

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

CATHERINE GIESSEL, JOELLE
HALL, and WÁAHLAAL GIDAAG
BARBARA BLAKE

Plaintiffs,

vs.

**COMPLAINT FOR INJUNCTIVE
AND DECLARATORY RELIEF**

The STATE OF ALASKA, DIVISION
OF ELECTIONS, CAROL BEECHER,
in her official capacity as Director of the
Alaska Division of Elections, and
NANCY DAHLSTROM, in her official
capacity as Lt. Governor of the State of
Alaska,

Defendants.

Case No.: 3AN-26-_____CI

I. JURISDICTION

1. This is a complaint for declaratory and injunctive relief brought pursuant to AS 9.40.230, AS 22.10.020, and AS 15.45.240. This matter challenges the ballot language adopted by the Defendants under AS 15.45.180 for the initiative denoted “24ESEG,” which has qualified for the statewide ballot.

2. Plaintiffs contend that the ballot language created and adopted by the Defendants is neither a “true” nor “impartial” summary of 24ESEG as required by AS 15.45.180 and Article XI, Section 4 of the Alaska Constitution.

3. Plaintiffs specifically seek to enforce AS 15.45.180, as well as their rights — and the rights of all voters — under Article XI, Section 4 of the Alaska Constitution. Plaintiffs bring this suit to ensure that the Defendants adopt ballot language for 24ESEG that faithfully describes the general subject of the proposition, includes all important elements that might give voters serious grounds for reflection, and provides a “true and impartial summary” of what the proposed law actually does.

4. This Court has jurisdiction over the parties and over the subject matter of this dispute pursuant to AS 9.05.010, AS 9.05.015, AS 9.40.230, AS 15.45.240, and AS 22.10.020.

II. SUMMARY

5. This case involves untrue, incomplete, and partisan ballot language adopted by the Defendants for the ballot measure denoted 24ESEG. This ballot language is neither “true” nor “impartial” as required by law.

6. In some respects, the ballot language adopted for 24ESEG states that the proposed law would operate in the opposite manner of what it would actually accomplish. This will confuse or deceive voters by potentially causing them to vote in favor of policies they oppose. This ballot language also omits several aspects of the proposed law that, if known to voters, would give them pause or cause them to vote against the measure.

7. Under Article XI, Section 4 of the Alaska Constitution, and AS 15.45.180, Plaintiffs — and all Alaska voters — are entitled to true and impartial ballot language so

that they can make an informed decision on whether to vote yes or no on 24ESEG. Plaintiffs seek to enforce that constitutional and statutory right in this litigation.

III. PARTIES

8. Plaintiff Catherine Giessel is an eligible Alaska voter, residing in Anchorage, who is registered as a member of the Alaska Republican Party.

9. Plaintiff Joelle Hall is an eligible Alaska voter, residing in Chugiak, who is registered as a member of the Alaska Democratic Party.

10. Plaintiff Wáahlaal Gidaag Barbara Blake is an eligible Alaska voter, residing in Juneau, who is registered to vote as a Nonpartisan.

11. All three Plaintiffs in this case (collectively “Plaintiffs”) are ardent supporters of Alaska’s current election system, including Open Primary elections, Ranked-Choice Voting General Elections, as well as Alaska’s ban on Dark Money contributions in State and local elections, as well as more stringent disclaimer policies and higher fines for campaign finance violations. All of these policies, and more, would be repealed by 24ESEG if it is enacted by the voters of Alaska.

12. Defendant State of Alaska, Division of Elections (“the Division”) is the State agency that administers Alaska’s elections and election processes, including ballot initiatives, and is supervised by the Lieutenant Governor.

13. Defendant Carol Beecher (“Director Beecher”) is the Director of the Alaska Division of Elections, and is being sued solely in her official capacity regarding the

discharge of her duties under Article XI of the Alaska Constitution and Title 15, Chapter 45 of the Alaska Statutes.

14. Defendant Nancy Dahlstrom (“Dahlstrom” or the “Lieutenant Governor”) is the current Lieutenant Governor of the State of Alaska, and is being sued solely in her official capacity regarding the discharge of her duties under Article XI of the Alaska Constitution and Title 15, Chapter 45 of the Alaska Statutes.

15. All three Defendants (collectively “Defendants”) are responsible for lawfully conducting elections in Alaska, including elections on ballot measures.

IV. **FACTUAL BACKGROUND**

24ESEG Qualifies For The Ballot And Ballot Language Is Proposed.

16. On December 26, 2024, the sponsors of a ballot measure that would later be designated 24ESEG filed their application, including the text of their proposed initiative, with the Division.¹ On February 14, 2025, the Lieutenant Governor certified that the proposal satisfied all relevant legal requirements and approved it for signature gathering.² On March 11, 2025, the Division issued the sequentially-numbered petition

¹ See Exhibit 1 (providing the full text of 24ESEG); *see also* Division of Elections, ballot measure status page, 24ESEG, at https://www.elections.alaska.gov/petitions-and-ballot-measures/petition-status/?initiative_id=24ESEG#is81213.

² See Exhibit 2, (February 14, 2025 Certificate of Proper Filing).

booklets for 24ESEG. And on November 6, 2025, the sponsors for 24ESEG filed those booklets with the Division for review and counting.³

17. On December 29, 2025, the Division completed its signature review, confirming that 24ESEG had submitted valid signatures from a sufficient number of eligible voters (both in total and by State House district) to appear on the ballot.⁴

18. On December 31, 2025, the Lieutenant Governor announced the proposed ballot title and summary for 24ESEG that would appear on the ballot.⁵ Deficiencies, partisan suasion, and falsehoods in that ballot language give rise to this litigation.

There Are Three Major Components To 24ESEG, Which, As A Whole, Is Intended To Fully Repeal A Prior Ballot Measure Denoted As 19AKBE Which Was Enacted In 2020.

19. 24ESEG is intended to fully repeal a prior ballot measure. That prior ballot measure, colloquially known as the “Better Elections Initiative,” was denoted 19AKBE by the Division.⁶

20. Voters approved 19AKBE in November 2020, and it became effective on February 28, 2021.

³ See Division of Elections, ballot measure status page, 24ESEG, at https://www.elections.alaska.gov/petitions-and-ballot-measures/petition-status/?initiative_id=24ESEG#is81213

⁴ See Exhibit 3, (December 29, 2025 Petition Summary Report).

⁵ See Exhibit 4, (December 31, 2025 Letter containing 24ESEG Ballot Title and Summary).

⁶ See Exhibit 5, (providing the full text of 19AKBE).

21. 19AKBE made “three substantive changes to Alaska’s election laws[.]”⁷ “The initiative most significantly change[d] Alaska’s election laws by: (1) replacing Alaska’s [then] current party-based primary system with an open, nonpartisan primary; (2) establishing ranked-choice voting in general elections; and (3) adopting new disclosure and disclaimer requirements for independent expenditure groups and their donors.”⁸ On this last significant change, the highlight of the disclosure regime enacted by 19AKBE was that it would “prohibit[] the use of dark money by independent expenditure groups working to influence candidate elections in Alaska and requir[e] additional disclosures by these groups.”⁹ The Alaska Supreme Court acknowledged that voters could have “strong feelings” in favor of prohibiting “dark money” and requiring the disclosure of “true source[s]” of contributions.¹⁰

22. Unlike a prior attempt to repeal open primaries and ranked-choice voting in 2024,¹¹ 24ESEG seeks to repeal all three pillars of 19AKBE entirely, including the third pillar: its stringent campaign finance disclosure requirements and increased fines for violations.¹²

⁷ See *Meyer v. Alaskans for Better Elections*, 465 P.3d 477, 479 (Alaska 2020).

⁸ *Id.* at 490.

⁹ *Id.* at 498 (alterations in original).

¹⁰ *Id.*

¹¹ See *La Quen Naay Elizabeth Medicine Crow et al. v. Beecher*, 570 P.3d 452, 454 (Alaska 2025) (describing 22AKHE).

¹² Compare Exhibit 1, with Exhibit 5; See also <https://www.adn.com/politics/2025/12/31/another-initiative-to-repeal-open-primaries->

The Proposed Ballot Language For 24ESEG Is Neither “True” Nor “Impartial” As Required By Law, And Also Omits Elements Likely to Give Voters Serious Grounds for Reflection.

23. The Lieutenant Governor’s proposed ballot title and summary for 24ESEG is as follows:¹³

An Act Restoring Political Party Primaries, Single-Choice General Elections, and Campaign Finance Rules

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. It would also bring back campaign finance rules.

Elections will occur as they did before open primaries and ranked choice voting. In the primary election, voters will choose a party’s ballot. They will vote for one candidate in each race and the winning candidate will be the party’s nominee. In the general election, voters will select one candidate in each race. The candidate with the most votes will win. Party petitions, special runoff elections, and other parts of the prior election system would return.

Campaign finance rules would also return to the way they were in the prior election system. This act would remove the limits on donations to joint campaigns for governor and lieutenant governor. It would remove limits and disclosure rules under current law, including for digital ads, out-of-state donations, undisclosed donations, and the true source of donations. It would remove some fines and change the meaning of a campaign expenditure.

[and-ranked-choice-voting-set-to-appear-on-alaskas-2026-ballot/](#) (“Unlike the last repeal effort, this year’s initiative also seeks to eliminate so-called ‘dark money’ transparency requirements that were implemented alongside the new voting system. Those provisions require groups spending money to influence election outcomes in Alaska to report the names of their top funders.”); *see also* Exhibit 6 (February 14, 2025 24ESEG Ballot Measure Application Review) at 7 (“**The proposed bill would largely reverse 19AKBE by repealing** the open, nonpartisan primary, the ranked-choice general election, **and the campaign finance disclosure provisions.**”) (emphasis added).

¹³ See also Exhibit 4 at 2.

Should this initiative become law?

24. This ballot summary for 24ESEG fails to satisfy Article XI, Section 4 of the Alaska Constitution’s requirement to provide ballot language to voters “summarizing the proposed law,” as well as AS 15.45.180(a)’s more specific requirement that the language “shall give a *true* and *impartial* summary of the proposed law.”¹⁴ This failure is a result of false and misleading language, major omissions of significant impacts from the measure, and the injection of partisan suasion into the ballot language — all seemingly intended to generate support for the measure. Plaintiffs and Alaska’s voters are entitled to accurate, impartial, and comprehensive language regarding 24ESEG’s effects if passed.¹⁵

The Ballot Title and Summary for 24ESEG contain false and misleading language.

25. The false statements in the proposed ballot language begin with the ballot title itself which states, in part, that 24ESEG is “An Act **Restoring** . . . Campaign Finance Rules.”¹⁶

26. This falsehood is repeated, in an even more blatant fashion, in the ballot summary, which states that 24ESEG: “would also **bring back** campaign finance rules.”¹⁷

¹⁴ AS 15.45.180(a) (emphasis added).

¹⁵ *See Alaskans for Efficient Gov’t v. State*, 52 P.3d 732, 736-37 (Alaska 2002) (holding that the basic purpose of a ballot summary is “to enable voters to reach informed and intelligent decisions on how to cast their ballots – decisions free from any partisan suasion”).

¹⁶ *See* Exhibit 4 at 2 (emphasis added).

¹⁷ *See id.* (emphasis added).

27. Both statements, from the ballot title and ballot summary, are patently false. The proposed measure (24ESEG) would not “restore,” “bring back,” or add *even a single campaign finance rule* to Alaska’s statutes. Rather 24ESEG would *fully repeal* a litany of campaign finance disclosure requirements, *and* eliminate enhanced fines for certain campaign finance violations that were adopted by voters through 19AKBE.¹⁸ Specifically:

- a. Section 6 of 24ESEG *repeals* and amends disclosure rules at AS 15.13.074(b), which would remove the prohibition on contributing or accepting “dark money,” remove the prohibition on using an intermediary to hide the actual source of a contribution, and remove the requirement that donors disclose the “true source” of campaign contributions.¹⁹
- b. Section 8 of 24ESEG *repeals* and amends disclaimer rules at AS 15.13.090(c), which would remove the requirement that “paid for by” disclaimers appear and remain on-screen for political advertisements.²⁰
- c. Section 9 of 24ESEG *repeals entirely* the disclaimer required by AS 15.13.090(g), which would remove the mandate that any political ad funded by an entity receiving over 50% of its donations in the previous 12-month period from sources outside of Alaska must include an on-ad disclaimer stating that “A MAJORITY OF CONTRIBUTIONS TO (OUTSIDE-FUNDED ENTITY’S NAME) CAME FROM OUTSIDE THE STATE OF ALASKA.”²¹

¹⁸ See *Kohlhaas v. State*, 518 P.3d 1095, 1101 (Alaska 2022) (explaining that 19AKBE “addressed the use of ‘dark money’ in elections by requiring greater disclosures of political fundraising sources”).

¹⁹ See Exhibit 1 at 3.

²⁰ *Id.* at 4.

