

HOUSE BILL NO. 381

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 2/22/22

Referred: State Affairs, Judiciary, Finance

A BILL**FOR AN ACT ENTITLED**1 **"An Act relating to elections; and providing for an effective date."**2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**3 * **Section 1.** AS 15.10.120(c) is amended to read:

4 (c) An election supervisor shall appoint one nominee of the political party **of**
5 **which the governor is a member** [OR POLITICAL GROUP WITH THE LARGEST
6 NUMBER OF REGISTERED VOTERS AT THE TIME OF THE PRECEDING
7 GUBERNATORIAL ELECTION] and one nominee of the political party **that**
8 **received** [OR POLITICAL GROUP WITH] the second largest number of **votes**
9 **statewide in** [REGISTERED VOTERS AT THE TIME OF] the preceding
10 gubernatorial election. **If** [HOWEVER, THE ELECTION SUPERVISOR MAY
11 APPOINT A QUALIFIED PERSON REGISTERED AS A MEMBER OF A THIRD
12 POLITICAL PARTY OR POLITICAL GROUP OR AS A NONPARTISAN OR
13 UNDECLARED VOTER IF] a party district committee or state party central
14 committee of the party **of which the governor is a member** [OR GROUP WITH
15 THE LARGEST NUMBER OF REGISTERED VOTERS] or the party **that received**

1 [OR GROUP WITH] the second largest number of **votes statewide in** [REGISTERED
 2 VOTERS AT THE TIME OF] the preceding gubernatorial election fails to present the
 3 names prescribed by (b) of this section by April 15 of a regular election year or at least
 4 60 days before a special [PRIMARY] election, **the election supervisor may appoint**
 5 **any qualified individual registered to vote.**

6 * **Sec. 2.** AS 15.10.170 is amended to read:

7 **Sec. 15.10.170. Appointment and privileges of watchers.** (a) The precinct
 8 party committee, where an organized precinct committee exists, or the party district
 9 committee where no organized precinct committee exists, or the state party
 10 chairperson where neither a precinct nor a party district committee exists, may appoint
 11 one or more persons as watchers in each precinct and counting center for any election.
 12 Each candidate **not representing a political party** may appoint one or more watchers
 13 for each precinct or counting center in the candidate's respective district or the state for
 14 any election. Any organization or organized group that sponsors or opposes an
 15 initiative, referendum, or recall may have one or more persons as watchers at the polls
 16 and counting centers after first obtaining authorization from the director. A state party
 17 chairperson, a precinct party committee, a party district committee, or a candidate **not**
 18 **representing a political party or organization or organized group** may not have
 19 more than one watcher on duty at a time in any precinct or counting center. A watcher
 20 must be a United States citizen. The watcher may be present at a position inside the
 21 place of voting or counting that affords a full view of all action of the election officials
 22 taken from the time the polls are opened until the ballots are finally counted and the
 23 results certified by the election board or the data processing review board. The
 24 election board or the data processing review board may require each watcher to
 25 present written proof showing appointment by the precinct party committee, the party
 26 district committee, the organization or organized group, or the candidate the watcher
 27 represents **that is signed by the chairperson of the precinct party committee, the**
 28 **party district committee, the state party chairperson, the organization or**
 29 **organized group, or the candidate representing no party.**

30 (b) In addition to the watchers appointed under (a) of this section, in a primary
 31 election, [OR] special [PRIMARY] election [OR SPECIAL ELECTION] under

1 AS 15.40.140, or special runoff election under AS 15.40.141, each candidate may
 2 appoint one watcher in each precinct and counting center.

3 * **Sec. 3.** AS 15.13.020(b) is amended to read:

4 (b) The governor shall appoint two members of each of the two political
 5 parties whose candidate for governor received the highest number of votes in [OR
 6 POLITICAL GROUPS WITH THE LARGEST NUMBER OF REGISTERED
 7 VOTERS AT THE TIME OF] the most recent preceding general election at which a
 8 governor was elected. The two appointees from each of these two parties [OR
 9 GROUPS] shall be chosen from a list of four names to be submitted by the central
 10 committee of each party [OR GROUP].

11 * **Sec. 4.** AS 15.13.020(d) is amended to read:

12 (d) Members of the commission serve staggered terms of five years, or until a
 13 successor is appointed and qualifies. The terms of no two members who are members
 14 of the same political party [OR POLITICAL GROUP] may expire in consecutive
 15 years. A member may not serve more than one term. However, a person appointed to
 16 fill the unexpired term of a predecessor may be appointed to a successive full five-year
 17 term.

18 * **Sec. 5.** AS 15.13.040(j) is amended to read:

19 (j) Except as provided in (l) of this section, each nongroup entity shall make a
 20 full report in accordance with AS 15.13.110 on [UPON] a form prescribed by the
 21 commission and certified by the nongroup entity's treasurer [,] listing

22 (1) the name and address of each officer and director of the nongroup
 23 entity;

24 (2) the aggregate amount of all contributions made to the nongroup
 25 entity for the purpose of influencing the outcome of an election;

26 (3) for all contributions described in (2) of this subsection, the name,
 27 address, date, and amount contributed by each contributor, and for all contributions
 28 described in (2) of this subsection in excess of \$250 in the aggregate during a calendar
 29 year, the principal occupation and employer of the contributor [, AND FOR ALL
 30 CONTRIBUTIONS DESCRIBED IN (2) OF THIS SUBSECTION IN EXCESS OF
 31 \$2,000 IN THE AGGREGATE DURING A CALENDAR YEAR, THE TRUE

1 SOURCE OF SUCH CONTRIBUTIONS AND ALL INTERMEDIARIES, IF ANY,
 2 WHO TRANSFERRED SUCH FUNDS, AND A CERTIFICATION FROM THE
 3 TREASURER THAT THE REPORT DISCLOSES ALL OF THE INFORMATION
 4 REQUIRED BY THIS PARAGRAPH]; and

5 (4) the date and amount of all contributions made by the nongroup
 6 entity, and, except as provided for certain independent expenditures in
 7 AS 15.13.135(a), all expenditures made, incurred, or authorized by the nongroup
 8 entity, for the purpose of influencing the outcome of an election; a nongroup entity
 9 shall report contributions made to a different nongroup entity for the purpose of
 10 influencing the outcome of an election and expenditures made on behalf of a different
 11 nongroup entity for the purpose of influencing the outcome of an election as soon as
 12 the total contributions and expenditures to that nongroup entity for the purpose of
 13 influencing the outcome of an election reach \$500 in a year and for all subsequent
 14 contributions and expenditures to that nongroup entity in a year whenever the total
 15 contributions and expenditures to that nongroup entity for the purpose of influencing
 16 the outcome of an election that have not been reported under this paragraph reach
 17 \$500.

18 * **Sec. 6.** AS 15.13.074(b) is amended to read:

19 (b) A person or group may not make a contribution anonymously, using a
 20 fictitious name, or using the name of another. [INDIVIDUALS, PERSONS,
 21 NONGROUP ENTITIES, OR GROUPS SUBJECT TO AS 15.13.040(r) MAY NOT
 22 CONTRIBUTE OR ACCEPT \$2,000 OR MORE OF DARK MONEY AS THAT
 23 TERM IS DEFINED IN AS 15.13.400(5), AND MAY NOT MAKE A
 24 CONTRIBUTION WHILE ACTING AS AN INTERMEDIARY WITHOUT
 25 DISCLOSING THE TRUE SOURCE OF THE CONTRIBUTION AS DEFINED IN
 26 AS 15.13.400(19).]

27 * **Sec. 7.** AS 15.13.074(c) is amended to read:

28 (c) A person or group may not make a contribution
 29 (1) to a candidate or an individual who files with the commission the
 30 document necessary to permit that individual to incur certain election-related expenses
 31 as authorized by AS 15.13.100 when the office is to be filled at a general election

1 before the date that is 18 months before the general election;

2 (2) to a candidate or an individual who files with the commission the
3 document necessary to permit that individual to incur certain election-related expenses
4 as authorized by AS 15.13.100 for an office that is to be filled at a special election or
5 municipal election before the date that is 18 months before the date of the regular
6 municipal election or that is before the date of the proclamation of the special election
7 at which the candidate or individual seeks election to public office; or

8 (3) to any candidate later than the 45th day

9 (A) after the date of the primary [OR SPECIAL PRIMARY]
10 election if the candidate was on the ballot and was not nominated [CHOSEN
11 TO APPEAR ON THE GENERAL OR SPECIAL ELECTION BALLOT] at
12 the primary [OR SPECIAL PRIMARY] election; or

13 (B) after the date of the general [OR SPECIAL] election, or
14 after the date of a municipal or municipal runoff election.

