

to the holder of a federal lease a state shorelands lease covering any lands within the exterior boundaries of the federal lease which have been excluded therefrom on the basis of navigability or which may subsequently be administratively or judicially determined to be "Shore Lands" as defined in paragraph (n), Sec. 2, Art. I, Ch. 169, SLA 1959.

The term of every shoreland lease shall conform to that of the adjacent federal lease including extended terms. The authority of the state to classify such lands as competitive or noncompetitive shall not be impaired.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 16, 1962

CHAPTER 125

AN ACT

Relating to elections.

(H.C.S.C.S.S.B. 6)

Be it enacted by the Legislature of the State of Alaska:

Section 1. Sec. 1.01, Art. I, Ch. 83, SLA 1960, is repealed and re-enacted to read:

Article I

Qualification and Registration of Voters

Part I. Qualification of Voters

Sec. 1.01. **Voter Qualification.** Any person may vote at any election who

- (1) is a citizen of the United States,
- (2) is at least 19 years of age,

(3) has been a resident of the state for at least one year immediately preceding the election,

(4) has been a resident of the election district in which he seeks to vote for at least 30 days immediately preceding the election, and

(5) is able to speak or read the English language unless prevented by physical disability, or who voted in the general election of November 4, 1924.

Sec. 2. Sec. 1.02 (5), Ch. 83, SLA 1960, is amended to read:

(5) No member of the armed forces of the United States or his spouse or dependents is a resident of this state solely by reason of being stationed within the state.

Sec. 3. Sec. 2.08, Ch. 83, SLA 1960, is amended to read:

Sec. 2.08. **Dates for Designating Precinct Boundary.** The secretary of state shall designate boundaries of any election precinct which has been established or modified, not later than 40 days prior to any election.

Sec. 4. Sec. 2.11, Ch. 83, SLA 1960, is amended to read:

Sec. 2.11. **Appointment of Election Supervisors.** The secretary of state shall appoint an election supervisor for each of the four major senate districts described in Sec. 2, Article XIV, of the state constitution to assist in the administration of elections within their respective senate districts. The secretary of state may appoint as an election supervisor any person who is a qualified voter of the respective senate district and who does not hold an office in a political party. Election supervisors shall be appointed to serve for a term to begin not more than 90 days prior to the date of the primary nomination or special election and to end not more than 30 days after the date of the general or special election. Election supervisors shall receive compensation in an amount that is comparable to that received for similar type state employment as determined by the secretary of state. Executive department employees shall be appointed election supervisors whenever feasible and shall serve without additional compensation.

Sec. 5. Sec. 3.03 (2), Ch. 83, SLA 1960, is amended to read:

(2) The secretary of state shall

number ballots in series to assure simplicity and secrecy and to prevent fraud.

Sec. 6. Sec. 3.03 (5), Ch. 83, 1960, is repealed and re-enacted to read:

(5) The general election ballot shall be printed on white paper with the names of the candidates and their party designations placed in separate sections under the office designation to which they were nominated. The party affiliation, if any, shall be designated after the name of the candidate. The secretary of state and the governor shall be included under the same section. Provision shall be made for voting for write-in and no-party candidates within each section.

Sec. 7. Sec. 3.03, Ch. 83, SLA 1960, is amended by adding a new paragraph (12) to read:

(12) All propositions and questions, other than whether a judge or justice shall be accepted or rejected, shall be placed on a ballot other than the ballot containing the names of candidates.

