

Introduced: 2/15/74
Referred: State Affairs,
Judiciary and Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2 HOUSE BILL NO. 650

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - SECOND 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 lieutenant governor
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, lieutenant governor, judicial officer, state
19 senator and state representative may file with the lieutenant governor
20 a typewritten statement advocating his candidacy. The statement may
21 not exceed 350 words and may be accompanied by a photograph not more than
22 five years old and suitable for reproduction.

23 Sec. 15.57.030. REJECTION OF STATEMENTS. The lieutenant governor
24 shall, within 10 days after receipt, reject any statement offered for
25 filing, which, in the opinion of the state attorney general, contains
26 defamatory matter or language, or matter the circulation of which
27 through the mails is prohibited by federal law, and shall immediately
28 notify the candidate.

29 Sec. 15.57.040. PUBLICATION AND CONSOLIDATION WITH VOTER PAMPHLET.

1 The statements and photographs of nominees, as set out in secs. 10 and
2 20 of this chapter, shall be published by the lieutenant governor as a
3 candidate pamphlet. The overall dimensions of the pamphlet shall be the
4 same as the voter pamphlet containing the text of state measures to be
5 voted upon, as set out in sec. 170 of this chapter, and whenever possible
6 shall be combined with the voter pamphlet as a single publication.
7 When a consolidation is possible, the candidate portion of the text shall
8 follow the text relating to the state measures.

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

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

14 (2) judicial officers other than supreme court justices, \$50
15 each;

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

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

18 (b) All payments shall be made to the lieutenant governor when the
19 statement is offered to him for filing and shall be deposited in the
20 general fund.

21 (c) Nominees for president and vice-president are each entitled to
22 one page without charge and each political party nominating a presiden-
23 tial candidate is entitled to one page without charge.

24 (d) Political parties may each purchase one additional page for
25 \$500.

26 Sec. 15.57.060. DISTRIBUTION. (a) Not less than 30 days before
27 the election the lieutenant governor shall transmit by mail, to every
28 voter in the state whose address he can with reasonable diligence as-
29 certain, one copy of the pamphlet. When practical, the lieutenant

1 governor shall have the pamphlets printed so that no candidate's picture
2 or statement is included in the copy of the pamphlet going to a district
3 where the candidate's election is not to be voted upon.

4 (b) Additional copies of the pamphlet may be obtained from the
5 office of the lieutenant governor at cost.

6 Sec. 15.57.070. ORDER OF APPEARANCE. The candidates' photographs
7 and statements shall appear in the pamphlet in alphabetical order within
8 each category of office, in the sequence the offices sought appear on
9 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 lieutenant governor shall have the voter
13 pamphlet printed. The pamphlet shall contain, as to each initiative
14 proposition, referendum proposition, issue submitted to the voters by
15 the legislature and constitutional amendment to be voted upon, the
16 following in the order listed:

17 (1) On the top portion of the first two opposing pages
18 relating to the measure and not exceeding one-third of the total print-
19 ing area shall appear

20 (A) the legal identification of the measure;

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

22 (C) a brief statement explaining the law as it presently
23 exists;

24 (D) a brief statement explaining the effect of the pro-
25 posed measure should it be approved as law and, if substantial
26 costs are involved an estimate of construction, personnel, reloca-
27 tion and other costs of the measure;

28 (E) the total number of votes cast for and against the
29 measure in both the state senate and house of representatives if

1 the measure has been passed by the legislature;

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

4 (2) On the lower portion of the left page of the two facing
5 pages shall appear an argument advocating the voters' approval of the
6 measure.

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

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

14 (5) At the conclusion of the pamphlet the full text of each
15 of the measures shall appear. The text of the proposed constitutional
16 amendments shall be set out in the form provided for in sec. 140 of
17 this chapter.