²¹ *Id.*

- d. Section 11 of 24ESEG *repeals entirely* AS 15.13.110(k), which would remove the requirement that cumulative donations to independent expenditure groups of \$2,000 or more in a year trigger a more rapid, 24-hour reporting cycle, and would also remove the requirement that the receiving entity must report the “true sources” of all such contributions.²²
- e. Section 12 of 24ESEG *repeals* and amends AS 15.13.390, which would remove the \$1,000 per day penalties for failure to timely report the true sources of large campaign contributions, remove enhanced fines for failing to report the true source of contributions, and remove the trebling of those enhanced fines where it is shown that the obscuring of the true source of campaign contributions — or that making a contribution “anonymously or in the name of another” — was intentional.²³
- f. Section 16 of 24ESEG *repeals entirely* AS 15.13.400(19), the definition of the term “Dark Money,” wiping the concept from the Alaska Statutes entirely.²⁴

28. The fact that 24ESEG seeks to repeal the stricter disclosure rules and steeper fines enacted by voters through 19AKBE is not debatable. The repealing sections appear on the very face of the measure.²⁵

29. It is unclear why the proposed ballot language falsely claims that 24ESEG “restores” campaign finance rules, especially when many details of these repeals were actually included in *the Department of Law’s own section-by-section analysis* of the

²² *Id.* at 5.

²³ *Id.* at 5-6.

²⁴ *Id.* at 7.

²⁵ *See id.* at 3-7.

measure, which was provided to the Defendants when the application for 24ESEG was first filed.²⁶

30. The falsehoods in the proposed ballot language are especially concerning and baffling given that the Department of Law’s review of 24ESEG specifically (and correctly) stated that: “**[t]he proposed bill would largely reverse 19AKBE by repealing . . . the campaign finance disclosure provisions.**”²⁷

31. Additionally, the statement in Defendants’ proposed ballot language that “[c]ampaign finance rules would also return to the way they were in the prior election system” is false and misleading.²⁸ There is no explanation of what “prior election system” the language is referring to. And this language assumes that the average voter has not only intricate knowledge of campaign finance law, but also knows the differences between those laws now and what they were six years ago.

32. This language also ignores that, in July 2021 — nearly immediately after 19AKBE was enacted, and prior to 19AKBE’s system being used for any election — the Ninth Circuit Court of Appeals struck down all of Alaska’s individual-to-candidate contribution limits.²⁹ This meant that Alaska went from having an annual \$500

²⁶ See Exhibit 6 at 2-3.

²⁷ *Id.* at 7 (emphasis added).

²⁸ Exhibit 4 at 2.

²⁹ See *Thompson v. Hebdon*, 7 F.4th 811, 822-23 (9th Cir. 2021).

contribution limit, one of the lowest in the nation, to no limit at all.³⁰ This was a “major decision” that garnered significant press in Alaska, since that decision allowed “unlimited cash in Alaska political campaigns.”³¹

33. Given this context and timing, it is evident that, when reading “[c]ampaign finance rules would also return to the way they were,” a voter could reasonably believe that 24ESEG somehow restores campaign donation limits. But in reality, the measure would significantly loosen and degrade Alaska’s campaign finance disclosure regime.³²

The Ballot Title and Summary for 24ESEG unlawfully omit significant impacts from the measure that, if disclosed, would give voters serious grounds for reflection.

34. The proposed ballot title and summary for 24ESEG unlawfully omit information about impacts if the ballot measure were to pass that would give voters serious grounds for reflection before supporting it. This violates voters’ constitutional and statutory right to be well advised of the impact of the measures they vote on.³³

35. Importantly, language about this critical information was *not* omitted by Defendants for the purpose of meeting statutory restrictions on the length of ballot titles and summaries.

³⁰ See *id.*

³¹ <https://www.adn.com/politics/2021/07/30/federal-court-ruling-likely-allows-unlimited-cash-in-alaska-political-campaigns/>.

³² See *Kohlhaas*, 518 P.2d at 1101 (explaining that 19AKBE “requir[es] *greater* disclosures of political fundraising sources” (emphasis added)).

³³ *Alaskans for Efficient Gov’t*, 52 P.3d at 736.

36. Alaska Statute 15.45.180(a) presents the formula for the length of such language. In this instance, that statute would allow a ballot title of 25 words in length and — given the 91 sections in 24ESEG — a ballot summary of up to 4,550 words long.³⁴ The unlawfully biased and untrue ballot title and summary proposed for 24ESEG consists of a 13-word title and a summary of just 182 words. In short, the Defendants did not lack the ability to use additional words to accurately and fully describe 24ESEG’s effects as the law requires.

37. In addition to all of the inaccuracies and failures to include accurate information regarding the repeal of 19AKBE’s stricter campaign disclosure and disclaimers as listed above,³⁵ the ballot language and summary for 24ESEG also unlawfully-omits details regarding the following:

- a. Section 17 of 24ESEG *repeals entirely* AS 15.15.025, which grants *all voters* the ability to “cast a vote for any candidate” for any State or congressional office in primary elections. The loss of this right to vote for all candidates in primary elections is not disclosed or implied in either the proposed ballot title or summary for 24ESEG. Given that Alaskans vote cross-partisan at much higher-than-normal rates — in fact Division’s own records show that *a majority* of Alaska voters *actually did so* in the 2022 primary³⁶ — the loss of

³⁴ *Id.*; see also Exhibit 4 at 1.

³⁵ See *supra* ¶¶ 25-33 and accompanying text.

³⁶ According to a study by the Sightline Institute, using the Division of Elections’ own data from the “cast vote record,” 52% of voters in the 2022 Alaska Primary Election voted a “split ticket,” meaning most Alaskans *did not* vote only for candidates of one political party: <https://www.sightline.org/2024/04/03/nonpartisan-open-primaries-let-alaskans-choose-values-over-party/>

this right is significant.³⁷ Yet this impact is nowhere mentioned in the proposed ballot language.

- b. Sections 34 and 35 of 24ESEG *not only* reinstate party primary elections, *but they also* create a regime under which the major ***political parties are granted the power to make it unlawful for any voter who is not formally registered with their party to vote in the primary election, including nonpartisan and unaffiliated voters.*** Specifically, 24ESEG states that the Director of the Division of Elections “*may not permit* a voter registered as nonpartisan or undeclared to vote a party’s [primary election] ballot if the party’s bylaws restrict participation by nonpartisan or undeclared voters in the party’s primary.”³⁸ Granting major political parties in Alaska the power to disenfranchise voters for primary elections is neither mentioned, nor even implied, in the proposed ballot language. This omission is unlawful because:

- i. Primary elections are paid for using public funds, meaning this provision is likely to give voters serious grounds for reflection on whether they want to empower private clubs (i.e., political parties) to use public resources, while at the same time restricting who can vote in these publicly-funded elections.
- ii. Nonpartisan and Undeclared voters comprise approximately 60% of all voters in Alaska.³⁹ The two major political parties, the Alaska Republican Party and the Alaska Democratic Party, respectively comprise only approximately 24% and 12% of Alaska voters.⁴⁰ Given that the majority of Alaska voters could lose their right to vote in primary elections entirely — and that voters registered with a party would lose

³⁷ See Exhibit 1 at 8.

³⁸ See Exhibit 1 at 14 (*proposed* AS 15.25.014(b)).

³⁹ See Exhibit 7 (State of Alaska, Division of Elections, Voter Registration Statistics, updated January 3, 2026) at 2, showing that 360,290 out of Alaska’s 608,288 total voters are registered as either nonpartisan or undeclared.

⁴⁰ See *id.* (showing that only 146,178 Alaska voters are registered as Republicans and 72,324 are registered as Democrats).

their right to vote for candidates with other party affiliations — this provision is certain to give voters serious grounds for reflection.

- c. Sections 45 through 52 of 24ESEG *eliminates* the ability of Nonpartisan and Undeclared candidates to run as such in an open primary election. Such candidates would be barred from appearing on any primary election ballot and would, unlike major party candidates, be forced to gather signatures on a petition in order to appear on the general election ballot.⁴¹ Given that approximately 60% of Alaska’s voters are Nonpartisan or Undeclared, blocking candidates with these party registrations from primary elections is likely to give them serious grounds for reflection.
- d. Sections 22 through 25 of 24ESEG *repeals* the ranked-choice voting and tabulation process currently in place.⁴² The proposed ballot title and summary does accurately state that the measure “would get rid of . . . ranked-choice general elections.” However, it goes on to state that “[t]he candidate with the most votes will win,” but this is also true under ranked-choice voting.⁴³ The ballot language omits the actual difference between ranked-choice voting and the plurality system that 24ESEG proposes, which is that “the candidate with the most votes will win” *regardless of whether that candidate received a majority of the votes cast*. Providing for winners with a broader base of support is a major feature of ranked-choice voting, and the language omitted regarding this critical difference is certain to give voters serious grounds for reflection.

The Ballot Title and Summary for 24ESEG is unlawfully partisan and one-sided in favor of the measure.

38. The ballot title and summary for 24ESEG is unlawfully biased in favor of passage of the measure. As described above, there are numerous material factual

⁴¹ See Exhibit 1 at 21-24.

⁴² *Id.* at 8-10.

⁴³ See *Kohlhaas*, 518 P.3d at 1102 (explaining that, under ranked-choice voting, “the candidate ‘with the greatest number of votes is elected.’” (quoting AS 15.15.350(d))).

inaccuracies, as well as meaningful omissions of impacts from 24ESEG, that seem intended to make the measure more palatable to voters. Those inaccuracies and omissions, discussed above, are also evidence of unlawful partisan suasion.⁴⁴

39. In addition to the litany of defects and omissions listed above, there is further evidence of unlawful partisan suasion in the proposed ballot title and summary for 24ESEG as follows:

- a. Rather than simply state the changes to election processes that 24ESEG would make, the proposed language makes persistent references implying this measure returns elections to “normal,” or as they were prior to the passage of 19AKBE. Specifically, the proposed language includes references such as “[e]lections will occur as they did before”; “other parts of the prior election system would return”; and “[c]ampaign finance rules would also return to the way they were.” This implication of a return to “normal” elections is pejorative. Additionally, it ignores the reality that Alaska’s current election system has already been in place for nearly five years and three statewide elections,⁴⁵ and that these statements will be confusing to all voters, *especially to the 21% of Alaska’s registered voters who have never had the chance to vote in Alaska under any system other than the current one.*⁴⁶

⁴⁴ See *supra* ¶¶ 25-37 and accompanying text.

⁴⁵ The provisions of 19AKBE were in place for the special election in 2022, the regular election in 2022, and the regular election in 2024.

⁴⁶ Review of the Division of Elections’ own voter data shows that 127,495 voters—21% of *all* registered Alaska voters—have an Original Registration Date after October 4, 2020. Given that October 4, 2020 was the registration deadline to vote in the 2020 General Election, voters registered after this date could only have participated in state elections under the current regime of Open Primaries, Ranked-Choice General Elections, and stricter campaign disclosures, meaning that they have never had an opportunity to vote in Alaska’s state or federal elections under any system other than the one enacted by 19AKBE.

40. Repeated references to the “prior election system,” while also omitting significant and specific details about what 24ESEG would actually do, is further evidence that the proposed language omits impacts from 24ESEG that would give voters serious grounds for reflection.

Plaintiffs Proposed An Impartial Ballot Title And Summary That Satisfies Article XI, Section 4 Of The Alaska Constitution And AS 15.45.180, But Defendants Did Not Adopt It.

41. On January 2, 2026, counsel for Plaintiffs contacted counsel for Defendants and detailed the categories of concern discussed above regarding the proposed ballot title and summary for 24ESEG.

42. Defendants’ counsel did not produce new language for Plaintiffs’ counsel to review in response.

43. Thereafter, using the original ballot language from 19AKBE as a starting point — and while preserving as much of Defendants’ proposed language for 24ESEG as possible — Plaintiffs prepared impartial and accurate ballot language that Plaintiffs believe would satisfy voters’ right to be advised of what they are voting on. Plaintiffs did so by removing partisan suasion and by correcting inaccuracies and omissions regarding the material changes that 24ESEG would make.

44. The ballot title and summary proposed by Plaintiffs and transmitted to Defendants is as follows:

An Act Restoring Political Party Primaries and Single-Choice General Elections, and Repealing Certain Campaign Disclosure Requirements and Fines

This Act would get rid of open primary elections, where all candidates appear on one ballot. It would get rid of ranked-choice general elections. It would replace them with political party primaries and single-choice general elections. This Act would also repeal certain campaign finance disclosure requirements and get rid of or reduce some fines for violations.

In the primary election, voters would choose one party's ballot and vote only for candidates from that party. Political parties would be given the power to prohibit voters who are not registered members of their party, including Nonpartisan and Undeclared voters, from voting in their primaries. The winning candidate from each primary would be the party's nominee.

In the General Election, voters would vote for only one candidate. The candidate receiving the most votes would win, whether or not that candidate has a majority of the votes cast for the race.

This Act would end the ban on dark money by getting rid of the requirement that independent expenditure groups report the true sources of their contributions. It would also get rid of the requirement that such groups, when they are funded mostly by out of state money, disclose that fact in their ads.

Finally, it would get rid of or reduce the fines for some campaign finance violations.

Should this initiative become law?

