

1 IN THE HOUSE

BY MESSRS. KAY AND GREUEL

2 HOUSE BILL NO. 192

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act pertaining to corrupt practices in
7 connection with primary and general
8 elections in the Territory; unlawful publi-
9 cations relating to candidates for election;
10 defining offenses and prescribing punish-
11 ment."

12 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

13 Section 1. TITLE OF ACT. This Act shall be known as the
14 Alaska Corrupt Practices Act.

15 Sec. 2. DEFINITIONS. When used in this Act, where not
16 otherwise distinctly expressed or manifestly incompatible with
17 the intent thereof:

18 (1) "Person" shall be taken to mean and include an
19 individual and where consistent with collective capacity, a com-
20 mittee, firm, partnership, company, corporation, club, organiza-
21 tion, association, or other combination of individuals.

22 (2) "Territory" shall be taken to mean the Territory of
23 Alaska.

24 (3) "Public Office" shall be taken to mean any Terri-
25 torial office to which a salary attaches and which is filled by
26 the voters of the Territory, and shall include, without limita-
27 tion, the office of the Delegate to Congress from Alaska and the
28 offices of members of the Senate and House of Representatives of
29 the Territory.

1 (4) "Candidate" shall be taken to mean and include
2 any person whose name is printed on an official ballot for public
3 office, or whose name is expected to be or has been presented for
4 public office, with his consent, for nomination or election.

5 Sec. 3. UNDUE INFLUENCE. Any person who shall directly or
6 indirectly, by himself or any other person in his behalf, make
7 use of or threaten to make use of, any force, coercion, violence,
8 or restraint, or who inflicts or threatens to inflict, by himself
9 or any other person, any temporal or spiritual injury, damage,
10 harm, or loss upon or against any person in order to induce or
11 compel such person to vote or refrain from voting for any candi-
12 date or the ticket of any political party, is guilty of undue
13 influence and shall be punished as for a corrupt practice.

14 Sec. 4. ACTS CONSTITUTING CORRUPT PRACTICES. Any person
15 is guilty of a corrupt practice within the meaning of this Act if
16 he expends any money for election purposes contrary to the pro-
17 visions of this Act or any statute of the Territory, or if he is
18 guilty of undue influence or the giving or promising to give, or
19 offer of any money or valuable thing to any elector with intent
20 to induce such elector to vote for or refrain from voting for any
21 candidate for any public office or position in the Territory, or
22 to register or refrain from registering as a voter at any elec-
23 tion in the Territory.

24 Sec. 5. UNLAWFUL PUBLICATIONS: ANONYMOUS PUBLICATIONS:
25 FALSE STATEMENT, CHARGE OR COMMENT AS TO CANDIDATE: PUNISHMENT.
26 It shall be unlawful to write, print or circulate or cause to be
27 circulated through the mails or otherwise any letter, circular,
28 bill, placard, poster or other publication relating to any elec-
29 tion or to any candidate at any election, unless the same shall

1 bear on its face the name and address of the author and of the
2 printer and publisher thereof; and any person writing, printing,
3 publishing, circulating, posting or causing to be written, printed,
4 circulated, posted or published any such letter, bill, placard,
5 circular, poster or other publication, as aforesaid, which fails
6 to bear on its face the name and address of the author and of
7 the printer or publisher, shall be guilty of a misdemeanor, and
8 upon conviction thereof, shall be punished by a fine of not less
9 than \$100.00 nor more than \$1,000.00, or by imprisonment in jail
10 for not more than six months, or by both such fine and imprison-
11 ment.

12 If any ^{published} letter, circular, poster, bill, publication or pla-
13 card shall contain any false statement or charges reflecting on
14 any candidate's character, morality or integrity, the author ^{or author}
15 thereof [and every person printing or knowingly assisting in the
16 circulation thereof] shall be guilty of a felony, and upon con-
17 viction thereof, shall be punished by imprisonment in the peni-
18 tentiary for not less than one or more than three years.

19 Any person or persons who shall write, print or circulate,
20 or who shall cause to be written, printed, or circulated, any
21 letter, circular, bill, placard or poster, or who shall cause any
22 paid advertisement to be placed in a newspaper or any other
23 publication, or who shall singly or with others pay for any such
24 advertisement, or who shall make any radio broadcast, knowing
25 said letter, circular, bill, placard, poster, publication, radio
26 broadcast or paid advertisement to contain any false statement,
27 charge or comment relating to any candidate, shall ^{upon conviction thereof,} be punished
28 by a fine of not less than \$100.00 nor more than \$1,000.00, or by
29 imprisonment in jail for a period of not less than six months, or

p. 5, line 12: insert after word "any" the word "published"

p. 5, line 14: after word "author" insert words "or authors"

p. 5, line 15: strike "and every person printing or knowingly assisting in the circulation thereof"

p. 5, line 27: following "shall" insert ", upon conviction thereof,"

1 by both such fine and imprisonment.

2 Sec. 6. PUNISHMENT OF PERSON NOMINATED OR ELECTED TO OFFICE
3 FOR VIOLATION OF ACT. Any person declared to be nominated or
4 elected to any public office or position in the Territory, who
5 shall be found guilty of any act or acts constituting a crime
6 under the provisions of this Act, shall in addition to all other
7 punishment, be punished by being deprived of the nomination or
8 office, as the case may be, and the vacancy therein shall be
9 filled in the manner provided by law for other vacancies in such
10 office or position.

11 Sec. 7. FALSE OATH: PUNISHMENT. Any person who shall
12 knowingly make any false oath or affidavit where an oath or
13 affidavit is required by this Act shall be deemed guilty of per-
14 jury and punished accordingly.

15 Sec. 8. PUNISHMENT FOR VIOLATIONS NOT SPECIFICALLY PRO-
16 VIDED FOR. Any person guilty of a corrupt practice under this
17 Act, or who violates any other provision of this Act, the punish-
18 ment for which is not otherwise provided for, shall be guilty of
19 a misdemeanor, and upon conviction thereof shall be punished by
20 a fine of not less than \$200.00 nor more than \$1,000.00, or by
21 imprisonment in jail for not more than one year, or by both such
22 fine and imprisonment.

23 Sec. 9. SEPARABILITY CLAUSE. If any provision of this Act,
24 or the application thereof to any person or circumstance is held
25 invalid, the remainder of the Act and such application to other
26 persons or circumstances shall not be affected thereby.

Strike section 7 and renumber accordingly
