

1 IN THE HOUSE

BY REP. COGHILL, FRANK  
JOHNSON AND G. GRAY.

2

HOUSE BILL NO. 4

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

FIFTY-THIRD SESSION

5

A BILL

6

FOR AN ACT ENTITLED: "An act relating to the election of members

7

of the House of Representatives and Senate;

8

providing for districting and apportionment

9

of the membership of the Legislature within

10

Judicial divisions; repealing and reenact-

11

ing Sec. 38-5-4 ACLA 1949; amending Secs.

12

38-4-4, 38-4-11, 38-5-6, 38-5-8, 38-5-9,

13

38-5-10, 38-6-3, 38-2-7, and 38-9-11 ACLA

14

1949; and amending Sec. 38-9-4 ACLA 1949 as

15

amended by Sec. 6, Ch. 135 SLA 1953."

16

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

17

ARTICLE I

18

ELECTION DISTRICTS

19

Section 1. The following election districts are hereby es-

20

tablished for the election of members of the Senate and House of

21

Representatives;

22

FIRST JUDICIAL DIVISION:

23

1. Prince of Wales: All Prince of Wales, Dall, Forrest-

24

er, Suemez, Baker, Lulu, Noyes, Warren, Kosciusko and the Kashe-

25

verof Islands as well as adjacent off-shore islands..

26

2. Ketchikan: That area of the mainland drained by

27

streams flowing into Revillagigedo channel, Behm Canal, Burroughs

28

Bay, and east side of Clarence Strait from the southernmost point

29

of the Alaska-British Columbia Boundary line to and including

HB # 4

-1-

1 Lemcurier Point; and those islands south of Earnest Sound and east  
2 of Clarence Strait, including Revillagigedo, Gravina, Annette, and  
3 Duke Islands, and other adjacent smaller islands.

4 3. Wrangell-Petersburg: That area of the mainland north of Elec-  
5 tion District No. 2 and south of and including, the area draining  
6 into Frederick Sound to Cape Fanshaw on the north, and partly bound-  
7 ed on the north by a line drawn between Cape Fanshaw and the north  
8 side of Pybus Bay; that area of Admiralty Island drained by streams  
9 flowing into Frederick Sound; that area of Baranof Island drained  
10 by streams flowing into Chatham Strait to but not including that  
11 area drained by streams flowing into Peril Strait; and including  
12 Kuproonof, Mithof, Kulu and Coronation Islands and other smaller ad-  
13 jacent islands.

14 4. Sitka: Those parts of Admiralty, Chichagof, and Baranof Is-  
15 lands not included in Election Districts No. 3, 5 and 6; and Kruzof  
16 Island and other smaller adjacent islands.

17 5. Juneau: The mainland north of Election District No. 3 up to  
18 and including the area drained by streams flowing into Berners Bay  
19 on the north; and that area of Admiralty Island north of Election  
20 District No. 3 and drained by streams flowing into Stephens Passage,  
21 Seymour Canal, Lynn Canal, and their tributaries; and including Doug-  
22 les, Shelter, and Benjamin Islands, and other small adjacent islands.

23 6. Lynn Canal-Icy Straits: That part of the mainland, not in-  
24 cluded in Election District No. 5, drained by streams flowing into  
25 Lynn Canal, Glacier Bay, Icy Strait, Cross Sound, and their tribu-  
26 taries, and the Pacific Ocean, to the one hundred and forty-first  
27 meridian of west longitude; those parts of Admiralty and Chichagof  
28 Islands drained by streams flowing into Icy Strait, Cross Sound, and  
29 their tributaries; and Yakobi, Lemcurier, and Pleasant

7 Islands, and other smaller adjacent islands. .

8           **THIRD JUDICIAL DIVISION:**

9           7. Cordova-McCarthy: That area of the Third Judicial  
10 Division south of the boundary between the Third and Fourth Judi-  
11 cial Divisions and extending into the Gulf of Alaska and Prince  
12 William Sound, from the one hundred and forty-first meridian of  
13 west longitude on the east, to Knowles Head on the west, including  
14 Hawkins, Kinchikbrock, Kayak, and Middleton Island, and other  
15 smaller adjacent islands; and that area drained by the Copper Riv-  
16 er and its tributaries up to and not including the Tielkel River  
17 on the west, and up to and including the Chitina River on the east.

18           8. Valdez-Chitina-Whittier: That area of the Third  
19 Judicial Division south of the boundary between the Third and  
20 Fourth Judicial Divisions and drained by all streams flowing into  
21 Prince William Sound from Cape Junken on the west to Knowles Head  
22 on the east, including Montague, Letouche, and Knight Islands, and  
23 adjacent smaller islands; and all of the area drained by the Cop-  
24 per River and its tributaries above and including the Tielkel Riv-  
25 er on the west, and above but not including the Chitina River on  
26 the east.

