions not properly  
15 certified.

16 \* Sec. 32. AS 15.45.430 is amended to read:

17       Sec. 15.45.430. **Display of act being referred.** The director shall provide  
18 each election board with five [10] copies of the act being referred, and the election  
19 board shall display at least one copy [THREE COPIES] of the act in a conspicuous  
20 place in the room where the election is held.

21 \* Sec. 33. AS 15.45.500 is amended to read:

22       Sec. 15.45.500. **Form of application.** The application must include

23               (1) the name and office of the person to be recalled;

24               (2) the grounds for recall described in particular in not more than 200  
25 words;

26               (3) the printed name, signature, address, and date of birth of  
27 qualified voters equal in number to 10 percent of those who voted in the  
28 preceding general election in the state or in the senate or house district of the  
29 official sought to be recalled; each signature page must include a statement that the  
30 [SPONSORS ARE] qualified voters [WHO]

31                       (A) will serve as sponsors; and

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(B) signed the application with

(i) the name and office of the person to be recalled;

and

(ii) the statement of grounds for recall attached; and

(4) the designation of a recall committee consisting of three of the qualified voters [SPONSORS] who subscribed to the application and shall represent all sponsors and subscribers in matters relating to the recall; the designation must include the name, mailing address, and signature of each committee member

[(5) THE SIGNATURES OF AT LEAST 100 QUALIFIED VOTERS WHO SUBSCRIBE TO THE APPLICATION AS SPONSORS FOR PURPOSES OF CIRCULATION; AND

(6) THE SIGNATURES AND ADDRESSES OF QUALIFIED VOTERS EQUAL IN NUMBER TO 10 PERCENT OF THOSE WHO VOTED IN THE PRECEDING GENERAL ELECTION IN THE STATE OR IN THE SENATE OR HOUSE DISTRICT OF THE OFFICIAL SOUGHT TO BE RECALLED].

\* Sec. 34. AS 15.45 is amended by adding a new section to read:

**Sec. 15.45.515. Designation of sponsors.** The qualified voters who subscribe to the application in support of the recall are designated as sponsors. The recall committee may designate additional sponsors by giving notice to the lieutenant governor of the names, addresses, and dates of birth of those so designated.

\* Sec. 35. AS 15.45.560 is amended to read:

**Sec. 15.45.560. Preparation of petition.** If [UPON CERTIFYING] the application is certified, the director shall prescribe the form of, and prepare, a petition containing (1) the name and office of the person to be recalled; [,] (2) the statement of the grounds for recall included in the application; [,] (3) the statement of warning required in AS 15.45.570; [,] (4) sufficient space for the printed name, date of birth, signature, and address of each person signing the petition; [SIGNATURES AND ADDRESSES, AND] (5) sufficient space at the bottom of each page for the information required by AS 15.45.600(8); and (6) other specifications prescribed by the director to ensure [ASSURE] proper handling and control. Petitions, for purposes

1 of circulation, shall be prepared by the director in a number reasonably calculated to  
2 allow full circulation throughout the state or throughout the senate or house district of  
3 the official sought to be recalled and shall be sequentially numbered. Upon request  
4 of the recall committee, the lieutenant governor shall report to the recall  
5 committee the number of persons who voted in the preceding general election in  
6 the state or in the district of the official sought to be recalled. [THE DIRECTOR  
7 SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE  
8 PETITIONS DELIVERED TO EACH SPONSOR.]

9 \* **Sec. 36.** AS 15.45 is amended by adding a new section to read:

10 **Sec. 15.45.575. Qualifications of circulator.** To circulate a petition booklet,  
11 a person shall be

- 12 (1) a citizen of the United States;  
13 (2) 18 years of age or older; and  
14 (3) a resident of the state as determined under AS 15.05.020.

15 \* **Sec. 37.** AS 15.45.580 is amended by adding new subsections to read:

16 (b) A circulator may not receive payment or agree to receive payment that is  
17 greater than \$1 a signature, and a person or an organization may not pay or agree to  
18 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
19 petition.

20 (c) A person or organization may not knowingly pay, offer to pay, or cause to  
21 be paid money or other valuable thing to a person to sign or refrain from signing a  
22 petition.

23 (d) A person or organization that violates (b) or (c) of this section is guilty of a  
24 class B misdemeanor.

25 (e) In this section,

- 26 (1) "organization" has the meaning given in AS 11.81.900;  
27 (2) "other valuable thing" has the meaning given in AS 15.56.030;  
28 (3) "person" has the meaning given in AS 11.81.900.

29 \* **Sec. 38.** AS 15.45.590 is amended to read:

30 **Sec. 15.45.590. Manner of signing and withdrawing name from petition.**  
31 Any qualified voter may subscribe to the petition by printing the voter's name, date

1 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
2 who has signed the petition may withdraw the person's name only by giving written  
3 notice to the director before the date the petition is filed.

4 \* Sec. 39. AS 15.45.600 is amended to read:

5 **Sec. 15.45.600. Certification of circulator.** Before being filed, each petition  
6 shall be certified by an affidavit by the person who personally circulated the petition.  
7 The affidavit must [SHALL] state in substance that (1) the person signing the affidavit  
8 meets the residency, age, and citizenship qualifications of AS 15.45.575;  
9 [AS 15.05.010,] (2) the person is the only circulator of that petition or copy; [,] (3) the  
10 signatures were made in the circulator's actual presence; [, AND] (4) to the best of the  
11 circulator's knowledge, the signatures are those of the persons whose names they  
12 purport to be; (5) the signatures are of persons who were qualified voters on the  
13 date of signature; (6) the circulator has not entered into an agreement with a  
14 person or organization in violation of AS 15.45.580(b); (7) the circulator has not  
15 violated AS 15.45.580(c) with respect to that petition; and (8) before circulation  
16 of the petition, the circulator prominently placed, in the space provided under  
17 AS 15.45.560(5), if the circulator has received payment or agreed to receive  
18 payment for the collection of signatures on the petition, the name of each person  
19 or organization that has paid or agreed to pay the circulator for collection of  
20 signatures on the petition. In determining the sufficiency of the petition, the director  
21 may not count subscriptions on petitions not properly certified.

22 \* Sec. 40. AS 15.45.680 is amended to read:

23 **Sec. 15.45.680. Display of grounds [BASES] for and against recall.** The  
24 director shall provide each election board in the state or in the senate or house district  
25 of the person subject to recall with five [10] copies of the statement of the grounds for  
26 recall included in the application and five [10] copies of the statement of not more  
27 than 200 words made by the official subject to recall in justification of the official's  
28 conduct in office. The person subject to recall may provide the director with the  
29 statement within 10 days after the date the director gave notification that the petition  
30 was properly filed. The election board shall post at least one copy [THREE COPIES]  
31 of the statements for and against recall in a [THREE] conspicuous place [PLACES] in

1 the polling place.

2 \* Sec. 41. AS 15.60 is amended by adding a new section to read:

3 **Sec. 15.60.003. Voters unaffiliated with political parties.** The director shall  
4 consider a voter to be a voter registered as

5 (1) "nonpartisan" and without a preference for a political party if the  
6 voter registers as nonpartisan on a voter registration form;

7 (2) "undeclared" if the voter

8 (A) registers as undeclared on a voter registration form;

9 (B) fails to declare an affiliation with a political group or  
10 political party on a voter registration form; or

11 (C) declares an affiliation with an entity other than a political  
12 party or political group on a voter registration form; or

13 (3) "other" if the voter declares on a voter registration form an  
14 affiliation with a political group.

15 \* Sec. 42. AS 15.60 is amended by adding a new section to read:

16 **Sec. 15.60.008. Recognized political party status.** (a) A political group that  
17 the director has not recognized as a political party may obtain recognized political  
18 party status if, on or before May 31 of the first election year for which the political  
19 group seeks recognition, the political group

20 (1) files an application with the director;

21 (2) submits bylaws to the director and the United States Department of  
22 Justice as required of political parties in AS 15.25.014; and

23 (3) meets the definition of a political party in AS 15.60.010.

24 (b) The director shall verify that each political group seeking recognized  
25 political party status under (a) of this section and each recognized political party meets  
26 the definition of a political party in AS 15.60.010.

27 (c) The director shall perform a verification described in (b) of this section at  
28 least once a month after the date of certification of the preceding general election. For  
29 purposes of (b) of this section, the director shall verify that the voters who have  
30 submitted registration to the division of elections are qualified under AS 15.05.010  
31 and have declared affiliation with the political group or recognized political party for

1 which the verification is performed.

2 (d) Within 10 days after a verification under (c) of this section, the director  
3 shall provide to a political group seeking recognized political party status under (a) of  
4 this section written notification when the political group has obtained recognized  
5 political party status.

6 (e) The director may not withdraw recognized political party status from a  
7 political group that no longer meets the definition of political party except following  
8 the verification immediately after a general election at which a governor was elected.  
9 The director shall provide written notification to the political party of the withdrawal  
10 of recognized political party status.

