

Introduced: 3/16/71
Referred: State Affairs and
Judiciary

BY THE RULES COMMITTEE
BY REQUEST OF THE GOVERNOR

1 IN THE HOUSE

2 HOUSE BILL NO. 323

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to elections."

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

8 * Section 1. AS 15.05.010(2) is amended to read:

9 (2) is at least 18 [19] years of age;

10 * Sec. 2. AS 15.05.010(5) is repealed.

11 * Sec. 3. AS 15.07.040 is amended to read:

12 Sec. 15.07.040. TIME FOR REGISTRATION. A person who is
13 qualified under AS 15.05.010(1) - (4) [(5)] is entitled to register
14 at any time throughout the year [COMMENCING DECEMBER 21, 1968], except
15 that no registration will be made for a period of 10 [14] days
16 preceding the election if the application for registration is made in
17 person or 30 days preceding the election if the application for
18 registration is made by mail [; HOWEVER, REGISTRATION MAY BE MADE IN
19 PERSON AT EITHER THE 1968 PRIMARY OR GENERAL ELECTION AS PROVIDED
20 IN SEC. 70(d) OF THIS CHAPTER].

21 * Sec. 4. AS 15.07.060(a)(5) is amended to read:

22 (5) a declaration that the registrant will be 18 [19] years
23 of age or older on or before the date of the next statewide election;

24 * Sec. 5. AS 15.07.070(d) is amended to read:

25 (d) Qualified voters may register in person before a registration
26 official at any time throughout the year [AFTER DECEMBER 21, 1968],
27 except that no registration may be made within 10 [14] days preceding
28 an election. Upon receipt and approval of the registration forms the
29 lieutenant governor or the election supervisor shall forward to the

1 voter an acknowledgment in the form of a registration card and his
2 name shall immediately be placed on the master register located in
3 the office of the lieutenant governor and on the district register
4 located in the office of the election supervisor.

5 * Sec. 6. AS 15.07.070(e) and AS 15.07.080 are repealed.

6 * Sec. 7. AS 15.07.090(c) is amended to read:

7 (c) It shall be incumbent upon the lieutenant governor and
8 the election supervisor to transfer the registration of a voter from
9 one precinct to another when requested by a voter so to do if the
10 request is made ten or more days before the election day [, UPON GOOD
11 CAUSE SHOWN].

12 * Sec. 8. AS 15.07.090(d) is amended to read:

13 (d) A person who claims he is a registered voter, but for whom
14 no evidence of registration in the precinct can be found, shall be
15 granted the right to vote in the same manner as that of a questioned
16 [CHALLENGED] voter and his ballot shall be treated in the same
17 manner. The ballot shall be considered to be a "questioned ballot"
18 and shall be so designated. The lieutenant governor or his repre-
19 sentative shall determine whether the voter is registered in the
20 election district before counting the ballot. A voter who has failed
21 to obtain a transfer as provided in (c) of this section may vote in
22 the precinct where registered or he may vote a "questioned ballot"
23 in his precinct of residence.

24 * Sec. 9. AS 15.07.200 is amended to read:

25 Sec. 15.07.200. APPOINTMENT OF AREA ELECTION SUPERVISORS. The
26 lieutenant governor shall [MAY] appoint an area election supervisor
27 for each of the four election areas to serve in the following cities:
28 Juneau, Anchorage, Fairbanks, and Nome. The area election super-
visors shall assist in the administration of elections. An area

1 election supervisor may not hold office in a political party.

2 * Sec. 10. AS 15.10.110 is repealed.

3 * Sec. 11. AS 15.10.150 is amended to read:

4 Sec. 15.10.150. APPOINTMENT OF NOMINEES FOR JUDGES AND CLERKS.

5 Whenever the appointment of election judges or clerks is required, the
6 party district committee of the political party of which the governor
7 is a member may present in writing to the election supervisor on or
8 before April 15 [JUNE 1] in each regular election year, or at least
9 60 days before a special election, the names of two party nominees for
10 judges, and one for clerk, in any or all election precincts, and
11 the election supervisor shall appoint the party nominees to the
12 respective precinct election boards. The party district committee
13 of the political party which received the second largest number of
14 votes in the preceding general election may present in writing to
15 the election supervisor on or before April 15 [JUNE 1] in each
16 regular election year, or at least 60 days before a special election
17 the name of one party nominee for judge and one for clerk for any
18 or all election precincts and the election supervisor shall appoint
19 the party nominees to the respective precinct election boards. If
20 any party district committee fails to present the names prescribed
21 by this section by April 15 [JUNE 15] of a regular election year
22 or before the 60th day preceding a special election, the election
23 supervisor may appoint any qualified person not otherwise disqualified
24 under sec. 120 of this chapter.

25 * Sec. 12. AS 15.15.080 is amended to read:

26 Sec. 15.15.080. TIME FOR OPENING AND CLOSING POLLS. On the
27 day of election, each election board shall open the polls for voting
28 at eight o'clock in the morning, shall close the polls for voting at
29 nine [EIGHT] o'clock in the evening, and shall keep the polls open

1 during the time between these hours. The election board members
2 shall report to the polling place at 7:30 in the morning of an
3 election day. The hour shall be determined by the standard time, or
4 daylight saving time, that is applicable to the polling place.