27           9. Palmer-Vacille-Talkeetna: That area of the Third  
28 Judicial Division south of the Boundary between the Third and  
29 Fourth Judicial Divisions from and including Susitna on the south,  
30 drained by the Susitna River and its tributaries; and that area  
31 drained by the Little Susitna River from and including Flat Lake  
32 on the south; and that area draining into Knik Arm from and in-  
33 cluding Fish Creek and its tributaries on the west side of Knik  
34 Arm, to and including the area draining into the Knik River from  
35 the north, and from the south to the highway bridge. .

1           10. Anchorage: That area around Turnagain Arm and east  
2 of Knik Arm drained by streams flowing into Turnagain Arm and Knik  
3 Arm, from and including Placer River on the south, to and including  
4 the Knik River highway bridge on the north; that area east of Knik  
5 Arm and north of Cook Inlet drained by Goose Creek and its tribu-  
6 taries on the east, and the Little Susitna River south of Flat  
7 Lake, and the Susitna River south of but not including Susitna;  
8 the area west of Cook Inlet drained by Ivan, Lewis, Theodore Rivers  
9 and their tributaries, to but not including Beluga River on the  
10 south.

11           11. Seward: That part of Kenai Peninsula draining into  
12 the Gulf of Alaska from Gore Point on the west to Cape Junken on  
13 the east; and the area draining into Turnagain Arm from and in-  
14 cluding the drainage of Resurrection Creek on the west to but not  
15 including Placer River on the east, and to and including the con-  
16 fluence of the Kenai and Russian Rivers on the west.

17           12. Kenai-Cook Inlet: That area of Kenai Peninsula  
18 drained by streams flowing into the Gulf of Alaska, Cook Inlet,  
19 and Turnagain Arm, from and including the area drained into Port  
20 Dick on the south to Gore Point, to but not including Resurrection  
21 Creek on the north, and the area east of the confluence of the Ken-  
22 ai and Russian Rivers; and that area west of Cook Inlet drained  
23 by all streams flowing into Cook Inlet from Cape Douglas on the  
24 south, to and including the Beluga River; including Elizabeth  
25 Island and adjacent islands in Cook Inlet.

26           13. Kodiak: The part of the Alaska Peninsula drained  
27 by all streams flowing into the Pacific Ocean from Cape Douglas  
28 on the east to but not including Kujulik Bay on the west; and all  
29 adjacent off-shore islands, including the Semidi Islands, and

1 Kotick, Afognak, Trinity, Chirikof Islands, and other smaller is-  
2 lands in the immediate vicinity, such as the Barron Islands and  
3 the Chugach Islands.

4 14. Aleutian Islands: The part of the Alaska Peninsula  
5 west of and including the drainage of Meshik River and Kujulik  
6 Bay; and all of the Aleutian and Pribilof Islands and adjacent  
7 off-shore islands west of and excluding the Semidi Islands and  
8 Outvik Island.

9 Bristol Bay: That area of the Third Judicial Division  
10 south of the boundary between the third and Fourth Judicial Divi-  
11 sions drained by all streams flowing into Bristol Bay from Cape  
12 Novokhan on the west to but not including the Meshik River on the  
13 south.

14 **FOURTH JUDICIAL DIVISION:**

15 16. Bethel: That area of the Fourth Judicial Division  
16 north of the boundary line between the Third and Fourth Judicial  
17 Divisions and south of the boundary line between the Second and  
18 Fourth Judicial Divisions drained by all streams flowing into  
19 Selk Inlet, Etolin Strait, and Kuskokwim Bay; that area drained  
20 by the Kuskokwim River; and its tributaries up to, and including,  
21 the area drained by the Tulusk River on the east bank of the  
22 Kuskokwim River; and the area drained by tributaries up to the  
23 opposite point on the west bank of the Kuskokwim River; and in-  
24 cluding Nelson Island and all islands in Kuskokwim Bay but not  
25 including Nunivak Island, St. Matthew Island and other island  
26 north of the fifty-eighth parallel of north latitude.

27 17. Kuskokwim: That area of the fourth Judicial Divi-  
28 sion north of the boundary between the Third and Fourth Judicial  
29 Divisions and east of the boundary between the Second and Fourth

1 Judicial Divisions drained by the Kuskokwim River and its trib-  
2 utaries above and not including the area drained by the Tuluksak  
3 River on the east bank; and the area drained by tributaries above  
4 the opposite point on the west bank of the Kuskokwim River; and  
5 the area drained by the Yukon River from Tuckers Slough, to but  
6 not including the area drained by the Khotol River.

