

SECTIONAL SUMMARY OF 19AKBE

***Section 1** adds a statement of findings and intent to the uncodified law of the State of Alaska that increased election transparency, participation, access, and choice is in the public interest, as is transparency in campaign contributions; and that it is in the public interest and more democratic to adopt an open nonpartisan primary election and a ranked-choice general election system.

***Section 2** amends existing AS 15.10.120(c) (**Appointment of election board**) to de-politicize appointees to the election board in each precinct by allowing election supervisors to appoint nominees from political groups with the largest number of registered voters at the time of the preceding gubernatorial election as well as qualified persons registered as nonpartisan, undeclared, or a third party in some circumstances.

***Section 3** amends existing AS 15.10.170 (**Appointment and privileges of watchers**) to broaden the pool of poll watchers that candidates may appoint, by removing certain party affiliation requirements and approvals by party leadership. The section also makes harmonizing changes regarding reference to primary and special elections and removes references to special runoff elections.

***Section 4** amends existing AS 15.13.020(b) (**Alaska Public Offices Commission**) (APOC) by changing who the governor may appoint to APOC. Instead of appointing two members of each of the two political parties whose candidate for governor received the highest number of votes in the preceding general gubernatorial election, the governor would now appoint two members of each of the two political parties or political groups with the largest number of voters at the time of that election.

***Section 5** amends existing AS 15.13.020(d) (**Alaska Public Offices Commission**) by adding a reference to “political groups” with respect to potential APOC members and their terms.

***Section 6** amends existing AS 15.13.040(j)(3) (**Contributions, expenditures, and supplying of services to be reported**) by requiring each “nongroup entity” to make additional disclosures to APOC. Specifically, such entities must disclose all contributions over \$2,000 aggregate per calendar year made to the entity for the purpose of influencing the outcome of an election and the true source of such contributions and all intermediaries and their transfers, if any.

***Section 7** amends existing AS 15.13.040 (**Contributions, expenditures, and supplying of services to be reported**) by adding a new subsection to that statute requiring a detailed report to APOC from every individual, person, group, or nongroup entity that contributes more than \$2,000 aggregate per calendar year to an entity that made one or more independent expenditures in one or more candidate elections in the current election cycle, or that will do so. The report would be required within 24 hours of the contribution.

***Section 8 amends existing AS 15.13.070 (Limitations on amount of political contributions)** by adding a new subsection to that statute to place an individual cap of \$1,000 per year and a group cap of \$2,000 per year on contributions made to a joint campaign for governor and lieutenant governor.

***Section 9 amends existing 15.13.074(b) (Prohibited contributions)** by prohibiting individuals, persons, nongroup entities, or groups required to file a report under the new subsection required by Section 7 from contributing or accepting more than \$2,000 of “dark money” and requiring them to disclose the true source of a contribution if they make the contribution while acting as an intermediary.

***Section 10 amends existing 15.13.074(c) (Prohibited contributions)** by adding references to special primary and special general elections and making other harmonizing changes consistent with a top four nonpartisan open primary.

***Section 11 amends existing AS 15.13.090(c) (Identification of communication)** by increasing the exposure of the communication disclaimer required for campaign contributors. Specifically, contributors would be required to keep the disclaimer onscreen throughout the whole communication.

***Section 12 amends existing AS 15.13.090 (Identification of communication)** by adding a new subsection requiring, under some circumstances and for some campaign contributions, a special disclaimer for print, video, and digital communications that are paid for by outside-Alaska-funded entities.

***Section 13 amends existing AS 15.13.110(f) (Filing of reports)** by removing from the list of persons required to file campaign disclosure reports with APOC persons who have filed nominating petitions to become a candidate at the general election, consistent with a top four nonpartisan open primary.

***Section 14 amends existing AS 15.13.110 (Filing of reports)** by adding a subsection requiring certain independent expenditure campaign contributions over \$2,000 to be reported to APOC within 24 hours of receipt. The receiving entity is also required to identify the true source and intermediaries of the contribution.

