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Introduced: 2/10/67
Referred: State Affairs

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2 SENATE BILL NO. 94

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH 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
10 vote at any state or federal election who:

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

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

13 (3) has been a resident of the state for at
14 least one year 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 just before
17 the election; [AND]

18 (5) can speak or read English unless prevented
19 by physical disability, or voted in the general election
20 of November 4, 1924, or who has successfully completed
21 the sixth primary grade in a public school in, or a
22 private school accredited by, any state or territory,
23 the District of Columbia, or the Commonwealth of Puerto
24 Rico in which the predominant classroom language was other
25 than English; and

26 (6) has registered before the election as
27 required under ch. 7 of this title.

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

29 CHAPTER 07. REGISTRATION OF VOTERS

1 Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct
2 election judges at an election shall not receive the vote
3 of a person whose name is not on the register of the pre-
4 cinct in which he offers to vote.

5 Sec. 15.07.020. COMPLIANCE WITH STATE LAW REQUIRED.
6 Ordinances inconsistent with this chapter are repealed;
7 however, in a city, borough or other local election, this
8 chapter does not apply.

9 Sec. 15.07.030. WHO MAY REGISTER. A person who
10 has the qualifications of a voter set out in AS 15.05.010
11 (1) - (5), or who will have the qualifications at the
12 next ensuing election, is entitled to be registered
13 without charge as a voter in the precinct in which he
14 resides.

15 Sec. 15.07.040. TIME FOR REGISTRATION. A qualified
16 person shall be entitled to register at any time throughout
17 the year during the regular business hours of the registra-
18 tion official except that no registration will be taken for
19 a period of 30 days preceding an election.

20 Sec. 15.07.050. PLACES OF REGISTRATION. Registration
21 shall be conducted at the area offices and at such other
22 places as the secretary of state may designate. No city
23 shall have less than one registration office or registra-
24 tion official.

25 Sec. 15.07.060. REGISTRATION IN PERSON REQUIRED.
26 Registration shall be in person before a registration
27 official, except as provided in secs. 80 - 90 of this
28 chapter.

29 Sec. 15.07.070. REQUIRED REGISTRATION INFORMATION.

1 (a) Each applicant who requests registration shall supply
2 the following information under oath:

3 (1) name in full and sex;

4 (2) mailing address, residence address and any
5 other necessary information definitely locating his resi-
6 dence;

7 (3) election district and precinct;

8 (4) term of residence in state and in election
9 district;

10 (5) the date and place of his birth;

11 (6) citizenship; if a naturalized citizen, date
12 of final citizenship papers;

13 (7) ability to read or speak English or has
14 successfully completed the sixth primary grade in a public
15 school in, or a private school accredited by, any state or
16 territory, the District of Columbia, or the Commonwealth of
17 Puerto Rico in which the predominant classroom language was
18 other than English;

19 (8) if ever convicted of a felony and if so
20 have civil rights been restored;

21 (9) date of application;

22 (10) signature.

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

25 Sec. 15.07.080. REGISTRATION BY MAIL. Registration
26 by mail shall be permitted for a person unable to make
27 personal application for registration because he is

28 (1) absent from his election area during the
29 entire time allowed for registration; or

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

3 (3) unable to be present at the registration
4 office because of the physical inaccessibility of the
5 registration office causing undue travel expense, hardship,
6 or hazard to the voter.

7 Sec. 15.07.090. PROCEDURE FOR REGISTRATION BY MAIL.

8 (a) To register by mail, a person shall secure from an area
9 election supervisor registration cards, execute the registra-
10 tion affidavit thereon in the presence of a notary public,
11 commissioned officer of the armed forces including the
12 national guard, a district judge, or magistrate, or other
13 person qualified to administer oaths, whose title shall be
14 designated on the cards, or in the presence of two witnesses
15 and return the completed registration cards to the area
16 election supervisor.

17 (b) An applicant for registration by mail shall supply
18 all of the information on the registration cards required
19 by sec. 70 of this chapter and also a statement that he is
20 unable to register in person and the reason therefor.

