

Original sponsor: Rules Committee by  
request of the Governor

Offered: 4/27/71  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR 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 15.07.040 is amended to read:

9 Sec. 15.07.040. TIME FOR REGISTRATION. A person who is qualified  
10 under AS 15.05.010(1) - (4) is entitled to register at any time  
11 throughout the year [COMMENCING DECEMBER 21, 1968], except that no  
12 registration will be made for a period of 10 [14] days preceding the  
13 election if the application for registration is made in person or  
14 30 days preceding the election if the application for registration is  
15 made by mail. A voter may register in person on election day and shall  
16 be granted the right to vote in the same manner as that of a questioned  
17 voter and his ballot shall be treated in the same manner. The ballot  
18 shall be considered to be a "questioned ballot" and shall be so designa-  
19 ted. The lieutenant governor or his representative shall determine  
20 whether the voter is entitled to register in the election district before  
21 counting the ballot.[;HOWEVER, REGISTRATION MAY BE MADE IN PERSON AT  
22 EITHER THE 1968 PRIMARY OR GENERAL ELECTION AS PROVIDED IN SEC. 70(D) OF  
23 THIS CHAPTER]

24 \* Sec. 2. 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 the  
3 office of the lieutenant governor and on the district register  
4 located in the office of the election supervisor.

5 \* Sec. 3. AS 15.07.070(e) and AS 15.07.080 are repealed.

6 \* Sec. 4. AS 15.07.090(c) is amended to read:

7 (c) It is [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 10 or more days before the election day. If the  
11 request for a transfer is not made within the time limit established  
12 by this subsection, the appropriate transfer shall be made after  
13 election day [, UPON GOOD CAUSE SHOWN].

14 \* Sec. 5. AS 15.07.090(d) is amended to read:

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

26 \* Sec. 6. AS 15.07.200 is amended to read:

27 Sec. 15.07.200. APPOINTMENT OF AREA ELECTION SUPERVISORS. The  
28 lieutenant governor shall [MAY] appoint an area election supervisor  
29 for each of the four election areas to serve in the following cities:

1 Juneau, Anchorage, Fairbanks, and Nome. The area election supervisors  
2 shall assist in the administration of elections. An area election  
3 supervisor may not hold office in a political party.

4 \* Sec. 7. AS 15.10.110 is repealed.

5 \* Sec. 8. AS 15.10.150 is amended to read:

6 Sec. 15.10.150. APPOINTMENT OF NOMINEES FOR JUDGES AND CLERKS.  
7 Whenever the appointment of election judges or clerks is required, the  
8 party district committee of the political party of which the governor  
9 is a member may present in writing to the election supervisor on or  
10 before April 15 [JUNE 1] in each regular election year, or at least  
11 60 days before a special election, the names of two party nominees for  
12 judges, and one for clerk, in any or all election precincts, and  
13 the election supervisor shall appoint the party nominees to the  
14 respective precinct election boards. The party district committee  
15 of the political party which received the second largest number of  
16 votes in the preceding general election may present in writing to  
17 the election supervisor on or before April 15 [JUNE 1] in each regular  
18 election year, or at least 60 days before a special election the name  
19 of one party nominee for judge and one for clerk for any or all  
20 election precincts and the election supervisor shall appoint the  
21 party nominees to the respective precinct election boards. If any  
22 party district committee fails to present the names prescribed by  
23 this section by April 15 [JUNE 15] of a regular election year or before  
24 the 60 th day preceding a special election, the election supervisor  
25 may appoint any qualified person not otherwise disqualified under  
26 sec. 120 of this chapter.

27 \* Sec. 9. AS 15.15.190 is repealed and re-enacted to read:

28 Sec. 15.15.190. KEEPING OF DUPLICATE REGISTER. The judge or  
29 clerk assigned to keep the duplicate register shall enter the number

1 of the line on which the name of a voter appears in the original  
2 register in the space provided on the duplicate book.

3 \* Sec. 10. AS 15.15.200 is amended to read:

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

16 \* Sec. 11. AS 15.15.213 is amended to read:

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

23 \* Sec. 12. AS 15.20 is amended by adding a new section to read:

24 Sec. 15.20.065. APPLICATION TO ELECTION SUPERVISOR IN PERSON OR  
25 BY REPRESENTATIVE. A qualified voter may apply in person or by a  
26 personal representative for an absentee ballot for his district at the  
27 office of an election supervisor if time does not permit him to obtain  
28 an absentee ballot under secs. 60 or 70 of this chapter. Absentee  
29 ballots permitted by this section may be obtained from the office of

1 the election supervisor any time during regular office hours on any  
2 day after the ballots are prepared and available and extending through  
3 election day.

4 \* Sec. 13. AS 15.20.080 is amended to read:

5 Sec. 15.20.080. DATE FOR APPLICATION IN PERSON. A qualified  
6 voter may apply for an absentee ballot in person on any day after the  
7 ballots are prepared and available [NOT MORE THAN 15 DAYS BEFORE THE  
8 DAY OF AN ELECTION], but not on election day. Absentee ballots shall  
9 be prepared and available at least 15 days before the day of an  
10 election. Application may be made on election day only in the office  
11 of the election supervisor as provided in sec. 65 of this chapter.  
12 For special elections held to recall an elected official or to fill  
13 a vacancy in the office of United States representative or governor  
14 and lieutenant governor, a qualified voter may apply for an absentee  
15 ballot 20 days before the date of an election but not on election day.

16 \* Sec. 14. AS 15.20.150 is amended to read:

17 Sec. 15.20.150. CASTING VOTE BY PERSONAL REPRESENTATIVE OR BY  
18 MAIL. Upon receipt of an absentee ballot through a personal repre-  
19 sentative or by mail, the voter, whether in or outside the state, in  
20 the presence of two attesting witnesses, [BOTH OF WHOM ARE QUALIFIED  
21 VOTERS,] or before an election judge, notary public, commissioned  
22 officer of the armed forces including the National Guard, district  
23 judge or magistrate, United States Postmaster, United States assistant  
24 postmaster, or other person qualified to administer oaths, may proceed  
25 to mark the ballot in secret, to place the ballot in the small blank  
26 envelope, to place the small envelope in the larger envelope, and  
27 to sign the voter's certificate on the back of the larger envelope in  
28 the presence of the above-listed official or described persons who  
29 shall sign as attesting witnesses. The voter may then return the

1 ballot properly enclosed in the envelopes, by personal representative  
2 to the election official who provided the ballot or by the most  
3 expeditious mail service, postmarked not later than the day of the  
4 election, to the election supervisor in his district.

5 \* Sec. 15. AS 15.20.250 is amended to read:

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