

# Ballot Measure No. 2

## An Act Restoring Political Party Primaries and Single-Choice General Elections

### Ballot Language

<b>Ballot Measure No. 2</b> <b>An Act Restoring Political Party Primaries and Single-Choice General Elections</b>
<p>This act would get rid of open primary elections and ranked-choice general elections. It would bring back political party primaries and single-choice general elections.</p> <p>Elections will occur exactly as they did before a previous ballot measure changed the election laws in 2022. In the primary election, voters will choose a party's ballot. They will vote for one candidate and the winning candidate will be the party's nominee. In the general election, voters will select one candidate. The candidate with the most votes will win.</p> <p>This act would also bring back party petitions, special runoff elections, and other processes in place before 2022. It would put all election laws, except campaign finance laws, back the way they were before 2022.</p> <p>Should this initiative become law?</p> <p><input type="radio"/> Yes    <input type="radio"/> No</p>

### Legislative Affairs Agency Summary

#### **AN ACT RELATING TO ELECTIONS.**

#### **22AKHE**

This Act will reverse some changes made by voters in 2020 to state elections.

The Act will change the rules for primary elections. The Act will end the top four open primary. The primary will be a party primary. The director of elections will make a ballot for each party. Each party ballot will list the candidates running for that party's nomination.

A party will choose who may run and who may vote in its primary. In the primary a voter may vote only one party's ballot. The person who gets the most votes in a party primary is the party's nominee. The party nominees will move on to the general election. Other candidates may petition to be on the general election ballot.

The Act will change the election process used to fill vacancies in office. The Act will end special primaries. A party will use a party petition to nominate its candidate for a special election to fill a vacancy. Other candidates may petition to be on the ballot. The Act adds a special runoff to some races. The Act sets the timeframes for special elections and special runoff elections. The governor will

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call a special runoff if no candidate in a special election for congress gets more than half the votes. A ballot measure may appear on a special runoff ballot. When the governor appoints a person to fill a vacancy in the state legislature, the governor will appoint a member of the same party, if any, that nominated the predecessor.

The Act will change the ballot for general elections. The ballot will show a candidate's party affiliation, if any. Write-in candidates for governor and lieutenant governor will be members of the same party or group. The Act will change voting in general elections. The Act will end ranked-choice voting. A voter will vote for one candidate for each office. For each office the candidate with the most votes wins.

The Act will change the definition of "political party". Members of the governor's party and members of the party that got the second most votes in the last election for governor will serve on some state boards. The Governor must appoint two Alaska Public Offices Commissioners from lists made by these parties. A candidate may appoint a poll watcher if the candidate does not represent a party.

### Statement of Costs

#### **22AKHE Lieutenant Governor and Division of Elections Statement of Cost**

As required by AS 15.45.090(a)(3), the Office of the Lieutenant Governor and the Division of Elections have prepared the following statement of costs to implement the proposed ballot initiative.

#### **Lieutenant Governor**

Under Alaska Statute 15.45.195, at least 30 days before the election at which an initiative is to appear on the ballot, the lieutenant governor or a designee of the lieutenant governor shall hold two or more public hearings concerning the initiative in each judicial district of the state. Each public hearing under this section shall include the written or oral testimony of one supporter and one opponent of the initiative.

Estimated cost of travel for Lt. Governor and one staff member **\$15,000**

#### **Division of Elections**

The minimum cost to the Division of Elections associated with certification of the initiative application and review of the initiative petition, excluding legal costs to the state and the costs to the state of any challenge to the validity of the petition, and the estimated cost of implementing the initiative should it become law are estimated to be \$2,608,106.

#### **Estimate by Category**

Petition Review	\$77,937
Petition Printing Services	\$1,382
Language Translations of Initiative Text	\$28,787

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Implementation Costs if Ballot Measure Becomes Law	\$2,500,000
<b>Total</b>	<b><u>\$2,608,106</u></b>

### Analysis of Fiscal Impact of Ballot Initiative

#### Initiative Petition Review

The Personnel Services: Six temporary employees to review signatures for 2,520 hours.

Estimated cost: \$52,793.

Certification of the initiative application and review of the initiative petition estimated for 504 hours.

Estimated cost: \$25,144.

Printing Services: Printing service expenses associated with certification of the initiative application and review of initiative petition.

