

CS
(Fin.)

Original sponsor: Hillstrand, Anderson,
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Offered: 3/5/70
Referred: Rules

1 IN THE HOUSE BY THE JUDICIARY COMMITTEE
2 CS FOR HOUSE BILL NO. 373
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTH LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to political campaigns."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 15.55 is amended by adding new sections to read:

9 Sec. 15.55.233. LIMITS ON CERTAIN ADVERTISING EXPENDITURES BY
10 LEGISLATIVE CANDIDATES. (a) The maximum total amount which may be
11 spent by, or on behalf of, a candidate for the state legislature, in-
12 cluding expenditures by other persons in support of a candidate, for
13 advertising on television, radio and in newspapers during an election
14 campaign is as follows:

15 (1) a state house of representatives candidate -- \$2,500 in
16 a primary election and \$2,500 in a general election;

17 (2) a state senate candidate -- \$5,000 in a primary election,
18 \$5,000 in a general election, and \$5,000 in a special election.

19 (b) No advertisement specified in (a) of this section may be made
20 without the written consent of the candidate. A wilful violation of
21 this subsection by a person other than the candidate is a misdemeanor.

22 (c) Each representative- and senator-elect shall file with the
23 secretary of state an affidavit setting out an itemized statement of
24 his election campaign expenditures, including expenditures on his
25 behalf and in support of his candidacy, for advertising on television,
26 radio and in newspapers have not exceeded the maximum amount provided
27 for in (a) of this section. The affidavit shall be filed before the
28 day he takes office.

29 (d) If a member's expenditures for television, radio and

1 newspaper advertisements exceed, by more than a reasonable amount,
2 the maximum amount set out in (a) of this section, the appropriate
3 house may expel the offending member under the provisions of art. II,
4 sec. 12, of the state constitution.

5 Sec. 15.55.236. UNLAWFUL POLITICAL CONTRIBUTIONS. (a) No
6 candidate for the state legislature may accept or receive or permit to
7 be spent by a person on the candidate's behalf, and no person may con-
8 tribute or spend on the candidate's behalf, an amount greater than \$500.
9 A wilful violation of this section is a misdemeanor.

10 * Sec. 2. AS 15 is amended by adding a new chapter to read:

11 CHAPTER 57. ELECTION PAMPHLETS.

12 ARTICLE 1. CANDIDATE PAMPHLET.

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

17 Sec. 15.57.020. STATEMENT AND PHOTOGRAPH TO BE FILED BY NOMINEE.
18 Not later than 60 days before the applicable state election, each
19 nominee for the office of United States senator, United States repre-
20 sentative, governor, secretary of state, judicial officer, state
21 senator and state representative may file with the secretary of state
22 a typewritten statement advocating his candidacy. The statement may
23 not exceed 350 words per printed page and may be accompanied by a
24 photograph not more than five years old and suitable for reproduction.

25 Sec. 15.57.030. REJECTION OF STATEMENTS. (a) The secretary of
26 state shall, within 10 days after receipt, reject any statement offered
27 for filing, which, in his opinion, contains defamatory matter or
28 language, or matter the circulation of which through the mails is pro-
29 hibited by federal law, and shall immediately notify the candidate. No

1 nominee may submit a photograph showing the uniform or insignia of an
2 organization which advocates or teaches racial or religious intolerance.

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

8 Sec. 15.57.040. PUBLICATION AND CONSOLIDATION WITH VOTER PAMPHLET.
9 The statements and photographs of nominees, as set out in secs. 10 and
10 20 of this chapter, shall be published by the secretary of state as a
11 candidate pamphlet. The overall dimensions of the pamphlet shall be
12 the same as the voter pamphlet containing the text of state measures to
13 be voted upon, as set out in sec. 170 of this chapter, and whenever
14 possible shall be combined with the voter pamphlet as a single publica-
15 tion. When a consolidation is possible, the candidate portion of the
16 text shall follow the text relating to the state measures.