11 \* Sec. 43. AS 15.60.010(21) is amended to read:

12 (21) "political party" means an organized group of voters that  
13 represents a political program and that

14 (A) [EITHER] nominated a candidate for governor who  
15 received at least three percent of the total votes cast for governor at the  
16 preceding general election at which a governor was elected;

17 (B) nominated a candidate for United States senator who  
18 received at least three percent of the total votes cast for United States  
19 senator at the preceding general election or at the most recent general  
20 election at which a governor was elected;

21 (C) nominated a candidate for United States representative  
22 who received at least three percent of the total votes cast for United States  
23 representative at the preceding general election or at the most recent  
24 general election at which a governor was elected; or

25 (D) has registered voters in the state equal in number to at least  
26 three percent of the total votes cast for governor at the preceding general  
27 election at which a governor was elected;

28 \* Sec. 44. AS 15.60.010 is amended by adding new paragraphs to read:

29 (38) "reregistration" means the submission of a registration form by a  
30 voter whose registration was inactivated on the master register maintained under  
31 AS 15.07 and the director's reactivation of that registration in accordance with that

1 chapter; in this paragraph, "a voter whose registration was inactivated" does not  
2 include a voter whose registration was inactivated under AS 15.07.130 and whose  
3 ballot may be counted under AS 15.15.198;

4 (39) "statewide office" means the office of governor, lieutenant  
5 governor, United States senator, or United States representative.

6 \* Sec. 45. AS 29.05.110(b) is amended to read:

7 (b) A qualified voter who is registered to vote [HAS BEEN A RESIDENT  
8 OF THE AREA] within the proposed municipality at least [FOR] 30 days before the  
9 date of the election order may vote.

10 \* Sec. 46. AS 29.05.110(c) is amended to read:

11 (c) Areawide borough powers included in an incorporation petition are  
12 considered to be part of the incorporation question. In an election for the incorporation  
13 of a second class borough, each nonareawide power to be exercised is placed  
14 separately on the ballot. Adoption of a nonareawide power requires a majority of the  
15 votes cast on the question, and the vote is limited to the qualified voters who are  
16 registered to vote [RESIDING] in the proposed borough but outside all cities in the  
17 proposed borough.

18 \* Sec. 47. AS 29.05.110 is amended by adding a new subsection to read:

19 (f) In this section, "qualified voter" has the meaning in AS 15.60.010.

20 \* Sec. 48. The uncodified law of the State of Alaska is amended by adding a new section to  
21 read:

22 VOTING BY MAIL AND ELECTRONICALLY. Not later than March 1, 2005, the  
23 director of the division of elections shall provide a report to the legislature on the feasibility,  
24 costs, and benefits of authorizing a system of voting by mail and electronically.

25 \* Sec. 49. AS 15.10.020(b) and AS 15.20.048 are repealed.

26 \* Sec. 50. The uncodified law of the State of Alaska is amended by adding a new section to  
27 read:

28 APPLICABILITY. The changes made by secs. 18 - 40 of this Act apply to an  
29 application for an initiative, referendum, or recall filed with the lieutenant governor on or  
30 after the effective date of this Act.

31 \* Sec. 51. The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2       TRANSITION. An initiative, referendum, or recall for which an application was filed  
3 with the lieutenant governor before the effective date of this Act is subject to the provisions of  
4 AS 15.45 as they existed on the day before the effective date of this Act.

5       \* Sec. 52. The uncodified law of the State of Alaska is amended by adding a new section to  
6 read:

7       REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the  
8 heading of art. 5 of AS 15.20 from "Article 5. Optically Scanned Voting" to "Article 5.  
9 Optically Scanned Voting; Voting Machine or Tally System Standards."  
10       \* Sec. 53. This Act takes effect immediately under AS 01.10.070(c).

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**CS FOR HOUSE BILL NO. 523(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to qualifications of voters, requirements and procedures regarding**  
2 **independent candidates for President and Vice-President of the United States, voter**  
3 **registration and voter registration records, voter residence, precinct boundary and**  
4 **polling place designation and modification, recognized political parties, voters**  
5 **unaffiliated with political parties, early voting, absentee voting, ballot counting, voting**  
6 **electronically, voting by mail, voting machines, vote tally systems, initiative, referendum,**  
7 **recall, and definitions in the Alaska Election Code; relating to incorporation elections;**  
8 **and providing for an effective date."**

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

10 **\* Section 1. AS 15.05.020 is amended to read:**

11 **Sec. 15.05.020. Rules for determining residence of voter. For the purpose**  
12 **of determining residence for voting, the place of residence is governed by the**

1 following rules:

2 (1) A person may not be considered to have gained a residence solely  
3 by reason of presence nor may a person lose it solely by reason of absence while in the  
4 civil or military service of this state or of the United States or of absence because of  
5 marriage to a person engaged in the civil or military service of this state or the United  
6 States, while a student at an institution of learning, while in an institution or asylum at  
7 public expense, while confined in public prison, while engaged in the navigation of  
8 waters of this state [,] or the United States or of the high seas, while residing upon an  
9 Indian or military reservation, or while residing in the Alaska Pioneers' Home.

10 (2) The residence of a person is that place in which the person's  
11 habitation is fixed, and to which, whenever absent, the person has the intention to  
12 return. If a person resides in one place, but does business in another, the former is the  
13 person's place of residence. Temporary work sites [CONSTRUCTION CAMPS] do  
14 not constitute a dwelling place.

15 (3) A change of residence is made only by the act of removal joined  
16 with the intent to remain in another place. There can only be one residence.

17 (4) A person does not lose residence if the person leaves home and  
18 goes to another country, state, or place in this state for temporary purposes only and  
19 with the intent of returning.

20 (5) A person does not gain residence in any place to which the person  
21 comes without the present intention to establish a permanent dwelling at that place.

22 (6) A person loses residence in this state if the person votes in another  
23 state's election, either in person or by absentee ballot, and will not be eligible to vote  
24 in this state until again qualifying under AS 15.05.010.

25 (7) [REPEALED

26 (8)] The term of residence is computed by including the day on which  
27 the person's residence begins and excluding the day of election.

28 ~~(8)~~ [(9) REPEALED

29 (10)] The address of a voter as it appears on the [AN] official voter  
30 registration record [CARD] is presumptive evidence of the person's voting residence.  
31 This presumption is negated only if [BY] the voter notifies [NOTIFYING] the

1 director in writing of a change of voting residence.

2 \* Sec. 2. AS 15.07.060(a) is amended to read:

3 (a) Each applicant who requests registration or reregistration shall supply the  
4 following information:

5 (1) the applicant's name and sex;

6 (2) if issued, the applicant's State of Alaska driver's license number or  
7 State of Alaska identification card number, or the last four digits of the applicant's  
8 social security number;

9 (3) the applicant's date of birth;

10 (4) the applicant's Alaska residence address, as specified in  
11 regulations adopted by the director [AND OTHER NECESSARY INFORMATION  
12 ESTABLISHING RESIDENCE, INCLUDING THE TERM OF RESIDENCE IN  
13 THE STATE AND IN THE DISTRICT, IF REQUESTED];

14 (5) a statement of whether the applicant has previously been  
15 registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of  
16 the previous registration;

17 (6) a declaration that the applicant [REGISTRANT] will be 18 years  
18 of age or older within 90 days after [OF] the date of registration;

19 (7) a declaration that the applicant [REGISTRANT] is a citizen of the  
20 United States;

21 (8) the date of application;

22 (9) the applicant's signature or mark;

23 (10) any former name under which the applicant was registered to vote  
24 in the state;

25 (11) an oath [ATTESTATION] that the information provided by the  
26 applicant in (1) - (10) of this subsection is true; and

27 (12) a certification that the applicant understands that a false statement  
28 on the application may make the applicant subject to prosecution for a misdemeanor  
29 under this title or AS 11.

30 \* Sec. 3. AS 15.07 is amended by adding a new section to read:

31 **Sec. 15.07.195. Certain information in voter registration records**

1 **confidential.** The following information set out in state voter registration records is  
2 confidential and is not open to public inspection:

- 3 (1) the voter's date of birth;  
4 (2) the voter's social security number, or any part of that number;  
5 (3) the voter's driver's license number;  
6 (4) the voter's telephone number, if shown in those records;  
7 (5) the voter's voter identification number;  
8 (6) the voter's place of birth;  
9 (7) the voter's signature.

10 \* **Sec. 4.** AS 15.10.090 is repealed and reenacted to read:

11 **Sec. 15.10.090. Notice of precinct boundary or polling place designation**  
12 **and modification.** The director shall give full public notice if a precinct is established  
13 or abolished or if the boundaries of a precinct are designated, abolished, or modified,  
14 or if the location of a polling place is changed. Public notice must include

15 (1) whenever possible, sending written notice of the change to each  
16 affected registered voter in the precinct;

17 (2) providing notice of the change

18 (A) by publication three times in a newspaper of general  
19 circulation; if possible, the newspaper shall be one that circulates generally in  
20 the precinct; or

21 (B) if there is not a newspaper described in (A) of this  
22 paragraph, by posting written notice in three conspicuous places as close to the  
23 precinct as possible; at least one posting location must be in the precinct;

24 (3) posting notice of the change on the Internet site of the division of  
25 elections; and

26 (4) providing notification of the change to the appropriate municipal  
27 clerks, community councils, tribal groups, presiding officers, Native villages, and  
28 village regional corporations established under 43 U.S.C. 1606 (Alaska Native Claims  
29 Settlement Act).