Printing of voter booklets: \$1,382

#### Language Translation of Initiative Text

Estimated cost of translating the ballot measure language for audio and sample ballots and, Official Election Pamphlet pro statement, Official Election Pamphlet con statement and Official Election Pamphlet neutral summary into 14 languages required by the Toyukak Settlement and Section 203 of the Federal Voting Rights Act.

Estimated cost: \$28,787

#### Implementation Costs if Ballot Measure Becomes Law

A public education campaign will need to take place to inform candidates, voters, and election workers of the changes to the primary and general election processes. Costs include media advertising in English and other languages required by the Toyukak Settlement and Section 203 of the Federal Voting Rights Act.

Estimated cost: \$2,500,000

**TOTAL all categories \$2,623,106**

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### Full Text of Proposed Law

**ESTABLISH A PARTY PRIMARY SYSTEM, ELIMINATE THE NONPARTISAN AND OPEN TOP FOUR PRIMARY ELECTION SYSTEM, AN ACT REPLACING THE OPEN PRIMARY SYSTEM AND RANKED-CHOICE GENERAL ELECTION WITH THE POLITICAL PARTY PRIMARY & EASILY UNDERSTOOD ELECTION SYSTEM & ELIMINATING ALL PROVISIONS OF RANKED CHOICE VOTING AND JUNGLE PRIMARIES (19AKBE).**

### **A BILL BY INITIATIVE For an Act Entitled**

“This act would get rid of the Open Primary System and Ranked-Choice General Election. In place of that, this act would create a Political Party Primary and General Election Process that is easily understood. The political parties of Alaska will select their candidates through a primary process. Voters would vote for their preferred candidate, and then each one preferred candidate from each registered political party would appear on the general ballot.”

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

### **“Alaskans For Honest Elections (22AKHE)”**

Section 1: The uncodified law of the State of Alaska is amended by adding a section to read: FINDINGS AND INTENT. The People of the State of Alaska find:

(1) It is in the public interest of Alaska to improve the electoral process by increasing transparency, participation, & function of our elections.

(2) It is in the public interest of Alaska to adopt a party primary election system that reflects the various voters of Alaska, which will generate more qualified candidates for elected office, boost voter turnout, better reflect the will of the electorate.

(3) It is in the public interest of Alaska to adopt a general election system that reflects the people of Alaska. A Party Primary voting system where voters would vote for their preferred candidate, and then each one preferred candidate from each registered political party would appear on the general ballot, currently Ranked Choice Voting makes voting confusing, takes much longer to declare a winner. Using the party primary system mitigates the likelihood that a candidate who is disapproved by a majority of voters will get elected, allow Alaskans to vote for the candidates that most accurately reflect their values, encourage greater third-party and independent participation in elections, and provide a stronger mandate of one voter, one vote.

\* **Section 2.** AS 15.10.120(c) is amended to read:

(c) An election supervisor shall appoint one nominee of the political party of which the governor is a member [OR POLITICAL GROUP WITH THE LARGEST NUMBER OF REGISTERED VOTERS AT THE TIME OF THE PRECEDING GUBERNATORIAL ELECTION] and one nominee of the political party that received [OR POLITICAL GROUP WITH] the second largest number of votes statewide in [REGISTERED VOTERS AT THE TIME OF]

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the preceding gubernatorial election. If [HOWEVER, THE ELECTION SUPERVISOR MAY APPOINT A QUALIFIED PERSON REGISTERED AS A MEMBER OF A THIRD POLITICAL PARTY OR POLITICAL GROUP OR AS A NONPARTISAN OR UNDECLARED VOTER IF] a party district committee or state party central committee of the party **of which the governor is a member** [OR GROUP WITH THE LARGEST NUMBER OF REGISTERED VOTERS] or the party **that received** [OR GROUP WITH] the second largest number of **votes statewide in** [REGISTERED VOTERS AT THE TIME OF] the preceding gubernatorial election fails to present the names prescribed by (b) of this section by April 15 of a regular election year or at least 60 days before a special [PRIMARY] election, **the election supervisor may appoint any qualified individual registered to vote.**

\* **Sec. 3.** AS 15.10.170 is amended to read:

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

(b) In addition to the watchers appointed under (a) of this section, in a primary election, [OR] special [PRIMARY] election [OR SPECIAL ELECTION] under AS 15.40.140, **or special runoff election under AS 15.40.141**, each candidate may appoint one watcher in each precinct and counting center.

