

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GRUENBERG

TO: HB 3

1 Page 1, line 1, following "An Act":

2 Insert "relating to voter registration and questioned ballots; permitting a voter to
3 register up to or on the day of an election;"
4

5 Page 1, following line 3:

6 Insert new bill sections to read:

7 **"* Section 1. AS 15.05.010 is amended to read:**

8 **Sec. 15.05.010. Voter qualification.** A person may vote at any election who

9 (1) is a citizen of the United States;

10 (2) is 18 years of age or older;

11 (3) has been a resident of the state and of the house district in which
12 the person seeks to vote for at least 30 days just before the election; and

13 (4) has registered [BEFORE THE ELECTION] as required under
14 AS 15.07 and is not registered to vote in another jurisdiction.

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

16 (d) Qualified voters may register in person before a registration official or
17 through a voter registration agency at any time throughout the year. **A qualified voter**
18 **who registers** [, EXCEPT THAT A PERSON REGISTERING] within 30 days
19 preceding an election **or on the day of an election shall vote a questioned ballot** [IS
20 NOT ELIGIBLE TO VOTE] at that election. Upon receipt and approval of the
21 registration forms, the director or the election supervisor shall forward to the voter an
22 acknowledgment in the form of a registration card, and the voter's name shall
23 immediately be placed on the master register. Names of persons registering 30 or more

1 days before an election shall be placed on the official registration list for that election.

2 * **Sec. 3.** AS 15.07.090(d) is repealed and reenacted to read:

3 (d) A voter who has failed to request a transfer as provided in (c) of this
4 section or a person who claims to be a registered voter, but for whom no evidence of
5 registration in the precinct can be found, shall vote a questioned ballot. The director or
6 the director's representative shall determine whether a voter for whom no evidence of
7 registration in the precinct is found is registered in that house district before counting
8 the ballot.

9 * **Sec. 4.** AS 15.15 is amended by adding a new section to read:

10 **Sec. 15.15.212. Election day voting by questioned ballot outside a voter's**
11 **house district.** (a) Notwithstanding AS 15.05.010(3), a qualified voter who has been a
12 resident of the state and of a house district for at least 30 days before an election, but
13 who is absent from that house district on election day, may vote a questioned ballot at
14 a polling place outside that district on election day.

15 (b) For purposes of (a) of this section, the director shall

16 (1) supply all polling places with ballots for all house districts in the
17 state; the director may provide the ballots under AS 15.15.032, 15.15.050, or
18 AS 15.20.030;

19 (2) provide each voting official with a means of determining, by
20 address, the appropriate house district ballot for a qualified voter voting a questioned
21 ballot under this section; and

22 (3) provide each polling place with a separate ballot box for questioned
23 ballots cast under this section.

24 * **Sec. 5.** AS 15.15.215(a) is amended to read:

25 (a) A voter who casts a questioned ballot in the voter's house district shall
26 vote the ballot in the same manner as prescribed for other voters. The voter shall insert
27 the ballot into a secrecy sleeve and put the secrecy sleeve into an envelope on which
28 the statement the voter previously signed is located. The envelope shall be sealed and
29 deposited in the ballot box. When the ballot box is opened, the envelopes shall be
30 segregated, counted, compared to the voting list, and delivered to the official or body
31 supervising the election. The merits of the question shall be determined by this official

or body in accordance with the procedure prescribed for questioned ballots [VOTES]
in AS 15.20.207.

* **Sec. 6.** AS 15.15.215 is amended by adding a new subsection to read:

(c) A voter who casts a questioned ballot at a polling place outside the voter's house district under AS 15.15.212 shall vote the ballot in the same manner prescribed for other voters. The voter shall insert the ballot into a secrecy sleeve and put the secrecy sleeve into an envelope on which the statement the voter previously signed is located. The envelope shall be sealed and deposited in a ballot box provided by the director under AS 15.15.212(b) for out-of-district questioned ballots. When the ballot box is opened, the envelopes shall be segregated, counted, and delivered to the director."

Page 1, line 4:

Delete "**Section 1**"

Insert "**Sec. 7**"

Renumber the following bill sections accordingly.

Page 2, following line 29:

Insert new bill sections to read:

"* **Sec. 9.** AS 15.15.350(a) is amended to read:

(a) The director may adopt regulations prescribing the manner in which the precinct ballot count is accomplished so as to ensure accuracy in the count and to expedite the process. The election board shall account for all ballots by completing a ballot statement containing (1) the number of official ballots received; (2) the number of official ballots voted; (3) the number of official ballots spoiled; (4) the number of official ballots unused and either destroyed or returned for destruction to the elections supervisor or the election supervisor's designee. The board shall count the number of questioned ballots cast by voters registered to vote in the house district and compare that number to the number of questioned voters in the register. Discrepancies shall be noted and the numbers included in the certificate prescribed by AS 15.15.370.

1 The election board, in hand-count precincts, shall count the ballots in a manner that
2 allows watchers to see the ballots when opened and read. A person handling the ballot
3 after it has been taken from the ballot box and before it is placed in the envelope for
4 mailing may not have a marking device in hand or remove a ballot from the immediate
5 vicinity of the polls.

6 * **Sec. 10.** AS 15.15 is amended by adding a new section to read:

7 **Sec. 15.15.367. Counting and review of out-of-district questioned ballots.**

8 The director shall examine each questioned ballot cast under AS 15.15.212 in the
9 manner provided in AS 15.20.207(b). If a questioned ballot is not rejected, it shall be
10 counted, subject to AS 15.15.360. A questioned ballot cast under AS 15.15.212 may
11 be challenged by an appointed party representative when that ballot is reviewed under
12 AS 15.20.220(b). The director shall follow the procedures provided by
13 AS 15.20.207(h) - (k) for ballots reviewed under this section."
14

15 Renumber the following bill sections accordingly.

16
17 Page 4, following line 21:

18 Insert a new bill section to read:

19 "** **Sec. 13.** AS 15.15.198(b) is repealed."