30 \* **Sec. 5.** AS 15.15.030(7) is amended to read:

31 (7) The general election ballot shall be designed with the names of

1 candidates of each political party, and of any independent candidates qualified  
2 under AS 15.30.026, for the office of President and Vice-President of the United  
3 States placed in the same section on the ballot rather than the names of electors of  
4 President and Vice-President.

5 \* Sec. 6. AS 15.15.350(a) is amended to read:

6 (a) The director may adopt regulations prescribing the manner in which the  
7 precinct ballot count is accomplished so as to ensure [ASSURE] accuracy in the count  
8 and to expedite the process. The election board shall account for all ballots by  
9 completing a ballot statement containing (1) the number of official ballots received;  
10 (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4)  
11 the number of official ballots unused and either destroyed or returned for  
12 destruction to the elections supervisor or the election supervisor's designee. The  
13 board shall count the number of questioned ballots and [SHALL] compare that  
14 number to the number of questioned voters in the register. Discrepancies shall be  
15 noted and the numbers included in the certificate prescribed by AS 15.15.370. The  
16 election board, in hand-count precincts, shall count the ballots in a manner that allows  
17 watchers to see the ballots when opened and read. A person handling the ballot after it  
18 has been taken from the ballot box and before it is placed in the envelope for mailing  
19 may not have a marking device in hand or remove a ballot from the immediate vicinity  
20 of the polls.

21 \* Sec. 7. AS 15.20.045(b) is amended to read:

22 (b) The director may designate by regulation adopted under AS 44.62  
23 (Administrative Procedure Act) locations at which absentee voting stations will be  
24 operated for 15 days [ON OR AFTER THE 15TH DAY] before an election and on  
25 election day [UP TO AND INCLUDING THE DATE OF THE ELECTION]. The  
26 director shall supply absentee voting stations with ballots for all house districts in the  
27 state and shall designate absentee voting officials to serve at absentee voting stations.

28 \* Sec. 8. AS 15.20.064(a) is amended to read:

29 (a) For 15 days before an election and on election day, a [A] qualified voter  
30 who meets the requirements set out in this section may vote in locations designated  
31 by the director [EARLY IN THE OFFICE OF AN ELECTION SUPERVISOR ON

1 OR AFTER THE 15TH DAY BEFORE AN ELECTION UP TO AND INCLUDING  
2 ELECTION DAY].

3 \* Sec. 9. AS 15.20.064(b) is amended to read:

4 (b) The election supervisor or other election official shall issue a ballot to the  
5 voter upon

6 (1) exhibition of proof of identification as required in AS 15.15.225;

7 (2) verification that the voter's residence address appearing on the  
8 official registration list is current [AND WITHIN THE ELECTION SUPERVISOR'S  
9 JURISDICTION]; and

10 (3) the voter's signing the early voting register.

11 \* Sec. 10. AS 15.20.066(b) is amended to read:

12 (b) An absentee ballot that is completed and returned by the voter by  
13 electronic transmission must

14 (1) contain the following statement: "I understand that, by using  
15 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
16 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
17 that my vote will be held as confidential as possible, [.]" followed by the voter's  
18 signature and date of signature; and

19 (2) be accompanied by a statement executed under oath as to the  
20 voter's identity; the statement under oath must be witnessed by

21 (A) a commissioned or noncommissioned officer of the armed  
22 forces of the United States;

23 (B) an official authorized by federal law or the law of the state  
24 in which the absentee ballot is cast to administer an oath; or

25 (C) a [TWO] United States citizen [CITIZENS] who is [ARE]  
26 18 years of age or older.

27 \* Sec. 11. AS 15.20.081(d) is amended to read:

28 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a  
29 notary public, commissioned officer of the armed forces including the National Guard,  
30 district judge or magistrate, United States postal official, registration official, or other  
31 person qualified to administer oaths, may proceed to mark the ballot in secret, to place

1 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,  
2 and to sign the voter's certificate on the envelope in the presence of an official listed in  
3 this subsection who shall sign as attesting official and shall date the signature. If none  
4 of the officials listed in this subsection is reasonably accessible, an absentee voter  
5 shall sign the voter's certificate in the presence of one person who is a United States  
6 citizen and is [TWO PERSONS OVER THE AGE OF] 18 years of age or older, who  
7 shall sign as a witness [WITNESSES] and attest to the date on which the voter signed  
8 the certificate in the person's [THEIR] presence, and, in addition, the voter shall  
9 provide the certification prescribed in AS 09.63.020.

10 \* Sec. 12. AS 15.20.081(h) is amended to read:

11 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail  
12 from outside the United States or from an overseas voter qualifying under  
13 AS 15.05.011 [A MILITARY APO OR FPO ADDRESS] that has been marked and  
14 mailed not later than election day may not be counted unless the ballot is received by  
15 the election supervisor not later than the close of business on the 15th day following  
16 the election.

17 \* Sec. 13. AS 15.20.800(b) is amended to read.

18 (b) If the director conducts an election under (a) of this section by mail, the  
19 director shall send a ballot for each election described in (a) of this section to each  
20 person whose name appears on the official registration list prepared under  
21 AS 15.07.125 for that election. The director shall send ballots by first class,  
22 nonforwardable mail. The ballot shall be sent to the address stated on the official  
23 registration list unless the

24 (1) voter has notified the director or an election supervisor of a  
25 different address to which the ballot should be sent; or

26 (2) address on the official registration list has been identified as  
27 being an undeliverable address [THE DIRECTOR SHALL SEND BALLOTS BY  
28 FIRST CLASS, NONFORWARDABLE MAIL].

29 \* Sec. 14. AS 15.20 is amended by adding a new section to article 5 to read:

30 Sec. 15.20.910. Standards for voting machines and vote tally systems. The  
31 director may approve a voting machine or vote tally system for use in an election in

1 the state upon consideration of factors relevant to the administration of state elections,  
2 including whether the Federal Election Commission has certified the voting machine  
3 or vote tally system to be in compliance with the voting system standards approved by  
4 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America  
5 Vote Act of 2002).

6 \* Sec. 15. AS 15.30 is amended by adding a new section to read:

7 **Sec. 15.30.026. Qualifications for independent candidates for President of**  
8 **the United States; selection of candidate for Vice-President; selection of electors.**

9 (a) A person who desires to be an independent candidate for President of the United  
10 States must file with the director not earlier than January 1 of a presidential election  
11 year and not later than the 90th day before a presidential general election a petition  
12 signed by qualified voters of the state equal in number to at least one percent of the  
13 number of voters who cast ballots in an election under this chapter for President of the  
14 United States at the last presidential general election. The petition must state that the  
15 signers desire the named candidate for President of the United States to appear on the  
16 ballot as an independent candidate for president at the next succeeding presidential  
17 general election.

18 (b) In order to appear on the ballot, a candidate who has qualified for ballot  
19 status under (a) of this section shall certify the following information to the director on  
20 or before September 1 of the year of the presidential general election:

21 (1) the names of the electors for the independent candidate for  
22 President of the United States, equal to the number of senators and representatives to  
23 which the state is entitled in Congress;

24 (2) the name of a candidate for Vice-President, selected by the  
25 independent candidate; and

26 (3) the name, Alaska mailing address, and signature of the candidate's  
27 state campaign chair, who must be an Alaska resident.

28 \* Sec. 16. AS 15.30.050 is amended to read:

29 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**  
30 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote  
31 marked for the candidates for President and Vice-President [VICE PRESIDENT] is

1 considered and counted as a vote for the presidential electors of the party or for the  
2 presidential electors named under AS 15.30.026, as appropriate.

3 \* Sec. 17. AS 15.30.090 is amended to read:

4 Sec. 15.30.090. **Duties of electors.** After any vacancies have been filled, the  
5 electors shall proceed to cast their votes for the candidates for the office of President  
6 and Vice-President [VICE PRESIDENT] of the party that [WHICH] selected them as  
7 candidates for electors, or for the candidates for the office of President and Vice-  
8 President under AS 15.30.026 if the electors were named under AS 15.30.026, and  
9 shall perform the duties of electors as required by the constitution and laws of the  
10 United States. The director shall provide administrative services and the Department  
11 of Law shall provide legal services necessary for the electors to perform their duties.

12 \* Sec. 18. AS 15.45.030 is amended to read:

13 Sec. 15.45.030. **Form of application.** The application must [SHALL]  
14 include the

15 (1) [THE] proposed bill; [TO BE INITIATED,]

16 (2) printed name, signature, address, and date of birth of not less  
17 than 100 qualified voters who will serve as sponsors; each signature page must  
18 include a statement that the sponsors are qualified voters who signed the application  
19 with the proposed bill attached; and [,]

20 (3) [THE] designation of an initiative committee consisting of three of  
21 the sponsors who subscribed to the application and [SHALL] represent all sponsors  
22 and subscribers in matters relating to the initiative; the designation must include the  
23 name, mailing address, and signature of each committee member [, AND

24 (4) THE SIGNATURES AND ADDRESSES OF NOT LESS THAN  
25 100 QUALIFIED VOTERS].

