

ALABAMA LEGISLATIVE COUNCIL FILED, 2005-2006

11648 HOUSE STATE AFFAIRS

- 1 (6) the office for which the candidate is nominated;
- 2 (7) the date of the election at which the candidate seeks election;
- 3 (8) the length of residency in the state and in the district of the
- 4 candidate;
- 5 (9) that the subscribers are qualified voters of the state or house or
- 6 senate district in which the candidate resides;
- 7 (10) that the subscribers request that the candidate's name be placed on
- 8 the general election ballot;
- 9 (11) that the proposed candidate accepts the nomination and will serve
- 10 if elected, with the statement signed by the proposed candidate;
- 11 (12) the name of the candidate as the candidate wishes it to appear on
- 12 the ballot;
- 13 (13) that the candidate is not a candidate for any other office to be
- 14 voted on at the primary or general election and that the candidate is not a candidate for
- 15 this office under any other nominating petition or declaration of candidacy;
- 16 (14) that the candidate meets the specific citizenship requirements of
- 17 the office for which the person is a candidate;
- 18 (15) that the candidate will meet the specific age requirements of the
- 19 office for which the person is a candidate; if the candidacy is for the office of state
- 20 representative, that the candidate will be at least 21 years of age on the first
- 21 scheduled day of the first regular session of the legislature convened after the
- 22 election; if the candidacy is for the office of state senator, that the candidate will
- 23 be at least 25 years of age on the first scheduled day of the first regular session of
- 24 the legislature convened after the election; and if the candidacy is for the office of
- 25 governor or lieutenant governor, that the candidate will be at least 30 years of
- 26 age on the first Monday in December following election or, if the office is to be
- 27 filled by special election under AS 15.40.230 - 15.40.310, that the candidate will
- 28 be at least 30 years of age on the date of certification of the results of the special
- 29 election; or, for any other office, by the time that the candidate, if elected, is sworn
- 30 into office;
- 31 (16) that the candidate is a qualified voter; and

1 (17) if the candidacy is for the office of the governor, the name of the  
2 candidate for lieutenant governor running jointly with the candidate for governor.

3 \* Sec. 20. AS 15.30 is amended by adding a new section to read:

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

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

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

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

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

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

25 \* Sec. 21. AS 15.30.050 is amended to read:

26 **Sec. 15.30.050. Interpretation of votes cast for candidates for President**  
27 **and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote  
28 marked for the candidates for President and **Vice-President** [VICE PRESIDENT] is  
29 considered and counted as a vote for the presidential electors of the party **or for the**  
30 **presidential electors named under AS 15.30.026, as appropriate.**

31 \* Sec. 22. AS 15.30.090 is amended to read:

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

9 \* **Sec. 23.** AS 15.45.030 is amended to read:

10           **Sec. 15.45.030. Form of application.** The application **must** [SHALL]  
11 include **the**

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

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

17                           (3) [THE] designation of an initiative committee **consisting** of three **of**  
18 **the** sponsors who **subscribed to the application and** [SHALL] represent all sponsors  
19 and subscribers in matters relating to the initiative; **the designation must include the**  
20 **name, mailing address, and signature of each committee member** [, AND (4)  
21 THE SIGNATURES AND ADDRESSES OF NOT LESS THAN 100 QUALIFIED  
22 VOTERS].

23 \* **Sec. 24.** AS 15.45.060 is amended to read:

24           **Sec. 15.45.060. Designation of sponsors.** The qualified voters who subscribe  
25 to the application **in support of the proposed bill** are designated as sponsors. The  
26 initiative committee may designate additional sponsors by giving written notice to the  
27 lieutenant governor of the names, [AND] addresses, **and dates of birth** of those so  
28 designated.

29 \* **Sec. 25.** AS 15.45.090 is repealed and reenacted to read:

30           **Sec. 15.45.090. Preparation of petition.** (a) The lieutenant governor shall  
31 prepare a sufficient number of sequentially numbered petitions to allow full circulation

1 throughout the state. Each petition must contain

2 (1) a copy of the proposed bill if the number of words included in both  
3 the formal and substantive provisions of the bill is 500 or less;

4 (2) an impartial summary of the subject matter of the bill;

5 (3) the statement of warning prescribed in AS 15.45.100;

6 (4) sufficient space for the printed name, date of birth, signature, and  
7 address of each person signing the petition;

8 (5) sufficient space at the bottom of each signature page for the  
9 information required by AS 15.45.130(8); and

10 (6) other specifications prescribed by the lieutenant governor to ensure  
11 proper handling and control.

12 (b) Upon request of the initiative committee, the lieutenant governor shall  
13 report to the committee the number of persons who voted in the preceding general  
14 election.

15 \* Sec. 26. AS 15.45 is amended by adding a new section to read:

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

18 (1) a citizen of the United States;

19 (2) 18 years of age or older; and

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

21 \* Sec. 27. AS 15.45.120 is amended to read:

22 **Sec. 15.45.120. 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 initiative petition may withdraw the person's name only by giving  
26 written notice to the lieutenant governor before the date the petition is filed.

27 \* Sec. 28. AS 15.45.130 is repealed and reenacted to read:

28 **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition  
29 shall be certified by an affidavit by the person who personally circulated the petition.  
30 In determining the sufficiency of the petition, the lieutenant governor may not count  
31 subscriptions on petitions not properly certified at the time of filing or corrected before

1 the subscriptions are counted. The affidavit must state in substance that

2 (1) the person signing the affidavit meets the residency, age, and  
3 citizenship qualifications for circulating a petition under AS 15.45.105;

4 (2) the person is the only circulator of that petition;

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

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

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

10 (6) the circulator has not entered into an agreement with a person or  
11 organization in violation of AS 15.45.110(c);

12 (7) the circulator has not violated AS 15.45.110(d) with respect to that  
13 petition; and

14 (8) if the circulator has received payment or agreed to receive payment  
15 for the collection of signatures on the petition, the circulator, before circulating the  
16 petition, prominently placed in the space provided under AS 15.45.090(a)(5) the name  
17 of each person or organization that has paid or agreed to pay the circulator for  
18 collection of signatures on the petition.

19 \* Sec. 29. 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 at least five [10] copies of the proposed law being initiated, and  
22 the election board shall display at least one copy [THREE COPIES] of the proposed  
23 law in a conspicuous place in the room where the election is held.

24 \* Sec. 30. 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 name, signature, address, and date of birth of not  
30 less than 100 qualified voters who will serve as sponsors; each signature page  
31 must include a statement that the sponsors are qualified voters who signed the

1 application 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, mailing address, and signature of each committee member  
7 [AND

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

10 \* Sec. 31. AS 15.45.290 is amended to read:

11 **Sec. 15.45.290. Designation of sponsors.** The qualified voters who subscribe  
12 to the application in support of the referendum are designated as sponsors. The  
13 referendum committee may designate additional sponsors by giving notice to the  
14 lieutenant governor of the names, [AND] addresses, and dates of birth of those so  
15 designated.

16 \* Sec. 32. AS 15.45.320 is repealed and reenacted to read:

17 **Sec. 15.45.320. Preparation of petition.** (a) The lieutenant governor shall  
18 prepare a sufficient number of sequentially numbered petitions to allow full circulation  
19 throughout the state. Each petition must contain

- 20 (1) a copy of the act to be referred if the number of words included in  
21 both the formal and substantive provisions of the act is 500 or less;
- 22 (2) the statement of approval or rejection;
- 23 (3) an impartial summary of the subject matter of the act;
- 24 (4) the statement of warning prescribed in AS 15.45.330;
- 25 (5) sufficient space for the printed name, date of birth, signature, and  
26 address of each person signing the petition;
- 27 (6) sufficient space at the bottom of each signature page for the  
28 information required by AS 15.45.360(8); and
- 29 (7) other specifications prescribed by the lieutenant governor to ensure  
30 proper handling and control.

31 (b) Upon request of the referendum committee, the lieutenant governor shall

1 report to the committee the number of persons who voted in the preceding general  
2 election.

3 \* Sec. 33. 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. 34. 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. 35. 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. 36. AS 15.45.360 is repealed and reenacted 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 personally circulated the petition.

1 In determining the sufficiency of the petition, the lieutenant governor may not count  
2 subscriptions on petitions not properly certified at the time of filing or corrected before  
3 the subscriptions are counted. The affidavit must state in substance that

4 (1) the person signing the affidavit meets the residency, age, and  
5 citizenship qualifications for circulating a petition under AS 15.45.335;

6 (2) the person is the only circulator of that petition;

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

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

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

12 (6) the circulator has not entered into an agreement with a person or  
13 organization in violation of AS 15.45.340(b);

14 (7) the circulator has not violated AS 15.45.340(c) with respect to that  
15 petition; and

16 (8) if the circulator has received payment or agreed to receive payment  
17 for the collection of signatures on the petition, the circulator, before circulating of the  
18 petition, prominently placed in the space provided under AS 15.45.320(a)(6) the name  
19 of each person or organization that has paid or agreed to pay the circulator for  
20 collection of signatures on the petition.

21 \* Sec. 37. AS 15.45.430 is amended to read:

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

26 \* Sec. 38. AS 15.45.500 is amended to read:

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

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

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

31 (3) the printed name, signature, address, and date of birth of

1 qualified voters equal in number to 10 percent of those who voted in the  
2 preceding general election in the state or in the senate or house district of the  
3 official sought to be recalled; each signature page must include a statement that the  
4 [SPONSORS ARE] qualified voters

5 (A) will serve as sponsors; and

6 (B) [WHO] signed the application with the name and office of  
7 the person to be recalled and the statement of grounds for recall attached;  
8 and

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

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

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

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

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

26 \* **Sec. 40.** AS 15.45.560 is repealed and reenacted to read:

27 **Sec. 15.45.560. Preparation of petition.** (a) The director shall prepare a  
28 sufficient number of sequentially numbered petitions to allow full circulation  
29 throughout the state. Each petition must contain

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

31 (2) the statement of the grounds for recall included in the application;

1 (3) the statement of warning required in AS 15.45.570;

2 (4) sufficient space for the printed name, date of birth, signature, and  
3 address of each person signing the petition;

4 (5) sufficient space at the bottom of each signature page for the  
5 information required by AS 15.45.600(8); and

6 (6) other specifications prescribed by the director to ensure proper  
7 handling and control.

8 (b) Upon request of the recall committee, the lieutenant governor shall report  
9 to the committee the number of persons who voted in the preceding general election,  
10 in the state or in the district of the official sought to be recalled by the recall  
11 committee.

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

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

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

19 **Sec. 15.45.575. 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. 43. AS 15.45.580 is amended by adding new subsections to read:

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

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

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

3 (e) In this section,

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

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

6 (3) "person" has the meaning given in AS 11.51.900.

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

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

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

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

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

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

21 (2) the person is the only circulator of that petition;

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

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

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

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

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

31 (8) if the circulator has received payment or agreed to receive payment

1 for the collection of signatures on the petition, the circulator, before circulating of the  
2 petition, prominently placed in the space provided under AS 15.45.560(a)(5) the name  
3 of each person or organization that has paid or agreed to pay the circulator for  
4 collection of signatures on the petition.