45. This language for 24ESEG satisfies the requirements of AS 15.45.180(a), which allows a ballot title of 25 words in length and a ballot summary of up to 4,550 words in length. The language proposed by Plaintiffs has a title of 19 words in length and a ballot summary of only 215 words.

46. Plaintiffs’ proposed ballot summary has a Flesch score of 56.66,⁴⁷ which is better, in terms of readability, than Defendants’ unlawful language, which has a score of 54.66.⁴⁸

47. Plaintiffs’ counsel shared this language with Defendants’ counsel on the morning of January 20, 2026, and requested a response regarding whether Defendants were willing to adopt this language by no later than close of business on January 21, 2026. Defendants’ counsel was unable to provide a response by this deadline. Plaintiffs are left to conclude that Defendants intend to use their unlawful ballot title and summary as published on December 31, 2025.⁴⁹ This challenge follows.

V. LEGAL ANALYSIS

48. Article XI of the Alaska Constitution creates the People’s right to enact legislation through the initiative process. Article XI, Section 4 requires Defendants to “prepare a ballot title and proposition summarizing the proposed law.” Inherent in this constitutional right is that the title and summary must be accurate, so that voters are well advised of the effect of their vote, allowing them to vote intentionally and intelligently.⁵⁰

⁴⁷ Calculated using the readability tool at: <https://charactercalculator.com/flesch-reading-ease/>.

⁴⁸ See Exhibit 4 at 1. It is noteworthy that the Alaska Supreme Court has approved of ballot language with lower readability scores. For example, in *Pebble L.P. v. Parnell*, the contested ballot language appears to have had a readability score of 37.36. See *Pebble L.P. v. Parnell*, 215 P.3d 1064, 1082-84 (Alaska 2009).

⁴⁹ See Exhibit 4 at 2.

⁵⁰ See *Faipeas v. Mun. of Anchorage*, 860 P.2d 1214, 1219 (Alaska 1993) (holding, under the Anchorage Municipal Code, that a “description” of a ballot measure must be

49. Alaska Statute 15.45.180(a) makes this constitutional right even more explicit by requiring that the ballot title accurately reflect “the general subject of the proposition,” and that the ballot summary be a “true and impartial summary” of what the proposed law would do if passed.

50. The Alaska Supreme Court has had numerous occasions to give further details regarding the requirements for ballot title and summary language, concluding that:

- a. The language must be fair to voters, allowing them to exercise the “intelligent and enlightened judgment . . . [of an] ordinary person in deciding how to mark the ballot.”⁵¹ The purpose of the summary is to “assist voters in making informed and intelligent decisions whether to approve the initiative.”⁵² “Because a ballot is the paper upon which the voters give expression to their choices and exercise their right, a biased, misleading, or inaccurate ballot undermines the voting process.”⁵³
- b. Ballot language cannot “be an argument for or against the measure,” and must “be free from any misleading tendency, whether of amplification, of omission, or of fallacy.”⁵⁴

complete, and free from omission, fallacy, and any partisan coloring to “be fair to the voter to the end that intelligent and enlightened judgment may be exercised by the ordinary person in deciding how to mark the ballot” (citation omitted)); *Alaskans for Efficient Gov’t*, 52 P.3d at 735 (holding under the Alaska Constitution and AS 15.45.180 that a summary of a ballot measure must be “a fair, concise, true, and impartial statement of the intent of the proposed measure. The summary may not be an argument for or against the measure, nor can it be likely to create prejudice for or against the measure.” (citation omitted)).

⁵¹ See *Faipeas*, 860 P.2d at 1219.

⁵² See *State v. Vote Yes for Alaska’s Fair Share*, 478 P.3d 679, 681 (Alaska 2021).

⁵³ See *id.* at 687-88 (citations and internal quotations omitted).

⁵⁴ See *Alaskans for Efficient Gov’t*, 52 P.3d at 735.

- c. Ballot language cannot inject “partisan suasion” into the summary for a ballot measure. A measure “should be presented *clearly* and honestly to the people of Alaska . . . free from any misleading tendency, whether of amplification, or omission, or of fallacy, and . . . must contain no partisan coloring.”⁵⁵
- d. Finally, the Supreme Court has made clear that — although not every single detail of a measure needs to be recited — if particular information “would give the elector serious grounds for reflection it is not a mere detail, and *it must be disclosed*” in the ballot summary.⁵⁶

51. As described above in detail, the Defendants’ proposed ballot title and summary for 24ESEG violates each of these principles in a substantial manner such that the language proposed cannot lawfully be used for the 2026 election.

52. In contrast, the ballot title and summary proposed by Plaintiffs satisfies these principles by accurately conveying the impact of 24ESEG in an impartial manner.⁵⁷

VI. CLAIMS

COUNT I: DECLARATORY JUDGMENT (Violation of Article XI, Section 4 Of The Alaska Constitution And AS 15.45.180(a))

53. Plaintiffs reallege and incorporate by reference all previous and subsequent paragraphs as set forth herein.

⁵⁵ *Vote Yes for Alaska’s Fair Share*, 478 P.3d at 687 (emphasis in original) (citations and internal quotations omitted).

⁵⁶ *Planned Parenthood v. Campbell*, 232 P.3d 725, 730 (Alaska 2010) (emphasis added) (citations and internal quotations omitted).

⁵⁷ See *supra* ¶ 44 and accompanying text.

54. As described above, Defendants' proposed ballot title and summary for 24ESEG does not satisfy the requirements laid out in the Alaska Constitution, Alaska Statutes, or Alaska Supreme Court caselaw. It is not true or impartial. It is unlawfully partisan. And it omits information that would give voters serious grounds for reflection before supporting the measure.

55. Plaintiffs are entitled to an order declaring that Defendants' proposed ballot title and summary for 24ESEG are unlawful.

COUNT II: INJUNCTIVE RELIEF (Withdrawal Of Defective Ballot Title And Summary)

56. Plaintiffs reallege and incorporate by reference all previous and subsequent paragraphs as set forth herein.

57. Plaintiffs are entitled to injunctive relief requiring Defendants to withdraw the proposed ballot title and summary for 24ESEG that appears in Defendants' December 31, 2025 letter.⁵⁸

COUNT III: INJUNCTIVE RELIEF (Replace Unlawful Ballot Title And Summary With Model Language Provided, Or Similarly Lawful And Accurate Language)

58. Plaintiffs reallege and incorporate by reference all previous and subsequent paragraphs as set forth herein.

59. In contrast with Defendants' proposed ballot title and summary, Plaintiffs' proposed ballot title and summary *do* satisfy the requirements laid out in the Alaska

⁵⁸ See Exhibit 4 at 2.

Constitution, Alaska Statutes, and Alaska Supreme Court caselaw. Plaintiffs’ proposed ballot title and summary are true and impartial, not partisan, and properly include additional information that would give voters serious grounds for reflection before supporting the measure.⁵⁹

60. Plaintiffs are entitled to injunctive relief requiring Defendants to utilize the ballot title and summary submitted by Plaintiffs (or language significantly similar),⁶⁰ in place of the unlawful language proposed in Defendants’ December 31, 2025 letter.⁶¹

PRAYER FOR RELIEF

Plaintiffs respectfully request that this Court:

A. Declare that Article XI, Section 4 of the Alaska Constitution and AS 15.45.180(a), as well as caselaw interpreting the same, require the Defendants to utilize a ballot title and summary for 24ESEG that is “true and impartial,” and that the language adopted in the December 31, 2025 letter⁶² violates this standard;

B. Declare that Article XI, Section 4 of the Alaska Constitution and AS 15.45.180(a), as well as caselaw interpreting same, provide Alaska voters with a right to have “true and impartial” language on all ballot measures, including for 24ESEG, so

⁵⁹ See *supra* ¶ 44 and accompanying text.

⁶⁰ See *id.*

⁶¹ See Exhibit 4 at 2.

⁶² See *id.*

that they can vote on that measure after being accurately advised of what the measure does and does not do;


C. Enter an injunction requiring Defendants to:

1. Rescind the ballot title and summary from the December 31, 2025 letter⁶³ and to refrain from utilizing that language on any ballot at any election on 24ESEG;
2. Adopt the “true and impartial” ballot language proposed by Plaintiffs in their proposed ballot title and summary, or language significantly similar, and utilize that language on the ballot at any election on 24ESEG.
3. Award the Plaintiffs’ full costs and attorneys’ fees incurred in connection with this matter and obtaining the relief sought, consistent with Alaska law; and

D. Enter such other relief as this Court deems just and equitable.

CASHION GILMORE &
LINDEMUTH
Attorneys for Plaintiffs

DATED: January 22, 2026



Scott Kendall
Alaska Bar No. 0405019
Samuel G. Gottstein
Alaska Bar No. 1511099

⁶³ *See id.*

AN INITIATIVE TO:

REPEAL A NONPARTISAN AND OPEN TOP FOUR PRIMARY ELECTION SYSTEM AND RANKED-CHOICE GENERAL ELECTION SYSTEM; AND TO REESTABLISH A PARTISAN POLITICAL PRIMARY AND CHANGE NECESSARY APPOINTMENT PROCEDURES FOR CERTAIN ELECTION BOARDS AND WATCHERS AND THE ALASKA PUBLIC OFFICES COMMISSION; REESTABLISH SPECIAL RUNOFF ELECTIONS; REPEAL AND AMEND INDEPENDENT EXPENDITURE GROUP REQUIREMENTS.

A BILL BY INITIATIVE

For an Act Entitled

“An Act to repeal a nonpartisan and open top four primary election system and ranked-choice general election system; and to reestablish a partisan political primary and change necessary and related appointment procedures; reestablish special runoff elections; and repeal and amend independent expenditure group requirements.

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

***Sec. 1.** AS 15.10.120(c) is amended to read:

1. (c) An election supervisor shall appoint one nominee of the political party or political group with the largest number of registered voters at the time of the preceding gubernatorial election of which the Governor is a member and one nominee of the political party or political group that received the second largest number of registered voters at the time of votes statewide in the preceding gubernatorial election. 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 or group with the largest number of registered voters of which the Governor is a member the political party or political group with that received the second largest number of registered voters at the time of votes statewide in 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. 2.** AS 15.10.170 is amended to read:

Sec. 15.10.170. Appointment and privileges of watchers. 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.

(a) 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. 3.** AS 15.13.020(b) through AS 15.13.020(d) is amended to read:

- (b) The governor shall appoint two members of each of the two political parties or political groups with the largest number of registered voters at the time of whose candidate for Governor received the highest number of votes in 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 submitted by the central committee of each party or group.
- (c) The four members selected under (b) of this section shall, by a majority vote, nominate to the governor an individual to serve as the fifth member of the commission. The governor shall either appoint the nominee to the commission, or shall reject the nominee and request those four members to nominate another individual to serve as the fifth member of the commission.
- (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 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. 4.** AS 15.13.040(s) is repealed.

***Sec. 5.** AS 15.13.070(g) is repealed.

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

1. A person or group may not make a contribution anonymously, using a fictitious name, or using the name of another.

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

1. A person or group may not make a contribution
 - (1) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS

15.13.100 when the office is to be filled at a general election before the date that is 18 months before the general election;

- (2) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 for an office that is to be filled at a special election or municipal election before the date that is 18 months before the date of the regular municipal election or that is before the date of the proclamation of the special election at which the candidate or individual seeks election to public office; or
- (3) to any candidate later than the 45th day
 - (A) after the date of the primary election if the candidate was on the ballot and was not nominated at the primary election; or
 - (B) after the date of the general election, or after the date of a municipal or municipal runoff election.

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

1. (c) To satisfy the requirements of (a)(1) of this section and, if applicable, (a)(2)(C) of this section, a communication that includes a print or video component must have the following statement or statements placed in the communication so as to be easily discernible; the second statement is not required if the person paying for the communication has no contributors or is a political party:
This communication was paid for by (person's name and city and state of principal place of business). The top contributors of (person's name) are (the name and city and state of residence or principal place of business, as applicable, of the largest contributors to the person under AS 15.13.090(a)(2)(C)).

***Sec. 9.** AS 15.13.090(g) is repealed.

***Sec. 10.** AS 15.13.110(f) is amended to read:

1. During the year in which the election is scheduled, each of the following shall file the campaign disclosure reports in the manner and at the times required by this section:

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

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

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

(4) a group or nongroup entity that receives contributions or makes expenditures on behalf of or in opposition to a person described in (1) - (3) of this subsection, except as provided for certain independent expenditures by nongroup entities in AS 15.13.135(a).

***Sec. 11.** AS 15.13.110(k) is repealed.

***Sec. 12.** AS 15.13.390(a) is amended to read:

1. A person who fails to register when required by AS 15.13.050(a) or who fails to file a properly completed and certified report within the time required by AS 15.13.040, 15.13.060(b) - (d), 15.13.110(a)(1), (3), or (4), (e), or (f) is subject to a civil penalty of not more than \$50 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court. A person who fails to file a properly completed and certified report within the time required by AS 15.13.110(a)(2) or 15.13.110(b) is subject to a civil penalty of not more than \$500 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court. A person who violates a provision of this chapter, except a provision requiring registration or filing of a report within a time required as otherwise specified in this section, is subject to a civil penalty of not more than \$50 a day for each day the violation continues as determined by the commission, subject to right

of appeal to the superior court. An affidavit stating facts in mitigation may be submitted to the commission by a person against whom a civil penalty is assessed. However, the imposition of the penalties prescribed in this section or in AS 15.13.380 does not excuse that person from registering or filing reports required by this chapter.