26 \* Sec. 19. AS 15.45.060 is amended to read:

27 Sec. 15.45.060. **Designation of sponsors.** The qualified voters who subscribe  
28 to the application in support of the proposed bill are designated as sponsors. The  
29 initiative committee may designate additional sponsors by giving written notice to the  
30 lieutenant governor of the names and addresses of those so designated.

31 \* Sec. 20. AS 15.45.090 is amended to read:

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**Sec. 15.45.090. Preparation of petition.** If the application is certified, the lieutenant governor shall prescribe the form of and prepare petitions containing (1) a copy of the proposed bill if the number of words included in both the formal and substantive provisions of the bill is 500 or less; [,] (2) an impartial summary of the subject matter of the bill; [,] (3) the warning prescribed in AS 15.45.100; [,] (4) sufficient space for the printed name, date of birth, signature, and address; [,] (5) sufficient space at the bottom of each signature page for the information required by AS 15.45.130(8); [,] and (6) other specifications prescribed by the lieutenant governor to ensure [ASSURE] proper handling and control. Petitions, for purposes of circulation, shall be prepared by the lieutenant governor in a number reasonably calculated to allow full circulation throughout the state and shall be sequentially numbered [. THE LIEUTENANT GOVERNOR SHALL NUMBER EACH PETITION AND SHALL KEEP A RECORD OF THE PETITION DELIVERED TO EACH SPONSOR]. Upon request of the initiative committee, the lieutenant governor shall report to the initiative committee the number of persons who voted in the preceding general election.

\* **Sec. 21.** AS 15.45 is amended by adding a new section to read:

**Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet, a person shall be

- (1) a citizen of the United States;
- (2) 18 years of age or older; and
- (3) a resident of the state as determined under AS 15.05.020.

\* **Sec. 22.** AS 15.45.120 is amended to read:

**Sec. 15.45.120. Manner of signing and withdrawing name from petition.** Any qualified voter may subscribe to the petition by printing the voter's name, date of birth, and address, and by signing the voter's name [AND ADDRESS]. A person who has signed the initiative petition may withdraw the person's name only by giving written notice to the lieutenant governor before the date the petition is filed.

\* **Sec. 23.** AS 15.45.130 is amended to read:

**Sec. 15.45.130. Certification of circulator.** Before being filed, each petition shall be certified by an affidavit by the person who personally circulated the petition.

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1 The affidavit must state in substance that (1) the person signing the affidavit meets the  
 2 residency, age, and citizenship qualifications for circulating a petition under  
 3 AS 15.45.105; [OF AS 15.05.010,] (2) the person is the only circulator of that  
 4 petition; [,] (3) the signatures were made in the circulator's actual presence; [,] (4) to  
 5 the best of the circulator's knowledge, the signatures are those of the persons whose  
 6 names they purport to be; [,] (5) the signatures are of persons who were qualified  
 7 voters on the date of signature; [,] (6) the circulator [PERSON] has not entered into  
 8 an agreement with a person or organization in violation of AS 15.45.110(c); [,] (7) the  
 9 circulator [PERSON] has not violated AS 15.45.110(d) with respect to that petition;  
 10 [,] and (8) before circulation of the petition, the circulator prominently placed, in the  
 11 space provided under AS 15.45.090(5) [BEFORE CIRCULATION OF THE  
 12 PETITION, IN BOLD CAPITAL LETTERS, THE CIRCULATOR'S NAME AND],  
 13 if the circulator has received payment or agreed to receive payment for the collection  
 14 of signatures on the petition, the name of each person or organization that has paid or  
 15 agreed to pay the circulator for collection of signatures on the petition. In determining  
 16 the sufficiency of the petition, the lieutenant governor may not count subscriptions on  
 17 petitions not properly certified.

18 \* Sec. 24. AS 15.45.200 is amended to read:

19 **Sec. 15.45.200. Display of proposed law.** The director shall provide each  
 20 election board with five [10] copies of the proposed law being initiated, and the  
 21 election board shall display one copy [THREE COPIES] of the proposed law in a  
 22 conspicuous place in the room where the election is held.

23 \* Sec. 25. AS 15.45.270 is amended to read:

24 **Sec. 15.45.270. Form of application.** The application must [SHALL]  
 25 include

- 26 (1) the act to be referred;
- 27 (2) a statement of approval or rejection;
- 28 (3) the printed signature, address, and date of birth of not less  
 29 than 100 qualified voters who will serve as sponsors; each signature page must  
 30 include a statement that the sponsors are qualified voters who signed the application  
 31 with the act to be referred and the statement of approval or rejection

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[PROPOSED BILL] attached; and  
(4) [(3)] the designation of a referendum committee consisting of three  
of the sponsors who subscribed to the application and [SHALL] represent all  
sponsors and subscribers in matters relating to the referendum; the designation must  
include the name, address, and signature of each committee member [AND

(4) THE SIGNATURES AND ADDRESSES OF NOT FEWER  
THAN 100 QUALIFIED VOTERS].

\* Sec. 26. AS 15.45.290 is amended to read:

Sec. 15.45.290. Designation of sponsors. The qualified voters who subscribe  
to the application in support of the referendum are designated as sponsors. The  
referendum committee may designate additional sponsors by giving notice to the  
lieutenant governor of the names and addresses of those so designated.

\* Sec. 27. AS 15.45.320 is amended to read:

Sec. 15.45.320. Preparation of petition. If the application is certified, the  
lieutenant governor shall, within seven calendar days after the date of certification,  
prescribe the form of, and prepare, a petition containing (1) a copy of the act to be  
referred, if the number of words included in both the formal and substantive  
provisions of the bill is 500 or less; [,] (2) the statement of approval or rejection;  
(3) an impartial summary of the subject matter of the act; (4) [, (3)] the warning  
prescribed in AS 15.45.330; (5) [, (4)] sufficient space for the printed names, dates  
of birth, signatures, and addresses; (6) sufficient space at the bottom of each page  
for the information required by AS 15.45.360(8); [,] and (7) [(5)] other  
specifications prescribed by the lieutenant governor to ensure [ASSURE] proper  
handling and control. Petitions, for purposes of circulation, shall be prepared by the  
lieutenant governor in a number reasonably calculated to allow full circulation  
throughout the state and shall be sequentially numbered [. THE LIEUTENANT  
GOVERNOR SHALL NUMBER EACH PETITION AND SHALL KEEP A  
RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR]. Upon request  
of the referendum committee, the lieutenant governor shall report to the referendum  
committee [SPECIFY] the number of persons who voted in the preceding general  
election.

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1 \* **Sec. 28.** AS 15.45 is amended by adding a new section to read:

2           **Sec. 15.45.335. Qualifications of circulator.** To circulate a petition booklet,  
3 a person shall be

- 4                   (1) a citizen of the United States;  
5                   (2) 18 years of age or older; and  
6                   (3) a resident of the state as determined under AS 15.05.020.

7 \* **Sec. 29.** AS 15.45.340 is amended by adding new subsections to read:

8           (b) A circulator may not receive payment or agree to receive payment that is  
9 greater than \$1 a signature, and a person or an organization may not pay or agree to  
10 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
11 petition.

12           (c) A person or organization may not knowingly pay, offer to pay, or cause to  
13 be paid money or other valuable thing to a person to sign or refrain from signing a  
14 petition.

15           (d) A person or organization that violates (b) or (c) of this section is guilty of a  
16 class B misdemeanor.

17           (e) In this section,

- 18                   (1) "organization" has the meaning given in AS 11.81.900;  
19                   (2) "other valuable thing" has the meaning given in AS 15.56.030;  
20                   (3) "person" has the meaning given in AS 11.81.900.

21 \* **Sec. 30.** AS 15.45.350 is amended to read:

22           **Sec. 15.45.350. Manner of signing and withdrawing name from petition.**  
23 Any qualified voter may subscribe to the petition by printing the voter's name, date  
24 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
25 who has signed the referendum petition may withdraw the person's name only by  
26 giving written notice to the lieutenant governor before the date the petition is filed.

27 \* **Sec. 31.** AS 15.45.360 is amended to read:

28           **Sec. 15.45.360. Certification of circulator.** Before being filed, each petition  
29 shall be certified by an affidavit by the person who circulated the petition. The  
30 affidavit must [SHALL] state in substance that (1) the person signing the affidavit  
31 meets the residency, age, and citizenship qualifications for circulating a petition

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under AS 15.45.335; [OF AS 15.05.010,] (2) the person is the only circulator of the petition; [,] (3) the signatures were made in the circulator's actual presence; [, AND] (4) to the best of the circulator's knowledge, the signatures are the signatures of persons whose names they purport to be; (5) the signatures are of persons who were qualified voters on the date of signature; (6) the circulator has not entered into an agreement with a person or organization in violation of AS 15.45.340(b); (7) the circulator has not violated AS 15.45.340(c) with respect to that petition; and (8) before circulation of the petition, the circulator prominently placed, in the space provided under AS 15.45.320(6), if the circulator has received payment or agreed to receive payment for the collection of signatures on the petition, the name of each person or organization that has paid or agreed to pay the circulator for collection of signatures on the petition. In determining the sufficiency of the petition, the lieutenant governor may not count subscriptions on petitions not properly certified.