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

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

16 \* Sec. 47. 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 election year for which the political group  
20 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,  
30 except that the director may suspend the monthly verifications on and after June 1 and  
31 before November 30 of a general election year. For purposes of (b) of this section, the

1 director shall verify that the voters who have submitted registration forms to the  
2 division of elections are qualified under AS 15.05.010 and have declared affiliation  
3 with the political group or recognized political party for which the verification is  
4 performed.

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

9 (e) The director may ~~not~~ withdraw recognized political party status from a  
10 political group that no longer meets the definition of political party except following  
11 the verification immediately after a general election at which a governor was elected.  
12 The director shall notify the political group in writing of the withdrawal of  
13 recognition.

14 \* Sec. 48. AS 15.60.010 is amended by adding a new paragraph to read:

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

21 \* Sec. 49. AS 29.05.110(b) is amended to read:

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

25 \* Sec. 50. AS 29.05.110(c) is amended to read:

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

1 the proposed borough.

2 \* Sec. 51. AS 29.05.110 is amended by adding a new subsection to read:

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

4 \* Sec. 52. AS 15.10.020(b) and AS 15.20.048 are repealed.

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

7 APPLICABILITY. The changes made by secs. 23 - 46 of this Act apply to an  
8 application for an initiative, referendum, or recall filed with the lieutenant governor on or  
9 after the effective date of this Act.

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

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

24-GH1018\F7  
Kurtz  
2/16/05

Adopted  
AMENDMENT #1 to Y version

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(S1A), Draft Version "F"

- 1 Page 9, line 1, following "2002).":
- 2       Insert "The director may only approve a voting machine or vote tally system if the
- 3 machine or system satisfies the requirements of AS 15.15.032(c)."



#2

24-GH1048V.5  
Kurtz  
2/16/05

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 94(STA), Draft Version "F"

- 1 Page 7, line 8:
- 2 Delete "a [TWO] United States citizen [CITIZENS]"
- 3 Insert "an individual [TWO UNITED STATES CITIZENS]"
- 4
- 5 Page 8, lines 1 - 2:
- 6 Delete "one person who is a United States citizen and"
- 7 Insert "an individual who"
- 8
- 9 Page 8, line 4:
- 10 Delete "person's"
- 11 Insert "individual's"

Handwritten scribbles and a vertical line on the right side of the page.

**Side by Side Comparison of Existing  
Alaska Statute, CSHB 94 Version G, and Amendment (STA)**

**AS 15.20.081**

(d)  
...If none of the officials listed in this subsection is reasonably accessible, an absentee voter shall sign the voter's certificate in the presence of two persons over the age of 18 years, who shall sign as witnesses and attest to the date on which the voter signed the certificate in their presence, and, in addition, the voter shall provide the certification prescribed in AS 09.63.020.

**AS 15.20.066**

(C)  
...two United States citizens who are 18 years of age or older

**CS HB 94 Version G**

**Section 13 (d)**  
...If none of the officials listed in this subsection is reasonably accessible, an absentee voter shall sign the voter's certificate in the presence of one person who is a United States citizen and is 18 years of age or older, who shall sign as a witness and attest to the date on which the voter signed the certificate in the person's presence, and, in addition, the voter shall provide the certification prescribed in AS 09.63.020.

**CS HB 94 Version G**

**Section 11 2(C)**  
...a United States citizen who is 18 years of age or older.

**Proposed Amendment**

**Amendment**  
...If none of the officials listed in this subsection is reasonably accessible, an absentee voter shall sign the voter's certificate in the presence of an individual who is 18 years, who shall sign as a witness and attest to the date on which the voter signed the certificate in the individuals presence, and, in addition, the voter shall provide the certification prescribed in AS 09.63.020.

**Proposed Amendment**

...an individual 18 years of age or older

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

- (1) exhibition of proof of identification as required in AS 15.15.225;
- (2) verification that the voter's residence address appearing on the official registration list is current; and
- (3) the voter's signing the early voting register.

(c) After the voter has marked the ballot, the voter shall place the ballot in the secrecy sleeve and inform the election supervisor or other election official. The voter shall deposit the ballot in the ballot box in the presence of the election supervisor or other election official unless the voter requests the election supervisor or other election official to deposit the ballot on the voter's behalf. The tabulation of early voting ballots may not begin before 8:00 p.m. prevailing time on election day. (§ 49 ch 82 SLA 2000; am §§ 4, 5 ch 154 SLA 2004)

**Effect of amendments.** — The 2004 amendment, effective July 4, 2004, rewrote subsection (a), and deleted "and within the election supervisor's jurisdic-

tion" at the end of paragraph (b)(2).

**Effective dates.** — Section 97, ch. 82, SLA 2000 makes this section effective January 1, 2001.

**Sec. 15.20.066. Absentee voting by electronic transmission.** (a) The director shall adopt regulations applicable to the delivery of absentee ballots by electronic transmission in a state election and to the use of electronic transmission absentee voting in a state election by qualified voters. The regulations must

- (1) require the voter to comply with the same time deadlines as for voting in person on or before the closing hour of the polls;
- (2) ensure the accuracy and, to the greatest degree possible, the integrity and secrecy of the ballot process.

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

- (1) contain the following statement: "I understand that by using electronic transmission to return my marked ballot, I am voluntarily waiving a portion of my right to a secret ballot to the extent necessary to process my ballot, but expect that my vote will be held as confidential as possible." followed by the voter's signature and date of signature; and
- (2) be accompanied by a statement executed under oath as to the voter's identity; the statement under oath must be witnessed by

- (A) a commissioned or noncommissioned officer of the armed forces of the United States;
- (B) an official authorized by federal law or the law of the state in which the absentee ballot is cast to administer an oath; or
- (C) two United States citizens who are 18 years of age or older. (§ 1 ch 9 SLA 1998)

*Sec. 15.20.070. Application for ballot by mail. [Repealed, § 231 ch 100 SLA 1980. For current law, see AS 15.20.081.]*

*Sec. 15.20.071. Absentee voting by personal representative. [Repealed, § 93, ch 82 SLA 2000.]*

**Sec. 15.20.072. Special needs voting.** (a) A qualified voter with a disability who, because of that disability, is unable to go to a polling place to vote may vote a special needs ballot.

(b) The voter may, through a representative, request a special needs ballot from the following election officials at the times specified:

- (1) from an absentee voting official on or after the 15th day before an election, up to and including election day;
- (2) from an election supervisor on or after the 15th day before an election up to and including election day;

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(3) from an absentee voting official at an absentee voting station designated under AS 15.20.045(b) on or after the 15th day before an election up to and including the date of the election; or

(4) from a member of the precinct election board on election day.

(c) If the request for a special needs ballot is made through a representative, the representative shall sign a register provided by an election official. The register must include the following information:

(1) the representative's name;

(2) the representative's residence and mailing address;

(3) the representative's social security number, voter number, or date of birth;

(4) the name of the voter on whose behalf the representative is requesting a ballot and voting materials;

(5) an oath that the representative

(A) is receiving a ballot and voting materials on behalf of the voter;

(B) will not vote the ballot for the voter;

(C) will not coerce the voter;

(D) will not divulge the vote cast by the voter; and

(E) has been notified that unlawful interference with voting is punishable under AS 15.56.030;

(6) the representative's signature.

(d) The representative shall deliver the special needs ballot and other voting materials to the voter as soon as practicable. The voter shall mark the ballot in secret, place the ballot in the secrecy sleeve, and place the secrecy sleeve in the envelope provided. The voter shall provide the information on the envelope that would be required for absentee voting if the voter voted in person. The voter shall sign the voter's certificate in the presence of the representative. The representative shall sign as attesting official and date the voter's signature.

(e) The representative shall deliver the ballot and voter certificate to an election official not later than 8:00 p.m. Alaska time on election day.

(f) If a qualified voter's disability precludes the voter from performing any of the requirements of (d) of this section, the representative may perform those requirements, except making the voting decision, on the voter's behalf.

(g) The voter's employer, an agent of the voter's employer, or an officer or agent of the voter's union may not act as a representative for the voter. A candidate for office at an election may not act as a representative for a voter in the election. (§ 50 ch 82 SLA 2000; am § 4 ch 35 SLA 2001)

**Effect of amendments.** — The 2001 amendment, effective September 23, 2001, in subsection (b), in paragraph (2), deleted subparagraph (A), which read "after a date announced by the director under AS 15.20.045(b); and" and deleted the subparagraph (B) designation, and, in paragraph (3), substituted "on or

after the 15th day before an election up to and including the date of the election" for "at a time when the absentee voting station is in operation."

**Effective dates.** — Section 97, ch. 82, SLA 2000 makes this section effective January 1, 2001.

*Sec. 15.20.080. Date for application in person. [Repealed, § 231 ch 100 SLA 1980. For current law, see AS 15.20.061.]*

**Sec. 15.20.081. Absentee voting by mail or electronic transmission.** (a) A qualified voter may apply by mail or by electronic transmission to the director for an absentee ballot. The application must include the address or, if the application requests delivery of an absentee ballot by electronic transmission, the telephone electronic transmission number, to which the absentee ballot is to be returned, the applicant's full Alaska residence address, and the applicant's signature. However, a person residing outside the United States and applying to vote absentee in federal elections in accordance with AS 15.05.011 need not include an Alaska residence address in the application.

(b) An application requesting delivery of an absentee ballot to the applicant by mail must be received by the division of elections not less than seven days before the election for which the absentee ballot is sought. An application for an absentee ballot for a state election from a qualified voter requesting delivery of an absentee ballot to the applicant by electronic transmission must be received by the division of elections not later than 5:00 p.m. Alaska time on the day before the election for which the absentee ballot is sought. An absentee ballot application submitted by mail under this section must permit the person to register to vote under AS 15.07.070 and to request an absentee ballot for each state election held within that calendar year for which the voter is eligible to vote. An absentee ballot application submitted by electronic transmission under this section may not include a provision that permits a person to register to vote under AS 15.07.070.

(c) After receipt of an application, the director shall send the absentee ballot and other absentee voting material to the applicant by the most expeditious mail service. However, if the application requests that an absentee ballot for a state election be sent by electronic transmission, the director shall send the absentee ballot and other absentee voting material to the applicant by electronic transmission. The absentee ballot and other absentee voting material shall be sent as soon as they are ready for distribution. If the absentee ballot and other absentee voting material are mailed to the applicant, the return envelope sent with the ballot and other materials shall be addressed to the election supervisor in the district in which the voter is a resident.

(d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a notary public, commissioned officer of the armed forces including the National Guard, district judge or magistrate, United States postal official, registration official, or other person qualified to administer oaths, may proceed to mark the ballot in secret, to place the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided, and to sign the voter's certificate on the envelope in the presence of an official listed in this subsection who shall sign as attesting official and shall date the signature. If none of the officials listed in this subsection is reasonably accessible, an absentee voter shall sign the voter's certificate in the presence of two persons over the age of 18 years, who shall sign as witnesses and attest to the date on which the voter signed the certificate in their presence, and, in addition, the voter shall provide the certification prescribed in AS 02.63.020.

