

Original sponsor: Cotten

Offered: 4/21/77

1 IN THE HOUSE

BY THE RULES COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 188

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to amendments to the Alaska Election
7 Code."

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

9 * Section 1. AS 15.05.010(6) is amended to read:

10 (6) has registered before the election, or at the time of
11 voting, as required under ch. 7 of this title and is not registered to
12 vote in another jurisdiction.

13 * Sec. 2. AS 15.05 is amended by adding a new section to read:

14 Sec. 15.05.015. PROCEDURES FOR OVERSEAS VOTERS. In accordance
15 with the Overseas Citizens Voting Rights Act of 1975 (P.L. 94-203, 89
16 Stat. 1144, 42 U.S.C. 1973dd), a person who resides outside the United
17 States and, for that reason, does not satisfy the registration require-
18 ments of this title, shall be allowed to register and vote as provided
19 in this title if he resided in this state immediately before his de-
20 parture from the United States and is otherwise qualified to vote.

21 * Sec. 3. AS 15.05.020(10) is amended to read:

22 (10) The address of a voter as it appears on his official
23 voter registration record [CARD] is presumptive evidence of the person's
24 voting residence. Upon furnishing evidence of change of address satis-
25 factory to the lieutenant governor, in writing or otherwise, the voter
26 shall be issued a new official voter registration card showing his
27 change of voting residence [IF THE PERSON HAS CHANGED HIS VOTING RESI-
28 DENCE, THIS PRESUMPTION IS NEGATED ONLY BY THE VOTER EXECUTING AN
29 AFFIDAVIT ON A FORM PREPARED BY THE LIEUTENANT GOVERNOR SETTING OUT HIS

1 NEW VOTING RESIDENCE].

2 * Sec. 4. AS 15.07.010 is amended to read:

3 Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct election
4 judges at any election shall allow a person to register and vote if he
5 [WHOSE NAME IS REGISTERED AND WHO] is qualified under AS 15.05.010 in
6 the election district [PRECINCT] in which he intends to vote.

7 * Sec. 5. AS 15.07.030 is amended to read:

8 Sec. 15.07.030. WHO MAY REGISTER. A person who has the quali-
9 fications of a voter as set out in AS 15.05.010(1) - (4), or who, if
10 seeking to register before election day, will have the qualifications at
11 the subsequent [SUCCEEDING] primary, special or general election, is
12 entitled to be registered as a voter in the precinct in which he re-
13 sides.

14 * Sec. 6. AS 15.07.040 is amended to read:

15 Sec. 15.07.040. TIME FOR REGISTRATION. A person who is qualified
16 under AS 15.05.010(1) - (4) is entitled to register at any time through-
17 out the year. A person who on election day presents himself at the
18 polling place for the precinct in which he resides and who is not regis-
19 tered but is qualified to vote under AS 15.05.010(1) - (4) may neverthe-
20 less vote upon registering. A person may register at this time by
21 completing a registration card and providing the registration infor-
22 mation required under sec. 60(2) of this chapter [EXCEPT THAT NO REGIS-
23 TRATION WILL BE MADE FOR A PERIOD OF 30 DAYS PRECEDING THE ELECTION].

24 * Sec. 7. AS 15.07.060(2) is amended to read:

25 (2) address and other necessary information establishing
26 residence if requested; if registering at the time of voting, the appli-
27 cant for registration shall prove his residence by the showing of his
28 motor vehicle operator's license or other document approved by the
29 lieutenant governor which proves identification and residence;

1 * Sec. 8. AS 15.07.070(c) is repealed.

2 * Sec. 9. AS 15.07.070(d) is amended to read:

3 (d) Qualified voters may register in person before a registration
4 official or election judge at any time throughout the year including the
5 day of election [EXCEPT THAT NO REGISTRATION MAY BE MADE WITHIN 30 DAYS
6 PRECEDING AN ELECTION]. Upon receipt and approval of the registration
7 forms the lieutenant governor or the election supervisor shall forward
8 to the voter an acknowledgment in the form of a registration card and
9 his name shall immediately be placed on the master register located in
10 the office of the lieutenant governor and on the district register
11 located in the office of the election supervisor.

12 * Sec. 10. AS 15.07.090(b) and (d) are amended to read:

13 (b) A voter shall re-register if his registration is cancelled for
14 failure to vote in prior elections as provided in sec. 130 of this
15 chapter. [THE RE-REGISTRATION MAY NOT BE MADE LATER THAN 30 DAYS PRE-
16 CEDING AN ELECTION.]

