

Original sponsor: Rules  
Committee by request of  
the Governor

Offered: 3/16/67  
Referred: Rules

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 CS FOR 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 by adding a new subsection to read:  
9 (6) has registered before the election as required under  
10 ch. 7 of this title.

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

12 CHAPTER 07. REGISTRATION OF VOTERS.

13 Sec. 15.07.010. REGISTRATION OF VOTERS. The precinct election  
14 judges at an election shall allow a person to vote whose name is  
15 registered in the precinct in which he offers to vote.

16 Sec. 15.07.020. WHO MAY REGISTER. A person who has the qualifica-  
17 tions of a voter set out in AS 15.05.010(1) - (5), or who will have  
18 the qualifications at the next primary or general election, is  
19 entitled to be registered as a voter in the precinct in which he  
20 resides.

21 Sec. 15.07.030. TIME FOR REGISTRATION. A qualified person shall  
22 be entitled to register at any time throughout the year, except that  
23 no registration will be made for a period of four days preceding the  
24 election if the application for registration is made in person or  
25 30 days preceding the election if the application for registration  
26 is made by mail.

27 Sec. 15.07.040. REGISTRATION IN PERSON. Registration may be  
28 made in person before a registration official.

29 Sec. 15.07.050. REQUIRED REGISTRATION INFORMATION. (a) Each

1 applicant who requests registration or re-registration shall supply  
2 the following information:

- 3 (1) name and sex;
- 4 (2) address and other necessary information establishing  
5 residence if requested;
- 6 (3) election district and precinct as of the date of  
7 registration;
- 8 (4) term of residence in state and in election district;
- 9 (5) the date and place of birth;
- 10 (6) whether he has been registered before, and if so in  
11 what election district and precinct was he last registered;
- 12 (7) date of application;
- 13 (8) signature.

14 Sec. 15.07.060. REGISTRATION BY MAIL. Registration may be  
15 made by mail.

16 Sec. 15.07.070. PROCEDURE FOR REGISTRATION BY MAIL. (a) The  
17 secretary of state shall promulgate rules and regulations consistent  
18 with the provisions of this section to enable voters to register by  
19 mail. He shall furnish, upon request, and at no cost to the voter,  
20 forms prepared by him on which the registration information required  
21 under sec. 50 of this chapter shall be inserted by the voter, or by a  
22 person on behalf of the voter if he is physically incapacitated. The  
23 forms need be neither notarized nor witnessed. Upon receipt of a  
24 mail application for registration, the secretary of state shall, if  
25 the application is approved, register the voter on the master register,  
26 and inform not only the voter but also the appropriate area election  
27 supervisor and precinct registration officials of the approved registra-  
28 tion; if the application for registration is denied, the secretary of  
29 state shall immediately inform the voter in writing that registration

1 was denied, stating the reason or reasons therefor, and, in such an  
2 event, the secretary of state shall promptly apply to a superior court  
3 of competent jurisdiction for a judicial determination as to whether  
4 his refusal to register the voter was valid or invalid; if adjudicated  
5 the latter, the voter shall immediately be registered by the secretary  
6 of state, the appropriate area election supervisor, and the appropriate  
7 precinct registration officials.

8 (b) All applications for registration by mail shall be postmarked  
9 at least 30 days before the next ensuing primary or general election.  
10 An application to register which was not postmarked before the 30-day  
11 requirement shall not be considered to be invalid, but shall be con-  
12 sidered by the secretary of state as an application by the voter to be  
13 registered to vote in the next subsequent primary or general election  
14 and to remain on the master register thereafter.

15 Sec. 15.07.080. RE-REGISTRATION. (a) A voter whose name is  
16 changed by marriage or court order 45 days or less before an election  
17 may vote under his or her previous name. A voter whose name is changed  
18 by marriage or court order more than 45 days before an election shall  
19 re-register.

20 (b) A voter shall re-register if his registration is cancelled  
21 for failure to vote in prior elections as provided by sec. 120 of  
22 this chapter.

23 (c) It shall be incumbent upon a registration official to  
24 transfer the registration of a voter from one precinct to another when  
25 requested by a voter so to do, upon good cause shown, and to inform  
26 the secretary of state and the area election supervisor of the transfer.

27 (d) A person who claims he is a registered voter, but for whom  
28 no evidence of registration in the precinct can be found, shall be  
29 granted the right to vote in the same manner as that of an absentee

1 voter and his ballot shall be treated in the same manner. The secretary  
2 of state or his representative shall determine whether the voter is  
3 registered in the election district before counting the ballot.

