

1 IN THE SENATE

BY YOUNG

2 SENATE BILL NO. 326

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to ballot designations; and providing  
7 for an effective date."

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

9 \* Section 1. AS 15.15 is amended by adding new sections to read:

10 Sec. 15.15.031. BALLOT DESIGNATIONS. (a) Except as provided in  
11 sec. 30(10) of this chapter, immediately under the name of a candidate  
12 and not separated from the name by a line, may appear, at the option  
13 of the candidate, one of the following designations:

14 (1) words designating the elective city, borough, state, or  
15 federal office which the candidate holds at the time of filing his  
16 nomination papers to which he was elected by vote of the people or to  
17 which he was appointed to fill a vacancy;

18 (2) if the candidate is a candidate for the same office  
19 which he then holds, the word "incumbent";

20 (3) if the candidate has been appointed to an elective office  
21 which has become vacant before the next succeeding election in which  
22 the office is on the ballot, and if he is a candidate for the same  
23 office he then holds, he may not use the word "incumbent", a descrip-  
24 tion of that office or its title as a ballot designation; however, he  
25 may use "appointed incumbent", or he may precede a description of that  
26 office or its title with the word "appointed"; or

27 (4) no more than three words designating the principal  
28 professions, vocations or occupations of the candidate; however, if a  
29 candidate ceases to engage in a particular profession, vocation or

1 occupation 60 days or more before the primary or general election, he  
2 may not designate that profession, vocation or occupation on the  
3 primary or general election ballot.

4 (b) No candidate may assume a designation which would mislead  
5 the voters. The lieutenant governor may not permit a designation which  
6 would suggest an evaluation of the qualifications of a candidate for  
7 the office to which he seeks election, or of his professional, voca-  
8 tional or occupational qualifications, or stature.

9 (c) Words used in the designation shall be printed in a legible  
10 type style selected by the lieutenant governor under sec. 30 of this  
11 chapter that is equal in size to or smaller than the type style used to  
12 print the candidate's name and party designation.

13 Sec. 15.15.032. DETERMINATION OF INCUMBENCY. At the first  
14 elections for state senator and representative in each senatorial and  
15 representative district following the promulgation of the reapportion-  
16 ment and redistricting proclamation by the governor under art. VI of  
17 the constitution, the candidate who is considered the incumbent in a  
18 given district for purposes of the election shall be

19 (1) the candidate who is running for the same office which  
20 he then holds and who is running for reelection in a district which has  
21 the identical boundaries and number, or letter, as the district from  
22 which he was last elected;

23 (2) if there is no candidate to whom the provisions of (1)  
24 of this section apply, the incumbent is the candidate who is running  
25 for the same office which he then holds and who is running for reelec-  
26 tion in a district which has the identical boundaries as the district  
27 from which he was last elected, but which has a different number or  
28 letter;

29 (3) if there is no candidate to whom the provisions of (1)

1 or (2) of this section apply, the incumbent is the candidate who is  
2 running for the same office which he then holds and who is running for  
3 reelection in a district which has the identical number or letter as  
4 the district from which he was last elected;

5 (4) if there is no candidate to whom the provisions of (1),  
6 (2) or (3) of this section apply, the incumbent is the candidate who is  
7 running for the same office which he then holds and who is running for  
8 reelection in a district which contains some portion of the territory  
9 previously contained within the district from which he was last  
10 elected; however, in a new district which contains portions of the  
11 territory of more than one former district, the incumbent is the candi-  
12 date the greater portion of the territory of whose former district is  
13 included within the new district; or

14 (5) if there is no candidate in a given district to which  
15 any of the provisions of this section apply, the incumbent is a person  
16 who is a candidate for the same office which he then holds who fulfills  
17 the residency requirements of law for candidacy within the district.

18 \* Sec. 2. This Act takes effect on the day after its passage and approv-  
19 al or on the day it becomes law without approval.  
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