\* Sec. 32. AS 15.45.430 is amended to read:

**Sec. 15.45.430. Display of act being referred.** The director shall provide each election board with five [10] copies of the act being referred, and the election board shall display one copy [THREE COPIES] of the act in a conspicuous place in the room where the election is held.

\* Sec. 33. AS 15.45.500 is amended to read:

**Sec. 15.45.500. Form of application.** The application must include

- (1) the name and office of the person to be recalled;
- (2) the grounds for recall described in particular in not more than 200

words;

- (3) the printed name, signature, address, and date of birth of qualified voters equal in number to 10 percent of those who voted in the preceding general election in the state or in the senate or house district of the official sought to be recalled; each signature page must include a statement that the [SPONSORS ARE] qualified voters [WHO]

(A) will serve as sponsors; and

(B) signed the application with

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(i) the name and office of the person to be recalled;

and

(ii) the statement of grounds for recall attached; and

(4) the designation of a recall committee consisting of three of the qualified voters [SPONSORS] who subscribed to the application and shall represent all sponsors and subscribers in matters relating to the recall; the designation must include the name, mailing address, and signature of each committee member

[(5) THE SIGNATURES OF AT LEAST 100 QUALIFIED VOTERS WHO SUBSCRIBE TO THE APPLICATION AS SPONSORS FOR PURPOSES OF CIRCULATION; AND

(6) THE SIGNATURES AND ADDRESSES OF QUALIFIED VOTERS EQUAL IN NUMBER TO 10 PERCENT OF THOSE WHO VOTED IN THE PRECEDING GENERAL ELECTION IN THE STATE OR IN THE SENATE OR HOUSE DISTRICT OF THE OFFICIAL SOUGHT TO BE RECALLED].

\* Sec. 34. AS 15.45 is amended by adding a new section to read:

**Sec. 15.45.515. Designation of sponsors.** The qualified voters who subscribe to the application in support of the recall are designated as sponsors. The recall committee may designate additional sponsors by giving notice to the lieutenant governor of the names, addresses, and dates of birth of those so designated.

\* Sec. 35. AS 15.45.560 is amended to read:

**Sec. 15.45.560. Preparation of petition.** If [UPON CERTIFYING] the application is certified, the director shall prescribe the form of, and prepare, a petition containing (1) the name and office of the person to be recalled; [,] (2) the statement of the grounds for recall included in the application; [,] (3) the statement of warning required in AS 15.45.570; [,] (4) sufficient space for the printed name, date of birth, signatures, and addresses; [, AND] (5) sufficient space at the bottom of each page for the information required by AS 15.45.600(8); and (6) other specifications prescribed by the director to ensure [ASSURE] proper handling and control. Petitions, for purposes of circulation, shall be prepared by the director in a number reasonably calculated to allow full circulation throughout the state or throughout the

#5 [27

1 senate or house district of the official sought to be recalled and shall be sequentially  
2 numbered. Upon request of the recall committee, the lieutenant governor shall  
3 report to the recall committee the number of persons who voted in the preceding  
4 general election in the state or in the district of the official sought to be recalled.

5 [THE DIRECTOR SHALL NUMBER EACH PETITION AND SHALL KEEP A  
6 RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR.]

7 \* Sec. 36. AS 15.45 is amended by adding a new section to read:

8 Sec. 15.45.575. **Qualifications of circulator.** To circulate a petition booklet,  
9 a person shall be

- 10 (1) a citizen of the United States;  
11 (2) 18 years of age or older; and  
12 (3) a resident of the state as determined under AS 15.05.020.

13 \* Sec. 37. AS 15.45.580 is amended by adding new subsections to read:

14 (b) A circulator may not receive payment or agree to receive payment that is  
15 greater than \$1 a signature, and a person or an organization may not pay or agree to  
16 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
17 petition.

18 (c) A person or organization may not knowingly pay, offer to pay, or cause to  
19 be paid money or other valuable thing to a person to sign or refrain from signing a  
20 petition.

21 (d) A person or organization that violates (b) or (c) of this section is guilty of a  
22 class B misdemeanor.

23 (e) In this section,

- 24 (1) "organization" has the meaning given in AS 11.81.900;  
25 (2) "other valuable thing" has the meaning given in AS 15.56.030;  
26 (3) "person" has the meaning given in AS 11.81.900.

27 \* Sec. 38. AS 15.45.590 is amended to read:

28 Sec. 15.45.590. **Manner of signing and withdrawing name from petition.**  
29 Any qualified voter may subscribe to the petition by printing the voter's name, date  
30 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
31 who has signed the petition may withdraw the person's name only by giving written

notice to the director before the date the petition is filed.

\* Sec. 39. AS 15.45.600 is amended to read:

**Sec. 15.45.600. Certification of circulator.** Before being filed, each petition shall be certified by an affidavit by the person who personally circulated the petition. The affidavit must [SHALL] state in substance that (1) the person signing the affidavit meets the residency, age, and citizenship qualifications of AS 15.45.575; [AS 15.05.010,] (2) the person is the only circulator of that petition or copy; [,] (3) the signatures were made in the circulator's actual presence; [, AND] (4) to the best of the circulator's knowledge, the signatures are those of the persons whose names they purport to be; (5) the signatures are of persons who were qualified voters on the date of signature; (6) the circulator has not entered into an agreement with a person or organization in violation of AS 15.45.580(b); (7) the circulator has not violated AS 15.45.580(c) with respect to that petition; and (8) before circulation of the petition, the circulator prominently placed, in the space provided under AS 15.45.560(5), if the circulator has received payment or agreed to receive payment for the collection of signatures on the petition, the name of each person or organization that has paid or agreed to pay the circulator for collection of signatures on the petition. In determining the sufficiency of the petition, the director may not count subscriptions on petitions not properly certified.

\* Sec. 40. AS 15.45.680 is amended to read:

**Sec. 15.45.680. Display of grounds [BASES] for and against recall.** The director shall provide each election board in the state or in the senate or house district of the person subject to recall with five [10] copies of the statement of the grounds for recall included in the application and five [10] copies of the statement of not more than 200 words made by the official subject to recall in justification of the official's conduct in office. The person subject to recall may provide the director with the statement within 10 days after the date the director gave notification that the petition was properly filed. The election board shall post one copy [THREE COPIES] of the statements for and against recall in a [THREE] conspicuous place [PLACES] in the polling place.

\* Sec. 41. AS 15.60 is amended by adding a new section to read:

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**Sec. 15.60.003. Voters unaffiliated with political parties.** The director shall consider a voter to be a voter registered as

(1) "nonpartisan" and without a preference for a political party if the voter registers as nonpartisan on a voter registration form;

(2) "undeclared" if the voter

(A) registers as undeclared on a voter registration form;

(B) fails to declare an affiliation with a political group or political party on a voter registration form; or

(C) declares an affiliation with an entity other than a political party or political group on a voter registration form; or

(3) "other" if the voter declares on a voter registration form an affiliation with a political group.

\* **Sec. 42.** AS 15.60 is amended by adding a new section to read:

**Sec. 15.60.008. Recognized political party status.** (a) A political group that the director has not recognized as a political party may obtain recognized political party status if, on or before May 31 of the first election year for which the political group seeks recognition, the political group

(1) files an application with the director;

(2) submits bylaws to the director and the United States Department of Justice as required of political parties in AS 15.25.014; and

(3) either

(A) nominated a candidate for statewide office who received at least three percent of the total votes cast for that statewide office at the preceding general election; or

(B) has registered voters in the state equal in number to at least three percent of the total votes cast for governor at the preceding general election at which a governor was elected.

(b) The director shall verify that each political group seeking recognized political party status under (a) of this section and each recognized political party

(1) nominated a candidate for statewide office who received at least three percent of the total votes cast for that statewide office at the preceding general

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1 election; or

2 (2) has registered voters in the state equal in number to at least three  
3 percent of the total votes cast for governor at the preceding general election at which  
4 the governor was elected.

5 (c) The director shall perform a verification described in (b) of this section at  
6 least once a month after the date of certification of the preceding general election. For  
# | 7 purposes of (b)(2) of this section, the director shall verify that the voters who have  
8 submitted registration to the division of elections are qualified under AS 15.05.010  
9 and have declared affiliation with the political group or recognized political party for  
10 which the verification is performed.

11 (d) Except as provided in (e) of this section, within 10 days after a verification  
12 under (c) of this section, the director shall provide to

13 (1) a political group seeking recognized political party status under (a)  
14 of this section written notification when the political group has obtained recognized  
15 political party status; and

16 (2) a recognized political party that no longer qualifies under (b) of this  
17 section for recognized political party status written notification that recognized  
± | 18 political party status has been withdrawr, and an application to obtain recognized  
19 political party status under (a) of this section; if the application is not returned in  
20 accordance with (a) of this section within 45 days after the director sends the written  
21 notification, the director shall discontinue monthly verification under (c) of this  
22 section for that political group.

23 (e) Notwithstanding (d) of this section, from June 1 of an election year  
24 through the date of the first verification under (b) of this section that occurs after  
25 certification of the results of the general election, the director may not withdraw  
26 recognized political party status.

