

Original sponsor: Cotten

Offered: 4/21/77

1 IN THE HOUSE

BY THE RULES COMMITTEE

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SENATE CS FOR CS FOR HOUSE BILL NO. 188 am S

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

TENTH LEGISLATURE - FIRST SESSION

5

A BILL

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

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

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

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(6) has registered before the election, or at the time of

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voting, as required under ch. 7 of this title and is not registered to vote in another jurisdiction.

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

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Sec. 15.05.015. PROCEDURES FOR OVERSEAS VOTERS. In accordance

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with the Overseas Citizens Voting Rights Act of 1975 (P.L. 94-203, 89

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Stat. 1144, 42 U.S.C. 1973dd), a person who resides outside the United

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States and, for that reason, does not satisfy the registration require-

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ments of this title, shall be allowed to register and vote as provided

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in this title if he resided in this state immediately before his de-

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parture from the United States and is otherwise qualified to vote.

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

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(10) The address of a voter as it appears on his official

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voter registration record [CARD] is presumptive evidence of the person's

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voting residence. Upon furnishing evidence of change of address satis-

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factory to the lieutenant governor, in writing or otherwise, the voter

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shall be issued a new official voter registration card showing his

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change of voting residence [IF THE PERSON HAS CHANGED HIS VOTING RESI-

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DENCE, THIS PRESUMPTION IS NEGATED ONLY BY THE VOTER EXECUTING AN

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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 two [FOUR] consecutive
25 calendar years, the voter shall be advised by mail sent to his last
26 known address that his registration will be cancelled unless he in-
27 dicates within 90 days on forms furnished by the lieutenant governor his
28 desire to remain 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 15.10.040 is amended to read:

18 Sec. 15.10.040. RESTRICTION ON PRECINCT BOUNDARY MODIFICATION.
19 No precinct may include territory lying within more than one election
20 district. Whenever practicable, precinct boundaries shall conform
21 to municipal boundaries. No precinct shall include more than 1,000
22 registered voters.

23 *Sec. 16. AS 15.13.060(c) is amended to read:

24 (c) Each candidate for state office shall file the name and
25 address of the campaign treasurer with the commission, or submit, in
26 writing, the name and address of the campaign treasurer to the lieute-
27 nant governor for filing with the commission, no later than 15 [SEVEN]
28 days after the date of filing his declaration of candidacy or his nomi-
29 nating petition. Each candidate for municipal office shall file the

1 name and address of the campaign treasurer with the commission no later
2 than seven days after the date of filing his declaration of candidacy or
3 his nominating petition. The name of the candidate may be placed on the
4 ballot by the lieutenant governor or municipal clerk only if the candi-
5 date has complied with this subsection.

6 * Sec. 17. AS 15.13.100 is amended to read:

7 Sec. 15.13.100. CONTRIBUTIONS, EXPENDITURES BEFORE FILING.
8 Political [NO POLITICAL] campaign contributions or expenditures, or
9 obligations for those expenditures, may be received or accepted and
10 [EXPENDITURE MAY BE] made or incurred by a person in an election or
11 by a person or group with his knowledge and on his behalf before the
12 date upon which he or she files for nomination for the office which the
13 person seeks. However, these contributions or [, EXCEPT FOR PERSONAL
14 TRAVEL EXPENSES OR FOR OPINION SURVEYS OR POLLS. THESE] expenditures
15 [SHALL BE CHARGED AGAINST THE SPENDING LIMITATION THAT APPLIES TO THE
16 OFFICE FOR WHICH HE SUBSEQUENTLY FILES, AND] shall be included in the
17 first report required under this chapter [AFTER FILING FOR OFFICE].

18 * Sec. 18. AS 15.13.110(a)(4) is amended to read:

19 (4) December 31 [OF EACH YEAR] for expenditures made and
20 contributions received after the report required in (3) of this section
21 and in a non-election year those expenditures made and contributions
22 received which were not reported that year.

