

SENATE BILL NO. 39

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY SENATORS ELTON, French, Ellis

Introduced: 1/11/05

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to ballot titles and propositions; and providing for an effective date."**

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

3 * **Section 1.** AS 15.45.180(a) is amended to read:

4 (a) If the petition is properly filed, the lieutenant governor **shall appoint a**
5 **ballot proposition committee to**, with the assistance of the attorney general,
6 [SHALL] prepare a ballot title and proposition. The ballot title shall, in not more than
7 six words, indicate the general subject of the proposition. The proposition shall, in not
8 more than 100 words, give a true and impartial summary of the proposed law.

9 * **Sec. 2.** AS 15.45.180 is amended by adding new subsections to read:

10 (c) The lieutenant governor shall appoint five individuals to the ballot
11 proposition committee, including

12 (1) two proponents of the initiative, at least one of whom must be a
13 member of the initiative committee;

14 (2) two opponents of the initiative; and

15 (3) one individual from a list of three submitted by the chief justice of

1 the Alaska Supreme Court.

2 (d) The committee shall submit the ballot title and proposition to the lieutenant
3 governor not later than 80 days before the date of the election at which the question is
4 to be presented to the voters.

5 (e) The lieutenant governor shall review the ballot title and proposition
6 prepared under (a) of this section and make any changes necessary to make the
7 proposition true and impartial. The lieutenant governor shall complete the review and
8 provide the ballot title and proposition to the director not later than 70 days before the
9 date of the election at which the question is to be presented to the voters. If the
10 lieutenant governor makes any changes to the ballot title or proposition prepared under
11 (a) of this section, the lieutenant governor shall also provide the director with a written
12 explanation of those changes.

13 * **Sec. 3.** AS 15.45.410(a) is amended to read:

14 (a) **If the petition is properly filed, the lieutenant governor shall appoint a**
15 **ballot proposition committee to, with the assistance of the attorney general,**
16 **prepare a ballot title and proposition.** [THE LIEUTENANT GOVERNOR, WITH
17 THE ASSISTANCE OF THE ATTORNEY GENERAL, SHALL PREPARE A
18 BALLOT TITLE AND PROPOSITION UPON DETERMINING THAT THE
19 PETITION IS PROPERLY FILED.] The ballot title shall, in not more than six words,
20 indicate the general subject area of the act. The proposition shall, in not more than
21 100 words, give a true and impartial summary of the act being referred.

22 * **Sec. 4.** AS 15.45.410 is amended by adding new subsections to read:

23 (c) The lieutenant governor shall appoint five individuals to the ballot
24 proposition committee, including

25 (1) two proponents of the referendum, at least one of whom must be a
26 member of the referendum committee;

27 (2) two opponents of the referendum; and

28 (3) one individual from a list of three submitted by the chief justice of
29 the Alaska Supreme Court.

30 (d) The committee shall submit the ballot title and proposition to the lieutenant
31 governor not later than 80 days before the date of the election at which the question is

1 to be presented to the voters.

2 (e) The lieutenant governor shall review the ballot title and proposition
3 prepared under (a) of this section and make any changes necessary to make the
4 proposition true and impartial. The lieutenant governor shall complete the review and
5 provide the ballot title and proposition to the director not later than 70 days before the
6 date of the election at which the question is to be presented to the voters. If the
7 lieutenant governor makes any changes to the ballot title or proposition prepared under
8 (a) of this section, the lieutenant governor shall also provide the director with a written
9 explanation of those changes.

10 * **Sec. 5.** AS 15.50.010(a) is amended to read:

11 (a) The lieutenant governor shall **appoint a ballot proposition committee to,**
12 **with the assistance of the attorney general,** prepare a proposed ballot title and
13 proposition for each amendment to the state constitution proposed by the legislature or
14 by a constitutional convention. Each amendment shall be confined to one subject.
15 Within 30 days **after** [OF] the date of adjournment of a legislative session or of the
16 date of adjournment of a constitutional convention, the lieutenant governor shall
17 provide one copy of the proposed ballot title and proposition for each amendment to
18 each member of the legislature and shall make copies available to the public.

19 * **Sec. 6.** AS 15.50.010 is amended by adding new subsections to read:

20 (c) The lieutenant governor shall appoint five individuals to the ballot
21 proposition committee, including

22 (1) two proponents of the amendment;

23 (2) two opponents of the amendment; and

24 (3) one individual from a list of three submitted by the chief justice of
25 the Alaska Supreme Court.

26 (d) The committee shall submit the ballot title and proposition to the lieutenant
27 governor not later than 80 days before the date of the election at which the question is
28 to be presented to the voters.

29 (e) The lieutenant governor shall review the ballot title and proposition
30 prepared under (a) of this section and make any changes necessary to make the
31 proposition true and impartial. The lieutenant governor shall complete the review and

1 provide the ballot title and proposition to the director not later than 70 days before the
 2 date of the election at which the question is to be presented to the voters. If the
 3 lieutenant governor makes any changes to the ballot title or proposition prepared under
 4 (a) of this section, the lieutenant governor shall also provide the director with a written
 5 explanation of those changes.

6 * **Sec. 7.** AS 15.58.020 is amended to read:

7 **Sec. 15.58.020. Contents of pamphlet.** Each election pamphlet must contain

8 (1) photographs and campaign statements submitted by eligible
 9 candidates for elective office in the region;

10 (2) information and recommendations filed under AS 15.58.050 on
 11 judicial officers subject to a retention election in the region;

12 (3) a map of the house district or districts of the region;

13 (4) sample ballots for house districts of the region;

14 (5) an absentee ballot application;

15 (6) for each ballot proposition submitted to the voters by initiative or
 16 referendum petition or by the legislature,

17 (A) the full text of the proposition specifying constitutional or
 18 statutory provisions proposed to be affected;

19 (B) the ballot title and the summary of the proposition prepared
 20 **under AS 15.45.180, 15.45.410, or AS 15.50.010 as well as any explanation**
 21 **of changes to the summary supplied to** [BY] the director [OR] by the
 22 lieutenant governor;

23 (C) a neutral summary of the proposition prepared by the
 24 Legislative Affairs Agency;

25 (D) statements submitted that advocate voter approval or
 26 rejection of the proposition not to exceed 500 words;

27 (7) for each bond question, a statement of the scope of each project as
 28 it appears in the bond authorization;

29 (8) a maximum of two pages of material submitted by each political
 30 party;

31 (9) additional information on voting procedures that the lieutenant

1 governor considers necessary;

2 (10) for the question whether a constitutional convention shall be
3 called,

4 (A) a full statement of the question placed on the ballot;

5 (B) statements not to exceed 500 words that advocate voter
6 approval or rejection of the question;

7 (11) under AS 37.13.170, the Alaska permanent fund annual income
8 statement and balance sheet for the two fiscal years preceding the publication of the
9 election pamphlet.

10 * **Sec. 8.** This Act takes effect July 1, 2005.