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LASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
RESEARCH AGENCY

Pouch Y, State Capitol
Juneau, Alaska 99811
(907) 465-3991

April 24, 1986

MEMORANDUM

TO: Representative Terry Martin
FROM: Carol ^{CH}Hart, Secretary
RE: Submarine Ballot

David Teal asked that I send you the attached legislation on Submarine Ballot Act.

This is contained in Suggested State Legislation, 1986, Volume 45, published by the Council of State Governments.

CH

Attachment

Submarine Ballot Act

Four to five million qualified American voters live in other countries and must often cope with complex obstacles in order to exercise their right to vote. In some cases, such as Navy personnel stationed on nuclear submarines that remain submerged for sixty to ninety days at a time, these obstacles can prevent voting entirely.

Many states are unable or unwilling to alter primary dates in order to print absentee general election ballots soon enough to accommodate overseas voters. An alternative that promotes enfranchisement is the "submarine ballot," a special ballot that can be mailed up to ninety days in advance of the election to voters who apply that early and can certify they expect not to be able to vote in the usual absentee manner. The ballot does not have all the candidates' names, only titles of offices and as many names or measures as can qualify before the printing deadline. The absentee voter marks the ballot by writing in a name or expressing a party preference for each office.

This draft bill combines 1984 Washington and Connecticut legislation and incorporates minor changes suggested by the U.S. Department of Defense's Federal Voting Assistance Program.

(Title, enacting clause, etc.)

1 Section 1. *[Short Title.]* This act may be cited as the Submarine Ballot Act.

1 Section 2. *[Providing Absentee Ballots.]*

2 (a) As provided in this section, the county election officer shall provide
3 special absentee ballots to be used for state primary or state general elec-
4 tions. A special absentee ballot shall only be provided to a voter who com-
5 pletes an application stating that:

6 (1) The voter believes that she or he will be residing or stationed or
7 working outside the continental United States.

8 (2) The voter believes that she or he will be unable to vote and return
9 a regular absentee ballot by normal mail delivery within the period provided
10 for regular absentee ballots.

1 Section 3. *[Application for Absentee Ballot.]*

2 (a) The application for a special absentee ballot may not be filed earlier
3 than [ninety] days prior to the applicable state primary or general election.

4 (b) The application for an overseas ballot shall be the federal application
5 permitted under [cite appropriate act] or in the form of an affidavit sub-
6 scribed and sworn to before an officer authorized to administer oaths, and
7 shall provide substantially as follows:

8 To the Town Clerk of the Town of [town, state] I, the undersigned, swear
9 that the following statements are true:

10 (1) I am a citizen of the United States.

11 (2) I have not at any time forfeited my right to become an elector and my
12 electoral privileges because of conviction of a disfranchising crime or, in the
13 event that I have so forfeited such rights and privileges, all fines in con-
14 junction with such conviction have been paid, I have been discharged from
15 any confinement, parole, or probation, as the case may be, relating to such
16 conviction and I submit written proof thereof.

17 (3) I was born on [date], and on the day of the next federal election,
18 I shall be at least eighteen years of age.

19 (4) I am a former resident of the above town, to which I am making this
20 application, and resided at [street address] therein. I moved from such town
21 to my present residence on [date]. I now reside in [town] at [street address]
22 therein.

23 (5) I have a valid passport or card of identity and registration issued
24 under the authority of the Secretary of State of the United States or alternate
25 form of identification.

26 (6) I hereby apply for an overseas ballot for the

- 27 Primary
28 General Election
29 Special Election

30 to be held on [date]. I do not maintain a domicile in this state or in any other
31 state or election district of any state or territory or any territory or posses-
32 sion of the United States. I have not voted and will not vote otherwise than by
33 this ballot at such election for which I now apply for an overseas ballot.
34 I am not eligible to vote in any other town in [state] or in any other state
35 or election district of any state or territory or any territory or possession
36 of the United States.

37 (7) The said ballot is to be mailed to me at [mailing address].

38 Dated at _____ this _____ day of _____, 19____.

39 _____ (Signature of applicant)

40 Subscribed and sworn to before me this _____ day of _____,
41 19____.

42 _____ (Signature and title of officer
43 administering oath)

44 (c) The oath to be administered in connection with any such application
45 may be administered by any officer empowered to administer oaths under
46 [cite appropriate act] or any officer empowered to administer oaths under
47 the laws of any state or country or by any commissioned officer in the armed
48 forces, or any consul, vice consul or deputy consul representing the United
49 States in a foreign country, and shall be attested to by such officer over his
50 signature and title or statement of rank. In addition, any such oath may be
51 administered and attested by any two persons, one of whom shall be an
52 American citizen, if taken in a foreign country.