4 Sec. 15.07.090. REGISTRATION OFFICIALS. (a) The secretary of  
5 state shall appoint at least two registration officials in each  
6 precinct, one from each major political party.

7 (b) No election judge or clerk may act as a registration official.

8 Sec. 15.07.100. EXPENSE OF REGISTRATION. Each registration  
9 official shall receive a fee as determined by the secretary of state  
10 which shall not exceed the sum of \$1 per registered voter.

11 Sec. 15.07.110. CUSTODY OF REGISTERS. A master register shall  
12 at all times remain in the custody of the secretary of state. The  
13 precinct registers shall at all times remain in the custody of the  
14 precinct registration officials. The area election supervisor shall  
15 likewise maintain a register of all voters within the precincts of  
16 the area election district he supervises.

17 Sec. 15.07.120. ELIMINATION OF EXCESS NAMES. (a) At the close  
18 of each calendar year, the area election supervisor shall examine the  
19 register.

20 (b) When a registered voter has not voted in either a primary or  
21 general election at least once in four consecutive calendar years, the  
22 voter shall be advised by the area election supervisor by certified mail  
23 sent to his last known address that his registration will be cancelled,  
24 unless he indicates within 90 days on forms furnished by the secretary  
25 of state his desire to remain registered.

26 (c) The secretary of state shall obtain from the office of vital  
27 statistics death certificates and presumptive death certificates for  
28 all residents over 18 years of age who have died or who have been  
29 presumptively declared dead. The secretary of state shall cancel

1 the registration of all such deceased voters.

2 Sec. 15.07.130. SECRETARY OF STATE TO ESTABLISH REGISTRATION  
3 PLAN. The secretary of state shall establish the registration plan  
4 provided for in this chapter. All persons who voted in the 1966  
5 general election shall be considered registered voters, and placed by  
6 the secretary of state on the master register. The secretary of state  
7 shall, no later than 40 days before any primary or general election,  
8 arrange to have the list of registered voters publicly displayed in  
9 all precincts of the state. No list of registered voters may be  
10 utilized for any non-voting purpose. The secretary of state shall in-  
11 struct registration officials to post the list of registered voters  
12 in locations calculated to obtain maximum recognition.

13 Sec. 15.07.140. GENERAL ADMINISTRATIVE SUPERVISION BY SECRETARY  
14 OF STATE. The secretary of state shall provide general administrative  
15 supervision over the registration and re-registration of voters and  
16 may issue regulations under the Administrative Procedure Act (AS 44.62)  
17 necessary to protect the interest of the voter and assure administrative  
18 efficiency; however the secretary of state shall not issue or promulgate  
19 administrative regulations which are inconsistent with any of the  
20 provisions of this Act.

21 Sec. 15.07.150. APPEAL TO SUPERIOR COURT FOR DENIAL OF REGISTRA-  
22 TION. When a person is refused registration by a registration official,  
23 the registration official shall at the time of the refusal give to the  
24 registration applicant, in writing, the reason or reasons for the  
25 refusal. The person shall have the right to an immediate appeal to  
26 the area election supervisor, which appeal may be taken informally,  
27 and either verbally or in writing. When a voter is refused registration  
28 by an area election supervisor the action shall be reviewed by the  
29 superior court of the judicial district; the area election supervisor

1 shall file a petition with the superior court to have the court deter-  
2 mine if his refusal to register the voter was lawful or unlawful.

3 Sec. 15.07.160. UNLAWFUL ACTION. (a) It is unlawful for a  
4 registration official to refuse to register a person who is qualified  
5 to vote.

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

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

10 Sec. 15.07.170. FALSE STATEMENTS. An applicant for registration  
11 or re-registration who knowingly makes a material statement which is  
12 false is guilty of a misdemeanor.

13 Sec. 15.07.180. FEES PROHIBITED. No registration official may  
14 accept a fee from an applicant applying for registration.

15 Sec. 15.07.200. VIOLATIONS. A person who violates the provisions  
16 of secs. 160 or 170 of this chapter is guilty of a misdemeanor and  
17 upon conviction is punishable by imprisonment for not more than one  
18 year or by a fine not to exceed the sum of \$1,000 or by both.

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

20 Sec. 15.10.110. APPOINTMENT OF AREA ELECTION SUPERVISORS. The  
21 secretary of state may appoint an area election supervisor for each  
22 of the four election areas to serve in the following cities: Juneau,  
23 Anchorage, Fairbanks and Nome. No more than two of the four area  
24 election supervisors shall be appointed from the same political party.  
25 The area election supervisors shall assist in the administration of  
26 elections. An area election supervisor may not hold office in a  
27 political party.  
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