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Referred: State Affairs
and Finance

1 IN THE HOUSE

BY FINK, GUESS AND KAY

2 HOUSE BILL NO. 370

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to election 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 57. ELECTION PAMPHLETS.

10 ARTICLE 1. CANDIDATE PAMPHLET.

11 Sec. 15.57.010. CONTENTS OF PAMPHLET. The secretary of state
12 shall mail to all voters of the state before each state general election
13 a candidate pamphlet containing photographs and campaign statements of
14 eligible nominees who desire to participate in the pamphlet.

15 Sec. 15.57.020. STATEMENT AND PHOTOGRAPH TO BE FILED BY NOMINEE.
16 Not later than 60 days before the applicable state election, each
17 nominee for the office of United States senator, United States repre-
18 sentative, governor, secretary of state, state senator and state repre-
19 sentative may file with the secretary of state a typewritten statement
20 advocating his candidacy. The statement may not exceed 350 words per
21 printed page and may be accompanied by a photograph not more than five
22 years old and suitable for reproduction. No statement or photograph may
23 be filed by a person who is the sole nominee for an office.

24 Sec. 15.57.030. REJECTION OF STATEMENTS. (a) The secretary of
25 state shall reject any statement offered for filing, which, in his
26 opinion, contains defamatory matter or language or matter, the circula-
27 tion of which through the mails is prohibited by Congress. No nominee
28 may submit a photograph showing the uniform or insignia of an organi-
29 zation which advocates or teaches racial or religious intolerance.

(b) Within five days after a rejection, the person submitting the statement for filing may appeal to a board of review consisting of the governor, the attorney general and the secretary of state. The decision of the board shall be final upon the acceptance or rejection of the matter in controversy.

Sec. 15.57.040. PUBLICATION AND CONSOLIDATION WITH VOTER PAMPHLET. The statements and photographs of nominees, as set out in secs. 10 and 20 of this chapter, shall be published by the secretary of state as a candidate pamphlet, the printing of which shall be completed no later than 30 days before the relevant state general election. The overall dimensions of the pamphlet shall be the same as the voter pamphlet containing the text of state measures to be voted upon as set out in sec. 170 of this chapter and whenever possible shall be combined with the voter pamphlet as a single publication. When a consolidation is possible, the candidate portion of the text shall follow the text relating to the state measures.

Sec. 15.57.050. CHARGES TO NOMINEES FOR SPACE. (a) Nominees shall pay for one page of space in the candidate pamphlet as follows:

(1) United States senator, United States representative and all nominees for state offices voted upon throughout the state, each \$100;

(2) state senator, each \$50;

(3) state representative, each \$25.

(b) All payments shall be made to the secretary of state when the statement is offered to him for filing and shall be deposited in the general fund.

(c) Nominees for president and vice president shall each be entitled to one page without charge and each political party nominating a presidential candidate shall be entitled to one page without charge.

1 Nominees and political parties may each purchase additional pages at
2 the rate of \$100 a page, not to exceed three additional pages.

3 Sec. 15.57.060. DISTRIBUTION. When practical, the secretary of
4 state shall have the pamphlets printed so that no candidate's picture or
5 statement is included in the copy of the pamphlet going to a district
6 where the candidate is not to be voted for.

7 Sec. 15.57.070. ORDER OF APPEARANCE. The candidates' photographs
8 and statements shall appear in the pamphlet in the sequence as the
9 positions sought appear on the state general election ballot.

10 ARTICLE 2. VOTER PAMPHLET.

11 Sec. 15.57.080. CONTENTS. Not later than 45 days before the
12 applicable state election the secretary of state shall have the voter
13 pamphlet printed. The pamphlet shall contain, as to each state measure
14 to be voted upon, the following in the order listed:

15 (1) On the top portion of the first two opposing pages re-
16 lating to the measure and not exceeding one-third of the total printing
17 area shall appear:

18 (A) the legal identification of the measure;

19 (B) the official ballot title of the measure;

20 (C) a brief statement explaining the law as it presently
21 exists;

22 (D) a brief statement explaining the effect of the pro-
23 posed measure should it be approved into law;

24 (E) the total number of votes cast for and against the
25 measure in both the state senate and house of representatives if
26 the measure has been passed by the legislature;

27 (F) a heavy double ruled line across both pages to
28 clearly set apart the above items from the remaining text.

29 (2) On the lower portion of the left page of the two facing

1 pages shall appear an argument advocating the voters' approval of the
2 measure.

3 (3) On the lower portion of the right hand page of the two
4 facing pages shall appear an argument advocating the voters' rejection
5 of the measure.

6 (4) Following each argument each member of the committee
7 advocating for or against a measure shall be listed by name and address
8 to the end that the public shall be fully apprised of the advocate's
9 identity.

10 (5) At the conclusion of the pamphlet the full text of each
11 of the measures shall appear. The text of the proposed constitutional
12 amendments shall be set out in the form provided for in sec. 140 of
13 this chapter.

14 Sec. 15.57.090. EXPLANATORY STATEMENT BY ATTORNEY GENERAL. The
15 attorney general shall prepare the explanatory statements required to
16 be presented on the top portion of the two facing pages relating to
17 each measure. These statements shall be prepared in clear and concise
18 language and shall avoid the use of legal and other technical terms.