(e) An absentee ballot must be marked on or before the date of the election. Except as provided in (h) of this section, a voter who returns the absentee ballot by mail, whether provided to the voter by mail or by electronic transmission, shall use a mail service at least equal to first class and mail the ballot not later than the day of the election to the election supervisor for the house district in which the voter seeks to vote. Except as provided in AS 15.20.480, the ballot may not be counted unless it is received by the close of business on the 10th day after the election. If the ballot is postmarked, it must be postmarked on or before election day. After the day of the election, ballots may not be accepted unless received by mail.

(f) The director shall require a voter casting an absentee ballot by mail to provide proof of identification or other information to aid in the establishment of the voter's identity as prescribed by regulations adopted under AS 44.62 (Administrative Procedure Act). If the voter is a first-time voter who initially registered by mail or by facsimile or other electronic transmission approved by the director under AS 15.07.050 and has not met the identification requirements set out in AS 15.07.060, the voter must provide one of the following forms of proof of identification:

- (1) a copy of a driver's license, state identification card, current and valid photo identification, birth certificate, passport, or hunting or fishing license; or
- (2) a copy of a current utility bill, bank statement, paycheck, government check, or other government document; an item provided under this paragraph must show the name and current address of the voter.

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## STATES AND TERRITORIES WITH NOTARY/WITNESS REQUIREMENTS

### Notary Requirements for FPCA

#### Uniformed Services

American Samoa  
Mississippi  
Puerto Rico  
South Dakota  
Vermont  
5

#### Civilians Outside the U.S.

American Samoa  
Michigan  
Mississippi  
Puerto Rico  
South Dakota  
Vermont  
6

### Notary Requirements for Ballot Return Envelope

#### Uniformed Services

Guam  
Mississippi  
Puerto Rico  
3

#### Civilians Outside the U.S.

Guam  
Mississippi  
Puerto Rico  
3

### Witness Requirements for Ballot Return Envelope

Florida—The witness requirement was eliminated by state legislation for both uniformed services and civilians living outside the U.S. (effective July 1, 2004)

#### Uniformed Services

Alaska  
Louisiana  
North Carolina  
South Carolina  
Utah—only if unable to get postmarked  
Virginia  
Wisconsin  
7

#### Civilians Outside the U.S.

Alaska  
Louisiana  
North Carolina  
South Carolina  
Virginia  
Wisconsin  
6

**Voting Assistance Officers and Embassy and Consular Officials will notarize any absentee balloting materials free of charge!**

## Christine Marasigan

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**From:** Laura Glaiser [laura\_glaiser@gov.state.ak.us]  
**Sent:** Tuesday, February 15, 2005 11:28 AM  
**To:** Christine Marasigan  
**CC:** Annette E Kreitzer; Sarah J Felix  
**Subject:** Re: verification of witness' citizenship

Hi Christine!

This bill is mostly about correcting problems and making language consistent in election law. You're correct..currently AS 15.20.081 (d) does not require the witnesses (now there are two) to be US citizens. The voter does, however, certify that the only reason the voter utilized the two witnesses option is because they could not find an official empowered to administer an oath.

However, 15.20.066 DOES require the two witnesses to fax voting to be US citizens. It was due to that requirement that we offered for consideration, reducing the witness requirement to ONE citizen, and applying the change to both sections of the law.

This is offered for consideration by the Legislature. Regardless, the witnessing requirements for ballots should be consistent. Should the Legislature feel that US citizenship is not required for witnessing, we will follow the law.

thank you,  
Laura

Christine Marasigan wrote:

Hi Laura,  
I'm just following up, but as I recall from the last state affairs meeting, regarding the discussion on Section 12 AS15.20.08 (d) you had said that on the issue of witnesses for absentee ballots there is no way for the Division of Elections to verify that the witnesses are U.S. Citizens, right? Since neither of the two witnesses in the older version needed to be U.S. Citizens, I don't see any reason why the one witness needs to be one. Is this problematic? If not, I would like to have an amendment addressing this.

Just thought I'd check.

Christine R. Marasigan, Legislative Aide  
Representative Gabrielle LeDoux  
District 36  
State Capitol  
Juneau, AK 99801-1121  
phone: (907) 465-6588  
fax: (907) 465-4956

## Christine Marasigan

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**From:** Mendez, Paul, Mr., OSD P&R/FVAP [mendez@fvap.ncr.gov]  
**Sent:** Wednesday, February 16, 2005 6:53 AM  
**To:** Christine Marasigan  
**Cc:** vote  
**Subject:** RE: absentee ballot witness question  
**Importance:** High

Christine R. Marasigan, Legislative Aide  
Representative Gabrielle LeDoux  
District 36  
State Capitol  
Juneau, Alaska 99801

Dear Ms. Marasigan:

It is up to the State to decide who can witness or notarize and there is no requirement that witnesses be US citizen. However, the witness requirement creates problems for individuals living overseas where this may be difficult, if not impossible, to obtain. For example those U.S. citizens of Alaska that do not live near an American Embassy. Also, some small military installations may have no commissioned officer assigned. **We recommend Alaska remove all witness requirement for all absentee balloting materials. Thirty-six states and territories have eliminated the notary and witness requirement on all election materials.**

### Sample Language

*If a voter is residing outside the United States or is a member of the United States Uniformed Services, merchant marine, or a family member, and he or she is a qualified elector and is required to execute an affidavit or form for voter registration or an absentee ballot, he or she may subscribe to a self-administered oath, under penalty of perjury.*

For information on other state election laws, please see the State-By-State Instructions in Chapter 3 of the 2004-05 Voting Assistance Guide available on the FVAP website at [www.fvap.gov](http://www.fvap.gov).

Feel free to contact me if you need further assistance.

Sincerely,

Paul Mendez  
Program Analyst  
Federal Voting Assistance Program  
703-588-1584

AMENDMENT

*as amended*

24-GH1048\F.2  
Kurtz  
2/16/05

OFFERED IN THE HOUSE

TO: CSHB 94(STA), Draft Version "F"

1 Page 1, line 8, following "systems,":

2 Insert "qualifications for elected office,"

3

4 Page 9, following line 1:

5 Insert new bill sections to read:

6 **\*\* Sec. 17. AS 15.25.030(a) is amended to read:**

7 (a) A member of a political party who seeks to become a candidate of the  
8 party in the primary election shall execute and file a declaration of candidacy. The  
9 declaration shall be executed under oath before an officer authorized to take  
10 acknowledgments and must state in substance

11 (1) the full name of the candidate;

12 (2) the full mailing address of the candidate;

13 (3) if the candidacy is for the office of state senator or state  
14 representative, the house or senate district of which the candidate is a resident;

15 (4) the office for which the candidate seeks nomination;

16 (5) the name of the political party of which the person is a candidate  
17 for nomination;

18 (6) the full residence address of the candidate, and the date on which  
19 residency at that address began;

20 (7) the date of the primary election at which the candidate seeks  
21 nomination;

22 (8) the length of residency in the state and in the district of the  
23 candidate;

1 (9) that the candidate will meet the specific citizenship requirements of  
2 the office for which the person is a candidate;

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

4 (11) that the candidate will meet the specific age requirements of the  
5 office for which the person is a candidate; if the candidacy is for the office of state  
6 representative, that the candidate will be at least 21 years of age on the first<sup>scheduled</sup> day  
7 of the first regular session of the legislature convened after the election; if the  
8 candidacy is for the office of state senator, that the candidate will be at least 25  
9 years of age on the first day of the first regular session of the legislature convened  
10 after the election; if the candidacy is for the office of governor or lieutenant  
11 governor, that the candidate will be at least 30 years of age on the first Monday  
12 in December following election or, if the office is to be filled by special election  
13 under AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age  
14 on the date of certification of the results of the special election; or, for any other  
15 office, by the time that the candidate, if elected, is sworn into office;

16 (12) that the candidate requests that the candidate's name be placed on  
17 the primary election ballot;

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

19 (14) that the person is not a candidate for any other office to be voted  
20 on at the primary or general election and that the person is not a candidate for this  
21 office under any other declaration of candidacy or nominating petition;

22 (15) the manner in which the candidate wishes the candidate's name to  
23 appear on the ballot; and

24 (16) that the candidate is registered to vote as a member of the political  
25 party whose nomination is being sought.

26 \* Sec. 18. AS 15.25.105(a) is amended to read:

27 (a) If a candidate does not appear on the primary election ballot or is not  
28 successful in advancing to the general election and wishes to be a candidate in the  
29 general election, the candidate may file as a write-in candidate. Votes for a write-in  
30 candidate may not be counted unless that candidate has filed a letter of intent with the  
31 director stating

- 1 (1) the full name of the candidate;
- 2 (2) the full residence address of the candidate and the date on which  
3 residency at that address began;
- 4 (3) the full mailing address of the candidate;
- 5 (4) the name of the political party or political group of which the  
6 candidate is a member, if any;
- 7 (5) if the candidate is for the office of state senator or state  
8 representative, the house or senate district of which the candidate is a resident;
- 9 (6) the office that the candidate seeks;
- 10 (7) the date of the election at which the candidate seeks election;
- 11 (8) the length of residency in the state and in the house district of the  
12 candidate;
- 13 (9) the name of the candidate as the candidate wishes it to be written  
14 on the ballot by the voter;
- 15 (10) that the candidate meets the specific citizenship requirements of  
16 the office for which the person is a candidate;
- 17 (11) that the candidate will meet the specific age requirements of the  
18 office for which the person is a candidate; **if the candidacy is for the office of state**  
19 **representative, that the candidate will be at least 21 years of age on the first day**  
20 **of the first regular session of the legislature convened after the election; if the**  
21 **candidacy is for the office of state senator, that the candidate will be at least 25**  
22 **years of age on the first day of the first regular session of the legislature convened**  
23 **after the election; if the candidacy is for the office of governor or lieutenant**  
24 **governor, that the candidate will be at least 30 years of age on the first Monday**  
25 **in December following election or, if the office is to be filled by special election**  
26 **under AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age**  
27 **on the date of certification of the results of the special election; or, for any other**  
28 **office, by the time that the candidate, if elected, is sworn into office;**
- 29 (12) that the candidate is a qualified voter as required by law; and
- 30 (13) that the candidate is not a candidate for any other office to be  
31 voted on at the general election and that the candidate is not a candidate for this office

1 under any other nominating petition or declaration of candidacy.