***Section 15 amends existing AS 15.13.390(a) (Civil penalty; late filing of required reports)** by imposing fines on campaign contributors or intermediaries who delay reports to APOC and who misreport or fail to disclose the true source of contributions. Contributors have a right of appeal to superior court from APOC determinations made under this section.

***Section 16 amends existing AS 15.13.400(4)(B)(iii) (Definitions)** by changing part of the definition of “contribution” to exclude certain mailings by political parties describing “members of the party running as candidates for public office in that election” instead of “the party’s slate of candidates for election”, consistent with a top four nonpartisan open primary.

***Section 17 amends existing AS 15.13.400 (Definitions)** to define “dark money.”

***Section 18 amends existing AS 15.13.400 (Definitions)** to define “true source.”

***Section 19 amends existing AS 15.13.400 (Definitions)** to define “outside-funded entity.”

***Section 20 amends AS 15.15 (Elections and Ballots)** by adding a new statute, AS 15.15.005, to create a top four nonpartisan open primary for each elective state executive and state and national legislative office.

***Section 21 amends existing AS 15.15.030(5) (Preparation of official ballot)** by removing mandatory party designations on the ballot for candidates and permitting candidates to list their party affiliations or be listed as nonpartisan or undeclared, and requiring candidates to be listed as undeclared under certain circumstances.

***Section 22 amends existing AS 15.15.030 (Preparation of official ballot)** by requiring certain disclaimers on the ballot regarding a candidate’s listed party affiliation, if any. The section also requires the elections director to design the general election ballot so that candidates are selected by ranked-choice voting, and explain to voters how to vote by ranked choice.

***Section 23 amends existing AS 15.15.060(e) (Polling places, voting booths, and supplies)** by requiring the elections director to place in each polling place a conspicuous disclaimer about the meaning of a candidate’s designated party affiliation.

***Section 24 amends existing AS 15.15.350 (General procedure for ballot count)** by adding new subsections requiring all general elections to be conducted by ranked-choice voting, describing in detail the method by which the division of elections will count ranked-choice ballots, and defining certain terms related to ranked-choice voting.

***Section 25 amends existing AS 15.15.360(a) (Rules for counting ballots)** by setting forth further rules by which the election board will count ranked-choice ballots in a general election and makes a harmonizing repeal.

***Section 26 amends existing AS 15.15.370 (Completion of ballot count; certificate)** by requiring the certificate of general election results to include the number of votes for each candidate at each round of the ranked-choice tabulation process.

***Section 27 amends existing AS 15.15.450 (Certification of state ballot counting review)** by making certain non-substantive technical changes to the statutory language.

***Section 28 amends existing AS 15.20.081(a) (Absentee voting in general; applying for absentee ballot by mail or electronic transmission)** by removing references to multiple primary ballot options, consistent with a top four nonpartisan open primary.

***Section 29 amends existing AS 15.20.081(h) (Absentee voting in general; applying for absentee ballot by mail or electronic transmission)** by inserting references to a special primary election and removing references to a special runoff election.

***Section 30 amends existing AS 15.20.190(a) (Appointment, duties, and compensation of district counting boards)** by changing who election supervisors may appoint to district absentee ballot counting boards and district questioned ballot counting boards, to be consistent with a top four nonpartisan open primary.

***Section 31 amends existing AS 15.20.203(i) (Procedure for district absentee ballot counting review)** by inserting references to special primary elections and removing references to special runoff elections.

***Section 32 amends existing AS 15.20.203(j) (Procedure for district absentee ballot counting review)** by inserting references to special primary elections and removing references to special runoff elections.

***Section 33 amends existing AS 15.207(i) (Procedure for district questioned ballot review)** by inserting references to special primary elections and removing references to special runoff elections.

***Section 34 amends existing AS 15.207(k) (Procedure for district questioned ballot review)** by inserting references to special primary elections and removing references to special runoff elections.

