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IN THE SENATE

IN THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

SENATE BILL NO. 100

IN THE LEGISLATURE OF THE STATE OF ALASKA
SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act requiring voter registration in certain election districts; permitting adoption of registration requirements by cities with over 1,000 population; setting forth the procedures for registration and the administration of registration; amending and adding new sections to Art. I, Ch. 83, SLA 1960; and providing for an effective date."

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

Section 1. Sec. 1.01, Art. I, Ch. 83, SLA 1960 is amended to read:

ARTICLE I

QUALIFICATION AND PRIOR REGISTRATION OF VOTERS

Part 1. Qualifications of Voters

Sec. 1.01. VOTER QUALIFICATION. Any person who has the following qualifications may vote at any election and party nomination:

- (1) A citizen of the United States,
- (2) At least 19 years of age,
- (3) A resident of the state for at least one year immediately preceding the election,
- (4) A resident of the election district in which he seeks to vote for at least 30 days immediately preceding

1 the election, [AND]

2 (5) An ability to read or speak the English lan-
3 guage unless prevented by physical disability, or who legally
4 voted in the general election of November 4, 1924, and [.]

5 (6) Has registered prior to the election as re-
6 quired by this code.

7 Sec. 2. Art. I, Ch. 83, SLA 1960 is amended to add the
8 following Part 2 and the following sections:

9 N Part 2. Prior Registration

10 E Sec. 1.51. REGISTRATION OF VOTERS. In any election
11 W district or city which comes under the provisions of this Act
12 the precinct election judges at any election or party nomina-
13 tion shall not receive the vote of any person whose name is
14 not on the registration card or list of the precinct in which
15 he offers to vote, except as hereinafter provided.

16 Sec. 1.52. REGISTRATION REQUIRED IN CERTAIN ELECTION
17 DISTRICTS. In all elections and party nominations prior
18 registration shall be required in any election district in-
19 which more than three thousand (3,000) votes (including votes
20 cast by absentee ballot) were cast at the last preceding
21 general election. Once registration is required in any elec-
22 tion district any subsequent vote of less than 3,000 in that
23 district shall not result in this requirement being suspended.

24 M Sec. 1.53. REGISTRATION OPTIONAL IN CERTAIN MUNICIPALITI-
25 A TIES. In all elections and party nominations, prior registra-
26 T tion may be required in any incorporated city of over 1,000
27 T population at the option of such cities. Municipalities which
28 E exercise this option shall be under all applicable provisions
29 R of this Act and shall be prohibited from passing any ordinance

1 N inconsistent with this Act. To exercise this option a city
2 E shall pass an ordinance electing this option and shall de-
3 W liver a certified copy to the Secretary of State at least 60
4 days prior to any election.

5 Sec. 1.54. COMPLIANCE WITH STATE LAW REQUIRED--
6 M ADDITIONAL REGISTRATION INFORMATION MAY BE REQUIRED. In
7 A districts and cities where registration is required the pro-
8 T visions of this Act must be complied with and any ordinances
9 T inconsistent with this Act are hereby repealed, but city
10 E clerks, borough clerks or clerks of any other political sub-
11 R division which has the power or is required to hold elections
12 may require information in addition to that required by
13 Sec. 1.60 as may be necessary for city elections, borough
14 elections, bond issue elections or other related election
15 purposes.

16 Sec. 1.55. WHO MAY REGISTER. Every person residing in
17 any district or city in which prior registration is required
18 who has the qualifications of a voter set out in Sec. 1.01,
19 N Ch. 83, SLA 1960, or who will have such qualifications at the
20 E next ensuing election, shall be entitled to be registered
21 W without charge as a voter in the district or city in which
22 he resides.

23 Sec. 1.56. TIME FOR REGISTRATION. After the 1962
24 M general election, qualified persons in districts and cities
25 A where registration is required shall be entitled to register
26 T at any time throughout the year, during the regular business
27 T hours of the registration officer, except that no registra-
28 E tions will be taken for a period of 25 days preceding the
29 R elections, except as provided in Sec. 1.59.

1 N Sec. 1.57. PLACES OF REGISTRATION. In districts and
2 E cities where prior registration is required, registration
3 W shall be conducted only at central registration offices and
4 at such other places as the Secretary of State may determine.
5 No city shall have more than one central registration office
6 M nor more than one registration officer.

7 A Sec. 1.58. PRIOR REGISTRATION IN PERSON REQUIRED. In
8 T districts and cities where prior registration is required,
9 T registration shall be by personal application before a
10 E registration officer or clerk, except as provided in Sec.
11 R 1.59 and Sec. 1.61 of this Act.

