

## Ballot Measure 5

### An Act Prohibiting Billboards

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#### BALLOT LANGUAGE

The bill states findings and intent that Alaska be forever free of billboards. It defines billboards as any signs or forms of outdoor advertising not allowed by law. The bill also repeals a law recently passed by the legislature which allows a new class of road signs outside of the right-of-way, visible from highways, off-site from where businesses are located. Those tourism directional signs have a standard format and size of 90 by 18 inches. The bill changes the penalty from a violation back to a misdemeanor for those who break the laws on outdoor advertising near state roads.

SHOULD THIS INITIATIVE BECOME LAW?

Yes [ ]

No [ ]

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#### LEGISLATIVE AFFAIRS AGENCY SUMMARY

This measure repeals a tourist oriented directional sign program that was passed by the state legislature in 1997. It also provides that a violation of the outdoor advertising laws is a misdemeanor. The highest amount of fine that may be imposed for such a violation is raised to \$5,000. The term "billboards" is defined. The findings and intent of the people of the state of Alaska regarding billboards are set out.

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#### FULL TEXT OF PROPOSED LAW

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

Sec. 1. A.S. 19.25 is amended by adding a new subsection to read:

Sec. 19.25.075. FINDINGS AND INTENT OF THE PEOPLE OF THE STATE OF ALASKA.

(a) The people of the State of Alaska find that the presence of billboards visible from Alaska's high-ways endanger Alaska's uniqueness and its scenic beauty; and

(b) It is the intent of the people of the State of Alaska that Alaska shall forever remain free of billboards.

Sec. 2. A.S. 19.25.130 is amended to read:

Sec. 19.25.130. Penalty for violation. A person who violates A.S. 19.25.080-19.25.180, or a regulation adopted under A.S. 19.25.080-19.25.180, is guilty of a misdemeanor [VIOLATION] and upon conviction is punishable by a fine of not less than \$50 nor more than \$5,000 [\$1,000].

Sec. 3. A.S. 19.25.160 is amended by adding a new subsection to read:

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Sec. 19.25.160(1). "Billboards" means any signboards, signs, displays, notices or forms of outdoor advertising that do not strictly comply with the provisions of A.S. 19.25.075-19.25.180, or with any permit or permits issued pursuant to A.S. 19.25.075-19.25.180.

Sec. 4. A.S. 19.25.105(a)(6), A.S. 19.25.105(d)(2) and A.S. 19.25.105(e) are repealed.

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## STATEMENT IN SUPPORT

Keep Our Scenic Drive - Vote Yes On Five! Alaskans Against Billboards sponsored Ballot Measure 5 to permanently prohibit billboards in Alaska -- because our future businesses, jobs and quality of life depend on protecting Alaska's natural scenic beauty and views. We urge you to please vote YES on FIVE to protect our scenery.

### Who is Alaskans Against Billboards?

Alaskans Against Billboards is a diverse coalition of citizens who value Alaska's scenic beauty and want Alaska to remain billboard-free. We include mom and pop tourism operations, businessmen and women, dog mushers and Alaskans of every political stripe.

We sponsored Ballot Measure 5 so the people can decide whether or not to repeal the legislature's sign bill and permanently ban billboards in Alaska. Our initiative was the only one to qualify for the ballot without having paid any of its signature gatherers.

### What does the bill passed by the legislature do?

Last year, the legislature ignored overwhelming public opposition, overrode Governor Knowles' veto and passed Senate Bill 56, sponsored by Senator Lyda Green. This new law makes it legal, for the first time, for landowners to rent out advertising space along the highways. It also dramatically reduces the penalty for violating the sign law to a fine as low as \$50.

### Aren't billboards already illegal in Alaska?

Our opponents claim the new law is not a billboard bill, however, their law is the foot in the door for the billboard industry. Now that landowners can sell advertising rights along the highway, it is only a matter of time before moneymaking interests start littering Alaska's landscape with billboards. Like weeds, once the \$1.8 billion billboard industry moves in, they are nearly impossible to remove.

### What's wrong with these new signs allowed by the legislature?

A LOT. There is nothing prohibiting the stacking of signs in these rented locations to create an even larger billboard effect. Also, Senator Green said she would not necessarily be opposed to enlarging the signs in the future.

### Will the initiative affect the blue and white Tourist Oriented Directional Signs (TODS)?

NO. Opinions from the State Attorney General and Department of Transportation have made clear that TODS will still be legal if the initiative passes.

### Would billboards harm Alaska's economy?

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YES. Alaska's tourism industry depends on our beautiful scenery. Alaska is unique and we should keep it that way. Alaskans and tourists alike enjoy a drive through fantastic scenery, not a drive through the yellow pages. Our initiative simply repeals the legislature's sign bill and returns Alaska's sign laws to the way they've always been.

Alaskans Against Billboards  
Katy Coelho, Director  
(907) 274-3689

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## STATEMENT IN OPPOSITION

What is the purpose of this ballot measure? Billboards are already illegal in Alaska. (See AS 19.25.090.) The sole purpose of this initiative is to repeal Tourist Oriented Directional Signs (TODS). The original bill (SB56) passed by an overwhelming 43/15 (3-to-1) bipartisan majority of the legislature, but was vetoed by the governor. His veto was overridden 43/16 and the bill became law. It was a popular piece of legislation because it allowed mom-and-pop businesses like campgrounds, bed and breakfasts and other tourist-oriented businesses to have small signs (not to exceed 18" by 90") near the highway where other informational road signs are located.

Under this law and the regulations of the Alaska Department of Transportation, a TODS sign must meet the following criteria:

1. The business must be in an unorganized or rural area.
2. The Department must approve the sign prior to installation and control the location "in a manner that maintains the quality of scenic areas."
3. The sign and permit must be paid for by the business.
4. The metal blue and white sign may contain only the name of the qualifying business, an icon representing the attraction or service, the distance to the business, and a directional arrow.
5. The sign must not exceed 18 inches in height or 90 inches in width.

These signs are actually the same size or smaller than many of the state DOT informational signs we rely on daily as we drive Alaska's roads. (Mileage signs giving the distance to two towns are 48" by 168")

Visitors and many Alaskans get lost on our highways because of inadequate signage. Small family-owned businesses find it difficult to give good directions in rural areas. The TOD signs are simply akin to the blue and white signs we see informing us a gas station or restaurant is coming up soon.

The TODS bill was strongly supported by the visitor industry and many Chambers of Commerce because it helps our visitors and small businesses. There are already 115 TOD signs erected around the state. They are not "billboards." The program was originally set up as a DOT "policy," but not set in law, meaning bureaucrats could arbitrarily change it. The visitor industry sought to formalize it into law to maintain consistency and assure its existence.

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Legislative legal counsel stated in a memo on October 30, 1997, "If the initiative is placed on the ballot and approved by the voters, those provisions of SB 56 that expressly authorized the DOT to establish the tourist oriented directional sign program (AS 19.25.105(a)(6), (d)(2) and (e)) would be repealed." Ask for a copy of the law from any legislative office or look it up on the Internet at [www.legis.state.ak.us](http://www.legis.state.ak.us).

Proponents of the initiative are not telling all the facts. Please help our visitors and small off-road businesses that depend on legal, appropriate, tightly controlled signage. Don't be deceived. Read the law and VOTE NO on Ballot Measure 5.

Alaska Campground Owners Association  
Brenda Hewitt-Wilcox, Vice President  
(907) 455-6007

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