15 * **Sec. 8.** AS 15.13.090(c) is amended to read:

16 (c) To satisfy the requirements of (a)(1) of this section and, if applicable,
17 (a)(2)(C) of this section, a communication that includes a print or video component
18 must have the following statement or statements placed in the communication so as to
19 be easily discernible [, AND, IN A BROADCAST, CABLE, SATELLITE,
20 INTERNET OR OTHER DIGITAL COMMUNICATION, THE STATEMENT
21 MUST REMAIN ONSCREEN THROUGHOUT THE ENTIRETY OF THE
22 COMMUNICATION]; the second statement is not required if the person paying for
23 the communication has no contributors or is a political party:

24 This communication was paid for by (person's name and city and state of
25 principal place of business). The top contributors of (person's name) are (the
26 name and city and state of residence or principal place of business, as
27 applicable, of the largest contributors to the person under
28 AS 15.13.090(a)(2)(C)).

29 * **Sec. 9.** AS 15.13.110(f) is amended to read:

30 (f) During the year in which the election is scheduled, each of the following
31 shall file the campaign disclosure reports in the manner and at the times required by

1 this section:

2 (1) a person who, under the regulations adopted by the commission to
3 implement AS 15.13.100, indicates an intention to become a candidate for elective
4 state executive or legislative office;

5 (2) a person who has filed a nominating petition under
6 AS 15.25.140 - 15.25.200 to become a candidate at the general election for elective
7 state executive or legislative office;

8 (3) a person who campaigns as a write-in candidate for elective state
9 executive or legislative office at the general election; and

10 (4) [(3)] a group or nongroup entity that receives contributions or
11 makes expenditures on behalf of or in opposition to a person described in

12 (1) - (3) [(1) OR (2)] of this subsection, except as provided for certain
13 independent expenditures by nongroup entities in AS 15.13.135(a).

14 * **Sec. 10.** AS 15.13.390(a) is amended to read:

15 (a) A person who

16 [(1)] fails to register when required by AS 15.13.050(a) or who fails to
17 file a properly completed and certified report within the time required by
18 AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a
19 civil penalty of not more than \$50 a day for each day the delinquency continues as
20 determined by the commission subject to right of appeal to the superior court. A
21 person who fails to file a properly completed and certified report within the time
22 required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not
23 more than \$500 a day for each day the delinquency continues as determined by the
24 commission subject to right of appeal to the superior court. A person who [;

25 (2) WHETHER AS A CONTRIBUTOR OR INTERMEDIARY,
26 DELAYS IN REPORTING A CONTRIBUTION AS REQUIRED BY
27 AS 15.13.040(r) IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN
28 \$1,000 A DAY FOR EACH DAY THE DELINQUENCY CONTINUES AS
29 DETERMINED BY THE COMMISSION SUBJECT TO RIGHT OF APPEAL TO
30 THE SUPERIOR COURT;

31 (3) WHETHER AS A CONTRIBUTOR OR INTERMEDIARY,

1 MISREPORTS OR FAILS TO DISCLOSE THE TRUE SOURCE OF A
 2 CONTRIBUTION IN VIOLATION OF AS 15.13.040(r) OR 15.13.074(b) IS
 3 SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN THE AMOUNT OF
 4 THE CONTRIBUTION THAT IS THE SUBJECT OF THE MISREPORTING OR
 5 FAILURE TO DISCLOSE; UPON A SHOWING THAT THE VIOLATION WAS
 6 INTENTIONAL, A CIVIL PENALTY OF NOT MORE THAN THREE TIMES THE
 7 AMOUNT OF THE CONTRIBUTION IN VIOLATION MAY BE IMPOSED;
 8 THESE PENALTIES AS DETERMINED BY THE COMMISSION ARE SUBJECT
 9 TO RIGHT OF APPEAL TO THE SUPERIOR COURT;

10 (4)] violates a provision of this chapter, except a provision requiring
 11 registration or filing of a report within a time required as otherwise specified in
 12 this section, is subject to a civil penalty of not more than \$50 a day for each day the
 13 violation continues as determined by the commission, subject to right of appeal to the
 14 superior court. An [; AND

15 (5) IS ASSESSED A CIVIL PENALTY MAY SUBMIT TO THE
 16 COMMISSION AN] affidavit stating facts in mitigation; however, the imposition of
 17 the penalties prescribed in this section or in AS 15.13.380 does not excuse that person
 18 from registering or filing reports required by this chapter.

19 * **Sec. 11.** AS 15.13.400(4) is amended to read:

20 (4) "contribution"

21 (A) means a purchase, payment, promise or obligation to pay,
 22 loan or loan guarantee, deposit or gift of money, goods, or services for which
 23 charge is ordinarily made, and includes the payment by a person other than a
 24 candidate or political party, or compensation for the personal services of
 25 another person, that is rendered to the candidate or political party, and that is
 26 made for the purpose of

27 (i) influencing the nomination or election of a
 28 candidate;

29 (ii) influencing a ballot proposition or question; or

30 (iii) supporting or opposing an initiative proposal
 31 application filed with the lieutenant governor under AS 15.45.020;

1 (B) does not include

2 (i) services provided without compensation by
3 individuals volunteering a portion or all of their time on behalf of a
4 political party, candidate, or ballot proposition or question;

5 (ii) ordinary hospitality in a home;

6 (iii) two or fewer mass mailings before each election by
7 each political party describing the party's slate of candidates for
8 [MEMBERS OF THE PARTY RUNNING AS CANDIDATES FOR
9 PUBLIC OFFICE IN THAT] election, which may include photographs,
10 biographies, and information about the party's candidates;

11 (iv) the results of a poll limited to issues and not
12 mentioning any candidate, unless the poll was requested by or designed
13 primarily to benefit the candidate;

14 (v) any communication in the form of a newsletter from
15 a legislator to the legislator's constituents, except a communication
16 expressly advocating the election or defeat of a candidate or a
17 newsletter or material in a newsletter that is clearly only for the private
18 benefit of a legislator or a legislative employee;

19 (vi) a fundraising list provided without compensation
20 by one candidate or political party to a candidate or political party; or

21 (vii) an opportunity to participate in a candidate forum
22 provided to a candidate without compensation to the candidate by
23 another person and for which a candidate is not ordinarily charged;

24 * **Sec. 12.** AS 15.15.030(5) is amended to read:

25 (5) The names of the candidates and their party designations shall be
26 placed in separate sections on the state general election ballot under the office
27 designation to which they were nominated. The [IF A CANDIDATE IS
28 REGISTERED AS AFFILIATED WITH A POLITICAL PARTY OR POLITICAL
29 GROUP, THE] party affiliation, if any, shall [MAY] be designated after the name of
30 the candidate [, UPON REQUEST OF THE CANDIDATE. IF A CANDIDATE HAS
31 REQUESTED DESIGNATION AS NONPARTISAN OR UNDECLARED, THAT

DESIGNATION SHALL BE PLACED AFTER THE NAME OF THE CANDIDATE. IF A CANDIDATE IS NOT REGISTERED AS AFFILIATED WITH A POLITICAL PARTY OR POLITICAL GROUP AND HAS NOT REQUESTED TO BE DESIGNATED AS NONPARTISAN OR UNDECLARED, THE CANDIDATE SHALL BE DESIGNATED AS UNDECLARED]. The lieutenant governor and the governor shall be included under the same section. Provision shall be made for voting for write-in **and no-party** candidates within each section. Paper ballots for the state general election shall be printed on white paper.

* **Sec. 13.** AS 15.15.360(a) is amended to read:

(a) The election board shall count ballots according to the following rules:

(1) A voter may mark a ballot only by filling in, making "X" marks, diagonal, horizontal, or vertical marks, solid marks, stars, circles, asterisks, checks, or plus signs that are clearly spaced in the oval opposite the name of the candidate, proposition, or question that the voter desires to designate. [IN A GENERAL ELECTION, A VOTER MAY MARK A BALLOT THAT REQUIRES THE VOTER TO VOTE FOR CANDIDATES IN ORDER OF RANKED PREFERENCE BY THE USE OF NUMERALS THAT ARE CLEARLY SPACED IN ONE OF THE OVALS OPPOSITE THE NAME OF THE CANDIDATE THAT THE VOTER DESIRES TO DESIGNATE.]