17 (d) A person who claims he is a registered voter, but for whom no
18 evidence of registration in the precinct can be found, or a person who
19 registers on election day, shall be granted the right to vote in the
20 same manner as that of a questioned voter and his ballot shall be
21 treated in the same manner. The ballot shall be considered to be a
22 "questioned ballot" and shall be so designated. Before counting the
23 ballot the [THE] lieutenant governor or his representative shall deter-
24 mine that [WHETHER] the voter resides in the precinct and either (1) is
25 registered in an election district of the state or (2) has resided in
26 the election district for 30 days. A voter who is entitled to vote in
27 the election district in which he resides but who is unable to cast a
28 ballot in that district may cast a ballot in another election district;
29 however, only votes for candidates or on questions which appear on the

1 ballot in the election district in which he resides shall be counted [IS
2 REGISTERED IN THE ELECTION DISTRICT BEFORE COUNTING THE BALLOT. A VOTER
3 WHO HAS FAILED TO OBTAIN A TRANSFER AS PROVIDED IN (c) OF THIS SECTION
4 SHALL VOTE A "QUESTIONED BALLOT" IN HIS PRECINCT OF RESIDENCE].

5 * Sec. 11. AS 15.07.100 is amended by adding a new subsection to read:

6 (b) The lieutenant governor shall grant requests for appointment
7 of at least five registration officials from each major political party
8 when

9 (1) the precinct for which the registration official is
10 requested contains more than 250 voters; and

11 (2) the request for appointment is made by a major political
12 party.

13 * Sec. 12. AS 15.07 is amended by adding a new section to read:

14 Sec. 15.07.115. TEMPORARY REGISTRATION OFFICIALS. The lieutenant
15 governor shall, upon request of a major political party or receipt of a
16 petition signed by five per cent of the registered voters in a precinct,
17 appoint temporary registration officials to serve beginning 150 days
18 before the date set for the general election and ending on the day after
19 the general election. Temporary registration officials shall be com-
20 pensated at the same rate as registration officials under sec. 110 of
21 this chapter.

22 * Sec. 13. AS 15.07.130(b) is amended to read:

23 (b) When a registered voter has not voted in either a primary,
24 special or general election at least once in four consecutive calendar
25 years, the voter shall be advised by mail sent to his last known address
26 that his registration will be cancelled unless he indicates within 90
27 days on forms furnished by the lieutenant governor his desire to remain
28 registered.

29 * Sec. 14. AS 15.07.140 is amended to read:

1 Sec. 15.07.140. GENERAL ADMINISTRATIVE SUPERVISION BY LIEUTENANT
2 GOVERNOR. The lieutenant governor shall provide general administrative
3 supervision over the registration and re-registration of voters and may
4 issue regulations under the Administrative Procedure Act (AS 44.62)
5 necessary to protect the interest of the voter and assure administrative
6 efficiency; however, the lieutenant governor may not issue or promulgate
7 administrative regulations which are inconsistent with the provisions of
8 this chapter. The lieutenant governor shall, no later than 40 days
9 before any primary, special or general election, arrange to have the
10 list of registered voters of the precinct publicly displayed in the
11 precinct. The lieutenant governor shall instruct registration officials
12 to post the list of registered voters in a number of locations cal-
13 culated to obtain maximum recognition. Upon request by the mayor or
14 [CITY] manager of a municipality, [OR A BOROUGH CHAIRMAN] the lieutenant
15 governor shall furnish registration information for all precincts all or
16 part of which are within the boundaries of the local government unit.

17 * Sec. 15. AS 15.13.060(c) is amended to read:

18 (c) Each candidate for state office shall file the name and
19 address of the campaign treasurer with the commission, or submit, in
20 writing, the name and address of the campaign treasurer to the lieute-
21 nant governor for filing with the commission, no later than 15 [SEVEN]
22 days after the date of filing his declaration of candidacy or his nomi-
23 nating petition. Each candidate for municipal office shall file the
24 name and address of the campaign treasurer with the commission no later
25 than seven days after the date of filing his declaration of candidacy or
26 his nominating petition. The name of the candidate may be placed on the
27 ballot by the lieutenant governor or municipal clerk only if the candi-
28 date has complied with this subsection.

29 * Sec. 16. AS 15.15.260 is amended to read:

1 Sec. 15.15.260. PLACING [RETURNING] BALLOT IN BALLOT BOX BY VOTER.

2 When the voter has marked his ballot, he shall inform [FOLD THE BALLOT
3 AND RETURN IT TO] the judge. The lieutenant governor may require that
4 the voter return the ballot to the judge temporarily so that any stub
5 which may be part of the ballot may be removed by the judge. Any such
6 requirement shall protect the secrecy of the ballot. In all cases the
7 ballot [WHO] shall be deposited [DEPOSIT IT] in the ballot box by the
8 voter himself in the presence of the judge [VOTER]. Separate ballot
9 boxes may be used for separate ballots.