2 \* Sec. 19. AS 15.25.180(n) is amended to read:

3 (a) The petition must state in substance

4 (1) the full name of the candidate;

5 (2) the full residence address of the candidate and the date on which  
6 residency at that address began;

7 (3) the full mailing address of the candidate;

8 (4) the name of the political group, if any, supporting the candidate;

9 (5) if the candidacy is for the office of state senator or state  
10 representative, the house or senate district of which the candidate is a resident;

11 (6) the office for which the candidate is nominated;

12 (7) the date of the election at which the candidate seeks election;

13 (8) the length of residency in the state and in the district of the  
14 candidate;

15 (9) that the subscribers are qualified voters of the state or house or  
16 senate district in which the candidate resides;

17 (10) that the subscribers request that the candidate's name be placed on  
18 the general election ballot;

19 (11) that the proposed candidate accepts the nomination and will serve  
20 if elected, with the statement signed by the proposed candidate;

21 (12) the name of the candidate as the candidate wishes it to appear on  
22 the ballot;

23 (13) that the candidate is not a candidate for any other office to be  
24 voted on at the primary or general election and that the candidate is not a candidate for  
25 this office under any other nominating petition or declaration of candidacy;

26 (14) that the candidate meets the specific citizenship requirements of  
27 the office for which the person is a candidate;

28 (15) that the candidate will meet the specific age requirements of the  
29 office for which the person is a candidate; if the candidacy is for the office of state  
30 representative, that the candidate will be at least 21 years of age on the first day  
31 of the first regular session of the legislature convened after the election; if the

1 candidacy is for the office of state senator, that the candidate will be at least 25  
2 years of age on the first day of the first regular session of the legislature convened  
3 after the election; and if the candidacy is for the office of governor or lieutenant  
4 governor, that the candidate will be at least 30 years of age on the first Monday  
5 in December following election or, if the office is to be filled by special election  
6 under AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age  
7 on the date of certification of the results of the special election; or, for any other  
8 office, by the time that the candidate, if elected, is sworn into office;

9 (16) that the candidate is a qualified voter; and

10 (17) if the candidacy is for the office of the governor, the name of the  
11 candidate for lieutenant governor running jointly with the candidate for governor."  
12

13 Renumber the following resolution sections accordingly.

14  
15 Page 21, line 6:

16 Delete "secs. 20 - 43"

17 Insert "secs. 23 - 46"

#4

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 94(STA), Draft Version "F"

1 Page 1, line 8, following "systems,":

2 Insert "qualifications for elected office,"

3

4 Page 9, following line 1:

5 Insert new bill sections to read:

6 **\*\* Sec. 17.** AS 15.25.030(a) is amended to read:

7 (a) A member of a political party who seeks to become a candidate of the  
8 party in the primary election shall execute and file a declaration of candidacy. The  
9 declaration shall be executed under oath before an officer authorized to take  
10 acknowledgments and must state in substance

11 (1) the full name of the candidate;

12 (2) the full mailing address of the candidate;

13 (3) if the candidacy is for the office of state senator or state  
14 representative, the house or senate district of which the candidate is a resident, and  
15 that the candidate is registered to vote in that district.

16 (4) the office for which the candidate seeks nomination;

17 (5) the name of the political party of which the person is a candidate  
18 for nomination;

19 (6) the full residence address of the candidate, and the date on which  
20 residency at that address began;

21 (7) the date of the primary election at which the candidate seeks  
22 nomination;

23 (8) the length of residency in the state and in the district of the

1 candidate;

2 (9) that the candidate will meet the specific citizenship requirements of  
3 the office for which the person is a candidate;

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

5 (11) that the candidate will meet the specific age requirements of the  
6 office for which the person is a candidate;

7 (12) that the candidate requests that the candidate's name be placed on  
8 the primary election ballot;

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

10 (14) that the person is not a candidate for any other office to be voted  
11 on at the primary or general election and that the person is not a candidate for this  
12 office or any other declaration of candidacy or nominating petition;

13 (15) the manner in which the candidate wishes the candidate's name to  
14 appear on the ballot; and

15 (16) that the candidate is registered to vote as a member of the political  
16 party whose nomination is being sought.

17 \* Sec. 18. AS 15.25.105(a) is amended to read:

18 (a) If a candidate does not appear on the primary election ballot or is not  
19 successful in advancing to the general election and wishes to be a candidate in the  
20 general election, the candidate may file as a write-in candidate. Votes for a write-in  
21 candidate may not be counted unless that candidate has filed a letter of intent with the  
22 director stating

23 (1) the full name of the candidate;

24 (2) the full residence address of the candidate and the date on which  
25 residency at that address began;

26 (3) the full mailing address of the candidate;

27 (4) the name of the political party or political group of which the  
28 candidate is a member, if any;

29 (5) if the candidate is for the office of state senator or state  
30 representative, the house or senate district of which the candidate is a resident, and

31 that the candidate is registered to vote in that district;

- 1 (6) the office that the candidate seeks;
- 2 (7) the date of the election at which the candidate seeks election;
- 3 (8) the length of residency in the state and in the house district of the
- 4 candidate;
- 5 (9) the name of the candidate as the candidate wishes it to be written
- 6 on the ballot by the voter;
- 7 (10) that the candidate meets the specific citizenship requirements of
- 8 the office for which the person is a candidate;
- 9 (11) that the candidate will meet the specific age requirements of the
- 10 office for which the person is a candidate by the time that the candidate, if elected, is
- 11 sworn into office;
- 12 (12) that the candidate is a qualified voter as required by law; and
- 13 (13) that the candidate is not a candidate for any other office to be
- 14 voted on at the general election and that the candidate is not a candidate for this office
- 15 under any other nominating petition or declaration of candidacy.

16 \* Sec. 19. AS 15.25.180(a) is amended to read:

- 17 (a) The petition must state in substance
- 18 (1) the full name of the candidate;
- 19 (2) the full residence address of the candidate and the date on which
- 20 residency at that address began;
- 21 (3) the full mailing address of the candidate;
- 22 (4) the name of the political group, if any, supporting the candidate;
- 23 (5) if the candidacy is for the office of state senator or state
- 24 representative, the house or senate district of which the candidate is a resident, **and**
- 25 **that the candidate is registered to vote in that district:**
- 26 (6) the office for which the candidate is nominated;
- 27 (7) the date of the election at which the candidate seeks election;
- 28 (8) the length of residency in the state and in the district of the
- 29 candidate;
- 30 (9) that the subscribers are qualified voters of the state or house or
- 31 senate district in which the candidate resides;

1 (10) that the subscribers request that the candidate's name be placed on  
2 the general election ballot;

3 (11) that the proposed candidate accepts the nomination and will serve  
4 if elected, with the statement signed by the proposed candidate;

5 (12) the name of the candidate as the candidate wishes it to appear on  
6 the ballot;

7 (13) that the candidate is not a candidate for any other office to be  
8 voted on at the primary or general election and that the candidate is not a candidate for  
9 this office under any other nominating petition or declaration of candidacy;

10 (14) that the candidate meets the specific citizenship requirements of  
11 the office for which the person is a candidate;

12 (15) that the candidate will meet the specific age requirements of the  
13 office for which the person is a candidate by the time that the candidate, if elected, is  
14 sworn into office;

15 (16) that the candidate is a qualified voter; and

16 (17) if the candidacy is for the office of the governor, the name of the  
17 candidate for lieutenant governor running jointly with the candidate for governor."  
18

19 Renumber the following bill sections accordingly.  
20

21 Page 21, line 6:

22 Delete "secs. 20 - 43"

23 Insert "secs. 23 - 46"

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "F"

1 Page 20, following line 12:

2 Insert a new bill section to read:

3 "\* Sec. 45. AS 15.60.010(23) is repealed and reenacted to read:

4 (23) "political party" means an organized group of voters that  
5 represents a political program and that

6 (A) within the last four years, nominated a candidate for  
7 governor, United States senator, or United States representative, and the person  
8 nominated as the candidate received at least three percent of the total votes cast  
9 under AS 15 for candidates for that office at the general election; or

10 (B) has voters registered in the state equal in number to at least  
11 one percent of the total number of voters registered in the state on March 31 of  
12 each election year;"

13

14 Renumber the following bill sections accordingly.

*New Max*

\* ~~Sec. 50~~. AS 15.60.010(23) is amended to read:

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

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

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

29 (C) nominated a candidate for United States representative  
30 who received at least three percent of the total votes cast for United

States

31 representative at the preceding general election or at the most recent  
01 general election at which a governor was elected; or

02 (D) has registered voters in the state equal in number to at least  
03 two percent of the total number of voters registered in the state on  
March 31 of each election year;,"

\* **Sec. 49.** AS 15.60 is amended by adding a new section to read:

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

28               (1) files an application with the director;

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

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

01       (b) The director shall verify that each political group seeking recog  
02       political party status under (a) of this section and each recognized politi  
03       the definition of a political party in AS 15.60.010.

04       (c) The director shall perform a verification described in (b) of thi  
05       least once a month after the date of certification of the preceding general  
06       purposes of (b) of this section, the director shall verify that the voters  
07       submitted registration to the division of elections are qualified under AS  
08       and have declared affiliation with the political group or recognized politi  
09       which the verification is performed.

10       (d) Within 10 days after a verification under (c) of this section, th  
11       shall provide to a political group seeking recognized political party statu  
12       this section written notification when the political group has obtained rec  
13       political party status.

14       (e) The director may not withdraw recognized political party status f  
15       political group that no longer meets the definition of political party exce  
16       the verification immediately after a general election at which a governor w  
17       The director shall provide written notification to the political party of t  
18       of recognized political party status.

19       \* **Sec. 50.** AS 15.60.010(21) is amended to read:

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

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

25               **(B)** nominated a candidate for United States senator who  
26       received at least three percent of the total votes cast for United Sta  
27       senator at the preceding general election or at the most recent genera  
28       election at which a governor was elected;

29               **(C)** nominated a candidate for United States representative  
30       who received at least three percent of the total votes cast for United  
31       representative at the preceding general election or at the most recent  
01       general election at which a governor was elected; or

02               **(D)** has registered voters in the state equal in number to a  
03       three percent of the total votes cast for governor at the preceding ge  
04       election at which a governor was elected;

\* **Sec. 49.** AS 15.60 is amended by adding a new section to read:

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

28 (1) files an application with the director;

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

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

01 (b) The director shall verify that each political group seeking recog  
02 political party status under (a) of this section and each recognized politi  
03 the definition of a political party in AS 15.60.010.

04 (c) The director shall perform a verification described in (b) of thi  
05 least once a month after the date of certification of the preceding general  
06 purposes of (b) of this section, the director shall verify that the voters  
07 submitted registration to the division of elections are qualified under AS  
08 and have declared affiliation with the political group or recognized politi  
09 which the verification is performed.

10 (d) Within 10 days after a verification under (c) of this section, th  
11 shall provide to a political group seeking recognized political party statu  
12 this section written notification when the political group has obtained rec  
13 political party status.

14 (e) The director may not withdraw recognized political party status f  
15 political group that no longer meets the definition of political party exce  
16 the verification immediately after a general election at which a governor w  
17 The director shall provide written notification to the political party of t  
18 of recognized political party status.

19 \* **Sec. 50.** AS 15.60.010(25) is amended to read:

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

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

25 (B) nominated a candidate for United States senator who  
26 received at least three percent of the total votes cast for United Sta  
27 senator at the preceding general election or at the most recent genera  
28 election at which a governor was elected;

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

02 (D) has registered voters in the state equal in number to a  
03 *Two* ~~three percent of the total votes cast for governor at the preceding ge~~  
04 election ~~at which a governor was elected;~~ *number of registered voters at*

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tences without increasing the total time to serve, where the trial court had erred in imposing a one-year sentence on a probation revocation concurrently to the other sentences. *Napayonak v. State*, 793 P.2d 1059 (Alaska Ct. App. 1990).

**Collateral references.** — Right of convicted defendant or prosecution to receive updated presentence report at sentencing proceedings, 22 ALR5th 660.