7 18. Yukon-Koyukuk: That area of the Fourth Judicial  
8 Division north of the boundary between the Third and Fourth Judi-  
9 cial Divisions and south and east of the boundary between the  
10 Second and Fourth Judicial Divisions drained by all streams and  
11 their tributaries flowing into the Yukon River from and including  
12 Khotol River on the west to and including Hess Creek on the east;  
13 and that area drained by the Tenana River and its tributaries up  
14 to but not including Clorr Creek, near Blair Lakes, on the east;  
15 and that part of Gildetream Creek up to but not including Nugget  
16 Creek and Spinech Creek; and that portion drained by the Chatanika  
17 River up to but not including Vault Creek.

18 19. Fairbanks: That area of the Fourth Judicial Divi-  
19 sion north of the boundary between the Third and Fourth Judicial  
20 Divisions drained by the Tenana River and its tributaries from  
21 and including Clorr Creek, near Blair Lakes, on the west, to the  
22 Alaska-Canada boundary on the east; and also that area drained by  
23 Gildetream Creek and Spinech Creek; and that portion drained by  
24 the Chatanika River and its tributaries up stream from, and in-  
25 cluding, Vault Creek.

26 20. Upper Yukon: That area of the Fourth Judicial Divi-  
27 sion east of the boundary between the Second and Fourth Judicial  
28 Divisions and drained by the Yukon River and its tributaries from,  
29 but not including, Hess Creek on the west, to the Alaska-Canada

1 boundary; and that area drained by streams flowing into the Arctic  
2 Ocean area, but not including, Kuparuk River on the west, to the  
3 Alaska boundary.

4           **SECOND JUDICIAL DIVISION:**

5           21. Barrow: That area of the Second Judicial Division  
6 north and west of the boundary between the Second and Fourth Judi-  
7 cial Divisions drained by all streams flowing into the Arctic  
8 Ocean from Cape Lisburne on the west, to and including the area  
9 drained by the Kuparuk River and its tributaries on the east,

10           22. Kobuk: That area of the Second Judicial Division  
11 west of the boundary between the Second and Fourth Judicial Divi-  
12 sions drained by all streams flowing into the Arctic Ocean and  
13 Kotzebue Sound, from Cape Lisburne on the north, to and including  
14 the area drained by the Goodhope River and its tributaries on the  
15 south.

16           23. Nome: That area of the Second Judicial Division  
17 west of the boundary between the Second and Fourth Judicial Divi-  
18 sions including that part of the Seward Peninsula and adjacent  
19 areas drained by all streams flowing into the Kotzebue Sound, Ber-  
20 zar Strait and Norton Sound, from, but not including, the area  
21 drained by the Goodhope River and its tributaries on the north, to  
22 but not including the area drained by the Pestolik River on the  
23 south; on King, Little Diomedé, St. Lawrence, Sledge, Stuart,  
24 Anlivak, St. Matthew and Hall Islands and adjacent off-shore is-  
25 lands.

26           24. Ute Hampton: That area of the Second Judicial  
27 Division north and west of the boundary between the Second and  
28 Fourth Judicial Divisions drained by the lower Yukon River and its  
29 tributaries, from Tuckers Blough to the mouth at the Bering Sea;

1 and the area drained by all streams flowing into the Bering Sea  
 2 and Norton Sound, from and including Hazen Bay on the south, to  
 3 and including the Pastelik River on the north.

4 ARTICLE 11

5 REPRESENTATIVE DISTRICTS

6 Sec. 2. Members of the House of Representatives shall, un-  
 7 til reapportionment, be elected by qualified voters from the Rep-  
 8 resentative Districts and in the numbers shown below:

| 9  |                                   | Composed of     | No. of |
|----|-----------------------------------|-----------------|--------|
| 10 | NAME OF DISTRICT                  | Election Dists. | Reps.  |
| 11 | FIRST JUDICIAL DIVISION           |                 |        |
| 12 | Prince of Wales                   | 1               | 1      |
| 13 | Ketchikan                         | 2               | 1      |
| 14 | Wrangell-Petersburg               | 3               | 1      |
| 15 | Sitka                             | 4               | 1      |
| 16 | Juneau                            | 5               | 1      |
| 17 | Lynn Canal-Icy Straits            | 6               | 1      |
| 18 | SECOND JUDICIAL DIVISION          |                 |        |
| 19 | Barrow, Kobuk                     | 21 & 22         | 1      |
| 20 | Nome                              | 23              | 1      |
| 21 | Wade Hampton                      | 24              | 1      |
| 22 | THIRD JUDICIAL DIVISION           |                 |        |
| 23 | Cordova-McCarthy, Valdez-Chitina- |                 |        |
| 24 | Whittier                          | 7 & 8           | 1      |
| 25 | Felmer-Wesilla-Folkeetna          | 9               | 1      |
| 26 | Anchorage, city of                | 10              | 3      |
| 27 | other than city of Anchorage      | 10              | 1      |
| 28 | Seward, Kenai-Cook Inlet          | 11 & 12         | 1      |
| 29 | Kodiak                            | 13              | 1      |