27 \* Sec. 43. AS 15.60.010(21) is amended to read:

28 (21) "political party" means an organized group of voters that  
29 represents a political program and that

30 (A) [EITHER] nominated a candidate for governor who  
31 received at least three percent of the total votes cast for governor at the

1 preceding general election at which a governor was elected;

2 (B) nominated a candidate for United States senator who  
3 received at least three percent of the total votes cast for United States  
4 senator at the preceding general election or at the most recent general  
5 election at which a governor was elected;

6 (C) nominated a candidate for United States representative  
7 who received at least three percent of the total votes cast for United States  
8 representative at the preceding general election or at the most recent  
9 general election at which a governor was elected; or

10 (D) has registered voters in the state equal in number to at least  
11 three percent of the total votes cast for governor at the preceding general  
12 election at which a governor was elected;

13 \* Sec. 44. AS 15.60.010 is amended by adding new paragraphs to read:

14 (38) "reregistration" means the submission of a registration form by a  
15 voter whose registration was inactivated on the master register maintained under  
16 AS 15.07 and the director's reactivation of that registration in accordance with that  
17 chapter; in this paragraph, "a voter whose registration was inactivated" does not  
18 include a voter whose registration was inactivated under AS 15.07.130 and whose  
19 ballot may be counted under AS 15.15.198;

20 (39) "statewide office" means the office of governor, lieutenant  
21 governor, United States senator, or United States representative.

22 \* Sec. 45. AS 29.05.110(b) is amended to read:

23 (b) A qualified voter who is registered to vote [HAS BEEN A RESIDENT  
24 OF THE AREA] within the proposed municipality at least [FOR] 30 days before the  
25 date of the election order may vote.

26 \* Sec. 46. AS 29.05.110(c) is amended to read:

27 (c) Areawide borough powers included in an incorporation petition are  
28 considered to be part of the incorporation question. In an election for the incorporation  
29 of a second class borough, each nonareawide power to be exercised is placed  
30 separately on the ballot. Adoption of a nonareawide power requires a majority of the  
31 votes cast on the question, and the vote is limited to the qualified voters who are

1        registered to vote [RESIDING] in the proposed borough but outside all cities in the  
2        proposed borough.

3        \* Sec. 47. AS 29.05.110 is amended by adding a new subsection to read:

4                (f) In this section, "qualified voter" has the meaning in AS 15.60.010.

5        \* Sec. 48. The uncodified law of the State of Alaska is amended by adding a new section to  
6        read:

7                VOTING BY MAIL AND ELECTRONICALLY. Not later than March 1, 2005, the  
8        director of the division of elections shall provide a report to the legislature on the feasibility,  
9        costs, and benefits of authorizing a system of voting by mail and electronically.

10       \* Sec. 49. AS 15.10.020(b) and AS 15.20.048 are repealed.

11       \* Sec. 50. The uncodified law of the State of Alaska is amended by adding a new section to  
12       read:

13                APPLICABILITY. The changes made by secs. 18 - 40 of this Act apply to an  
14        application for an initiative, referendum, or recall filed with the lieutenant governor on or  
15        after the effective date of this Act.

16       \* Sec. 51. The uncodified law of the State of Alaska is amended by adding a new section to  
17       read:

18                TRANSITION. An initiative, referendum, or recall for which an application was filed  
19        with the lieutenant governor before the effective date of this Act is subject to the provisions of  
20        AS 15.45 as they existed on the day before the effective date of this Act.

21       \* Sec. 52. The uncodified law of the State of Alaska is amended by adding a new section to  
22       read:

23                REVISOR'S INSTRUCTION. The revisor of statutes is instructed to change the  
24        heading of art. 5 of AS 15.20 from "Article 5. Optically Scanned Voting" to "Article 5.  
25        Optically Scanned Voting; Voting Machine or Tally System Standards."

26       \* Sec. 53. This Act takes effect immediately under AS 01.10.070(c).

23-GH2021AS  
Kurtz  
4/17/04

**CS FOR HOUSE BILL NO. 523(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-THIRD LEGISLATURE - SECOND SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered:**  
**Referred:**

**Sponsor(s): HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to qualifications of voters, requirements and procedures regarding**  
2 **independent candidates for President and Vice-President of the United States, voter**  
3 **registration and voter registration records, voter residence, precinct boundary and**  
4 **polling place designation and modification, recognized political parties, voters**  
5 **unaffiliated with political parties, early voting, absentee voting, ballot counting, voting**  
6 **electronically, voting by mail, voting machines, vote tally systems, initiative, referendum,**  
7 **recall, and definitions in the Alaska Election Code; relating to incorporation elections;**  
8 **and providing for an effective date."**

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

10 **\* Section 1. AS 15.05.020 is amended to read:**

11 **Sec. 15.05.020. Rules for determining residence of voter. For the purpose**  
12 **of determining residence for voting, the place of residence is governed by the**

1 following rules:

2 (1) A person may not be considered to have gained a residence solely  
3 by reason of presence nor may a person lose it solely by reason of absence while in the  
4 civil or military service of this state or of the United States or of absence because of  
5 marriage to a person engaged in the civil or military service of this state or the United  
6 States, while a student at an institution of learning, while in an institution or asylum at  
7 public expense, while confined in public prison, while engaged in the navigation of  
8 waters of this state [,] or the United States or of the high seas, while residing upon an  
9 Indian or military reservation, or while residing in the Alaska Pioneers' Home.

10 (2) The residence of a person is that place in which the person's  
11 habitation is fixed, and to which, whenever absent, the person has the intention to  
12 return. If a person resides in one place, but does business in another, the former is the  
13 person's place of residence. Temporary work sites [CONSTRUCTION CAMPS] do  
14 not constitute a dwelling place.

15 (3) A change of residence is made only by the act of removal joined  
16 with the intent to remain in another place. There can only be one residence.

17 (4) A person does not lose residence if the person leaves home and  
18 goes to another country, state, or place in this state for temporary purposes only and  
19 with the intent of returning.

20 (5) A person does not gain residence in any place to which the person  
21 comes without the present intention to establish a permanent dwelling at that place.

22 (6) A person loses residence in this state if the person votes in another  
23 state's election, either in person or by absentee ballot, and will not be eligible to vote  
24 in this state until again qualifying under AS 15.05.010.

25 (7) [REPEALED

26 (8)] The term of residence is computed by including the day on which  
27 the person's residence begins and excluding the day of election.

28 (8) [(9) REPEALED

29 (10)] The address of a voter as it appears on the [AN] official voter  
30 registration record [CARD] is presumptive evidence of the person's voting residence.  
31 This presumption is negated only if [BY] the voter notifies [NOTIFYING] the

1 director in writing of a change of voting residence.

2 \* Sec. 2. AS 15.07.060(a) is amended to read:

3 (a) Each applicant who requests registration or reregistration shall supply the  
4 following information:

5 (1) the applicant's name and sex;

6 (2) if issued, the applicant's State of Alaska driver's license number or  
7 State of Alaska identification card number, or the last four digits of the applicant's  
8 social security number;

9 (3) the applicant's date of birth;

10 (4) the applicant's Alaska residence address, as specified in  
11 regulations adopted by the director [AND OTHER NECESSARY INFORMATION  
12 ESTABLISHING RESIDENCE, INCLUDING THE TERM OF RESIDENCE IN  
13 THE STATE AND IN THE DISTRICT, IF REQUESTED];

14 (5) a statement of whether the applicant has previously been  
15 registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of  
16 the previous registration;

17 (6) a declaration that the applicant [REGISTRANT] will be 18 years  
18 of age or older within 90 days after [OF] the date of registration;

19 (7) a declaration that the applicant [REGISTRANT] is a citizen of the  
20 United States;

21 (8) the date of application;

22 (9) the applicant's signature or mark;

23 (10) any former name under which the applicant was registered to vote  
24 in the state;

25 (11) an oath [ATTESTATION] that the information provided by the  
26 applicant in (1) - (10) of this subsection is true; and

27 (12) a certification that the applicant understands that a false statement  
28 on the application may make the applicant subject to prosecution for a misdemeanor  
29 under this title or AS 11.

30 \* Sec. 3. AS 15.07 is amended by adding a new section to read:

31 Sec. 15.07.195. Certain information in voter registration records

1           **confidential.** The following information set out in state voter registration records is  
2 confidential and is not open to public inspection:

- 3                   (1) the voter's date of birth;
- 4                   (2) the voter's social security number, or any part of that number;
- 5                   (3) the voter's driver's license number;
- 6                   (4) the voter's telephone number, if shown in those records;
- 7                   (5) the voter's voter identification number;
- 8                   (6) the voter's place of birth;
- 9                   (7) the voter's signature.

10       \* **Sec. 4.** AS 15.10.090 is repealed and reenacted to read:

11                   **Sec. 15.10.090. Notice of precinct boundary or polling place designation**  
12 **and modification.** The director shall give full public notice if a precinct is established  
13 or abolished or if the boundaries of a precinct are designated, abolished, or modified,  
14 or if the location of a polling place is changed. Public notice must include

15                   (1) whenever possible, sending written notice of the change to each  
16 affected registered voter in the precinct;

17                   (2) providing notice of the change

18                               (A) by publication three times in a daily or weekly newspaper  
19 of general circulation; if possible, the newspaper shall be one that circulates  
20 generally in the precinct; or

21                               (B) if there is not a newspaper described in (A) of this  
22 paragraph, by posting written notice in three conspicuous places as close to the  
23 precinct as possible; at least one posting location must be in the precinct;

24                   (3) posting notice of the change on the Internet site of the division of  
25 elections; and

26                   (4) providing notification of the change to the appropriate municipal  
27 clerks, community councils, tribal groups, presiding officers, Native villages, and  
28 village regional corporations established under 43 U.S.C. 1606 (Alaska Native Claims  
29 Settlement Act).