10 * Sec. 17. AS 15.15.330 is amended to read:

11 Sec. 15.15.330. COMMENCEMENT OF CANVASS. Counting of [PAPER]
12 ballots may begin before the polls are closed in precincts having 300 or
13 more voters and designated by the lieutenant governor; however, counting
14 shall not in any event begin before 2:00 p.m. prevailing time and unless
15 at least 100 votes have been cast. In all other precincts, when the
16 polls are closed and the last vote has been cast, the election board and
17 clerks or counters shall immediately proceed to open the ballot box and
18 to count and canvass the votes cast. In all cases the election board
19 shall cause the canvass to be continued without adjournment until the
20 canvass is complete. Early canvass results may not be released until at
21 least one-half hour after the polls have been closed.

22 * Sec. 18. AS 15.20.140 is amended by adding new subsections to read:

23 (b) Upon marking an absentee ballot as provided in this section, a
24 voter may return the ballot properly enclosed in the envelopes, in per-
25 son or by personal representative, to the election official who provided
26 the ballot no later than 8:00 p.m. on the day of the election.

27 (c) If the ballot cannot be delivered to the election official who
28 provided the ballot by 8:00 p.m. on the day of the election due to
29 events beyond the control of the voter or the personal representative,

1 or cannot be postmarked on or before the day of the election due to the
2 absence of a post office, an affidavit signed and dated by an official
3 or persons described in sec. 140 of this chapter verifying that the
4 ballot was voted on or before the date of the election is sufficient.
5 An absentee ballot not actually delivered to the election official who
6 provided the ballot or the election supervisor in the voter's district
7 by 4:00 p.m. of the eighth day following the election will not be
8 counted.

9 * Sec. 19. AS 15.20.260 - 15.20.420 are repealed.

10 * Sec. 20. AS 15.20.620(c) is amended to read:

11 (c) As a security precaution, after the computer has been tested
12 as prescribed in (b)(2) and (4) of this section, the computer system
13 or designated partition shall remain idle and the area secured until
14 tabulation of punch-card ballots begins.

15 * Sec. 21. AS 15.20.620(d) is amended to read:

16 (d) During the final tabulation by computer, a manual count of
17 votes cast for different individual candidates chosen at random [RACES]
18 in [SIX] precincts chosen at random shall be made, and the results
19 checked against those of the system.

20 * Sec. 22. AS 15.20.650 is amended to read:

21 Sec. 15.20.650. DELIVERY OF BALLOTS TO COMPUTER COUNTING CENTER.
22 The delivery of ballots from the precinct polling place to the desig-
23 nated computer counting center shall be made by a delivery team con-
24 sisting of two persons appointed by the lieutenant governor [MEMBERS OF
25 THE ELECTION BOARD], one from each of the two major political parties
26 or security guards licensed under AS 18.65.400 - 18.65.490. The de-
27 livery team shall accompany the ballots from the precinct polling place
28 to the receiving board at the computer counting center.

29 * Sec. 23. AS 15.25.040(a) and (b) are amended to read:

1 (a) The declaration is filed by either

2 (1) the actual physical delivery of the declaration [IN
3 PERSON] at or before 5:00 p.m., prevailing time, the third Tuesday of
4 May [JUNE 1] of the year in which a general election is held for the
5 office, or

6 (2) the actual physical delivery by telegram of the person's
7 full name, mailing address, party affiliation, office sought and elec-
8 tion district [A COPY IN SUBSTANCE OF THE STATEMENTS MADE IN THE DE-
9 CLARATION] at or before 5:00 p.m., prevailing time, the third Tuesday of
10 May [JUNE 1] of the year in which a general election is held for the
11 office; the telegram must also be accompanied by [AND ALSO] the actual
12 physical delivery of the declaration by registered mail which is post-
13 marked on [AT] or before the third Tuesday of May [5:00 P.M., PREVAILING
14 TIME, JUNE 1] of the year in which a general election is held for the
15 office and received not more than 15 days after that time.

16 (b) If the postmark is illegible, a dated receipt from the post
17 office where dispatched is [SHALL BE] acceptable as evidence of mailing.
18 If the third Tuesday of May [JUNE 1] is a [SUNDAY OR] holiday, the
19 deadlines for postmarking and receipt of the declaration shall be
20 extended 24 hours [IN EACH INSTANCE].

21 * Sec. 24. AS 15.25.056(a) is amended to read:

22 (a) If an incumbent candidate for renomination dies, becomes
23 disqualified from holding the office he is seeking, or is certified as
24 being incapacitated between the third Tuesday of May [JUNE 1] of the
25 election year and that date which is 15 days before the date of the
26 primary election, his place on the ballot may be filled by party peti-
27 tion. The petition shall state that the political party requests the
28 name of the proposed candidate replace that of the incumbent on the
29 primary election ballot and shall be accompanied by a declaration of

1 candidacy from the person named in the petition. The petition must
2 be received by the lieutenant governor no later than 14 days after the
3 death, disqualification or certification of incapacity of the incumbent
4 or 10 days before the primary election date, whichever time is earlier.

