

Introduced: 3/13/68
Referred: State Affairs and
Finance

1 IN THE HOUSE

BY THE STATE AFFAIRS COMMITTEE

2

HOUSE BILL NO. 686

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTH LEGISLATURE - SECOND 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:

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* Section 1. AS 15.05.010 is amended by adding a new subsection to read:

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(6) has registered before the election as required under

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ch. 7 of this title.

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

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CHAPTER 7. REGISTRATION OF VOTERS.

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Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct election

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judges at an election shall allow a person to vote whose name is regis-
tered in the precinct in which he intends to vote.

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Sec. 15.07.020. REGISTRATION AS A PREREQUISITE. (a) Registration
shall not be a prerequisite for voting until the 1970 primary election.

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(b) Subject to the provisions of sec. 70 of this chapter, all per-
sons who complete the required preregistration forms and vote in the 1968
primary or general elections, except those who are successfully
challenged, shall be considered registered voters.

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Sec. 15.07.030. WHO MAY REGISTER. A person who has the qualifica-
tions of a voter as set out in AS 15.05.010(1) - (5), or who will have
the qualifications at the 1970 primary or general election, is entitled
to be registered as a voter in the precinct in which he resides.

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Sec. 15.07.040. TIME FOR REGISTRATION. A person who is qualified
under AS 15.05.010(1) - (5) is entitled to register at any time throughout
the year commencing 30 days after the certification required by sec. 3 of
this Act, except that no registration will be made for a period of 14 days

1 preceding the election if the application for registration is made in
2 person or 30 days preceding the election if the application for regis-
3 tration is made by mail; however, registration may be made in person at
4 either the 1968 primary or general election as provided in sec. 70(d)
5 of this chapter.

6 Sec. 15.07.050. REGISTRATION IN PERSON OR BY MAIL. Registration
7 may be made in person before a registration official or by mail.

8 Sec. 15.07.060. REQUIRED REGISTRATION INFORMATION. (a) Each
9 applicant who requests registration or re-registration shall supply the
10 following information:

- 11 (1) name and sex;
- 12 (2) address and other necessary information establishing
13 residence if requested;
- 14 (3) election district and precinct as of the date of
15 registration;
- 16 (4) term of residence in state and in election district;
- 17 (5) a declaration that the registrant will be 19 years of age
18 or older on or before the date of the next statewide election;
- 19 (6) a declaration that the registrant is a citizen of the
20 United States;
- 21 (7) date of application;
- 22 (8) signature or mark.

23 Sec. 15.07.070. PROCEDURE FOR REGISTRATION. (a) The secretary of
24 state shall promulgate rules and regulations consistent with the pro-
25 visions of this section to enable voters to register.

26 (b) To register by mail the secretary of state or the area election
27 supervisor shall furnish, upon request, and at no cost to the voter, forms
28 prepared by the secretary of state on which the registration information
29 required under sec. 60 of this chapter shall be inserted by the voter,

1 or by a person on behalf of the voter if he is physically incapacitated.
2 The forms shall be executed before two Alaska residents if the person
3 registering is in the state. If the person is outside the state, the
4 forms shall be executed before an election judge, notary public,
5 commissioned officer of the armed forces, including the National Guard,
6 judge, United States postmaster, United States assistant postmaster, or
7 other persons qualified to administer oaths. Upon receipt and approval
8 of the completed registration forms the secretary of state or the election
9 supervisor shall forward to the voter an acknowledgment in the form of
10 a registration card, and his name shall immediately be placed on the
11 master register located in the office of the secretary of state and on
12 the district register located in the office of the election supervisor.
13 If the registration is denied, the voter shall immediately be informed
14 in writing that registration was denied and the reason for denial.

15 (c) All applications for registration by mail shall be postmarked
16 at least 30 days before the next ensuing primary or general election.
17 An application to register which was not postmarked before the 30-day
18 requirement shall not be considered to be invalid, but shall be con-
19 sidered by the secretary of state as an application by the voter to be
20 registered to vote in the next subsequent primary or general election and
21 to remain on the master register thereafter.

22 (d) To register in person every qualified voter may register by
23 appearing before the registration official at his precinct polling place
24 during the 1968 primary or general election and completing the required
25 registration forms. Qualified voters may register in person before a
26 registration official at any time throughout the year after the effective
27 date of this chapter except that no registration will be made for a
28 period of 14 days preceding an election. Upon receipt and approval of
29 the registration forms the secretary of state or the election supervisor

1 shall forward to the voter an acknowledgment in the form of a registra-
2 tion card and his name shall immediately be placed on the master register
3 located in the office of the secretary of state and on the district
4 register located in the office of the election supervisor.

5 (e) The secretary of state shall forward to all qualified voters
6 who request absentee ballots in the 1968 primary or general election the
7 necessary forms for registration required in subsequent elections.
8 Completed forms shall be handled in the same manner as those requested
9 by mail.

10 Sec. 15.07.080. REGISTRATION OFFICIALS TO SERVE DURING THE 1968
11 PRIMARY AND GENERAL ELECTION. The secretary of state shall appoint one
12 or more registration officials to serve in each precinct polling place
13 in the 1968 primary and general election during the hours the polls are
14 open. Each person who is appointed and serves as a registration official
15 at the polls is entitled to the same rate of compensation paid election
16 judges.

17 Sec. 15.07.090. REGISTRATION CARDS. A voter whose name appears on
18 the precinct register is not required to present his registration card
19 before receiving a ballot.

20 Sec. 15.07.100. RE-REGISTRATION. (a) A voter whose name is
21 changed by marriage or court order 45 days or less before an election
22 may vote under his or her previous name. A voter whose name is changed
23 by marriage or a court order more than 45 days before an election shall
24 re-register.