Sec. 8. Sec. 3.07, Ch. 83, SLA 1960, is repealed and re-enacted to read:

Sec. 3.07. **Public Notice of Election Required.** The secretary of state shall give and is authorized to contract to give full public notice of the election, and may select any manner reasonably calculated to give actual knowledge of the election to the voters. Such notice shall be given by publication thereof at least twice in some newspaper or newspapers of general circulation in each of the four major election districts. Such printed notice shall specifically include but is not limited to the date of election, the hours between which the polling places will be open, the offices to which candidates are to be nominated or elected, and the subject of the propositions and of questions which are to be voted upon. Public notice shall also be given by posting notices in two or more conspicuous places in each election precinct. Said posted notice shall specifically include but is not limited to the date of election, the boundary of the precinct, the location of the polling place, the hours between which the polling places will be open, the offices to which candidates are to be nominated or elected, and the subject of the propositions and of questions which are to be voted upon. Said first publication or posting is to be made not less

than 10 days prior to such election. The secretary of state may have published in a newspaper of general circulation a precinct map of densely populated precincts where need for such maps is established. It shall not be necessary for the secretary of state to post or publish any notice other than as hereinbefore provided. Additional notice may be given by use of newspapers, television, radio, printed posters, maps, and any similar means of communication deemed necessary. The state, through the office of the secretary of state, shall pay the cost of any election expenses incurred in giving notice of any election.

Sec. 9. Sec. 3.24, Ch. 83, SLA 1960, is amended to read:

Sec. 3.24. **Assisting Voter by Judge.** Any qualified voter who is incapable of reading, of marking the ballot, or of signing his name may request any judge or any one or not more than two other persons of his choice to assist him. If the judge is requested, he shall assist the voter. If any other person is requested, the person shall state upon oath before the election judge that he will not divulge the vote cast by the person whom he assists.

Sec. 10. Sec. 3.36 (1), Ch. 83, SLA 1960, is repealed and re-enacted to read:

(1) A voter may mark his ballot only by the use of cross marks, "X" marks, checks, or plus signs that are clearly placed in the square opposite the name of the candidate the voter desires to designate.

Sec. 11. Sec. 3.36 (7), Ch. 83, SLA 1960, is repealed and re-enacted to read:

(7) Erasures and corrections shall invalidate the ballot.

Sec. 12. 3.36 (10), Ch. 83, SLA 1960, is repealed.

Sec. 13. Sec. 3.44, Ch. 83, SLA 1960, is amended to read:

Sec. 3.44. **Dates for Opening and Closing State Canvass.** The state canvass shall begin six days after the election and be continued daily until completed. The secretary of state shall close the canvass when he is satisfied that no missing precinct certificate of election would, if received, change the result of the election. If no election certificate

has been received from any precinct, the secretary of state may secure from the election supervisors and may count a certified copy of the duplicate election certificate of the precinct. If no election poll books have been received but an authorized election certificate has been received by telegram or radio, the secretary of state shall count the election certificate so received. If the secretary has reason to believe that a missing precinct certificate if received would affect the result of the election, the secretary of state shall await the receipt of the certificate until four o'clock in the afternoon of the 15th day after the date of election. Any certificate not actually delivered to the secretary of state by four o'clock on the 15th day after the election shall not be counted at the canvass.

Sec. 14. Sec. 3.47, Ch. 83, SLA 1960, is amended to read:

Sec. 3.47. Preservation of Election Ballots, Papers, and Materials. The secretary of state shall preserve all precinct election certificates, tallies, and registers for four years after the election. All ballots and stubs may be destroyed 30 days after the certification of state canvass unless an application for recount has been filed and not completed, or unless their destruction is stayed by an order of the court. The secretary of state may permit the inspection of election materials upon call by Congress, the state legislature, or a court of competent jurisdiction.