\* **Sec. 4.** AS 15.13.020(b) is amended to read:

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

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submitted by the central committee of each party [OR GROUP].

\* **Sec. 5.** AS 15.13.020(d) is amended to read:

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

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

(5) The names of the candidates **and their party designations** shall be placed in separate sections on the state general election ballot under the office designation to which they were nominated. **The** [IF A CANDIDATE IS REGISTERED AS AFFILIATED WITH A POLITICAL PARTY OR POLITICAL GROUP, THE] party affiliation, if any, **shall** [MAY] be designated after the name of the candidate [, UPON REQUEST OF THE CANDIDATE . IF A CANDIDATE HAS 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. 7.** 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.

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**(7)** [(6)] An erasure or correction invalidates only that section of the ballot in which it appears.

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

[(9) REPEALED

(10) REPEALED

(11) REPEALED

(12) REPEALED]

\* **Sec. 8.** AS 15.15.370 is amended to read:

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

\* **Sec. 9.** AS 15.15.450 is amended to read:

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

\* **Sec. 10.** AS 15.20.08I(a) is amended to read:

(a) A qualified voter may apply in person, by mail, or by facsimile, scanning, or other



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electronic transmission to the director for an absentee ballot under this section. Another individual may apply for an absentee ballot on behalf of a qualified voter if that individual is designated to act on behalf of the voter in a written general power of attorney or a written special power of attorney that authorizes the other individual to apply for an absentee ballot on behalf of the voter. 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. A person may supply to a voter an absentee ballot application form with a political party or group affiliation indicated only if the voter is already registered as affiliated with the political party or group indicated. **Only the voter or the individual designated by the voter in a written power of attorney under this subsection may mark the voter's choice of primary ballot on an application. A person supplying an absentee ballot application form may not design or mark the application in a manner that suggests choice of one ballot over another, except that ballot choices may be listed on an application as authorized by the division.** The application must be made on a form prescribed or approved by the director. The voter or registration official shall submit the application directly to the division of elections. For purposes of this subsection, "directly to the division of elections" means that an application may not be submitted to any intermediary that could control or delay the submission of the application to the division or gather data on the applicant from the application form. However, nothing in this subsection is intended to prohibit a voter from giving a completed absentee ballot application to a friend, relative, or associate for transfer to the United States Postal Service or a private commercial delivery service for delivery to the division.

\* **Sec. 11.** AS 15.20.08l(h) is amended to read:

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

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

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

\* **Sec. 12.** AS 15.20.190(a) is amended to read:

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



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

\* **Sec. 13.** AS 15.20.203(i) is amended to read:

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

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

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

\* **Sec. 14.** AS 15.20.203(j) is amended to read:

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

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

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

\* **Sec. 15.** AS 15.20.207(i) is amended to read:

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

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

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

\* **Sec. 16.** AS 15.20.207(k) is amended to read:

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

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

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

\* **Sec. 17.** AS 15.20.211(d) is amended to read:

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

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

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

\* **Sec. 18.** AS 15.20.21 I(f) is amended to read:

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

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

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

\* **Sec. 19.** 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 this chapter. **The director shall prepare and provide a primary election ballot for each political party. A voter registered as affiliated with a political party may vote that party's ballot. A voter registered as nonpartisan or undeclared rather than as affiliated with a particular political party may vote the political party ballot of the voter's choice unless prohibited from doing so under AS 15.25.015. A voter registered as affiliated with a political party may not vote the ballot of a different political party unless permitted to do so under AS 15.25.015** [THE PRIMARY ELECTION DOES NOT SERVE TO DETERMINE THE NOMINEE OF A POLITICAL PARTY OR POLITICAL GROUP BUT SERVES ONLY TO NARROW THE NUMBER OF CANDIDATES WHOSE NAMES WILL APPEAR ON THE BALLOT AT THE GENERAL ELECTION. EXCEPT AS PROVIDED IN AS 15.25.100(d), ONLY THE FOUR CANDIDATES WHO RECEIVE THE GREATEST NUMBER OF VOTES FOR ANY OFFICE SHALL ADVANCE TO THE GENERAL ELECTION].