25 (b) A voter shall re-register if his registration is cancelled for
26 failure to vote in prior elections as provided in sec. 140 of this chapter.

27 (c) It shall be incumbent upon the secretary of state and the
28 election supervisor to transfer the registration of a voter from one
29 precinct to another when requested by a voter so to do, upon good cause

1 shown.

2 (d) A person who claims he is a registered voter, but for whom no
3 evidence of registration in the precinct can be found, shall be granted
4 the right to vote in the same manner as that of a challenged voter and
5 his ballot shall be treated in the same manner. The ballot shall be
6 considered to be a "questioned ballot" and shall be so designated. The
7 secretary of state or his representative shall determine whether the
8 voter is registered in the election district before counting the ballot.

9 Sec. 15.07.110. REGISTRATION OFFICIALS. The secretary of state
10 shall appoint one or more registration officials in each municipality
11 or village, but may not appoint more than one registration official in
12 each precinct, excepting, that on the dates on which the primary and
13 general elections are held in 1968 additional registration officials may
14 be appointed to serve in precincts where it is considered necessary as
15 set out in sec. 80 of this chapter.

16 Sec. 15.07.120. EXPENSE OF REGISTRATION. Each registration
17 official serving between elections shall be paid by the secretary of
18 state a sum to be determined by him which shall not exceed \$1 per voter
19 personally registered by him.

20 Sec. 15.07.130. CUSTODY OF REGISTERS. A master register shall at
21 all times remain in the custody of the secretary of state. The area
22 election supervisor shall likewise maintain a register of all voters
23 within the precincts of the area election district he supervises.

24 Sec. 15.07.140. ELIMINATION OF EXCESS NAMES. (a) At the close of
25 each calendar year the area election supervisor shall examine the
26 register.

27 (b) When a registered voter has not voted in either a primary or
28 general election at least once in four consecutive calendar years, the
29 voter shall be advised by the area election supervisor by certified mail

1 sent to his last known address that his registration will be cancelled
2 unless he indicates within 90 days on forms furnished by the secretary
3 of state of his desire to remain registered.

4 (c) The secretary of state shall obtain from the office of vital
5 statistics death certificates and presumptive death certificates for
6 all residents over 19 years of age who have died or who have been
7 presumptively declared dead. The secretary of state shall cancel the
8 registration of all deceased voters.

9 Sec. 15.07.150. GENERAL ADMINISTRATIVE SUPERVISION BY SECRETARY
10 OF STATE. The secretary of state shall provide general administrative
11 supervision over the registration and re-registration of voters and
12 may issue regulations under the Administrative Procedure Act (AS 44.62)
13 necessary to protect the interest of the voter and assure administrative
14 efficiency; however, the secretary of state shall not issue or promulgate
15 administrative regulations which are inconsistent with the provisions
16 of this chapter.

17 Sec. 15.07.160. APPEAL TO SUPERIOR COURT FOR DENIAL OF REGISTRA-
18 TION. When a person is refused registration by a registration official,
19 the registration official shall at the time of the refusal give to the
20 registration applicant, in writing, the reason or reasons for the refusal.
21 The person shall have the right to an immediate appeal to the area
22 election supervisor, which appeal may be taken informally, and either
23 verbally or in writing. When a voter is refused registration by an area
24 election supervisor the action shall be reviewed by the superior court
25 of the judicial district; the area election supervisor shall file a
26 petition with the superior court for a judicial determination. If the
27 petition is filed within 45 days before the date of a statewide election,
28 the petition shall be given precedence over other matters pending
29 before the court.

1 Sec. 15.07.170. UNLAWFUL ACTION. (a) It is unlawful for a
2 registration official to refuse to register a person who is qualified to
3 vote under provisions of AS 15.05.010(1) - (5).

4 (b) It is unlawful for a person to register who knows he is not
5 qualified to vote under provisions of AS 15.05.010(1) - (5).

6 (c) A person who violates or who aids or abets another to violate
7 (a) or (b) of this section is guilty of a misdemeanor.

8 Sec. 15.07.180. FALSE STATEMENTS. An applicant for registration
9 or re-registration who knowingly makes a material statement which is
10 false is guilty of a misdemeanor.

11 Sec. 15.07.190. FEES PROHIBITED. No registration official may
12 accept a fee from an applicant applying for registration.

13 Sec. 15.07.200. VIOLATIONS. A person who violates the provisions
14 of secs. 180 and 190 of this chapter is guilty of a misdemeanor and
15 upon conviction is punishable by imprisonment for not more than one
16 year, or by a fine not to exceed the sum of \$1,000, or by both.

17 Sec. 15.07.210. APPOINTMENT OF AREA ELECTION SUPERVISORS. The
18 secretary of state may appoint an area election supervisor for each
19 of the four election areas to serve in the following cities: Juneau,
20 Anchorage, Fairbanks and Nome. The area election supervisors shall
21 assist in the administration of elections. An area election supervisor
22 may not hold office in a political party.

23 * Sec. 3. (a) Preregistration procedures for the 1970 and subsequent
24 elections shall commence 30 days after the secretary of state certifies that
25 the voters in the general election of 1968 affirmatively approved the following
26 referendum which shall be placed before the voters at that election:

27 Shall the provisions of Chapter of the Session Laws of Alaska
28 1968, which establishes a system of preregistration for voters in Alaska,
29 be approved:

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Yes

No

(b) The secretary of state shall fill in the blank in (a) of this section designating the chapter number of this Act and shall make copies of this Act available to voters in the primary and general elections in 1968.