Sec. 15. Sec. 4.73, Ch. 83, SLA 1960, is amended to read:

Sec. 4.73. Requirement of Deposit. The application shall include a deposit in cash, by certified check, or by bond with a surety approved by the secretary of state. The amount of the deposit is \$50 for each precinct, \$250 for each election district, \$500 for each major senate district, and \$2,000 for the entire state. However, if the recount includes an office for which candidates received a tie vote, or the difference between the number of votes cast for the two candidates receiving the largest number of votes was 10 or less or was less than .5 percent of the total number of votes cast for the two candidates for the contested office, or a question or proposition for which there was a tie vote on the issue, the application need not include

any deposit. If, on the recount, a candidate other than the candidate who received the original election certificate is declared elected, or if the vote on recount is determined to be four percent or more in excess of the vote reported by the state canvass for the candidate applying for the recount or in favor or opposed to the question or proposition as stated in the application, the entire deposit shall be refunded. If the entire deposit is not refunded, the secretary of state shall refund any monies remaining after the cost of the recount has been paid from the deposit.

Sec. 16. Sec. 5.03, Ch. 83, SLA 1960, is amended to read:

Sec. 5.03. Requirements of Declaration of Party Candidacy. Any member of a political party who seeks to become a candidate of the party in the primary nomination shall execute and file a declaration of candidacy. The declaration shall be executed under oath before an officer authorized to take acknowledgments and shall state in substance: (1) the full name of the candidate and the manner in which he wishes his name to appear on the ballot; (2) the full resident address of the candidate; (3) the full mailing address of the candidate; (4) if the candidacy is for the office of state senator or state representative, the election or senate district of which the candidate is a resident; (5) the office for which the candidate seeks nomination; (6) the name of the political party of which he is a candidate for nomination; (7) the date of the primary nomination at which the candidate declares himself to be a candidate; (8) that the candidate meets the specific residency requirements of the office for which he is a candidate; (9) that the candidate will meet the specific citizenship requirements of the office for which he is a candidate; (10) that the candidate is a qualified voter as required by law; (11) that the candidate will meet the specific age requirements of the office for which he is a candidate; (12) that the candidate if nominated and elected will support the principles of the party he seeks to represent; (13) that the candidate requests that his name be placed on the party primary nomination ballot; and (14) that the required fee accompanies the declaration.

Sec. 17. Sec. 5.04, Ch. 83, SLA 1960, is amended to read:

Sec. 5.04. Manner and Date of Filing Declaration. The declaration is filed by either (1) the actual physical delivery of the declaration by mail or in person on or before 5:00 p.m. Alaska Standard time on the first day of May of the year in which a general election is held for the office, or (2) the actual physical delivery by telegram of a copy in substance of the statements made in the declaration on or before 5:00 p.m. Alaska Standard time on the first day of May of the year in which a general election is held for the office, and also the actual physical delivery of the original declaration postmarked on or before 5:00 p.m. Alaska Standard time on or before the first day of May of the year in which a general election is held for the office. Candidates for state-wide offices shall file with the secretary of state. Candidates for district-wide offices shall file with any clerk of the superior court in the major senate district of which the candidate is a resident. The clerk of the superior court shall immediately forward the declaration to the secretary of state. If the first day of May is a Sunday or holiday, declaration may be filed no later than 5:00 p.m. Alaska Standard time on the following day.

Sec. 18. Sec. 5.11, Ch 83, SLA 1960, is amended to read:

Sec. 5.11. Filling Vacancies by Party Petition. If any candidate nominated at the party primary nomination dies, withdraws, resigns, becomes disqualified from holding office for which he is nominated, or is certified as being incapacitated in the manner prescribed by this section after the primary nomination and 10 days or more before the general election, the vacancy may be filled by party petition. The central committee of any political party or any party district committee may certify as being incapacitated any candidate nominated by their respective party by presenting to the secretary of state a sworn statement made by a panel of three licensed physicians, not more than two of whom shall be of the same political party, that the candidate is physically or mentally incapacitated to an extent that would in his judgment prevent the candidate from active service during the term of

office if elected. The secretary of state shall place the name of the person nominated by party petition on the general election ballot or, if the general election ballot has been prepared, the secretary of state or the election officials directed by the secretary of state shall prepare, print, and distribute a sufficient number of gummed labels or stickers bearing the name of the candidate to fill the vacancy to each voting precinct with instructions that the election judges shall place one of the stickers or labels on the appropriate place on each ballot before the ballot is handed to the voter. The name of any candidate disqualified under the provisions of this section shall not appear on the general election ballot.