***Sec 13.** AS 15.13.400(3) is amended to read:

1. "communication" means an announcement or advertisement disseminated through print or broadcast media, including radio, television, cable, and satellite, the Internet, or through a mass mailing, excluding those placed by an individual or nongroup entity and costing \$500 or less and those that do not directly or indirectly identify a candidate or proposition, as that term is defined in AS 15.13.065(c);

***Sec. 14.** AS 15.13.400(4) is amended to read:

1. (4) "contribution"

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

- (i) influencing the nomination or election of a candidate;
- (ii) influencing a ballot proposition or question; or
- (iii) supporting or opposing an initiative proposal application filed with the lieutenant governor under AS 15.45.020;

(B) does not include

- (i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a political party, candidate, or ballot proposition or question;
- (ii) ordinary hospitality in a home;
- (iii) two or fewer mass mailings before each election by each political party describing the party's slate of candidates for election, which may include photographs, biographies, and information about the party's candidates;
- (iv) the results of a poll limited to issues and not mentioning any candidate, unless the poll was requested by or designed primarily to benefit the candidate;

- (v) any communication in the form of a newsletter from a legislator to the legislator's constituents, except a communication expressly advocating the election or defeat of a candidate or a newsletter or material in a newsletter that is clearly only for the private benefit of a legislator or a legislative employee;
- (vi) a fundraising list provided without compensation by one candidate or political party to a candidate or political party; or
- (vii) an opportunity to participate in a candidate forum provided to a candidate without compensation to the candidate by another person and for which a candidate is not ordinarily charged;

***Sec. 15.** AS 15.13.400(6) is amended to read:

2. (6) "expenditure"

(A) means a purchase or a transfer of money or anything of value, or promise or agreement to purchase or transfer money or anything of value, incurred or made for the purpose of

- (i) influencing the nomination or election of a candidate or of any individual who files for nomination at a later date and becomes a candidate;
 - (ii) use by a political party;
 - (iii) the payment by a person other than a candidate or political party of compensation for the personal services of another person that are rendered to a candidate or political party;
 - (iv) influencing the outcome of a ballot proposition or question; or
 - (v) supporting or opposing an initiative proposal application filed with the lieutenant governor under AS 15.45.020;
- (B) does not include a candidate's filing fee or the cost of preparing reports and statements required by this chapter;
- (C) does not include any goods or services which are ordinarily available to the general public at no charge;
- (D) includes an express communication and an electioneering communication, but does not include an issues communication;

***Sec. 16.** AS 15.13.400(18) through AS 15.13.400(19) are repealed.

***Sec. 17.** AS 15.15.005 is repealed.

***Sec. 18.** AS 15.15.025 is repealed.

***Sec. 19.** AS 15.15.030(5) is amended to read:

1. (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. If a candidate is registered as affiliated with a political party or political group. The party affiliation, if any, shall 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. 20.** AS 15.15.030(14) – (17) are repealed.

***Sec. 21.** AS 15.15.060(e) is repealed.

***Sec. 22.** AS 15.15.350(c) – (g) are repealed.

***Sec. 23.** AS 15.15.360(a) is amended to read:

1. (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. (5) 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.
5. (6) Improper marks on the ballot may not be counted and do not invalidate marks for candidates properly made.
6. (7) An erasure or correction invalidates only that section of the ballot in which it appears.
7. (8) 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.

***Sec. 24.** AS 15.15.370 is amended to read:

1. **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, 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. 25.** AS 15.15.450 is amended to read:

1. 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 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. 26.** AS 15.20.081(h) is amended to read:

1. (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. 27.** AS 15.20.190(a) is amended to read:

1. 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, 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 of votes in 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. 28.** AS 15.20.203(i) is amended to read:

1. (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 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. 29.** AS 15.20.203(j) is amended to read:

1. (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. 30.** AS 15.20.207(i) is amended to read:

1. (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. 31.** AS 15.20.207(k) is amended to read:

1. (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 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 election described in (1) of this subsection.

***Sec. 32.** AS 15.20.211(d) is amended to read:

1. (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 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 election described in (1) of this subsection.

***Sec. 33.** AS 15.20.211(f) is amended to read:

1. (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 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 election described in (1) of this subsection.

***Sec. 34.** AS 15.25.010 is amended to read:

1. **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 15.25.014. A voter registered as affiliated with a political party may not vote the ballot of a different political party unless permitted to do so un

***Sec. 35.** AS 15.25.014 is reenacted to read:

1. 15.25.014. 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, 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. 36.** AS 15.25.030(a) is amended to read:

a. (a) A member of a political party who seeks to become a candidate of the party in the 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 political party or political group with whom 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 of which the person is a candidate for nomination;
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 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 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;
16. that the candidate is registered to vote as a member of the political party whose nomination is being sought.

***Sec. 37.** AS 15.25.056 is reenacted to read:

1. Sec. 15.25.056. 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 15.25.110 and 15.25.130 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 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 15.25.110 - 15.25.130.

***Sec. 38.** AS 15.25.060 is repealed and reenacted to read:

1. **Sec. 15.25.060. Preparation and distribution of ballots; appropriate ballot.**
2. (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.

3. (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.
4. (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. 39.** AS 15.25.100 is reenacted to read:

1. Sec. 15.25.100. Placement of candidates 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. 40.** 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. (1) the full name of the candidate;
2. (2) the full residence address of the candidate and the date on which residency at that address began;
3. (3) the full mailing address of the candidate;

4. (4) the name of the political party or political group of which the candidate is a member, if any;
5. (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. (6) the office that the candidate seeks;
7. (7) the date of the election at which the candidate seeks election;
8. (8) the length of residency in the state and in the house district of the candidate;
9. (9) the name of the candidate as the candidate wishes it to be written on the ballot by the voter;
10. (10) that the candidate meets the specific citizenship requirements of the office for which the person is a candidate;
11. (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. (12) that the candidate is a qualified voter as required by law; and
13. (13) that the candidate is not a candidate for any other office to be 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. 41.** AS 15.25.105(b) is amended to read:

1. (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. 42.** AS 15.25.110 is reenacted to read:

1. Sec. 15.25.110. 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 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. 43.** AS 15.25.120 is reenacted to read:

1. Sec. 15.25.120. 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 44.** AS 15.25.130 is reenacted to read:

1. Sec. 15.25.130. 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 45.** AS 15.25.140 is reenacted to read:

1. Sec. 15.25.140. Provision for no-party candidate nominations. Candidates not representing a political party are nominated by petition.

***Sec 46.** AS 15.25.150 is reenacted to read:

1. Sec. 15.25.150. Date of filing petition. A candidate seeking nomination by petition shall submit the information required under AS 15.25.180(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 47.** AS 15.25.160 is reenacted to read:

1. Sec. 15.25.160. 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 48.** AS 15.25.170 is reenacted to read:

1. Sec. 15.25.170. Required number of signatures for district-wide offices. Petition for the nomination of candidate 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 district in the proceeding general election. A nominee petition may not contain less than 50 signatures for any district. (

***Sec 49.** AS 15.25.180 is reenacted to read:

1. Sec. 15.25.180. 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 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 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 50.** AS 15.25.185 is reenacted to read:

1. Sec. 15.25.185. 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 15.25.140 - 15.25.200.

***Sec. 51.** AS 15.25.190 is reenacted to read:

1. Sec. 15.25.190. 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. 52.** AS 15.25.200 is reenacted to read:

1. Sec. 15.25.200. 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. 53.** AS 15.30.010 is amended to read:

1. 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.

***Sec. 54.** AS 15.40.140 is amended to read:

1. **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 election under AS 15.40.142(a). 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 the general election year during which a candidate to fill the office is regularly elected, the governor may not call a special election.

***Sec. 55.** AS 15.40.141 is reenacted to read:

1. **Sec. 15.40.141. Condition of calling special runoff election.**
2. (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 15.40.142(b).
3. (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. 56.** AS 15.40.142 is reenacted to read:

1. Sec. 15.40.142. 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 15.40.141 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 15.40.141 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 15.40.141 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. 57.** AS 15.40.150 is reenacted to read:

1. Sec. 15.40.150. 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. 58.** AS 15.40.160 is amended to read:

1. **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 15.40.141(a), special runoff election.

***Sec. 59.** AS 15.40.165 is amended to read:

1. **Sec. 15.40.165. Term of elected senator.** At the special election, or, as provided by AS 15.40.141, 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.

***Sec. 60.** AS 15.40.170 is amended to read:

1. **Sec. 15.40.170. Term of elected representative.** At the special election, or as provided by AS 15.40.141, at the special runoff election, 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. 61.** AS 15.40.190 is amended to read:

1. **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 state in substance that which is required for nomination petitions by AS 15.25.180.

***Sec. 62.** AS 15.40 .200 is reenacted to read:

1. **Sec. 15.40.200. 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. 63.** AS 15.40.210 is reenacted to read:

1. **Sec. 15.40.210. 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. 64.** AS 15.40.220 is amended to read:

1. **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 general election shall govern the conduct of the special 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. 65.** AS 15.40.230 is amended to read:

1. **Sec. 15.40.230. Condition and time of calling special primary election 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 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. 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. 66.** AS 15.40.240 is amended to read:

1. **Sec. 15.40.240. Conditions for holding 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 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 election to be held on the date of the primary election or general election.

***Sec. 67.** AS 15.40.250 is amended to read:

1. **Sec. 15.40.250. Proclamation of special election.** The acting governor shall issue the proclamation at least 50 days before the election.

***Sec. 68.** AS 15.40.280 is amended to read:

1. **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 state in substance that which is required for nomination petitions by AS 15.25.180.

***Sec. 69.** AS 15.40.290 is reenacted to read:

1. **Sec. 15.40.290. 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 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. 70.** AS 15.40.300 is reenacted to read:

1. **Sec. 15.40.300. 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. 71.** AS 15.40.310 is amended to read:

1. **Sec. 15.40.310. General provisions for conduct of special election.** Unless specifically provided otherwise, all provisions regarding the conduct of the general election shall govern the conduct of the 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. 72.** AS 15.40.330 is amended to read:

1. Sec. 15.40.330. Qualification and confirmation of appointee.

1. 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, shall be a member of the same political party as that which nominated the predecessor in office, and shall be subject to confirmation by a majority of the members of the legislature who are members of the same political party which nominated 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 political party or if no other member of the predecessor's political party 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, the appointment is not subject to confirmation. If the appointee is a member of a political party, the appointment is subject to confirmation as provided by this section for the confirmation of political party appointees.
2. (b) A member of a political party is a person who supports the political program of a party. The filing for office of a candidate as an independent or no-party candidate does not preclude a candidate from being a member of a political party. Recognition of an independent or no-party candidate as a member of a party 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 party membership at the time filings were made by party candidates for the preceding general election.

***Sec. 73.** AS 15.40.380 is amended to read:

1. **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 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. 74.** AS 15.40.390 is amended to read:

1. **Sec. 15.40.390. Date of special election.** The special election to fill a vacancy in the state senate shall be held on the date of the first general election held more than three full calendar months after the senate vacancy occurs.

***Sec. 75.** AS 15.40.400 is amended to read:

1. **Sec. 15.40.400. Proclamation of special election.** The governor shall issue the proclamation calling the special election at least 50 days before the election.

***Sec. 76.** AS 15.40.440 is amended to read:

1. **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 state in substance that which is required in petitions for nomination by AS 15.25.180.

***Sec. 77.** AS 15.40.450 is reenacted to read:

1. **Sec. 15.40.450. 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. 78.** AS 15.40.460 is reenacted to read:

1. Sec. 15.40.460. 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 district committee or by any other party official designated by the party bylaws.

***Sec. 79.** AS 15.40.470 is amended to read:

1. Sec. 15.40.470. General provision for conduct of the special election. Unless specifically provided otherwise, all provisions regarding the conduct of the general election shall govern the conduct of the 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. 80.** AS 15.45.190 is amended to read:

1. 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, 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. 81.** AS 15.45.420 is amended to read:

1. 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, or primary election held more than 180 days after adjournment of the legislative session at which the act was passed.

***Sec. 82.** AS 15.58.010 is amended to read:

1. **Sec. 15.58.010. Election pamphlet.** Before each state general election, and before each state primary, special, or special runoff 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. 83.** AS 15.58.020(a)(13) is repealed.

***Sec. 84.** AS 15.58.020(b) is amended to read:

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

***Sec. 85.** AS 15.58.020(c) is repealed.

***Sec. 86.** AS 15.58.030(b) is amended to read:

1. (b) No 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 15.25.030 or 15.25.180 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. 87.** AS 15.80.010(9) is amended to read:

1. (9) “federal election” means a general, special, special runoff, 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. 88.** AS 15.80.010(27) is amended to read:

1. (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. 89.** AS 15.80.010(46) is repealed.