23 * Sec. 19. AS 15.15.260 is amended to read:

24 Sec. 15.15.260. PLACING [RETURNING] BALLOT IN BALLOT BOX BY VOTER.
25 When the voter has marked his ballot, he shall inform [FOLD THE BALLOT
26 AND RETURN IT TO] the judge. The lieutenant governor may require that
27 the voter return the ballot to the judge temporarily so that any stub
28 which may be part of the ballot may be removed by the judge. Any such
29 requirement shall protect the secrecy of the ballot. In all cases the

1 ballot [WHO] shall be deposited [DEPOSIT IT] in the ballot box by the
2 voter himself in the presence of the judge, unless the voter requests
3 the judge to deposit the ballot on his behalf [VOTER]. Separate ballot
4 boxes may be used for separate ballots.

5 * Sec. 20. AS 15.15.330 is amended to read:

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

17 * Sec. 21. AS 15.20.140 is repealed and re-enacted to read:

18 Sec. 15.20.140. MARKING ABSENTEE BALLOT. Upon receipt of an
19 absentee ballot, the voter, whether in or outside the state, in the
20 presence of an attesting witness, who is at least 18 years of age, may
21 proceed to mark the ballot in secret, to place the ballot in the small
22 blank envelope, to place the small envelope in the larger envelope,
23 and to sign the voter's certificate on the back of the larger envelope
24 in the presence of the witness who shall sign as an attesting witness.

25 * Sec. 22. AS 15.20.150 is repealed and re-enacted to read:

26 Sec. 15.20.150. RETURN OF ABSENTEE BALLOT. (a) Upon marking
27 an absentee ballot as provided in sec. 140 of this chapter, a voter
28 may

29 (1) return the ballot properly enclosed in the envelopes,

1 in person or by personal representative, to the election official
2 who provided the ballot no later than 8:00 p.m. on the day of the
3 election; or

4 (2) return the ballot properly enclosed in the envelopes by
5 the most expeditious mail service available, postmarked not later
6 than the day of the election, to the election supervisor in the voter's
7 district.

8 (b) If the ballot cannot be delivered to the election official
9 who provided the ballot by 8:00 p.m. on the day of the election due
10 to events beyond the control of the voter or the personal representative,
11 or cannot be postmarked on or before the day of the election due to the
12 absence of a post office, an affidavit signed and dated by the attesting
13 witness described in sec. 140 of this chapter verifying that the
14 ballot was voted on or before the date of the election is sufficient.
15 An absentee ballot not actually delivered to the election official who
16 provided the ballot or the election supervisor in the voter's district
17 by 4:00 p.m. of the eighth day following the election will not be
18 counted.

19 * Sec. 23. AS 15.20.260 - 15.20.420 are repealed.

20 * Sec. 24. AS 15.20.620(c) is amended to read:

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

25 * Sec. 25. AS 15.20.620(d) is amended to read:

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

1 * Sec. 26. AS 15.20.650 is amended to read:

2 Sec. 15.20.650. DELIVERY OF BALLOTS TO COMPUTER COUNTING CENTER.

3 The delivery of ballots from the precinct polling place to the desig-
4 nated computer counting center shall be made by a delivery team con-
5 sisting of two persons appointed by the lieutenant governor [MEMBERS OF
6 THE ELECTION BOARD], one from each of the two major political parties
7 or security guards licensed under AS 18.65.400 - 18.65.490. The de-
8 livery team shall accompany the ballots from the precinct polling place
9 to the receiving board at the computer counting center.

10 * Sec. 27. AS 15.25.040(a) and (b) are amended to read:

11 (a) The declaration is filed by either

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

16 (2) the actual physical delivery by telegram of the person's
17 full name, mailing address, party affiliation, office sought and elec-
18 tion district [A COPY IN SUBSTANCE OF THE STATEMENTS MADE IN THE DE-
19 CLARATION] at or before 5:00 p.m., prevailing time, the third Tuesday of
20 May [JUNE 1] of the year in which a general election is held for the
21 office; the telegram must also be accompanied by [AND ALSO] the actual
22 physical delivery⁹of the declaration by registered mail which is post-
23 marked on [AT] or before the third Tuesday of May [5:00 P.M., PREVAILING
24 TIME, JUNE 1] of the year in which a general election is held for the
25 office and received not more than 15 days after that time.