\* **Sec. 20.** AS 15.25 is amended by adding a new section to read:

**Sec. 15.25.015. Participation in primary election selection of a political party's candidates.** (a) Not later than 5:00 p.m., Alaska time, on September 1 of the calendar year before the calendar year in which a primary election is to be held, a political party shall submit a notice in writing to the director stating whether the party bylaws expand or limit who may participate in the primary election for selection of the party's candidates for elective state executive and state and national legislative offices. A copy of the party's bylaws expanding or limiting who may participate in the primary election for selection of the party's candidates,

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documentation required under (b) of this section, and other information required by the director, must be submitted along with the notice. The notice, bylaws, documentation, and other information required by the director shall be provided by the party's chairperson or another party official designated by the party's bylaws.

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

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

\* **Sec. 21.** AS 15.25.030(a) is amended to read:

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

- (1) the full name of the candidate;
- (2) the full mailing address of the candidate;
- (3) if the candidacy is for the office of state senator or state representative, the house or senate district of which the candidate is a resident;
- (4) the office for which the candidate seeks nomination;
- (5) the **name of the political party of which the person is a candidate for nomination** [OR POLITICAL GROUP WITH WHICH THE CANDIDATE IS REGISTERED AS AFFILIATED, OR WHETHER THE CANDIDATE WOULD PREFER A NONPARTISAN OR UNDECLARED DESIGNATION PLACED AFTER THE CANDIDATE'S NAME ON THE BALLOT];
- (6) the full residence address of the candidate, and the date on which residency at that address began;
- (7) the date of the primary election [OR SPECIAL PRIMARY ELECTION] at which the candidate seeks nomination;
- (8) the length of residency in the state and in the district of the candidate;
- (9) that the candidate will meet the specific citizenship requirements of the office for which the person is a candidate;
- (10) that the candidate is a qualified voter as required by law;
- (11) that the candidate will meet the specific age requirements of the office for which the person is a candidate; if the candidacy is for the office of state representative, that

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

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

(13) that the required fee accompanies the declaration;

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

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

(16) **that the candidate is registered to vote as a member of the political party whose nomination is being sought** [IF THE CANDIDACY IS FOR THE OFFICE OF THE GOVERNOR, THE NAME OF THE CANDIDATE FOR LIEUTENANT GOVERNOR RUNNING JOINTLY WITH THE CANDIDATE FOR GOVERNOR; AND

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

\* **Sec. 22.** AS 15.25 is amended by adding a new section to read:

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

(b) The method for certifying an incumbent candidate for nomination as being incapacitated, the method for selecting the person who is to be named in the party petition, and the method for placing the name of the person selected on the primary nomination ballot are the same as those prescribed in

AS 15.25.111 and 15.25.131 relating to filling vacancies of party nominees in a general election.

(c) The death, disqualification, or certification of incapacity of the incumbent within 52 days before or on the primary election date does not affect the counting and review of the

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ballots. If the result of the counting and review discloses that the candidate, if the candidate had lived, would have been nominated, the candidate shall be declared nominated. The vacancy may be filled by party petition as provided in AS 15.25.111 - 15.25.131.

\* **Sec. 23.** AS 15.25.060 is repealed and reenacted to read:

**Sec. 15.25.060. Preparation and distribution of ballots: appropriate ballot.** (a)

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

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

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

\* **Sec. 24.** AS 15.25.100 is repealed and reenacted to read:

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

\* **Sec. 25. AS** 15.25.105(a) is amended to read:

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

- (1) the full name of the candidate;
- (2) the full residence address of the candidate and the date on which residency at that address began;
- (3) the full mailing address of the candidate;



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

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

(6) the office that the candidate seeks;

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

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

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

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

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

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

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

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

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

\* **Sec. 27.** AS 15.25 is amended by adding new sections to read:

**Sec. 15.25.111. Filling vacancies by party petition.** If a candidate of a political party nominated at the primary election dies, withdraws, resigns, becomes disqualified from holding the office for which the candidate is nominated, or is certified as being incapacitated in the manner prescribed by this section after the primary election and 64 days or more before the general election, the vacancy may be filled by party petition. The central committee of any political party or any party district committee may certify as being incapacitated any candidate nominated by their respective party by presenting to the director a sworn statement made by a panel of three licensed physicians, not more than two of whom may be of the same political party, that the candidate is physically or mentally incapacitated to an extent that would, in the



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panel's judgment, prevent the candidate from active service during the term of office if elected. The director shall place the name of the person nominated by party petition on the general election ballot. The name of a candidate disqualified under this section may not appear on the general election ballot.

