

BY MESSRS. TILLION,
BOARDMAN, BRADY, HAUGEN,
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1 IN THE HOUSE

2 HOUSE BILL NO. 280

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to voter registration;
7 and providing for an effective date."

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

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

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

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

13 (2) is at least 19 years of age;

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

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

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

22 (6) has registered before the election as re-
23 quired under ch. 7 of this title.

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

25 CHAPTER 07. PRIOR REGISTRATION OF VOTERS.

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

1 to vote.

2 Sec. 15.07.020. COMPLIANCE WITH STATE LAW REQUIRED.

3 The provisions of this chapter must be complied with and any
4 ordinances inconsistent with this chapter are repealed, but
5 cities or boroughs which have the power or are required to
6 hold elections may require information in addition to that
7 required by sec. 80 of this chapter as may be necessary for
8 city or borough elections.

9 Sec. 15.07.030. WHO MAY REGISTER. Every person who
10 has the qualifications of a voter set out in AS 15.05.010,
11 or who will have the qualifications at the next ensuing
12 election, is entitled to be registered without charge as a
13 voter in the precinct in which he resides.

14 Sec. 15.07.040. TIME FOR REGISTRATION. Before the
15 1966 primary election, qualified persons shall be entitled
16 to register at any time throughout the year, during the
17 regular business hours of the registration officer, except
18 that no registrations will be taken for a period of 25 days
19 preceding the elections, except as provided in sec. 70 of
20 this chapter.

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

26 Sec. 15.07.060. PRIOR REGISTRATION IN PERSON RE-
27 QUIRED. Registration shall be by personal application
28 before a registration officer or clerk, except as provided
29 in secs. 70 - 90 of this chapter.

1 Sec. 15.07.070. REGISTRATION FOR 1966 PRIMARY ELECTION.

2 Before the 1966 primary election a person who voted either
3 in person or by absentee ballot in the general election of
4 November 3, 1964, may register by mail as provided in sec.
5 100 of this chapter. The secretary of state shall mail to
6 each person who voted in the general election of November 3,
7 1964, duplicate registration cards provided for in sec. 100
8 (a) of this chapter. Voters applying for absentee ballots
9 for the 1966 primary election shall be registered as pro-
10 vided in sec. 100 of this chapter on registration cards
11 provided by the secretary of state together with the absentee
12 ballots. Any person who supplies information under this
13 section knowing it to be false is guilty of a misdemeanor.

14 Sec. 15.07.080. REQUIRED REGISTRATION INFORMATION. (a)

15 Each applicant who requests registration shall supply the
16 following information under oath or affirmation:

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

1 with any party or that he does not desire to supply this
2 information;

3 (9) date of application;

4 (10) signature.

5 (b) A person who supplies any information under this
6 section knowing it to be false is guilty of a misdemeanor.

7 Sec. 15.07.090. PRIOR REGISTRATION BY MAIL. Prior
8 registration by mail shall be permitted for a voter who is
9 unable to make personal application for registration because
10 he is

11 (1) absent from the precinct during the entire
12 time allowed for registration; or

13 (2) unable to register in person because of
14 physical disability; or

15 (3) unable to be present at the registration
16 office because of the physical inaccessibility of the regis-
17 tration office causing undue travel expense, hardship, or
18 hazard to the voter.

19 Sec. 15.07.100. PROCEDURE FOR PRIOR REGISTRATION BY
20 MAIL. (a) To register by mail, a voter shall secure from
21 a registration officer of the election district in which he
22 is located his legal residence, duplicate registration cards,
23 execute the registration affidavit thereon in duplicate in
24 the presence of a notary public, commissioned officer of
25 the armed forces, including the national guard, a district
26 magistrate, or deputy magistrate, United States postmaster,
27 or other person qualified to administer oaths, whose title
28 shall be designated on the cards, and return the completed
29 registration cards to the registration officer.

1 (b) An applicant for registration by mail shall supply
2 all of the information on the duplicate registration cards
3 required by sec. 80 of this chapter and also a statement
4 that he is unable to register in person and the reason there-
5 for.

6 (c) When a voter's application for registration is
7 denied, the registration officer shall notify the voter of
8 the denial and the reason for denial. If the application is
9 denied for the sole reason that it was submitted less than
10 25 days before an election, the voter shall be notified that
11 he is registered for the next following election.