21 (c) When a person's application for registration is
22 denied, the area election supervisor shall notify him of
23 the denial and the reason for denial. If the application
24 is denied for the sole reason that it was submitted less
25 than 30 days before an election, the person shall be notified
26 that he is registered for the next following election.

27 Sec. 15.07.100. IDENTIFICATION OF VOTERS AT THE POLLS.

28 Every voter shall be identified at the polls before being
29 permitted to vote. A voter shall be identified by requiring

1 him to sign his name and by comparing that signature with
2 the signature in the precinct register.

3 Sec. 15.07.110. RE-REGISTRATION. (a) A voter who
4 changes his name by marriage or court order 45 days or less
5 before an election may vote under his previous name. A
6 voter who changes his name by marriage or court order more
7 than 45 days before an election shall re-register. The
8 application shall indicate the former name and new name of
9 the voter. The former name shall be signed by the voter the
10 same as it appears on the registration cards.

11 (b) A voter shall re-register if his registration is
12 cancelled for failure to vote in prior elections as provided
13 by sec. 180 of this chapter.

14 Sec. 15.07.120. NOTICES FOR VOTERS WHO REMOVE TO A
15 NEW LOCATION. A form shall be provided by the area election
16 supervisor for the use of a registered voter moving to a
17 new location. On the form the voter shall show his last
18 residence and his new residence and shall sign the form the
19 same as he signed his name on the original registration
20 cards. Upon receipt of this completed removal notice, but
21 not less than 30 days before an election, the signature on
22 the removal notice shall be compared with that on the
23 original registration cards. If these signatures are not
24 similar, the area election supervisor shall not make an
25 entry of the change of address or residence, and shall send
26 by mail to the applicant at his new address, notice that
27 the transfer was not made, with the reason therefor. If
28 the signatures are similar, the area election supervisor
29 shall enter the change of residence on the registration

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cards, and thereafter the applicant shall be qualified to vote in the new precinct.

Sec. 15.07.130. VOTER MOVES AFTER CLOSE OF REGISTRATION. A voter who moves to a new location within his election district after the close of registration may vote at the following election in the precinct where he formerly resided and is registered.

Sec. 15.07.140. REGISTRATION OFFICIALS. (a) Area election supervisors shall be registration officials and shall administer registration.

(b) The secretary of state may appoint one or more registration officials in each city, town or village.

(c) The secretary of state may appoint to serve as registration officials borough or city clerks, district judges, magistrates, and other state or federal employees, or private parties necessary for the expediency of registration. Each registration official shall be responsible for and shall direct registration and all clerical work within his office that is incidental to registration.

(d) A registration official, whether a permanent or temporary employee of a registration office, shall be appointed on the basis of his qualifications to perform registration work without regard to his political party.

(e) No election judge or clerk shall act as a registration official or clerk.

Sec. 15.07.150. EXPENSE OF REGISTRATION. (a) Each registration official may receive a fee as determined by the secretary of state.

(b) Boroughs, cities or towns furnishing clerks to

1 serve as registration officials shall be reimbursed.

2 Sec. 15.07.160. POWER TO ADMINISTER OATHS. Registra-
3 tion officials shall have the power to administer oaths and
4 shall require an applicant for registration to answer under
5 oath any questions concerning his qualifications as a voter.

6 Sec. 15.07.170. CUSTODY OF REGISTRATION FILES. A
7 master file of registration cards shall at all times remain
8 in the custody of the secretary of state. The precinct
9 files of registration cards shall at all times remain in the
10 custody of the area election supervisor except that the
11 precinct files shall be delivered to the election board
12 chairman not later than one day before a state election;
13 the election board chairman shall have custody of the same
14 during any election. The election board chairman shall
15 return the precinct files to the custody of the area
16 election supervisor immediately upon completion of the
17 election.