|   |                              |         |   |
|---|------------------------------|---------|---|
| 1 | Alutian Islands              | 14      | 1 |
| 2 | Bristol Bay                  | 15      | 1 |
| 3 | FOURTH JUDICIAL DIVISION     |         |   |
| 4 | Bethel, Kuskokwim            | 16 & 17 | 1 |
| 5 | Yukon-Koyukuk, Upper Yukon   | 18 & 20 | 1 |
| 6 | Fairbanks, city of           | 19      | 2 |
| 7 | other than city of Fairbanks | 19      | 1 |

8       Sec. 3. Whenever the representation of any division shall  
9 increase or decrease by reason of a reapportionment of seats in  
10 the House of Representatives as a result of a United States Dec-  
11ennial Census, the legislature shall redistrict such division in  
12 accordance with the provisions of this Act.

13       Sec. 4. Reapportionment shall be by the method of equal  
14 proportions, except that each election district having the major  
15 fraction of the quotient obtained by dividing total civilian pop-  
16 ulation by twenty-four shall have one representative.

17       Sec. 5. Should the total civilian population within any  
18 election district fall below one-half of the quotient, the district  
19 shall be attached to an election district within its judicial divi-  
20 sion, and the reapportionment for the new district shall be de-  
21 termined as provided in Section 4 of this act.

22       Sec. 6. If the Twenty-Fifth Legislature to which a certifi-  
23 cation of reapportionment is made by the United States Director of  
24 Census fails to redistrict for the election of members of the House  
25 of Representatives for the 1962 elections, the representatives of  
26 such division shall be elected at large from such division in the  
27 manner provided for the election of representatives prior to the  
28 establishment of legislative districts, until such time as such  
29 division is redistricted.

ARTICLE III

SENATE DISTRICTS

Sec. 7. Members of the Senate shall be elected by qualified voters from the Senate Districts and in the number shown below:

| NAME OF DISTRICT   | Composed of<br>Election Dists. | No. of<br>Senators |
|--|--------------------------------|--------------------|
| <b>FIRST JUDICIAL DIVISION</b>   |                                |                    |
| Prince of Wales, Wrangell-<br>Petersburg   | 1 & 3                          | 1                  |
| Ketchikan  | 2                              | 1                  |
| Sitka, Lynn Canal-Icy Straits  | 4 & 6                          | 1                  |
| Juneau   | 5                              | 1                  |
| <b>SECOND JUDICIAL DIVISION</b>  |                                |                    |
| Barron, Kobuk  | 21 & 22                        | 1                  |
| Nome (Was District but not<br>including Nome city)   | 23                             | 1                  |
| Udo Hampton  | 24                             | 1                  |
| Nome City  | (Incorporated<br>city of Nome) | 1                  |
| <b>THIRD JUDICIAL DIVISION</b>   |                                |                    |
| Cardevo-McCarthy, Valdez-<br>Chitina-Whittier, Palmer-<br>Ugaville-Talkeetna, Seward,<br>Koniak-Cook Inlet | 7, 8, 9, 11 & 12               | 1                  |
| Kodiak, Aloutian Islands,<br>Bristol Bay   | 13, 14 & 15                    | 1                  |
| Anchorage city of  | 10                             | 1                  |
| other than city of Anchorage   | 10                             | 1                  |
| <b>FOURTH JUDICIAL DIVISION</b>  |                                |                    |



1 by the election judges and compared and retained upon  
2 the return of the voter from the voting booth. The  
3 official ballot shall contain, under the title of each  
4 office and below printed names of the candidates for  
5 such office, black lines, equal in number to the can-  
6 didates to be elected to such office, upon which the  
7 voter may write the names of persons for whom he de-  
8 sires to vote and whose names are not printed upon the  
9 official ballot. The clerk of the court shall, in pre-  
10 paring said ballot, provide space in conformity with  
11 this Act/Sec. 38-5-2---38-5-30, 38-6-1---38-6-7 herein  
12 for the names of candidates for any additional offices  
13 which may hereafter be created for the Territory.

14 Sec. 10 Sec. 38-4-4 Alaska Compiled Laws Annotated 1949  
15 is amended to read as follows:

16 Sec. 38-4-4 PRIMARY BALLOTS. There shall be but  
17 one form of ballot used in the primary election and it  
18 shall contain the names of all candidates and shall in-  
19 dicate their party affiliation. The names shall be  
20 grouped according to offices and within each office al-  
21 phabetically retated according to the initial letter of  
22 the last name of each candidate, without regard to party  
23 affiliation.