12 Sec. 1.59. REGISTRATION FOR 1962 GENERAL ELECTION. In
13 the 1962 general election and party primary only, a voter may
14 register in accordance with the provisions of this section.
15 The voter may register at the time of voting at the polling
16 place in the precinct in which he resides by identifying him-
17 self to the precinct election board or other registration
18 official designated by the Secretary of State and providing
19 N the board or the registration official with the information
20 E and in the manner required by Sec. 1.60 of this Act. Voters
21 W applying for absentee ballots for the 1962 general election
22 or party primary shall be registered as provided by Sec. 1.62
23 on registration cards provided by the Secretary of State to-
24 M gether with the absentee ballots. Any person who supplies
25 A information under this section knowing it to be false is
26 T guilty of a felony.

27 T Sec. 1.60. REQUIRED REGISTRATION INFORMATION. Each
28 E applicant who requests registration shall supply the follow-
29 R ing information under oath or affirmation:

- 1 N (1) Name in full and sex.
 2 E (2) Mailing address, residence address or any
 3 W other necessary information definitely locating his residence
 4 (3) Election district and precinct.
 5 (4) Term of residence in state and in election
 6 M district.
 7 A (5) The date and place of his birth.
 8 T (6) Occupation or profession.
 9 T (7) Citizenship. If a naturalized citizen, date
 10 E of final citizenship papers.
 11 R (8) The name of the political party with which
 12 the applicant is affiliated, or that he is not affiliated
 13 with any party or that he does not desire to supply such
 14 information.
 15 (9) Date of application.
 16 (10) Signature.

17 Any person who supplies any information under this section
 18 knowing it to be false is guilty of a felony.

19 N Sec. 1.61. PRIOR REGISTRATION BY MAIL--WHEN PERMITTED.
 20 E Prior registration by mail shall be permitted for any voter
 21 W who is unable to make personal application for registration
 22 because he is:

- 23 (1) absent from the district during the entire
 24 M time allowed for registration, or
 25 A (2) unable to register in person because of
 26 T physical disability, or
 27 T (3) unable to be present at the polls because of the
 28 E physical inaccessibility of the polling place causing undue
 29 R travel expense, hardship, or hazard to the voter.

1 N Sec. 1.62. PRIOR REGISTRATION BY MAIL--PROCEDURE. a.
2 E To register by mail, a voter shall secure from a registration
3 W officer of the district in which is located his legal resi-
4 dence duplicate registration cards, execute the registration
5 affidavit thereon in duplicate in the presence of any notary
6 M public, commissioned officer of the Armed Forces, including
7 A the National Guard, any district magistrate or deputy magis-
8 T trate, United States postmaster, or other person qualified to
9 T administer oaths, whose title shall be designated on the
10 E cards, and return the completed registration cards to the
11 R registration officer.

12 b. An applicant for registration by mail shall supply
13 all of the information on the duplicate registration cards
14 required by Sec. 1.60 of this Act and also a statement that
15 he is unable to register in person and the reason therefor.

16 c. Whenever a voter's application for registration is
17 denied, the registration officer shall notify the voter of
18 the denial and the reason therefor. If the application is
19 N denied because it was submitted less than 25 days before an
20 E election, the voter shall be notified that he is registered
21 W for the next following election.

22 d. It shall be the duty of the Secretary of State to
23 make available to all registration officers duplicate cards
24 M for the purpose of registration by mail. Such duplicate
25 A registration cards shall include an oath that the applicant
26 T is qualified in all respects to vote or that he will be at
27 T the time of the next election, a blank for the applicant's
28 E signature, a certification that the affiant properly executed
29 R the registration cards and identified himself, and blanks for

1 N the attesting witnesses.

2 E e. Any person who knowingly makes a false application
3 W under this section is guilty of a felony.

4 Sec. 1.63. IDENTIFICATION OF VOTERS AT THE POLLS. In
5 districts and cities in which prior registration is required,
6 M every voter (except those registered according to Sec. 1.59)
7 A shall be identified at the polls before being permitted to
8 T vote. A voter shall be identified by requiring him to sign
9 T his name and by a comparison of that signature with the
10 E signature on the precinct registration cards or lists.