26 (b) If the postmark is illegible, a dated receipt from the post
27 office where dispatched is [SHALL BE] acceptable as evidence of mailing.
28 If the third Tuesday of May [JUNE 1] is a [SUNDAY OR] holiday, the
29 deadlines for postmarking and receipt of the declaration shall be

1 extended 24 hours [IN EACH INSTANCE].

2 * Sec. 28. AS 15.25.056(a) is amended to read:

3 (a) If an incumbent candidate for renomination dies, becomes
4 disqualified from holding the office he is seeking, or is certified as
5 being incapacitated between the third Tuesday of May [JUNE 1] of the
6 election year and that date which is 15 days before the date of the
7 primary election, his place on the ballot may be filled by party peti-
8 tion. The petition shall state that the political party requests the
9 name of the proposed candidate replace that of the incumbent on the
10 primary election ballot and shall be accompanied by a declaration of
11 candidacy from the person named in the petition. The petition must
12 be received by the lieutenant governor no later than 14 days after the
13 death, disqualification or certification of incapacity of the incumbent
14 or 10 days before the primary election date, whichever time is earlier.

15 * Sec. 29. AS 15.25.150 is amended to read:

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

29 * Sec. 30. AS 15.45.020 is amended to read:

1 Sec. 15.45.020. FILING APPLICATION. An initiative is proposed by
2 filing an application with the lieutenant governor. A deposit of \$100
3 must accompany the application. This deposit will be retained if a
4 petition is not properly filed. If a petition is properly filed, the
5 deposit shall be refunded. The lieutenant governor shall determine
6 whether a petition is properly filed as provided in sec. 150 of this
7 chapter.

8 * Sec. 31. AS 15.45.030 is amended to read:

9 Sec. 15.45.030. FORM OF APPLICATION. The application shall
10 include (1) the proposed bill to be initiated, (2) a statement that the
11 sponsors are qualified voters who signed the application with the
12 proposed bill attached, (3) the designation of an initiative committee
13 of three sponsors who shall represent all sponsors and subscribers in
14 matters relating to the initiative, and (4) the signatures, printed
15 names and resident and mailing addresses of not less than 100 qualified
16 voters, including the members of the initiative committee.

17 * Sec. 32. AS 15.45 is amended by adding a new section to read:

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

21 * Sec. 33. AS 15.45.060 is amended to read:

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

27 * Sec. 34. AS 15.45 is amended by adding a new section to read:

28 Sec. 15.45.085. PREPARATION OF DRAFT BALLOT TITLE AND SUMMARY. If
29 the application is certified, the lieutenant governor shall prepare a

1 draft ballot title and a draft impartial summary of the subject matter
2 of the proposed bill to be initiated. The draft ballot title shall be
3 posed as a question and limited to 10 words. The draft impartial
4 summary may not exceed 100 words. The lieutenant governor shall provide
5 the chairman of the committee with a copy of the draft ballot title and
6 draft impartial summary. Within 10 days, the committee may file speci-
7 fic written objections with the lieutenant governor. The committee may
8 offer an alternative draft ballot title and draft impartial summary.
9 The lieutenant governor shall consider any objections filed and alter-
10 natives offered by the committee, and shall prepare a proposed ballot
11 title and impartial summary.

12 * Sec. 35. AS 15.45.090 is amended to read:

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

1 report the number of persons who voted in the preceding general elec-
2 tion.

3 * Sec. 36. AS 15.45.150 is amended to read:

4 Sec. 15.45.150. REVIEW OF PETITION. Within not more than 60 days
5 of the date the petition was filed, the lieutenant governor shall
6 review the petition and shall notify the initiative committee whether
7 the petition was properly or improperly filed. When it is known, the
8 lieutenant governor shall notify the initiative committee [, AND] at
9 which election the proposition shall be placed on the ballot.

10 * Sec. 37. AS 15.45.180 is amended to read:

11 Sec. 15.45.180. PREPARATION OF BALLOT TITLE AND PROPOSITION. If
12 the petition is properly filed, the lieutenant governor [, WITH THE
13 ASSISTANCE OF THE ATTORNEY GENERAL,] shall prepare a ballot title and
14 proposition, to consist of the proposed ballot title and impartial
15 summary appearing in the petition. [THE BALLOT TITLE SHALL, IN NOT MORE
16 THAN SIX WORDS, INDICATE THE GENERAL SUBJECT OF THE PROPOSITION. THE
17 PROPOSITION SHALL, IN NOT MORE THAN 100 WORDS, GIVE A TRUE AND IMPARTIAL
18 SUMMARY OF THE PROPOSED LAW.]