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

21 (e) A person who knowingly makes a false application
22 under this section is guilty of a misdemeanor.

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

28 Sec. 15.07.120. RE-REGISTRATION. (a) A voter who
29 changes his name by marriage or court order shall re-register

1 not less than 25 days before an election or primary election.
2 The application shall state the former and new name of the
3 voter. The former name shall be signed by the voter using
4 the same name appearing on the registration cards.

5 (b) A voter shall re-register if his registration is
6 cancelled for nonvoting in prior elections as provided by
7 sec. 210 of this chapter.

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

27 Sec. 15.07.140. VOTER MOVES AFTER CLOSE OF REGISTRATION.

28 A voter who moves to a new location within his city or
29 borough after the close of registration shall be permitted

1 to vote at the following election in the precinct where he
2 formerly resided and is registered.

3 Sec. 15.07.150. REGISTRATION OFFICERS AND CLERKS. (a)

4 There shall be only one registration officer in each city.
5 The following officials are designated as registration
6 officers:

7 (1) the city clerk or the deputy city clerk, if
8 designated by the city clerk, of each city subject to this
9 chapter;

10 (2) magistrates or deputy magistrates; or

11 (3) persons designated by published written
12 order of the secretary of state.

13 (b) Registration officers are authorized to appoint
14 registration clerks where clerks are reasonably necessary
15 to the efficient registration of voters. Appointment of
16 registration clerks is subject to the approval of the
17 secretary of state.

18 (c) Registration clerks, whether permanent or tempo-
19 rary employees of a registration office, shall be appointed
20 on the basis of their qualifications to perform registration
21 work and without regard to their party affiliation.

22 (d) Each registration officer shall be charged with
23 the responsibility and direction of registration and all
24 clerical work within his office that is incidental to
25 registration. No election judge or clerk shall act as
26 registration officer or clerk.

27 Sec. 15.07.160. EXPENSE OF REGISTRATION. The state,
28 through the secretary of state, shall pay each city in which
29 the city clerk or deputy city clerk acts as registration

1 officer or clerk a reasonable fee to be determined by the
2 secretary of state. Magistrates and deputy magistrates
3 shall not be compensated for registering voters.

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

12 Sec. 15.07.180. RECORDS TO BE KEPT BY REGISTRATION
13 OFFICERS. Registration officers shall maintain adequate and
14 systematic records covering the following subjects:

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

23 Sec. 15.07.190. FORM OF REGISTRATION CARDS AND RECORDS.
24 For the purpose of expediting the work of the registration
25 officers, to promote uniformity in registration, registration
26 records shall be substantially as follows:

- 27 (1) suitable card index devices shall be provided;
- 28 (2) suitable index cards, in duplicate, of suffi-
29 cient size to contain the data, shall be provided.

1 (3) an individual index card shall be used for
2 each registrant whenever practical;

3 (4) required registration information as deline-
4 ated in sec. 60 of this chapter shall be placed upon such
5 index cards;

6 (5) the original registration cards shall be filed
7 by precincts arranged alphabetically, and referred to as the
8 "precinct file";

9 (6) the duplicate registration cards shall be
10 filed alphabetically without regard to precincts, and re-
11 ferred to as the "master file", except that in areas having
12 no more than one voting precinct the duplicate "master file"
13 may be dispensed with.

14 Sec. 15.07.200. CUSTODY OF REGISTRATION FILES. The
15 master file shall at all times remain in the custody of the
16 secretary of state. The precinct files shall at all times
17 remain in the custody of the registration officers, except
18 that the precinct files shall be delivered to the election
19 supervisors or other persons publicly designated by the sec-
20 retary of state 20 days before a state election or primary
21 election and who shall have custody of the same during any
22 state election or primary election. The election supervisors
23 shall return said precinct files to the custody of the regis-
24 tration officer or officers within 15 days after a state
25 election or primary election.

26 Sec. 15.07.210. REGISTRATION CARDS, ELIMINATION OF
27 EXCESS NAMES, RE-REGISTRATION. (a) At the close of each
28 calendar year, the secretary of state shall examine the
29 registration cards for the purpose of eliminating excess

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names.

