

Introduced: 2/2/67
Referred: State Affairs
and Finance

1 IN THE HOUSE

BY STEVENS

2 HOUSE BILL NO. 100

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act providing for voters' pamphlets."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 15 is amended by adding a new chapter to read:

9 CHAPTER 37. VOTER PAMPHLET.

10 Sec. 15.37.010. INFORMATION STATEMENT IN VOTER PAMPHLET. The
11 secretary of state shall prepare and have printed in every voter
12 pamphlet printed as provided in secs. 20 - 50 of this chapter, devoting
13 one page to that purpose, a plain and concise statement containing
14 information on the requirements for a citizen to qualify as a voter,
15 and how a voter may obtain and use an absentee ballot.

16 Sec. 15.37.020. FILING PORTRAIT CUT AND STATEMENT. (a) No
17 later than the 70th day before a primary election or the 40th day before
18 a general election a candidate for the office of President or Vice
19 President of the United States, United States Senator, Representative
20 in Congress, or a state or borough office, or his political agent on
21 his behalf, may file with the secretary of state a portrait cut of the
22 candidate and a typewritten statement setting out the reasons why the
23 candidate should be elected.

24 (b) Each candidate for election to an office to be voted for in
25 the state at large shall be allowed two pages of space, and each
26 candidate for election to any other office shall be allowed one page
27 of space in the voter pamphlet.

28 (c) On each page of the voter pamphlet containing a portrait cut
29 or statement filed under (a) of this section shall appear a statement

1 indicating by whom the portrait cut or statement was furnished.

2 **Sec. 15.37.030. MATERIAL TO BE EXCLUDED FROM PAMPHLET.** (a) The
3 secretary of state shall reject and may not file or print a statement
4 or other matter favoring a candidate and offered for filing under sec.
5 20 of this chapter which contains obscene, vulgar, profane, scandalous,
6 libelous or defamatory matter, or language which in any way incites,
7 counsels, promotes or advocates hatred, abuse, violence or hostility
8 toward, or which tends to cast ridicule or shame upon, a person or
9 group of persons by reason of race, color, religion or manner of
10 worship, or language or matter the circulation of which through the
11 mails is prohibited by Congress. No candidate may display in the
12 voter pamphlet a cut showing the uniform or insignia of an organization
13 which advocates or teaches racial or religious intolerance.

14 (b) This chapter does not free or exempt a statement or its
15 authors from civil or criminal action or penalty because of a false,
16 slanderous or libelous statement offered for printing or contained in
17 the voter pamphlet. The person procuring, making, composing, signing
18 or offering the statement for filing shall be considered its authors
19 and publishers.

20 **Sec. 15.37.040. PREPARATION AND DISTRIBUTION OF PAMPHLETS.** (a)
21 No later than the 59th day before a primary election or the 32nd day
22 before a general election, the secretary of state shall deliver to a
23 printer a list of the names of all candidates for election to the offices
24 referred to in sec. 20 of this chapter and of the offices for which the
25 candidates are competing, and all portrait cuts and statements filed
26 under sec. 20 of this chapter, properly compiled, edited, prepared and
27 indexed for printing. The list, portrait cuts and statements shall
28 pertain only to candidates whose names appear on the register of
29 nominations kept by the secretary of state.

1 (b) The printer shall print and bind in pamphlet form the list,
2 portrait cuts and statements delivered to him under (a) of this section,
3 and shall print as many copies of the voter pamphlet as the secretary
4 of state estimates will be necessary for distribution as provided in
5 (c) of this section. The printer shall complete delivery of the voter
6 pamphlets to the secretary of state no less than 20 days before the
7 primary or 17 days before the general election.

8 (c) No later than the 15th day before the primary or general
9 election, the secretary of state shall cause a copy of the voter pam-
10 phlet to be distributed by mail so far as practicable to each qualified
11 voter of the state and may use additional means of distribution which
12 he considers desirable to make copies of the voter pamphlets available
13 to qualified voters.

14 Sec. 15.37.050. FEES FOR SPACE IN VOTER PAMPHLET. (a) Each
15 candidate for election at the primary or general election to any of
16 the following offices, or his political agent on his behalf, shall
17 pay to the secretary of state at the time of filing portrait cuts and
18 statements under sec. 20 of this chapter, the following fee for each
19 page of space in the voter pamphlet:

20 (1) President or Vice President of the United States, United
21 States Senator, Representative in Congress, or a state office to be
22 voted for in the state at large. \$150;

23 (2) a state office other than those provided for in (a)(1)
24 and (3) of this section. \$ 15;

25 (3) district attorney, supreme court justice, superior court
26 judge, or borough office \$ 50.

27 (b) In no case shall a fee paid under (a) of this section be
28 less than the fee prescribed for one page of space in the voter
29 pamphlet.

1 (c) The secretary of state shall refund a fee paid under (a) of
2 this section to the person who paid the fee, upon his request, at any
3 time on or before the last day prescribed in sec. 20 of this chapter
4 for filing portrait cuts and statements, and in this event the portrait
5 cuts and statements shall not be printed in the voter pamphlet.

6 (d) The secretary of state shall pay all fees received by him
7 under (a) of this section into the general fund of the state.

8 Sec. 15.37.060. PENALTIES. A person who violates a provision of
9 secs. 20 - 50 of this chapter for which punishment is not specially
10 provided by law, on conviction is punishable by imprisonment in jail
11 for not more than one year, or by a fine of not more than \$5,000, or
12 by both.

13 Sec. 15.37.070. DEFINITIONS. (a) In this chapter

14 (1) "political agent" means a person who, upon request or
15 under agreement, receives or disburses money on behalf of a candidate;

16 (2) "portrait cut" means a conventional photograph, not
17 more than five years old, of the face or face and bust of a candidate,
18 and not an informal snapshot, cartoon, caricature or similar representa-
19 tion, suitably prepared and processed for printing as prescribed by
20 the secretary of state; the background shown in the portrait cut shall
21 be plain;

22 (3) "bust" includes the head, neck and shoulders of the
23 candidate; does not include the hands or anything being held in the
24 hands;

25 (4) "typewritten statement" or "statement" does not include
26 cuts, pictures, drawings or any other like illustrative material.

27 (b) A portrait cut may not show the candidate wearing a hat of
28 any description, a military uniform, a police uniform, a fraternal
29 uniform or a judicial robe.