***Section 35 amends existing AS 15.20.211(d) (Counting cross-district and certain write-in votes)** by inserting references to special primary elections and removing references to special runoff elections.

***Section 36 amends existing AS 15.20.211(f) (Counting cross-district and certain write-in votes)** by inserting references to special primary elections and removing references to special runoff elections.

***Section 37 amends existing AS 15.20.010 (Provision for primary election)** by creating a top-four nonpartisan open primary election.

***Section 38 amends existing AS 15.25.030(a) (Declaration of candidacy)** by inserting references to special primary elections, removing references to special runoff elections, and making changes to requirements for the declaration of candidacy consistent with a top four nonpartisan open primary. The section also conjoins the races of lieutenant governor and governor, and requires that pairing to be stated on the declaration of candidacy.

***Section 39 repeals and reenacts AS 15.25.060 (Preparation of ballots)** to tell the elections director how to prepare and distribute primary election ballots consistent with a top four nonpartisan open primary.

***Section 40 repeals and reenacts AS 15.25.100 (Placement of nominees on general election ballot)** to tell the election director how to prepare and distribute general election ballots consistent with the results of a top four nonpartisan open primary, including provisions for replacing candidates in the event of the withdrawal, death, resignation, disqualification, or incapacitation of a candidate nominated in that primary.

***Section 41 amends existing AS 15.25.105(a) (Write-in candidates in the general election)** by changing the requirements for a letter of intent to run as a write-in candidate on the general election to be consistent with a top four nonpartisan open primary.

***Section 42 amends existing AS 15.25.105(b) (Write-in candidates in general election)** to remove the requirement that general election write-in candidates for the office of governor and lieutenant governor must be of the same political party or political group.

***Section 43 amends existing AS 15.30.010 (Provision for selection of electors)** to require that electors for President and Vice-President of the United States be selected by ranked-choice voting.

***Section 44 amends existing AS 15.40.140 (Condition of calling special primary election and special election)** to add special primary elections for a United States senator or United States representative, and the timing for such elections to occur.

***Section 45 amends existing AS 15.40.160 (Proclamation)** to add special primary election and special election, and remove special runoff elections, from the governor's proclamation issued for certain elections.

***Section 46 amends existing AS 15.40.165 (Term of elected senator)** to remove references to special runoff elections for United States senator.

***Section 47 amends existing AS 15.40.170 (Term of elected representative)** to remove references to special runoff elections for United States representative.

***Section 48 amends existing AS 15.40.190 (Requirements of petition for candidates)** by removing references to political parties in nominations for candidacy, consistent with a top four nonpartisan open primary.

***Section 49 amends existing AS 15.40.220 (General provisions for conduct of the special primary election and special election)** to remove references to special runoff elections and add references to special primary elections for elections for United States senator or United States representative.

***Section 50 amends existing AS 15.40.230 (Condition and time of calling special primary election and special election)** by providing for special primary elections, and subsequent special elections, proclaimed by an acting governor in the event of a gubernatorial vacancy, and the timing of such elections.

***Section 51 amends existing AS 15.40.240 (Conditions for holding special primary election and special election with primary or general election)** by providing for special primary elections, and subsequent special elections, proclaimed by an acting governor in the event of a gubernatorial vacancy, and the timing of such elections, including when they are held in conjunction with a regular primary or general election.

***Section 52 amends existing AS 15.40.250 (Proclamation of special primary election and special election)** by adding references to special primary elections regarding the acting governor's proclamations for certain elections to fill a gubernatorial vacancy.

***Section 53 amends existing AS 15.40.280 (Requirements of petition for candidates)** by removing references to political parties for candidates for lieutenant governor or governor nominated by petition, consistent with a top four nonpartisan open primary.

***Section 54 amends existing AS 15.40.310 (General provisions for conduct of the special primary election and special election)** by adding special primary elections to provisions governing the overall conduct of special elections, providing that they be conducted in the same manner as the regular primary and general elections.