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

(3) **If a voter marks fewer names than there are persons to be elected to the office, a vote shall be counted for each candidate properly marked.**

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

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

(6) [(5)] Improper marks on the ballot may not be counted and do not invalidate marks for candidates properly made.

(7) [(6)] An erasure or correction invalidates only that section of the

1 ballot in which it appears.

2 **(8)** [(7)] A vote marked for the candidate for President or Vice-
3 President of the United States is considered and counted as a vote for the election of
4 the presidential electors.

5 [(9) REPEALED

6 (10) REPEALED

7 (11) REPEALED

8 (12) REPEALED]

9 * **Sec. 14.** AS 15.15.370 is amended to read:

10 **Sec. 15.15.370. Completion of ballot count; certificate.** When the count of
11 ballots is completed, and in no event later than the day after the election, the election
12 board shall make a certificate in duplicate of the results. The certificate includes the
13 number of votes cast for each candidate, [INCLUDING, FOR A CANDIDATE IN A
14 GENERAL ELECTION, THE NUMBER OF VOTES AT EACH ROUND OF THE
15 RANKED-CHOICE TABULATION PROCESS UNDER AS 15.15.350, THE
16 NUMBER OF VOTES] for and against each proposition, yes or no on each question,
17 and any additional information prescribed by the director. The election board shall,
18 immediately upon completion of the certificate or as soon thereafter as the local mail
19 service permits, send in one sealed package to the director one copy of the certificate
20 and the register. In addition, all ballots properly cast shall be mailed to the director in a
21 separate, sealed package. Both packages, in addition to an address on the outside, shall
22 clearly indicate the precinct from which they come. Each board shall, immediately
23 upon completion of the certification and as soon thereafter as the local mail service
24 permits, send the duplicate certificate to the respective election supervisor. The
25 director may authorize election boards in precincts in those areas of the state where
26 distance and weather make mail communication unreliable to forward their election
27 results by telephone or radio. The director may authorize the unofficial totaling of
28 votes on a regional basis by election supervisors, tallying the votes as indicated on
29 duplicate certificates. To ensure adequate protection, the director shall prescribe the
30 manner in which the ballots, registers, and all other election records and materials are
31 thereafter preserved, transferred, and destroyed.

1 * **Sec. 15.** AS 15.15.450 is amended to read:

2 **Sec. 15.15.450. Certification of state ballot counting review.** Upon
 3 completion of the state ballot counting review, the director shall certify the person
 4 receiving the largest number of votes for the office for which that person was a
 5 candidate as elected to that office [NOMINATED OR ELECTED, AS
 6 APPLICABLE,] and shall certify the approval of a justice or judge not rejected by a
 7 majority of the voters voting on the question. The director shall issue to the elected
 8 candidates and approved justices and judges a certificate of their election or approval.
 9 The director shall also certify the results of a proposition and other question except
 10 that the lieutenant governor shall certify the results of an initiative, referendum, or
 11 constitutional amendment.

12 * **Sec. 16.** AS 15.20.081(a) is amended to read:

13 (a) A qualified voter may apply in person, by mail, or by facsimile, scanning,
 14 or other electronic transmission to the director for an absentee ballot under this
 15 section. Another individual may apply for an absentee ballot on behalf of a qualified
 16 voter if that individual is designated to act on behalf of the voter in a written general
 17 power of attorney or a written special power of attorney that authorizes the other
 18 individual to apply for an absentee ballot on behalf of the voter. The application must
 19 include the address or, if the application requests delivery of an absentee ballot by
 20 electronic transmission, the telephone electronic transmission number, to which the
 21 absentee ballot is to be returned, the applicant's full Alaska residence address, and the
 22 applicant's signature. However, a person residing outside the United States and
 23 applying to vote absentee in federal elections in accordance with AS 15.05.011 need
 24 not include an Alaska residence address in the application. A person may supply to a
 25 voter an absentee ballot application form with a political party or group affiliation
 26 indicated only if the voter is already registered as affiliated with the political party or
 27 group indicated. Only the voter or the individual designated by the voter in a
 28 written power of attorney under this subsection may mark the voter's choice of
 29 primary ballot on an application. A person supplying an absentee ballot
 30 application form may not design or mark the application in a manner that
 31 suggests choice of one ballot over another, except that ballot choices may be listed

1 **on an application as authorized by the division.** The application must be made on a
 2 form prescribed or approved by the director. The voter or registration official shall
 3 submit the application directly to the division of elections. For purposes of this
 4 subsection, "directly to the division of elections" means that an application may not be
 5 submitted to any intermediary that could control or delay the submission of the
 6 application to the division or gather data on the applicant from the application form.
 7 However, nothing in this subsection is intended to prohibit a voter from giving a
 8 completed absentee ballot application to a friend, relative, or associate for transfer to
 9 the United States Postal Service or a private commercial delivery service for delivery
 10 to the division.

11 * **Sec. 17.** AS 15.20.081(h) is amended to read:

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

17 (1) 10th day following a primary election or special [PRIMARY]
 18 election under AS 15.40.140; or

19 (2) 15th day following a general election, **special runoff election,** or
 20 special election, other than a special [PRIMARY] election described in (1) of this
 21 subsection.

22 * **Sec. 18.** AS 15.20.190(a) is amended to read:

23 (a) Thirty days before the date of an election, the election supervisors shall
 24 appoint, in the same manner provided for the appointment of election officials
 25 prescribed in AS 15.10, district absentee ballot counting boards and district questioned
 26 ballot counting boards, each composed of at least four members. At least one member
 27 of each board must be a member of the same political party **of which the governor is**
 28 **a member** [OR POLITICAL GROUP WITH THE LARGEST NUMBER OF
 29 REGISTERED VOTERS AT THE TIME OF THE PRECEDING
 30 GUBERNATORIAL ELECTION], and at least one member of each board must be a
 31 member of the political party **whose candidate for governor received the second**

1 **largest number of votes in** [OR POLITICAL GROUP WITH THE SECOND
 2 LARGEST NUMBER OF REGISTERED VOTERS AT THE TIME OF] the
 3 preceding gubernatorial election. The district boards shall assist the election
 4 supervisors in counting the absentee and questioned ballots and shall receive the same
 5 compensation paid election officials under AS 15.15.380.

6 * **Sec. 19.** AS 15.20.203(i) is amended to read:

7 (i) The director shall mail the materials described in (h) of this section to the
 8 voter not later than

9 (1) 10 days after completion of the review of ballots by the state
 10 review board for a primary election, or **for** a special [PRIMARY] election under
 11 AS 15.40.140 **that is followed by a special runoff election;**

12 (2) 60 days after certification of the results of a general election,
 13 **special runoff election,** or special election other than a special [PRIMARY] election
 14 described in (1) of this subsection.

15 * **Sec. 20.** AS 15.20.203(j) is amended to read:

16 (j) The director shall make available through a free access system to each
 17 absentee voter a system to check to see whether the voter's ballot was counted and, if
 18 not counted, the reason why the ballot was not counted. The director shall make this
 19 information available through the free access system not less than

20 (1) 10 days after certification of the results of a primary election, or a
 21 special [PRIMARY] election under AS 15.40.140 **that is followed by a special**
 22 **runoff election;** and

23 (2) 30 days after certification of the results of a general or special
 24 election, other than a special [PRIMARY] election described in (1) of this subsection.

25 * **Sec. 21.** AS 15.20.207(i) is amended to read:

26 (i) The director shall mail the materials described in (h) of this section to the
 27 voter not later than

28 (1) 10 days after completion of the review of ballots by the state
 29 review board for a primary election, or **for** a special [PRIMARY] election under
 30 AS 15.40.140 **that is followed by a special runoff election;**

31 (2) 60 days after certification of the results of a general or special

1 election, other than a special [PRIMARY] election described in (1) of this subsection.

2 * **Sec. 22.** AS 15.20.207(k) is amended to read:

3 (k) The director shall make available through a free access system to each
4 voter voting a questioned ballot a system to check to see whether the voter's ballot was
5 counted and, if not counted, the reason why the ballot was not counted. The director
6 shall make this information available through the free access system not less than

7 (1) 10 days after certification of the results of a primary election or a
8 special [PRIMARY] election under AS 15.40.140 **that is followed by a special**
9 **runoff election**; and

10 (2) 30 days after **the** certification of the results of a general or special
11 election, other than a special [PRIMARY] election described in (1) of this subsection.

