

Originally introduced by Rules
Committee by Request of the
Governor

Offered: 3/5/63
Referred: Rules

1 IN THE HOUSE

BY COMMITTEE ON STATE AFFAIRS

2 CS FOR HOUSE BILL NO. 74

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 THIRD LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to voter registration."

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

8 * Section 1. AS 15.05.010 is amended to read:

9 Sec. 15.05.010. VOTER QUALIFICATION. A person may vote
10 at any election who:

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

12 (2) has passed his 19th birthday;

13 (3) has been a resident of the state for at least
14 one year immediately preceding [JUST BEFORE] the election;

15 (4) has been a resident of the election district
16 in which he seeks to vote for at least 30 days immediately
17 preceding [JUST BEFORE] the election; [AND]

18 (5) can speak or read English unless prevented by
19 physical disability, or voted in the general election of
20 November 4, 1924; and [.]

21 (6) has registered prior to the election as required
22 by this code.

23 * Sec. 2. AS 15 is amended by adding a new chapter to read:

24 CHAPTER 07. PRIOR REGISTRATION OF VOTERS

25 Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct
26 election judges at any election or party nomination shall
27 not receive the vote of any person whose name is not on the
28 registration card or list of the precinct in which he offers
29 to vote.

1 Sec. 15.07.020. COMPLIANCE WITH STATE LAW REQUIRED --
2 ADDITIONAL REGISTRATION INFORMATION MAY BE REQUIRED. The
3 Provisions of this chapter must be complied with and any
4 ordinances inconsistent with this chapter are hereby repealed,
5 but cities or boroughs which have the power or are required
6 to hold elections may require information in addition to that
7 required by AS 15.07.080 as may be necessary for city or
8 borough elections.

9 Sec. 15.07.030. WHO MAY REGISTER. Every person who has
10 the qualifications of a voter set out in AS 15.07.010, or who
11 will have such qualifications at the next ensuing election,
12 shall be entitled to be registered without charge as a voter
13 in the precinct in which he resides.

14 Sec. 15.07.040. TIME FOR REGISTRATION. Before the 1964
15 primary election, qualified persons shall be entitled to
16 register at any time throughout the year, during the regular
17 business hours of the registration officer, except that no
18 registrations will be taken for a period of 25 days preceding
19 the elections, except as provided in AS 15.07.070.

20 Sec. 15.07.050. PLACES OF REGISTRATION. Registration
21 shall be conducted only at central registration offices and
22 at such other places as the secretary of state may determine.
23 No city shall have less than one central registration office
24 nor less than one registration officer.

25 Sec. 15.07.060. PRIOR REGISTRATION IN PERSON REQUIRED.
26 Registration shall be by personal application before a regis-
27 tration officer or clerk, except as provided in AS 15.07.070
28 and AS 15.07.090.

29 Sec. 15.07.070. REGISTRATION FOR 1964 PRIMARY ELECTION.

1 Prior to the 1964 primary election any person who voted either
2 in person or by absentee ballot in the general election of
3 November 6, 1962, may register by mail as provided in AS 15.
4 07.100. The secretary of state shall mail to each person who
5 voted in the general election of November 6, 1962, duplicate
6 registration cards provided for in AS 15.07.100 (a). Voters
7 applying for absentee ballots for the 1964 primary election
8 shall be registered as provided by AS 15.07.100 on registra-
9 tion cards provided by the secretary of state together with
10 the absentee ballots. Any person who supplies information
11 under this section knowing it to be false is guilty of a
12 misdemeanor.

13 Sec. 15.07.080. REQUIRED REGISTRATION INFORMATION. Each
14 applicant who requests registration shall supply the follow-
15 ing information under oath or affirmation:

- 16 (1) name in full and sex;
- 17 (2) mailing address, residence address and any other
18 necessary information definitely locating his residence;
- 19 (3) election district and precinct;
- 20 (4) term of residence in state and in election dis-
21 trict;
- 22 (5) the date and place of his birth;
- 23 (6) occupation or profession;
- 24 (7) citizenship--if a naturalized citizen, date of
25 final citizenship papers;
- 26 (8) the name of the political party with which the
27 applicant is affiliated, or that he is not affiliated with
28 any party or that he does not desire to supply such informa-
29 tion;

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- (9) date of application; and
- (10) signature.