11 R Sec. 1.64. VOTING ALLOWED UPON AFFIDAVITS. In dis-
12 tricts and cities where prior registration is required, a
13 person offering to vote, whose name is not on the precinct
14 registration cards or list, may not vote unless he shall fur-
15 nish the judges of election his affidavit which states that
16 he resides in the precinct, the time he has resided therein,
17 that he is fully qualified to vote, and the reason why he
18 was not registered. He shall also furnish the judges of
19 N election the affidavit of two registered voters which state
20 E that they know him to be an inhabitant of the precinct, and
21 W the length of time he has resided therein. These affidavits
22 may be sworn to before the chairman of the precinct election
23 board in the precinct where the vote is offered, or before
24 M any other person authorized to administer oaths. All affida-
25 A vits herein provided for shall be preserved and filed by the
26 T precinct election board and forwarded to the Secretary of
27 T State with the ballots.

28 E Any person who violates the provisions of this section
29 R is guilty of a felony.

1 N Sec. 1.65. RE-REGISTRATION. (1) Any voter who changes
2 E his name by marriage or court order shall re-register not
3 W less than 25 days prior to any election or primary election.
4 The application shall state the former and new name of the
5 voter. The former name shall be signed by the voter using
6 M the same name appearing on the registration cards.

7 A (2) Any voter shall re-register if his registra-
8 T tion is cancelled for non-voting in prior elections as pro-
9 T vided by Sec. 1.74 of this Act.

10 E Sec. 1.66. VOTER MOVES TO NEW LOCATION--REMOVAL NOTICES.
11 R Removal notices shall be provided by the registration officer,
12 which shall be given out upon request, for the use of a re-
13 gistered voter moving to a new location. The form of such
14 notice shall show the voter's last residence, the new resi-
15 dence, and a line for the signature of the voter, which
16 should be the same as that on the original registration card.
17 Upon receipt of the removal notice, but not less than 25 days
18 prior to any election, the signature thereon shall be com-
19 N pared with that on the original registration card. If these
20 E signatures are not similar, the registration officer shall
21 W not make an entry of such a change of address or residence,
22 and shall send by mail to the applicant at his new address a
23 postal card notice stating that such transfer was not made.
24 M together with the reason therefor. If the signatures are
25 A similar, the registration officer shall make proper entry of
26 T such change of residence on the registration cards or lists;
27 T and thereafter the applicant shall be qualified to vote in
28 E the new precinct.

29 R Sec. 1.67. VOTER MOVES AFTER CLOSE OF REGISTRATION.

1 N Any voter who moves to a new location within his election
2 E district after the close of registration shall be permitted
3 W to vote at the following election in the precinct where he ✓
4 formerly resided and is registered.

5 Sec. 1.68. REGISTRATION OFFICERS AND CLERKS. There
6 M shall be only one registration officer in each city. The
7 A following officials are hereby designated as registration
8 T officers:

9 T (1) The city clerk or the deputy city clerk, if
10 E designated by the city clerk, of each city subject to the
11 R provisions of this Act,

12 (2) In areas outside of incorporated cities but
13 within districts subject to the provisions of this Act,
14 magistrates or deputy magistrates, or

15 (3) Persons designated by published written order
16 of the Secretary of State.

17 Registration officers are authorized to appoint regis-
18 tration clerks where clerks are reasonably necessary to the
19 N efficient registration of voters. Appointment of registra-
20 E tion clerks is subject to the approval of the Secretary of
21 W State.

22 Registration clerks, whether permanent or temporary
23 employees of any registration office, shall be appointed on
24 M the basis of their qualifications to perform registration
25 A work and without regard to their party affiliation.

26 T Each registration officer shall be charged with the
27 T responsibility and direction of registration and all clerical
28 E work within his office that is incidental to registration.

29 R No election judge or clerk in any district or city shall

1 N act as registration officer or clerk.

2 E The prohibitions of this section shall not apply to
3 W registration in accordance with Sec. 1.59.

4 Sec. 1.69. EXPENSE OF REGISTRATION. The state, through
5 the Secretary of State, shall pay each city in which the city
6 M clerk or deputy city clerk acts as registration officer or
7 A clerk 15 cents a vote for each vote cast in the last preced-
8 T ing general election in the election district.

9 T Registration officers and clerks, other than magistrates,
10 E deputy magistrates, city clerks and deputy city clerks shall
11 R be paid 15 cents a vote for each vote cast in the last preced-
12 ing general election in the election district, precinct or
13 other registration area designated by the Secretary of State
14 for which they are responsible for the registration of voters.

15 If more than one registration officer or clerk is res-
16 ponsible for registration of voters in any one election dis-
17 trict, precinct or other registration area designated by the
18 Secretary of State the compensation shall be divided by the
19 N Secretary of State according to regulations to be promulgated
20 E by him.