12 * **Sec. 23.** AS 15.20.211(d) is amended to read:

13 (d) The director shall mail the materials described in (c) of this section to the
14 voter not later than

15 (1) 10 days after completion of the review of ballots by the state
16 review board for a primary election, or **for** a special [PRIMARY] election under
17 AS 15.40.140 **that is followed by a special runoff election**;

18 (2) 60 days after certification of the results of a general or special
19 election, other than a special [PRIMARY] election described in (1) of this subsection.

20 * **Sec. 24.** AS 15.20.211(f) is amended to read:

21 (f) The director shall make available through a free access system to each
22 voter whose ballot was subject to partial counting under this section a system to check
23 to see whether the voter's ballot was partially counted and, if not counted, the reason
24 why the ballot was not counted. The director shall make this information available
25 through the free access system not less than

26 (1) 10 days after certification of the results of a primary election or a
27 special [PRIMARY] election under AS 15.40.140 **that is followed by a special**
28 **runoff election**; and

29 (2) 30 days after **the** certification of the results of a general or special
30 election, other than a special [PRIMARY] election described in (1) of this subsection.

31 * **Sec. 25.** AS 15.25.010 is amended to read:

1 **Sec. 15.25.010. Provision for primary election.** Candidates for the elective
 2 state executive and state and national legislative offices shall be nominated in a
 3 primary election by direct vote of the people in the manner prescribed by this chapter.
 4 **The director shall prepare and provide a primary election ballot for each**
 5 **political party. A voter registered as affiliated with a political party may vote that**
 6 **party's ballot. A voter registered as nonpartisan or undeclared rather than as**
 7 **affiliated with a particular political party may vote the political party ballot of**
 8 **the voter's choice unless prohibited from doing so under AS 15.25.015. A voter**
 9 **registered as affiliated with a political party may not vote the ballot of a different**
 10 **political party unless permitted to do so under AS 15.25.015** [THE PRIMARY
 11 ELECTION DOES NOT SERVE TO DETERMINE THE NOMINEE OF A
 12 POLITICAL PARTY OR POLITICAL GROUP BUT SERVES ONLY TO
 13 NARROW THE NUMBER OF CANDIDATES WHOSE NAMES WILL APPEAR
 14 ON THE BALLOT AT THE GENERAL ELECTION. EXCEPT AS PROVIDED IN
 15 AS 15.25.100(d), ONLY THE FOUR CANDIDATES WHO RECEIVE THE
 16 GREATEST NUMBER OF VOTES FOR ANY OFFICE SHALL ADVANCE TO
 17 THE GENERAL ELECTION].

18 * **Sec. 26.** AS 15.25 is amended by adding a new section to read:

19 **Sec. 15.25.015. Participation in primary election selection of a political**
 20 **party's candidates.** (a) Not later than 5:00 p.m., Alaska time, on September 1 of the
 21 calendar year before the calendar year in which a primary election is to be held, a
 22 political party shall submit a notice in writing to the director stating whether the party
 23 bylaws expand or limit who may participate in the primary election for selection of the
 24 party's candidates for elective state executive and state and national legislative offices.
 25 A copy of the party's bylaws expanding or limiting who may participate in the primary
 26 election for selection of the party's candidates, documentation required under (b) of
 27 this section, and other information required by the director, must be submitted along
 28 with the notice. The notice, bylaws, documentation, and other information required by
 29 the director shall be provided by the party's chairperson or another party official
 30 designated by the party's bylaws.

31 (b) Once a political party timely submits a notice and bylaws under (a) of this

1 section and the director finds that the party has met the requirements of this chapter
 2 and other applicable laws, the director shall permit a voter registered as affiliated with
 3 another party to vote the party's ballot if the voter is permitted by the party's bylaws to
 4 participate in the selection of the party's candidates and may not permit a voter
 5 registered as nonpartisan or undeclared to vote a party's ballot if the party's bylaws
 6 restrict participation by nonpartisan or undeclared voters in the party's primary;
 7 however, for a subsequent primary election, the party shall timely submit another
 8 notice, bylaws, documentation, and other information under (a) of this section if the
 9 party's bylaws regarding who may participate in the primary election for selection of
 10 the party's candidates change.

11 (c) Party bylaws required to be submitted under (a) of this section must be
 12 precleared by the United States Department of Justice under 42 U.S.C. 1973c (sec. 5,
 13 Voting Rights Act of 1965) before submission. Documentation of the preclearance
 14 must accompany the bylaws submitted under (a) of this section.

15 * **Sec. 27.** AS 15.25.030(a) is amended to read:

16 (a) A **member of a political party** [PERSON] who seeks to become a
 17 candidate **of the party** in the primary election [OR A SPECIAL PRIMARY
 18 ELECTION] shall execute and file a declaration of candidacy. The declaration shall be
 19 executed under oath before an officer authorized to take acknowledgments and must
 20 state in substance

21 (1) the full name of the candidate;

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

23 (3) 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;

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

26 (5) the **name of the** political party **of which the person is a candidate**
 27 **for nomination** [OR POLITICAL GROUP WITH WHICH THE CANDIDATE IS
 28 REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD
 29 PREFER A NONPARTISAN OR UNDECLARED DESIGNATION PLACED
 30 AFTER THE CANDIDATE'S NAME ON THE BALLOT];

31 (6) the full residence address of the candidate, and the date on which

1 residency at that address began;

2 (7) the date of the primary election [OR SPECIAL PRIMARY
3 ELECTION] at which the candidate seeks nomination;

4 (8) the length of residency in the state and in the district of the
5 candidate;

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

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

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

21 (12) that the candidate requests that the candidate's name be placed on
22 the primary [ELECTION OR SPECIAL PRIMARY] election ballot;

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

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

27 (15) the manner in which the candidate wishes the candidate's name to
28 appear on the ballot; **and**

29 (16) **that the candidate is registered to vote as a member of the**
30 **political party whose nomination is being sought** [IF THE CANDIDACY IS FOR
31 THE OFFICE OF THE GOVERNOR, THE NAME OF THE CANDIDATE FOR

1 LIEUTENANT GOVERNOR RUNNING JOINTLY WITH THE CANDIDATE FOR
2 GOVERNOR; AND

3 (17) IF THE CANDIDACY IS FOR THE OFFICE OF LIEUTENANT
4 GOVERNOR, THE NAME OF THE CANDIDATE FOR GOVERNOR RUNNING
5 JOINTLY WITH THE CANDIDATE FOR LIEUTENANT GOVERNOR].

6 * **Sec. 28.** AS 15.25 is amended by adding a new section to read:

7 **Sec. 15.25.057. Nomination by party petition where incumbent dies or is**
8 **disqualified or incapacitated.** (a) If an unopposed incumbent candidate for
9 renomination dies, becomes disqualified from holding the office the candidate is
10 seeking, or is certified as being incapacitated between June 1 of the election year and
11 that date which is more than 54 days before the date of the primary election, the
12 candidate's place on the ballot may be filled by party petition. The petition shall state
13 that the political party requests the name of the proposed candidate replace that of the
14 incumbent on the primary election ballot and shall be accompanied by a declaration of
15 candidacy from the person named in the petition. The petition must be received by the
16 director not later than 14 days after the death, disqualification, or certification of
17 incapacity of the incumbent or 52 days before the primary election date, whichever
18 time is earlier.

19 (b) The method for certifying an incumbent candidate for nomination as being
20 incapacitated, the method for selecting the person who is to be named in the party
21 petition, and the method for placing the name of the person selected on the primary
22 nomination ballot are the same as those prescribed in AS 15.25.111 and 15.25.131
23 relating to filling vacancies of party nominees in a general election.

24 (c) The death, disqualification, or certification of incapacity of the incumbent
25 within 52 days before or on the primary election date does not affect the counting and
26 review of the ballots. If the result of the counting and review discloses that the
27 candidate, if the candidate had lived, would have been nominated, the candidate shall
28 be declared nominated. The vacancy may be filled by party petition as provided in
29 AS 15.25.111 - 15.25.131.

30 * **Sec. 29.** AS 15.25.060 is repealed and reenacted to read:

31 **Sec. 15.25.060. Preparation and distribution of ballots; appropriate ballot.**

1 (a) The primary election ballots shall be prepared and distributed by the director in the
 2 manner prescribed in this section. The director shall prepare and provide a primary
 3 election ballot for each political party that contains all of the candidates of that party
 4 for elective state executive and state and national legislative offices and all of the
 5 ballot titles and propositions required to appear on the ballot at the primary election.
 6 The director shall print the ballots on white paper and place the names of all
 7 candidates who have properly filed in groups according to offices. The order of the
 8 placement of the names for each office shall be as provided for the general election
 9 ballot. Blank spaces may not be provided on the ballot for the writing or pasting in of
 10 names. The director shall also prepare and print a separate primary election ballot
 11 including only the ballot titles and propositions required to appear on the ballot.