5 * Sec. 25. AS 15.25.150 is amended to read:

6 Sec. 15.25.150. DATE OF FILING PETITION. The petition is filed
7 with the lieutenant governor by actual physical delivery [IN PERSON] at
8 or before 5:00 p.m., prevailing time, the third Tuesday of May [JUNE 1]
9 in the year in which a general election is held for the office, or by
10 actual physical delivery by registered [CERTIFIED] mail which is post-
11 marked on [AT] or before the third Tuesday of May [5:00 P.M., PREVAILING
12 TIME, JUNE 1] in the year in which a general election is held for the
13 office, and received not more than 15 days after that time. If the
14 postmark is illegible, a dated receipt from the post office where dis-
15 patched shall be acceptable as evidence of mailing. If the third
16 Tuesday of May [JUNE 1] is a [SUNDAY OR] holiday, the deadlines for
17 postmarking and receipt of the petition shall be extended 24 hours in
18 each instance.

19 * Sec. 26. AS 15.45.020 is amended to read:

20 Sec. 15.45.020. FILING APPLICATION. An initiative is proposed by
21 filing an application with the lieutenant governor. A deposit of \$100
22 must accompany the application. This deposit will be retained if a
23 petition is not properly filed. If a petition is properly filed, the
24 deposit shall be refunded. The lieutenant governor shall determine
25 whether a petition is properly filed as provided in sec. 150 of this
26 chapter.

27 * Sec. 27. AS 15.45.030 is amended to read:

28 Sec. 15.45.030. FORM OF APPLICATION. The application shall
29 include (1) the proposed bill to be initiated, (2) a statement that the

1 sponsors are qualified voters who signed the application with the
2 proposed bill attached, (3) the designation of an initiative committee
3 of three sponsors who shall represent all sponsors and subscribers in
4 matters relating to the initiative, and (4) the signatures, printed
5 names and resident and mailing addresses of not less than 100 qualified
6 voters, including the members of the initiative committee.

7 * Sec. 28. AS 15.45 is amended by adding a new section to read:

8 Sec. 15.45.045. PREPARATION OF PROPOSED BILL. The Department of
9 Law shall assist the initiative committee in drafting a proposed bill
10 when requested to do so by the committee.

11 * Sec. 29. AS 15.45.060 is amended to read:

12 Sec. 15.45.060. DESIGNATION OF SPONSORS. The qualified voters who
13 subscribe to the application are designated as sponsors. The initiative
14 committee may designate additional sponsors [BY GIVING WRITTEN NOTICE TO
15 THE LIEUTENANT GOVERNOR OF THE NAMES AND ADDRESSES OF THOSE SO DESIG-
16 NATED].

17 * Sec. 30. AS 15.45 is amended by adding a new section to read:

18 Sec. 15.45.085. PREPARATION OF DRAFT BALLOT TITLE AND SUMMARY. If
19 the application is certified, the lieutenant governor shall prepare a
20 draft ballot title and a draft impartial summary of the subject matter
21 of the proposed bill to be initiated. The draft ballot title shall be
22 posed as a question and limited to 10 words. The draft impartial
23 summary may not exceed 100 words. The lieutenant governor shall provide
24 the chairman of the committee with a copy of the draft ballot title and
25 draft impartial summary. Within 10 days, the committee may file speci-
26 fic written objections with the lieutenant governor. The committee may
27 offer an alternative draft ballot title and draft impartial summary.
28 The lieutenant governor shall consider any objections filed and alter-
29 natives offered by the committee, and shall prepare a proposed ballot

1 title and impartial summary.

2 * Sec. 31. AS 15.45.090 is amended to read:

3 Sec. 15.45.090. PREPARATION OF PETITION. If the application is
4 certified, the lieutenant governor shall prescribe the form of and
5 prepare a petition [PETITIONS] containing (1) a copy of the proposed
6 bill, if the number of words included in both the formal and substantive
7 provisions of the bill is 500 or less, (2) the proposed ballot title
8 and [AN] impartial summary [OF THE SUBJECT MATTER OF THE BILL], (3) the
9 warning prescribed in sec. 100 of this chapter, (4) sufficient space for
10 signatures, printed names and resident and mailing addresses [ADDRESS],
11 and (5) other specifications he prescribes [PRESCRIBED BY THE LIEUTENANT
12 GOVERNOR] to assure proper handling and control. Copies of the petition
13 [PETITIONS], for purposes of circulation, shall be prepared by the
14 lieutenant governor in a number reasonably calculated to allow full
15 circulation throughout the state. The initiative committee [LIEUTENANT
16 GOVERNOR] shall number each copy [PETITION] and shall keep a record of
17 the copy [PETITION] delivered to each sponsor. A copy of this record
18 shall be submitted to the lieutenant governor at the time the petition
19 is filed. Upon request of the committee, the lieutenant governor shall
20 report the number of persons who voted in the preceding general elec-
21 tion.