Sec. 19. Sec. 8.25, Ch. 83, SLA 1960, is amended to read:

Sec. 8.25. Date of Nominations. Candidates for the special election shall be nominated by petition transmitted by either (1) the actual physical delivery of the petition in person, (2) by mail postmarked not later than midnight of the filing date, or (3) by telegram of a copy in substance of the statements made in the petition to the secretary of state on or before the 20th day after the vacancy occurs.

Sec. 20. Sec. 8.35, Ch. 83, SLA 1960, is amended to read:

Sec. 8.35. Date of Nominations. Candidates for the special election shall be nominated by petition transmitted by either (1) actual physical delivery of the petition in person, (2) by mail postmarked not later than midnight of the filing date, or (3) by telegram of a copy in substance of the statements made in the petition to the secretary of state on or before the 20th day after the vacancy occurs.

Sec. 21. Sec. 8.62, Ch. 83, SLA 1960, is amended to read:

Sec. 8.62. Designation of Nominees by Petition. If the vacancy occurs less than one calendar month before the filing date and more than three calendar months before the next general election, candidates shall be nominated by petition transmitted by either (1) the actual physical delivery of the petition in person, (2) by mail postmarked not later than midnight of the filing date, or (3)

by telegram of a copy in substance of the statements made in the petition to the secretary of state on or before the first of September immediately preceding the special election.

Sec. 22. Sec. 9.02, Ch. 83, SLA 1960, is amended to read:

Sec. 9.02. **Filing Application.** An initiative is proposed by filing an application with the secretary of state. A deposit of \$100 shall accompany the application. This deposit will be retained if a petition is not properly filed. If a petition is properly filed, the deposit shall be refunded.

Sec. 23. Sec. 9.32, Ch. 83, SLA 1960, is amended to read:

Sec. 9.32. **Filing Application.** A referendum is proposed by filing an application with the secretary of state. A deposit of \$100 shall accompany the application. This deposit will be retained if a petition is not properly filed. If a petition is properly filed, the deposit shall be refunded.

Sec. 24. Sec. 9.72, Ch. 83, SLA 1960, is amended to read:

Sec. 9.72. **Filing Application.** The recall of the governor or a member of the state legislature is proposed by filing an application with the secretary of state. The recall of the secretary of state is proposed by filing an application with the attorney general, who shall perform the duties imposed on the secretary of state in the recall of other elected state officials. A deposit of \$100 shall accompany the application. This deposit will be retained if a petition is not properly filed. If a petition is properly filed the deposit shall be refunded.

Sec. 25. Art. XI, Ch. 83, SLA 1960, is amended by adding a new Sec. 11.26 to read:

Sec. 11.26. **Voting after Disqualification.** Any voter disqualified under Sec. 1.03 who votes or attempts to vote in any election shall be guilty of a misdemeanor.

Approved April 17, 1962

CHAPTER 126

AN ACT

Relating to the effective date for changes to the Alaska Election Code; and providing for an effective date.

(S.B. 297)

Be it enacted by the Legislature of the State of Alaska:

Senate Bill No. 6, as amended (Ch. 125, SLA 1962), become effective April 15, 1962.

Section 1. The changes to the Alaska Election Code made by House Committee Substitute for Committee Substitute for

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.

Approved April 17, 1962

CHAPTER 127

AN ACT

Approving salary schedules for a pay plan for state employees pursuant to provisions of the State Personnel Act of 1960; and providing for an effective date.

(H.B. 472)

Be it enacted by the Legislature of the State of Alaska:

schedules are approved pursuant to provisions of Sec. 13(2) and Sec. 24, Ch. 144, SLA 1960, as the pay plan for employees of the State of Alaska:

Section 1. The following monthly salary