



LAWS OF ALASKA

1980

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Chapter No.

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AN ACT

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

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

THE ACT FOLLOWS ON PAGE 1, LINE 9

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TO THE LAW AND BRACKETED MATERIAL IN CAPITAL LETTERS INDICATES DELETIONS FROM THE LAW; COMPLETELY NEW TEXT OR MATERIAL REPEALED AND RE-ENACTED IS IDENTIFIED IN THE INTRODUCTORY LINE OF EACH BILL SECTION.

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

AN ACT

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

* Section 1. AS 15.25.010 is amended to read:

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

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

ARTICLE 3. PRESIDENTIAL PARTY PRIMARY ELECTIONS.

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

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

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

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

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

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

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

13 (d) If the lieutenant governor calls the presidential party pri-
14 mary election for a date different from the date set under AS 15.25.-
15 220(a),

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

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

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

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

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

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

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

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

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

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

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

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

5 Sec. 15.25.270. NO OTHER ELECTIONS ON THE SAME DATE. The lieute-
6 nant governor may not schedule another state election on the date
7 scheduled for the presidential party primary election.

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

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

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

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

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