22 * Sec. 32. AS 15.45.150 is amended to read:

23 Sec. 15.45.150. REVIEW OF PETITION. Within not more than 60 days
24 of the date the petition was filed, the lieutenant governor shall
25 review the petition and shall notify the initiative committee whether
26 the petition was properly or improperly filed. When it is known, the
27 lieutenant governor shall notify the initiative committee [, AND] at
28 which election the proposition shall be placed on the ballot.

29 * Sec. 33. AS 15.45.180 is amended to read:

1 Sec. 15.45.180. PREPARATION OF BALLOT TITLE AND PROPOSITION. If
2 the petition is properly filed, the lieutenant governor [, WITH THE
3 ASSISTANCE OF THE ATTORNEY GENERAL,] shall prepare a ballot title and
4 proposition, to consist of the proposed ballot title and impartial
5 summary appearing in the petition. [THE BALLOT TITLE SHALL, IN NOT MORE
6 THAN SIX WORDS, INDICATE THE GENERAL SUBJECT OF THE PROPOSITION. THE
7 PROPOSITION SHALL, IN NOT MORE THAN 100 WORDS, GIVE A TRUE AND IMPARTIAL
8 SUMMARY OF THE PROPOSED LAW.]

9 * Sec. 34. AS 15.45.260 is amended to read:

10 Sec. 15.45.260. FILING APPLICATION. A referendum is proposed by
11 filing an application with the lieutenant governor. A deposit of \$100
12 must accompany the application. This deposit will be retained if a
13 petition is not properly filed. If a petition is properly filed, the
14 deposit shall be refunded. The lieutenant governor shall determine
15 whether a petition is properly filed as provided in sec. 380 of this
16 chapter.

17 * Sec. 35. AS 15.45.270 is amended to read:

18 Sec. 15.45.270. FORM OF APPLICATION. The application shall
19 include (1) the act to be referred, (2) a statement that the sponsors
20 are qualified voters who signed the application with the proposed bill
21 attached, (3) the designation of a referendum committee of three spon-
22 sors who shall represent all sponsors and subscribers in matters relat-
23 ing to the referendum, and (4) the signatures, printed names and resi-
24 dent and mailing addresses of not less than 100 qualified voters,
25 including the members of the referendum committee.

26 * Sec. 36. AS 15.45.290 is amended to read:

27 Sec. 15.45.290. DESIGNATION OF SPONSORS. The qualified voters who
28 subscribe to the application are designated as sponsors. The referendum
29 committee may designate additional sponsors [BY GIVING NOTICE TO THE

1 LIEUTENANT GOVERNOR OF THE NAMES AND ADDRESSES OF THOSE SO DESIGNATED].

2 * Sec. 37. AS 15.45 is amended by adding a new section to read:

3 Sec. 15.45.315. PREPARATION OF DRAFT BALLOT TITLE AND SUMMARY. If
4 the application is certified, the lieutenant governor shall prepare a
5 draft ballot title and a draft impartial summary of the subject matter
6 of the Act to be referred. The draft ballot title shall be posed as a
7 question and limited to 10 words. The draft impartial summary may not
8 exceed 100 words. The lieutenant governor shall notify the chairman of
9 the committee of the wording of the draft ballot title and the draft
10 impartial summary. Upon the notification, the committee may indicate
11 specific objections to the lieutenant governor. The committee may offer
12 an alternative draft ballot title and draft impartial summary. The
13 lieutenant governor shall consider any objections indicated and alterna-
14 tives offered by the committee, and shall prepare a proposed ballot
15 title and impartial summary.

16 * Sec. 38. AS 15.45.320 is amended to read:

17 Sec. 15.45.320. PREPARATION OF PETITION. If the application is
18 certified, the lieutenant governor shall, within 10 [SEVEN] calendar
19 days after the date of certification, prescribe the form of[,] and
20 prepare[,] a petition containing (1) a copy of the Act to be referred,
21 if the number of words included in both the formal and substantive
22 provisions of the bill is 500 or less, (2) the proposed ballot title and
23 [AN] impartial summary [OF THE SUBJECT MATTER OF THE ACT], (3) the
24 warning prescribed in sec. 330 of this chapter, (4) sufficient space for
25 signatures, printed names and resident and mailing addresses, and (5)
26 other specifications he prescribes [PRESCRIBED BY THE LIEUTENANT GOVER-
27 NOR] to assure proper handling and control. Copies of the petition
28 [PETITIONS], for purposes of circulation, shall be prepared by the
29 lieutenant governor in a number reasonably calculated to allow full

1 circulation throughout the state. The referendum committee [LIEUTENANT
2 GOVERNOR] shall number each copy [PETITION] and shall keep a record of
3 the copies [PETITIONS] delivered to each sponsor. A copy of this
4 record shall be submitted to the lieutenant governor at the time the
5 petition is filed. Upon request of the referendum committee, the
6 lieutenant governor shall specify the number of persons who voted in the
7 preceding general election.