24 The ballots shall be prepared by the Clerks of the  
25 Court for each election district within their respec-  
26 tive divisions in general conformity with the provisions  
27 of law for preparation of ballots for general elections  
28 except as herein set forth. Across the head of each  
29 ballot shall be printed in large type the words "Offic-

1. ial Primary Ballot".

2. No blank spaces shall be provided on any such bal-  
3. lots for the writing in or pasting in of names, and no  
4. vote shall be cast or counted at a primary election for  
5. any person whose name is not printed upon the official  
6. primary ballot.

7. Sec. 11, Sec. 33-4-11 Alaska Compiled Laws Annotated  
8. 1943 is amended to read as follows:

9. Sec. 33-4-11. (a) PERSONS TO BE DESIGNATED ON  
10. BALLOT AS HAVING PARTY AFFILIATION. [FILLING VACANCY  
11. CAUSED BY DEATH OR INCAPACITY OF NOMINATED CANDIDATE].

12. No person shall be designated on the official ballot as  
13. having any party affiliation except those persons nomi-  
14. nated by a political party at the primary election. [PRO-  
15. VIDED, THAT 7

16. (b) FILLING VACANCY CAUSED BY DEATH OR INCAPACITY  
17. OF NOMINATED CANDIDATE. If any candidate nominated at a  
18. primary election shall die or otherwise become incapa-  
19. citated from holding office for which he is nominated  
20. after the date of said primary election and prior to the  
21. time when the official ballots for the general election  
22. are required to be printed, the vacancy thereby caused  
23. may be filled by the political party by which such  
24. candidate was nominated:

25. (1) in case of a territorial office, at a terri-  
26. torial convention of such party called by the chairman  
27. of the Territorial Committee of the party, or in case  
28. of his absence from the Territory, by any authorized  
29. member thereof:

1           (2) in case of the office of Senator or Representa-  
2 tive, at a convention of such party of all election districts  
3 in the senatorial or representative district, called by  
4 the chairman of the Divisional Committee of the party,  
5 or in case of his absence from the Territory, by any  
6 qualified member thereof. /AT A TERRITORIAL CONVENTION  
7 OF SUCH PARTY, IN CASE OF A TERRITORIAL OFFICE, AND AT  
8 A DIVISIONAL CONVENTION OF SUCH PARTY IN CASE OF A DIVI-  
9 SIONAL OFFICE. SUCH CONVENTION, IF TERRITORIAL, SHALL  
10 BE CALLED BY THE CHAIRMAN OF THE TERRITORIAL COMMITTEE  
11 OF THE PARTY OR, IN CASE OF HIS ABSENCE FROM THE TERRI-  
12 TORY, BY ANY MEMBER THEREOF, AND, IF DIVISIONAL, BY THE  
13 CHAIRMAN OF THE DIVISIONAL COMMITTEE OF THE PARTY DESIR-  
14 ING TO NOMINATE A CANDIDATE, AND UPON/

15           (c) NOTICE OF CONVENTION. Notice of the convention  
16 shall be published for such length of time as the emerg-  
17 ency necessitates in a newspaper of general circulation  
18 in each Division in case of a territorial office, or in  
19 the District DIVISION where the vacancy occurs in case  
20 of a Senator or Representative /DIVISIONAL OFFICE/. If  
21 there is no newspaper published in the district then by  
22 posting in one or more public places in each election  
23 precinct within the district.

24           (d) CERTIFICATE OF NOMINATION. The chairman and  
25 secretary of such convention shall certify, by telegraph  
26 or otherwise, to the Director of Finance in the case of  
27 a territorial office, or to the Clerk of the Court of  
28 the Division where the vacancy occurs in the case of a  
29 Senator or Representative the name of the candidate so

1 nominated, AND It shall be the duty of the Director  
2 of Finance to notify the clerks of the district court  
3 in the various divisions of the name of the person nomin-  
4 ated by the territorial convention and it shall be the  
5 duty of the Clerk of the Court to cause the [SUCH] names  
6 of persons nominated in territorial or district conven-  
7 tions to be printed on the official ballot with the  
8 party designation of the political party by which nomin-  
9 ated, in the same manner as provided by law in case of  
10 a candidate at the primary election.

11 SECTION 12. BY COMMITTEE IN CERTAIN CASES. In  
12 case the vacancy occurs within ten days prior to the time  
13 within which official ballots are required by law to be  
14 printed for the general election, [THE TERRITORIAL COM-  
15 MITTEE OF] the political party may select a candidate  
16 to fill the vacancy.