5 * Sec. 13. AS 15.15.190 is repealed and re-enacted to read:

6 Sec. 15.15.190. KEEPING OF DUPLICATE REGISTER. The judge
7 or clerk assigned to keep the duplicate register shall enter the
8 number of the line on which the name of a voter appears in the
9 original register in the space provided on the duplicate book.

10 * Sec. 14. AS 15.15.200 is amended to read:

11 Sec. 15.15.200. QUESTIONING OF VOTER OF DOUBTFUL QUALIFICATION.
12 An election judge may question any person of doubtful qualification
13 attempting to vote and may require identification. Upon a satis-
14 factory showing that the person is qualified to vote, the election
15 judge shall allow the person to vote. [IF AN ELECTION JUDGE IS
16 DOUBTFUL AS TO THE ABILITY OF A PERSON TO SPEAK THE ENGLISH LANGUAGE,
17 A SATISFACTORY SHOWING IS MADE BY THE PERSON BRIEFLY CONVERSING WITH
18 THE ELECTION JUDGE BY USE OF SIMPLE ENGLISH WORDS. IF AN ELECTION
19 JUDGE IS DOUBTFUL AS TO WHETHER THERE IS A PHYSICAL DISABILITY
20 PREVENTING THE SPEAKING OR READING OF THE ENGLISH LANGUAGE, A
21 SATISFACTORY SHOWING IS MADE BY A WRITTEN STATEMENT MADE BY A LICENSED
22 PHYSICIAN THAT THE PERSON IS SO DISABLED.]

23 * Sec. 15. AS 15.15.213 is amended to read:

24 Sec. 15.15.213. QUESTIONING A VOTER'S BALLOT. An election
25 judge, clerk, or watcher may question [CHALLENGE] a voter if the
26 voter is unable to prove that he is qualified to vote at the polling
27 place for that precinct. If his polling place is in question the
28 voter shall be allowed to vote, and the election officer shall
29 consider the ballot as a questioned [CHALLENGED] ballot.

1 * Sec. 16. AS 15.20 is amended by adding a new section to read:

2 Sec. 15.20.065. APPLICATION TO ELECTION SUPERVISOR IN PERSON OR
3 BY REPRESENTATIVE. A qualified voter may apply, in person, or by a
4 personal representative for an absentee ballot for his district at
5 the office of an election supervisor if time does not permit him to
6 obtain an absentee ballot pursuant to sec. 060 of this chapter.
7 Absentee ballots permitted by this section may be obtained from the
8 office of the election supervisor any time during regular office
9 hours on any day after the ballots are prepared and available and
10 extending through election day.

11 * Sec. 17. AS 15.20.080 is amended to read:

12 Sec. 15.20.080. DATE FOR APPLICATION IN PERSON. A qualified
13 voter may apply for an absentee ballot in person on any day after
14 the ballots are prepared and available [NOT MORE THAN 15 DAYS BEFORE
15 THE DAY OF AN ELECTION], but not on election day. Application may be
16 made on election day only in the office of the election supervisor
17 as provided in sec. 065 of this chapter. For special elections held
18 to recall an elected official or to fill a vacancy in the office of
19 United States representative or governor and lieutenant governor,
20 a qualified voter may apply for an absentee ballot 20 days before
21 the date of an election but not on election day.

22 * Sec. 18. AS 15.20.150 is amended to read:

23 Sec. 15.20.150. CASTING VOTE BY PERSONAL REPRESENTATIVE OR BY
24 MAIL. Upon receipt of an absentee ballot through a personal repre-
25 sentative or by mail, the voter, whether in or outside the state,
26 in the presence of two attesting witnesses, [BOTH OF WHOM ARE
27 QUALIFIED VOTERS,] or before an election judge, notary public,
28 commissioned officer of the armed forces including the National
29 Guard, district judge or magistrate, United States Postmaster,

1 United States assistant postmaster, or other person qualified to
2 administer oaths, may proceed to mark the ballot in secret, to
3 place the ballot in the small blank envelope, to place the small
4 envelope in the larger envelope, and to sign the voter's certificate
5 on the back of the larger envelope in the presence of the above-
6 listed official or described persons who shall sign as attesting
7 witnesses. The voter may then return the ballot properly enclosed
8 in the envelopes, by personal representative to the election official
9 who provided the ballot or by the most expeditious mail service,
10 postmarked not later than the day of the election, to the election
11 supervisor in his district.

12 * Sec. 19. AS 15.20.250 is amended to read:

13 Sec. 15.20.250. PRESCRIBING MINIMUM REQUIREMENTS. The
14 lieutenant governor shall prescribe the minimum requirements of voting
15 machines and with the assistance of the Department of Administration,
16 shall [MAY] conduct tests necessary to determine the adequacy of any
17 particular type or make of machine. Any person, company or corpora-
18 tion, may apply to the lieutenant governor to examine their voting
19 machine and to certify the machine as meeting the minimum require-
20 ments prescribed by law. The minimum requirements shall be
21 prescribed to insure secrecy to the voter, to permit voting both for
22 candidates and on propositions and questions, to prevent improper
23 voting in primary elections, to minimize error in marking ballots,
24 and to assure accuracy in counting returns.
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