***Sec.90.** AS 39.50.020(b) is amended to read:

1. (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 15.25.180. 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. 91.** The uncoded law of the State of Alaska is amended by adding a new section to read:

TRANSITION; VOTER EDUCATION AS TO CHANGES MADE TO RETURN TO A TRADITIONAL VOTING SYSTEM.

For a period of not less than two calendar years immediately following the effective date of this Act, the director of elections shall, in a manner reasonably calculated to educate the public, inform voters of the changes made to the state's election systems in this Act.

STATE OF ALASKA
LIEUTENANT GOVERNOR
JUNEAU

CERTIFICATE

I, NANCY DAHLSTROM, LIEUTENANT GOVERNOR FOR THE STATE OF ALASKA, DO HEREBY CERTIFY, under the provisions of Article XI of the Constitution of the State of Alaska and under the provisions of AS 15.45, the initiative application for *"An Act to repeal a nonpartisan and open top four primary election system and ranked-choice general election system; and to reestablish a partisan political primary and change necessary and related appointment procedures; reestablish special runoff elections; and repeal and amend independent expenditure group requirements."* which was received on December 16, 2024 and known as 24ESEG.

I FURTHER CERTIFY that the proposed bill to be initiated is in the required form, that the application is substantially in the required form, and that there is a sufficient number of qualified sponsors.

In accordance with AS 15.45.090, I shall prepare a sufficient number of sequentially numbered petitions to allow full circulation throughout the state.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
hereto the Seal of the State of Alaska, at Juneau, the Capital,
This^{14th}..... day of February
2025
A. D.

A handwritten signature in black ink, reading "Nancy Dahlstrom".
.....
LIEUTENANT GOVERNOR

STATE OF ALASKA - DIVISION OF ELECTIONS
PETITION SUMMARY REPORT

PETITION TYPE : INITIATIVE

PETITION ID : 24ESEG

PETITION NAME : AN ACT TO REPEAL A NONPARTISAN AND OPEN TOP FOUR PRIMARY ELECTION SYSTEM AND
RANKED-CHOICE GENERAL ELECTION SYSTEM

REQUIRED SIGNATURES	34098	(A) ADDRESS NOT PROVIDED	21
		(D) DUPLICATE SIGNATURE	3141
NUMBER OF QUALIFIED	42837	(E) NO SIGN DATE PROVIDED	5
(Q) QUALIFIED	42795	(F) NO ID PROVIDED	573
(H) INACTIVE QUALIFIED	42	(I) INACTIVE NOT QUALIFIED	192
		(J) NOT IN JURISDICTION	
NUMBER OF UNQUALIFIED	5458	(K) SIGNED BEFORE REGISTERED	74
		(O) INVALID BOOKLET	
TOTAL SIGNATURES	48295	(P) PRINT NAME NO SIGNATURE	25
		(R) NOT REGISTERED	1398
		(W) SIGNER WITHDREW	1
		(Y) SIGN DATE AFTER BOOK CERT	28

DISTRICT	# SIG REQUIRED	QUALIFIED
01	607	1212
02	677	175
03	782	1277
04	653	954
05	567	875
06	844	1310
07	678	1958
08	761	2003
09	836	1126
10	619	841
11	695	950
12	600	896
13	534	854
14	525	844
15	657	1292
16	682	1057
17	546	816
18	339	342
19	355	612
20	513	745
21	638	1031
22	386	667
23	752	1370
24	713	1718
25	737	1656
26	664	1754
27	624	1766
28	653	1681
29	740	1863
30	727	1842
31	496	1008
32	413	613
33	623	1972
34	706	1146
35	686	1028
36	680	1162
37	311	144
38	286	69
39	302	77
40	235	82
97	0	49



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

1031 West 4th Avenue, Suite 200
Anchorage, AK 99501
Main: 907.269.5100
Fax: 907.276.3697

December 31, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
P.O. Box 110015
Juneau, Alaska 99811-0015

Re: *24ESEG Ballot Title and Summary*
AGO No. 2025200007

Dear Lieutenant Governor Dahlstrom:

The Attorney General's office assists you in preparing a title and proposition for an initiative that will appear on a ballot. As you complete your review of the petition for the initiative 24ESEG, we now propose a title and proposition.

A ballot proposition must be a "true and impartial summary of the proposed law," and the ballot title must "indicate the general subject of the proposition."¹ The title must be less than 25 words. The summary must have a word count less than 50 times the number of sections in the proposed bill, adhere to the readability policy described in AS 15.80.005, and ask whether the proposed bill should become law.²

The bill proposed by 24ESEG has 91 sections, which would allow a summary of up to 4,550 words, if that many words were required. Below is a ballot title with 13 words and a summary with 182 words. Using the readability formula described in AS 15.80.005(c), the summary has a score of 54.66. This is below the target score of 60, but the Alaska Supreme Court has upheld ballot summaries with lower scores.³ We submit this ballot title and summary for your consideration:

¹ AS 15.45.180(a).

² *Id.*; AS 15.45.180(b).

³ See *Pebble P'ship ex rel. Pebble Mines Corp. v. Parnell*, 215 P.3d 1064, 1082–84 (Alaska 2009).

An Act Restoring Political Party Primaries, Single-Choice General Elections, and Campaign Finance Rules

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. It would also bring back campaign finance rules.

Elections will occur as they did before open primaries and ranked choice voting. In the primary election, voters will choose a party's ballot. They will vote for one candidate in each race and the winning candidate will be the party's nominee. In the general election, voters will select one candidate in each race. The candidate with the most votes will win. Party petitions, special runoff elections, and other parts of the prior election system would return.

Campaign finance rules would also return to the way they were in the prior election system. This act would remove the limits on donations to joint campaigns for governor and lieutenant governor. It would remove limits and disclosure rules under current law, including for digital ads, out-of-state donations, undisclosed donations, and the true source of donations. It would remove some fines and change the meaning of a campaign expenditure.

Should this initiative become law?

Please contact us if we can further assist you in this matter.

Sincerely,

STEPHEN J. COX
ATTORNEY GENERAL

By:



Thomas Flynn
Chief Assistant Attorney General

ALASKA'S BETTER ELECTIONS INITIATIVE

AN INITIATIVE TO:

PROHIBIT THE USE OF DARK MONEY BY INDEPENDENT EXPENDITURE GROUPS WORKING TO INFLUENCE CANDIDATE ELECTIONS IN ALASKA AND REQUIRE ADDITIONAL DISCLOSURES BY THESE GROUPS; ESTABLISH A NONPARTISAN AND OPEN TOP FOUR PRIMARY ELECTION SYSTEM; CHANGE APPOINTMENT PROCEDURES FOR CERTAIN ELECTION BOARDS AND WATCHERS AND THE ALASKA PUBLIC OFFICES COMMISSION; ESTABLISH A RANKED-CHOICE GENERAL ELECTION SYSTEM; SUPPORT AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO ALLOW CITIZENS TO REGULATE MONEY IN ELECTIONS; REPEAL SPECIAL RUNOFF ELECTIONS; REQUIRE CERTAIN NOTICES IN ELECTION PAMPHLETS AND POLLING PLACES; AND AMEND THE DEFINITION OF POLITICAL PARTY.

A BILL BY INITIATIVE For an Act Entitled

"An Act prohibiting the use of dark money by independent expenditure groups working to influence candidate elections in Alaska and requiring additional disclosures by these groups; establishing a nonpartisan and open top four primary election system for election to state executive and state and national legislative offices; changing appointment procedures relating to precinct watchers and members of precinct election boards, election district absentee and questioned ballot counting boards, and the Alaska Public Offices Commission; establishing a ranked-choice general election system; supporting an amendment to the United States Constitution to allow citizens to regulate money in Alaska elections; repealing the special runoff election for the office of United States Senator and United States Representative; requiring certain written notices to appear in election pamphlets and polling places; and amending the definition of 'political party'."

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

***Section 1.** The uncoded 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, access, and choice.**
- (2) The people of Alaska hold that political power and influence should not be allocated based on wealth. Instead, reasonable limits on the role of money in elections are necessary to secure the equal rights of Alaskans and to protect the integrity of Alaska elections. Several rulings of the United States Supreme Court have erroneously changed the meaning of the First Amendment to the United States Constitution so as to empower unlimited spending as "free speech" without proper consideration of factors such as the danger of corruption and the undermining of self-governance in Alaska by the undue influence of wealth, including from outside the state. These mistaken Supreme Court decisions have invalidated longstanding anti-corruption laws in Alaska. Alaska shall now affirm the rights and powers of its citizens by prohibiting the use of**

ALASKA'S BETTER ELECTIONS INITIATIVE

dark money in its candidate elections and by supporting an amendment to the United States Constitution allowing citizens to regulate the raising and spending of money in elections.

- (3) The people of Alaska have the right to know in a timely manner the source, quantity, timing, and nature of resources used to influence candidate elections in Alaska. This right requires the prompt, accessible, comprehensible, and public disclosure of the true and original sources of funds used to influence these elections, and is essential to the rights of free speech, assembly, and petition guaranteed by the First Amendment to the United States Constitution and shall be construed broadly.
- (4) It is in the public interest of Alaska to adopt a primary election system that is open and nonpartisan, which will generate more qualified and competitive candidates for elected office, boost voter turnout, better reflect the will of the electorate, reward cooperation, and reduce partisanship among elected officials.
- (5) It is in the public interest of Alaska to adopt a general election system that reflects the core democratic principle of majority rule. A ranked-choice voting system will help ensure that the values of elected officials more broadly reflect the values of the electorate, mitigate the likelihood that a candidate who is disapproved by a majority of voters will get elected, encourage candidates to appeal to a broader section of the electorate, allow Alaskans to vote for the candidates that most accurately reflect their values without risking the election of those candidates that least accurately reflect their values, encourage greater third-party and independent participation in elections, and provide a stronger mandate for winning candidates.

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

(c) An election supervisor shall appoint one nominee of the political party or political group with the largest number of registered voters at the time of the preceding gubernatorial election [OF WHICH THE GOVERNOR IS A MEMBER] and one nominee of the political party or political group with [THAT RECEIVED] the second largest number of registered voters at the time of [VOTES STATEWIDE IN] the preceding gubernatorial election. 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 [IF] a party district committee or state party central committee of the party or group with the largest number of registered voters [OF WHICH THE GOVERNOR IS A MEMBER] or the party or group with [THAT RECEIVED] the second largest number of registered voters at the time of [VOTES STATEWIDE IN] 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

ALASKA'S BETTER ELECTIONS INITIATIVE

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 AS15.40.141,] 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 or political groups with the largest number of registered voters at the time of [WHOSE CANDIDATE FOR GOVERNOR RECEIVED THE HIGHEST NUMBER OF VOTES IN] 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 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 15.13.040(j)(3) is amended to read:

(3) for all contributions described in (2) of this subsection, the name, address, date, and amount contributed by each contributor, [AND] for all contributions described in (2) of this subsection in excess of \$250 in the aggregate during a calendar year, the principal occupation and employer of the contributor, and for all contributions described in (2) of this subsection in excess of \$2,000 in the aggregate during a calendar year, the true source of such contributions and all intermediaries, if any, who transferred such funds, and a certification from the treasurer that the report discloses all of the information required by this paragraph.

ALASKA'S BETTER ELECTIONS INITIATIVE

***Sec. 7.** AS 15.13.040 is amended by adding a new subsection to read:

(s) Every individual, person, nongroup entity, or group that contributes more than \$2,000 in the aggregate in a calendar year to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle shall report making the contribution or contributions on a form prescribed by the commission not later than 24 hours after the contribution that requires the contributor to report under this subsection is made. The report must include the name, address, principal occupation, and employer of the individual filing the report and the amount of the contribution, as well as the total amount of contributions made to that entity by that individual, person, nongroup entity, or group during the calendar year. For purposes of this subsection, the reporting contributor is required to report and certify the true sources of the contribution, and intermediaries, if any, as defined by AS 15.13.400(18). This contributor is also required to provide the identity of the true source to the recipient of the contribution simultaneously with providing the contribution itself.

***Sec. 8.** AS 15.13.070 is amended by adding a new subsection to read:

(g) Where contributions are made to a joint campaign for governor and lieutenant governor,

- (1) An individual may contribute not more than \$1,000 per year; and
- (2) A group may contribute not more than \$2,000 per year.

***Sec. 9.** AS 15.13.074(b) is amended to read:

(b) A person or group may not make a contribution anonymously, using a fictitious name, or using the name of another. **Individuals, persons, nongroup entities, or groups subject to AS 15.13.040(s) may not contribute or accept \$2,000 or more of dark money as that term is defined in AS 15.13.400(17), and may not make a contribution while acting as an intermediary without disclosing the true source of the contribution as defined in AS 15.13.400(18).**

***Sec. 10.** AS 15.13.074(c) is amended to read:

(c) A person or group may not make a contribution

(1) to a candidate or an individual who files with the commission the document necessary to permit that individual to incur certain election-related expenses as authorized by AS 15.13.100 when the office is to be filled at a general election before the date that is 18 months before the general election;

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

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

ALASKA'S BETTER ELECTIONS INITIATIVE

(A) after the date of the primary or special primary election if the candidate was [ON THE BALLOT AND WAS] not chosen to appear on the general or special election ballot [NOMINATED] at the primary or special primary election; or

(B) after the date of the general or special election, or after the date of a municipal or municipal runoff election.