21 W Magistrates and deputy magistrates shall not be compen-
22 sated for registering voters.

23 The payments prescribed by this section shall be made
24 M for the registration of voters for the 1964 general elections
25 A and party primaries and for all subsequent registration but
26 T no payment shall be made for the registration of voters for
27 T the 1962 elections and party primaries.

28 E Sec. 1.70. POWER TO ADMINISTER OATHS. Every registra-
29 R tion officer or clerk shall have the power and duty to

1 N require any applicant for registration to answer under oath
2 E or affirmation any questions touching upon his qualifications
3 W as a voter, and for the performance of their duties under
4 this Act shall have power to administer oaths and swear per-
5 sons as to the truth of statements contained in affidavits.

6 M Sec. 1.71. RECORDS TO BE KEPT BY REGISTRATION OFFICERS.

7 A Registration officers shall maintain adequate and systematic
8 T records covering the following subjects:

- 9 T (1) Personnel;
- 10 E (2) Fraud cases;
- 11 R (3) Official actions of the office, including
12 complaints and petitions received;
- 13 (4) Detailed statistics of registration and voting
- 14 (5) Financial accounts; and
- 15 (6) Other records required by law or regulation of
16 the Secretary of State.

17 Sec. 1.72. REGISTRATION CARDS AND RECORDS--FORM. For
18 the purpose of expediting the work of the registration
19 N officers, to promote uniformity in registration, registration
20 E records shall be substantially as follows:

- 21 W (1) Suitable card index devices shall be provided;
- 22 (2) Suitable index cards, in duplicate, of suffi-
23 cient size to contain the data thereon, shall be provided;
- 24 M (3) An individual index card shall be used for
25 A each registrant whenever practical;
- 26 T (4) Required registration information as deline-
27 T ated in Sec. 1.56 of this Act shall be placed upon such index
28 E cards;
- 29 R (5) The original registration cards shall be filed

1 N by precincts arranged alphabetically, said file to be herein-
2 E after termed the "precinct file". The duplicate registration
3 W cards shall be filed alphabetically without regard to pre-
4 cincts, said file to be hereinafter termed the "master file":
5 Provided, that in election districts or cities having not
6 M more than 1 voting precinct the duplicate "master file" may
7 A be dispensed with.

8 T Sec. 1.73. CUSTODY OF REGISTRATION FILES. The master
9 T file and the precinct files shall at all times remain in the
10 E+ custody of the registration officers, except that the pre-
11 R cinct files shall be delivered to the election supervisors or
12 other persons publicly designated by the Secretary of State
13 20 days prior to any state election or primary election and
14 who shall have custody of the same during any state election
15 or primary election. The election supervisors shall return
16 said precinct files to the custody of the registration offi-
17 cer or officers within 15 days after any state election or
18 primary election.

19 N Sec. 1.74. REGISTRATION CARDS--ELIMINATION OF EXCESS
20 E NAMES--RE-REGISTRATION. At the close of each calendar year,
21 W the registration officer shall examine the registration cards
22 for the purpose of eliminating excess names.

23 Whenever it appears that a registered voter has not
24 M voted in an election at least once in two consecutive calendar
25 A years his card shall be taken from the precinct and the mas-
26 T ter file. Such voter shall be advised, by first-class mail
27 T sent to his last known address, that he must re-register in
28 E order to vote in the election district or city at any ensuing
29 R election and that he may re-register by returning a signed

1 N request therefor, stating that he is qualified to vote and
2 E resides at his registered address. If the voter fails to
3 W submit such signed request within 30 days, his registration
4 shall be forthwith cancelled.

5 In cities where prior registration is required, the
6 M health officer of such cities shall report to the registra-
7 A tion officer the names of all residents over 18 years of age
8 T who have died and the registration officer shall forthwith
9 T cancel their registrations.

10 E Sec. 1.75. CHECK-UP OF REGISTERED VOTERS. Registration
11 R officers are authorized to make a mail check-up or a house-
12 to-house canvass of registered voters where such investiga-
13 tions are considered to be necessary by either the Secretary
14 of State or the registration officer.

15 Sec. 1.76. DUTY OF SECRETARY OF STATE. It shall be the
16 duty of the Secretary of State to make the proper forms, affi-
17 davits and other materials for use in the registration and
18 re-registration of electors, in recommending the use of same
19 N to the registration officers, and in instructing the regis-
20 E tration officers in the state as to the requirements of this
21 W Act.