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

24 Sec. 15.57.100. ARGUMENTS BY COMMITTEES. Arguments advocating
25 voter approval or rejection of a measure shall be prepared and submitted
26 for printing by the committees created under secs. 110 and 120 of this
27 chapter. These arguments are the official arguments and no other
28 arguments may appear in the pamphlet with regard to the measure.
29 Arguments may contain graphs and charts, supported by factual statistical

1 data and pictures or other illustrations, but cartoons or caricatures
2 are not permitted.

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

13 Sec. 15.57.120. COMMITTEE ADVOCATING REJECTION OF MEASURE. Argu-
14 ments advocating voter rejection of a proposed constitutional amendment,
15 issue submitted by the legislature, initiative proposition, or referendum
16 proposition shall be composed and submitted for printing by a committee
17 created as follows: the presiding officer of the state senate shall
18 appoint one state senator and the presiding officer of the house of
19 representatives shall appoint one state representative. Whenever
20 possible, the two persons appointed shall be known to have opposed the
21 measure and they shall appoint a third member to the committee who may
22 or may not be a member of the legislature. If no legislators agree to
23 serve on the committee, persons other than legislators may be selected
24 to serve.

25 Sec. 15.57.130. COMMITTEE CHAIRMAN, ADVISORY MEMBERS, AND VACAN-
26 CIES. (a) Committees created under secs. 110 or 120 of this chapter
27 shall elect from their members a chairman to conduct the business of the
28 committee. Each committee may name other persons, not to exceed five,
29 to serve as advisory committee members without vote.

1 (b) If a vacancy occurs in one of the committees, the remaining
2 committee members shall fill the vacancy by appointment. If a vacancy
3 is not filled within 15 days after it first occurs, the lieutenant
4 governor shall fill the vacancy by appointment.

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

21 (b) A proposed constitutional amendment which adds a new provision
22 to the constitution, rather than merely changes an existing one, shall
23 be clearly identified as adding language which does not appear in the
24 constitution at the time of the election.

25 Sec. 15.57.150. REJECTION OF ARGUMENTS. (a) The lieutenant
26 governor shall reject a statement offered for filing, which, in his
27 opinion, contains defamatory matter or language, or matter the circula-
28 tion of which through the mails is prohibited by federal law.

29 (b) Within five days after a rejection, the committee submitting

1 the argument for filing may appeal to a board of review consisting of
2 the governor, the attorney general and the lieutenant governor. The
3 decision of the board is final upon the acceptance or rejection of the
4 matter in controversy.

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

- 7 (1) those proposed by initiative;
- 8 (2) those proposed by referendum;
- 9 (3) amendments to the constitution;
- 10 (4) issues submitted by the legislature.

11 Sec. 15.57.170. PRINTING SPECIFICATIONS AND MAKEUP OF PROPOSITIONS
12 AND ARGUMENTS IN PAMPHLETS. (a) All propositions and arguments shall
13 be printed and bound in a single pamphlet according to the following
14 specifications:

- 15 (1) the pages of the pamphlet shall be not larger than eight
16 and one-half by 11 inches in size;
- 17 (2) the outside measurement of the printed matter of each
18 page shall be not less than six by nine inches, including running head;
- 19 (3) it shall be printed in clear readable type;
- 20 (4) the pamphlet shall be printed on a quality and weight of
21 paper which in the judgment of the lieutenant governor best serves the
22 voters.

23 (b) The lieutenant governor shall publish in the pamphlets a table
24 of contents and a brief alphabetical index of subjects.

25 Sec. 15.57.180. DISTRIBUTION TO VOTERS. Not less than 30 days
26 before an election at which initiative propositions, referendum propo-
27 sitions, or constitutional amendments are to be submitted to the people,
28 the lieutenant governor shall transmit by mail to every voter in the
29 state whose address he can with reasonable diligence ascertain, one copy

1 of the pamphlet.

2 ARTICLE 3. MISCELLANEOUS PROVISIONS.

3 Sec. 15.57.190. REGULATIONS. The lieutenant governor may issue
4 regulations necessary to effectuate and clarify the provisions of this
5 chapter.
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