18 Sec. 15.07.180. REGISTRATION CARDS, ELIMINATION OF
19 EXCESS NAMES, RE-REGISTRATION. (a) At the close of each
20 calendar year, the area election supervisor shall examine
21 the registration cards.

22 (b) When it appears that a registered voter has not
23 voted in an election at least once in four consecutive
24 calendar years his card shall be taken from the precinct
25 and the master file and his registration cancelled. The
26 voter shall then be advised, by first-class mail sent to
27 his last known address, that he must re-register in order
28 to vote at any ensuing election.

29 (c) The office of vital statistics shall furnish the

1 secretary of state with death certificates and presumptive
2 death certificates not later than the 10th day of each
3 month for all residents over 18 years of age who have died
4 or have been presumptively declared dead during the preceding
5 month, and the secretary of state shall immediately cancel
6 their registration.

7 Sec. 15.07.190. SECRETARY OF STATE TO ESTABLISH
8 REGISTRATION PLAN. The secretary of state shall establish
9 the registration plan provided for in this chapter. All
10 persons who voted in the 1966 general election shall be
11 mailed information regarding registration procedures and
12 requirements.

13 Sec. 15.07.200. SECRETARY OF STATE TO GIVE PUBLIC
14 NOTICE. The secretary of state shall give full public
15 notice of the dates and manner of initial registration and
16 re-registration, and may select any means of communication
17 in giving notice of the date and time of the elections.
18 The full public notice required shall be given by the
19 secretary of state at least 60 days before the date of the
20 next election, and at other times at the discretion of the
21 secretary of state.

22 Sec. 15.07.210. GENERAL ADMINISTRATIVE SUPERVISION BY
23 SECRETARY OF STATE. The secretary of state shall provide
24 general administrative supervision over the registration
25 and re-registration of voters and may issue regulations
26 under the Administrative Procedure Act (AS 44.62) necessary
27 for the administration of the registration to protect the
28 interest of the voter and assure administrative efficiency.

29 Sec. 15.07.220. RIGHTS OF MEMBERS OF ARMED FORCES.

1 No elector's registration shall be cancelled during any
2 period that he is serving in the armed forces of the United
3 States if he is otherwise qualified to vote, nor shall he be
4 deprived of his right to vote at any election by reason of
5 the removal of his official registration card from the
6 register of voters.

7 Sec. 15.07.230. APPEAL TO SUPERIOR COURT FOR DENIAL
8 OF REGISTRATION. When a person is refused registration by
9 a registration official, that person shall have the right to
10 an immediate appeal to the area election supervisor. When
11 a voter is refused registration by an area election super-
12 visor the action may be reviewed by the superior court of
13 the judicial district by the aggrieved person by his filing
14 within 10 days a petition with the clerk of the court.

15 Sec. 15.07.240. UNLAWFUL REGISTRATION. (a) It is
16 unlawful for a registration official to knowingly register
17 a person who is not qualified to vote.

18 (b) It is unlawful for a person to register who knows
19 he is not qualified to vote.

20 (c) A person who violates or who aids or abets another
21 to violate (a) or (b) of this section, is guilty of a mis-
22 demeanor.

23 Sec. 15.07.250. FALSE STATEMENTS. An applicant for
24 registration or re-registration who, in his answer to any
25 question or in his registration or re-registration affidavit,
26 knowingly makes a material statement which is false is
27 guilty of a felony.

28 Sec. 15.07.260. FEES PROHIBITED. (a) No registration
29 official shall accept a fee from an applicant applying for

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registration, either for the registering of the voter or for the taking of the acknowledgment thereon, nor shall a notary public accept a fee for taking said acknowledgment.

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

* Sec. 3. AS 15.10.110 is repealed and re-enacted to read:

Sec. 15.10.110. APPOINTMENT OF AREA ELECTION SUPERVISORS. The secretary of state may appoint an area election supervisor for each of the four election areas to serve in the following cities: Juneau, Anchorage, Fairbanks and Nome. The area election supervisors shall assist in the administration of elections. An area election supervisor may not hold office in any political party.