(b) When it appears that a registered voter has not voted in an election at least once in four consecutive calendar years his card shall be taken from the precinct and the master file. The voter shall be advised, by first-class mail sent to his last known address, that he must re-register in order to vote in the city or borough at any ensuing election and that he may re-register by returning a signed request for re-registration, stating that he is qualified to vote and resides at his registered address. If the voter fails to submit the signed request within 30 days, his registration is immediately cancelled.

(c) Health officers shall report to the registration officer the names of all residents over 18 years of age who have died and the registration officer shall immediately cancel their registrations.

Sec. 15.07.220. CHECK-UP OF REGISTERED VOTERS. Registration officers are authorized to make a mail check-up or house-to-house canvass of registered voters where such investigations are considered to be necessary by either the secretary of state or the registration officer.

Sec. 15.07.230. DUTY OF SECRETARY OF STATE. It is the duty of the secretary of state to make the proper forms, affidavits and other materials for use in the registration and re-registration of electors, in recommending the use of the materials to the registration officers, and in instructing the registration officers in the state as to the requirements of this chapter.

Sec. 15.07.240. SECRETARY OF STATE TO ESTABLISH

1 REGISTRATION PLAN. The secretary of state shall immediately
2 proceed to establish the registration plan provided for in
3 this chapter.

4 Sec. 15.07.250. SECRETARY OF STATE TO GIVE PUBLIC
5 NOTICE. The secretary of state shall give full public notice
6 of the dates and manner of prior registration and re-regis-
7 tration, and the names of voters in each precinct, and may
8 select any means of communication permitted to be used in
9 giving notice of the date and time of the general election.
10 The full public notice required shall be given by the secre-
11 tary of state at least 60 days before the date of the next
12 election or party primary, and at other times in the discre-
13 tion of the secretary of state.

14 Sec. 15.07.260. GENERAL ADMINISTRATIVE SUPERVISION BY
15 SECRETARY OF STATE. The secretary of state shall provide
16 general administrative supervision over the registration and
17 re-registration of voters and may issue regulations under
18 the Administrative Procedure Act (AS 44.62) necessary for
19 the administration of the registration to protect the inter-
20 est of the voter and assure administrative efficiency.

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

28 Sec. 15.07.280. REGISTRATION OF VOTER NAME OMITTED BY
29 CLERICAL ERROR. Registration officers are authorized to

1 issue a certificate of registration to any qualified voter
2 on election day when a check of the master file discloses
3 that the name of the voter was omitted from the precinct
4 register through clerical error. The secretary of state
5 shall provide the registration officers with certificates
6 for this purpose.

7 Sec. 15.07.290. APPEAL TO SUPERIOR COURT FOR DENIAL OF
8 REGISTRATION. When a voter is refused registration by a
9 registration clerk, the voter shall have the right to an
10 immediate appeal to the registration officer. When a voter
11 is refused registration by a registration officer the action
12 may be reviewed by the superior court of the judicial dis-
13 trict by the aggrieved elector by his filing within 10 days
14 a petition with the clerk of the court.

15 Sec. 15.07.300. UNLAWFUL REGISTRATION. (a) It is
16 unlawful for a registration officer or clerk to register a
17 person if the officer or clerk knows or has good reason to
18 believe that the person is not a resident or otherwise
19 qualified to vote. It is unlawful for a person who knows
20 or has good reason to believe that he is not a resident or
21 otherwise qualified to vote, to attempt to register as a
22 voter.

23 (b) A person who violates (a) of this section or who
24 aids or abets another to violate (a) of this section, is
25 guilty of a misdemeanor.

26 Sec. 15.07.310. FALSE STATEMENTS. An applicant for
27 registration or re-registration who, in his answers to any
28 questions or in his registration or re-registration affidavit,
29 knowingly makes a material statement which is false is guilty

1 of a misdemeanor.

2 Sec. 15.07.320. FEES PROHIBITED. (a) No registration
3 officer and clerk shall accept a fee from an applicant
4 applying for registration, either for the registering of
5 the voter or for the taking of the acknowledgment thereon.

6 (b) A person who violates (a) of this section is
7 guilty of a misdemeanor.

8 * Sec. 3. This Act takes effect on the day after its passage
9 and approval or on the day it becomes law without such approval.

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