19 * Sec. 38. AS 15.45.260 is amended to read:

20 Sec. 15.45.260. FILING APPLICATION. A referendum 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. 380 of this
26 chapter.

27 * Sec. 39. AS 15.45.270 is amended to read:

28 Sec. 15.45.270. FORM OF APPLICATION. The application shall
29 include (1) the act to be referred, (2) a statement that the sponsors

1 are qualified voters who signed the application with the proposed bill
2 attached, (3) the designation of a referendum committee of three spon-
3 sors who shall represent all sponsors and subscribers in matters relat-
4 ing to the referendum, and (4) the signatures, printed names and resi-
5 dent and mailing addresses of not less than 100 qualified voters,
6 including the members of the referendum committee.

7 * Sec. 40. AS 15.45.290 is amended to read:

8 Sec. 15.45.290. DESIGNATION OF SPONSORS. The qualified voters who
9 subscribe to the application are designated as sponsors. The referendum
10 committee may designate additional sponsors [BY GIVING NOTICE TO THE
11 LIEUTENANT GOVERNOR OF THE NAMES AND ADDRESSES OF THOSE SO DESIGNATED].

12 * Sec. 41. AS 15.45 is amended by adding a new section to read:

13 Sec. 15.45.315. PREPARATION OF DRAFT BALLOT TITLE AND SUMMARY. If
14 the application is certified, the lieutenant governor shall prepare a
15 draft ballot title and a draft impartial summary of the subject matter
16 of the Act to be referred. The draft ballot title shall be posed as a
17 question and limited to 10 words. The draft impartial summary may not
18 exceed 100 words. The lieutenant governor shall notify the chairman of
19 the committee of the wording of the draft ballot title and the draft
20 impartial summary. Upon the notification, the committee may indicate
21 specific objections to the lieutenant governor. The committee may offer
22 an alternative draft ballot title and draft impartial summary. The
23 lieutenant governor shall consider any objections indicated and alterna-
24 tives offered by the committee, and shall prepare a proposed ballot
25 title and impartial summary.

26 * Sec. 42. AS 15.45.320 is amended to read:

27 Sec. 15.45.320. PREPARATION OF PETITION. If the application is
28 certified, the lieutenant governor shall, within 10 [SEVEN] calendar
29 days after the date of certification, prescribe the form of[,] and

1 prepare[,] a petition containing (1) a copy of the Act to be referred,
2 if the number of words included in both the formal and substantive
3 provisions of the bill is 500 or less, (2) the proposed ballot title and
4 [AN] impartial summary [OF THE SUBJECT MATTER OF THE ACT], (3) the
5 warning prescribed in sec. 330 of this chapter, (4) sufficient space for
6 signatures, printed names and resident and mailing addresses, and (5)
7 other specifications he prescribes [PRESCRIBED BY THE LIEUTENANT GOVER-
8 NOR] to assure proper handling and control. Copies of the petition
9 [PETITIONS], for purposes of circulation, shall be prepared by the
10 lieutenant governor in a number reasonably calculated to allow full
11 circulation throughout the state. The referendum committee [LIEUTENANT
12 GOVERNOR] shall number each copy [PETITION] and shall keep a record of
13 the copies [PETITIONS] delivered to each sponsor. A copy of this
14 record shall be submitted to the lieutenant governor at the time the
15 petition is filed. Upon request of the referendum committee, the
16 lieutenant governor shall specify the number of persons who voted in the
17 preceding general election.

18 * Sec. 43. AS 15.45.410 is amended to read:

19 Sec. 15.45.410. PREPARATION OF BALLOT TITLE AND PROPOSITION. If
20 the petition is properly filed, the [THE] lieutenant governor [, WITH
21 THE ASSISTANCE OF THE ATTORNEY GENERAL,] shall prepare a ballot title
22 and proposition to consist of the proposed ballot title and impartial
23 summary appearing in the petition [IF HE DETERMINES THAT THE PETITION IS
24 PROPERLY FILED. THE BALLOT TITLE SHALL, IN NOT MORE THAN SIX WORDS,
25 INDICATE THE GENERAL SUBJECT AREA OF THE ACT. THE PROPOSITION SHALL, IN
26 NOT MORE THAN 100 WORDS, GIVE A TRUE AND IMPARTIAL SUMMARY OF THE ACT
27 BEING REFERRED].