*Sec. 12.55.030. Discharge of indigents imprisoned for nonpayment of fine. [Repealed, § 16 ch 53 SLA 1973.]*

*Per violation*

**Sec. 12.55.035. Fines.** (a) Except as provided in AS 12.55.036, upon conviction of an offense, a defendant may be sentenced to pay a fine as authorized in this section or as otherwise authorized by law.

(b) Except as provided in AS 12.55.036, upon conviction of an offense, a defendant who is not an organization may be sentenced to pay, unless otherwise specified in the provision of law defining the offense, a fine of no more than

(1) \$500,000 for murder in the first or second degree, attempted murder in the first degree, sexual assault in the first degree, sexual abuse of a minor in the first degree, kidnapping, or misconduct involving a controlled substance in the first degree;

(2) \$250,000 for a class A felony;

(3) \$100,000 for a class B felony;

(4) \$50,000 for a class C felony;

(5) \$10,000 for a class A misdemeanor;

(6) \$2,000 for a class B misdemeanor;

(7) \$500 for a violation.

(c) Except as provided in AS 12.55.036, upon conviction of an offense, a defendant that is an organization may be sentenced to pay a fine not exceeding the greater of

(1) an amount that is

(A) \$1,000,000 for a felony offense or for a misdemeanor offense that results in death;

(B) \$200,000 for a class A misdemeanor offense that does not result in death;

(C) \$25,000 for a class B misdemeanor offense that does not result in death;

(D) \$10,000 for a violation;

(2) three times the pecuniary gain realized by the defendant as a result of the offense;

or

(3) three times the pecuniary damage or loss caused by the defendant to another, or to the property of another, as a result of the offense.

(d) If a defendant is sentenced to pay a fine, the court may grant permission for the payment to be made within a specified period of time or in specified installments.

(e) In imposing a fine under (c) of this section, in addition to any other relevant factors, the court shall consider

(1) measures taken by the organization to discipline an officer, director, employee, or agent of the organization;

(2) measures taken by the organization to prevent a recurrence of the offense;

(3) the organization's obligation to make restitution to a victim of the offense, and the extent to which imposition of a fine will impair the ability of the organization to make restitution; and

(4) the extent to which the organization will pass on to consumers the expense of the fine.

(f) In imposing a fine, the court may not reduce the fine by the amount of a surcharge or otherwise consider the applicability of a surcharge to the offense. (§ 12 ch 166 SLA

1982; am § 26 ch 143 SLA 1982; am § 4 ch 59 SLA 1988; am

§ 2 ch 71 SLA 1992; am §§ 2 —

(2) two or more crimes under AS 11.41, a consecutive term of imprisonment shall be imposed for at least

(A) the mandatory minimum term under AS 12.55.125(a) for each additional crime that is murder in the first degree;

(B) the mandatory minimum term for each additional crime that is an unclassified felony governed by AS 12.55.125(b);

(C) the presumptive term specified in AS 12.55.125(c) or the active term of imprisonment, whichever is less, for each additional crime that is

(i) manslaughter; or

(ii) kidnapping that is a class A felony;

(D) two years or the active term of imprisonment, whichever is less, for each additional crime that is criminally negligent homicide;

(E) one-fourth of the presumptive term under AS 12.55.125(c) or (i) for each additional crime that is sexual assault in the first degree under AS 11.41.410 or sexual abuse of a minor in the first degree under AS 11.41.434, or an attempt, solicitation, or conspiracy to commit those offenses; and

(F) some additional term of imprisonment for each additional crime, or each additional attempt or solicitation to commit the offense, under AS 11.41.200 — 11.41.250, 11.41.420 — 11.41.432, 11.41.436 — 11.41.458, or 11.41.500 — 11.41.520.

(d) In this section,

(1) "active term of imprisonment" means the total term of imprisonment imposed for a crime, minus suspended imprisonment;

(2) "additional crime" means a crime that is not the primary crime;

(3) "primary crime" means the crime

(A) for which the sentencing court imposes the longest active term of imprisonment; or

(B) that is designated by the sentencing court as the primary crime when no single crime has the longest active term of imprisonment. (§ 3 ch 125 SLA 2004)

**Effective dates.** — Section 9, ch. 125, SLA 2004, provides that this section applies "to offenses occurring on or after July 1, 2004."

**Editor's notes.** — Section 8, ch. 125, SLA 2004,

**Sec. 12.55.135. Sentences of imprisonment for misdemeanors.** (a) A defendant convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year.

→ (b) A defendant convicted of a class B misdemeanor may be sentenced to a definite term of imprisonment of not more than 90 days unless otherwise specified in the provision of law defining the offense.

(c) A defendant convicted of assault in the fourth degree that is a crime involving domestic violence committed in violation of the provisions of an order issued or filed under AS 12.30.027 or AS 18.66.100 — 18.66.180 and not subject to sentencing under (g) of this section shall be sentenced to a minimum term of imprisonment of 20 days.

(d) A defendant convicted of assault in the fourth degree who knowingly directed the conduct constituting the offense at a uniformed or otherwise clearly identified peace officer, fire fighter, correctional employee, emergency medical technician, paramedic, ambulance attendant, or other emergency responder who was engaged in the performance of official duties at the time of the assault shall be sentenced to a minimum term of imprisonment of

(1) 60 days if the defendant violated AS 11.41.230(a)(1) or (2);

(2) 30 days if the defendant violated AS 11.41.230(a)(3).

(e) If a defendant is sentenced under (c), (d), or (h) of this section,

(1) execution of sentence may not be suspended and probation or parole may not be granted until the minimum term of imprisonment has been served;

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "F"

1 Page 1, line 3, following the second occurrence of "voter registration":

2 Insert "and other acts relating to voting that may be done"

3

4 Page 1, following line 11:

5 Insert new bill sections to read:

6 "\* Section 1. AS 13.26.332 is amended to read:

7 Sec. 13.26.332. Statutory form power of attorney. A person who wishes to  
8 designate another as attorney-in-fact or agent by a power of attorney may execute a  
9 statutory power of attorney set out in substantially the following form:

10 GENERAL POWER OF ATTORNEY

11 THE POWERS GRANTED FROM THE PRINCIPAL TO THE  
12 AGENT OR AGENTS IN THE FOLLOWING DOCUMENT ARE  
13 VERY BROAD. THEY MAY INCLUDE THE POWER TO  
14 DISPOSE, SELL, CONVEY, AND ENCUMBER YOUR REAL AND  
15 PERSONAL PROPERTY, AND THE POWER TO MAKE YOUR  
16 HEALTH CARE DECISIONS. ACCORDINGLY, THE  
17 FOLLOWING DOCUMENT SHOULD ONLY BE USED AFTER  
18 CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS  
19 ABOUT THIS DOCUMENT, YOU SHOULD SEEK COMPETENT  
20 ADVICE.

21 YOU MAY REVOKE THIS POWER OF ATTORNEY AT  
22 ANY TIME.

23 Pursuant to AS 13.26.338 - 13.26.353, I, (Name of



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( ) Each agent may exercise the powers conferred separately, without the consent of any other agent.

( ) All agents shall exercise the powers conferred jointly, with the consent of all other agents.

TO INDICATE WHEN THIS DOCUMENT SHALL BECOME EFFECTIVE, CHECK ONE OF THE FOLLOWING:

( ) This document shall become effective upon the date of my signature.

( ) This document shall become effective upon the date of my disability and shall not otherwise be affected by my disability.

IF YOU HAVE INDICATED THAT THIS DOCUMENT SHALL BECOME EFFECTIVE ON THE DATE OF YOUR SIGNATURE, CHECK ONE OF THE FOLLOWING:

( ) This document shall not be affected by my subsequent disability.

( ) This document shall be revoked by my subsequent disability.

IF YOU HAVE INDICATED THAT THIS DOCUMENT SHALL BECOME EFFECTIVE UPON THE DATE OF YOUR SIGNATURE AND WANT TO LIMIT THE TERM OF THIS DOCUMENT, COMPLETE THE FOLLOWING:

This document shall only continue in effect for \_\_\_\_\_ ( ) years from the date of my signature.

NOTICE OF REVOCATION OF THE POWERS GRANTED IN THIS DOCUMENT

You may revoke one or more of the powers granted in this document. Unless otherwise provided in this document, you may revoke a specific power granted in this power of attorney by completing a special power of attorney that includes the specific power in this document that you want to revoke. Unless otherwise provided in this document, you may revoke all the powers granted in this power of attorney by completing a subsequent power of attorney.

NOTICE TO THIRD PARTIES

1           A third party who relies on the reasonable representations of an  
 2 attorney-in-fact as to a matter relating to a power granted by a properly  
 3 executed statutory power of attorney does not incur any liability to the  
 4 principal or to the principal's heirs, assigns, or estate as a result of  
 5 permitting the attorney-in-fact to exercise the authority granted by the  
 6 power of attorney. A third party who fails to honor a properly executed  
 7 statutory form power o. attorney may be liable to the principal, the  
 8 attorney-in-fact, the principal's heirs, assigns, or estate for a civil  
 9 penalty, plus damages, costs, and fees associated with the failure to  
 10 comply with the statutory form power of attorney. If the power of  
 11 attorney is one which becomes effective upon the disability of the  
 12 principal, the disability of the principal is established by an affidavit, as  
 13 required by law.

14           IN WITNESS WHEREOF, I have hereunto signed my name  
 15 this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

16 \_\_\_\_\_  
 17 Signature of Principal

18 Acknowledged before me at \_\_\_\_\_  
 19 \_\_\_\_\_ on \_\_\_\_\_.

20 Signature of Officer or Notary

21 \* Sec. 2. AS 13.26.344 is amended by adding a new subsection to read:

22           (p) In a statutory form power of attorney, the language conferring general  
 23 authority with regard to voting shall be construed to mean that the principal authorizes  
 24 the agent to register the principal to vote, request an absentee ballot for the principal,  
 25 or perform any other act relating to voter registration or voting that a principal is  
 26 specifically authorized by statute to delegate to an agent."

27  
 28 Page 1, line 12:

29 Delete "Section 1"

30 Insert "Sec. 3"

31

24-GH1048P.3

1 Renumber the following bill sections accordingly.

2

3 Page 3, line 8:

4 Delete "specifically"

5

6 ~~Page 3, line 9, following "and":~~

~~Insert "and the following sections shall be added to AS 15.07.050:"~~

8 ~~AS 15.07.050~~

9

10 Page 4, lines 16 - 17:

11 Delete "as set out in AS 15.07.050"

12

13 Page 7, lines 14 - 16:

14 Delete "that specifically authorizes the other person to apply for an absentee  
15 ballot on behalf of the voter"

16 ~~Insert "and the following sections shall be added to AS 15.07.050:"~~

17 ~~AS 15.07.050~~

18

19 Page 21, line 6:

20 Delete "secs. 20 - 43"

21 Insert "secs. 22 - 45"

OK

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "F"

1 Page 6, following line 5:

2 Insert a new bill section to read:

3 **\*\* Sec. 9.** AS 15.15.032 is amended by adding a new subsection to read:

4 (d) If the director provides for voting by use of electronically generated  
5 ballots, the director shall provide ballots in English, and may provide ballots in one or  
6 more languages other than English."  
7

8 Renumber the following bill sections accordingly.  
9

10 Page 21, line 6:

11 Delete "secs. 20 - 43"

12 Insert "secs. 21 - 44"

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "F"

1 Page 9, line 1, following "2002).":

2       Insert "The director may only approve a voting machine or vote tally system if the

3 machine or system satisfies the requirements of AS 15.15.032(c)."

expression of the will of the electors or should have any efficacy whatsoever. Territory ex rel. Sulzer v. Canvassing Bd., 5 Alaska 602 (1917).