12 (b) A voter may vote only one primary election ballot. A voter may vote a
 13 political party ballot only if the voter is registered as affiliated with that party, is
 14 allowed to participate in the party primary under the party's bylaws, or is registered as
 15 nonpartisan or undeclared rather than as affiliated with a particular political party and
 16 the party's bylaws do not restrict participation by nonpartisan or undeclared voters in
 17 the party's primary. For the purpose of determining which primary election ballot a
 18 voter may use, a voter's party affiliation is considered to be the affiliation registered
 19 with the director as of the 30th day before the primary election. If a voter changes
 20 party affiliation within the 30 days before the primary election, the voter's previous
 21 party affiliation shall be used for the determination under this subsection.

22 (c) If a voter is not voting in person and has requested an absentee ballot or
 23 special needs ballot but has not indicated a choice of ballot, the director shall provide
 24 the voter with the ballot listing the candidates of the political party or group with
 25 which the voter is affiliated, as determined under (b) of this section.

26 * **Sec. 30.** AS 15.25.100 is repealed and reenacted to read:

27 **Sec. 15.25.100. Placement of nominees on general election ballot.** The
 28 director shall place the name of the candidate receiving the highest number of votes
 29 for an office by a political party on the general election ballot.

30 * **Sec. 31.** AS 15.25.105(a) is amended to read:

31 (a) If a candidate does not appear on the primary election ballot or is not

1 successful in advancing to the general election and wishes to be a candidate in the
 2 general election, the candidate may file as a write-in candidate. Votes for a write-in
 3 candidate may not be counted unless that candidate has filed a letter of intent with the
 4 director stating

5 (1) the full name of the candidate;

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

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

9 (4) the name of the political party or political group of which the
 10 candidate is a member, if any [WITH WHICH THE CANDIDATE IS
 11 REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD
 12 PREFER A NONPARTISAN OR UNDECLARED DESIGNATION];

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

15 (6) the office that the candidate seeks;

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

17 (8) the length of residency in the state and in the house district of the
 18 candidate;

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

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

23 (11) that the candidate will meet the specific age requirements of the
 24 office for which the person is a candidate; if the candidacy is for the office of state
 25 representative, that the candidate will be at least 21 years of age on the first scheduled
 26 day of the first regular session of the legislature convened after the election; if the
 27 candidacy is for the office of state senator, that the candidate will be at least 25 years
 28 of age on the first scheduled day of the first regular session of the legislature convened
 29 after the election; if the candidacy is for the office of governor or lieutenant governor,
 30 that the candidate will be at least 30 years of age on the first Monday in December
 31 following election or, if the office is to be filled by special election under

1 AS 15.40.230 - 15.40.310, that the candidate will be at least 30 years of age on the
 2 date of certification of the results of the special election; or, for any other office, by
 3 the time that the candidate, if elected, is sworn into office;

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

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

8 * **Sec. 32.** AS 15.25.105(b) is amended to read:

9 (b) If a write-in candidate is running for the office of governor, the candidate
 10 must file a joint letter of intent together with a candidate for lieutenant governor. **Both**
 11 **candidates must be of the same political party or group.**

12 * **Sec. 33.** AS 15.25 is amended by adding new sections to read:

13 **Sec. 15.25.111. Filling vacancies by party petition.** If a candidate of a
 14 political party nominated at the primary election dies, withdraws, resigns, becomes
 15 disqualified from holding the office for which the candidate is nominated, or is
 16 certified as being incapacitated in the manner prescribed by this section after the
 17 primary election and 64 days or more before the general election, the vacancy may be
 18 filled by party petition. The central committee of any political party or any party
 19 district committee may certify as being incapacitated any candidate nominated by their
 20 respective party by presenting to the director a sworn statement made by a panel of
 21 three licensed physicians, not more than two of whom may be of the same political
 22 party, that the candidate is physically or mentally incapacitated to an extent that
 23 would, in the panel's judgment, prevent the candidate from active service during the
 24 term of office if elected. The director shall place the name of the person nominated by
 25 party petition on the general election ballot. The name of a candidate disqualified
 26 under this section may not appear on the general election ballot.

27 **Sec. 15.25.121. Requirements for party petition.** Party petitions for the
 28 nomination of candidates shall state in substance that the political party desires and
 29 intends to support the named candidate for the named office and requests that the
 30 name of the proposed candidate be placed on the general election ballot. The petition
 31 may be filed not later than 64 days before the date of the general election.

1 **Sec. 15.25.131. Selection of nominees for party petition.** The nominees of
2 political parties by party petition may be selected for statewide offices by the state
3 party central committee or in any other manner prescribed by the party bylaws, and the
4 petition for statewide offices shall be signed by the state chairperson of the political
5 party or, in the absence of the state chairperson, by any two members of the state party
6 central committee. The nominees of political parties by party petition may be selected
7 for district-wide offices by the respective party district committee or in any other
8 manner prescribed by the party bylaws, and the petition for district-wide offices shall
9 be signed by the chairperson of the party district committee, or in the absence of the
10 chairperson, by any two members of the party district committee, or in any other
11 manner prescribed by the party bylaws. The petition may be delivered in person, or by
12 mail, facsimile, or other reliable electronic transmission.

13 **Sec. 15.25.141. Provision for no-party candidate nominations.** Candidates
14 not representing a political party are nominated by petition.

15 **Sec. 15.25.151. Date of filing petition.** A candidate seeking nomination by
16 petition shall submit the information required under AS 15.25.181(a)(1) - (8) and (11)
17 - (17) to the director in the time and manner specified in AS 15.25.040. The full
18 petition with voter signatures shall be filed with the director by actual physical
19 delivery in person at or before 5:00 p.m., prevailing time, on the day of the primary
20 election in the year in which a general election is held for the office, or by actual
21 physical delivery to the director by registered or certified mail return receipt requested
22 which is postmarked at or before 5:00 p.m., prevailing time, on the day of the primary
23 election in the year in which a general election is held for the office, and received not
24 more than 15 days after that time. If the postmark is illegible, a dated receipt from the
25 post office where dispatched shall be acceptable as evidence of mailing.

26 **Sec. 15.25.161. Required number of signatures for statewide office.**
27 Petitions for the nomination of candidates for the office of governor, lieutenant
28 governor, United States senator, and United States representative shall be signed by
29 qualified voters of the state equal in number to at least one percent of the number of
30 voters who cast ballots in the preceding general election.

31 **Sec. 15.25.171. Required number of signatures for district-wide office.**

1 Petitions for the nomination of candidates for the office of state senator or state
2 representative shall be signed by qualified voters of the house or senate district in
3 which the proposed nominee desires to be a candidate equal in number to at least one
4 percent of the number of voters who cast ballots in the proposed nominee's respective
5 house or senate district in the preceding general election. A nominating petition may
6 not contain less than 50 signatures for any district.

7 **Sec. 15.25.181. Requirements for petition.** (a) The petition must state in
8 substance

- 9 (1) the full name of the candidate;
- 10 (2) the full residence address of the candidate and the date on which
11 residency at that address began;
- 12 (3) the full mailing address of the candidate;
- 13 (4) the name of the political group, if any, supporting the candidate;
- 14 (5) if the candidacy is for the office of state senator or state
15 representative, the house or senate district of which the candidate is a resident;
- 16 (6) the office for which the candidate is nominated;
- 17 (7) the date of the election at which the candidate seeks election;
- 18 (8) the length of residency in the state and in the district of the
19 candidate;
- 20 (9) that the subscribers are qualified voters of the state or house or
21 senate district in which the candidate resides;
- 22 (10) that the subscribers request that the candidate's name be placed on
23 the general election ballot;
- 24 (11) that the proposed candidate accepts the nomination and will serve
25 if elected with the statement signed by the proposed candidate;
- 26 (12) the name of the candidate as the candidate wishes it to appear on
27 the ballot;
- 28 (13) that the candidate is not a candidate for any other office to be
29 voted on at the primary or general election and that the candidate is not a candidate for
30 this office under any other nominating petition or declaration of candidacy;
- 31 (14) that the candidate meets the specific citizenship requirements of

1 the office for which the person is a candidate;

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

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

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

17 (b) A person filing a nominating petition under this section, other than a
18 person subject to AS 24.60 who is filing a petition for a state legislative office, shall
19 simultaneously file with the director a statement of income sources and business
20 interests that complies with the requirements of AS 39.50. A person who is subject to
21 AS 24.60 and is filing a nominating petition for state legislative office shall
22 simultaneously file with the director a disclosure statement that complies with the
23 requirements of AS 24.60.200.