17 (1) In case of a territorial office, by the  
18 Territorial Committee AND THE DIVISIONAL COMMITTEE IN  
19 case of a divisional office, AND Upon the certificate  
20 of the chairman of the Territorial Committee, or in case  
21 of his absence from the Territory, of any two members  
22 thereof, [OR UPON THE CERTIFICATE OF THE CHAIRMAN OF THE  
23 DIVISIONAL COMMITTEE, OR IN CASE OF HIS ABSENCE FROM THE  
24 DIVISION, OF ANY TWO MEMBERS THEREOF] received by tele-  
25 graph or otherwise the Director of Finance shall notify,  
26 by telegraph or otherwise, the Clerks of Court in the  
27 various divisions of the name of the person selected;

28 (2) In case of a senator or representative,  
29 by the Divisional Committee of the division within

1 which the senate or representative district is situated.  
2 The chairman of the Divisional Committee or in case  
3 of his absence from the Division, any two members of the  
4 Committee, shall certify, by telegraph or otherwise, the  
5 name of the person selected to the Clerk of the Court in  
6 the division.

7 (3) In either case the Clerks or Clerk of the  
8 Court ~~OF THE DIVISION~~ shall cause the name of the can-  
9 didate so selected to be printed upon the official bal-  
10 lot, together with the designation of political party,  
11 as follows:

12 Sec. 23. Sec. 23-5-6 Alaska Compiled Laws Annotated  
13 is amended to read as follows:

14 Sec. 23-5-6. ARTICLE 13; ARRANGEMENT OF NAMES ON  
15 BALLOT; DESIGNATION OF OFFICES; GATHERING AND NUMBER-  
16 ING PREPARED BY THE CLERK. The names of Candidates for each  
17 office upon the ballot and under the heading designating  
18 each official position upon the ballot to be used in  
19 voting, shall be first arranged in alphabetical order  
20 of the family names of such candidates. In printing  
21 each set of ballots for each of the election districts  
22 ~~FOUR JUDICIAL DIVISIONS~~ of the Territory, the position  
23 of the names of the candidates shall be changed in each  
24 office division as many times as there are candidates  
25 in the office division in which there are the most names.  
26 As nearly as possible, an equal number of ballots shall  
27 be printed after each change. In making the changes of  
28 position, the printer shall take the line of type at the  
29 head of each office division and place it at the bottom

1 of the division and shove up the column so that the  
2 name that before was second shall be first after the  
3 change. After the ballots are printed, they shall be  
4 placed in separate piles, one pile for each change of  
5 position, and shall then be gathered by taking one from  
6 each pile, the intention being that every other ballot  
7 in the final pile shall have the names of the candidates  
8 in a different position. There shall be no distinguish-  
9 ing marks of any kind upon the ballots. After the bal-  
10 lets have been gathered as above provided, they shall  
11 be numbered consecutively as provided in Section 3 of  
12 this Act [Sec. 38-5-4 herein], said numbering to be per-  
13 formed and torn off by the election officers, as pro-  
14 vided by said Section 3 of this Act [Sec. 38-5-4 herein].  
15 Sec. 15. Sec. 38-5-3 Alaska Compiled Laws Annotated 1949  
16 to amended to read as follows:

17 Sec. 38-5-3. BALLOTS; SEQUENCE OF OFFICES ON BALLOT;  
18 DESIGNATING LONG AND SHORT TERMS.

19 [Delegate to Congress.] The first list of names prin-  
20 ted upon the ballot in the order herein, shall be the  
21 names of the candidates for the office of Delegate to  
22 Congress, and at the top of the list shall be printed  
23 the words: "FOR DELEGATE TO CONGRESS" and "Vote for  
24 One". If a vacancy has occurred and Delegate for Con-  
25 gress is to be elected for the unexpired term the list  
26 of names of candidates for the long term and for the  
27 short or unexpired term shall be printed separately and  
28 the heading of each list shall indicate whether the can-  
29 didates are for the long term, or the unexpired term,

1 such as

2 For Delegate to Congress (Long Term)

3 For Delegate to Congress (Unexpired Term).

4 Provided, however, that the same person may be a candidate  
5 for both the long term and the unexpired term.

6 Attorney General. The second list of names printed  
7 upon the ballot as provided in this Act [Secs. 38-5-2--  
8 38-5-30, 38-6-1--38-6-7 herein], shall be the names of  
9 candidates for the office of Attorney General, and at the  
10 top of the list shall be printed the words: "FOR ATTORNEY  
11 GENERAL" and "Vote for One".

12 Other territorial officers. If other territorial offi-  
13 cers are to be voted for the list of candidates shall be  
14 similarly arranged under similar instructions as to the  
15 number of officers to be elected for each such office.

16 Territorial Senator. Below the list of candidates  
17 for territorial office shall be printed the names of the  
18 candidates for the office of Territorial Senator, under  
19 instructions as to the number of Senators to be elected.