8 * Sec. 39. AS 15.45.410 is amended to read:

9 Sec. 15.45.410. PREPARATION OF BALLOT TITLE AND PROPOSITION. If
10 the petition is properly filed, the [THE] lieutenant governor [, WITH
11 THE ASSISTANCE OF THE ATTORNEY GENERAL,] shall prepare a ballot title
12 and proposition to consist of the proposed ballot title and impartial
13 summary appearing in the petition [IF HE DETERMINES THAT THE PETITION IS
14 PROPERLY FILED. THE BALLOT TITLE SHALL, IN NOT MORE THAN SIX WORDS,
15 INDICATE THE GENERAL SUBJECT AREA OF THE ACT. THE PROPOSITION SHALL, IN
16 NOT MORE THAN 100 WORDS, GIVE A TRUE AND IMPARTIAL SUMMARY OF THE ACT
17 BEING REFERRED].

18 * Sec. 40. AS 15.57.010 - 15.57.060 are repealed.

19 * Sec. 41. AS 15.57 is amended by adding new sections to read:

20 Sec. 15.57.011. ELECTION PAMPHLET. Before each state general
21 election, the lieutenant governor shall prepare, publish and mail an
22 election pamphlet to each registered voter of the state. Pamphlets may
23 be prepared on a regional basis as provided in this chapter and deter-
24 mined by the lieutenant governor.

25 Sec. 15.57.021. CONTENTS OF PAMPHLETS. Each election pamphlet
26 shall contain

27 (1) photographs and campaign statements, if submitted, of
28 eligible nominees for elective office for whom a voter of the region may
29 vote and who desire to participate;

1 (2) information and recommendations filed under sec. 70 of
2 this chapter on all judicial officers subject to a retention election in
3 the region;

4 (3) a map of the election district or districts of the
5 region to which the pamphlet has been directed;

6 (4) sample ballots for election districts of the region to
7 which the pamphlet has been directed;

8 (5) an absentee ballot application;

9 (6) for each ballot proposition submitted to the voters by
10 initiative or referendum petition or by the state legislature,

11 (A) the text of the proposition specifying constitu-
12 tional or statutory provisions proposed to be affected, if any;

13 (B) an information statement as provided in sec. 80 of
14 this chapter;

15 (C) an impartial summary of the proposition, to be
16 prepared by the lieutenant governor;

17 (D) if submitted, arguments and rebuttals advocating
18 voter approval or rejection of the proposition as provided in this
19 chapter;

20 (7) for each bond question,

21 (A) a statement of the scope of each project as it
22 appears in the bond authorization Act;

23 (B) a concise narrative section setting out life-cycle
24 cost information, to include, when practicable, the costs of
25 maintenance and operations, occupancy costs, and debt service
26 costs;

27 (8) a maximum of two pages of material submitted by each
28 political party which nominates a candidate or candidates for election;

29 (9) additional information on voting procedures that the

1 lieutenant governor considers necessary.

2 Sec. 15.57.031. MATERIAL TO BE EXCLUDED FROM PAMPHLET. (a) The
3 lieutenant governor shall reject any material offered for inclusion in
4 the pamphlet which, in his opinion, contains any obscene, profane,
5 libelous, or defamatory matter.

6 (b) Within five working days after rejection under (a) of this
7 section, a person submitting the material may appeal to a board of
8 review consisting of the governor, lieutenant governor and the attorney
9 general, or their designees. The decision of the board is final re-
10 garding the acceptance or rejection of the matter in controversy.

11 Sec. 15.57.041. MATERIAL TO BE FILED BY NOMINEE. (a) No later
12 than 60 days before the state general election, each nominee for the
13 offices of United States President or Vice President may file with the
14 lieutenant governor a photograph and a statement advocating his can-
15 didacy.

16 (b) No later than 90 days before the state general election, each
17 nominee for the offices of United States senator, United States repre-
18 sentative, governor, lieutenant governor, justice or judge, state
19 senator and state representative may file with the lieutenant governor
20 a photograph and a statement advocating his candidacy.

21 (c) Each nominee for an office designated under (a) or (b) of this
22 section shall be allowed one page of space in the pamphlet. The space
23 is allotted for the photograph and statement.

24 (d) Pages on which candidates' photographs or statements appear
25 must be clearly identified with the words "paid for by" followed by the
26 name of the candidate and the name of the candidate's campaign treasur-
27 er.