24 (c) An incumbent public official, other than a legislator, who has a current
25 statement of income sources and business interests under AS 39.50 on file with the
26 Alaska Public Offices Commission, or an incumbent legislator who has a current
27 disclosure statement under AS 24.60.200 on file with the Alaska Public Offices
28 Commission, is not required to file a statement of income sources and business
29 interests or a disclosure statement with the nominating petition under (b) of this
30 section.

31 **Sec. 15.25.186. Eligibility of candidate.** The provisions of AS 15.25.042 and

1 15.25.043 apply to determinations of a candidate's eligibility when a candidate seeks
2 nomination by petition under AS 15.25.141 - 15.25.201.

3 **Sec. 15.25.191. Placement of names on general election ballot.** The director
4 shall place the names and the political group affiliation of persons who have been
5 properly nominated by petition on the general election ballot.

6 **Sec. 15.25.201. Withdrawal of candidate's name.** If a candidate nominated
7 by petition dies or withdraws after the petition has been filed and 64 days or more
8 before the general election, the director may not place the name of the candidate on
9 the general election ballot.

10 * **Sec. 34.** AS 15.30.010 is amended to read:

11 **Sec. 15.30.010. Provision for selection of electors.** Electors of President and
12 Vice President of the United States are selected by election at the general election in
13 presidential election years [, IN THE MANNER AND AS DETERMINED BY THE
14 RANKED-CHOICE METHOD OF TABULATING VOTES DESCRIBED IN
15 AS 15.15.350 - 15.15.370].

16 * **Sec. 35.** AS 15.40.140 is amended to read:

17 **Sec. 15.40.140. Condition of calling [SPECIAL PRIMARY ELECTION**
18 **AND] special election.** When a vacancy occurs in the office of United States senator
19 or United States representative, the governor shall, by proclamation, call a special
20 [PRIMARY] election under AS 15.40.144(a); however, [TO BE HELD ON A DATE
21 NOT LESS THAN 60, NOR MORE THAN 90, DAYS AFTER THE DATE THE
22 VACANCY OCCURS, TO BE FOLLOWED BY A SPECIAL ELECTION ON THE
23 FIRST TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING NOT LESS
24 THAN 60 DAYS AFTER THE SPECIAL PRIMARY ELECTION. HOWEVER, IN
25 AN ELECTION YEAR IN WHICH A CANDIDATE FOR THAT OFFICE IS NOT
26 REGULARLY ELECTED,] if the vacancy occurs on a date that is [NOT] less than 60
27 [, NOR MORE THAN 90,] days before or is on or after the date of

28 [(1)] the primary election in the general election year during which
29 a candidate to fill the office is regularly elected, the governor may not call a [,
30 THE] special [PRIMARY] election [SHALL BE HELD ON THE DATE OF THE
31 PRIMARY ELECTION WITH THE SUBSEQUENT SPECIAL ELECTION TO BE

1 HELD ON THE DATE OF THE GENERAL ELECTION; OR

2 (2) THE GENERAL ELECTION, THE SPECIAL PRIMARY
3 ELECTION SHALL BE HELD ON THE DATE OF THE GENERAL ELECTION
4 WITH THE SUBSEQUENT SPECIAL ELECTION TO BE HELD ON THE FIRST
5 TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING NOT LESS THAN
6 60 DAYS AFTER THE SPECIAL PRIMARY AND GENERAL ELECTION].

7 * **Sec. 36.** AS 15.40 is amended by adding new sections to read:

8 **Sec. 15.40.143. Condition of calling a special runoff election.** (a) If no
9 candidate in a special election called under AS 15.40.140 receives over 50 percent of
10 the votes cast for the office, the governor shall, by proclamation, call a special runoff
11 election under AS 15.40.144(b).

12 (b) In a special runoff election called under (a) of this section, the director
13 shall place the names of the candidates receiving the greatest number of votes and the
14 second greatest number of votes in the special election on the special runoff election
15 ballot.

16 **Sec. 15.40.144. Time of calling the special election and special runoff**
17 **election.** (a) Except as provided in (c) of this section, if a special election is called
18 under AS 15.40.140, it shall be held on a date not less than 60, nor more than 90, days
19 after the date the vacancy occurs.

20 (b) Except as provided in (c) of this section, a special runoff election under
21 AS 15.40.143 shall be held on the first Tuesday that is not a state holiday occurring
22 not less than 60 days after the special election.

23 (c) In an election year in which a candidate for the vacant office is not
24 regularly elected, and the vacancy occurs on a date that is not less than 60, nor more
25 than 90, days before the date of

26 (1) the primary election, the special election shall be held on the date
27 of the primary election with any subsequent special runoff election under
28 AS 15.40.143 to be held on the date of the general election; or

29 (2) the general election, the special election shall be held on the date of
30 the general election with any subsequent special runoff election under AS 15.40.143 to
31 be held on the first Tuesday that is not a state holiday occurring not less than 60 days

1 after the special and general election.

2 * **Sec. 37.** AS 15.40 is amended by adding a new section to read:

3 **Sec. 15.40.151. Condition for holding special election with primary.** If the
4 vacancy occurs on a date not less than 60, nor more than 90, days before the date of
5 the primary election, the governor shall, by proclamation, call the special election to
6 be held on the date of the primary election.

7 * **Sec. 38.** AS 15.40.160 is amended to read:

8 **Sec. 15.40.160. Proclamation.** The governor shall issue the proclamation
9 [CALLING THE SPECIAL PRIMARY ELECTION AND SPECIAL ELECTION] at
10 least 50 days before the

11 (1) special [PRIMARY] election; and

12 (2) if a special runoff election is required under AS 15.40.143(a),
13 special runoff election.

14 * **Sec. 39.** AS 15.40.165 is amended to read:

15 **Sec. 15.40.165. Term of elected senator.** At the special election, or, as
16 provided by AS 15.40.143, at the special runoff election, a United States senator
17 shall be elected to fill the remainder of the unexpired term. The person elected shall
18 take office on the date the United States Senate meets, convenes, or reconvenes
19 following the certification of the results of the special election or special runoff
20 election by the director.

21 * **Sec. 40.** AS 15.40.170 is amended to read:

22 **Sec. 15.40.170. Term of elected representative.** At the special election, or, as
23 provided by AS 15.40.143, at the special runoff election, a United States
24 representative shall be elected to fill the remainder of the unexpired term. The person
25 elected shall take office on the date the United States house of representatives meets,
26 convenes, or reconvenes following the certification of the results of the special
27 election or special runoff election by the director.

28 * **Sec. 41.** AS 15.40.190 is amended to read:

29 **Sec. 15.40.190. Requirements of petition for no-party candidates.** Petitions
30 for the nomination of candidates not representing a political party shall be signed
31 by qualified voters of the state equal in number to at least one percent of the

1 **number of voters who cast ballots in the preceding general election and shall**
 2 [MUST BE EXECUTED UNDER OATH,] state in substance that which is required
 3 for **nomination petitions by AS 15.25.181** [A DECLARATION OF CANDIDACY
 4 UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER
 5 AS 15.25.050(a)].

6 * **Sec. 42.** AS 15.40 is amended by adding new sections to read:

7 **Sec. 15.40.201. Requirements of party petition.** Petitions for the nomination
 8 of candidates of political parties shall state in substance that the party desires and
 9 intends to support the named candidate for the office of United States senator or
 10 United States representative, as appropriate, at the special election and requests that
 11 the name of the candidate nominated be placed on the ballot.

12 **Sec. 15.40.211. Selection of party nominees.** The nominees of political
 13 parties may be selected by the state convention or in any other manner prescribed by
 14 the party bylaws, and the petition shall be signed by the chairperson and secretary of
 15 the state convention, or if the nominees are selected by the party central committee,
 16 the petition shall be signed by the chairperson of the central committee or in any other
 17 manner prescribed by the party bylaws.

18 * **Sec. 43.** AS 15.40.220 is amended to read:

19 **Sec. 15.40.220. General provisions for conduct of [THE] special**
 20 **[PRIMARY] election and special runoff election.** Unless specifically provided
 21 otherwise, all provisions regarding the conduct of the [PRIMARY ELECTION AND]
 22 general election shall govern the conduct of the special [PRIMARY] election and **the**
 23 special **runoff** election of the United States senator or United States representative,
 24 including provisions concerning voter qualifications; provisions regarding the duties,
 25 powers, rights, and obligations of the director, of other election officials, and of
 26 municipalities; provision for notification of the election; provision for payment of
 27 election expenses; provisions regarding employees being allowed time from work to
 28 vote; provisions for the counting, reviewing, and certification of returns; **provisions**
 29 **for running as, voting for, and counting ballots for a write-in candidate;**
 30 provisions for the determination of the votes and of recounts, contests, and appeal; and
 31 provision for absentee voting.