28 * Sec. 44. AS 15.57.010 - 15.57.060 are repealed.

29 * Sec. 45. AS 15.57 is amended by adding new sections to read:

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

6 Sec. 15.57.021. CONTENTS OF PAMPHLETS. Each election pamphlet
7 shall contain

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

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

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

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

18 (5) an absentee ballot application;

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

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

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

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

27 (D) if submitted, arguments and rebuttals advocating
28 voter approval or rejection of the proposition as provided in this
29 chapter;

1 (7) for each bond question,

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

4 (B) a concise narrative section setting out life-cycle
5 cost information, to include, when practicable, the costs of
6 maintenance and operations, occupancy costs, and debt service
7 costs;

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

10 (9) additional information on voting procedures that the
11 lieutenant governor considers necessary.

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

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

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

26 (b) No later than 90 days before the state general election, each
27 nominee for the offices of United States senator, United States repre-
28 sentative, governor, lieutenant governor, justice or judge, state
29 senator and state representative may file with the lieutenant governor

1 a photograph and a statement advocating his candidacy.

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

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

9 Sec. 15.57.051. REQUIREMENTS FOR NOMINEE'S STATEMENT. A nominee's
10 statement must be typewritten. It must be limited to a position state-
11 ment of 250 words or less and a biographical statement of 150 words or
12 less.

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

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

18 Sec. 15.57.070. INFORMATION AND RECOMMENDATIONS ON JUDICIAL
19 OFFICERS. No later than 90 days before the state general election, the
20 judicial council shall file with the lieutenant governor a statement
21 including information about each supreme court justice, superior court
22 judge, and district court judge who will be subject to a retention
23 election. The statement must reflect the evaluation of each such
24 justice or judge conducted by the judicial council according to law.
25 Each statement may not exceed 500 words.

26 Sec. 15.57.080. INFORMATION STATEMENT. The lieutenant governor
27 shall prepare an information statement on the effect of any proposition
28 submitted to the voters for approval. This statement must contain the
29 text of any constitutional provision or statute to be affected by the

1 proposition, and the text of the constitutional provision or statute as
2 it would appear if the proposition is approved by the voters.

3 Sec. 15.57.090. PREPARATION OF ARGUMENT ADVOCATING APPROVAL OF
4 PROPOSITION PROPOSED BY LEGISLATURE. Whenever the state legislature
5 originates a proposition to be submitted to the voters, the presiding
6 officer of the house in which the proposition originated shall appoint a
7 member who supported the proposition to draft an argument advocating
8 approval of the proposition for inclusion in the pamphlet. The argument
9 may not exceed 500 words.

10 Sec. 15.57.100. PREPARATION OF ARGUMENT ADVOCATING APPROVAL OF
11 INITIATIVE OR REFERENDUM PROPOSITION. Whenever an initiative or refer-
12 endum petition is filed with the lieutenant governor, the sponsoring
13 committee shall draft an argument advocating approval of the proposition
14 for inclusion in the pamphlet. The argument may not exceed 500 words.

15 Sec. 15.57.110. PREPARATION OF ARGUMENT ADVOCATING REJECTION OF
16 PROPOSITION. Any voter, group of voters or organization may draft an
17 argument advocating rejection of any proposition to be submitted to the
18 voters for inclusion in the pamphlet. The argument may not exceed 500
19 words.

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

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

27 (1) a summary of each proposition to be submitted to the
28 voters;

29 (2) an invitation to any voter, group of voters, or organi-

1 zation to draft and file with the lieutenant governor an argument
2 favoring rejection of any proposition to be submitted to the voters;
3 (3) a statement that the argument may not exceed 500 words;
4 (4) a deadline for filing arguments with the lieutenant
5 governor.