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

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

22 (2) judicial officers other than supreme court justice, \$50
23 each;

24 (3) state senator, \$50 each;

25 (4) state representative, \$25 each.

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

29 (c) Nominees for president and vice president shall each be

1 entitled to one page without charge and each political party nominating
2 a presidential candidate shall be entitled to one page without charge.

3 (d) Political parties may each purchase an additional page for
4 \$500.

5 Sec. 15.57.060. DISTRIBUTION. (a) Not less than 30 days before
6 the election, the secretary of state shall transmit by mail, to every
7 voter in the state whose address he can with reasonable diligence
8 ascertain, one copy of the pamphlet. When practical, the secretary of
9 state shall have the pamphlets printed so that no candidate's picture or
10 statement is included in the copy of the pamphlet going to a district
11 where the candidate's election is not to be voted upon.

12 (b) Additional copies of the pamphlet may be obtained from the
13 office of the secretary of state at cost.

14 Sec. 15.57.070. ORDER OF APPEARANCE. The candidates' photographs
15 and statements shall appear in the pamphlet in alphabetical order within
16 each category of office, in the sequence the offices sought appear on the
17 state general election ballot.

18 ARTICLE 2. VOTER PAMPHLET.

19 Sec. 15.57.080. CONTENTS. Not later than 45 days before the
20 applicable state election the secretary of state shall have the voter
21 pamphlet printed. The pamphlet shall contain, as to each initiative
22 proposition, referendum proposition, issue submitted to the voters by
23 the legislature and constitutional amendment to be voted upon, the
24 following in the order listed:

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

- 28 (A) the legal identification of the measure;
29 (B) the official ballot title of the measure;

1 (C) a brief statement explaining the law as it presently
2 exists;

3 (D) a brief statement explaining the effect of the pro-
4 posed measure should it be approved as law;

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

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

10 (2) On the lower portion of the left page of the two facing
11 pages shall appear an argument advocating the voters' approval of the
12 measure.

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

16 (4) Following each argument, each member of the committee
17 advocating approval or rejection of a measure shall be listed by name
18 and address to the end that the public shall be fully apprised of the
19 advocate's identity.

20 (5) At the conclusion of the pamphlet the full text of each
21 of the measures shall appear. The text of the proposed constitutional
22 amendments shall be set out in the form provided for in sec. 140 of
23 this chapter.

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

29 Sec. 15.57.100. ARGUMENTS BY COMMITTEES. Arguments advocating

1 voter approval or rejection of a measure shall be prepared and submitted
2 for printing by the committees created under secs. 110 and 120 of this
3 chapter. These arguments shall be the official arguments and no other
4 arguments may appear in the pamphlet with regard to the measure.
5 Arguments may contain graphs and charts, supported by factual statisti-
6 cal data and pictures or other illustrations, but cartoons or carica-
7 tures are not permitted.

8 Sec. 15.57.110. COMMITTEE ADVOCATING APPROVAL OF MEASURE. Argu-
9 ments advocating voter approval of a proposed constitutional amendment,
10 issue submitted by the legislature, initiative proposition, or referen-
11 dum proposition shall be composed and submitted for printing by a commit-
12 tee created as follows: the presiding officer of the state senate shall
13 appoint one state senator known to favor the measure and the presiding
14 officer of the house of representatives shall appoint one state repre-
15 sentative known to favor the measure. The two persons appointed shall
16 appoint a third member to the committee who may or may not be a member
17 of the legislature.

18 Sec. 15.57.120. COMMITTEE ADVOCATING REJECTION OF MEASURE. Argu-
19 ments advocating voter rejection of a proposed constitutional amendment,
20 issue submitted by the legislature, initiative proposition, or referen-
21 dum proposition shall be composed and submitted for printing by a
22 committee created as follows: the presiding officer of the state senate
23 shall appoint one state senator and the presiding officer of the house
24 of representatives shall appoint one state representative. Whenever
25 possible, the two persons appointed shall be known to have opposed
26 the measure and they shall appoint a third member to the committee who
27 may or may not be a member of the legislature.