1 * **Sec. 44.** AS 15.40.230 is amended to read:

2 **Sec. 15.40.230. Condition and time of calling [SPECIAL PRIMARY**
 3 **ELECTION AND] special election.** When a person appointed to succeed to the
 4 office of lieutenant governor succeeds to the office of acting governor, the acting
 5 governor shall, by proclamation, call a special [PRIMARY] election to be held on a
 6 date not less than 60, nor more than 90, days after the date the vacancy in the office of
 7 the governor occurred [AND A SUBSEQUENT SPECIAL ELECTION TO BE HELD
 8 ON THE FIRST TUESDAY THAT IS NOT A STATE HOLIDAY OCCURRING
 9 NOT LESS THAN 60 DAYS AFTER THE SPECIAL PRIMARY ELECTION].
 10 However, if the vacancy occurs on a date that is less than 60 days before or is on or
 11 after the date of the primary election in years in which a governor is regularly elected,
 12 the acting governor shall serve the remainder of the unexpired term and may not call a
 13 special election.

14 * **Sec. 45.** AS 15.40.240 is amended to read:

15 **Sec. 15.40.240. Conditions for holding special [PRIMARY ELECTION**
 16 **AND SPECIAL] election with primary or general election.** If the vacancy occurs
 17 on a date not less than 60, nor more than 90, days before the date of the primary
 18 election in years in which a governor is regularly elected [IN AN ELECTION
 19 YEAR IN WHICH A GOVERNOR IS NOT REGULARLY ELECTED, THE
 20 ACTING GOVERNOR SHALL, BY PROCLAMATION, CALL THE SPECIAL
 21 PRIMARY ELECTION TO BE HELD ON THE DATE OF THE PRIMARY
 22 ELECTION AND THE SPECIAL ELECTION TO BE HELD ON THE DATE OF
 23 THE GENERAL ELECTION,] or [,] if the vacancy occurs on a date not less than 60,
 24 nor more than 90, days before the date of the primary election or general election in
 25 election years in which a governor is not regularly elected, the acting governor shall,
 26 by proclamation, call the special [PRIMARY] election to be held on the date of the
 27 primary election or general election [WITH THE SUBSEQUENT SPECIAL
 28 ELECTION TO BE HELD ON THE FIRST TUESDAY THAT IS NOT A STATE
 29 HOLIDAY OCCURRING NOT LESS THAN 60 DAYS AFTER THE SPECIAL
 30 PRIMARY AND GENERAL ELECTION].

31 * **Sec. 46.** AS 15.40.250 is amended to read:

1 **Sec. 15.40.250. Proclamation of [SPECIAL PRIMARY ELECTION AND]**
 2 **special election.** The acting governor shall issue the proclamation [CALLING THE
 3 SPECIAL PRIMARY ELECTION AND SPECIAL ELECTION] at least 50 days
 4 before the [SPECIAL PRIMARY] election.

5 * **Sec. 47.** AS 15.40.280 is amended to read:

6 **Sec. 15.40.280. Requirements of petition for no-party candidates.** Petitions
 7 for the nomination of candidates **not representing a political party shall be signed**
 8 **by qualified voters of the state equal in number to at least one percent of the**
 9 **number of voters who cast ballots in the preceding general election, shall include**
 10 **nominees for the office of governor and lieutenant governor, and shall** [MUST BE
 11 EXECUTED UNDER OATH,] state in substance that which is required for
 12 **nomination petitions by AS 15.25.180** [A DECLARATION OF CANDIDACY
 13 UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER
 14 AS 15.25.050(a)].

15 * **Sec. 48.** AS 15.40 is amended by adding new sections to read:

16 **Sec. 15.40.291. Requirements of party petition.** Petitions for the nomination
 17 of candidates of political parties shall state in substance that the party desires and
 18 intends to support the named candidates for the offices of governor and lieutenant
 19 governor at the special election and requests that the names of the two candidates
 20 nominated be placed on the ballot.

21 **Sec. 15.40.301. Selection of party nominees.** The nominees of political
 22 parties may be selected by state convention or in any other manner prescribed by the
 23 party bylaws, and the petition shall be signed by the chairperson and secretary of the
 24 state convention, or, if the nominees are selected by the party central committee, the
 25 petition shall be signed by the state chairperson of the political party or in any other
 26 manner prescribed by the party bylaws.

27 * **Sec. 49.** AS 15.40.310 is amended to read:

28 **Sec. 15.40.310. General provisions for conduct of [THE SPECIAL**
 29 **PRIMARY ELECTION AND] special election.** Unless specifically provided
 30 otherwise, all provisions regarding the conduct of the [PRIMARY AND] general
 31 election shall govern the conduct of the special [PRIMARY ELECTION AND

1 SPECIAL] election of the governor and lieutenant governor, including provisions
 2 concerning voter qualifications; provisions regarding the duties, powers, rights, and
 3 obligations of the director, of other election officials, and of municipalities; provision
 4 for notification of the election; provision for payment of election expenses; provisions
 5 regarding employees being allowed time from work to vote; provisions for the
 6 counting, reviewing, and certification of returns; provisions for the determination of
 7 the votes and of recounts, contests, and appeal; and provision for absentee voting.

8 * **Sec. 50.** AS 15.40.330 is amended to read:

9 **Sec. 15.40.330. Qualification and confirmation of appointee.** (a) The
 10 appointee shall meet the qualifications of a member of the legislature as prescribed in
 11 art. II, sec. 2, Constitution of the State of Alaska, [AND, IF THE PREDECESSOR IN
 12 OFFICE WAS A MEMBER OF A POLITICAL PARTY OR POLITICAL GROUP
 13 AT THE TIME OF THE VACANCY, (1)] shall be a member of the same political
 14 party [OR POLITICAL GROUP] as that which nominated the predecessor in office,
 15 [;] and [(2)] shall be subject to confirmation by a majority of the members of the
 16 legislature who are members of the same political party which nominated [OR
 17 POLITICAL GROUP AS] the predecessor in office and of the same house as was the
 18 predecessor in office. If the predecessor in office was not nominated by [A
 19 MEMBER OF] a political party or [POLITICAL GROUP AT THE TIME OF THE
 20 VACANCY, OR,] if no other member of the predecessor's political party [OR
 21 POLITICAL GROUP] is a member of the predecessor's house of the legislature, the
 22 governor may appoint any qualified person. If the appointee is not a member of a
 23 political party [OR POLITICAL GROUP, AS PROVIDED IN (b) OF THIS
 24 SECTION], the appointment is not subject to confirmation. If the appointee is a
 25 member of a political party [OR POLITICAL GROUP], the appointment is subject to
 26 confirmation as provided by [(b) OF] this section for the confirmation of political
 27 party [OR POLITICAL GROUP] appointees.

28 (b) A member of a political party [OR POLITICAL GROUP] is a person who
 29 supports the political program of a [POLITICAL] party [OR POLITICAL GROUP].
 30 The filing for office of a candidate as an independent or no-party candidate
 31 [ABSENCE OF A POLITICAL PARTY OR POLITICAL GROUP DESIGNATION

1 AFTER A CANDIDATE'S NAME ON AN ELECTION BALLOT] does not preclude
 2 a candidate from being a member of a political party [OR POLITICAL GROUP].
 3 Recognition of an independent or no-party [A] candidate as a member of a
 4 [POLITICAL] party [OR POLITICAL GROUP] caucus of members of the legislature
 5 at the legislative session following the election of the independent or no-party
 6 candidate is recognition of that person's [POLITICAL] party [OR POLITICAL
 7 GROUP] membership at the time filings were made by party candidates for the
 8 preceding general election [FOR THE PURPOSES OF CONFIRMATION UNDER
 9 THIS SECTION].

10 * **Sec. 51.** AS 15.40.380 is amended to read:

11 **Sec. 15.40.380. Conditions for part-term senate appointment and special**
 12 **election.** If the vacancy is for an unexpired senate term of more than two years and
 13 five full calendar months, the governor shall call a special [PRIMARY ELECTION
 14 AND A SPECIAL] election by proclamation and the appointment shall expire on the
 15 date the state senate first convenes or reconvenes following the certification of the
 16 results of the special election by the director.