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

Sec. 15.07.090. PRIOR REGISTRATION BY MAIL--WHEN PERMITTED. Prior registration by mail shall be permitted for any voter who is unable to make personal application for registration because he is:

- (1) absent from the precinct during the entire time allowed for registration; or
- (2) unable to register in person because of physical disability; or
- (3) unable to be present at the registration office because of the physical inaccessibility of the registration office causing undue travel expense, hardship, or hazard to the voter.

Sec. 15.07.100. PRIOR REGISTRATION BY MAIL-- PROCEDURE.

(a) To register by mail, a voter shall secure from a registration officer of the election district in which is located his legal residence, duplicate registration cards, execute the registration affidavit thereon in duplicate in the presence of any notary public, commissioned officer of the armed forces, including the national guard, any district magistrate, or deputy magistrate, United States postmaster, or other person qualified to administer oaths, whose title shall be designated on the cards, and return the completed registration cards to the registration officer.

(b) An applicant for registration by mail shall supply all of the information on the duplicate registration cards

1 required by AS 15.07.080 and also a statement that he is un-
2 able to register in person and the reason therefor.

3 (c) Whenever a voter's application for registration is
4 denied, the registration officer shall notify the voter of
5 the denial and the reason therefor. If the application is
6 denied for the sole reason that it was submitted less than
7 25 days before an election, the voter shall be notified that
8 he is registered for the next following election.

9 (d) It shall be the duty of the secretary of state to
10 make available to all registration officers duplicate cards
11 for the purpose of registration by mail. Such duplicate
12 registration cards shall include an oath that the applicant
13 is qualified in all respects to vote or that he will be at
14 the time of the next election, a blank for the applicant's
15 signature, a certification that the affiant properly executed
16 the registration cards and identified himself, and blanks
17 for the attesting witnesses.

18 (e) Any person who knowingly makes a false application
19 under this section is guilty of a misdemeanor.

20 Sec. 15.07.110. IDENTIFICATION OF VOTERS AT THE POLLS.
21 Every voter shall be identified at the polls before being
22 permitted to vote. A voter shall be identified by requiring
23 him to sign his name and by a comparison of that signature
24 with the signature on the precinct registration cards or lists.

25 Sec. 15.07.120. RE-REGISTRATION. (a) Any voter who
26 changes his name by marriage or court order shall re-register
27 not less than 25 days prior to any election or primary elec-
28 tion. The application shall state the former and new name
29 of the voter. The former name shall be signed by the voter

1 using the same name appearing on the registration cards.

2 (b) Any voter shall re-register if his registration is
3 cancelled for non-voting in prior elections as provided by
4 AS 15.07.210.

5 Sec. 15.07.130. VOTER MOVES TO NEW LOCATION--REMOVAL
6 NOTICES. Removal notices shall be provided by the registra-
7 tion officer, which shall be given out upon request, for the
8 use of a registered voter moving to a new location. The form
9 of such notice shall show the voter's last residence, the new
10 residence, and a line for the signature of the voter, which
11 should be the same as that on the original registration card.
12 Upon receipt of the removal notice, but not less than 25 days
13 prior to any election, the signature thereon shall be com-
14 pared with that on the original registration card. If these
15 signatures are not similar, the registration officer shall
16 not make an entry of such a change of address or residence,
17 and shall send by mail to the applicant at his new address a
18 postal card notice stating that such transfer was not made,
19 together with the reason therefor. If the signatures are
20 similar, the registration officer shall make proper entry of
21 such change of residence on the registration cards or lists;
22 and thereafter the applicant shall be qualified to vote in
23 the new precinct.

24 Sec. 15.07.140. VOTER MOVES AFTER CLOSE OF REGISTRATION.
25 Any voter who moves to a new location within his city or
26 borough after the close of registration shall be permitted
27 to vote at the following election in the precinct where he
28 formerly resided and is registered.

29 Sec. 15.07.150. REGISTRATION OFFICERS AND CLERKS.

1 There shall be only one registration officer in each city.
2 The following officials are hereby designated as registration
3 officers:

4 (1) the city clerk or the deputy city clerk, if
5 designated by the city clerk, of each city subject to the
6 provisions of this chapter; or

7 (2) magistrates or deputy magistrates; or

8 (3) persons designated by published written order
9 of the secretary of state.