***Sec. 11.** AS 15.13.090(c) is amended to read:

(c) To satisfy the requirements of (a)(1) of this section and, if applicable, (a)(2)(C) of this section, a communication that includes a print or video component must have the following statement or statements placed in the communication so as to be easily discernible, and in a broadcast, cable, satellite, internet or other digital communication the statement must remain onscreen throughout the entirety of the communication; the second statement is not required if the person paying for the communication has no contributors or is a political party:

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

***Sec. 12.** AS 15.13.090 is amended by adding a new subsection to read:

(g) To satisfy the requirements of (a)(1) of this section and, if applicable, (a)(2)(C) of this section, a communication paid for by an outside-funded entity as that term is defined in AS 15.13.400(19) that includes a print or video component must have the following statement placed in the communication so as to be easily discernible, and in a broadcast, cable, satellite, internet or other digital communication the statement must remain onscreen throughout the entirety of the communication; the statement is not required if the outside entity paying for the communication has no contributors or is a political party: "A MAJORITY OF CONTRIBUTIONS TO (OUTSIDE-FUNDED ENTITY'S NAME) CAME FROM OUTSIDE THE STATE OF ALASKA."

***Sec. 13.** AS 15.13.110(f) is amended to read:

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

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

(2) [A PERSON WHO HAS FILED A NOMINATING PETITION UNDER AS15.25.140 - 15.25.200 TO BECOME A CANDIDATE AT THE GENERAL ELECTION FOR ELECTIVE STATE EXECUTIVE OR LEGISLATIVE OFFICE;

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

(3) [(4)] a group or nongroup entity that receives contributions or makes expenditures on behalf of or in opposition to a person described in (1) or (2) [(1) - (3)] of this subsection, except as provided for certain independent expenditures by nongroup entities in AS 15.13.135(a).

ALASKA'S BETTER ELECTIONS INITIATIVE

***Sec. 14.** AS 15.13.110 is amended by adding a new subsection to read:

(k) Once contributions from an individual, person, nongroup entity, or group to an entity that made one or more independent expenditures in one or more candidate elections in the previous election cycle, that is making one or more independent expenditures in one or more candidate elections in the current election cycle, or that the contributor knows or has reason to know is likely to make independent expenditures in one or more candidate elections in the current election cycle exceed \$2,000 in a single year, that entity shall report that contribution, and all subsequent contributions, not later than 24 hours after receipt. For purposes of this subsection, the entity is required to certify and report the true source, and all intermediaries if any, of the contribution as defined by AS 15.13.400(18).

***Sec. 15.** AS 15.13.390(a) is amended to read:

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

(2) A person who, whether as a contributor or intermediary, delays in reporting a contribution as required by AS 15.13.040(s) is subject to a civil penalty of not more than \$1,000 a day for each day the delinquency continues as determined by the commission subject to right of appeal to the superior court;

(3) A person who, whether as a contributor or intermediary, misreports or fails to disclose the true source of a contribution in violation of AS 15.13.040(s) or AS 15.13.074(b) is subject to a civil penalty of not more than the amount of the contribution that is the subject of the misreporting or failure to disclose. Upon a showing that the violation was intentional, a civil penalty of not more than three times the amount of the contribution in violation may be imposed. These penalties as determined by the commission are subject to right of appeal to the superior court;

(4) A person who violates a provision of this chapter, except [A PROVISION REQUIRING REGISTRATION OR FILING OF A REPORT WITHIN A TIME REQUIRED] as otherwise specified in this section, is subject to a civil penalty of not more than \$50 a day for each day the violation continues as determined by the commission, subject to right of appeal to the superior court[.]; **and**

(5) An affidavit stating facts in mitigation may be submitted to the commission by a person against whom a civil penalty is assessed. However, the imposition of the penalties prescribed in this section or in AS 15.13.380 does not excuse that person from registering or filing reports required by this chapter.

***Sec. 16.** AS 15.13.400(4) is amended to read:

(4) "contribution"

ALASKA'S BETTER ELECTIONS INITIATIVE

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

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

(ii) influencing a ballot proposition or question; or

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

(B) does not include

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

(ii) ordinary hospitality in a home;

(iii) two or fewer mass mailings before each election by each political party describing **members of the party running as candidates for public office in that election** [THE PARTY'S SLATE OF CANDIDATES FOR ELECTION], which may include photographs, biographies, and information about the [PARTY'S] candidates;

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

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

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

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

***Sec. 17.** AS 15.13.400 is amended by adding a new paragraph to read:

(17) "dark money" means a contribution whose source or sources, whether from wages, investment income, inheritance, or revenue generated from selling goods or services, is not disclosed to the public. Notwithstanding the foregoing, to the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source.

***Sec. 18.** AS 15.13.400 is amended by adding a new paragraph to read:

(18) "true source" means the person or legal entity whose contribution is funded from wages, investment income, inheritance, or revenue generated from selling goods or services. A person or legal entity who derived funds via contributions, donations, dues, or gifts is not the true source, but rather an intermediary for the true source. Notwithstanding the foregoing, to

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the extent a membership organization receives dues or contributions of less than \$2,000 per person per year, the organization itself shall be considered the true source.

***Sec. 19.** AS 15.13.400 is amended by adding a new paragraph to read:

(19) "outside-funded entity" means an entity that makes one or more independent expenditures in one or more candidate elections and that, during the previous 12-month period, received more than 50 percent of its aggregate contributions from true sources, or their equivalents, who, at the time of the contribution, resided or had their principal place of business outside Alaska.

***Sec. 20.** AS 15.15 is amended by adding a new section to read:

Sec. 15.15.005. Top four nonpartisan open primary. A voter qualified under AS 15.05 may cast a vote for any candidate for each elective state executive and state and national legislative office, without limitations based on the political party or political group affiliation of either the voter or the candidate.

***Sec. 21.** 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. If a candidate is registered as affiliated with a political party or political group, the [THE] party affiliation, if any, may [SHALL] 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. 22.** AS 15.15.030 is amended by adding new paragraphs to read:

(14) The director shall include the following statement on the ballot:

A candidate's designated affiliation does not imply that the candidate is nominated or endorsed by the political party or group or that the party or group approves of or associates with that candidate, but only that the candidate is registered as affiliated with the political party or political group.

(15) Instead of the statement provided by (14) of this section, when candidates for President and Vice-President of the United States appear on a general election ballot, the director shall include the following statement on the ballot:

A candidate's designated affiliation does not imply that the candidate is nominated or endorsed by the political party or political group or that the political party or political group approves of or associates with that candidate, but only that the candidate is registered as affiliated with the party or group. The election for President and Vice-President of the United States is different. Some candidates for President and Vice-President are the official nominees of their political party.

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(16) The director shall design the general election ballots so that the candidates are selected by ranked-choice voting.

(17) The director shall design the general election ballot to direct the voter to mark candidates in order of preference and to mark as many choices as the voter wishes, but not to assign the same ranking to more than one candidate for the same office.

***Sec. 23.** AS 15.15.060 is amended by adding a new subsection to read:

(e) In each polling place, the director shall require to be posted, in a location conspicuous to a person who will be voting, the following notice, written in bold:

A candidate's designated affiliation does not imply that the candidate is nominated or endorsed by the political party or group or that the party or group approves of or associates with that candidate, but only that the candidate is registered as affiliated with the party or group.

***Sec. 24.** AS 15.15.350 is amended by adding new subsections to read:

(c) All general elections shall be conducted by ranked-choice voting.

(d) When counting ballots in a general election, the election board shall initially tabulate each validly cast ballot as one vote for the highest-ranked continuing candidate on that ballot or as an inactive ballot. If a candidate is highest-ranked on more than one-half of the active ballots, that candidate is elected and the tabulation is complete. Otherwise, tabulation proceeds in sequential rounds as follows:

(1) if two or fewer continuing candidates remain, the candidate with the greatest number of votes is elected and the tabulation is complete; otherwise, the tabulation continues under (2) of this subsection;

(2) the candidate with the fewest votes is defeated, votes cast for the defeated candidate shall cease counting for the defeated candidate and shall be added to the totals of each ballot's next-highest-ranked continuing candidate or considered an inactive ballot under (g)(2) of this section, and a new round begins under (1) of this subsection.

(e) When counting general election ballots,

(1) a ballot containing an overvote shall be considered an inactive ballot once the overvote is encountered at the highest ranking for a continuing candidate;

(2) if a ballot skips a ranking, then the election board shall count the next ranking. If the next ranking is another skipped ranking, the ballot shall be considered an inactive ballot once the second skipped ranking is encountered; and

(3) In the event of a tie between the final two continuing candidates, the procedures in AS 15.15.460 and AS 15.20.430 - 15.20.530 shall apply to determine the winner of the general election. In the event of a tie between two candidates with the fewest votes, the tie shall be resolved by lot to determine which candidate is defeated.

(f) The election board may not count an inactive ballot for any candidate.

(g) In this section,

(1) "continuing candidate" means a candidate who has not been defeated;

(2) "inactive ballot" means a ballot that is no longer tabulated, either in whole or in part, by the division because it does not rank any continuing candidate, contains an

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overvote at the highest continuing ranking, or contains two or more sequential skipped rankings before its highest continuing ranking;

(3) "overvote" means an instance where a voter has assigned the same ranking to more than one candidate;

(4) "ranking" or "ranked" means the number assigned by a voter to a candidate to express the voter's choice for that candidate; a ranking of "1" is the highest ranking, followed by "2," and then "3," and so on;

(5) "round" means an instance of the sequence of voting tabulation in a general election;

(6) "skipped ranking" means a blank ranking on a ballot on which a voter has ranked another candidate at a subsequent ranking.

***Sec. 25.** 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)~~ [(5)] 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.

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

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

~~(7)~~ [(8)] 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. 26.** 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

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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, and 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, telegram, 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 [ASSURE] 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. 27.** 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 nominated or elected, as applicable, [A CANDIDATE AS ELECTED TO THAT OFFICE] 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. 28.** AS 15.20.081(a) is amended to read:

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

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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. 29.** AS 15.20.081(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. 30.** 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 **or political group with the largest number of registered voters at the time of the preceding gubernatorial election** [OF WHICH THE GOVERNOR IS A MEMBER], and at least one member of each board must be a member of the political party **or political group with the second largest number of registered voters at the time of** [WHOSE CANDIDATE FOR GOVERNOR RECEIVED THE SECOND LARGEST NUMBER OF VOTES IN] 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. 31.** 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];

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(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. 32.** 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. 33.** 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. 34.** 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. 35.** AS 15.20.211(d) is amended to read:

(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. 36.** AS 15.20.211(f) is amended to read:

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(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. 37.** 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 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 [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 15.25.014. 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 15.25.014].

***Sec. 38.** AS 15.25.030(a) is amended to read:

(a) A person [MEMBER OF A POLITICAL PARTY] 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 or political group with whom 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 [OF WHICH THE PERSON IS A CANDIDATE FOR NOMINATION];
- (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;

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- (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 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 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;
 - (16) 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.**
- [(16) THAT THE CANDIDATE IS REGISTERED TO VOTE AS A MEMBER OF THE POLITICAL PARTY WHOSE NOMINATION IS BEING SOUGHT].

***Sec. 39.** AS 15.25.060 is repealed and reenacted to read:

Sec. 15.25.060. Preparation and distribution of ballots. The primary election ballots shall be prepared and distributed by the director in the manner prescribed for general election ballots except as specifically provided otherwise for the primary election. The director shall prepare and provide a primary election ballot that contains all of the candidates 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.

***Sec. 40.** AS 15.25.100 is repealed and reenacted to read:

Sec. 15.25.100. Placement of candidates on general election ballot. (a) Except as provided in (b)-(g) of this section, of the names of candidates that appear on the primary

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election ballot under AS 15.25.010, the director shall place on the general election ballot only the names of the four candidates receiving the greatest number of votes for an office. For purposes of this subsection and (b) of this section, candidates for lieutenant governor and governor are treated as a single paired unit.

(b) If two candidates tie in having the fourth greatest number of votes for an office in the primary election, the director shall determine under (g) of this section which candidate's name shall appear on the general election ballot.

(c) Except as otherwise provided in (d) of this section, if a candidate nominated at the primary election dies, withdraws, resigns, becomes disqualified from holding 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 shall be filled by the director by replacing the withdrawn candidate with the candidate who received the fifth most votes in the primary election.

(d) If the withdrawn, resigned, deceased, disqualified, or incapacitated candidate was a candidate for governor or lieutenant governor, the replacement candidate is selected by the following process:

(1) if the withdrawn, resigned, deceased, disqualified, or incapacitated candidate was the candidate for governor, that candidate's lieutenant governor running mate becomes the candidate for governor, thereby creating a vacancy for the lieutenant governor candidate;

(2) when any vacancy for the lieutenant governor candidate occurs, the candidate for governor shall select a qualified running mate to be the lieutenant governor candidate and notify the director of that decision.