30       \* **Sec. 5.** AS 15.15.030(7) is amended to read:

31                   (7) The general election ballot shall be designed with the names of

1 candidates of each political party, and of any independent candidates qualified  
2 under AS 15.30.026, for the office of President and Vice-President of the United  
3 States placed in the same section on the ballot rather than the names of electors of  
4 President and Vice-President.

5 \* Sec. 6. AS 15.15.350(a) is amended to read:

6 (a) The director may adopt regulations prescribing the manner in which the  
7 precinct ballot count is accomplished so as to ensure [ASSURE] accuracy in the count  
8 and to expedite the process. The election board shall account for all ballots by  
9 completing a ballot statement containing (1) the number of official ballots received;  
10 (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4)  
11 the number of official ballots unused and either destroyed or returned for  
12 destruction to the elections supervisor or the election supervisor's designee. The  
13 board shall count the number of questioned ballots and [SHALL] compare that  
14 number to the number of questioned voters in the register. Discrepancies shall be  
15 noted and the numbers included in the certificate prescribed by AS 15.15.370. The  
16 election board, in hand-count precincts, shall count the ballots in a manner that allows  
17 watchers to see the ballots when opened and read. A person handling the ballot after it  
18 has been taken from the ballot box and before it is placed in the envelope for mailing  
19 may not have a marking device in hand or remove a ballot from the immediate vicinity  
20 of the polls.

21 \* Sec. 7. AS 15.20.045(b) is amended to read:

22 (b) The director may designate by regulation adopted under AS 44.62  
23 (Administrative Procedure Act) locations at which absentee voting stations will be  
24 operated for 15 days [ON OR AFTER THE 15TH DAY] before an election and on  
25 election day [UP TO AND INCLUDING THE DATE OF THE ELECTION]. The  
26 director shall supply absentee voting stations with ballots for all house districts in the  
27 state and shall designate absentee voting officials to serve at absentee voting stations.

28 \* Sec. 8. AS 15.20.064(a) is amended to read:

29 (a) For 15 days before an election and on election day, a [A] qualified voter  
30 who meets the requirements set out in this section may vote in locations designated  
31 by the director [EARLY IN THE OFFICE OF AN ELECTION SUPERVISOR ON

1 OR AFTER THE 15TH DAY BEFORE AN ELECTION UP TO AND INCLUDING  
2 ELECTION DAY].

3 \* Sec. 9. AS 15.20.064(b) is amended to read:

4 (b) The election supervisor or other election official shall issue a ballot to the  
5 voter upon

6 (1) exhibition of proof of identification as required in AS 15.15.225;

7 (2) verification that the voter's residence address appearing on the  
8 official registration list is current [AND WITHIN THE ELECTION SUPERVISOR'S  
9 JURISDICTION]; and

10 (3) the voter's signing the early voting register.

11 \* Sec. 10. AS 15.20.066(b) is amended to read:

12 (b) An absentee ballot that is completed and returned by the voter by  
13 electronic transmission must

14 (1) contain the following statement: "I understand that, by using  
15 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
16 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
17 that my vote will be held as confidential as possible, [.]" followed by the voter's  
18 signature and date of signature; and

19 (2) be accompanied by a statement executed under oath as to the  
20 voter's identity; the statement under oath must be witnessed by

21 (A) a commissioned or noncommissioned officer of the armed  
22 forces of the United States;

23 (B) an official authorized by federal law or the law of the state  
24 in which the absentee ballot is cast to administer an oath; or

25 (C) a [TWO] United States citizen [CITIZENS] who is [ARE]  
26 18 years of age or older.

27 \* Sec. 11. AS 15.20.081(d) is amended to read:

28 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a  
29 notary public, commissioned officer of the armed forces including the National Guard,  
30 district judge or magistrate, United States postal official, registration official, or other  
31 person qualified to administer oaths, may proceed to mark the ballot in secret, to place

1 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,  
2 and to sign the voter's certificate on the envelope in the presence of an official listed in  
3 this subsection who shall sign as attesting official and shall date the signature. If none  
4 of the officials listed in this subsection is reasonably accessible, an absentee voter  
5 shall sign the voter's certificate in the presence of one person who is a United States  
6 citizen and is [TWO PERSONS OVER THE AGE OF] 18 years of age or older, who  
7 shall sign as a witness [WITNESSES] and attest to the date on which the voter signed  
8 the certificate in the person's [THEIR] presence, and, in addition, the voter shall  
9 provide the certification prescribed in AS 09.63.020.

10 \* Sec. 12. AS 15.20.081(h) is amended to read:

11 (h) Except as provided in AS 15.20.480, an absentee ballot returned by mail  
12 from outside the United States or from an overseas voter qualifying under  
13 AS 15.05.011 [A MILITARY APO OR FPO ADDRESS] that has been marked and  
14 mailed not later than election day may not be counted unless the ballot is received by  
15 the election supervisor not later than the close of business on the 15th day following  
16 the election.

17 \* Sec. 13. AS 15.20.800(b) is amended to read.

18 (b) If the director conducts an election under (a) of this section by mail, the  
19 director shall send a ballot for each election described in (a) of this section to each  
20 person whose name appears on the official registration list prepared under  
21 AS 15.07.125 for that election. The director shall send ballots by first class,  
22 nonforwardable mail. The ballot shall be sent to the address stated on the official  
23 registration list unless the

24 (1) voter has notified the director or an election supervisor of a  
25 different address to which the ballot should be sent; or

26 (2) address on the official registration list has been identified as  
27 being an undeliverable address [THE DIRECTOR SHALL SEND BALLOTS BY  
28 FIRST CLASS, NONFORWARDABLE MAIL].

29 \* Sec. 14. AS 15.20 is amended by adding a new section to article 5 to read:

30 Sec. 15.20.910. **Standards for voting machines and vote tally systems.** The  
31 director may approve a voting machine or vote tally system for use in an election in

1 the state upon consideration of factors relevant to the administration of state elections,  
2 including whether the Federal Election Commission has certified the voting machine  
3 or vote tally system to be in compliance with the voting system standards approved by  
4 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America  
5 Vote Act of 2002).

6 \* **Sec. 15.** AS 15.30 is amended by adding a new section to read:

7 **Sec. 15.30.026. Qualifications for independent candidates for President of**  
8 **the United States; selection of candidate for Vice-President; selection of electors.**

9 (a) A person who desires to be an independent candidate for President of the United  
10 States must file with the director not earlier than January 1 of a presidential election  
11 year and not later than the 90th day before a presidential general election a petition  
12 signed by qualified voters of the state equal in number to at least one percent of the  
13 number of voters who cast ballots in an election under this chapter for President of the  
14 United States at the last presidential general election. The petition must state that the  
15 signers desire the named candidate for President of the United States to appear on the  
16 ballot as an independent candidate for president at the next succeeding presidential  
17 general election.

18 (b) In order to appear on the ballot, a candidate who has qualified for ballot  
19 status under (a) of this section shall certify the following information to the director on  
20 or before September 1 of the year of the presidential general election:

21 (1) the names of the electors for the independent candidate for  
22 President of the United States, equal to the number of senators and representatives to  
23 which the state is entitled in Congress;

24 (2) the name of a candidate for Vice-President, selected by the  
25 independent candidate; and

26 (3) the name, Alaska mailing address, and signature of the candidate's  
27 state campaign chair, who must be an Alaska resident.

28 \* **Sec. 16.** AS 15.30.050 is amended to read:

29 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**  
30 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote  
31 marked for the candidates for President and Vice-President [VICE PRESIDENT] is

1 considered and counted as a vote for the presidential electors of the party or for the  
2 presidential electors named under AS 15.30.026, as appropriate.

3 \* Sec. 17. AS 15.30.090 is amended to read:

4 Sec. 15.30.090. Duties of electors. After any vacancies have been filled, the  
5 electors shall proceed to cast their votes for the candidates for the office of President  
6 and Vice-President [VICE PRESIDENT] of the party that [WHICH] selected them as  
7 candidates for electors, or for the candidates for the office of President and Vice-  
8 President under AS 15.30.026 if the electors were named under AS 15.30.026, and  
9 shall perform the duties of electors as required by the constitution and laws of the  
10 United States. The director shall provide administrative services and the Department  
11 of Law shall provide legal services necessary for the electors to perform their duties.

12 \* Sec. 18. AS 15.45.030 is amended to read:

13 Sec. 15.45.030. Form of application. The application must [SHALL]  
14 include the

15 (1) [THE] proposed bill; [TO BE INITIATED,]

16 (2) printed name, signature, address, and date of birth of not less  
17 than 100 qualified voters who will serve as sponsors; each signature page must  
18 include a statement that the sponsors are qualified voters who signed the application  
19 with the proposed bill attached; and [,]

20 (3) [THE] designation of an initiative committee consisting of three of  
21 the sponsors who subscribed to the application and [SHALL] represent all sponsors  
22 and subscribers in matters relating to the initiative; the designation must include the  
23 name, mailing address, and signature of each committee member [, AND

24 (4) THE SIGNATURES AND ADDRESSES OF NOT LESS THAN  
25 100 QUALIFIED VOTERS].