***Section 55 amends existing AS 15.40.330 (Qualification and confirmation of appointee)** by changing party affiliation requirements for appointees to the state legislature, consistent with a top four nonpartisan open primary.

***Section 56 amends existing AS 15.40.380 (Conditions for part-term senate appointment and special election)** by adding a special primary election to precede the special election by proclamation to fill a vacancy in the state senate.

***Section 57 amends existing AS 15.40.390 (Date of special primary election and special election)** by adding special primary elections to fill state senate vacancies, requiring both special primary elections and special elections to be held at particular times, depending on the timing of the vacancy and the dates of the upcoming regular primary and general elections.

***Section 58 amends existing AS 15.40.400 (Proclamation of special primary election and special election)** by adding special primary elections to the elections subject to the governor's proclamation for an election to a vacant state senate seat.

***Section 59 amends existing AS 15.40.440 (Requirements of petition for candidates)** by removing party affiliation requirements for candidates nominated by petition to the state legislature.

***Section 60 amends existing AS 15.40.470 (General provision for conduct of the special primary election and special election)** by adding special primary elections, and prescribing their conduct, for elections to the state senate, requiring that they be conducted in the same manner as regular primary and general elections.

***Section 61 amends existing AS 15.45.190 (Placing proposition on the ballot)** by adding special primary elections, and removing special runoff elections, from the list of elections at which ballot measures may appear on the ballot.

***Section 62 amends existing AS 15.45.420 (Placing proposition on the ballot)** by adding special primary elections, and removing runoff elections, from the list of elections at which voter referenda may appear on the ballot.

***Section 63 amends existing AS 15.58.010 (Election pamphlet)** by adding special primary elections with ballot measures, and removing special runoff elections, from the list of elections before which the division of elections must send each household an election pamphlet.

***Section 64 amends existing AS 15.58.020(a) (Contents of pamphlet)** by requiring the election pamphlet to contain a conspicuous disclaimer/statement regarding candidate affiliation in a nonpartisan open primary; how the top-four nonpartisan open primary works; how to cast a vote in the ranked-choice general election; and how general election ranked-choice votes will be counted.

***Section 65 amends existing AS 15.58.020(b) (Contents of pamphlet)** by adding special primary elections, and removing special runoff elections, from the list of elections with ballot measures requiring an election pamphlet to be prepared and mailed to households before the election. Under existing law, the election pamphlet must be sent, and certain information included, where a ballot measure is scheduled to appear on the ballot at such an election.

***Section 66 amends existing AS 15.58.020 (Contents of pamphlet)** by adding a new subsection requiring election pamphlets for primary elections and special primary elections to contain a conspicuous statement with instructions to voters regarding the top four non-partisan open primary.

***Section 67 amends existing AS 15.58.030(b) (Material to be filed by candidate)** by removing references to candidates nominated by party petition, consistent with a top 4 nonpartisan open primary.

***Section 68 amends existing AS 15.80.010(9) (Definitions)** by redefining “federal election” to include a “special primary election” and remove “special runoff election.”

***Section 69 amends existing AS 15.80.010(27) (Definitions)** by redefining “political party” by removing references inconsistent with a top four nonpartisan open primary.

***Section 70 amends existing AS 15.80.010 (Definitions)** to define “ranked-choice voting.”

***Section 71 amends existing AS 39.50.020(b) (Report of financial and business interests)** to remove reference to a statute repealed by the initiative bill, within an existing statute dealing with financial disclosures required of some public officials.

***Section 72 repeals** numerous statutes from the Election Code that are rendered obsolete or irrelevant by the remainder of the bill.

***Section 73 is a standard severability clause** providing that if any provision of the bill is held invalid, the remainder will have full force and effect.

***Section 74 amends the uncodified law of the State of Alaska** to require the division of elections to educate the public on the changes to the election system made by this bill for two years after the bill’s effective date.