19 Sec. 15.57.100. ARGUMENTS BY COMMITTEES. Arguments advocating
20 voter approval or rejection of a measure shall be prepared and submitted
21 for printing by the committees created under secs. 110 and 120 of this
22 chapter. These arguments shall be the official arguments and no other
23 arguments may appear in the pamphlet with regard to the measure.
24 Arguments may contain graphs and charts, supported by factual statistical
25 data and pictures or other illustrations, but cartoons or caricatures
26 are not permitted.

27 Sec. 15.57.110. COMMITTEE ADVOCATING APPROVAL OF MEASURE. Argu-
28 ments advocating voter approval of a proposed constitutional amendment,
29 initiative proposition, or referendum proposition shall be composed and

1 submitted for printing by a committee created as follows: the presiding
2 officer of the state senate shall appoint one state senator known to
3 favor the measure and the presiding officer of the house of representa-
4 tives shall appoint one state representative known to favor the measure.
5 The two persons appointed shall appoint a third member to the committee
6 who may or may not be a member of the legislature.

7 Sec. 15.57.120. COMMITTEE ADVOCATING REJECTION OF MEASURE. Argu-
8 ments advocating voter rejection of a proposed constitutional amendment,
9 initiative proposition, or referendum proposition shall be composed and
10 submitted for printing by a committee created as follows: the presiding
11 officer of the state senate shall appoint one state senator and the
12 presiding officer of the house of representatives shall appoint one
13 state representative. Whenever possible, the two persons appointed
14 shall be known to have opposed the measure and they shall appoint a
15 third member to the committee who may or may not be a member of the
16 legislature.

17 Sec. 15.57.130. COMMITTEE CHAIRMEN, ADVISORY MEMBERS, AND VACAN-
18 CIES. (a) Committees created under secs. 110 and 120 of this chapter
19 shall elect from their members a chairman to conduct the business of
20 the committee. Each committee may name other persons, not to exceed
21 five, to serve as advisory committee members without vote.

22 (b) If a vacancy occurs in one of the committees, the remaining
23 committee members shall fill the vacancy by appointment. If a vacancy
24 is not filled within 15 days after it first occurs, the secretary of
25 state shall fill the vacancy by appointment.

26 Sec. 15.57.140. MANNER AND STYLE OF PRINTING PROPOSED CONSTITU-
27 TIONAL AMENDMENTS IN PAMPHLETS. A proposed constitutional amendment
28 which amends a part of the constitution shall be set out in the
29 following form: all deleted matter shall be set in capitals and

1 enclosed in brackets and all new material shall be underlined. There
2 shall appear in bold face type between the caption and the body of the
3 amendment, the following statement: "All words printed in capitals
4 are in the constitution at the present and are being taken out by this
5 amendment. All words underscored do not appear in the constitution as
6 it now is written but will be put in if this amendment is adopted."
7 If, in the opinion of the secretary of state, the proposed amendment is
8 so extensive that the foregoing method is not practical, the section of
9 the constitution as it stands at the time of the election and the consti-
10 tution as it will appear if amended shall be printed on facing pages
11 headed in bold face type by the words "the constitution as it is before
12 amendment" and "the constitution as it will be if amended".

13 Sec. 15.57.150. REJECTION OF ARGUMENTS. (a) The secretary of
14 state shall reject any statement offered for filing, which, in his
15 opinion, contains defamatory matter or language or matter, the circula-
16 tion of which through the mails is prohibited by Congress.

17 (b) Within five days after a rejection, the committee submitting
18 the argument for filing may appeal to a board of review consisting of
19 the governor, the attorney general and the secretary of state. The
20 decision of the board is final upon the acceptance or rejection of the
21 matter in controversy.

22 Sec. 15.57.160. ORDER IN WHICH PROPOSITIONS AND ARGUMENTS PRINTED.
23 All propositions and arguments shall be printed in the following order:

- 24 (1) those proposed by initiative;
- 25 (2) those proposed by referendum; and
- 26 (3) amendments to the constitution.

27 Sec. 15.57.170. PRINTING SPECIFICATIONS AND MAKE-UP OF PROPOSI-
28 TIONS AND ARGUMENTS IN PAMPHLETS. (a) All propositions and arguments
29 shall be printed and bound in a single pamphlet according to the

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following specifications:

(1) the pages of the pamphlet shall be not larger than eight and one-half by 11 inches in size;

(2) the outside measurement of the printed matter of each page shall be not less than six by nine inches, including running head;

(3) it shall be printed in clear readable type;

(4) the pamphlet shall be printed on a quality and weight of paper which in the judgment of the secretary of state best serves the voters.

(b) The secretary of state shall publish in the pamphlets a table of contents and a brief alphabetical index of subjects.

Sec. 15.57.180. DISTRIBUTION TO VOTERS. Not less than 30 days before an election at which initiative propositions, referendum propositions, or constitutional amendments are to be submitted to the people, the secretary of state shall transmit by mail to every voter in the state whose address he can with reasonable diligence ascertain, one copy of the pamphlet.

Sec. 15.57.190. REGULATIONS. The secretary of state may issue regulations necessary to facilitate and clarify the provisions of this chapter.