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

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

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

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

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

**Sec. 15.25.171. Required number of signatures for district-wide office.** Petitions for the nomination of candidates for the office of state senator or state representative shall be signed by qualified voters of the house or senate district in which the proposed nominee desires to be a candidate equal in number to at least one percent of the number of voters who cast ballots in the proposed nominee's respective house or senate district in the preceding general election. A nominating petition may not contain less than 50 signatures for any district.

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

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

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

(c) An incumbent public official, other than a legislator, who has a current statement of

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income sources and business interests under AS 39.50 on file with the Alaska Public Offices Commission, or an incumbent legislator who has a current disclosure statement under AS 24.60.200 on file with the Alaska Public Offices Commission, is not required to file a statement of income sources and business interests or a disclosure statement with the nominating petition under (b) of this section.

**Sec. 15.25.186. Eligibility of candidate.** The provisions of AS 15.25.042 and 15.25.043 apply to determinations of a candidate's eligibility when a candidate seeks nomination by petition under AS 15.25.141 - 15.25.201.

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

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

\* **Sec. 28.** AS 15.30.010 is amended to read:

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

\* **Sec. 29.** AS 15.40.140 is amended to read:

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

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

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

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\* **Sec. 30.** AS 15.40 is amended by adding new sections to read:

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

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

**Sec. 15.40.144. Time of calling the special election and the special runoff election.**

(a) Except as provided in (c) of this section, if a special election is called under AS 15.40.140, it shall be held on a date not less than 60, nor more than 90, days after the date the vacancy occurs.

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

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

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

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

\* **Sec. 31.** AS 15.40 is amended by adding a new section to read:

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

\* **Sec. 32.** AS 15.40.160 is amended to read:

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

(1) special [PRIMARY] election; and

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

\* **Sec. 33.** AS 15.40.165 is amended to read:

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

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\* **Sec. 34.** AS 15.40.170 is amended to read:

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

\* **Sec. 35.** AS 15.40.190 is amended to read:

**Sec. 15.40.190. Requirements of petition for no-party candidates.** Petitions for the nomination of candidates not representing a political party shall be signed by qualified voters of the state equal in number to at least one percent of the number of voters who cast ballots in the preceding general election and shall [MUST BE EXECUTED UNDER OATH,] state in substance that which is required for nomination petitions by AS 15.25.181 [A DECLARATION OF CANDIDACY UNDER AS 15.25.030, AND INCLUDE THE FEE REQUIRED UNDER AS 15.25.050(a)].

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

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

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

\* **Sec. 37.** AS 15.40.220 is amended to read:

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

\* **Sec. 38.** AS 15.40.230 is amended to read:

**Sec. 15.40.230. Condition and time of calling [SPECIAL PRIMARY ELECTION**



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

\* **Sec. 39.** AS 15.40.240 is amended to read:

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

\* **Sec. 40.** AS 15.40.250 is amended to read:

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

\* **Sec. 41.** AS 15.40.280 is amended to read:

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

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

**Sec. 15.40.291. Requirements of party petition.** Petitions for the nomination of



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candidates of political parties shall state in substance that the party desires and intends to support the named candidates for the offices of governor and lieutenant governor at the special election and requests that the names of the two candidates nominated be placed on the ballot.

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

\* **Sec. 43.** AS 15.40.310 is amended to read:

**Sec. 15.40.310. General provisions for conduct of [THE SPECIAL PRIMARY ELECTION AND] special election.** Unless specifically provided otherwise, all provisions regarding the conduct of the [PRIMARY AND] general election shall govern the conduct of the special [PRIMARY ELECTION AND SPECIAL] election of the governor and lieutenant governor, including provisions concerning voter qualifications; provisions regarding the duties, powers, rights, and obligations of the director, of other election officials, and of municipalities; provision for notification of the election; provision for payment of election expenses; provisions regarding employees being allowed time from work to vote; provisions for the counting, reviewing, and certification of returns; provisions for the determination of the votes and of recounts, contests, and appeal; and provision for absentee voting.