1 Section 4. *[Contents of Ballot.]*

2 (a) The special absentee ballot shall list the titles of all offices contested
3 at such election and measures, if known, scheduled to appear on the state
4 primary or general election ballot. The voter may use the special absentee
5 ballot to write in a party preference, the name of any eligible candidate for
6 each office, and vote on any measure.

7 (b) With any special absentee ballot issued under this section, the county
8 election officer shall include a listing of any candidates who have filed be-
9 fore the time of the application for offices that will appear on the ballot
10 at that primary or election and a list of any issues that have been referred
11 to the ballot before the time of the application.

12 (c) Write-in votes on special absentee ballots shall be counted in the same
13 manner provided by law for the counting of other write-in votes. The county
14 election officer, shall process and canvass the special absentee ballots pro-
15 vided under this section in the same manner as other absentee ballots un-
16 [cite appropriate act].

1 Section 5. *[Validity of Ballot.]* A voter who requests a special absentee
2 ballot under this act may also make application for an absentee ballot under
3 [cite appropriate act] or a service absentee ballot under [cite appropriate
4 act]. If the regular absentee or service absentee ballot is properly voted and
5 returned, the special absentee ballot shall be deemed void and the county
6 election officer shall reject it in whole when special absentee ballots are
7 canvassed.

1 Section 6. *[Severability.]* [Insert severability clause.]

1 Section 7. *[Repealer.]* [Insert repealer clause.]

1 Section 8. *[Effective Date.]* [Insert effective date.]

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DURING SESSION
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PHONE 465-3783

Alaska House of Representatives

MEMORANDUM

To: Senator Mitch Abood Chairman
Senate State Affairs Committee

From: Representative Terry Martin *T.M.*

Date: May 6, 1986

Subject: CS HB 402 Judiciary

"An Act relating to military and overseas voters."

Alaska's overseas and military voters need a simple process and adequate time to apply for and receive absentee ballots. This bill accomplishes both.

First, it backs up in statute procedures already established by the Division of Elections, which a) allow an absentee voter to send in one form to request absentee ballots for all state elections occurring in the following year; and, b) permit the voter to register to vote. All of these actions can be accomplished on one form, in one mailing.

Second, the bill allows a voter to request absentee ballots up to one year in advance of an election. Current law allows ballots to be requested no more than six months in advance, which means that if a voter desires an absentee ballot for both the primary and general elections, then the request can be made no more than three months before the primary, or else it will be more than six months before the general.

Third, the bill sets up a procedure so that absentee ballots can be mailed out to voters earlier, giving military and overseas voters enough time to apply for, receive and return their ballots so that their votes can be counted. As you may know, it is not unusual for overseas mail to require 15 days or more for delivery in one direction. Because of this unique circumstance, we recognize the need to provide overseas and military voters with a mechanism to receive their absentee ballots earlier than other voters.

Under existing law, it would be difficult for Division of Elections to have regular ballots ready for mailing 60 days before an election, especially a general election, since so much time is required to certify the primary election.

Therefore, HB 402 sets up a new system, similar to that used by Washington State and others.



A special absentee ballot will be prepared for each state general election. This ballot will show all ballot propositions or questions. The special ballot will contain party boxes and a blank line with a box, for each race, sort of like this:

<input type="checkbox"/>	Democrat	<input type="checkbox"/>	Republican	<input type="checkbox"/>	Libertarian
<hr/>			<input type="checkbox"/>		

The absentee voter may then vote in one of two ways: 1) by marking one of the boxes, thereby voting for the candidate nominated by the party (the primary winner); or, 2) by writing in a candidate and checking the corresponding box. The Division of Elections will provide an enclosure with the special ballot which lists the names of all the qualified candidates that were in the primary race, as well as any candidates who qualify by petition to appear on the general election ballot.

When the regular ballots are prepared, Division of Elections will send one out to each voter who received a special absentee ballot. As this regular ballot will be complete, containing all the candidates' names, this ballot would be counted in preference to the special ballot if the regular ballot is received back in time to meet statutory deadlines. If the second ballot is not returned in time, the first (special) ballot would be counted.

The Division of Elections has given their support to this bill.

It is vital that you give careful consideration to this measure, in the interests of all Alaskan voters. I will be happy to provide additional information or to answer any questions.

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House Finance
April 15, 1986

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MEMORANDUM

To: Representative Al Adams, Chairman
House Finance Committee

From: Representative Terry Martin

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