20 AND AT THE TOP OF THE LIST SHALL BE PRINTED THE WORDS: "FOR  
21 TERRITORIAL SENATOR" AND "VOTE FOR ONE".

22 If any senators are to be elected for both a short  
23 term and a long term the lists of names for the long term  
24 and short term THE LIST OF THE NAMES OF CANDIDATES FOR  
25 SENATOR FOR THE LONG TERM AND THE LIST OF NAMES OF CANDIDATES  
26 FOR SENATOR FOR THE SHORT TERM shall be printed separately  
27 and the heading of each list must indicate whether the  
28 candidates are for the long or the short term, such as "For  
29 Territorial Senator (Long Term)" and "For Territorial Senator

1 (Short Form)".

2 REPRESENTATIVES. Below the list of candidates for  
3 senator shall be printed in the order herein provided, the  
4 names of candidates for the office of representatives to  
5 the Legislature, under instructions as to the number of  
6 Representatives to be elected. AND AT THE TOP OF THE LIST  
7 SHALL BE PRINTED THE WORDS: "FOR REPRESENTATIVES TO THE  
8 LEGISLATURE" AND "VOTE FOR FOUR."

9 OTHER DIVISIONAL OFFICES. The candidates for any  
10 other divisional office shall be arranged and designated  
11 in like manner on the official ballot below the list of  
12 candidates for representatives.

13 Sec. 14. Sec. 38-5-9 ACLA 1949 is amended to read as  
14 follows:

15 Sec. 38-5-9. BALLOTS; PRINTING OR MARKS ON BACK OF  
16 BALLOTS. On the back and outside of each ballot shall be  
17 printed the words, "Official Ballot", followed by the  
18 designation of the judicial division and election district  
19 for which the ballots are prepared, the date of the election  
20 and the official endorsement of the clerk of the court.

21 Except as provided in this section there shall be no  
22 printing or other distinguishing marks upon the back of the  
23 ballots.

24 Sec. 15. Sec. 38-5-10 ACLA 1949 is amended to read as  
25 follows:

26 Sec. 38-5-10. BALLOTS; DESIGNATION OF CANDIDATE'S  
27 POLITICAL PARTY; INDEPENDENTS; APPLICATION AND PROCEEDINGS  
28 TO PLACE INDEPENDENTS ON BALLOT. The names of all candidates  
29 who have been duly and legally nominated or selected by a

1 political party in conformity with law shall be placed upon  
2 the official ballot under the proper grouping and each  
3 followed by the name of the political party by whom he has  
4 been nominated or selected.

5 The names of candidates not representing any political  
6 party shall be placed on the official ballot followed by the  
7 word "Independent." The application to have such name  
8 placed upon the official ballot as candidate for a Terri-  
9 torial office shall be signed by not less than two hundred  
10 and fifty qualified electors of the Territory and filed with  
11 the Director of Finance /AUDITOR OF THE TERRITORY/ on or  
12 before the first day of February of the year in which general  
13 elections are to be held. The Director of Finance /AUDITOR/  
14 shall certify the same to the clerks of the District Court  
15 of the several judicial divisions in order that the names  
16 of the candidates so filing shall be placed upon the ballot  
17 for each judicial division. If the application is for the  
18 office of Senator or Representative /A DIVISIONAL OFFICE/,  
19 it shall be signed by not less than fifty qualified electors  
20 of the district /DIVISION/ in which the person desires to  
21 be a candidate and filed with the clerk of the Court for the  
22 /SUCH/ judicial division in which such district is situated  
23 on or before the first day of February of the year in which  
24 general elections are held, and the clerk shall certify the  
25 same in order that the names of such candidates thus nomi-  
26 nated may be placed upon the official ballots for each  
27 election district in the division.

28 Such application to place names on the official ballot  
29 may be substantially in the following form:

1 "We, the undersigned, citizens of the United States  
2 and legal electors within the .....judicial  
3 division of Alaska, desire to vote for.....  
4 for the office of ..... at the next general  
5 election and intend to do so; wherefore we respectfully  
6 request that his name be placed on the official ballot as  
7 candidate for the office of ....."

8 The name of no candidate so nominated shall be placed  
9 upon the official ballot unless he has signed an endorse-  
10 ment upon the application to the effect that he accepts  
11 such nomination and will serve as such officer, if  
12 elected.