\* **Sec. 44.** AS 15.40.330 is amended to read:

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

(b) A member of a political party [OR POLITICAL GROUP] is a person who supports the political program of a [POLITICAL] party [OR POLITICAL GROUP]. The **filing for office of a candidate as an independent or no-party candidate** [ABSENCE OF A POLITICAL PARTY OR POLITICAL GROUP DESIGNATION AFTER A CANDIDATE'S NAME ON AN ELECTION BALLOT] does not preclude a candidate from being a member of a political party

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[OR POLITICAL GROUP]. Recognition of an independent or no-party [A] candidate as a member of a [POLITICAL] party [OR POLITICAL GROUP] caucus of members of the legislature at the legislative session following the election of the independent or no-party candidate is recognition of that person's [POLITICAL] party [OR POLITICAL GROUP] membership at the time filings were made by party candidates for the preceding general election [FOR THE PURPOSES OF CONFIRMATION UNDER THIS SECTION].

**Sec. 45.** AS 15.40.380 is amended to read:

**Sec. 15.40.380. Conditions for part-term senate appointment and special election.**

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

\* **Sec. 46.** AS 15.40.390 is amended to read:

**Sec. 15.40.390. Date of special [PRIMARY ELECTION AND SPECIAL] election.**

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

\* **Sec. 47.** AS 15.40.400 is amended to read:

**Sec. 15.40.400. Proclamation of [SPECIAL PRIMARY ELECTION AND] special**

**election.** The governor shall issue the proclamation calling the [SPECIAL PRIMARY ELECTION AND] special election at least 50 days before the [SPECIAL PRIMARY] election.

\* **Sec. 48.** AS 15.40.440 is amended to read:

**Sec. 15.40.440. Requirements of petition for no-party candidates.**

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

\* **Sec. 49.** AS 15.40 is amended by adding new sections to read:

**Sec. 15.40.451. Requirements of petition by political party.**

Petitions for the nomination of candidates of political parties shall state in substance that the party desires and intends to support the named candidate for the office of state senator at the special election and requests that the name of the candidate be placed on the ballot.

**Sec. 15.40.461. Selection of political party nominees.**

The nominees of political parties may be selected by the respective party district committee or by any other manner as provided by the party bylaws, and the petition shall be signed by the chairperson of the party

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district committee or by any other party official designated by the party bylaws.

\* **Sec. 50.** AS 15.40.470 is amended to read:

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

\* **Sec. 51.** AS 15.45.190 is amended to read:

**Sec. 15.45.190. Placing proposition on ballot.** The lieutenant governor shall direct the director to place the ballot title and proposition on the election ballot of the first statewide general, special, special runoff [PRIMARY], or primary election that is held after  
(1) the petition has been filed;  
(2) a legislative session has convened and adjourned; and  
(3) a period of 120 days has expired since the adjournment of the legislative session.

\* **Sec. 52.** AS 15.45.420 is amended to read:

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

\* **Sec. 53.** AS 15.58.010 is amended to read:

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

\* **Sec. 54.** AS 15.58.020(b) is amended to read:

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

\* **Sec. 55.** AS 15.58.030(b) is amended to read:

(b) **No** [NOT] later than July 22 of a year in which a state general election will be held, an individual who becomes a candidate for the office of United States senator, United States representative, governor, lieutenant governor, state senator, or state representative under AS

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15.25.030 or 15.25.181 may file with the lieutenant governor a photograph and a statement advocating the candidacy. An individual who becomes a candidate for the office of United States senator, United States representative, governor, lieutenant governor, state senator, or state representative by party petition filed under AS 15.25.110 may file with the lieutenant governor a photograph and a statement advocating the candidacy within 10 days of becoming a candidate.

\* **Sec. 56.** AS 15.80.010(9) is amended to read:

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

\* **Sec. 57.** AS 15.80.010(27) is amended to read:

(27) “political party” means an organized group of voters that represents a political program and

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

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

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

\* **Sec. 58.** AS 39.50.020(b) is amended to read:

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

\* **Sec. 59.,** AS 15.15.025, 15.15.030(14), 15.15.030(15), 15.15.030(16), 15.15.030(17), 15.15.060(e), 15.15.350(c), 15.15.350(d), 15.15.350(e), 15.15.350(f), 15.15.350(g); AS 15.58.020(a)(13), 15.58.020(c); and AS 15.80.010(34) are repealed.