

CHAPTER 177

AN ACT

Pertaining to corrupt practices in connection with primary and general elections in the Territory; unlawful publications relating to candidates for election; defining offenses and prescribing punishment.

(H. B. 192)

Be it Enacted by the Legislature of the Territory of Alaska:

Section 1. **Title of Act.** This Act shall be known as the Alaska Corrupt Practices Act.

Section 2. **Definitions.** When used in this Act, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) "Person" shall be taken to mean and include an individual and where consistent with collective capacity, a committee, firm, partnership, company, corporation, club, organization, association, or other combination of individuals.

(2) "Territory" shall be taken to mean the Territory of Alaska.

(3) "Public Office" shall be taken to mean any Territorial office to which a salary attaches and which is filled by the voters of the Territory, and shall include, without limitation, the office of the Delegate to Congress from Alaska and the offices of members of the Senate and House of Representatives of the Territory.

(4) "Candidate" shall be taken to

mean and include any person whose name is printed on an official ballot for public office, or whose name is expected to be or has been presented for public office, with his consent, for nomination or election.

Section 3. **Undue Influence.** Any person who shall directly or indirectly, by himself or any other person in his behalf, make use of or threaten to make use of, any force, coercion, violence, or restraint, or who inflicts or threatens to inflict, by himself or any other person, any temporal or spiritual injury, damage, harm, or loss upon or against any person in order to induce or compel such person to vote or refrain from voting for any candidate or the ticket of any political party, is guilty of undue influence and shall be punished as for a corrupt practice.

Section 4. **Acts Constituting Corrupt Practices.** Any person is guilty of a corrupt practice within the meaning of this Act if he expends any money for election purposes contrary to the provisions of this Act or any statute of the Territory, or if he is guilty of undue influence or the giving or promising

to give, or offer of any money or valuable thing to any elector with intent to induce such elector to vote for or refrain from voting for any candidate for any public office or position in the Territory, or to register or refrain from registering as a voter at any election in the Territory.

Section 5. Unlawful Publications:

Anonymous Publications: False Statement, Charge or Comment as to Candidate: Punishment. It shall be unlawful to write, print or circulate or cause to be circulated through the mails or otherwise any letter, circular, bill placard, poster or other publication relating to any election or to any candidate at any election, unless the same shall bear on its face the name and address of the author and of the printer and publisher thereof; and any person writing, printing, publishing, circulating, posting or causing to be written, printed, circulated, posted or published any such letter, bill, placard, circular, poster or other publication, as aforesaid, which fails to bear on its face the name and address of the author and of the printer or publisher, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than \$100.00 nor more than \$1,000.00, or by imprisonment in jail for not more than six months, or by both such fine and imprisonment.

If any published letter, circular, poster, bill, publication or placard shall contain any false statement or false charges reflecting on any can-

didate's character, morality or integrity, the author or authors thereof shall be guilty of a felony, and upon conviction thereof, shall be punished by imprisonment in the penitentiary for not less than one or more than three years.

Any person or persons who shall write, print or circulate, or who shall cause to be written, printed, or circulated, any letter, circular, bill, placard or poster, or who shall cause any paid advertisement to be placed in a newspaper or any other publication, or who shall singly or with others pay for any such advertisement, or who shall make any radio broadcast, knowing said letter, circular, bill, placard, poster, publication, radio broadcast or paid advertisement to contain any false statement, charge or comment relating to any candidate, shall, upon conviction thereof, be punished by a fine of not less than \$100.00 nor more than \$1,000.00, or by imprisonment in jail for a period of not less than six months, or by both such fine and imprisonment.

Section 6. Punishment of Person Nominated or Elected to Office for Violation of Act. Any person declared to be nominated or elected to any public office or position in the Territory, who shall be found guilty of any act or acts constituting a crime under the provisions of this Act, shall in addition to all other punishment, be punished by being deprived of the nomination or office, as the case may be, and the vacancy therein shall be filled in the manner provided by law for other vacancies in such office or

position.

Section 7. Punishment for Violations Not Specifically Provided for.

Any person guilty of a corrupt practice under this Act, or who violates any other provision of this Act, the punishment for which is not otherwise provided for, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than

\$200.00 nor more than \$1,000.00, or by imprisonment in jail for not more than one year, or by both such fine and imprisonment.

Section 8. Separability Clause. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act and such application to other persons or circumstances shall not be affected thereby.

Approved March 29, 1955

CHAPTER 178

AN ACT

Prohibiting the employment by the Territory of Alaska of any person related to the executive officer of a Territorial Department, Bureau or Agency; prescribing penalties.

(H. B. 187)

Be it Enacted by the Legislature of the Territory of Alaska:

Section 1. Declaration of Intent.

Whereas the executive officers of Territorial Departments, Bureaus and Agencies receive salaries which are determined or limited by the Legislature; and

Whereas it is the wish and desire of the Legislative branch of the Territorial Government that the monies exacted and to be exacted

from the people of Alaska by taxation be expended in a manner best calculated to directly benefit the greatest number of Alaskans, NOW THEREFORE: it is the intent and purpose of the Legislature by this enactment to prohibit employment of husband and wife in the same Territorial Department, Bureau or Agency, school teachers, public welfare personnel and public health personnel alone excepted, and to prohibit the practice of nepotism