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

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

15 Sec. 15.57.140. NAME OF AUTHOR OF ARGUMENT. The name and address
16 of the voter, voters, or organization drafting an argument must appear
17 on the argument when filed with the lieutenant governor. The name and
18 address of the voter, voters, or organization drafting an argument
19 printed in the pamphlet must be printed in the pamphlet on the same page
20 as the argument. If more than three voters drafted an argument, only
21 the names of the first three are to be printed.

22 Sec. 15.57.150. REBUTTAL ARGUMENTS. (a) When the lieutenant
23 Governor has selected the arguments to appear in the pamphlet as pre-
24 scribed in this chapter, he shall send copies of the argument in favor
25 of the proposition to the author of the selected argument against the
26 proposition. He shall also send copies of the selected argument against
27 the proposition to the author of the argument in favor of the proposi-
28 tion. An author may prepare and submit a rebuttal argument that may not
29 exceed 250 words.

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

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

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

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

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

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

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

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

24 (c) There is no charge for statements and recommendations sub-
25 mitted by the judicial council or for arguments or rebuttal arguments
26 advocating approval or rejection of any proposition submitted to the
27 voters for approval.

28 Sec. 15.57.170. ORGANIZATION OF MATERIAL. All material in an
29 election pamphlet must be organized in the same order, manner, and form

1 in which it will appear on the ballot, to the extent possible. The
2 decision of the lieutenant governor on the order, manner, and form of
3 material included in an election pamphlet is final.

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

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

11 * Sec. 46. AS 39.50.020 is amended to read:

12 Sec. 39.50.020. REPORT OF FINANCIAL AND BUSINESS INTEREST. (a)
13 A judicial officer, commissioner, chairman or member of a state
14 commission or board specified in sec. 200(9) of this chapter, person
15 hired or appointed as head or deputy head of, or director of a division
16 within, a department in the executive branch, person appointed as
17 assistant to the governor, and a municipal officer, shall file a
18 statement giving his income sources and business interests, under oath
19 and on penalty of perjury, within 30 days after he takes office as
20 a public official. Candidates for state elective office shall file
21 such a statement within 15 days after [AT THE TIME OF] filing a
22 declaration of candidacy or within 15 [30] days of the filing of any
23 nominating petition, or within 15 [30] days of becoming a candidate
24 by any other means, except that if the candidate has a current state-
25 ment on file with the commission this requirement does not apply.

26 Candidates for elective municipal office shall file such a statement
27 within seven days after [AT THE TIME OF] filing a nominating petition,
28 declaration of candidacy, or other required filing for the elective
29 municipal office, except that if the candidate has a current statement

1 on file with the municipality this requirement does not apply. R
2 Refusal or failure to file within the time prescribed shall require
3 that the candidate's filing fees, if any, and filing for office be
4 refused or that his previously accepted filing fee be returned and
5 his name removed from the filing records. A statement shall also
6 be filed by public officials no later than April 15 or 15 days after the
7 person files his federal income tax return in each following year,
8 whichever shall come later [FIRST. PERSONS WHO, ON OR AFTER DECEMBER
9 11, 1974, WERE MEMBERS OF BOARDS OR COMMISSIONS NOT NAMED IN SEC. 200(9)
10 OF THIS CHAPTER ARE NOT REQUIRED TO FILE FINANCIAL STATEMENTS.]

11 (b) The governor, lieutenant governor, members of the legislature,
12 [AND CANDIDATES FOR THESE OFFICES,] judicial officers, each commissioner,
13 head or deputy head of, or director of a division within, a department
14 in the executive branch, assistant to the governor or chairman or
15 member of a commission or board required to report under this chapter,
16 shall file the statement with the Alaska Public Offices Commission.
17 Municipal officers, and candidates for elective municipal office,
18 shall file with the municipal clerk or other municipal official
19 designated to receive their filing for office. All statements required
20 to be filed under this chapter are public records.

21 (c) Candidates for state elective office may submit the statement
22 to the lieutenant governor for filing with the commission. A statement
23 is filed or submitted as required by this subsection by actual physical
24 delivery no later than 5:00 p.m. on the day specified in (a) of this
25 section, or by actual physical delivery by registered mail which is
26 postmarked no later than the day specified in (a) of this section and
27 received not more than 15 days after that time.