17 * **Sec. 52.** AS 15.40.390 is amended to read:

18 **Sec. 15.40.390. Date of special [PRIMARY ELECTION AND SPECIAL]**
 19 **election.** The special [PRIMARY] election to fill a vacancy in the state senate shall be
 20 held on the date of the first general [PRIMARY] election held more than three full
 21 calendar months [60 DAYS] after the senate vacancy occurs [, AND THE SPECIAL
 22 ELECTION SHALL BE HELD ON THE DATE OF THE FIRST GENERAL
 23 ELECTION THEREAFTER].

24 * **Sec. 53.** AS 15.40.400 is amended to read:

25 **Sec. 15.40.400. Proclamation of [SPECIAL PRIMARY ELECTION AND]**
 26 **special election.** The governor shall issue the proclamation calling the [SPECIAL
 27 PRIMARY ELECTION AND] special election at least 50 days before the [SPECIAL
 28 PRIMARY] election.

29 * **Sec. 54.** AS 15.40.440 is amended to read:

30 **Sec. 15.40.440. Requirements of petition for no-party candidates.** Petitions
 31 for the nomination of candidates not representing a political party shall be signed

1 by qualified voters equal in number to at least one percent of the number of
 2 voters who cast ballots in the proposed nominee's respective house or senate
 3 district in the preceding general election. A nominating petition may not contain
 4 less than 50 signatures for any district, and must [BE EXECUTED UNDER
 5 OATH,] state in substance that which is required in petitions for nomination by
 6 AS 15.25.181 [A DECLARATION OF CANDIDACY UNDER AS 15.25.030, AND
 7 INCLUDE THE FEE REQUIRED UNDER AS 15.25.050(a)].

8 * **Sec. 55.** AS 15.40 is amended by adding new sections to read:

9 **Sec. 15.40.451. Requirements of petition by political party.** Petitions for the
 10 nomination of candidates of political parties shall state in substance that the party
 11 desires and intends to support the named candidate for the office of state senator at the
 12 special election and requests that the name of the candidate be placed on the ballot.

13 **Sec. 15.40.461. Selection of political party nominees.** The nominees of
 14 political parties may be selected by the respective party district committee or by any
 15 other manner as provided by the party bylaws, and the petition shall be signed by the
 16 chairperson of the party district committee or by any other party official designated by
 17 the party bylaws.

18 * **Sec. 56.** AS 15.40.470 is amended to read:

19 **Sec. 15.40.470. General provision for conduct of [THE SPECIAL**
 20 **PRIMARY ELECTION AND] special election.** Unless specifically provided
 21 otherwise, all provisions regarding the conduct of the [PRIMARY ELECTION AND]
 22 general election shall govern the conduct of the special [PRIMARY ELECTION AND
 23 SPECIAL] election of state senators, including provisions concerning voter
 24 qualifications; provisions regarding the duties, powers, rights, and obligations of the
 25 director, of other election officials, and of municipalities; provision for notification of
 26 the election; provision for payment of election expenses; provisions regarding
 27 employees being allowed time from work to vote; provisions for the counting,
 28 reviewing, and certification of returns; provisions for the determination of the votes
 29 and of recounts, contests, and appeal; and provision for absentee voting.

30 * **Sec. 57.** AS 15.45.190 is amended to read:

31 **Sec. 15.45.190. Placing proposition on ballot.** The lieutenant governor shall

1 direct the director to place the ballot title and proposition on the election ballot of the
 2 first statewide general, special, special **runoff** [PRIMARY], or primary election that is
 3 held after

4 (1) the petition has been filed;

5 (2) a legislative session has convened and adjourned; and

6 (3) a period of 120 days has expired since the adjournment of the
 7 legislative session.

8 * **Sec. 58.** AS 15.45.420 is amended to read:

9 **Sec. 15.45.420. Placing proposition on ballot.** The lieutenant governor shall
 10 direct the director to place the ballot title and proposition on the election ballot for the
 11 first statewide general, special, special **runoff** [PRIMARY], or primary election held
 12 more than 180 days after adjournment of the legislative session at which the act was
 13 passed.

14 * **Sec. 59.** AS 15.58.010 is amended to read:

15 **Sec. 15.58.010. Election pamphlet.** Before each state general election, and
 16 before each state primary, special, or special **runoff** [PRIMARY] election at which a
 17 ballot proposition is scheduled to appear on the ballot, the lieutenant governor shall
 18 prepare, publish, and mail at least one election pamphlet to each household identified
 19 from the official registration list. The pamphlet shall be prepared on a regional basis as
 20 determined by the lieutenant governor.

21 * **Sec. 60.** AS 15.58.020(b) is amended to read:

22 (b) Each primary, special, or special **runoff** [PRIMARY] election pamphlet
 23 shall contain only the information specified in (a)(6) and (a)(9) of this section for each
 24 ballot measure scheduled to appear on the primary, special, or special **runoff**
 25 [PRIMARY] election ballot.

26 * **Sec. 61.** AS 15.58.030(b) is amended to read:

27 (b) **No** [NOT] later than July 22 of a year in which a state general election will
 28 be held, an individual who becomes a candidate for the office of United States senator,
 29 United States representative, governor, lieutenant governor, state senator, or state
 30 representative under AS 15.25.030 **or 15.25.181** may file with the lieutenant governor
 31 a photograph and a statement advocating the candidacy. **An individual who becomes**

1 a candidate for the office of United States senator, United States representative,
 2 governor, lieutenant governor, state senator, or state representative by party
 3 petition filed under AS 15.25.110 may file with the lieutenant governor a
 4 photograph and a statement advocating the candidacy within 10 days of
 5 becoming a candidate.

6 * Sec. 62. AS 15.80.010(9) is amended to read:

7 (9) "federal election" means a general, special, special **runoff**
 8 [PRIMARY], or primary election held solely or in part for the purpose of selecting,
 9 nominating, or electing a candidate for the office of President, Vice-President,
 10 presidential elector, United States senator, or United States representative;

11 * Sec. 63. AS 15.80.010(27) is amended to read:

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

14 (A) that **nominated a candidate for governor who received**
 15 **at least three percent of the total votes cast for governor at the preceding**
 16 **general election or** has registered voters in the state equal in number to at least
 17 three percent of the total votes cast for governor at the preceding general
 18 election;

19 (B) if the office of governor was not on the ballot at the
 20 preceding general election but the office of United States senator was on that
 21 ballot, that **nominated a candidate for United States senator who received**
 22 **at least three percent of the total votes cast for United States senator at**
 23 **that general election or** has registered voters in the state equal in number to at
 24 least three percent of the total votes cast for United States senator at that
 25 general election; or

26 (C) if neither the office of governor nor the office of United
 27 States senator was on the ballot at the preceding general election, that
 28 **nominated a candidate for United States representative who received at**
 29 **least three percent of the total votes cast for United States representative**
 30 **at that general election or** has registered voters in the state equal in number to
 31 at least three percent of the total votes cast for United States representative at

1 that general election;

2 * **Sec. 64.** AS 39.50.020(b) is amended to read:

3 (b) A public official or former public official other than an elected or
4 appointed municipal officer shall file the statement with the Alaska Public Offices
5 Commission. Candidates for the office of governor and lieutenant governor and, if the
6 candidate is not subject to AS 24.60, the legislature shall file the statement under
7 AS 15.25.030 or 15.25.181. Municipal officers, former municipal officers, and
8 candidates for elective municipal office shall file with the municipal clerk or other
9 municipal official designated to receive their filing for office. All statements required
10 to be filed under this chapter are public records.

11 * **Sec. 65.** AS 15.13.040(r), 15.13.070(g), 15.13.090(g), 15.13.110(k), 15.13.400(5),
12 15.13.400(15), 15.13.400(19); AS 15.15.025, 15.15.030(14), 15.15.030(15), 15.15.030(16),
13 15.15.030(17), 15.15.060(e), 15.15.350(c), 15.15.350(d), 15.15.350(e), 15.15.350(f),
14 15.15.350(g); AS 15.58.020(a)(13), 15.58.020(c); and AS 15.80.010(34) are repealed.

15 * **Sec. 66.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 **CONDITIONAL EFFECT.** Sections 1 - 65 of this Act take effect only if sec. 67 of
18 this Act receives the two-thirds majority vote of each house required by art. II, sec. 18,
19 Constitution of the State of Alaska.

20 * **Sec. 67.** This Act takes effect February 28, 2023.