A nonofficial ballot is not a ballot at all; it is not simply an illegal ballot; it is a void ballot. Territory ex rel. Sulzer v. Canvassing Bd., 5 Alaska 602 (1917).

**Except under AS 15.15.140.** — The "official ballot" is the only instrument by means of which the elector can express his will at the election, save in the exceptional case provided for in AS 15.15.140. Territory ex rel. Sulzer v. Canvassing Bd., 5 Alaska 602 (1917).

**For background and evils intended to be remedied by use of official ballot,** see Territory ex rel. Sulzer v. Canvassing Bd., 5 Alaska 602 (1917).

**Positional bias on ballot.** — The legislature is not

required to use the fairest method of allocating the benefit of positional bias on the ballot; a reasonable, nondiscriminatory method is sufficient. Sonneman v. State, 969 P.2d 632 (Alaska 1998).

**Random order of names on ballot constitutional.** — The 1996 amendment to AS 15.15.030(6), which replaced rotation of candidates' names on election ballots with random determination of the order of names, does not impermissibly burden the right to vote or violate the requirements of the Alaska Constitution that elections be based on the will of the people, and that legislators and the governor be elected. Sonneman v. State, 969 P.2d 632 (Alaska 1998).

**Cited in Carr v. Thomas,** 586 P.2d 622 (Alaska 1978); **Short v. State,** 500 P.2d 20 (Alaska 1979).

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

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

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

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

(2) used for a recount of the votes cast at an election in which electronically generated ballots were used. (§ 3 ch 154 SLA 2004)

**Cross references.** — For a transitional provision relating to implementation of (c) of this section as to ballots that are cast at the 2004 and 2005 elections, see § 7(a), ch. 154, SLA 2004, in the 2004 Temporary and Special Acts. For a transitional provision applicable to the purchase, using available federal funds, of

additional equipment necessary to provide a paper record of ballots of state electronic voting machines, see § 7(b), ch. 154, SLA 2004, in the 2004 Temporary and Special Acts.

**Effective dates.** — Section 8, ch. 154, SLA 2004, made this section effective July 4, 2004.

**Sec. 15.15.035. Printing of ballots and other material.** The director may not be required to do business with a printing company while the company is involved in a labor dispute. (§ 9 ch 228 SLA 1968; am § 39 ch 100 SLA 1980)

**Sec. 15.15.040. Preparation of other election materials.** (a) The director shall prescribe the form of and prepare tinted sample ballots and all other materials, forms, and supplies required for the election.

(b) The director shall prepare and issue or make available with each sample ballot for a special election the statement provided for in AS 24.08.037 of the scope of each project included in a proposed general obligation bond issue creating a state debt for capital improvements that is submitted to the electorate for ratification under AS 15.15.030(11). The statement of scope for each project shall be the same statement included in the authorization bill. When a ballot proposition is submitted to the voters at a primary or a special election, a statement the same as that provided for in the election pamphlet under AS 15.58.020(6) shall be made available with each sample ballot.

(c) The director shall provide materials, forms, and supplies for each polling place, including information regarding the date of the election and hours the polling place will be open, instructions on how to cast a questioned ballot, instructions for first-time voters

AMENDMENT

OFFERED IN THE HOUSE

TO: CSHB 94(STA), Draft Version "F"

1 Page 1, line 8, following "systems,":

2 Insert "qualifications for elected office,"

3

4 Page 9, following line 1:

5 Insert new bill sections to read:

6 **\*\* Sec. 17.** AS 15.25.030(a) is amended to read:

7 (a) A member of a political party who seeks to become a candidate of the  
8 party in the primary election shall execute and file a declaration of candidacy. The  
9 declaration shall be executed under oath before an officer authorized to take  
10 acknowledgments and must state in substance

11 (1) the full name of the candidate;

12 (2) the full mailing address of the candidate;

13 (3) if the candidacy is for the office of state senator or state  
14 representative, the house or senate district of which the candidate is a resident;

15 (4) the office for which the candidate seeks nomination;

16 (5) the name of the political party of which the person is a candidate  
17 for nomination;

18 (6) the full residence address of the candidate, and the date on which  
19 residency at that address began;

20 (7) the date of the primary election at which the candidate seeks  
21 nomination;

22 (8) the length of residency in the state and in the district of the  
23 candidate;

1 (9) that the candidate will meet the specific citizenship requirements of  
2 the office for which the person is a candidate;

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

4 (11) that the candidate will meet the specific age requirements of the  
5 office for which the person is a candidate; **if the candidacy is for the office of state**  
6 **representative, that the candidate will be at least 21 years of age on the first**  
7 **scheduled day of the first regular session of the legislature convened after the**  
8 **election; if the candidacy is for the office of state senator, that the candidate will**  
9 **be at least 25 years of age on the first scheduled day of the first regular session of**  
10 **the legislature convened after the election; if the candidacy is for the office of**  
11 **governor or lieutenant governor, that the candidate will be at least 30 years of**  
12 **age on the first Monday in December following election or, if the office is to be**  
13 **filled by special election under AS 15.40.230 - 15.40.310, that the candidate will**  
14 **be at least 30 years of age on the date of certification of the results of the special**  
15 **election; or, for any other office, by the time that the candidate, if elected, is**  
16 **sworn into office;**

17 (12) that the candidate requests that the candidate's name be placed on  
18 the primary election ballot;

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

20 (14) that the person is not a candidate for any other office to be voted  
21 on at the primary or general election and that the person is not a candidate for this  
22 office under any other declaration of candidacy or nominating petition;

23 (15) the manner in which the candidate wishes the candidate's name to  
24 appear on the ballot; and

25 (16) that the candidate is registered to vote as a member of the political  
26 party whose nomination is being sought.

27 \* Sec. 18. AS 15.25.105(a) is amended to read:

28 (a) If a candidate does not appear on the primary election ballot or is not  
29 successful in advancing to the general election and wishes to be a candidate in the  
30 general election, the candidate may file as a write-in candidate. Votes for a write-in  
31 candidate may not be counted unless that candidate has filed a letter of intent with the

1 director stating

2 (1) the full name of the candidate;

3 (2) the full residence address of the candidate and the date on which  
4 residency at that address began;

5 (3) the full mailing address of the candidate;

6 (4) the name of the political party or political group of which the  
7 candidate is a member, if any;

8 (5) if the candidate is for the office of state senator or state  
9 representative, the house or senate district of which the candidate is a resident;

10 (6) the office that the candidate seeks;

11 (7) the date of the election at which the candidate seeks election;

12 (8) the length of residency in the state and in the house district of the  
13 candidate;

14 (9) the name of the candidate as the candidate wishes it to be written  
15 on the ballot by the voter;

16 (10) that the candidate meets the specific citizenship requirements of  
17 the office for which the person is a candidate;

18 (11) that the candidate will meet the specific age requirements of the  
19 office for which the person is a candidate; if the candidacy is for the office of state  
20 representative, that the candidate will be at least 21 years of age on the first  
21 scheduled day of the first regular session of the legislature convened after the  
22 election; if the candidacy is for the office of state senator, that the candidate will  
23 be at least 25 years of age on the first scheduled day of the first regular session of  
24 the legislature convened after the election; if the candidacy is for the office of  
25 governor or lieutenant governor, that the candidate will be at least 30 years of  
26 age on the first Monday in December following election or, if the office is to be  
27 filled by special election under AS 15.40.230 - 15.40.310, that the candidate will  
28 be at least 30 years of age on the date of certification of the results of the special  
29 election; or, for any other office, by the time that the candidate, if elected, is sworn  
30 into office;

31 (12) that the candidate is a qualified voter as required by law; and

1 (13) that the candidate is not a candidate for any other office to be  
2 voted on at the general election and that the candidate is not a candidate for this office  
3 under any other nominating petition or declaration of candidacy.

4 \* Sec. 19. AS 15.25.180(a) is amended to read:

5 (a) The petition must state in substance

6 (1) the full name of the candidate;

7 (2) the full residence address of the candidate and the date on which  
8 residency at that address began;

9 (3) the full mailing address of the candidate;

10 (4) the name of the political group, if any, supporting the candidate;

11 (5) if the candidacy is for the office of state senator or state  
12 representative, the house or senate district of which the candidate is a resident;

13 (6) the office for which the candidate is nominated;

14 (7) the date of the election at which the candidate seeks election;

15 (8) the length of residency in the state and in the district of the  
16 candidate;

17 (9) that the subscribers are qualified voters of the state or house or  
18 senate district in which the candidate resides;

19 (10) that the subscribers request that the candidate's name be placed on  
20 the general election ballot;

21 (11) that the proposed candidate accepts the nomination and will serve  
22 if elected, with the statement signed by the proposed candidate;

23 (12) the name of the candidate as the candidate wishes it to appear on  
24 the ballot;

25 (13) that the candidate is not a candidate for any other office to be  
26 voted on at the primary or general election and that the candidate is not a candidate for  
27 this office under any other nominating petition or declaration of candidacy;

28 (14) that the candidate meets the specific citizenship requirements of  
29 the office for which the person is a candidate;

30 (15) that the candidate will meet the specific age requirements of the  
31 office for which the person is a candidate; if the candidacy is for the office of state

1 representative, that the candidate will be at least 21 years of age on the first  
2 scheduled day of the first regular session of the legislature convened after the  
3 election; if the candidacy is for the office of state senator, that the candidate will  
4 be at least 25 years of age on the first scheduled day of the first regular session of  
5 the legislature convened after the election; and if the candidacy is for the office of  
6 governor or lieutenant governor, that the candidate will be at least 30 years of  
7 age on the first Monday in December following election or, if the office is to be  
8 filled by special election under AS 15.40.230 - 15.40.310, that the candidate will  
9 be at least 30 years of age on the date of certification of the results of the special  
10 election; or, for any other office, by the time that the candidate, if elected, is sworn  
11 into office;

12 (16) that the candidate is a qualified voter; and

13 (17) if the candidacy is for the office of the governor, the name of the  
14 candidate for lieutenant governor running jointly with the candidate for governor."

15  
16 Renumber the following resolution sections accordingly.

17  
18 Page 21, line 6:

19 Delete "secs. 20 - 43"

20 Insert "secs. 23 - 46"

24-GH1048F  
Kurtz  
2/11/05

**CS FOR HOUSE BILL NO. 94(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FOURTH LEGISLATURE - FIRST 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 registration through a power of  
4 attorney, voter registration using scanned documents, voter residence, precinct  
5 boundary and polling place designation and modification, recognized political parties,  
6 voters unaffiliated with a political party, early voting, absentee voting, application for  
7 absentee ballots through a power of attorney or by scanned documents, ballot design,  
8 ballot counting, voting by mail, voting machines, vote tally systems, initiative,  
9 referendum, recall, and definitions in the Alaska Election Code; relating to  
10 incorporation elections."