(e) The director shall place the name of the persons selected through this process as candidates for governor and lieutenant governor on the general election ballot.

(f) For a candidate to be certified as incapacitated under (c) of this section, a panel of three licensed physicians, not more than two of whom may be of the same party, shall provide the director with a sworn statement that the candidate is physically or mentally incapacitated to an extent that would, in the panel's judgment, prevent the candidate from active service during the term of office if elected.

(g) If the director is unable to make a determination under this section because the candidates received an equal number of votes, the determination may be made by lot under AS 15.20.530.

***Sec. 41.** 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;

(4) the [NAME OF THE] political party or political group with whom the candidate is registered as affiliated, or whether the candidate would prefer a

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nonpartisan or undeclared designation. [OF WHICH THE CANDIDATE IS A MEMBER, IF ANY];

(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. 42.** 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. 43.** 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. 44.** 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 **to be held on a date not less**

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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 [UNDER AS 15.40.142(a)]. 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, the [IN THE GENERAL ELECTION YEAR DURING WHICH A CANDIDATE TO FILL THE OFFICE IS REGULARLY ELECTED, THE GOVERNOR MAY NOT CALL A] 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.

*Sec. 45. 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 15.40.141(a), SPECIAL RUNOFF ELECTION].

*Sec. 46. 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 15.40.141, 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.

*Sec. 47. 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 15.40.141, 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. 48. 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 must be executed under oath, [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] state in substance that which is required for a declaration of candidacy

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under AS 15.25.030, and include the fee required under AS 15.25.050(a) [NOMINATION PETITIONS BY AS 15.25.180].

*Sec. 49. 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. 50. AS 15.40.230 is amended to read:

Sec. 15.40.230. Condition and time of calling special primary election 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. 51. 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 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. [IN YEARS IN WHICH A GOVERNOR IS REGULARLY ELECTED] 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. 52. AS 15.40.250 is amended to read:

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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. 53.** 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 must be executed under oath. [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] state in substance that which is required for a declaration of candidacy under AS 15.25.030, and include the fee required under AS 15.25.050(a) [NOMINATION PETITIONS BY AS 15.25.180].

***Sec. 54.** 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. 55.** 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 Sec. 2, art. II, of the state constitution, 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 or political group as [WHICH NOMINATED] the predecessor in office and of the same house as was the predecessor in office. If the predecessor in office was not a member of [NOMINATED BY] 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 absence of a political party or political group designation after a candidate's name on an election ballot [FILING FOR OFFICE OF A

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CANDIDATE AS AN INDEPENDENT OR NO-PARTY CANDIDATE] does not preclude a candidate from being a member of a political party or political group. Recognition of a [AN INDEPENDENT OR NO-PARTY] 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 for the purposes of confirmation under this section [AT THE TIME FILINGS WERE MADE BY PARTY CANDIDATES FOR THE PRECEDING GENERAL ELECTION].

***Sec. 56.** 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. 57.** 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 primary [GENERAL] election held more than 60 days [THREE FULL CALENDAR MONTHS] after the senate vacancy occurs, and the special election shall be held on the date of the first general election thereafter.

***Sec. 58.** 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. 59.** 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 a declaration of candidacy under AS 15.25.030, and include the fee required under AS 15.25.050(a) [PETITIONS FOR NOMINATION BY AS 15.25.180].

***Sec. 60.** 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

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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. 61.** 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 primary [RUNOFF], 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. 62.** 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 primary [RUNOFF], or primary election held more than 180 days after adjournment of the legislative session at which the act was passed.

***Sec. 63.** 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 primary [RUNOFF] 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. 64.** AS 15.58.020(a) is amended by adding a new paragraph to read:

- (13) the following statement written in bold in a conspicuous location:

Each candidate may designate the political party or political group that the candidate is registered as affiliated with. A candidate's political party or political group designation on a ballot does not imply that the candidate is nominated or endorsed by the party or political group or that the party or group approves of or associates with that candidate.

In each race, you may vote for any candidate listed. If a primary election was held for a state office, United States senator, or United States representative, the four candidates who received the most votes for the office in the primary election advanced to the general election. However, if one of the four candidates who received the most votes for an office at the primary election died, withdrew, resigned, was disqualified, or was certified as incapacitated 64 days or more before the general election, the candidate who received the fifth most votes for the office advanced to the general election.

At the general election, each candidate will be selected through a ranked-choice voting process and the candidate with the greatest number of votes will be

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elected. For a general election, you must rank the candidates in the numerical order of your preference, ranking as many candidates as you wish. Your second, third, and subsequent ranked choices will be counted only if the candidate you ranked first does not receive enough votes to continue on to the next round of counting, so ranking a second, third, or subsequent choice will not hurt your first-choice candidate. Your ballot will be counted regardless of whether you choose to rank one, two, or more candidates for each office, but it will not be counted if you assign the same ranking to more than one candidate for the same office.

***Sec. 65.** AS 15.58.020(b) is amended to read:

(b) Each primary, special, or special **primary** [RUNOFF] 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 **primary** [RUNOFF] election ballot.

***Sec. 66.** AS 15.58.020 is amended by adding a new subsection to read:

(c) Notwithstanding (a) of this section, if a pamphlet is prepared and published under AS 15.58.010 for a

(1) primary election, the pamphlet must contain the following statement written in bold in a conspicuous location, instead of the statement provided by (a)(13) of this section:

In each race, you may vote for any candidate listed. The four candidates who receive the most votes for a state office, United States senator, or United States representative will advance to the general election. However, if, after the primary election and 64 days or more before the general election, one of the four candidates who received the most votes for an office at the primary election dies, withdraws, resigns, is disqualified, or is certified as incapacitated, the candidate who received the fifth most votes for the office will advance to the general election.

Each candidate may designate the political party or political group that the candidate is registered as affiliated with. A candidate's political party or political group designation on a ballot does not imply that the candidate is nominated or endorsed by the party or group or that the party or group approves of or associates with that candidate;

(2) a special primary election, the pamphlet must contain the following statement written in bold in a conspicuous location, instead of the statement provided by (a)(13) of this section:

In each race, you may vote for any candidate listed. The four candidates who receive the most votes for a state office or United States senator will advance to the special election. However, if, after the special primary election and 64 days or more before the special election, one of the four candidates who received the most votes for a state office or United States senator at the primary election dies, withdraws, resigns, is disqualified, or is certified as incapacitated, the

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candidate who received the fifth most votes for the office will advance to the general election. Each candidate may designate the political party or political group that the candidate is registered as affiliated with. A candidate's political party or political group designation on a ballot does not imply that the candidate is nominated or endorsed by the party or group or that the party or group approves of or associates with that candidate.

***Sec. 67.** AS 15.58.030(b) is amended to read:

(b) Not [NO] 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 15.25.030 [OR 15.25.180] 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. 68.** AS 15.80.010(9) is amended to read:

(9) "federal election" means a general, special, special primary [RUNOFF], 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. 69.** 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. 70.** AS 15.80.010 is amended by adding a new paragraph to read:

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(46) "ranked-choice voting" means, in a general election, the method of casting and tabulating votes in which voters rank candidates in order of preference and in which tabulation proceeds in sequential rounds in which (a) a candidate with a majority in the first round wins outright, or (b) last-place candidates are defeated until there are two candidates remaining, at which point the candidate with the greatest number of votes is declared the winner of the election.

***Sec. 71.** 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 15.25.180]. 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. 72.** AS 15.25.014, 15.25.056, 15.25.110, 15.25.120, 15.25.130, 15.25.140, 15.25.150, 15.25.160, 15.25.170, 15.25.180, 15.25.185, 15.25.190, 15.25.200; AS 15.40.141, 15.40.142, 15.40.150, 15.40.200, 15.40.210, 15.40.290, 15.40.300, 15.40.450, and 15.40.460 are repealed.

***Sec. 73.** The provisions of this act are independent and severable. If any provision of this act, or the applicability of any provision to any person or circumstance, shall be held to be invalid by a court of competent jurisdiction, the remainder of this act shall not be affected and shall be given effect to the fullest extent possible.

***Sec. 74.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION; VOTER EDUCATION AS TO CHANGES MADE TO STATE ELECTION SYSTEMS THROUGH ADOPTION OF A RANKED-CHOICE VOTING SYSTEM.

For a period of not less than two calendar years immediately following the effective date of this Act, the director of elections shall, in a manner reasonably calculated to educate the public, inform voters of the changes made to the state's election systems in this Act.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Law

CIVIL DIVISION

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February 14, 2025

The Honorable Nancy Dahlstrom
Lieutenant Governor
P.O. Box 110015
Juneau, Alaska 99811-0015

Re: *24ESEG Ballot Measure Application Review*
AGO No. 2025200007

Dear Lieutenant Governor Dahlstrom:

You asked us to review an initiative application for a proposed bill entitled:

An Act to repeal a nonpartisan and open top four primary election system and ranked-choice general election system; and to reestablish a partisan political primary and change necessary and related appointment procedures; reestablish special runoff elections; and repeal and amend independent expenditure group requirements. (24ESEG).

We review initiatives to ensure they meet all constitutional and statutory requirements, without considering the merits of any initiative. Like 22AKHE, an initiative that failed to pass in the 2024 general election, this initiative would in effect reverse many provisions of 19AKBE, an initiative that passed in the 2020 general election. Because this initiative is like these previous initiatives, the application is in the proper form, and both the proposed bill and the application comply with the constitutional and statutory provisions governing initiatives, we recommend that you certify this application.

I. The proposed bill

The bill proposed by this initiative has 91 sections. Precisely what the bill would change is not entirely clear because it does not follow the usual format for proposed legislation, where text to be added is bold and underlined, text to be deleted is in brackets

and all capital letters, and statutes are not simply “reenacted.”¹ Nevertheless, we have done our best to understand the intent of each section as though it followed the legislative drafting conventions. If this initiative were to pass, the Revisor of Statutes would have the authority to consolidate the proposed bill into the Alaska Statutes without changing the meaning of any law.²

The proposed bill appears to be a repeal of most of 19AKBE. It would eliminate open, non-partisan primary elections and ranked-choice general elections, reinstate partisan primaries and single-choice general elections, and also reverse several changes to campaign finance disclosure requirements.

Section 1 purports to amend AS 15.10.120(c) but includes both the text deleted and added by 19AKBE without any indication what would be deleted or added by the proposed bill. We suspect the sponsors intended to reinstate the previous requirements for election board members. If so, the election supervisor would appoint one nominee from the political party of which the governor is a member and one nominee from the political party that received the second largest number of votes for governor.

Section 2 would reverse 19AKBE’s changes to the poll watcher statute by allowing candidates not representing political parties to appoint one poll watcher. It would also make conforming changes to account for the return of special runoff elections.

Section 3 would reinstate the requirements for certain appointees to the Alaska Public Offices Commission. As before 19AKBE, the governor would appoint two members of each of the two political parties whose candidate for governor received the highest number of votes.

Section 4 would repeal AS 15.13.040(s), the statute that defines “director” and “officer” as those words appear in AS 15.13.040(e).

Section 5 would repeal AS 15.13.070(g), which limits contributions to a joint campaign for governor and lieutenant governor to \$1,000 annually for an individual and \$2,000 annually for a group.

Section 6 would amend AS 15.13.074(b) to remove limits and disclosure requirements relating to dark money and true sources.

Section 7 would make conforming changes necessitated by the return of partisan primaries.

¹ See AS 24.08.060(a); *Manual of Legislative Drafting*, 18-19 (2023).

² See AS 01.05.031.

Section 8 would remove the requirement that the paid-for-by disclaimers in a broadcast, cable, satellite, internet, or other digital communication.

Section 9 would repeal AS 15.13.090(g), the subsection requiring an additional disclaimer on certain advertisements funded by an outside-funded entity.

Section 10 would make conforming changes necessitated by the reenactment of the nominating petition process.

Section 11 would repeal AS 15.13.110(k), the disclosure requirement for certain contributions that exceed \$2,000 annually.

Section 12 would amend AS 15.13.390(a) to remove fines for certain disclosure violations.

Section 13 would not change existing law.

Section 14 would make conforming changes necessitated by the reversion back to a partisan primary system.

Section 15 intends to amend the definition of “expenditure,” codified at AS 15.13.400(7), not (6). The definition would expressly exclude “goods or services which are ordinarily available to the general public at no charge.” This does not reverse a change made by 19AKBE.

Section 16 would repeal AS 15.13.400(18), the definition of “publicly funded entity” and AS 15.13.400(19), the definition of “true source” as those terms are used in AS 15.13.

Section 17 purports to repeal AS 15.15.005, but this statute does not exist. 19AKBE identified a section providing for nonpartisan, open primaries as AS 15.15.005, but that section is now codified at AS 15.15.025.

Section 18 would repeal AS 15.15.025, providing for nonpartisan, open primaries.

Section 19 purports to amend AS 15.15.030(5) but also includes both the text deleted and added by 19AKBE. Presumably, this section would reinstate the party designation requirements, where a candidate’s party affiliation, if any, would be placed after the candidate’s name on the ballot.