26 \* Sec. 19. AS 15.45.060 is amended to read:

27 Sec. 15.45.060. Designation of sponsors. The qualified voters who subscribe  
28 to the application in support of the proposed bill are designated as sponsors. The  
29 initiative committee may designate additional sponsors by giving written notice to the  
30 lieutenant governor of the names and addresses of those so designated.

31 \* Sec. 20. AS 15.45.090 is amended to read:

1           **Sec. 15.45.090. Preparation of petition.** If the application is certified, the  
 2 lieutenant governor shall prescribe the form of and prepare petitions containing (1) a  
 3 copy of the proposed bill if the number of words included in both the formal and  
 4 substantive provisions of the bill is 500 or less; [,] (2) an impartial summary of the  
 5 subject matter of the bill; [,] (3) the warning prescribed in AS 15.45.100; [,] (4)  
 6 sufficient space for the printed name, date of birth, signature, and address; [,] (5)  
 7 sufficient space at the bottom of each signature page for the information required by  
 8 AS 15.45.130(8); [,] and (6) other specifications prescribed by the lieutenant governor  
 9 to ensure [ASSURE] proper handling and control. Petitions, for purposes of  
 10 circulation, shall be prepared by the lieutenant governor in a number reasonably  
 11 calculated to allow full circulation throughout the state and shall be sequentially  
 12 numbered [. THE LIEUTENANT GOVERNOR SHALL NUMBER EACH  
 13 PETITION AND SHALL KEEP A RECORD OF THE PETITION DELIVERED TO  
 14 EACH SPONSOR]. Upon request of the initiative committee, the lieutenant governor  
 15 shall report to the initiative committee the number of persons who voted in the  
 16 preceding general election.

17 \* **Sec. 21.** AS 15.45 is amended by adding a new section to read:

18           **Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet,  
 19 a person shall be

- 20                   (1) a citizen of the United States;  
 21                   (2) 18 years of age or older; and  
 22                   (3) a resident of the state as determined under AS 15.05.020.

23 \* **Sec. 22.** AS 15.45.120 is amended to read:

24           **Sec. 15.45.120. Manner of signing and withdrawing name from petition.**  
 25 Any qualified voter may subscribe to the petition by printing the voter's name, date  
 26 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
 27 who has signed the initiative petition may withdraw the person's name only by giving  
 28 written notice to the lieutenant governor before the date the petition is filed.

29 \* **Sec. 23.** AS 15.45.130 is amended to read:

30           **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition  
 31 shall be certified by an affidavit by the person who personally circulated the petition.

1 The affidavit must state in substance that (1) the person signing the affidavit meets the  
2 residency, age, and citizenship qualifications for circulating a petition under  
3 AS 15.45.105; [OF AS 15.05.010,] (2) the person is the only circulator of that  
4 petition; [,] (3) the signatures were made in the circulator's actual presence; [,] (4) to  
5 the best of the circulator's knowledge, the signatures are those of the persons whose  
6 names they purport to be; [,] (5) the signatures are of persons who were qualified  
7 voters on the date of signature; [,] (6) the circulator [PERSON] has not entered into  
8 an agreement with a person or organization in violation of AS 15.45.110(c); [,] (7) the  
9 circulator [PERSON] has not violated AS 15.45.110(d) with respect to that petition;  
10 [,] and (8) before circulation of the petition, the circulator prominently placed, in the  
11 space provided under AS 15.45.090(5) [BEFORE CIRCULATION OF THE  
12 PETITION, IN BOLD CAPITAL LETTERS, THE CIRCULATOR'S NAME AND],  
13 if the circulator has received payment or agreed to receive payment for the collection  
14 of signatures on the petition, the name of each person or organization that has paid or  
15 agreed to pay the circulator for collection of signatures on the petition. In determining  
16 the sufficiency of the petition, the lieutenant governor may not count subscriptions on  
17 petitions not properly certified.

18 \* Sec. 24. AS 15.45.200 is amended to read:

19 **Sec. 15.45.200. Display of proposed law.** The director shall provide each  
20 election board with five [10] copies of the proposed law being initiated, and the  
21 election board shall display one copy [THREE COPIES] of the proposed law in a  
22 conspicuous place in the room where the election is held.

23 \* Sec. 25. AS 15.45.270 is amended to read:

24 **Sec. 15.45.270. Form of application.** The application must [SHALL]  
25 include

26 (1) the act to be referred;

27 (2) a statement of approval or rejection;

28 (3) the printed signature, address, and date of birth of not less  
29 than 100 qualified voters who will serve as sponsors; each signature page must  
30 include a statement that the sponsors are qualified voters who signed the application  
31 with the act to be referred and the statement of approval or rejection

1 [PROPOSED BILL] attached; and

2 (4) [(3)] the designation of a referendum committee consisting of three  
3 of the sponsors who subscribed to the application and [SHALL] represent all  
4 sponsors and subscribers in matters relating to the referendum; the designation must  
5 include the name, address, and signature of each committee member [AND

6 (4) THE SIGNATURES AND ADDRESSES OF NOT FEWER  
7 THAN 100 QUALIFIED VOTERS].

8 \* Sec. 26. AS 15.45.290 is amended to read:

9 **Sec. 15.45.290. Designation of sponsors.** The qualified voters who subscribe  
10 to the application in support of the referendum are designated as sponsors. The  
11 referendum committee may designate additional sponsors by giving notice to the  
12 lieutenant governor of the names and addresses of those so designated.

13 \* Sec. 27. AS 15.45.320 is amended to read:

14 **Sec. 15.45.320. Preparation of petition.** If the application is certified, the  
15 lieutenant governor shall, within seven calendar days after the date of certification,  
16 prescribe the form of, and prepare, a petition containing (1) a copy of the act to be  
17 referred, if the number of words included in both the formal and substantive  
18 provisions of the bill is 500 or less; [,] (2) the statement of approval or rejection;  
19 (3) an impartial summary of the subject matter of the act; (4) [, (3)] the warning  
20 prescribed in AS 15.45.330; (5) [, (4)] sufficient space for the printed names, dates  
21 of birth, signatures, and addresses; (6) sufficient space at the bottom of each page  
22 for the information required by AS 15.45.360(8); [,] and (7) [(5)] other  
23 specifications prescribed by the lieutenant governor to ensure [ASSURE] proper  
24 handling and control. Petitions, for purposes of circulation, shall be prepared by the  
25 lieutenant governor in a number reasonably calculated to allow full circulation  
26 throughout the state and shall be sequentially numbered [. THE LIEUTENANT  
27 GOVERNOR SHALL NUMBER EACH PETITION AND SHALL KEEP A  
28 RECORD OF THE PETITIONS DELIVERED TO EACH SPONSOR]. Upon request  
29 of the referendum committee, the lieutenant governor shall report to the referendum  
30 committee [SPECIFY] the number of persons who voted in the preceding general  
31 election.

1 \* **Sec. 28.** AS 15.45 is amended by adding a new section to read:

2           **Sec. 15.45.335. Qualifications of circulator.** To circulate a petition booklet,  
3 a person shall be

4                   (1) a citizen of the United States;

5                   (2) 18 years of age or older; and

6                   (3) a resident of the state as determined under AS 15.05.020.

7 \* **Sec. 29.** AS 15.45.340 is amended by adding new subsections to read:

8           (b) A circulator may not receive payment or agree to receive payment that is  
9 greater than \$1 a signature, and a person or an organization may not pay or agree to  
10 pay an amount that is greater than \$1 a signature, for the collection of signatures on a  
11 petition.

12           (c) A person or organization may not knowingly pay, offer to pay, or cause to  
13 be paid money or other valuable thing to a person to sign or refrain from signing a  
14 petition.

15           (d) A person or organization that violates (b) or (c) of this section is guilty of a  
16 class B misdemeanor.

17           (e) In this section,

18                   (1) "organization" has the meaning given in AS 11.81.900;

19                   (2) "other valuable thing" has the meaning given in AS 15.56.030;

20                   (3) "person" has the meaning given in AS 11.81.900.

21 \* **Sec. 30.** AS 15.45.350 is amended to read:

22           **Sec. 15.45.350. Manner of signing and withdrawing name from petition.**

23 Any qualified voter may subscribe to the petition by printing the voter's name, date  
24 of birth, and address, and by signing the voter's name [AND ADDRESS]. A person  
25 who has signed the referendum petition may withdraw the person's name only by  
26 giving written notice to the lieutenant governor before the date the petition is filed.

27 \* **Sec. 31.** AS 15.45.360 is amended to read:

28           **Sec. 15.45.360. Certification of circulator.** Before being filed, each petition  
29 shall be certified by an affidavit by the person who circulated the petition. The  
30 affidavit must [SHALL] state in substance that (1) the person signing the affidavit  
31 meets the residency, age, and citizenship qualifications for circulating a petition