22 Sec. 1.77. SECRETARY OF STATE TO ESTABLISH REGISTRATION
23 PLAN. The Secretary of State shall immediately proceed to
24 M establish the registration plan provided for herein. When
25 A any election district or city shall hereafter come within the
26 T application of this Act the Secretary of State shall put the
27 T registration plan into operation without delay.

28 E Sec. 1.78. SECRETARY OF STATE TO GIVE PUBLIC NOTICE.
29 R The Secretary of State shall give full public notice of the

1 N dates and manner of prior registration and re-registration,
2 E and the names of voters in each precinct, and may select
3 W any means of communication permitted to be used in giving
4 notice of the date and time of the general election. The
5 full public notice required shall be given by the Secretary
6 M of State at least 60 days before the date of the next
7 A election or party primary, and at other times in the dis-
8 T cretion of the Secretary of State.

9 T Sec. 1.79. GENERAL ADMINISTRATIVE SUPERVISION BY SECRE-
10 E TARY OF STATE. The Secretary of State shall provide general
11 R administrative supervision over the registration and re-
12 registration of voters and may issue any regulations pursuant
13 to the Administrative Procedure Act necessary for the ad-
14 ministration of such registration to protect the interest
15 of the voter and assure administrative efficiency.

16 Sec. 1.80. RIGHTS OF MEMBERS OF ARMED FORCES. No
17 elector's registration shall be cancelled, nor shall he be
18 deprived of his right to vote at any election by reason of
19 N the removal of his official registration card from the regis-
20 E ter of voters, during any period that he is serving in the
21 W Armed Forces of the United States or of any ally of the
22 United States if he is otherwise qualified to vote.

23 Sec. 1.81. NAME OF VOTER OMITTED BY CLERICAL ERROR--
24 M CERTIFICATE OF REGISTRATION. Registration officers in dis-
25 A tricts and cities where prior registration is required are
26 T authorized to issue a certificate of registration to any
27 T qualified voter on election day when a check of the master
28 E file discloses that the name of the voter was omitted from
29 R the precinct register through clerical error. The Secretary

1 N of State shall provide the registration officers with certi-
2 E ficates for this purpose.

3 W Sec. 1.82. APPEAL TO SUPERIOR COURT FOR DENIAL OF
4 REGISTRATION. Whenever any voter is refused registration by
5 any registration clerk, said voter shall have the right to
6 M an immediate appeal to the registration officer of the city
7 A or district. Whenever any voter is refused registration by
8 T any registration officer such action may be reviewed by the
9 T superior court of the judicial district by the aggrieved
10 E elector by his filing within 10 days a petition with the
11 R clerk of said court.

12 Sec. 1.83. UNLAWFUL REGISTRATION. No registration
13 officer or clerk shall register any person whom such officer
14 shall know or have good reason to believe not to be a resi-
15 dent or otherwise qualified to vote nor shall any person
16 knowingly or having good reason to believe himself not to be
17 a resident or otherwise qualified to vote, cause himself to
18 be registered as a voter. Every person so offending, or who
19 N shall aid or abet another in so offending, shall upon convic-
20 E tion be adjudged guilty of a misdemeanor.

21 W Sec. 1.84. FALSE STATEMENTS. If the applicant for
22 registration or re-registration shall, in his answers to any
23 questions or in his registration or re-registration affidavit
24 M knowingly make any material statement which is false, he is
25 A guilty of a felony.

26 T Sec. 1.85. FEES PROHIBITED. Registration officers and
27 T clerks shall accept no fee from any applicant applying for
28 E registration, either for the registering of the voter or for
29 R the taking of the acknowledgement thereon. Any person

1 N accepting a fee, upon conviction shall be deemed guilty of a
2 E misdemeanor.

3 W Sec. 1.86. CITY REGISTRATION LAWS TO REMAIN IN EFFECT
4 UNTIL STATE LAW IMPLEMENTED. Notwithstanding the provisions
5 of Sec. 1.54, in districts in which 3,000 or more votes were
6 cast in the 1960 general election existing city registration
7 laws shall remain in effect until 90 days after the 1962
8 general election. In districts which subsequently come under
9 the provisions of this Act, existing city registration laws
10 M shall remain in effect until 90 days after the first general
11 A election in which registration is required by this Act in
12 T those districts. Nothing in this section shall be construed
13 T to limit the requirement that voters in such districts and
14 E cities register at the 1962 party primary or 1962 general
15 R election and at subsequent elections.

16 Sec. 3. EFFECTIVE DATE. This Act takes effect on the day
17 after its passage and approval or on the day it becomes law with-
18 out such approval.

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