28 Sec. 15.57.130. COMMITTEE CHAIRMAN, ADVISORY MEMBERS, AND VACAN-
29 CIES. (a) Committees created under secs. 110 or 120 of this chapter

1 shall elect from their members a chairman to conduct the business of
2 the committee. Each committee may name other persons, not to exceed
3 five, to serve as advisory committee members without vote.

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

8 Sec. 15.57.140. MANNER AND STYLE OF PRINTING PROPOSED CONSTITU-
9 TIONAL AMENDMENTS IN PAMPHLETS. (a) A proposed constitutional amend-
10 ment which changes an existing part of the constitution shall be set
11 out in the following form: all deleted matter shall be set in capital
12 letters and enclosed in brackets and all new material shall be under-
13 lined. There shall appear in bold face type between the caption and the
14 body of the amendment, the following statement: "All words printed in
15 capital letters are in the constitution at the present time and are
16 being taken out by this amendment. All words underlined do not appear
17 in the constitution as it now is written but will be put in if this
18 amendment is adopted." If, in the opinion of the secretary of state,
19 the proposed amendment is so extensive that the foregoing method is
20 not practical, the section of the constitution as it stands at the time
21 of the election and the constitution as it will appear if amended
22 shall be printed on facing pages headed in bold face type by the words
23 "the constitution as it is before amendment" and "the constitution as
24 it will be if amended".

25 (b) A proposed constitutional amendment which adds a new provi-
26 sion to the constitution, rather than merely changes an existing one,
27 shall be clearly identified as adding language which does not appear
28 in the constitution at the time of the election.

29 Sec. 15.57.150. REJECTION OF ARGUMENTS. (a) The secretary of

1 state shall reject any statement offered for filing, which, in his
2 opinion, contains defamatory matter or language, or matter the circula-
3 tion of which through the mails is prohibited by federal law.

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

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

- 11 (1) those proposed by initiative;
- 12 (2) those proposed by referendum;
- 13 (3) amendments to the constitution;
- 14 (4) issues submitted by the legislature.

15 Sec. 15.57.170. PRINTING SPECIFICATIONS AND MAKE-UP OF PROPOSI-
16 TIONS AND ARGUMENTS IN PAMPHLETS. (a) All propositions and arguments
17 shall be printed and bound in a single pamphlet according to the
18 following specifications:

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

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

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

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

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

29 Sec. 15.57.180. DISTRIBUTION TO VOTERS. Not less than 30 days

1 before an election at which initiative propositions, referendum
2 propositions, or constitutional amendments are to be submitted to the
3 people, the secretary of state shall transmit by mail to every voter
4 in the state whose address he can with reasonable diligence ascertain,
5 one copy of the pamphlet.

6 Sec. 15.57.190. REGULATIONS. The secretary of state may issue
7 regulations necessary to effectuate and clarify the provisions of this
8 chapter.

9 * Sec. 3. AS 43.20.160(c) is amended to read:

10 (c) The department shall prescribe and furnish all necessary forms,
11 and adopt and publish all necessary regulations in plain and concise
12 language conformable with this chapter for the assessment and collection
13 of the taxes imposed by this chapter. The forms shall include a separate
14 blank, clearly labeled, for the notation of political contributions
15 for which a tax credit is claimed under sec. 180 of this chapter. The
16 department shall apply as far as practicable the administrative and
17 judicial interpretations of the federal income tax law. The department
18 shall also prepare a concise statement of the contents of the code
19 sections referred to in this chapter for the information of the taxpayer
20 and make them available to the taxpayer making a return.

21 * Sec. 4. AS 43.20.180 is amended to read:

22 Sec. 43.20.180. CREDITS AGAINST TAX. The amounts deducted and
23 withheld as taxes under sec. 170 of this chapter during a calendar year,
24 and amounts up to \$25 contributed to candidates for Alaska legislative
25 or executive office or for the Alaska seats in the United States
26 Congress, are allowed as credits to the taxpayer against the tax imposed
27 by this chapter.
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