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

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

1           **Sec. 15.05.020. Rules for determining residence of voter.** For the purpose  
2 of determining residence for voting, the place of residence is governed by the  
3 following rules:

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

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

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

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

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

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

28           (7) The term of residence is computed by including the day on which  
29 the person's residence begins and excluding the day of election.

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

1 This presumption is negated only if the voter notifies the director in writing of a  
2 change of voting residence.

3 \* Sec. 2. AS 15.07.050 is amended to read:

4 **Sec. 15.07.050. Manner of registration.** Registration may be made

5 (1) in person before a registration official or through a voter  
6 registration agency;

7 (2) **by another individual on behalf of the voter if the voter has**  
8 **executed a written power of attorney specifically authorizing that other**  
9 **individual to register the voter;**

10 (3) by mail; or

11 (4) [(3)] by facsimile transmission, **scanning**, or another method of  
12 electronic transmission that the director approves.

13 \* Sec. 3. AS 15.07.060(a) is amended to read:

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

16 (1) **the applicant's** name and sex;

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

20 (3) **the applicant's** date of birth;

21 (4) **the applicant's Alaska residence** address [AND OTHER  
22 NECESSARY INFORMATION ESTABLISHING RESIDENCE, INCLUDING THE  
23 TERM OF RESIDENCE IN THE STATE AND IN THE DISTRICT, IF  
24 REQUESTED];

25 (5) **a statement of** whether the applicant has previously been  
26 registered to vote in another jurisdiction, and, if so, the jurisdiction and the address of  
27 the previous registration;

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

30 (7) a declaration that the **applicant** [REGISTRANT] is a citizen of the  
31 United States;

1 (8) the date of application;

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

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

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

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

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

11 (b) To register by mail or by facsimile, scanning, or other electronic  
12 transmission approved by the director under AS 15.07.050, the director, the area  
13 election supervisor, or a voter registration agency shall furnish, at no cost to the voter,  
14 forms prepared by the director on which the registration information required under  
15 AS 15.07.060 shall be inserted by the voter, by a person on behalf of the voter if  
16 that person is designated to act on behalf of the voter in a power of attorney as  
17 set out in AS 15.07.050, or by a person on behalf of the voter if the voter is physically  
18 incapacitated. The director may require proof of identification of the applicant as  
19 required by regulations adopted by the director under AS 44.62 (Administrative  
20 Procedure Act). Upon receipt and approval of the completed registration forms, the  
21 director or the election supervisor shall forward to the voter an acknowledgment, and  
22 the voter's name shall immediately be placed on the master register. If the registration  
23 is denied, the voter shall immediately be informed in writing that registration was  
24 denied and the reason for denial. When identifying information has been provided by  
25 the voter as required by this chapter, the election supervisor shall forward to the voter  
26 a registration card.

27 \* **Sec. 5.** AS 15.07 is amended by adding a new section to read:

28 **Sec. 15.07.075. Voters unaffiliated with a political party.** The director shall  
29 consider a voter to be a voter registered as

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

1 (2) "undeclared" if the voter

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

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

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

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

9 \* Sec. 6. AS 15.07.127 is amended to read:

10 **Sec. 15.07.127. Preparation of master register.** The director shall prepare  
11 both a statewide list and a list by precinct of the names and addresses of all persons  
12 whose names appear on the master register and their political party affiliation.  
13 **Subject to the limitations of 15.07.195, any** [ANY] person may obtain a copy of the  
14 list, or a part of the list, or an electronic format containing both residence and mailing  
15 addresses of voters, by applying to the director and paying to the state treasury a fee as  
16 determined by the director.

17 \* Sec. 7. AS 15.10.090 is amended to read:

18 **Sec. 15.10.090. Notice of precinct boundary designation and modification.**  
19 The director shall give full public notice when precinct boundaries are designated and  
20 when the boundaries of a precinct are modified or when a precinct is established or  
21 abolished. Public notice **must** [SHALL] include

22 (1) [, BUT IS NOT LIMITED TO,] the publication **of notice** on three  
23 different days in a daily newspaper of general circulation; [,] if **possible, the**  
24 **newspaper shall be one that is available generally in the house district** [SUCH A  
25 NEWSPAPER IS PUBLISHED IN THE HOUSE DISTRICT] where the precinct is  
26 located; **however, if a daily newspaper of general circulation is not generally**  
27 **available in that house district, public notice must include** [, BY] posting written  
28 notice in a [THREE] conspicuous **place** [PLACES] in the designated precinct;

29 (2) **posting on the division of elections' Internet website;** [,] and

30 (3) [BY] notification to appropriate municipal clerks.

31 \* Sec. 8. AS 15.15.030(7) is amended to read:

1 (7) The general election ballot shall be designed with the names of  
2 candidates of each political party, and of any independent candidates qualified  
3 under AS 15.30.026, for the office of President and Vice-President of the United  
4 States placed in the same section on the ballot rather than the names of electors of  
5 President and Vice-President.

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 15.20.064 is amended by adding a new subsection to read:

23 (d) The director shall designate locations for early voting by January 1 of an  
24 election year.

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

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

28 (1) contain the following statement: "I understand that, by using  
29 electronic transmission to return my marked ballot, I am voluntarily waiving a portion  
30 of my right to a secret ballot to the extent necessary to process my ballot, but expect  
31 that my vote will be held as confidential as possible, [.] " followed by the voter's

1 signature and date of signature; and

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

4 (A) a commissioned or noncommissioned officer of the armed  
5 forces of the United States;

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

8 (C) a [TWO] United States citizen [CITIZENS] who is [ARE]  
9 18 years of age or older.

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

11 (a) A qualified voter may apply by mail or by facsimile, scanning, or other  
12 electronic transmission to the director for an absentee ballot. Another person may  
13 apply for an absentee ballot on behalf of a qualified voter if that person is  
14 designated to act on behalf of the voter in a written power of attorney that  
15 specifically authorizes the other person to apply for an absentee ballot on behalf  
16 of the voter. The application must include the address or, if the application requests  
17 delivery of an absentee ballot by electronic transmission, the telephone electronic  
18 transmission number, to which the absentee ballot is to be returned, the applicant's full  
19 Alaska residence address, and the applicant's signature. However, a person residing  
20 outside the United States and applying to vote absentee in federal elections in  
21 accordance with AS 15.05.011 need not include an Alaska residence address in the  
22 application.

23 \* Sec. 13. AS 15.20.081(d) is amended to read:

24 (d) Upon receipt of an absentee ballot by mail, the voter, in the presence of a  
25 notary public, commissioned officer of the armed forces including the National Guard,  
26 district judge or magistrate, United States postal official, registration official, or other  
27 person qualified to administer oaths, may proceed to mark the ballot in secret, to place  
28 the ballot in the secrecy sleeve, to place the secrecy sleeve in the envelope provided,  
29 and to sign the voter's certificate on the envelope in the presence of an official listed in  
30 this subsection who shall sign as attesting official and shall date the signature. If none  
31 of the officials listed in this subsection is reasonably accessible, an absentee voter

1 shall sign the voter's certificate in the presence of one person who is a United States  
2 citizen and is [TWO PERSONS OVER THE AGE OF] 18 years of age or older, who  
3 shall sign as a witness [WITNESSES] and attest to the date on which the voter signed  
4 the certificate in the person's [THEIR] presence, and, in addition, the voter shall  
5 provide the certification prescribed in AS 09.63.020.

6 \* Sec. 14. AS 15.20.081(h) is amended to read:

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

13 \* Sec. 15. AS 15.20.800(b) is amended to read.

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

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

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

25 \* Sec. 16. AS 15.20 is amended by adding a new section to article 5 to read:

26 **Sec. 15.20.910. Standards for voting machines and vote tally systems.** The  
27 director may approve a voting machine or vote tally system for use in an election in  
28 the state upon consideration of factors relevant to the administration of state elections,  
29 including whether the Federal Election Commission has certified the voting machine  
30 or vote tally system to be in compliance with the voting system standards approved by  
31 the Federal Election Commission as required by 42 U.S.C. 15481(a)(5) (Help America

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Vote Act of 2002).

\* Sec. 17. AS 15.30 is amended by adding a new section to read:

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

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

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

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

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

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

\* Sec. 18. AS 15.30.050 is amended to read:

**Sec. 15.30.050. Interpretation of votes cast for candidates for President and Vice-President [VICE PRESIDENT].** In voting for presidential electors, a vote marked for the candidates for President and **Vice-President** [VICE PRESIDENT] is considered and counted as a vote for the presidential electors of the party **or for the presidential electors named under AS 15.30.026, as appropriate.**

\* Sec. 19. AS 15.30.090 is amended to read:

**Sec. 15.30.090. Duties of electors.** After any vacancies have been filled, the

1 electors shall proceed to cast their votes for the candidates for the office of President  
2 and Vice-President [VICE PRESIDENT] of the party that [WHICH] selected them as  
3 candidates for electors, or for the candidates for the office of President and Vice-  
4 President under AS 15.30.026 if the electors were named under AS 15.30.026, and  
5 shall perform the duties of electors as required by the constitution and laws of the  
6 United States. The director shall provide administrative services and the Department  
7 of Law shall provide legal services necessary for the electors to perform their duties.

8 \* Sec. 20. AS 15.45.030 is amended to read:

9 **Sec. 15.45.030. Form of application.** The application must [SHALL]  
10 include the

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

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

16 (3) [THE] designation of an initiative committee consisting of three of  
17 the sponsors who subscribed to the application and [SHALL] represent all sponsors  
18 and subscribers in matters relating to the initiative; the designation must include the  
19 name, mailing address, and signature of each committee member [, AND (4)  
20 THE SIGNATURES AND ADDRESSES OF NOT LESS THAN 100 QUALIFIED  
21 VOTERS].

22 \* Sec. 21. AS 15.45.060 is amended to read:

23 **Sec. 15.45.060. Designation of sponsors.** The qualified voters who subscribe  
24 to the application in support of the proposed bill are designated as sponsors. The  
25 initiative committee may designate additional sponsors by giving written notice to the  
26 lieutenant governor of the names, [AND] addresses, and dates of birth of those so  
27 designated.

28 \* Sec. 22. AS 15.45.090 is repealed and reenacted to read:

29 **Sec. 15.45.090. Preparation of petition.** (a) The lieutenant governor shall  
30 prepare a sufficient number of sequentially numbered petitions to allow full circulation  
31 throughout the state. Each petition must contain

1 (1) a copy of the proposed bill if the number of words included in both  
2 the formal and substantive provisions of the bill is 500 or less;

3 (2) an impartial summary of the subject matter of the bill;

4 (3) the statement of warning prescribed in AS 15.45.100;

5 (4) sufficient space for the printed name, date of birth, signature, and  
6 address of each person signing the petition;

7 (5) sufficient space at the bottom of each signature page for the  
8 information required by AS 15.45.130(8); and

9 (6) other specifications prescribed by the lieutenant governor to ensure  
10 proper handling and control.

11 (b) Upon request of the initiative committee, the lieutenant governor shall  
12 report to the committee the number of persons who voted in the preceding general  
13 election.