Section 20 would repeal AS 15.15.030(14) and (15), requiring statements on the ballot about candidates' designated affiliations and AS 15.15.030(16) and (17), concerning the design of ranked-choice general election ballots.

Section 21 would repeal AS 15.15.060(e), requiring a statement at polling places about candidates' designated affiliations.

Section 22 would repeal AS 15.15.350(c), (d), (e), (f), and (g), providing for ranked-choice general elections.

Section 23 would reverse the changes to the ballot counting requirements that had been necessitated by ranked-choice voting. Voters would no longer rank candidates in a general election.

Sections 24-25 would make conforming changes to the precinct ballot count and election certification processes.

Section 26 would make conforming changes to account for the return of special runoff elections and the repeal of nonpartisan primary elections.

Section 27 would reinstate the requirements for district absentee ballot counting board members. The election supervisor would appoint one nominee from the political party of which the governor is a member and one nominee of the political party that received the second largest number of votes for governor.

Sections 28-33 would make conforming changes to account for the return of special runoff elections and the repeal of nonpartisan primary elections.

Sections 34-35 would reinstate partisan primary elections in their prior form, including the requirements that political parties preclear their bylaws with the Department of Justice and submit them to the Division of Elections.

Section 36 would reinstate the requirements for declarations of candidacy to account for partisan primaries, in which the governor and lieutenant governor would run separately.

Section 37 would reinstate the party petition process to replace an unopposed incumbent who dies or is disqualified or incapacitated.

Section 38 would reenact the prior process for the distribution of primary ballots.

Section 39 would reenact the prior process for placing political party nominees on the general election ballot.

Section 40 would reinstate the requirement that write-in candidates state their political party or group membership, if any, in their letters of intent.

Section 41 would reinstate the requirement that joint write-in candidates for governor and lieutenant governor must be of the same political party.

Sections 42-52 would reinstate the party petition process to replace a nominee who has died, withdrawn, resigned, or become disqualified or incapacitated.

Section 53 would make conforming changes required by the repeal of ranked-choice voting.

Sections 54-64 would reinstate the special election and special runoff election processes to fill a vacancy in the office of United States senator or representative.

Sections 65-71 would reinstate the special election process to fill a vacancy in the office of governor.

Section 72 would reinstate the requirements and confirmation process for appointees to fill vacancies in the state legislature.

Sections 73-79 would reinstate the special election process to fill a vacancy in the state senate if more than two years and five months remain in the term.

Sections 80-82 would make conforming changes to account for the return of special runoff elections.

Section 83 would repeal AS 15.58.020(a)(13), which requires a statement about open primaries and ranked choice voting in the general election pamphlet.

Section 84 would make conforming changes to account for the return of the special runoff elections.

Section 85 would repeal AS 15.58.020(c), which requires a statement about open primaries and ranked choice voting in the primary or special primary election pamphlet.

Section 86 would make conforming changes to account for the return of the party petition process.

Section 87 would make conforming changes to account for the return of special runoff elections.

Section 88 would restore a prior definition of “political party” to allow parties to qualify based on votes cast for their nominated candidate or voters registered to their party.

Section 89 would repeal AS 15.80.010(46) defining “voter registration agency.” The sponsors may have intended to repeal AS 15.80.010(34) defining “ranked-choice voting.”

Section 90 would make a conforming change to account for the return of the party petition process.

Section 91 would add a new section of uncodified law requiring the director of elections for two years to make efforts to inform voters of the changes made to the state’s elections process under this initiative bill.

II. Analysis

Under AS 15.45.070, the lieutenant governor must review an initiative application within 60 calendar days of receipt and “certify it or notify the initiative committee of the grounds for denial.” The Division of Elections received the application for 24ESEG on December 16, 2024. Sixty calendar days later is February 14, 2025.

In evaluating an initiative application, the lieutenant governor must determine whether it is in the “proper form.”³ Under AS 15.45.080, the lieutenant governor must deny certification if “(1) the proposed bill to be initiated is not confined to one subject or is otherwise not in the required form; (2) the application is not substantially in the required form; or (3) there is an insufficient number of qualified sponsors.” This means the lieutenant governor must decide whether the application complies with “the legal procedures for placing an initiative on the ballot, and whether the initiative contains statutorily or constitutionally prohibited subjects which should not reach the ballot.”⁴ This requires consideration of both the form of the proposed bill and the form of the application.

³ Alaska Const. art. XI, § 2.

⁴ *McAlpine v. Univ. of Alaska*, 762 P.2d 81, 87 n.7 (Alaska 1988).

A. Form of the proposed bill

The form of a proposed bill is prescribed by AS 15.45.040, which requires that (1) the bill be confined to one subject; (2) the subject be expressed in the title; (3) the bill contain an enacting clause that states, “Be it enacted by the People of the State of Alaska”; and (4) the bill includes no prohibited subjects. The lieutenant governor may deny certification if a proposed bill does not meet these requirements or if “controlling authority establishes its unconstitutionality.”⁵ The bill proposed by 24ESEG meets all four of these requirements and it is not clearly unconstitutional under existing authority.

First, the bill is confined to one subject: election reform. The proposed bill would largely reverse 19AKBE by repealing the open, nonpartisan primary, the ranked-choice general election, and the campaign finance disclosure provisions. The Lieutenant Governor, on advice from this office, initially denied the application for 19AKBE because the proposed bill contained three subjects (open primary, ranked-choice voting, and campaign finance disclosure) and was therefore not confined to one subject.⁶ The Alaska Supreme Court reversed, holding that all three topics were confined to the subject of election reform.⁷ Because the bill proposed by 24ESEG includes the same three topics, it complies with the single-subject rule.

Second, the proposed bill includes a title that expresses the subject. The title specifies the bill’s changes to primary and general elections and alludes to campaign finance requirements. To the extent the title does not specify the changes to campaign finance disclosure requirements, bill titles should be construed liberally in favor of validity.⁸

Third, the proposed bill includes the requisite enacting language.

Fourth, the bill does not include any prohibited subjects. Under article XI, section 7 of the Alaska Constitution and AS 15.45.010, a proposed bill may not dedicate revenue; make or repeal appropriations; create courts, define their jurisdiction, or

⁵ *Kohlhaas v. State, Off. of Lieutenant Governor*, 147 P.3d 714, 717 (Alaska 2006) (quoting *Kodiak Island Borough v. Mahoney*, 71 P.3d 896, 900 (Alaska 2003)); *State v. Vote Yes for Alaska’s Fair Share*, 478 P.3d 679, 690 n.58 (Alaska 2021).

⁶ 2019 Op. Alaska Att’y Gen. (Aug. 29), 2019 WL 4239852, at *10.

⁷ *Meyer v. Alaskans for Better Elections*, 465 P.3d 477, 498 (Alaska 2020).

⁸ *Griffin v. Sheldon*, 78 F. Supp. 466, 469 (D. Alaska 1948), *rev’d on other grounds*, 174 F.2d 382 (9th Cir. 1949).

prescribe their rules; or enact local or special legislation. As with 19AKBE, the bill proposed by 24ESEG does not include any of the prohibited subjects.⁹

Finally, the proposed bill is not clearly unconstitutional under existing authority. While the lieutenant governor's certification decision does not involve a comprehensive, pre-election review of the constitutionality of a proposed bill, the lieutenant governor may reject a bill if it "proposes a substantive ordinance where controlling authority establishes its unconstitutionality."¹⁰ This is a high bar; examples of clearly unconstitutional bills include a bill that would mandate school segregation based on race and a bill that would call for Alaska's secession from the United States.¹¹

A return to party primaries, single-choice elections, and previous disclosure requirements is not clearly unconstitutional. The proposed bill would reenact the primary and general election processes as they existed before 19AKBE. Those election processes have not been held unconstitutional.¹² The proposed bill would also reinstate disclosure requirements that had not been subject to successful constitutional challenges.

B. Form of the application

The form of an initiative application is prescribed by AS 15.45.030, which requires that an application include the

- (1) proposed bill;
- (2) printed name, the signature, the address, and a numerical identifier of not fewer than 100 qualified voters who will serve as sponsors; each signature page must include a statement that the sponsors are qualified voters who signed the application with the proposed bill attached; and

⁹ See 2019 Op. Alaska Att'y Gen. (Aug. 29), 2019 WL 4239852, at *7.

¹⁰ *Kohlhaas*, 147 P.3d at 717 (quoting *Kodiak Island Borough*, 71 P.3d at 900); *Pebble P'ship ex rel. Pebble Mines Corp. v. Parnell*, 215 P.3d 1064, 1077 (Alaska 2009) (permitting "pre-election review of initiatives where the initiative is clearly unconstitutional or clearly unlawful"); *Vote Yes for Alaska's Fair Share*, 478 P.3d at 690–91.

¹¹ *Kohlhaas*, 147 P.3d at 717–18 (quoting *Kodiak Island Borough*, 71 P.3d at 900).

¹² See, e.g., *State v. Alaska Democratic Party*, 426 P.3d 901, 904–05 (Alaska 2018).

- (3) designation of an initiative committee consisting of three of the sponsors who subscribed to the application and represent all sponsors and subscribers in matters relating to the initiative; the designation must include the name, mailing address, and signature of each committee member.

The 24ESEG application includes the proposed bill and the requisite statement on each signature page, even though the titles are the pages may vary. The application also designates an initiative committee of three sponsors, who provided their information. With respect to the number of qualified sponsors, we understand the Division of Elections has reviewed the sponsor signatures and determined that the application contains the signatures and addresses of 220 qualified voters. The application, therefore, includes the requisite number of qualified sponsors and it is in the proper form.

III. Conclusion


This initiative application is in the proper form. Both the proposed bill and the application comply with the constitutional and statutory provisions governing the use of the initiative. We therefore recommend that you certify the initiative application and notify the initiative committee of your decision. You may then begin to prepare a petition under AS 15.45.090.

Please contact us if we can be of further assistance to you on this matter.

Sincerely,

TREG TAYLOR
ATTORNEY GENERAL

By:

 for
Thomas Flynn
Chief Assistant Attorney General

**STATE OF ALASKA
DIVISION OF ELECTIONS**

**NUMBER OF REGISTERED VOTERS BY PARTY WITHIN PRECINCT
DATE: 01/03/2026**

KEY TO RECOGNIZED POLITICAL PARTY / POLITICAL GROUP ABBREVIATIONS

Political Parties:

A - ALASKAN INDEPENDENCE PARTY
D - ALASKA DEMOCRATIC PARTY
L - ALASKA LIBERTARIAN PARTY
R - ALASKA REPUBLICAN PARTY

Political Groups:

C - ALASKA CONSTITUTION PARTY
G - GREEN PARTY OF ALASKA
I - REFORM ALASKA PERMANENT FUND DIVIDEND PARTY
J - PROHIBITION PARTY
M - CONSERVATIVE PARTY USA
V - VETERANS PARTY OF ALASKA
W - UCES' CLOWNS PARTY
X - ALASKA AMERICA PARTY

Other:

N - NONPARTISAN
U - UNDECLARED

Political Parties are those parties that have gained recognized political party status under Alaska Statutes 15.60.010(25) or by court order.

Political Groups are those groups that have applied for party status but have not met the qualifications to be a recognized political party under Alaska Statutes 15.60.010(24).

*For a quick
search, click on
a number below
to take you
directly to the
beginning of
that district.*

40-020 KIVALINA	243	15	38	2	21	2	1	0	0	0	0	0	0	0	32	132
40-022 KOBUK	76	3	10	0	9	0	0	0	0	0	0	0	0	0	8	46
40-024 KOTZEBUE	1857	99	284	8	211	3	7	0	0	0	0	0	2	0	206	1037
40-026 NOATAK	333	21	56	2	31	0	0	0	0	0	0	0	0	0	24	199
40-028 NOORVIK	368	28	58	0	40	1	0	0	0	0	0	0	0	0	39	202
40-030 NUIQSUT	276	19	31	2	35	0	1	0	0	0	2	0	0	0	24	162
40-032 POINT HOPE	474	36	54	2	65	0	0	0	0	0	0	0	0	0	36	281
40-034 POINT LAY	145	12	15	0	18	0	0	0	0	0	0	0	0	0	7	93
40-036 SELAWIK	438	33	67	3	49	1	0	0	0	0	2	0	0	0	57	226
40-038 SHUNGNAK	146	8	32	0	18	0	0	0	0	0	0	0	0	0	20	68
40-040 WAINWRIGHT	378	29	34	3	53	1	0	0	0	0	0	0	0	0	40	218
TOTAL DISTRICT(20 PRECINCTS)	9066	557	1321	48	1055	17	24	0	0	0	11	3	0	0	778	5252
(Back to the quick search district numbers)																

		RECOGNIZED POLITICAL PARTIES				POLITICAL GROUPS							OTHERS			
STATE WIDE TOTALS	TOTAL	A	D	L	R	C	G	I	J	M	V	W	X	N	U	
TOTAL DISTRICT(402 PRECINCTS)	608288	19117	72324	6319	146178	767	1504	2	0	6	1520	258	3	83686	276604	
(Back to the quick search district numbers)																