13 Sec. 16. Sec. 38-6-3 Alaska Compiled Laws Annotated 1949  
14 is amended to read as follows:

15 Sec. 38-6-3. TIME FOR ELECTION; WRIT OF ELECTION AND  
16 NOTICE THEREOF; OFFICERS TO PROCEED AS IN GENERAL ELECTION.  
17 Whenever the Governor shall issue a writ of election under  
18 the provisions of this Article [Secs. 38-6-1--38-6-7 herein]  
19 he shall fix the time for such election not earlier than  
20 thirty days thereafter, and shall immediately give notice  
21 thereof to the clerk of the District Court in the division  
22 or divisions in which the election is to be held, giving  
23 such notice by telegraph or radio when necessary, and such  
24 clerk or clerks of the District Court shall immediately  
25 cause notice of such writ to be given to the several  
26 common councils of incorporated cities within the respective  
27 election districts DIVISIONS concerned, and to each  
28 commissioner therein, by the most speedy means of communi-  
29 cation whether by mail, telephone, telegraph, radio or

1 otherwise. Upon receipt of such notice, it shall be the  
2 duty of the several common councils and commissioners to  
3 discharge the same functions with regard to issuing and  
4 posting notices and appointing election boards as are  
5 required of them for general elections; and all proceedings  
6 relative thereto, and the duties of election boards and  
7 canvassers shall be the same as at a general election,  
8 except as herein otherwise provided. Provided, however,  
9 that no special election shall be held within sixty (60)  
10 days preceding a general election. Sec. 17. Sec. 38-9-7  
11 Alaska Compiled Laws Annotated 1949 is amended to read as  
12 follows:

13 . Sec. 38-9-7. CLERK OF DISTRICT COURT TO KEEP ON FILE  
14 LIST OF ABSENTEE VOTERS. As soon as envelopes containing  
15 absentee voters' ballots are received, the clerk of the  
16 District Court shall make and keep on file a list of  
17 absentee voters, giving their names, AND voting precincts  
18 and election districts, which list shall at all times be  
19 open to public inspection.

20 . Sec. 18. Sec. 38-9-11 Alaska Compiled Laws Annotated 1949  
21 is amended to read as follows:

22 Sec. 38-9-11. JUDGES TO KEEP DUPLICATE LISTS OF  
23 VOTERS: CERTIFICATE OF RESULT OF CANVASS. The judges of  
24 election shall keep duplicate lists containing the names,  
25 sex, voting precincts, election districts and address of  
26 all of the absentee voters whose ballots were canvassed by  
27 them and when the canvass is completed they shall execute  
28 a certificate of the result in duplicate, one of which shall  
29 be filed in the office of clerk of the District Court and

1 the other forwarded to the Territorial Canvassing Board.  
2 Such certificate of result or return shall be made in the  
3 same manner and form as is required to be made by the  
4 judges of election appointed by the Commissioner, and shall  
5 state that the ballots so canvassed were all of the ballots  
6 of absentee voters that had been received by the clerk of  
7 the court of their judicial division at the time the can-  
8 vass was made.

9 Sec. 19. Sec. 33-9-4 Alaska Compiled Laws Annotated 1949  
10 as amended by Sec. 6, Chapter 135 Session Laws of Alaska 1953  
11 is amended to read as follows:

12 Sec. 33-9-4. VOTER TO MARK AND ENCLOSE BALLOT;

13 SUBSCRIBING TO OATH; FORWARDING ENVELOPE TO COURT CLERK.

14 (a) Upon receiving such blank ballot and envelopes,  
15 the voter shall proceed, in the presence of the Commissioner,  
16 Postmaster, or other officer qualified to administer oaths,  
17 to mark the ballot in such manner that neither the officer  
18 nor any one else can see his vote; shall fold, enclose and  
19 seal the ballot in the smaller envelope containing the  
20 ballot in the larger envelope. The voter shall, with his  
21 own hand, subscribe his name, sex and address to the oath  
22 printed on the outside of the larger envelope, swear to the  
23 same and deliver it to the officer who shall, not later than  
24 the day of such election deliver the same personally to the  
25 clerk of the District Court of the Judicial Division in  
26 which the elector's election RECORDING district is  
27 located; or deposit same in any United States or foreign  
28 post-office in which case the date of mailing shall be  
29 evidenced by postmark.

1           (b) All applications or absentee ballots received by  
2 Commissioners or Clerks of the District Courts respectively,  
3 whether they meet the time requirements as herein set forth  
4 or not, shall be filed for submission to the Canvassing  
5 Board, who shall canvass both applications and ballots as  
6 prescribed in 38-2-9 herein. No postmarked envelope  
7 containing applications or absentee ballots shall be  
8 destroyed and may only be deemed valid or invalid by the  
9 unanimous consent of the Canvassing Board at the time of  
10 canvassing of absentee ballots.

11       Sec. 20. The intent of this Act is to establish a system  
12 of districting and apportionment based upon the requirements of  
13 the Organic Act requiring the use of equal proportions as far  
14 as may be practicable. Therefore, the Act is intended as a  
15 comprehensive and equitable apportionment and districting for  
16 the entire Legislature; and if any portion of the Act shall be  
17 declared invalid by any court of competent jurisdiction, none  
18 of the other portions of the Act shall be given any force or  
19 effect. To this end the provisions of this Act are declared not  
20 to be severable.

21  
22  
23  
24  
25  
26  
27  
28  
29