14 \* **Sec. 23.** AS 15.45 is amended by adding a new section to read:

15 **Sec. 15.45.105. Qualifications of circulator.** To circulate a petition booklet,  
16 a per shall be

17 (1) a citizen of the United States;

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

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

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

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

26 \* **Sec. 25.** AS 15.45.130 is repealed and reenacted to read:

27 **Sec. 15.45.130. Certification of circulator.** Before being filed, each petition  
28 shall be certified by an affidavit by the person who personally circulated the petition.  
29 In determining the sufficiency of the petition, the lieutenant governor may not count  
30 subscriptions on petitions not properly certified at the time of filing or corrected before  
31 the subscriptions are counted. The affidavit must state in substance that

1 (1) the person signing the affidavit meets the residency, age, and  
2 citizenship qualifications for circulating a petition under AS 15.45.105;

3 (2) the person is the only circulator of that petition;

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

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

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

9 (6) the circulator has not entered into an agreement with a person or  
10 organization in violation of AS 15.45.110(c);

11 (7) the circulator has not violated AS 15.45.110(d) with respect to that  
12 petition; and

13 (8) if the circulator has received payment or agreed to receive payment  
14 for the collection of signatures on the petition, the circulator, before circulating the  
15 petition, prominently placed in the space provided under AS 15.45.090(a)(5) the name  
16 of each person or organization that has paid or agreed to pay the circulator for  
17 collection of signatures on the petition.

18 \* Sec. 26. 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 at least five [10] copies of the proposed law being initiated, and  
21 the election board shall display at least one copy [THREE COPIES] of the proposed  
22 law in a conspicuous place in the room where the election is held.

23 \* Sec. 27. 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 name, signature, address, and date of birth of not  
29 less than 100 qualified voters who will serve as sponsors; each signature page  
30 must include a statement that the sponsors are qualified voters who signed the  
31 application 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, mailing address, and signature of each committee member  
6 [AND

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

9 \* Sec. 28. 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, and dates of birth of those so  
14 designated.

15 \* Sec. 29. AS 15.45.320 is repealed and reenacted to read:

16 Sec. 15.45.320. **Preparation of petition.** (a) The lieutenant governor shall  
17 prepare a sufficient number of sequential, numbered petitions to allow full circulation  
18 throughout the state. Each petition must contain

19 (1) a copy of the act to be referred if the number of words included in  
20 both the formal and substantive provisions of the act is 500 or less;

21 (2) the statement of approval or rejection;

22 (3) an impartial summary of the subject matter of the act;

23 (4) the statement of warning prescribed in AS 15.45.330;

24 (5) sufficient space for the printed name, date of birth, signature, and  
25 address of each person signing the petition;

26 (6) sufficient space at the bottom of each signature page for the  
27 information required by AS 15.45.360(8); and

28 (7) other specifications prescribed by the lieutenant governor to ensure  
29 proper handling and control.

30 (b) Upon request of the referendum committee, the lieutenant governor shall  
31 report to the committee the number of persons who voted in the preceding general

1 election.

2 \* **Sec. 30.** 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. 31.** 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 signature. 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. 32.** 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. 33.** AS 15.45.360 is repealed and reenacted 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 personally circulated the petition.  
31 In determining the sufficiency of the petition, the lieutenant governor may not count

1 subscriptions on petitions not properly certified at the time of filing or corrected before  
2 the subscriptions are counted. The affidavit must state in substance that

3 (1) the person signing the affidavit meets the residency, age, and  
4 citizenship qualifications for circulating a petition under AS 15.45.335;

5 (2) the person is the only circulator of that petition;

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

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

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

11 (6) the circulator has not entered into an agreement with a person or  
12 organization in violation of AS 15.45.340(b);

13 (7) the circulator has not violated AS 15.45.340(c) with respect to that  
14 petition; and

15 (8) if the circulator has received payment or agreed to receive payment  
16 for the collection of signatures on the petition, the circulator, before circulating of the  
17 petition, prominently placed in the space provided under AS 15.45.320(a)(6) the name  
18 of each person or organization that has paid or agreed to pay the circulator for  
19 collection of signatures on the petition.

20 \* **Sec. 34.** AS 15.45.430 is amended to read:

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

25 \* **Sec. 35.** AS 15.45.500 is amended to read:

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

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

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

30 (3) the printed name, signature, address, and date of birth of  
31 qualified voters equal in number to 10 percent of those who voted in the

1 preceding general election in the state or in the senate or house district of the  
 2 official sought to be recalled; each signature page must include a statement that the  
 3 [SPONSORS ARE] qualified voters

4 (A) will serve as sponsors; and

5 (B) [WHO] signed the application with the name and office of  
 6 the person to be recalled and the statement of grounds for recall attached;  
 7 and

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

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

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

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

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

25 \* **Sec. 37.** AS 15.45.560 is repealed and reenacted to read:

26 **Sec. 15.45.560. Preparation of petition.** (a) The director shall prepare a  
 27 sufficient number of sequentially numbered petitions to allow full circulation  
 28 throughout the state. Each petition must contain

- 29 (1) the name and office of the person to be recalled;  
 30 (2) the statement of the grounds for recall included in the application;  
 31 (3) the statement of warning required in AS 15.45.570;

1 (4) sufficient space for the printed name, date of birth, signature, and  
2 address of each person signing the petition;

3 (5) sufficient space at the bottom of each signature page for the  
4 information required by AS 15.45.600(8); and

5 (6) other specifications prescribed by the director to ensure proper  
6 handling and control.

7 (b) Upon request of the recall committee, the lieutenant governor shall report  
8 to the committee the number of persons who voted in the preceding general election,  
9 in the state or in the district of the official sought to be recalled by the recall  
10 committee.

11 \* **Sec. 38.** AS 15.45.576 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. 39.** 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. 40.** 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. 41.** 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. 42.** 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 that 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 the 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) if the circulator has received payment or agreed to receive payment  
31 for the collection of signatures on the petition, the circulator, before circulating of the

petition, prominently placed in the space provided under AS 15.45.560(a)(5) the name of each person or organization that has paid or agreed to pay the circulator for collection of signatures on the petition.

\* Sec. 43. 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 at least five [10] copies of the statement of the grounds for recall included in the application and at least 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 at least one copy [THREE COPIES] of the statements for and against recall in a [THREE] conspicuous place [PLACES] in the polling place.

\* Sec. 44. 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) meets the definition of a political party in AS 15.60.010.

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

(c) The director shall perform a verification described in (b) of this section at least once a month after the date of certification of the preceding general election, except that the director may suspend the monthly verifications on and after June 1 and before November 30 of a general election year. For purposes of (b) of this section, the director shall verify that the voters who have submitted registration forms to the

Amend #1 raised

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1 division of elections are qualified under AS 15.05.010 and have declared affiliation  
2 with the political group or recognized political party for which the verification is  
3 performed.

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

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

13 \* Sec. 45. AS 15.60.010 is amended by adding a new paragraph to read:

14 (40) "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 \* Sec. 46. AS 29.05.110(b) is amended to read:

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

24 \* Sec. 47. AS 29.05.110(c) is amended to read:

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

1 \* Sec. 48. AS 29.05.110 is amended by adding a new subsection to read:

2 (d) In this section, "qualified voter" has the meaning given in AS 15.60.010.

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

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

6 APPLICABILITY. The changes made by secs. 20 - 43 of this Act apply to an  
7 application for an initiative, referendum, or recall filed with the lieutenant governor on or  
8 after the effective date of this Act.

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

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

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "G"

- 1 Page 19, line 30, following "registration":
- 2       Insert "forms"

IN C.S.

+ on Page 19 line 18  
Strike "first" - Section 5

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "G"

- 1 Page 1, line 10, following "elections":
- 2 Delete "; and providing for an effective date"
- 3
- 4 Page 21, line 12:
- 5 Delete all material.

IN C.S.

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "G"

- 1 Page 19, line 28, following "general election":
- 2       Insert ", except that the director may suspend the monthly verifications on and after
- 3 June 1 and before November 30 of a general election year"

IN C.S.

+ Gatta's technical  
"at least" before (5)  
Sec. 26, 34, 43

AMENDMENT

2

11 | 11/1

OFFERED IN THE HOUSE

BY REPRESENTATIVE GARDNER

TO: CSHB 94(STA), Draft Version "G"

1 Page 6, following line 21:

2 Insert new bill sections to read:

3 **\*\* Sec. 10.** AS 15.15.420 is amended to read:

4 **Sec. 15.15.420. Duty to review the ballot counting.** The director shall  
5 review the counting of the ballots with the assistance of and in the presence of the  
6 state ballot counting review board [APPOINTED REPRESENTATIVES FROM  
7 THE POLITICAL PARTIES].

8 **\* Sec. 11.** AS 15.15.430 is amended to read:

9 **Sec. 15.15.430. Scope of the review of ballot counting.** (a) The review of  
10 ballot counting by the director shall include only [A REVIEW OF]

11 (1) a review of the precinct registers, tallies, and ballots cast; [AND]

12 (2) a review of absentee and questioned ballots as prescribed by law;

13 and

14 (3) a hand count of ballots from one randomly selected precinct in  
15 each election district that accounts for at least five percent of the ballots cast in  
16 that district.

*and may include* → *P* *III*

17 (b) If, following the ballot review set out in (a) of this section, the director  
18 finds an unexplained discrepancy in the ballot count in any precinct, the director may  
19 count the ballots from that precinct. If there is a discrepancy of more than one  
20 percent between the results of the hand count under (a)(3) of this section and the  
21 count certified by the election board, the director shall conduct a hand count of  
22 the ballots from that district. The director shall certify in writing to the state ballot  
23 counting review board and publish on the division's Internet website any changes

1 resulting from a [THE] count performed under this subsection."

2

3 Renumber the following bill sections accordingly.

4

5 Page 21, line 4:

6 Delete "secs. 20 - 43"

7 Insert "secs. 22 - 45"

3,500

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "G"

1 Page 20, following line 10:

2 Insert a new bill section to read:

3 **\*\* Sec. 45.** AS 15.60.010(23) is repealed and reenacted to read:

4 (23) "political party" means an organized group of voters that  
5 represents a political program and that

6 (A) within the last four years nominated a candidate for  
7 governor, United States senator, United States representative, or President, and  
8 the person nominated as the candidate received at least three percent of the  
9 total votes cast for candidates for that office at the general election; or

10 (B) has registered voters in the state equal in number to at least  
11 one percent of the total votes cast for governor at the preceding general  
12 election;"

13

14 Renumber the following bill sections accordingly.

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: CSHB 94(STA), Draft Version "G"

1 Page 5, lines 17 - 30:

2 Delete all material and insert:

3 **\*\* Sec. 7. AS 15.10.090 is repealed and reenacted to read:**

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

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

10 (2) providing notice of the change

11 (A) by publication three times in a local newspaper of general  
12 circulation in the precinct; or

13 (B) if there is not a local newspaper of general circulation in  
14 the precinct, by posting written notice in three conspicuous places as close to  
15 the precinct as possible; at least one posting location must be in the precinct;

16 (3) posting notice of the change on the Internet website of the division  
17 of elections; and

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