28 Sec. 15.57.051. REQUIREMENTS FOR NOMINEE'S STATEMENT. A nominee's
29 statement must be typewritten. It must be limited to a position state-

1 ment of 250 words or less and a biographical statement of 150 words or
2 less.

3 Sec. 15.57.061. REQUIREMENTS FOR NOMINEE'S PHOTOGRAPH. (a) A
4 nominee's photograph must be a 4" x 5" black and white glossy print, and
5 taken within the past two years.

6 (b) The photograph must be limited to the head, neck and shoulders
7 of the nominee.

8 Sec. 15.57.070. INFORMATION AND RECOMMENDATIONS ON JUDICIAL
9 OFFICERS. No later than 90 days before the state general election, the
10 judicial council shall file with the lieutenant governor a statement
11 including information about each supreme court justice, superior court
12 judge, and district court judge who will be subject to a retention
13 election. The statement must reflect the evaluation of each such
14 justice or judge conducted by the judicial council according to law.
15 Each statement may not exceed 500 words.

16 Sec. 15.57.080. INFORMATION STATEMENT. The lieutenant governor
17 shall prepare an information statement on the effect of any proposition
18 submitted to the voters for approval. This statement must contain the
19 text of any constitutional provision or statute to be affected by the
20 proposition, and the text of the constitutional provision or statute as
21 it would appear if the proposition is approved by the voters.

22 Sec. 15.57.090. PREPARATION OF ARGUMENT ADVOCATING APPROVAL OF
23 PROPOSITION PROPOSED BY LEGISLATURE. Whenever the state legislature
24 originates a proposition to be submitted to the voters, the presiding
25 officer of the house in which the proposition originated shall appoint a
26 member who supported the proposition to draft an argument advocating
27 approval of the proposition for inclusion in the pamphlet. The argument
28 may not exceed 500 words.

29 Sec. 15.57.100. PREPARATION OF ARGUMENT ADVOCATING APPROVAL OF

1 INITIATIVE OR REFERENDUM PROPOSITION. Whenever an initiative or refer-
2 endum petition is filed with the lieutenant governor, the sponsoring
3 committee shall draft an argument advocating approval of the proposition
4 for inclusion in the pamphlet. The argument may not exceed 500 words.

5 Sec. 15.57.110. PREPARATION OF ARGUMENT ADVOCATING REJECTION OF
6 PROPOSITION. Any voter, group of voters or organization may draft an
7 argument advocating rejection of any proposition to be submitted to the
8 voters for inclusion in the pamphlet. The argument may not exceed 500
9 words.

10 Sec. 15.57.120. REQUEST FOR ARGUMENTS. (a) The lieutenant
11 governor shall give notice that arguments advocating rejection of any
12 proposition to be submitted to the voters may be drafted for inclusion
13 in the pamphlet.

14 (b) The notice shall be given by publication at least once in one
15 or more newspapers of general circulation in each of the four judicial
16 districts. The printed notice shall contain

17 (1) a summary of each proposition to be submitted to the
18 voters;

19 (2) an invitation to any voter, group of voters, or organi-
20 zation to draft and file with the lieutenant governor an argument
21 favoring rejection of any proposition to be submitted to the voters;

22 (3) a statement that the argument may not exceed 500 words;

23 (4) a deadline for filing arguments with the lieutenant
24 governor.

25 Sec. 15.57.130. SELECTION OF ARGUMENTS. (a) The argument advo-
26 cating approval of a proposition to be submitted to the voters drafted
27 by a legislator, in the case of a proposition originated by the legis-
28 lature, or the sponsoring committee, in the case of an initiative or
29 referendum, shall be included in the pamphlet.

1 (b) If more than one argument advocating rejection of a proposi-
2 tion to be submitted to the voters is filed with the lieutenant gover-
3 nor, he shall select one to be included in the pamphlet. If only one
4 is submitted, he shall include that one.

5 Sec. 15.57.140. NAME OF AUTHOR OF ARGUMENT. The name and address
6 of the voter, voters, or organization drafting an argument must appear
7 on the argument when filed with the lieutenant governor. The name and
8 address of the voter, voters, or organization drafting an argument
9 printed in the pamphlet must be printed in the pamphlet on the same page
10 as the argument. If more than three voters drafted an argument, only
11 the names of the first three are to be printed.

12 Sec. 15.57.150. REBUTTAL ARGUMENTS. (a) When the lieutenant
13 governor has selected the arguments to appear in the pamphlet as pre-
14 scribed in this chapter, he shall send copies of the argument in favor
15 of the proposition to the author of the selected argument against the
16 proposition. He shall also send copies of the selected argument against
17 the proposition to the author of the argument in favor of the proposi-
18 tion. An author may prepare and submit a rebuttal argument that may not
19 exceed 250 words.