10 Registration officers are authorized to appoint registra-
11 tion clerks where clerks are reasonably necessary to the
12 efficient registration of voters. Appointment of registra-
13 tion clerks is subject to the approval of the secretary of
14 state.

15 Registration clerks, whether permanent or temporary em-
16 ployees of any registration office, shall be appointed on the
17 basis of their qualifications to perform registration work
18 and without regard to their party affiliation.

19 Each registration officer shall be charged with the re-
20 sponsibility and direction of registration and all clerical
21 work within his office that is incidental to registration.

22 No election judge or clerk shall act as registration
23 officer or clerk.

24 Sec. 15.07.160. EXPENSE OF REGISTRATION. The state,
25 through the secretary of state, shall pay each city in which
26 the city clerk or deputy city clerk acts as registration
27 officer or clerk a reasonable fee to be determined by the
28 secretary of state.

29 Magistrates and deputy magistrates shall not be compen-

1 sated for registering voters.

2 Sec. 15.07.170. POWER TO ADMINISTER OATHS. Every regis-
3 tration officer or clerk shall have the power and duty to
4 require any applicant for registration to answer under oath
5 or affirmation any questions touching upon his qualifications
6 as a voter, and for the performance of their duties under this
7 chapter shall have power to administer oaths and swear persons
8 as to the truth of statements contained in affidavits.

9 Sec. 15.07.180. RECORDS TO BE KEPT BY REGISTRATION
10 OFFICERS. Registration officers shall maintain adequate and
11 systematic records covering the following subjects:

- 12 (1) personnel;
13 (2) fraud cases;
14 (3) official actions of the office, including
15 complaints and petitions received;
16 (4) detailed statistics of registration and voting;
17 (5) financial accounts; and
18 (6) other records required by law or regulation
19 of the secretary of state.

20 Sec. 15.07.190. REGISTRATION CARDS AND RECORDS--FORM.
21 For the purpose of expediting the work of the registration
22 officers, to promote uniformity in registration, registration
23 records shall be substantially as follows:

- 24 (1) suitable card index devices shall be provided;
25 (2) suitable index cards, in duplicate, of suffic-
26 ient size to contain the data thereon, shall be provided;
27 (3) an individual index card shall be used for
28 each registrant whenever practical;
29 (4) required registration information as delineat-

1 ed in AS 15.07.060 shall be placed upon such index cards; and

2 (5) the original registration cards shall be filed
3 by precincts arranged alphabetically, said file to be herein-
4 after termed the "precinct file." The duplicate registration
5 cards shall be filed alphabetically without regard to pre-
6 cincts, said file to be hereinafter termed the "master file",
7 provided that in areas having not more than one voting pre-
8 cinct the duplicate "master file" may be dispensed with.

9 Sec. 15.07.200. CUSTODY OF REGISTRATION FILES. The
10 master file shall at all times remain in the custody of the
11 secretary of state. The precinct files shall at all times
12 remain in the custody of the registration officers, except
13 that the precinct files shall be delivered to the election
14 supervisors or other persons publicly designated by the sec-
15 retary of state 20 days prior to any state election or pri-
16 mary election and who shall have custody of the same during
17 any state election or primary election. The election super-
18 visors shall return said precinct files to the custody of
19 the registration officer or officers within 15 days after
20 any state election or primary election.

21 Sec. 15.07.210. REGISTRATION CARDS--ELIMINATION OF EX-
22 CESS NAMES--RE-REGISTRATION. At the close of each calendar
23 year, the secretary of state shall examine the registration
24 cards for the purpose of eliminating excess names.

25 Whenever it appears that a registered voter has not
26 voted in an election at least once in four consecutive calen-
27 dar years his card shall be taken from the precinct and the
28 master file. Such voter shall be advised, by first-class
29 mail sent to his last known address, that he must re-register

1 in order to vote in the city or borough at any ensuing
2 election and that he may re-register by returning a signed
3 request therefor, stating that he is qualified to vote and
4 resides at his registered address. If the voter fails to
5 submit such signed request within 30 days, his registration
6 shall be forthwith cancelled.

7 The health officers shall report to the registration
8 officer the names of all residents over 18 years of age who
9 have died and the registration officer shall forthwith cancel
10 their registrations.