20 (b) Rebuttal arguments must be submitted to the office of the
21 lieutenant governor no later than a date set by the lieutenant governor.

22 (c) Rebuttal arguments must be printed in the same manner as the
23 direct arguments. Each rebuttal argument must immediately follow the
24 direct argument which it seeks to rebut.

25 Sec. 15.57.160. CHARGES FOR SPACE IN PAMPHLET. (a) Each general
26 election candidate shall pay to the lieutenant governor, at the time of
27 filing a photograph and statement under this chapter, the cost of one
28 page of space in the election pamphlet according to the following cost
29 schedule:

1 (1) President or Vice President of the United States, United
2 States senator, United States representative, governor, lieutenant
3 governor, supreme court justice, \$150 each;

4 (2) superior court judge, district court judge, \$75 each;

5 (3) state senator, \$75 each;

6 (4) state representative, \$50 each.

7 (b) The chairman or executive committee of each political party
8 nominating candidates for election at the general election shall pay to
9 the lieutenant governor, at the time of filing material under this
10 chapter, \$300 for each of the two pages of authorized space actually
11 used. Each page purchased must be clearly identified with the words
12 "paid for by" followed by the name of the political party, the name of
13 the chairman for that party, and the name of the party treasurer.

14 (c) There is no charge for statements and recommendations sub-
15 mitted by the judicial council or for arguments or rebuttal arguments
16 advocating approval or rejection of any proposition submitted to the
17 voters for approval.

18 Sec. 15.57.170. ORGANIZATION OF MATERIAL. All material in an
19 election pamphlet must be organized in the same order, manner, and form
20 in which it will appear on the ballot, to the extent possible. The
21 decision of the lieutenant governor on the order, manner, and form of
22 material included in an election pamphlet is final.

23 Sec. 15.57.180. DISTRIBUTION. (a) Not less than 30 days before
24 the election, the lieutenant governor shall transmit by mail, to every
25 registered voter in the state, one copy of the pamphlet prepared for the
26 region in which the voter resides. Additional pamphlets may be obtained
27 from the office of the lieutenant governor and area election offices.

28 (b) The state library shall make a recording of the appropriate
29 regional pamphlet available to a blind voter without cost.

1 * Sec. 42. AS 39.50.020 is amended to read:

2 Sec. 39.50.020. REPORT OF FINANCIAL AND BUSINESS INTERESTS. (a)

3 A judicial officer, commissioner, chairman or member of a state com-
4 mission or board specified in sec. 200(9) of this chapter, person hired
5 or appointed as head or deputy head of, or director of a division
6 within, a department in the executive branch, person appointed as
7 assistant to the governor, and a municipal officer, shall file a state-
8 ment giving his income sources and business interests, under oath and on
9 penalty of perjury, within 30 days after he takes office as a public
10 official. With the exception of those persons who have current state-
11 ments on file, all candidates [CANDIDATES] for state elective office
12 shall file such a statement no later than 15 days after [AT THE TIME OF]
13 filing a declaration of candidacy, or [WITHIN 30 DAYS OF] the filing of
14 any nominating petition, or [WITHIN 30 DAYS OF] becoming a candidate by
15 any other means. With the exception of those persons who have current
16 statements on file, all candidates [CANDIDATES] for elective municipal
17 office shall file such a statement at the time of filing a nominating
18 petition, declaration of candidacy, or other required filing for the
19 elective municipal office. Refusal or failure to file within the time
20 prescribed shall require that the candidate's filing fees, if any, and
21 filing for office be refused or that his previously accepted filing fee
22 be returned and his name removed from the filing records. A statement
23 shall also be filed by public officials no later than April 15 or 15
24 days after the person files his federal income tax return in each follow-
25 ing year, whichever shall come first. Persons who, on or after
26 December 11, 1974, were members of boards or commissions not named in
27 sec. 200(9) of this chapter are not required to file financial state-
28 ments.

29 (b) The governor, lieutenant governor, members of the legislature,

1 and candidates for these offices, judicial officers, each commissioner,
2 head or deputy head of, or director of a division within, a department
3 in the executive branch, assistant to the governor or chairman or
4 member of a commission or board required to report under this chapter,
5 shall file the statement with the Alaska Public Offices Commission.
6 Candidates for state elective office may submit the statement to the
7 lieutenant governor for filing with the commission. A statement is
8 filed or submitted as required by this subsection by actual physical
9 delivery no later than 5:00 p.m. on the day specified in (a) of this
10 section, or by actual physical delivery by registered mail which is
11 postmarked no later than the day specified in (a) of this section and
12 received not more than 15 days after that time. Municipal officers, and
13 candidates for elective municipal office, shall file with the municipal
14 clerk or other municipal official designated to receive their filing for
15 office. All statements required to be filed under this chapter are
16 public records.