11 Sec. 15.07.220. CHECK-UP OF REGISTERED VOTERS. Regis-
12 tration officers are authorized to make a mail check-up or a
13 house-to-house canvass of registered voters where such inves-
14 tigation are considered to be necessary by either the secre-
15 tary of state or the registration officer.

16 Sec. 15.07.230. DUTY OF SECRETARY OF STATE. It shall be
17 the duty of the secretary of state to make the proper forms,
18 affidavits and other materials for use in the registration
19 and re-registration of electors, in recommending the use of
20 same to the registration officers, and in instructing the
21 registration officers in the state as to the requirements of
22 this chapter.

23 Sec. 15.07.240. SECRETARY OF STATE TO ESTABLISH REGIS-
24 TRATION PLAN. The secretary of state shall immediately pro-
25 ceed to establish the registration plan provided for herein.

26 Sec. 15.07.250. SECRETARY OF STATE TO GIVE PUBLIC NO-
27 TICE. The secretary of state shall give full public notice
28 of the dates and manner of prior registration and re-regis-
29 tration, and the names of voters in each precinct, and may

1 select any means of communication permitted to be used in
2 giving notice of the date and time of the general election.
3 The full public notice required shall be given by the secre-
4 tary of state at least 60 days before the date of the next
5 election or party primary, and at other times in the discre-
6 tion of the secretary of state.

7 Sec. 15.07.260. GENERAL ADMINISTRATIVE SUPERVISION BY
8 SECRETARY OF STATE. The secretary of state shall provide
9 general administrative supervision over the registration and
10 re-registration of voters and may issue any regulations pur-
11 suant to the Administrative Procedure Act (AS 44.62) neces-
12 sary for the administration of such registration to protect
13 the interest of the voter and assure administrative effec-
14 iency.

15 Sec. 15.07.270. RIGHTS OF MEMBERS OF ARMED FORCES. No
16 elector's registration shall be cancelled, nor shall he be
17 deprived of his right to vote at any election by reason of
18 the removal of his official registration card from the regis-
19 ter of voters, during any period that he is serving in the
20 armed forces of the United States if he is otherwise quali-
21 fied to vote.

22 Sec. 15.07.280. NAME OF VOTER OMITTED BY CLERICAL
23 ERROR--CERTIFICATE OF REGISTRATION. Registration officers
24 are authorized to issue a certificate of registration to any
25 qualified voter on election day when a check of the master
26 file discloses that the name of the voter was omitted from
27 the precinct register through clerical error. The secretary
28 of state shall provide the registration officers with certif-
29 icates for this purpose.

1 Sec. 15.07.290. APPEAL TO SUPERIOR COURT FOR DENIAL OF
2 REGISTRATION. Whenever any voter is refused registration by
3 any registration clerk, said voter shall have the right to
4 an immediate appeal to the registration officer. Whenever
5 any voter is refused registration by any registration officer
6 such action may be reviewed by the superior court of the
7 judicial district by the aggrieved elector by his filing
8 within 10 days a petition with the clerk of said court.

9 Sec. 15.07.300. UNLAWFUL REGISTRATION. No registration
10 officer or clerk shall register any person whom such officer
11 shall know or have good reason to believe not to be a resi-
12 dent or otherwise qualified to vote nor shall any person
13 knowingly or having good reason to believe himself not to be
14 a resident or otherwise qualified to vote, cause himself to
15 be registered as a voter. Every person so offending, or who
16 shall aid or abet another in so offending, shall upon con-
17 viction be adjudged guilty of a misdemeanor.

18 Sec. 15.07.310. FALSE STATEMENTS. If the applicant for
19 registration or re-registration shall, in his answers to any
20 questions or in his registration or re-registration affidavit
21 knowingly make any material statement which is false, he is
22 guilty of a misdemeanor.

23 Sec. 15.07.320. FEES PROHIBITED. Registration officers
24 and clerks shall accept no fee from any applicant applying
25 for registration, either for the registering of the voter or
26 for the taking of the acknowledgment thereon. Any person
27 accepting a fee, upon conviction shall be deemed guilty of
28 a misdemeanor.

29 * Sec. 3. This Act takes effect on the day after its passage

1 and approval or on the day it becomes law without such approval.

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